

Prop. 76 L

(2017–2018)

Proposition to the Storting (Bill)

Amendments to the Representation of the People Act
(constituencies in parliamentary elections, the right to
put up lists at an election, etc.)

*Recommendation of the Ministry of Local Government and Modernisation 10 April 2018,
approved in the Council of State on the same date.
(Solberg Government)*

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1 The main contents of the proposition

In this Bill, the Ministry of Local Government and Modernisation proposes certain amendments to Act no. 57 of 28 June 2002 no. 57 relating to parliamentary and local government elections (the Representation of the People Act).

The proposed amendments to the Representation of the People Act imply that the parliamentary election in 2021 may be conducted with the current 19 constituencies, pending the review and final consideration of the issue. The Bill also contains a summary of the evaluations of the parliamentary election in 2017, where the Ministry responds to some comments from the Storting's Credentials Committee from Innst. 1 S (2017–2018), Recommendation to the Storting. The report the Ministry received from the Office for Democratic Institutions and Human Rights under the Organisation for Security and Cooperation in Europe (OSCE/ODIHR) following the observation of the parliamentary election in 2017 is also commented in the Bill.

2 Background

2.1 Introduction

On 8 June 2017, the Storting adopted a new division of the regional democratic level, cf. Prop. 84 S (2016–2017), Proposition to the Storting (Bill) and Innst. 385 S (2016–2017), Recommendation to the Storting and on 8 June 2016, the Storting adopted the merger of the counties of Nord-Trøndelag and Sør-Trøndelag, cf. Prop. 130 LS (2015–2016), Proposition to the Storting (Bill) and Innst. 361 L (2015–2016), Recommendation to the Storting. On the basis of these decisions, the current 19 county authorities have been merged into 11. The mergers will take effect from 1 January 2020, with the exception of the merger of the counties of Nord-Trøndelag and Sør-Trøndelag, which took effect force from 1 January 2018. The new county division will have consequences for the electoral system, as the current counties are constituencies in a parliamentary election.

The Ministry has the overall national responsibility for the conduct of a parliamentary election, and is of the opinion that it is important to ensure a predictable situation for the electors, political parties and local electoral authorities until the issue has been thoroughly discussed. Therefore, in this Bill, the Ministry proposes the necessary amendments to the Representation of the People Act in order to achieve implementation with 19 constituencies at the parliamentary election in 2021.

The Ministry stresses that it is important to allocate sufficient time for adjustments between other legislation, procedures and the election administration system that will be used to conduct the election. The Ministry recommends that by the spring of 2018, the Storting clarifies what the constituencies will be for the parliamentary election in 2021.

2.2 The background for the proposed amendments to the Representation of the People Act

The Constitution of Norway states that there shall be 19 constituencies in a parliamentary election, while the Representation of the People Act states that the counties are the constituencies. The number of counties in Norway no longer corresponds with the number of

constituencies. Without a clarification of this in the Representation of the People Act, the provisions of the Constitution will not adequately define the 19 constituencies.

The Ministry proposes that the 19 constituencies are listed by name in the Representation of the People Act, and that the constituencies are named according to the 19 counties that were constituencies at the last election. The Ministry also proposes that the names of the municipal authority areas that belong to the various constituencies are listed in a regulation.

Change in the regional structure and uncertainty regarding the division of the constituencies in future mean that the political parties need more flexibility. The Representation of the People Act should not provide guidelines on how the political parties should organise themselves, and this will be ensured through amendments to the wording of section 6-3.

At the same time, the Ministry proposes that the provisions relating to who is entitled to represent a registered political party at local level are moved from Regulation no. 5 of 2 January 2003 relating to election to the Storting, county and municipal councils (the Representation of the People Regulations) to the Representation of the People Act. The Ministry is of the opinion that the provisions are so important for treatment of the electoral lists that these should be governed by the Representation of the People Act.

Several amendments are also proposed, which imply that in provisions where the term "county" was used in relation to the county's function as a constituency, the term "constituency" will be used.

2.2.1 The municipal mergers across counties and border adjustments

Several of the adopted municipal mergers have been made across the county borders. The Ministry stresses that in this process the Ministry's recommendation to conduct the parliamentary election with 19 constituencies was taken into consideration. When the Storting adopted the decision on 8 June 2017 to adjust the county borders, the decision also implied that the municipalities that were merged across county borders would belong to one of the former counties. An example of this is the decision to merge the municipalities of Aurskog–Høland and Rømskog, which reads as follows:

The municipalities of Aurskog–Høland and Rømskog are to be merged from 1 January 2020.

The county border between Akershus and Østfold will be adjusted so that the new municipal authority area becomes part of Akershus county.

The same principle applies to the municipal authority areas affected by the border adjustments where all or parts of the municipal authority area become part of another county. For example, if it is decided that Rindal municipality will go from being a part of Møre & Romsdal county to being a part of Trøndelag county, it will belong to the Sør-Trøndelag constituency if the Storting decides to retain the present county division as constituencies at the parliamentary election in 2021. To which constituency the municipal authority areas belong will be informed in the decision on border adjustment scheduled to be put forward before the Storting in the spring of 2018.

It will thus be clearly defined what municipal authority areas belong to the various constituencies.

2.3 The Electoral Reform Commission and the need for discussion

The division into constituencies is a fundamentally important issue that has a major impact on how the electoral system functions. Therefore, the Ministry is of the opinion that it is important that this matter is thoroughly discussed. In June 2017, the Government appointed an Electoral Reform Commission which, as part of its mandate, was to report on the consequences of structural changes to the electoral system, including constituency division and the distribution of seats at large. In addition to sound expertise in law and political science and knowledge of conducting an election, the Commission is made up of members from all the political parties who were elected to the Storting when the Commission was appointed.

The Ministry is of the opinion it is important to await the recommendation from the Commission before the electoral system is changed. When the Electoral Reform Commission has submitted its recommendation at the end of 2019, the Ministry will prepare for a broad consultation process before the proposed changes to the electoral system and the Representation of the People Act are sent to the Storting. The Ministry is of the opinion this process ensures legitimacy and confidence in the electoral system.

While we await the report on this matter from the Electoral Reform Commission, the Ministry is of the opinion that it is appropriate to conduct the parliamentary election in 2021 with the current 19 constituencies. The current constituency division ensures consideration for geographical and party political representation and in the view of the Ministry will be a good solution until the Storting makes its final decision on the issue when the report and recommendation from the Electoral Reform Committee have been presented. This solution will contribute to security and a predictable situation during the preparations for the parliamentary election.

2.4 Conducting the municipal and county council elections in 2019

In 2019, there will be municipal and county council elections. Municipal authority area and county authorities that merge from 1 January 2020 will hold an election as if the border changes had been implemented.

Under the Local Government Boundaries Act, the border changes include mergers, divisions and border adjustments. This ensures that all the inhabitants of the new constituencies are allowed to elect their new municipal and county councils. In the spring of 2018, the Ministry will lay down two regulations on conducting municipal and county council elections in 2019 that apply to the municipal authority areas and county authorities affected by the border changes. The regulations have been distributed for comments, and the Ministry received a number of useful suggestions, especially from municipal authority areas and the Norwegian Mapping Authority. Almost all the consultative bodies support the Bill in principle, but some pointed out that the draft bill from the Ministry did not address the municipal authority areas affected by the divisions and border adjustments. The Ministry has amended and quality assured the draft regulation on this basis so that all the border changes have now been included. A guide to the regulations will be issued providing detailed information about how the election is to be implemented. In addition, the Norwegian Directorate of Election will offer

special training to the municipal authority areas and the county authorities that are affected by the border changes.

2.5 The consultation

In the request for comments of 3 January 2018, the Ministry of Local Government and Modernisation distributed for comments proposed amendments to the Representation of the People Act and Regulations and two new draft regulations on conducting municipal and county council elections in 2019. The time limit for comments was set at 14 February 2018. The Ministry has received consultation responses from 63 bodies.

