

# Ethical Guidelines for the Civil Service

**Revised December 2025**

## **Preface**

Ethical standards in service delivery and the exercise of authority are prerequisites for citizens to have confidence in the civil service. The aim of these general ethical guidelines is that all civil servants shall be mindful of this. The ethical guidelines are intended to be general in nature and are not detailed rules. They are intended to be general guiding principles, which in turn require reflection on the part of each individual employee.

The guidelines are based on universally applicable ethical values and norms, such as fairness, loyalty, honesty, trustworthiness, truthfulness, and treating others as you would like to be treated yourself.

We have many legal rules (statutory and non-statutory) that influence ethical values and norms in central government administration. The ethical norms that apply at any given time influence the formulation of laws and other regulations. In this sense, the guidelines complement the existing legal rules. Some of the applicable legal rules are discussed in more detail under the heading 'Relationship to laws and regulations'.

The guidelines were revised and updated in 2017 and then again in 2025. The 2017 revision addressed the discussion of freedom of expression, and the guidelines were supplemented with a discussion of ownership of and trading in securities. The guidelines were further updated in light of amendments to the Working Environment Act relating to whistleblowing, and the document was updated to include references to the new Penal Code and the Civil Servants Act ([statsansatteloven](#), available in Norwegian only), respectively.

In 2025, the guidelines were further updated to include an introductory text on freedom of expression. The order of the sections has also been changed, and the reference to freedom of expression has been highlighted, in line with the recommendations of the Freedom of Expression Commission (see section 15.6.1.4 of Official Norwegian Report (NOU) 2022: 9). In addition, the guidelines have been updated as a result of amendments to the Working Environment Act's whistleblowing provisions on, among other things, whistleblowing procedures, the Civil Servants Act's provisions on the registration of civil servants' and public officials' positions and financial interests, the guide on gifts in the course of duty, and the prohibition in the Penal Code against the

purchase of sexual services. Updated references to legislation and correct references to the Norwegian Civil Service Handbook of 2025 ([Statens personalhåndbok 2025](#), available in Norwegian only) have also been included.

## **Status of the guidelines and local responsibility**

The guidelines shall apply generally to the entire civil service, meaning that all government agencies are covered by them. State-owned enterprises and other state-owned companies and institutions must assess the need to introduce their own ethical guidelines.

The Ministry of Digitalisation and Public Governance expects each individual organisation to use the guidelines as a basis for further developing and strengthening ethical awareness among its employees, thereby establishing a solid foundation for managers and employees to engage in ethical reflection.

Each organisation must assess the need for supplementary guidelines adapted to its specific needs.

The central government administration should demonstrate openness, and government bodies should be characterised by a good culture of expression with considerable latitude for employees to participate in public discourse. Freedom of expression is a fundamental right and a foundation for the guidelines.

Consideration for employees and safeguarding a good working environment are discussed in several of the guidelines. It is important that employees are provided with professional and personal development and that the needs of the individual are taken into account in structuring work. Consideration for employees will be evident from the organisation's personnel policy; however, each organisation must also be able to supplement the general ethical guidelines in this area.

Conduct or acts that violate the general ethical guidelines do not carry separate sanctions; however, violations of, for example, provisions on impartiality may lead to a decision being invalidated. An act or omission in the course of duty may constitute dereliction of duty and result in disciplinary measures. Acts or omissions in the course of duty may also be so serious that they lead to prosecution and criminal penalties. Clear violations of statutory provisions will normally also constitute violations of general ethical and public administration ethics guidelines.

Even if an act or omission in the course of duty does not directly violate laws or formal rules, it may be taken into account in disciplinary proceedings if it involves a violation of ethical guidelines. Provided that ethical guidelines have been communicated within the organisation and to each individual, breaches of these guidelines will be a factor that may be considered, for example, in an overall assessment of the suitability of the civil servant in question or in an internal application for a new position, where it is reasonable to require compliance with the organisation's ethical guidelines.

## **Employers, managers, and employees**

As the responsible body for the central employer function in the civil service, the Ministry of Digitalisation and Public Governance is tasked with establishing the *Ethical Guidelines for the Civil Service* and determining their content. The guidelines apply generally to the entire civil service. This means that all government agencies are covered by these guidelines. Senior managers in the government ministries and subordinate bodies have a special responsibility for follow-up procedures. Firstly, because managers have a major influence on the culture and standards of conduct in the organisation through their words, actions, and leadership conduct. Secondly, because senior managers themselves may face situations that require ethical reflection and wisdom when making choices and decisions. Thirdly, because it is the responsibility of senior managers to ensure that the entire organisation is aware of the ethical requirements imposed on the organisation, and that any violations of laws and regulations or the development of undesirable practices and culture are immediately addressed within the organisation.

