

Act relating to the Government Pension Fund

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Section 1. The assets constituting the Government Pension Fund are ultimately owned by the State. The savings in the Government Pension Fund shall support the funding of pension expenditure under the National Insurance Scheme. The savings shall facilitate spending of government petroleum revenues that reflects long-term considerations, thus ensuring that the petroleum wealth benefits both current and future generations.

0 Amended by Act of 21 June 2019 No. 31 (effective date 1 January 2020 according to resolution of 21 June 2019 No. 804).

Section 2. The investment objective of the Government Pension Fund shall be the highest possible return at an acceptable level of risk. The Fund shall be managed responsibly and consistent with the said objective.

0 Added by Act of 21 June 2019 No. 31 (effective date 1 January 2020 according to resolution of 21 June 2019 No. 804).

Section 3.

(1) The Government Pension Fund is managed by the Ministry. The Fund consists of the Government Pension Fund Global (GPFG) and the Government Pension Fund Norway (GPFN).

(2) The Government Pension Fund Global is deposited in an account with Norges Bank. The countervalue is managed under provisions laid down by the Ministry, cf. Section 10.

(3) The Government Pension Fund Norway is deposited with Folketrygdfondet. The countervalue is managed under provisions laid down by the Ministry, cf. Section 10, Sub-section 1.

0 Amended by Acts of 18 December 2009 No. 135, 21 June 2019 No. 31 (effective date 1 January 2020 according to resolution of 21 June 2019 No. 804), formerly Section 2.

Section 4.

(1) The income of the Government Pension Fund Global consists of the net cash flow from petroleum activities transferred from the central government budget, net financial transactions relating to petroleum activities and the return on the Fund's investments.

(2) The net cash flow from petroleum activities consists of the gross revenues in Sub-section 3, less the expenditure in Sub-section 4.

(3) The following gross revenues make up the cash flow from petroleum activities:

1. total tax revenues collected under Act of 13 June 1975 No. 35 relating to the Taxation of Subsea Petroleum Deposits, etc., and Act of 29 November 1996 No. 72 relating to Petroleum Activities;
2. tax collected under Act of 21 December 1990 No. 72 relating to Tax on CO₂ Emissions in Petroleum Activities on the Continental Shelf;
3. tax revenues on NO_x emissions in petroleum activities on the continental shelf;

4. operating income and other revenues from the State's Direct Financial Interest in petroleum activities;
5. central government revenues from net profit agreements under certain production licenses;
6. dividends from Equinor ASA;
7. central government revenues relating to the removal or alternative use of installations on the continental shelf;
8. revenues from the sale of stakes representing the State's Direct Financial Interest in petroleum activities.

(4) The following expenditures shall be deducted from the gross revenues in Sub-section 3:

1. direct investments in the State's Direct Financial Interest in petroleum activities;
2. operating expenses and other direct expenditure in the State's Direct Financial Interest in petroleum activities;
3. central government expenditure relating to the removal or alternative use of installations on the continental shelf;
4. purchases of stakes representing the State's Direct Financial Interest in petroleum activities.

(5) Net financial transactions relating to petroleum activities comprise total gross revenues from central government sales of shares in Equinor ASA, less central government purchases of shares in Equinor ASA, defined as the market price paid by central government for the shares, and less central government capital contributions to Equinor ASA and companies attending to central government interests in petroleum activities, as well as financial transactions relating to petroleum companies in which central government has ownership interests..

0 Amended by Acts of 15 December 2006 No. 86 (effective date 1 January 2007), 21 December 2007 No. 120 (effective date

1 January 2008 according to resolution of 21 December 2007 No. 1617), 9 May 2008 No. 27, 18 December 2009 No. 135,

17 December 2010 No. 82 (effective date 31 December 2010), 21 June 2019 No. 31 (effective date 1 January 2020 according to resolution of 21 June 2019 No. 804), formerly Section 3.

Section 5. The income of the Government Pension Fund Norway is comprised of the return on the capital under management.

0 Amended by Acts of 18 December 2009 No. 135, 21 June 2019 No. 31 (effective date 1 January 2020 according to resolution of 21 June 2019 No. 804), formerly Section 4.

Section 6. The Government Pension Fund Global shall be invested outside Norway and in foreign currency under provisions laid down by the Ministry, cf. Section 10.

0 Added by Act of 21 June 2019 No. 31 (effective date 1 January 2020 according to resolution of 21 June 2019 No. 804).

Section 7.

(1) The capital in the Government Pension Fund may only be used for transfers to the central government budget by resolution of the Storting.

(2) Central government shall not fund central government budget expenditure by borrowing as long as there is capital in the Government Pension Fund Global.

(3) Sub-section 1 shall not prevent the King in Council from using the capital in the Government Pension Fund Global as funding if the Norges Bank account arrangement (the central government current account) is not available. Sub-section 2 shall not prevent interim borrowing in special circumstances where central government has a liquidity need, and where the capital in the Government Pension Fund Global is unavailable or the divestment of securities would entail a material cost. Borrowing pursuant to the preceding sentence may be resolved by the King in Council if there is not time to obtain the consent of the Storting..

0 Amended by Act of 21 June 2019 No. 31 (effective date 1 January 2020 according to resolution of 21 June 2019 No. 804), formerly Section 5.

Section 8. The Government Pension Fund is itself unable to have any rights or obligations vis-à-vis private sector entities or government bodies, and is unable to bring legal action or to be named a defendant by anyone bringing legal action.

0 Amended by Act of 21 June 2019 No. 31 (effective date 1 January 2020 according to resolution of 21 June 2019 No. 804), formerly Section 6.

Section 9. The Ministry shall evaluate the management of the Government Pension Fund Global and the Government Pension Fund Norway on a regular basis and report its findings to the Storting.

0 Added by Act of 21 June 2019 No. 31 (effective date 1 January 2020 according to resolution of 21 June 2019 No. 804).

Section 10.

(1) The Ministry may lay down supplementary provisions to implement the Act.

(2) The Ministry may lay down regulations on the Council on Ethics for the Government Pension Fund Global and Norges Bank's processing of personal data, including which personal data may be processed, the scope for further processing and exceptions from the rights of the data subject.

0 Amended by Acts of 29 June 2007 No. 44 (effective date 1 January 2008 according to resolution of 29 June 2007 No. 937), 21 June 2019 No. 31 (effective date 1 July 2019 according to resolution of 21 June 2019 No. 804), formerly Section 7.

Section 11. The Act shall enter into effect on the date decided by the King.¹ The King may bring the various provisions into effect on different dates. The Ministry may lay down transitional provisions.

0 Amended by Acts of 18 December 2009 No. 135, 21 June 2019 No. 31 (effective date 1 July 2019 according to resolution of 21 June 2019 No. 804), formerly Section 8.

1 From 1 January 2006 according to resolution of 21 December 2005 No. 1610.

Section 12. The following amendments to other statutes shall apply from the effective date of the Act:

1. Act of 22 June 1990 No. 36 relating to the Government Petroleum Fund shall be repealed.

0 Amended by Act of 21 June 2019 No. 31 (effective date 1 July 2019 according to resolution of 21 June 2019 No. 804), formerly Section 9.