2.6 Consultative bodies

The consultation paper was sent to the following consultative bodies:

The Ministry

The Office of the Commissioner for Children

The Brønnøysund Register Centre

The Norwegian Data Protection Authority

The Agency for Public Management and eGovernment (Difi)

The Norwegian Directorate for Civil Protection

Financial Supervisory Authority of Norway

The Office of the Consumer Ombudsman

The Consumer Council

The National Parental Committee for Schools

The County Governors

The Norwegian Directorate of Health

The Directorate of Integration and Diversity (IMDi)

The Norwegian Competition Authority

The Equality and Anti-Discrimination Committee

The Equality and Anti-Discrimination Ombud

The Norwegian Media Authority

The Norwegian National Security Authority (NSM)

Norges Bank

The Research Council of Norway

The Norwegian National Human Rights Institution

The Norwegian Resource Bank for Democracy and Human Rights (NORDEM)

The National Archives of Norway

The Directorate of Taxes

The Norwegian Board of Health Supervision
The Norwegian Mapping Authority
Norwegian State Council on Disability
National Council for Senior Citizens
Statistics Norway (SSB)
The Governor of Svalbard
The Norwegian Directorate of Education and Training
The Norwegian Directorate of Immigration
The Norwegian Directorate of Election

The Norwegian University of Life Sciences
(NMBU)
The Norwegian University of Science and Technology
(NTNU)
Uni Rokkan Centre
The University of Agder
The University of Bergen
The University of Oslo
The University of Stavanger
The University of Tromsø

The Norwegian Parliamentary Ombudsman for the Armed Forces
Office of the Auditor General of Norway
The Sami Parliament
The Youth Policy Committee of the Sami Parliament (SUPU)
The Parliamentary Ombudsman
National Representatives for Conscripts in the Armed Forces (TMO)

The county authorities
The municipal authority areas
Longyearbyen Local Community Council

The Church of Norway
The Centre for Equality
The Norwegian Broadcasting Company (NRK)
Posten AS

Aftenposten
The Federation of Norwegian Professional Associations
The Employers' Organisation Spekter
Dagbladet
Dagens Næringsliv
Delta
The Norwegian Bar Association
The Norwegian Association of Judges
The Norwegian Helsinki Committee
Norwegian Institute of Public Accountants
The School Student Union of Norway
EVRY
The Norwegian Confederation of Trade Unions
Faglig forum for formannskapssekretærer
The Norwegian United Federation of Trade Unions
The Norwegian Financial Services Association
Federation of Local Government Administration and
Tax Administration
Forum for Kontroll og Tilsyn (FKT)
The Norwegian Federation of Organisations of Disable People (FFO)
The Federation of Norwegian Commercial Organisations
Innvandrerne landsorganisasjon (INLO)
Institute for Social Research (ISF)
KS – The Norwegian Association of Local & Regional Authorities
The Norwegian Confederation of Trade Unions (LO)
The Norwegian Children and
Youth Council (LNU)
The Norwegian Media Business' Association
The MiRA Centre
The National Association for Public Health
The Norwegian Association of the Blind and Partially Sighted
The Norwegian Association of the Disabled
The Norwegian Association of Lawyers
The Norwegian Municipal Auditors Association
Norwegian Centre for Design and Architecture
The Norwegian Association for Persons with Intellectual Disabilities
The Norwegian Housing and City Planning Association

The Norwegian Institute for Urban
and Regional Research (NIBR)
Norwegian Union of Journalists
The Norwegian Patient Association
The Norwegian Pensioners' Association
Norwegian Press Association
Association of Norwegian Editors
Norsk Rådmannsforum
The National Union of Students in Norway
The Norwegian Nurses Association
The Norwegian News Agency (NTB)
The Confederation of Norwegian Enterprises (NHO)
The Norwegian Forum of Disabled Peoples'
Organisations (SAFO)
The Norwegian Savings Bank Association
TV 2
Unio (The Confederation of Unions for Professionals)
The Union of Education Norway
Valgforum
Verdens Gang (VG)
The Confederation of Vocational Unions
(YS)

The Alliance
The Norwegian Labour Party
The Democrats in Norway
The Progress Party
The Health Party
The Norwegian Conservative Party
The Christian Democratic Party
The Coastal Party
The Liberalists
The Green Party
The Norwegian Communist Party
The Christians Party
The Pensioners' Party
The Pirate Party

The Red Party
The Society Party
The Centre Party
The Socialist Left Party
Non-partisan deputies
The Liberal Party

The Ministry has received comments to the proposed amendments from the following consultative bodies:

The Norwegian Mapping Authority
The Norwegian Directorate of Election

Akershus County Authority
Aust-Agder County Authority
Buskerud County Authority
Telemark County Authority
Trøndelag County Authority
Vest-Agder County Authority
Vestfold County Authority

Bardu Municipality
Bergen Municipality
Drammen Municipality
Eidsberg Municipality
Fredrikstad Municipality
Namsos Joint Political Committee
Nedre Eiker Municipality
Rennesøy Municipality
Rindal Municipality
Røyken Municipality
Steinkjer Joint Political Committee
Trondheim Municipality
Vågsøy Municipality
Øyer Municipality

Ålesund Municipality

KS – The Norwegian Association of Local & Regional Authorities

The National Union of Students in Norway

Unio (The Confederation of Unions for Professionals)

The Norwegian Communist Party

Vidar Sætre

The following consultative bodies have had no comments to the proposed amendments:

The Ministry of Defence

The Ministry of Health and Care Services

The Ministry of Justice and Public Security

The Ministry of Climate and Environment

The Ministry of Education and Research

The Ministry of Transport

The Ministry of Foreign Affairs

The Brønnøysund Register Centre

Statistics Norway

The County Governor of Hedmark

Akershus County Authority

Rogaland County Authority

Troms County Authority

Vest-Agder County Authority

Asker Joint Political Committee

Alta municipality

Aurskog–Høland municipality

Eidsberg Municipality

Fjell municipality

Hammerfest Municipality

Indre Østfold Joint Political Committee

Klæbu Municipality

Kristiansand Municipality

Lindås Municipality

Mandal Municipality

Nore & Uvdal Municipality

Nye Ålesund Municipality

Rollag Municipality

Sarpsborg Municipality

Skedsmo Municipality

Stavanger Municipality

Tromsø Municipality

Ørskog Municipality

The Church of Norway National Council

3 The Bill

3.1 The background for the consultation

On 8 June 2017, the Storting adopted several county mergers that will take effect on 1 January 2020. On 8 June 2016, the Storting merged the counties of Sør-Trøndelag and Nord-Trøndelag into the county of Trøndelag with effect from 1 January 2018. The new constituencies at regional democratic level will have consequences for the electoral system at the parliamentary election and conducting the election in 2021. The original 19 counties are constituencies in the parliamentary election. By merging counties, the number of counties and the number of constituencies will no longer correspond.

Prior to the next parliamentary election, the Storting must decide on how many constituencies there should be. If the Storting wants to keep the same number of constituencies, the wording of the Representation of the People Act must be amended. This is because according to the current statutory provision, the *counties* constitute the 19 constituencies. If Norway is to have the same number of constituencies in 2021, the Ministry considers it necessary to amend the statutory provision so that it states that the original 19 counties will be constituencies in the parliamentary election. If the Storting wants to reduce the number of constituencies, both the Constitution and the Representation of the People Act must be amended.

In the autumn of 2016, there were several proposed constitutional amendments to the constitutional provisions on constituencies. These will enable the Storting to adopt a reduction in the number of constituencies prior to the election in 2021. One of the proposed

constitutional amendments is to reduce the number of constituencies to 18, on the basis of the merger of Nord and Sør-Trøndelag from 1 January 2018. The Ministry is of the opinion that it would not be a good idea to amend the Constitution for only one constituency at this time, as it would be an interim solution. The Ministry recommends that the Electoral Reform Committee discusses the question of what shall constitute a constituency as a comprehensive issue, and therefore is distributing for comments a proposal to retain 19 constituencies in 2021.

The Ministry presented the consequences of changes to the regional structure in Prop. 84 S (2016–2017) (draft resolution) *New division at regional democratic level*. The Ministry stressed that the number of constituencies has a great impact on the electoral system, and that thorough research is required before the provisions of the Constitution are amended. In the view of the Ministry, this was not possible until the final regional structure was adopted, and concluded that the election in 2021 should therefore be conducted using the current electoral system, i.e., 19 constituencies.

The Ministry is still of the opinion that it would be a natural and secure solution to maintain the current 19 constituencies in 2021, as it will ensure good conduct of the election that has legitimacy among the parties and the electors. A new regional structure has now been adopted and the Commission can consider the question of constituencies thoroughly based on the new structure. Maintaining 19 constituencies for one more election is a predictable solution that ensures consideration for geographical and party political representation. The current division is well-established, and it provides security to the parties and the electors. Therefore, the Ministry proposes adjustments to the legislation that make it possible to implement the parliamentary election in 2021 with 19 constituencies. The constituencies will then no longer correspond to the county borders. This means that several of the new county authorities will be responsible for conducting the election in more than one constituency.