Individual employees are obliged to familiarise themselves with the provisions and instructions that apply to their position at any given time, and have a personal responsibility to follow the guidelines to the best of their ability.

## **Structure of the document**

In this document, the guidelines are set out in boxes, while the rest of the text consists of comments from the Ministry of Digitalisation and Public Governance on the individual provisions. At the beginning of each main section, there are comments on the key content of that section.

In the guidelines, we generally use the term 'citizen', even in cases where it would be natural to use terms such as national, public, customer, or user.

# 1 General provisions

Employees in the central government administration shall be guided by ethical values and norms, both those of general applicability and those specific to public administration. Each employee bears individual responsibility for upholding the trust and reputation of the organisation. Civil servants shall not allow their own interests to influence case processing or their work in general, nor shall they allow considerations of their own or the organisation's convenience or prestige to influence their actions or decisions.

## 1.1 Consideration for citizens

As an exerciser of public authority, service provider, and administrator of significant public resources, the central government administration — and thus each individual employee — has a duty to take citizens' interests into account, strive for equal treatment, and act respectfully towards every individual.

### Comments:

When carrying out the functions of the public administration, and in particular when exercising administrative authority, it will often be necessary to strike a balance between general public interest considerations, safeguarding rule-of-law principles for citizens (for example, due process), and the interests of individual citizens. First and foremost, we must bear in mind that the civil service exists to serve citizens.

In both the exercise of authority and the provision of services, every civil servant shall be considerate, friendly, polite, proper, and accommodating towards the public in both written and oral communication. This applies even if the other party does not reciprocate.

All communication must be phrased in a way that is easy for the recipients to understand.

All statutory and regulatory provisions concerning the duty of confidentiality and privacy shall be observed. Individual civil servants shall always respect the personal integrity of individual citizens. It is important to be aware of the needs, values, norms, and expectations of members of ethnic minorities in communication, decision-making, and service delivery.

## **1.2 Consideration for the State's reputation**

Individual employees are obliged to perform their duties and conduct themselves externally in an ethically sound manner that does not damage the State's reputation.

### **Comments:**

Whether a civil servant acts within their own organisation or in other public or private organisations, domestically or abroad, they will primarily be perceived as a representative of their employer, but also of the State as a whole. The latter applies in particular when the employee acts in an official capacity abroad or receives foreign citizens on an official visit to Norway.

In all contexts, it is important to understand the cultures, religions, and political systems of other countries. Reference is otherwise made to sections 4.5 and 4.6 on the receipt and offer of gifts and other benefits. Reference is also made to the fact that the purchase of sexual services is prohibited under Section 316 of the [Penal Code](#). This also applies to Norwegian citizens abroad, cf. Section 5 (9) of the Penal Code. This means that an employee on assignment at the expense of the State in Norway or abroad shall refrain from purchasing sexual services, among other things.

## 2 Transparency

The central government administration must demonstrate transparency both externally towards citizens and internally within its own organisation and across the various branches of the administration. This is a necessary prerequisite for public confidence in the civil service and counteracts censurable conduct and unethical practices. Public access and open discussion are prerequisites for a well-functioning democracy. The requirements for transparency, loyalty, and the duty to report adverse conditions within the organisation are interrelated. To gain a comprehensive understanding of, for example, the extent of the duty to report, the particular issue must also be viewed in light of the requirements of transparency and loyalty. This means that the conclusions reached and the dilemmas that arise will differ from one case to another.

### 2.1 Public access

There shall be transparency and access to information in public administration so that the general public can familiarise themselves with the State's activities and gain insight into how the State performs its tasks.

#### Comments:

The most important statutory provisions in this context are the rules in the Freedom of Information Act concerning the public's right of access and extended public access. Both the wording and the intent of the provisions must be complied with. The provisions should be practised in the manner most conducive to public access. For instance, the organisation's reputation shall not constitute grounds for non-disclosure.

### 2.2 Active duty of disclosure

The state has an active duty of disclosure. Civil servants shall always provide accurate and sufficient information, whether to other authorities, companies, organisations, or citizens. In some contexts, this means that necessary information relevant to the processing of the case shall be provided without prior request.

## Comments:

The active duty of disclosure aims to promote citizens' democratic participation and to meet the needs of different groups for information about their duties, rights, and opportunities. The information must be both accurate and sufficient. This means that essential information must not be withheld, whether for reasons of convenience or other reasons.