3.2 Current legislation

Parliamentary elections are governed by the Constitution and the Representation of the People Act.

Several important matters that concern parliamentary elections are regulated in the Constitution. This includes voting rules, who can be elected, the election date, approval of the election, the electoral system and the distribution of seats.

Section 57 of the Constitution states that Norway is divided into 19 constituencies at a parliamentary election. The Constitution also states that each constituency is assigned one seat at large. Section 11-1 of the Representation of the People Act states that there are 19 constituencies for a parliamentary election, and also that each county constitutes these 19 constituencies.

The remainder of the provisions on parliamentary elections are laid down in the Representation of the People Act. The Representation of the People Act contains provisions on who can be elected, electoral bodies, proposed list of candidates, the voting process and counting, election results, approval and appeal. Several of these provisions refer to “the county” in the importance of the county’s function as a constituency. For example, the provisions on proposed lists of candidates have generally been based on the current counties constituting constituencies both for parliamentary elections and county council elections.

3.3 The Consultation Proposal

3.3.1 Constituencies

In view of the problem discussed in chapter 3.1, the Ministry proposed amendment of section 11-1 of the Representation of the People Act, which currently states that each county is a constituency. The Ministry proposed that the provision is amended so that it no longer states that the counties are constituencies, but the municipal authority areas make up the 19 constituencies. It will not be possible to adopt this until all the names of the new municipal authority areas have been laid down in the regulation. Therefore, the Ministry proposed a regulatory authority that allows the Ministry to lay down clearly in regulations the municipal authority areas that belong under the various constituencies. The Ministry emphasises that the only reason why such a regulatory authority is necessary is that not all the names of the municipal authority areas have been determined yet.

3.3.2 Electoral Committee

In accordance with section 4-3 of the Representation of the People Act, in the case of parliamentary elections there shall be a County Electoral Committee. In 2021, the new counties will have a county council that can appoint a County Electoral Committee with responsibility for one or more constituencies in the county. For example, this implies that the county council of the newly merged county of Agder can appoint a County Electoral Committee that is responsible for both Vest-Agder constituency and Aust-Agder constituency at the election in 2021. This arrangement can be implemented without an amendment to the regulations, and it will be a good practical solution.

In accordance with section 11-4, second paragraph of the Representation of the People Act, the County Electoral Committee shall determine the election result for the county. With 19 constituencies and 11 County Electoral Committees, the Ministry proposed in the consultation paper that the provisions are amended so that the County Electoral Committee determines the election result for *each of the constituencies in the county*.

3.3.3 The right to put up a list of proposed candidates and signature requirements

Chapter 6 of the Representation of the People Act includes provisions on requirements concerning and treatment of list proposals. The Ministry is of the opinion that some of these provisions should be amended to adapt the regulations to an election where the number of constituencies do not correspond to the number of counties.

Section 6-2, first paragraph of the Representation of the People Act sets requirements concerning the number of names of candidates on the list proposal at parliamentary elections. Today, the rule is that list proposals shall be filled out in sequence with the names of as many candidates as there shall be returned members of the Storting from the county, in addition to six other names. The Ministry expressed a desire to amend the provisions so that the requirement for how many names there shall be on the list proposal is linked to the *constituency* instead of the county. In other words, the Bill implies that the requirements will be the same as today.

Section 6-3, first paragraph of the Representation of the People Act concerns the provisions relating to signatures on the list proposal for registered political parties that can put up a list

according to simplified regulations. According to this provision, registered political parties that received no fewer than 500 votes in one county or no fewer than 5,000 votes in the whole country at the last parliamentary election, are able to submit a list proposal to be signed by no fewer than two of the members of the executive committee of the party's local branch in the county or the municipal authority area to which the list applies. The Ministry believes the wording should be amended as a result of the county mergers. This provision also includes a requirement of local affiliation in that the signatories must be entitled to vote in the constituency concerned. In the view of the Ministry, it is important that this requirement remains.

Therefore, the Ministry proposed that section 6-3 of the Representation of the People Act is amended so that list proposals may be signed by *two members of the executive committee of the party's local branch entitled to vote in the constituency*. This implies that the provisions of the Representation of the People Act relating to list proposals do not provide guidance on how the political parties organise themselves.

It is also necessary to amend section 6-3, second paragraph of the Representation of the People Act, which concerns political parties that must collect signatures on the list proposals in order to be able to put up a list for the election. According to the current regulations, the list proposal must be signed by no fewer than 500 people entitled to vote in *the county* at the election concerned. In practice, amending the provision that the list proposal must be signed by 500 people entitled to vote in *the constituency*, will be to maintain the current arrangement. Therefore, the Ministry proposed amendment of the wording of this provision. Section 16 of the Representation of the People Regulations states that if it is unclear who is entitled to represent a registered political party at local level and to put up a list proposal, the electoral authorities shall obtain and use statements from the executive bodies of the political parties, cf. Section 3, second paragraph, letter b) of the Act of 17 June 2005 no. 102 on certain aspects regarding the political parties (the Parties Act).

In the consultation paper, the Ministry proposed moving this provision to the Election Regulations to the Representation of the People Act. The provision is of such a fundamental nature for the approval of the list proposals that it would be natural for it to be laid down directly in the Act. A statutory provision would help to make the provision more visible. The Ministry emphasises that the move does not imply any material amendment, either for the electoral authorities or the political parties.

3.3.4 Distribution of seats and selecting candidates

Chapter 11 of the Representation of the People Act deals with the provisions on distribution of seats and returning members at a parliamentary election.

Section 11-4, second paragraph of the Representation of the People Act, states that the County Electoral Committee shall determine the election result for the county and allocate the county's constituency seats to the lists according to St. Laguës modified method. The Ministry considers it necessary to make an amendment specifying that the County Electoral Committee determines the election result for the constituency in the county.

Section 11-6, third paragraph of the Representation of the People Act regulates how the National Electoral Committee allocates the parties seats at large to the political parties in each county. In 2021, there will still be 19 seats at large for allocation to the 19

constituencies and the county will not play any role in this allocation. Therefore, the Ministry proposed amending the term *county* to *constituency* throughout the entire provision.

Section 11-9 of the Representation of the People Act concerns situations when a candidate has been elected a member or alternate for two or more counties. In this case, the candidate must give a written declaration of which election is to be accepted. The Ministry proposed emphasising that the candidate must declare for which *constituency* he or she wants to be elected.

3.3.5 The list candidates at the polling station

According to section 8-2, third paragraph, a candidate who is listed on an electoral list in a parliamentary election cannot be a returning officer for advance votes in the municipal authority areas in the same county.

According to section 9-3, third paragraph, a candidate who is listed on an electoral list in a parliamentary election cannot be appointed as a returning officer or polling committee member at the polling stations in the municipal authority areas in the same county.

The Ministry pointed out that this provision is disproportionately strict if the county is no longer a constituency. The aim of the provision is to ensure that the electors find the voting neutral. If a candidate on the electoral list is appointed as a returning officer or polling committee member in another constituency than where he or she is on the electoral list, within the same county, the Ministry does not consider this to be in violation of the principle behind the introduction of this restriction.

Therefore, in the consultation paper, the Ministry proposes amending the provisions so that a candidate cannot be appointed in the same *constituency*.

3.3.6 Final count

According to section 10.6, fourth paragraph of the Representation of the People Act, the County Electoral Committee registers any corrections the electors have made on the ballot papers in the parliamentary election. The County Electoral Committee shall count how many ballot papers are given to each list, in total for all the municipal authority areas in the county.

The Ministry proposed amending the provision to count how many ballot papers are given to each list, added together for all the municipal authority areas in one *constituency*.

3.3.7 Review of parliamentary elections

The Storting's authority to decide whether the election of members to the Storting is valid is authorised in section 13-3 of the Representation of the People Act. Pursuant to the Act, the Storting shall declare a parliamentary election in a municipal authority area or in a county invalid if any error has been committed which may be deemed to have had an influence on the outcome of the election, and which it is not possible to correct. In this case, the Storting may order a new election in the whole county.

In the consultation paper, the Ministry pointed out that this provision must also be amended so that the Storting may declare the parliamentary election in a *constituency* invalid and order a new election in the whole *constituency*, if such an error is made.