Neither administrative nor political superiors shall instruct or encourage subordinates to provide incorrect or misleading information. It is a right, and in some cases it also arises from the duty of loyalty, for subordinates to bring this to the attention of their superiors. In certain situations, it may be appropriate for civil servants to report outside the organisation on their knowledge or suspicion that false or misleading information has been provided. See also sections 3.2 on reporting and 2.4 on whistleblowing.

### **2.3 Employees' freedom of expression**

Civil servants, like everyone else, have a fundamental right to express criticism of the activities of the State and all other matters.

## Comments:

Freedom of expression is a fundamental right protected by both the Constitution of Norway and international human rights law. It is based on the fundamental principles of democracy, the search for truth, and the individual's free formation of opinion.

Civil servants have the same fundamental freedom of expression as any other citizen. This also applies to statements that are directly related to the organisation in which the civil servant works.

To meet society's need for access to information and to ensure open and informed debate, it is important that civil servants have the opportunity to express critical and competent perspectives in public discourse.

Freedom of expression only applies to statements made on one's own behalf. Employers have full discretion to determine who is authorised to speak on behalf of the organisation. Even if the organisation has designated a spokesperson, this does not imply that other employees are silenced. Where there is doubt as to whether an employee has made statements on their own behalf or on behalf of their employer, the decisive factor is how the statement is likely to be perceived. In this context, emphasis

must be placed on the content of the statement, the context in which it is made, the use of images or other aspects of the presentation, and how the employee presents themselves. Often, it will be advantageous to make it clear that the statement was made on the employee's own behalf. The official government letterhead and logo shall never be used in private correspondence.

Freedom of expression is subject to restrictions, including rules on the duty of confidentiality. In addition, the duty of loyalty in employment relationships may justify certain restrictions. Only statements that could harm the organisation's objective and legitimate interests are capable of constituting a breach of the duty of loyalty. However, this alone is not sufficient to restrict the employee's freedom of expression. A comprehensive assessment must be made in each individual case, weighing the reasons for interfering with the employee's freedom against the considerations of democracy, the search for truth, and the individual's free formation of opinion. For critical statements within one's own field of expertise, particularly compelling reasons must, as a general rule, be required before intervention is legitimate.

For employees in government agencies that exercise public authority or serve as secretariats for political leaders, the duty of loyalty is partly justified by considerations of the functioning and legitimacy of the democratic system. The loyalty requirements that can be imposed on employees will depend, in particular, on the centrality of their position and the tasks they perform. Employees who are naturally perceived as representatives of the organisation will, as a general rule, have to meet stricter requirements than others. This will apply, for example, to the organisation's spokespersons.

Conversely, certain roles and responsibilities inherently involve engaging in public debate. This is especially relevant to individuals holding academic positions at universities, university colleges, and research institutions. For such individuals, participating in public debate, providing expert opinions, and expressing critical views are considered part of their job. Employees also have a duty to conduct research and disseminate their findings by virtue of their position, and thus have the right and duty to publicise research results, even when these conflict with established policy. Similarly, this applies to staff representatives, who are responsible for safeguarding employees' interests. This means that more is required before statements made by a staff representative are considered to be in breach of the duty of loyalty when acting in that capacity.

Although certain restrictions must apply under the duty of loyalty, civil servants may participate in public debate on equal footing with other citizens. Neither employers nor

colleagues may cause any difficulties for individuals who openly and critically express themselves within these boundaries.

## **2.4 Reporting of issues of concern in the organisation (whistleblowing)**

Civil servants have the right to report issues of concern in the public administration. Before whistleblowing, attempts should be made to raise the matter internally.

### Comments:

[Chapter 2A of the Working Environment Act](#) regulates employees' right to report issues of concern.

The provisions are intended to promote effective freedom of expression within employment relationships.

The Working Environment Act's whistleblowing rules cover instances where employees report issues of concern in the workplace that they become aware of through the employment relationship, and that are, or may be, in violation of legal rules, written ethical guidelines within the organisation, or widely accepted ethical norms in society.

The principles of transparency and citizens' oversight of the public administration require that the general public be given access to information about issues of concern in the public administration. As noted under section 2 on transparency, the question of the right to disclose information to the general public must also be viewed in conjunction with the duty to report internally on adverse conditions within the organisation and the duty of loyalty.

Experience from Norway and other countries shows that although whistleblowing is applauded by the public and considered a socially beneficial effort, it can place a heavy burden on whistleblowers, not least in relation to colleagues and superiors. The Working Environment Act has specific rules that guarantee the right to report issues of concern in the organisation and prohibit retaliation against those who report in accordance with the rules of the Act. These rules are intended to strengthen whistleblower protection.

The Act sets out how employees shall proceed to ensure proper procedure when whistleblowing.

Transparency in the workplace is indicative of a healthy organisational culture that benefits both the organisation and its employees.

Government bodies shall have their own whistleblowing procedures in place, based on the needs of the organisation. Employees shall report in accordance with these procedures unless circumstances render internal reporting unsuitable.

Allegations of issues of concern may have detrimental consequences for the person(s) implicated, the organisation, colleagues, and the working environment. Many also find that reporting issues of concern has a detrimental effect on themselves.

Employees who report in accordance with the organisation's internal whistleblowing rules will always have reported in a responsible manner. The same applies to whistleblowing to supervisory or other public authorities.

Reporting should be motivated by a desire to rectify the issues of concern, inform citizens about such conditions and thereby promote the interests of users, the organisation, or society.

Therefore, it is recommended that employees seek advice, preferably from their employer's HR manager, the Norwegian Labour Inspection Authority, a staff representative, or other relevant advisors, before taking the step of reporting issues of concern in the organisation.

The employee should ask themselves:

- Is my criticism well-founded?

This relates both to the accuracy of the factual information and whether it qualifies as an issue of concern, unlawful, or similar. The standard of care required of the employee will depend on their position, professional competence, the urgency of the matter, and the nature of the information in question.

- Is it possible or appropriate to report internally, to supervisory authorities, or other public authorities?

However, it is not always possible to report internally or go to a superior first. This may be the case where the issues of concern involve management or where there is reason to believe that whistleblowing could result in retaliation.

- Are the issues of concern being reported in the public interest?

There are no strict requirements regarding public interest; however, the stronger the public interest in knowing about the circumstances, the less that is required before it is justifiable to report externally.

See also the Ministry of Digitalisation and Public Governance's [guidelines for the preparation of local whistleblowing procedures in the civil service](#) (available in Norwegian only) and the [Norwegian Labour Inspection Authority's discussion of whistleblowing](#) (available in Norwegian only).

### 3 Loyalty

The duty of loyalty is a general principle of contract law, and the employment relationship gives rise to a mutual duty of loyalty between the employee and the organisation. The employee's duty of loyalty requires the employee to act in accordance with the organisation's interests. The employer, for its part, shall ensure that the employee's interests are safeguarded to the greatest extent possible, and managers have a special responsibility to contribute to the protection of employees who uncover and report issues of concern.

#### 3.1 Duty of obedience

Civil servants are obliged to comply with the legal rules and ethical guidelines that apply to the organisation, as well as to comply with orders from their superiors. The duty of obedience does not involve any obligation to follow orders that are illegal or unethical.

#### Comments:

The duty of loyalty requires civil servants to raise any necessary objections before a decision is made, so that the preparatory process reflects as complete a picture as possible of the relevant considerations and interests. Once the decision has been made, it is equally clear from the duty of obedience that the decision must be implemented promptly and efficiently within the established framework, regardless of the professional and political views of the civil servants involved.

Civil servants shall not assist their administrative superiors or the political leadership in the government ministries in providing incorrect or misleading information to the media or the general public. The duty of obedience does not entail any obligation for employees in the central government administration to perform tasks that fall outside what would be considered the scope of the minister's official duties, such as preparing election campaign material for the political leadership or otherwise directly contributing to party political activities.

Employees in the central government administration often accompany the political leadership of the government ministry on trips, including those involving party political events. Even when a minister is travelling to or attending a party political event, the minister remains head of their ministry. Civil servants must therefore be able to assist the minister with tasks relating to the ministerial role.

### **3.2 Duty to report**

Civil servants are obliged to notify their employer of any circumstances they become aware of that may cause loss or damage to the employer, employees, or third parties, so that measures can be taken to prevent or limit such harm.

#### **Comments:**

Breaches, or reasonable suspicion of breaches, of security regulations or other conditions that pose a risk to the life or health of employees or the public, are examples of acts and conditions that shall be reported. The same applies to corruption and criminal offences or irregularities. In the case of corruption, it is particularly important to provide as accurate and comprehensive information as possible about both the giver and the recipient of the undue advantage, cf. Sections 387–389 of the Penal Code. Depending on the circumstances, an alternative to internal reporting may be to contact the police or the supervisory or regulatory authorities.