3.4 Consultation response

Most of the consultative bodies that have submitted comments support the Ministry's proposal to implement the parliamentary election in 2021 with the current 19 constituencies. Among these is *Akershus County Council*, *Bardu municipality*, *Buskerud County Council*, *Drammen Municipality*, *Kristiansand Municipality*, *Norwegian student organization*, *Skedsmo municipality*, *Telemark County Municipality*, *Trondheim Municipality*, *Tromsø municipality* and *Unio*.

Both *Aust-Agder* and *Vest-Agder county councils* support the Ministry's assessment that the parliamentary election in 2021 will be implemented with the current 19 constituencies and are of the opinion that the proposed amendments are necessary to ensure that the election in 2021 is implemented in a confidence-inspiring and correct manner.

Fredrikstad municipality also support the proposal to maintain the current 19 constituencies at the next parliamentary election. The municipal authority area agrees that the changes to the constituencies should be carefully considered, and that such changes may make it necessary to review the model for allocation of seats between the constituencies, e.g., the weighting between the population and area.

Bergen municipality supports the proposal from the Ministry and emphasises that the Ministry must make a good arrangement for the dissemination of information about the changes to the conduct of the elections in 2019 and 2021 to electors, political parties and the municipal authority areas/county authorities.

The Norwegian Association of Local & Regional Authorities (KS) is of the opinion that the proposal from the Ministry to implement both the local government election in 2019 and the parliamentary election in 2021 seem to be reasonable and practical solutions to what appears to be temporary challenges, and supports all the proposals. KS is looking forward to discussing the changes to the electoral system further when the report from the Electoral Reform Commission is presented at the end of 2019.

Vestfold County Authority assumes that the division of the constituencies for the parliamentary election in 2021 only applies to this election and that the new counties will form permanent constituencies from the parliamentary election in 2025. The county authority is also not sure about the proposal to amend section 11-1 of the Representation of the People Act, which involves laying down a separate regulation on which municipal authority areas form part of the various constituencies. Vestfold county authority is concerned that it is possible to change constituencies under a regulation, without a parliamentary debate, and is of the opinion that an unintentional effect is that the election result may be affected. Vestfold county authority requests the Ministry take a closer look at the possible democratic effects. The county authority otherwise supports the proposal from the Ministry.

Some consultative bodies do not support the proposal to conduct the parliamentary election in 2021 with the current 19 constituencies. *Trøndelag county authority* is of the opinion that Trøndelag must be one constituency so that the election is conducted with 18 constituencies. The county authority assumes that Trøndelag is represented with the same number of seats as today.

Røyken municipality also does not support the Ministry's proposal for conducting the parliamentary election in 2021. The municipal authority justifies its view as follows:

The political party organisations and the local democracy will have adapted to the new division both at local authority and regional level. For example, most of the political parties in Røyken have already adapted their political party organisation to the new municipal authority area from 2017. Conducting the nomination and ensuring active participation in the whole of the democratic process is very important for Røyken municipality. When a new municipal authority area is established and the democratic processes are adapted to this, an election using the former county borders, where identity, affiliation and involvement, as well as local democratic institutions such as the political parties' nomination process have been adapted to a new model, will therefore create a gap and not secure the population's right and possibility to participate and be heard to a sufficient extent.

The municipal authority is of the opinion that the Storting should adopt the necessary legislative amendments so that the parliamentary election in 2021 can be implemented according to the new county division.

Some consultative bodies relate comments to the wording of the provisions in the Bill.

The Norwegian Mapping Authority has a comment on the proposed amendment to section 11-1 of the Representation of the People Act relating to constituencies at the parliamentary election and states:

The constituencies listed have been based on the previous county division, but do not follow the county numbers. We recommend that the numbers also function as codes for the constituencies in a register context. In order for the codes to be recognisable, we recommend that they are based on the old county codes, i.e., that code 13 is removed. Sogn & Fjordane constituency to Finnmark constituency will then be numbered from 14 to 20.

The Norwegian Communist Party (NKP) states that the proposed amendment to section 6-3 of the Representation of the People Act relating to signatures on list proposals for registered political parties. NKP is of the opinion that it is discriminating against small political parties with limited resources to have to collect signatures over and over again, and is of the opinion that this requirement should only be set the first time a political party runs for election. Therefore, the party is of the opinion that the provision should be amended so that all registered political parties who have run for election previously, can put up a list proposal according to simplified regulations where two members of the executive committee sign.

The Norwegian Directorate of Election states that in their view, the proposed amendments to the regulations will ensure the necessary regulatory considerations. The Directorate envisages that the consequences for the electoral authorities will largely concern communication and training. The Directorate emphasises that it may be challenging to communicate to the electors that they belong to different constituencies at the elections in 2019 and 2021. The Directorate points out that it is important to have good training of the county authorities that are to administer more than one constituency.

3.5 The Ministry's evaluations and proposals

3.5.1 Comments on the comments from the consultative bodies

The Ministry notes that most of the consultative bodies support the Bill or do not have any comments on the proposed amendments.

The Ministry refers to the statement from the *Norwegian Mapping Authority* regarding numbering of the constituencies, and that number 13 should not be used as long as the list otherwise agrees with the county numbering. Based on the statement, the Ministry has made a new assessment of the proposed statutory provision and is of the opinion that it is not necessary to have numbering on the list of constituencies. Although the proposal means that the former counties are constituencies in 2021, it is not necessary to use the county numbering in the Representation of the People Act. The proposed amendment of section 11-1 of the Representation of the People Act put forward in the Bill, therefore has no numbering, but is listed with the letters a-s.

The Ministry points to the consultation response from *Vestfold county authority*, which assumes that the new counties will form permanent constituencies from the parliamentary election in 2025. The Ministry emphasises that the background for the proposal is that this issue will be considered by the Electoral Reform Commission. The Ministry will not make any assessment of what the constituencies will be in 2025, but awaits the recommendation by the Commission. The recommendation will be sent for broad consultation before the Ministry submits a proposal to the Storting for a new Representation of the People Act. The proposed amendments to the Representation of the People Act will in any case only apply to the parliamentary election in 2021, as the election in 2025 will be implemented in accordance with a new Representation of the People Act.

Vestfold county authority is the only consultative body that comments on the proposal to introduce a statutory authority in the Representation of the People Act on which municipal authority areas shall be included in the constituency. The county authority expresses concern that it shall be possible to change the constituencies in the regulations.

The Ministry emphasises that the issue of which municipal authority areas will be part of the various constituencies has been clearly defined. The regulations only name the municipal authority areas that belong to the various constituencies, based on already known affiliation. The reason why nothing is done is that not all the new names of the municipal authority areas have been determined. Municipal authority areas that it has been agreed to merge across county borders, or that are affected by adjustments across county borders, have had their affiliation with a constituency clarified in the parliamentary resolution. Municipal authority areas not affected by this process will belong to the constituency that corresponds to their county.

The Ministry refers to the statement from *Trøndelag county authority*, which states that Trøndelag must be one constituency in 2021. The Ministry also refers to the proposed constitutional amendment to reduce the number of constituencies to 18 so that Trøndelag is one constituency in 2021. The Ministry understands that the situation is somewhat different for Trøndelag compared with the other counties, as this merger has already taken place. In the view of the Ministry, amendments should not be made to the Constitution without further consideration. The Ministry is still of the opinion that it is not a good idea to amend the Constitution on the basis that the merger of Trøndelag has taken place two years before the other county mergers. Constituencies should be considered as a comprehensive issue where one sees the country as a whole, and no provisional constitutional amendments should be made. This task has been assigned to the Electoral Reform Commission. If the number of constituencies is to be reduced, the Storting must adopt amendments to the Constitution. The Ministry wants to ensure a secure and predictable process and therefore propose

amendments which mean that the parliamentary election in 2021 can be implemented without constitutional amendments.

The Ministry agrees with the *Norwegian Directorate of Election* that the changes entail a need for communication and training from the electoral authorities, and will ensure that the political parties receive good information about the consequences of the amendments. In cooperation with the Norwegian Directorate of Election, the Ministry will provide information and training of electoral authorities and electors.

The Ministry refers to the consultation statement from *Røyken municipality* and emphasises that municipal authority areas that merge across counties, as is the situation with Asker (Akershus), Røyken (Buskerud) and Hurum (Buskerud), will belong to the same constituency at the parliamentary election in 2021. This was clarified in the Storting's resolution on adjustment of the county borders which was adopted on 8 June 2017. For example, the resolution states about the merger of Asker, Hurum and Røyken municipal authority areas that:

The county border between Akershus and Buskerud will be adjusted so that the new municipal authority area becomes a part of Akershus county.