The term ‘other irregularities’ indicates that the matter must be of a certain seriousness, and care should be taken not to encourage the development of a ‘culture of informing on colleagues’ in this context. How employees in an organisation should respond, for example, to colleagues’ improper conduct towards other colleagues, clients, or users in general is a question that must be clarified through internal dialogue, in connection with the establishment of internal whistleblowing procedures and, where appropriate, internal guidelines.

Reporting should normally be made to the line manager, who is responsible for how the matter is to be handled further. If the employee finds it difficult to approach their line manager, the matter shall be reported to other superiors. See also section 2.4, Reporting of issues of concern in the organisation (whistleblowing), or the organisation’s own whistleblowing procedures.

Managers have a special responsibility to ensure that employees who, in good faith, report illegal or unethical conditions or actions, or reasonable suspicions of such, are not subjected to retaliation or similar treatment from their employer or colleagues. See more about the employer’s duty to protect whistleblowers in Sections 2 A-3 and 2 A-4 of the Working Environment Act, and under section 2.4.

### **3.3 Duty of efficiency**

Civil servants are obliged to use and manage government resources in the most economical and rational manner, and shall not misuse or waste public funds. To achieve the set goals in a good and efficient manner, a balance must be struck among efficiency and resource use, thoroughness, quality, and good administrative practice.

#### **Comments:**

The term 'public funds' naturally extends beyond budgetary funds and includes everything from buildings, cars, and machinery to office supplies and electronic services. In this context, it may be natural to note that the State has relevant regulations governing travel, procurement, and hospitality, among other areas.

The duty of efficiency cannot be assessed in isolation from other considerations that the public administration must take into account in the exercise of its authority. Rapid and efficient production and goal attainment must be weighed against quality and thoroughness, cf. the rules of the Public Administration Act and the unwritten rules of good administrative practice. The requirements for efficiency, thoroughness, and quality may vary between different areas of responsibility. In general, however, the more far-reaching an administrative decision is for a party or a larger group, the greater the requirements for thoroughness and quality must be. Efficiency considerations must not lead to important principles of administrative law being disregarded.

The duty of efficiency must also be viewed in the context of the intentions of an inclusive working life. Employees, and managers in particular, have a responsibility to combat exclusion from working life, build health-promoting workplaces, and prevent stress and burnout.

## 4 Trust in the central government administration

To maintain and strengthen public confidence in the central government administration, it is particularly important that decisions are not influenced by considerations irrelevant to the matter at hand.

Our most important rules for ensuring trust in the public administration are the rules governing impartiality in [Section 6 of the Public Administration Act](#). In addition, there are rules on secondary occupation, post-employment restrictions upon transition to other employment, and a prohibition on gifts in the course of duty. Taken together, these rules cover various aspects of ensuring that civil servants are not influenced by irrelevant considerations and that the interests of the State and public trust in the central government administration are safeguarded.

### 4.1 Impartiality

Civil servants shall not act in a manner that is likely to undermine confidence in their impartiality.

#### Comments:

Reference is made here to Section 6, first and second paragraphs, of the Public Administration Act. The first paragraph stipulates that a public official is disqualified from preparing the basis for a decision or from making a decision in an administrative case, including when they, or a member of their family, is a party to the case, or when they are a representative of a party to the case.

It is particularly important to be aware of the assessment that must be made under the second paragraph, which stipulates that a civil servant is disqualified when other special circumstances exist that are likely to undermine confidence in their impartiality. In this context, emphasis shall be placed on whether the decision in the case may entail a particular advantage, loss, or disadvantage for the civil servant himself or herself or someone with whom he or she has a close personal relationship.

Each individual is personally responsible for declaring their own disqualification and for recusing themselves when the matter so requires.

Certain combinations of roles may give rise to conflicts of interest, or allegations thereof, and call into question the civil servant's independence and integrity. This could, for instance, apply to civil servants in the central government administration who serve on

boards, councils, and similar bodies. Therefore, it is important to avoid combinations of roles that would frequently give rise to disqualification.

## **4.2 Secondary occupation, etc., and ownership of or trading in securities**

A civil servant may not hold an additional occupation, secondary occupation, board membership, or other paid assignments, or own or trade in financial instruments, where this is incompatible with the legitimate interests of the government employer or is likely to undermine confidence in the public administration.

There must be transparency regarding civil servants' additional occupation, secondary occupation, board memberships, and other activities that may be significant to the performance of their duties.

### **Comments:**

In principle, civil servants have the right to take on additional work for another employer or engage in private business activities in their leisure time, as well as the freedom to own and trade in securities. However, these activities are subject to restrictions.