The Ministry maintains all the proposed amendments that were distributed for comments. On the basis of the consultation statement from the Norwegian Mapping Authority, the Ministry has amended the wording of the proposed amendment to section 11-1 of the Representation of the People Act.

3.5.2 The right to put up a list of proposed candidates and signature requirements

No consultative bodies have commented on this topic. The Ministry maintains the essentials of its proposals, but will explain what impact the amendments will have for the local government elections in 2019 and the parliamentary election in 2021.

The local government council elections in 2019

For municipal authority areas and counties affected by the border changes, the election will be held as if the border changes have taken place, i.e., that two or more merged municipal authority areas will elect a new joint municipal council, and two or more merged counties will elect one new joint county council.

As regards the right to put up a list of proposed candidates according to simplified regulations, the requirement is related to how many votes the list received at the previous parliamentary election. The Ministry proposes amendments to section 6-3, first paragraph of the Representation of the People Act on the number of signatures on the list proposal, so that the vote requirement at the previous parliamentary election shall be linked to the *constituency* instead of the county as is the case today. As it will be the parliamentary election in 2017 that determines this for the election in 2019, amendment of the wording will have no effect, as the counties and constituencies were identical in 2017.

In the consultation paper, the Ministry proposed that section 6-3, first paragraph of the Representation of the People Act will be amended so that a list proposal may be signed by no fewer than two of the members of the executive committee of the party's local branch in the constituency concerned. Following further consideration, the Ministry wants to amend this so that a list proposal may be signed by no fewer than two members of the *executive*

committee of the party's local branch with responsible for the constituency the list concerned, and in a separate paragraph maintain the requirement that the signatories must have the right to vote in this constituency. The Ministry is of the opinion that the regulations on list proposals in the Representation of the People Act should not provide guidance on how the political parties organise themselves. The Ministry is of the opinion that the principle of local affiliation must still be ensured through the requirement that the signatories have the right to vote in the constituency in question. This implies that it will no longer be clear what part of the party organisation can put up lists at regional level and in the constituencies. The Ministry is of the opinion that this is more apparent in the new proposed wording of the Act. Therefore, the Ministry proposes an amendment from the proposal that was presented in the consultation paper.

The Ministry maintains that the proposal to move the provision in section 16 of the Representation of the People Regulations on who decides who is entitled to represent a political party locally, to the Representation of the People Act. It is thus clear that if there is doubt about who is entitled to represent a political party locally, it is the leader of the party's executive committee that decides the matter.

The parliamentary election in 2021

If the parliamentary election in 2021 is to be implemented with the current 19 constituencies, this will have consequences for the political parties and submission of the list proposals. Neither the Representation of the People Act nor the Political Parties Act has provisions for how the political parties shall organise the nomination process, or how they organise themselves. The proposed amendment to section 6-3 of the Representation of the People Act discussed above provides the political parties with more flexibility in how they organise themselves. The proposal implies that either a local branch of the party in the constituency (equivalent to the current county branch) or a new merged county branch can sign the list proposal for the parliamentary election in 2021. This may vary between the political parties. The Ministry sees that it is important to give both the political parties and the county authorities that process the list proposals, good training in the regulations. One consequence of providing the political parties with more flexibility is that there may be several different local branches that want to submit list proposals in the same constituency at the parliamentary election in 2021.

To ensure the local affiliation requirement, the signatories must have the right to vote in the constituency, i.e., that if a political party with a county branch in, e.g., Viken, shall put up a list proposal in the constituencies of Østfold, Akershus and Buskerud at the parliamentary election in 2021, the same members of the executive committee cannot sign all three list proposals.

As stated in the consultation paper, the Ministry is of the opinion that the provision on who is entitled to represent a registered political party at local level is of such a nature that it should be move to the Representation of the People Act. None of the consultative bodies had comments on this proposal. Therefore, the Ministry proposes incorporating this provision in chapter 6 of the Representation of the People Act on the electoral authorities' treatment of the list proposals. The corresponding provision in section 16 of the Representation of the People Regulations will then be annulled.

4 Evaluation of the parliamentary election in 2017

4.1 Introduction

The Ministry has made an external evaluation of the Directorate of Election's services to the municipal and county authorities. The evaluation has been carried out by ideas2evidence, and is presented in chapter 4.9.

The Norwegian Directorate of Election has evaluated the parliamentary election in the Election Survey 2017. The election officials in municipal authority areas and county authorities were asked about the Norwegian Directorate of Election's services and the conduct of the election. The questions concerned training and user support, polling station and availability, election cards and ballot papers, use of EVA and security and preparedness. The municipal authority areas and the county authorities were also requested to report any other issues that may improve the election process.

In Innst. 1 S (2017–2018) (Recommendation to the Storting) the Storting's Credentials Committee states that based on the review of the election, the overall impression is that the election has been implemented in a good and efficient manner in the municipal authority areas and that the county electoral committee has made a thorough review with the election officials. The comments from the Committee have been referred to below where relevant.

4.2 Statistics

4.2.1 Voter turnout

Figures from Statistics Norway (SSB) show that the voter turnout at the parliamentary election in 2017 was 78.2 per cent and equal to the voter turnout at the previous parliamentary election in 2013. The voter turnout has increased by 1.8 percentage points since the parliamentary election in 2009. The voter turnout among women was 3 percentage points higher than among men, The voter turnout is highest among electors with higher education, with 89.6 per cent and lowest among electors with a primary and secondary school education at 64.6 per cent. The voter turnout was highest in Akershus county at 81.2 per cent and lowest in Finnmark county at 72.6 per cent (see www.valgresultat.no).

Tabell 4.1 Voter turnout for the parliamentary election 2005–2017

Election year	2005	2009	2013	2017
Voter turnout as a percentage	77.4	76.4	78.2	78.2

Source: SSB

4.2.2 Voter turnout according to age

From 2013 to 2017, the voter turnout among first time electors has increased. In the age group 18–19 years, 72.7 per cent used their right to vote. This is an increase of 2.3 percentage points compared with the previous parliamentary election in 2013. In the oldest age group, there is a slight decline in the voter turnout. Women have an equally as high or higher voter turnout than men in all the age groups with the exception of in the age group 80 years or older, where the difference is 12.7 percentage points. At the parliamentary election

in 2013, the voter turnout among women and men in this group was almost the same. The voter turnout among women of 80 years or older has decreased by 3.8 percentage points compared with the parliamentary election in 2013 and the voter turnout among men in the same group has risen by 8.8 percentage points since the parliamentary election in 2013.

Tabell 4.2 Voter turnout according to age in 2009, 2013 and 2017

Election year	2009	2013	2017
In total	76.4	78.2	78.2
18–19 years	62.2	70.4	72.7
20–24 years	53.0	63.0	64.3
25–44 years	75.6	75.6	74.3
45–66 years	82.7	82.8	83.6
67–79 years	82.9	87.6	85.9
80 years or older	..	70.7	69.1

Source: SSB

4.2.3 Voter turnout among immigrants

According to the figures from Statistics Norway, 55 per cent of Norwegian citizens with an immigrant background, i.e., immigrants and people born in Norway with immigrant parents, voted in the parliamentary election in 2017. There is a slight increase from the voter turnout at the last parliamentary election in 2013. The voter turnout among immigrants is 23.2 percentage points lower than the general voter turnout among the population. At the parliamentary election in 2017, 6 per cent of the electorate were immigrants. Persons born in Norway of immigrant parents constituted approximately 1 per cent of the electorate. These persons mainly originated from countries in Asia and Africa, such as Pakistan, Vietnam, Turkey, Sri Lanka and Morocco, and they are young. According to the figures from Statistics Norway, among the people born in Norway with immigrant parents from Africa, Asia, etc., the voter turnout increased in 2017 by 5 percentage points compared with the parliamentary election in 2013, from 49 to 54 per cent.

The voter turnout varies according to country of origin. The voter turnout is highest among immigrants from West Africa, etc. Most immigrants with the right to vote are from Africa or Asia, many of which are from Pakistan, Iraq, Vietnam and Somalia. Of the 15 largest countries, Sri Lanka has the highest voter turnout (63 per cent) and Kosovo the lowest (36 per cent). Compared with the parliamentary election in 2013, the largest increase in voter turnout is among people with a background from Iraq, Iran and Afghanistan.