Firstly, access may be restricted by law, collective agreement, or the employee's individual employment contract. For example, Section 2-5 of the [Financial Supervision Act](#) prohibits employees of the Financial Supervisory Authority from holding certain forms of ownership in companies under its supervision, and Clause 1.1.4 of the Basic Collective Agreements in the central government prohibits secondary positions or other paid assignments that may inhibit or delay their ordinary work, unless there is a special order or permission.

Secondly, the right to do so may be restricted by the general duty of loyalty in employment relationships. This means that employees may not take on work, engage in commercial activities, or own or trade in securities where this may harm the employer's objective and legitimate interests. Such harm may arise where the activity or ownership competes with the government body where the person is employed, renders the person disqualified in more than sporadic instances, or damages the reputation of the position or employer (see the administrative provisions on additional occupation and similar matters, cf. section 9.7 of the Norwegian Civil Service Handbook).

Undesirable conflicts of interest may arise, for example, in the case of ownership of securities in companies that are subject to supervision, to which rights are granted, on which obligations are imposed, or in which the State's ownership is managed. Civil servants with this type of responsibility must be particularly mindful of the information they have access to through their work and have a thorough understanding of the rules on impartiality and the handling of inside information.

When there may be doubt as to whether the activity is compatible with the employer's legitimate interests, employees may be obliged to provide unsolicited information regarding secondary occupations, ownership of, and trading in securities. Individual government bodies may, under certain conditions, establish a registration scheme for employees' positions and financial interests, pursuant to Section 39a of the Civil Servants Act (statsansatteloven). Registration presupposes that this is necessary in view of the organisation's areas of responsibility and work, and the employee's position or function. The Ministry of Digitalisation and Public Governance has drawn up [guidelines for the registration of civil servants' positions and financial interests](#).

Thirdly, the employer may restrict this right by means of regulations, in exercise of the management prerogative, to safeguard trust in the position, the employing body, and the public administration. For example, the government ministries and the Office of the Prime Minister might impose a prohibition on employees trading in connection with budget work (see section 9.5 of the Norwegian Civil Service Handbook).

Regulations that interfere with individual freedoms must be justified by objective considerations and may not exceed what is necessary to avoid a real risk of conflict with the loyal fulfilment of the employees' employment contracts. How specific and real the risk must be depends, among other things, on how intrusive the measures imposed are. Relevant alternatives may include, for example, a prohibition on holding or trading in securities, a lock-in period, and a requirement that the securities be placed under management or sold. To ensure compliance with the regulations, the employer may also impose a duty of disclosure regarding the regulated matters.

With regard to the appointment of civil servants to boards and councils, etc., reference is made to the special provisions in section 9.8 of the Norwegian Civil Service Handbook. This provision states that civil servants may not be appointed, proposed for appointment, or elected to boards, councils, etc., if the person concerned is employed in a government ministry or elsewhere in the central government administration and whose remit there includes the handling of appeals against decisions made by the organisation in question. The same applies if the person's area of responsibility includes the regulation, control, or supervision of the government organisation in question, or other matters of significance to that organisation.

### **4.3 Transition to other employment**

When transitioning to positions outside the central government administration, it is important to ensure that public trust in the administration is not undermined and that the State's interests in negotiating or collaborative relationships are not prejudiced. The employer must therefore consider whether to include a post-employment restriction clause upon entering into employment contracts for certain positions.

#### **Comments:**

Reference is made to the Act of 19 June 2015 relating to the duty to provide information, post-employment restrictions, and prohibition on involvement in cases for politicians, officials, and civil servants (Post-employment Restrictions Act, ([karanteneoven](#)), available in Norwegian only) and to the [guide to the Post-employment Restrictions Act](#) (available in Norwegian only).

The purpose of introducing rules on post-employment restrictions and a prohibition on involvement in cases is to ensure the citizens' confidence that the public administration is neutral and independent in relation to external actors, and that civil servants act objectively and impartially, and in accordance with established rules and norms. The rules shall also help mitigate the risk that a particular organisation, by employing a former civil servant, will gain an unfair competitive advantage.

### **4.4 Contact with former colleagues**

All employees shall exercise caution when handling sensitive information. This includes in relation to former colleagues, and especially where they represent the interests of a party to the proceedings in matters where the State is the decision-making authority, or are employed in an organisation that has a cooperative or negotiating relationship with the State.

## Comments:

As a supplement to the provisions on post-employment restrictions and prohibition on involvement in cases, it is important that employees exercise caution when handling sensitive information.

Former colleagues are more familiar with the organisation's subject areas and issues than the general public, so civil servants must therefore be especially careful about what information they share with them. This applies, in particular, to colleagues who have moved to an organisation with a cooperative or negotiating relationship with their former government organisation, if they wish to draw on their previous professional contacts.

This does not, of course, mean that social contact with former colleagues should be avoided.

### **4.5 Receipt of gifts and other benefits**

Civil servants shall not, either for themselves or others, accept — or arrange to receive — gifts, travel, hotel stays, hospitality, discounts, loans, or other services or benefits that are likely to, or are intended by the giver to, influence their official actions.

Civil servants must not use their position to obtain an undue advantage for themselves or others. This also applies in cases where such advantages would not influence their official actions.

## Comments:

Section 39 of the Civil Servants Act (statsansatteloven) prohibits gifts in the course of duty, etc. A [guide on gifts in the course of duty](#) (available in Norwegian only) has been prepared, describing a number of situations and dilemmas that employees may encounter. The guide also provides criteria for assessing how civil servants are to conduct themselves in specific situations. The prohibition on gifts also applies to civil servants travelling or on assignment abroad for their employer. In other cultures, the exchange of gifts may carry a different status than in Norway, and refusing may be perceived as offensive and impolite. As an official representative of the organisation or the State, this may present challenges. Gifts given during visits to or from abroad, which it would not be culturally or diplomatically appropriate to refuse, may be accepted even

if they would be unacceptable in Norway. However, such gifts shall become the property of the State. See section 4.6.2 of the guide on gifts in the course of duty.

Money or items of equivalent value, such as loans, discounts, etc., must never be accepted, regardless of what may be customary in the country concerned. See the guide on gifts in the course of duty for more information.

In connection with their official duties, civil servants may be invited to meals, performances, trips and similar activities. Dining and, to a certain extent, entertainment may be a natural part of the programme, for example, during official visits abroad or in Norway. Official dinners and cultural events do not normally pose any problems. However, if visits abroad or within Norway take place as part of contract negotiations or to demonstrate products and/or services, as a general rule, all travel and accommodation expenses should be covered by the organisation sending its employees on business trips.

In some contexts, representatives of government bodies receive invitations to sporting or cultural events from suppliers or from parties in the process of applying to or negotiating with the organisation. In each individual case, careful consideration should be given to whether the organisation should accept such invitations. If the invitations are accepted, all expenses related to such invitations should, as a general rule, be covered by the organisation itself. Invitations from state-owned enterprises and private companies should be treated equally in this context.

Violations of the corruption provisions may result in prosecution and punishment, cf. Sections 387 to 389 of the Penal Code.

#### **4.6 Offers of gifts and other benefits**

As part of their official duties, civil servants shall not give or offer gifts or other benefits that are likely to, or are intended to, influence the recipient's official actions.

#### **Comment:**

Civil servants must not give or offer anyone a gift or benefit as part of their official duties with the intention of influencing the recipient's advice or decisions, for example, in connection with contract negotiations or similar. For civil servants, receiving such a gift or benefit by virtue of their position may be considered corruption. Civil servants may also contribute to corruption if, by virtue of their position, they offer someone such a gift or benefit, for example, in order to gain an advantage in negotiations concerning the

purchase or delivery of goods or services. Even if the offer does not genuinely influence the person's advice or decisions, the mere fact that a civil servant has attempted to influence others improperly will erode public confidence in the civil service. This would be incompatible with the prevailing standards of good administrative practice. However, it is appropriate to offer gifts of courtesy during state visits, political visits, delegation visits, and similar occasions, provided that the size or value of the gift is consistent with normal standards of courtesy.

It would be incompatible with a civil servant's position to offer someone an advantage to be received at a later date, such as after the individual has left the government organisation in question, whether in employment, as a bonus, or similar.

Such actions are punishable by law, cf. Sections 387 to 389 of the Penal Code.

## 5 Professional independence and objectivity

Professional independence must be viewed in the context of loyalty and neutrality. The requirement for professional independence applies to the central government administration as a whole, both in the preparation and determination of cases, in advisory work, and in the presentation of information.

### 5.1 Professional independence

The principle of professional independence means that civil servants shall apply their professional knowledge and professional judgement throughout the performance of their duties.

#### Comments:

Professional knowledge and professional judgement shall form the basis for the work of civil servants in the public administration. The degree of professional independence varies considerably across the central government administration in terms of the level of formalisation, given that certain bodies are more or less free from direction by a superior level; however, the principle nonetheless applies to all civil servants. Most civil servants work with the administration of adopted policies, and the question of professional independence does not normally arise in this context. Civil servants must also assume that they will work under different political administrations.