The voter turnout among immigrants according to gender varies with country of origin. The voter turnout is 6 percentage points higher for men with an immigrant background from Sri Lanka than for women with the same background. Male electors with an immigrant background from Pakistan, Turkey and Afghanistan also vote to a somewhat greater extent than female electors with the same background. As regards electors with backgrounds from the Philippines, Thailand and Russia, there is a higher percentage of female electors than male electors. The voter turnout for male electors originating from Russia was 38 per cent, while the voter turnout for female electors with the same background was 55 per cent.

Tabell 4.3 The voter turnout among immigrants with Norwegian citizenship

Election year	2005	2009	2013	2017
The voter turnout as a percentage	53	52	53	55

Source: SSB

4.2.4 Votes received

The trend in the number of advance votes and the number of polling station votes on Election Day at the last four parliamentary elections have been shown in the table below.

At the parliamentary election in 2017, yet another new record was set for the number of advance votes received, which for the first time exceeded one million. 36.1 per cent of all the approved votes were cast as advance votes. This is an increase of 5.9 percentage points compared with the previous parliamentary election⁹ in 2013 and an increase of 11.7 percentage points compared with the parliamentary election in 2009.

At the parliamentary election in 2017, early voting was possible in the period from 1 July up to and including 9 August, before the start of the ordinary advance vote period. In this period, the municipal authority areas have not had an equally extensive duty to facilitate. 12,582 advance votes were cast in this period. The early voting scheme was introduced at the parliamentary election in 2009, and approximately 6,500 early votes were cast at the time. In 2013, there was a large increase in early voting, and 14,604 advance votes were registered in this period. There was thus a slight decrease in the number of early votes at the parliamentary election in 2017 compared with the parliamentary election in 2013.

Tabell 4.4 Total approved votes, cast on Election Day and by advance voting 2005–2017

Election year	2005	2009	2013	2017
Approved votes	2,638,263	2,682,904	2,836,029	2,926,836
Electoral votes	2,165,612	2,028,965	1,980,774	1,863,159
Advance votes	472,651	653,939	855,255	1,063,677
Advance votes as a percentage of total approved votes	17.9	24.4	30.2	36.1

Source: SSB

4.2.5 Voting abroad

Electors living abroad must vote in advance. Advance voting abroad commences 1 July and continues up to the last Friday prior to Election Day, section 8-1 (2) of the Representation of the People Act. The elector is personally responsible for voting in advance at such time as makes it possible for his or her advance vote to reach the Electoral Committee at 5 p.m. on Election Day. If an elector who is outside the realm has no possibility of going to a returning officer, the person in question may cast his or her vote by letter post, cf. section 8-2 (4) of the Representation of the People Act.

11,049 advance votes were cast to returning officers outside the realm at the parliamentary election in 2017. Of these, 762 were cast by letter post.

In Innst. 1 (2017–2018) (Recommendation to the Storting), the Credentials Committee comments that some polling officials have dismissed advance voting from outside the realm pursuant to section 10-1, first paragraph, letter c) of the Representation of the People Act, which states that the advance voting has not been *cast at the right time*. Therefore, the Committee is of the opinion that consideration should be given to whether all foreign votes received by polling officials in the correct municipal authority area within the deadline of 5 p.m. on the day after Election Day, should be approved, regardless of when the ballot papers have been sent, if other conditions are met.

The Ministry emphasises that it is not when the ballot papers were sent that is decisive for whether advance voting should be approved or not. Pursuant to section 10-1 (1), first paragraph, letter c), a criterion for approval of advance voting is that the ballot was cast *at the right time*. The deadline for voting outside the realm is the last Friday before Election Day. Norwegian Foreign Service missions and the like may not receive advance votes after this deadline, but may still forward them in the last week before Election Day. The Ministry has reviewed the meeting books for the election and sees that there are few ballots that have been rejected on this basis. In the view of the Ministry it is important to have a deadline for when electors outside the realm may vote in order to ensure that these ballots are received in time to be included in the election result. Therefore, the Ministry requests the returning officers abroad to forward the advance votes to the home municipal authority area of the elector as these are received, without the Ministry wishing to lay down further instructions for this.

4.2.6 Rejected votes and ballot papers

Chapter 10 of the Representation of the People Act has provisions on approval of votes and ballot papers. A total of 2,926,836 approved votes were registered at the parliamentary election in 2017. Of these, 5,061 votes were rejected, 821 were advance votes and 4,240 were cast at the polling station. The main reasons for votes being rejected are that the elector has not been included on the register of electors in the municipal authority area. In 2013, the number of rejected votes was 4,494, while it was 2,064 in 2009.

A total of 5,179 ballot papers were rejected at the parliamentary election in 2017. In comparison, the number of rejected ballot papers at the previous parliamentary election in 2013 was 3,255. Almost the same number of ballot papers was rejected in the advance voting period (1,625) as at the polling station (1,630). There was an increase in the percentage of rejected ballot papers at the parliamentary election in 2017 of 0.06 percentage points compared with the parliamentary election in 2013. In 2009, 2,064 ballot papers were rejected.

Most of the ballot papers that were rejected did not have a valid stamp, cf. table 4.8. This was also the most common reason for rejection at the parliamentary election in 2013. The required stamping of the ballot paper for advance voting was introduced at the parliamentary election in 2013 as a result of no longer using a cover envelope.

At the parliamentary election in 2017, more ballot papers were rejected in the advance voting period than at the polling station. The distribution pattern differs from previous election. In 2013, almost the same number of ballot papers was rejected in the advance voting period as at the polling station, while in 2009, most ballot papers were rejected at the polling station.

In Innst. 1 S (2017–2018) (Recommendation to the Storting) section 8.4, the Credentials Committee states that it is concerning that the number of rejected votes and ballot papers have increased at the parliamentary election in 2017. The Committee is of the opinion that it is important to take targeted measures to prevent unnecessary reasons for the rejections, regardless of whether this is due to mistakes by the elector or the polling committee member, or for other reasons. The Ministry agrees that this is something that should be investigated, but emphasises that rejection is necessary in some cases. This is an important topic, which is part of the training of the municipal authority areas. The Ministry will study different reasons why votes are rejected and consider measures based on this.

Tabell 4.5 Overview of approved and rejected votes at the parliamentary election in 2017

	Advance	Polling Station	Total
Approved votes	1,070,063	1,874,348	2,944,411
Rejected votes	821	4,240	5,061

Source: The Norwegian Directorate of Election

Tabell 4.6 Overview of reasons for rejection at the parliamentary election in 2017

Reasons for rejection	Advance	Polling Station
The elector is not included in the register of electors for the municipal authority area, cf., section 10-1 (1) a	302	
The ballot cast does not contain sufficient information for it to be determined who the elector is, cf. section 10-1 (1) b	11	
The ballot was not cast at the right time, cf. section 10-1 (1) c	69	
The party or group has not put up a list, cf. section 10-3 (1) d	9	
The cover envelope has not been opened and no attempt has been made to open it, cf. section 10-1 (1) e	3	
The elector has already cast and approved ballot, cf. section 10-1 (1) f	93	
The ballot cast has not reached the Electoral Committee by 5 p.m. on Election Day, cf. section 10-1 (1) g	318	
The elector is not included in the register of electors for the municipal authority area, cf., section 10-1 (1) a	7	
The elector has already cast and approved ballot, cf. section 10-1a (1) c	9	
The elector is not included in the register of electors for the municipal authority area, cf., section 10-2 (1) a		4,089
The elector has already cast and approved ballot, cf. section 10-2 (1) c		151

Source: The Norwegian Directorate of Election

Tabell 4.7 Overview of approved and rejected voting slips at the parliamentary election in 2017

Approved and rejected voting slips	Advance	Polling Station	Total
Approved voting slips	1,063,677	1,863,159	2,926,836
Rejected voting slips	3,025	2,154	5,179

Source: The Norwegian Directorate of Election

Tabell 4.8 Overview of reasons for rejection at the parliamentary election in 2017

Reasons for rejection	Advance	Polling Station
The ballot paper is missing an official stamp, cf. section 10-3 (1) a	2,420	2,107
It is not clear to which election the ballot paper applies, cf. section 10-3 (1) c	20	4
It is not clear from which list the elector has voted	235	14
The party or group has not put up a list, cf. section 10-3 (1) d	350	29

Source: The Norwegian Directorate of Election

4.2.7 Ballots received too late

Advance votes must have been reached the Electoral Committee by 5 p.m. on the day after Election Day for them to be approved, cf. section 10-1 (1) letter g) of the Representation of the People Act. Votes received after this time will be rejected. At the parliamentary election in 2017, 318 advance votes were rejected for this reason. The deadline was changed to 5 p.m. the day after Election Day through a legislative amendment in 2016. Prior to this, advance votes had to reach the Electoral Committee by 9 p.m. on Election Day. The amendment was made to prevent the number of late advance votes from increasing as a result of letter post no longer being delivered on Saturdays.