The principle of professional independence entails a right and a duty to raise professionally justified objections or counterarguments to the views of political and administrative superiors and to established practice, where necessary. However, the duty to draw management's attention to weaknesses in views or practices can also be justified on the basis of the principle of loyalty.

The principle of professional independence does not imply a right to ignore positions, decisions, or practices that the political leadership or administrative management maintains after the subordinate has expressed their concerns, unless those decisions are illegal or unethical.

In cases where a case officer's professionally well-founded proposal for resolving a case is set aside in favour of a solution that he or she considers professionally untenable or poor, the person concerned has the right to have this view made known in the case (or included in the preparatory documents). The government ministries have their own

rules on this matter. Regardless of the working method, ministry employees have the right and duty to present their views in a way that can be made known to the head of the ministry (i.e., the minister), cf. Section 2(3), last paragraph of the [Regulations for the organisation and administrative procedure of the government ministries](#) (available in Norwegian only).

Employees in the government ministries face particular challenges, as they also act as secretariats for the political leadership. Such employees serve the minister in their role as both head of a ministry and member of the Government, but not as a party member.

On the one hand, employees in the government ministries shall provide sound professional advice to the political leadership, regardless of the political affiliation of that leadership. At the same time, they shall implement policies adopted by the same political leadership. In other contexts, employees may act in an official capacity and are required to make decisions on orders, permits, appeals, and similar matters, in relation to individuals. It is important that each organisation engage in dialogue about the roles it is tasked with, the challenges these roles create, and how they shall be performed. A well-informed understanding of roles can assist individual employees when they encounter an ethical dilemma or challenge.

## **Relationship to laws and regulations**

[The Public Administration Act](#) contains a number of procedural rules that have ethical aspects.

We have provisions for thoroughness in case processing, including that a case must be examined as thoroughly as possible before a decision is made. Individual employees shall process cases as quickly and efficiently as possible. In balancing thoroughness and speed, each organisation should have established a practice for what constitutes 'adequate' in relation to different types of cases.

We have provisions on notification of the party or parties concerned. The party in question shall be given the opportunity to comment on the case before a decision is made. The party is also entitled to appeal administrative decisions.

The Public Administration Act contains rules on impartiality intended to ensure trust in the public administration. If there are circumstances that are likely to undermine the decision-maker's impartiality, the person concerned must recuse themselves.

In addition, the Public Administration Act contains rules on the right of access of parties to documents, the duty to provide guidance, and the duty of confidentiality.

[The Freedom of Information Act](#) contains rules on transparency and extended public access.

**Non-statutory principles of administrative law**, such as the doctrine of abuse of authority, set standards for the exercise of discretion. Civil servants shall consider all relevant factors, treat similar cases equally, not take irrelevant or arbitrary considerations into account, and not make unreasonable decisions.

In addition, we have general non-statutory principles of 'good administrative practice'.

[The Penal Code](#) contains provisions on corruption and trading in influence in sections 387 to 389. Aggravated corruption is punishable by imprisonment for a term not exceeding 10 years. When deciding whether an act constitutes aggravated corruption, particular weight shall be given to whether the act was carried out by or towards a public official. Otherwise, the Penal Code contains provisions on crimes in the exercise of public office in sections 171 to 173.

In this context, reference is also made to the [Human Rights Act](#), which gives several international human rights conventions the status of Norwegian law.

[Section 39 of the Civil Servants Act](#) (statsansatteloven) is also central in this field. This section contains provisions stipulating that a civil servant may not accept a gift, commission, service, or similar that is likely to, or is intended by the giver to, influence his or her official actions. In addition, [Section 39a of the Civil Servants Act](#) sets out rules on the registration of civil servants' and public officials' positions and financial interests.

[The Working Environment Act](#) contains provisions that protect the life and health of individual employees and ensure the protection of the working environment. Among other things, employees have a duty to notify their employer, safety representative, and, to the extent necessary, other employees of any faults or defects that may involve danger to life and health. The employer and all civil servants have a shared responsibility to show respect for others, prevent harm to health, develop a good working environment, ensure good quality and safety in the performance of their work, and ensure that environmental considerations are safeguarded in day-to-day operations. The civil service depends on a good security culture. All civil servants are obliged to comply with applicable security regulations, including local regulations on IT security and confidential information. This Act also contains rules on whistleblowing (see section 2.4 above for more details).

**On the relationship with the Storting** — Here, we refer to the guide from the Office of the Prime Minister: [‘The Government’s relationship with the Storting — Certain issues in the relationship between the Government and the Storting’](#) (available in Norwegian only).