The Norwegian Directorate of Election conducted a survey in the municipal authority areas to identify how many advance votes were received after the deadline. 355 municipal authority areas responded to the survey. These municipal authority areas reported a total of 1,051 advance votes were received too late to be included in the election result. This is a drop from 0.19 to 0.11 per cent, compared with an equivalent survey conducted after the election in 2013.

The Ministry registers that there is a decrease in the number of late advance votes. The measures taken, with clearer procedures for forwarding advance votes, a later deadline for approval of ballots and training and information to municipal authority areas about accurate addressing and use of alternative dispatch methods, seem to have worked. However, it is not acceptable that errors and sloppiness by election officials mean that ballots are rejected. The Ministry will still follow-up the problem in cooperation with Posten and the Norwegian Directorate of Election leading up to the election in 2019.

4.2.8 Blank votes

18,516 blank ballot papers were registered at the parliamentary election in 2017. Of these, 5,864 were cast during advance voting and 12,652 on Election Day. This is an increase from 2013 and 2009, when 12,874 and 11,684 blank ballot papers respectively were registered.

The Committee refers to information from the County Electoral Committee which indicates that there may be many blank ballot papers because some electors use a separate ballot paper as a kind of cover around the real ballot paper. This means that the outer ballot paper is stamped, and the innermost ballot paper is rejected due to the lack of stamp. The voting procedures in accordance with the Representation of the People Act mean that the polling committee member should not hold the elector's ballot paper. Therefore, it may be difficult for a polling committee member to discover that the elector has taken two ballot papers. This may also explain why there are more ballot papers than crosses on the electoral roll in some municipal authority areas. The Ministry will follow-up the problem before the next election, especially as regards providing more information at the polling stations.

4.3 Crossing off on the electronic electoral roll on Election Day

In Prop. 73 L (2015–2016) (Bill), the Ministry proposed the introduction of crossing off on an electronic electoral roll on Election Day as a permanent voluntary arrangement for all municipal authority areas. The Storting adopted the bill, and at the parliamentary election in 2017 there were 255 municipal authority areas that used the electronic electoral roll on Election Day.

In Innst. 1 S (2017–2018) (Recommendation to the Storting), the Storting's Credentials Committee requested the Government to consider what can be done to get all the municipal authority areas to use the electronic electoral roll at the polling station.

The Norwegian Directorate of Election's Election Survey shows that half of the municipal authority areas that did not use the electronic electoral roll said that this was due to the lack of internet access at the polling station.

The Ministry is of the opinion that it is important that the municipal authority areas themselves decide whether they want to use the electronic electoral roll on Election Day. One of the requirements for municipal authority areas who want to use electronic registration is that the system must be used at all the polling stations in the municipal authority area. For example, it is not possible to use an electronic electoral roll at the largest polling station and use a paper electoral roll at the others. Municipal authority areas that want to use an electronic electoral roll must therefore have their own premises with internet access and good redundancy. This makes it relatively resource-draining to use the system, both in terms of investments in computer equipment and the need to employ IT expertise. In addition, some municipal authority areas also have polling districts with a very small electorate, where it would not be suitable for the purpose to set up equipment for an electronic electoral roll. There are also municipal authority areas that have polling stations with no or with unstable internet access, which could mean in any case that they would have to use an emergency procedure with a paper electoral roll.

4.4 Manual provisional count

On 31 August 2017, the Ministry adopted new regulations on counting ballot papers at the parliamentary election in 2017. The regulations apply to all municipal authority areas at the parliamentary election, and in addition at the municipal council election in the municipal authority areas of Tjøme and Nøtterøy. The regulations contain a provision that the municipal authority areas must conduct the provisional count of the ballot papers manually, both for advance ballot papers and ballot papers cast at the polling stations. The provision was introduced as an extra security measure at the election.

The introduction of this provision meant that a number of municipal authority areas had to change their procedures shortly before Election Day. This resulted in extra work for several municipal authority areas, and the Ministry thoroughly understands that the municipal authority areas found it challenging to have to make changes to the procedures and organisation so soon before Election Day.

The external evaluation shows that the municipal authority areas mainly understood the need for a manual count. Most of the municipal authority areas also reported that once the decision had been made, they were satisfied with the information they received from the Norwegian Directorate of Election afterwards. There was a great deal of media attention on security in relation to counting the ballot papers, and the evaluation shows that the amendment provided the peace to work, not only centrally, but also in the municipal authority areas.

The Ministry found that the municipal authority areas carried out the new procedure in a very satisfactory manner, and there were no delays in the election result as a result of the ballot papers being counted manually.

Following the election, the Ministry has covered the extra costs the municipal authority areas incurred as a result of the new procedure.

Great emphasis will have to be placed on security when holding elections in the future. In order for citizens to still have confidence in the election, it is also decisive that the authorities allow access to how the election is conducted. These regulations only applied to the election in 2017, and if the manual provisional counting requirement is to be continued on a permanent basis, an amendment must be made to the legislation. The Ministry will consider how the security and confidence in the vote counting can be ensured at future elections.

4.5 Pollbooks

Section 10-7 of the Representation of the People Act states that the polling committee, Electoral Committee and the County Electoral Committee shall keep records of elections. In Innst. 1 S (2017–2018) (Recommendation to the Storting), the Storting's Credentials Committee states that reporting from the County Electoral Committee in part 1 of the pollbook has been organised very differently by each County Electoral Committee. The Committee requests the Ministry to consider how the reporting can be improved, based on the needs the Storting has for control, among other things. The Committee also points out that the secretariat of the County Electoral Committee must be provided with good guidance on what information part 1 of the pollbook should contain. The Ministry agrees with the Committee that it is a challenge that the County Electoral Committees use part 1 of the pollbook to a varying extent to explain deviations in the election result.

The Norwegian Directorate of Election's Election Survey shows that the County Electoral Committee finds to a very varying extent filling out polling books challenging. The comments concerning checking polling books at parliamentary elections, while the Ministry is of the opinion that good and orderly recording is important to all elections. The Ministry points out that the Norwegian Directorate of Election has been delegated the authority to decide on the polling books the electoral authorities use (<https://lovdata.no/dokument/LTI/forskrift/2017-01-23-79>). The Ministry will ensure that the issue is followed-up prior to the local government elections in 2019 and the parliamentary election in 2021.

4.6 Appeals

Any person who is entitled to vote in accordance with section 13-1 (1) of the Representation of the People Act may appeal against matters relating to the preparation and conduct of the election.

According to section 13-1 (4) of the Representation of the People Act, the Storting is the appeal body "for appeals regarding the right to vote or the possibility of casting a vote". The National Electoral Committee shall make a statement to the Storting on the appeal cases. The National Electoral Committee is the appeal body for appeals that concern other matters. The Ministry of Local Government and Modernisation is the secretariat for the National Electoral Committee.

34 appeals were filed in connection with the parliamentary election in 2017. In 2013, 16 appeals were filed and in 2009, three appeals were filed. In 2017, the appeals concerned approval of the list proposals, the right of appeal in advance voting, electioneering and the right to assisted voting. The National Electoral Committee found that in some municipal authority areas errors were made in the voting process, but that none of these errors had impacted the distribution of seats. The National Electoral Committee agreed with the Ministry that it was very unfortunate that many electors with special needs were refused an extra assistant in the polling booth, which is something to which they are entitled under the Representation of the People Act. None of these errors had consequences for the outcome of the election and therefore none of the appeals were allowed.

In the Election Survey the majority of the municipal authority areas reported that they thought they have enough knowledge about processing appeals against the conduct of the election. Among the 69 municipal authority areas that believe they do not have enough knowledge about handling appeals in connection with an election, several point out that more detailed training in this is required. At each election there are few municipal authority areas that are involved in handling appeals and several municipal authority areas are uncertain about how well prepared for this they would be.

The Ministry has noted some deviations in the handling of appeals and will follow-up this by ensuring better training to the municipal authority areas and county authorities in appeal handling procedures and how important it is to follow these.

4.7 Information to the electors

4.7.1 General information

The Ministry, the Norwegian Directorate of Election, the count authorities and the municipal authority areas have one information responsibility as regards elections. The Ministry has the overall responsibility for the election and information and guidance on regulations and the electoral system. The Norwegian Directorate of Election is responsible for providing information to the electors regarding the conduction of the election. The county authorities handle list proposals at parliamentary elections and are responsible for information related to this. The municipal authority areas are responsible for facilitating polling and information on the date and place of polling. The www.valg.no website was an important channel for public election information.

The Norwegian Directorate of Election promised grants totalling NOK 5.2 million to various organisations that would help to increase knowledge about the election or increase election turnout. A total of 15 organisations received grants to implement various information measures at the election in 2017. Among the initiatives that have received support are comic strips for young people, election technique courses and election training facilities, text message alerts such as information channel, video publishing, web-TV, “Valgomat” on YouTube and information brochures with Braille. The target groups for the majority of the initiatives were young people and/or immigrants.

Text message alerts to random electors and letters to electors with an immigrant background were used as initiatives to increase election turnout at the parliamentary election in 2017. In the last week prior to the election, a total of 200,000 random electors received text messages where they were reminded of the election and encouraged to use their right to vote. The Norwegian Directorate of Election also sent a letter with a similar message to 36,500 randomly selected electors with immigrant backgrounds. The project was carried out by the Institute of Social Research on commission from the Ministry of Local Government and Modernisation. The report from this project will be presented in the spring of 2018. Text messages and letters to electors were also tested at the election in 2015. The survey showed that initiatives involving text messages to young people, where they were encouraged to use their right to vote, and letters containing practical voting information to immigrants, resulted in and increased election turnout.

4.7.2 Voter cards

Pursuant to section 2-3 of the Representation of the People Act, the Ministry shall ensure that voter cards are sent to all those who are eligible to vote and who are included in the electoral roll of the municipal authority area, with the exception of those who are resident abroad and on Svalbard and Jan Mayen. This responsibility has been delegated to the Norwegian Directorate of Election. The voter card shall state, among other things, the municipal authority area in which the elector can vote, and the opening hours and address of the polling station to which the elector belongs. In addition, the voter card shall inform that in order to vote the elector must show identification and also provides general information about the election. It is not necessary for the elector to have his or her voter card with them in order to vote, but the voter card provides the correct information about voting for the individual

elector. In addition, in the municipal authority areas with an electronic electoral roll, it will be time-saving at the polling station if the elector brings his or her voter card.

The Norwegian Directorate of Election's Election Survey shows that three quarters of the municipal authority areas have replied and informed that they had received inquiries from people who had not received a voter card, with the question whether they could still vote.

In Innst. 1 S (2016–2017) (Recommendation to the Storting) the Credentials Committee discussed the question that many electors think they cannot vote without a voter card. The Committee is of the opinion that better information must be provided or the voter card system must be change to avoid misunderstandings.

The Ministry points out that it is printed on the voter card itself that the elector does not need the voter card in order to vote. It is most likely electors who for various reasons have not received a voter card who think they must have this in order to vote. The Ministry points out that it is very difficult to ensure that every elector has been fully information about all stages of the election. The most important thing is that electors who are uncertain receive the correct information from their municipal authority area. The Ministry will follow-up the feedback from the Committee and consider whether changes shall be made in how the function of the voter card is communicated to the electors.

4.7.3 Extraordinary election to the municipal council in Færder municipality

At the same time as the parliamentary election in 2017, an municipal council election was held in new Færder municipality. The background for the election was that Nøtterøy and Tjøme municipalities were to merge together to become Færder municipality from 1 January 2018, and the municipal authority areas had resolved that the new municipal council should be appointed at an extraordinary election.

The Ministry initiated early cooperation with the two municipal authority areas, which also received extra training and follow-up from the Norwegian Directorate of Election. As electors from the two municipal authority areas could cast advance votes for the municipal council election throughout the country, they were informed about the election at the central training sessions and on the valg.no website.

The Election Survey shows that almost of the municipal authority areas that informed that they received votes for this election were of the opinion that it was not difficult to find information about how they should receive and forward these advance votes.

4.7.4 Distribution of seat and calculation of the seat at large

In Innst. 1 S (2017–2018) (Recommendation to the Storting) the Credentials Committee points out that it is important to have open information about how the distribution of seats is allocated. The Committee also requests that the calculation of the seat and large is available on the Norwegian Directorate of Election's website in the period prior to the final count has been approved, so that it is always possible for the general public to have access to this.

The Ministry agrees that it is important to have information about and access to how the seats are distributed, both the district seats and the seats at large. It is important that the electors understand how their votes impact the election result. Each county distributes the district seats in their county, while the National Electoral Committee distributes the seats at large. Information about how the seats at large are allocated is available at www.valg.no.The

Ministry sees that it may be necessary to examine how the information about this can be made clearer prior to the next election.

The Norwegian Directorate of Election has election result forecasts which include the district seats and the seats at large. The forecasts and provisional election result are eventually published from 9 p.m. on Election Night on a separate website, www.valgresultat.no.

The seats at large cannot be distributed until all the counties have finished counting the votes. Although there are usually fairly large margins in terms of which political party is allocated a seat at large, there may be quite small margins that determine *in which county* the political party is allocated a seat at large. At each parliamentary election there is speculation regarding this. The Ministry is of the opinion that it is important that the impression is not given that the seats at large are allocated to political parties, counties and persons until the final count has been made. It is difficult to convey that a preliminary result may be changed without there being any errors, and this may create unrest regarding the election results. The Ministry will look into how better information can be provided regarding the distribution of seats at large without creating unrest regarding the election result.

4.8 Availability

4.8.1 Organisation of the polling station

In Norwegian elections, the voting period is long. At the parliamentary election in 2017, it was possible to vote as early as 1 July. The ordinary advance voting period lasted from 10 August up to and including 8 September. The municipal authority areas are responsible for facilitating good conduct of the election.

There shall be advance voting at health and social welfare institutions and where the Electoral Committee otherwise determines that advance votes shall be received, cf. section 8-3, second paragraph of the Representation of the People Act. There shall be advance voting at least one day at all the institutions, as there is no need to decide that advance voting shall only be held at individual social welfare institutions.

In the Norwegian Directorate of Election's Election Survey, all the municipal authority areas, with one exception, informed that it was possible to cast advance votes at the municipal authority area's own premises. 126 of the municipal authority areas informed that they only offered advance voting at their own premises, while the others informed that they had offered voting at their own premises in combination with shopping centres, shops, prison, university, nursing homes, upper secondary schools and ambulatory voting.

One fourth of the municipal authority areas informed that they had premises open in the evenings for parts or the whole of the advance voting period. 23 municipal authority areas informed that they had premises open in the evening for the whole of the last week it was possible to vote in advance.

The majority of the municipal authority areas that had not had premises open in the evening for advance voting justified this by stating that there was no need for this. Some of the municipal authority areas pointed out that the electors could make an appointment to come and vote, that they had Saturday opening as an option, or that previous experience had shown that this was not necessary. There were only two municipal authority areas that

pointed out that premises open in the evening was too costly. 38 municipal authority areas informed that they had not considered having premises open in the evening.

Section 9-2, second paragraph of the Representation of the People Act states that the municipal council may resolve that in more or more places in the municipal authority area polling shall also take place on the Sunday before the official polling day. 173 municipal authority areas had a two-day election in 2017. This was a reduction compared with the parliamentary election in 2013, when 196 municipal authority areas held a two-day election.

4.8.2 Universal design

The Representation of the People Act requires that the voting shall take place in suitable premises that are easily accessible, and where all the electors can enter without requesting assistance. Other premises shall only be used if there are “special reasons”, cf. sections 8-3, first paragraph and 9-3, second paragraph of the Representation of the People Act. There must be good accessibility for all electors at the polling station, and the blind and visually impaired must be able to vote without having to request assistance, cf. section 26 of the Representation of the People Regulations. If an elector so requires, he or she may ask the polling committee for the necessary help. Polling committee members have a duty of confidentiality. Electors with a serious mental or physical disability may also appoint an extra assistant from among those present, section 8-3, eighth paragraph and section 9-5, fifth paragraph of the Representation of the People Act.

In addition, the municipal authority areas must comply with accessibility requirements in the Act of 16 June 2017 no. 51 relating to equality and prohibition of discrimination (the Equality and Anti-Discrimination Act) and the Act of 27 June 2008 no. 71 relating to planning and processing of building application (the Planning and Building Act).

In the Norwegian Directorate of Election’s Election Survey 96 per cent of the municipal authority areas informed that before the election they had considered how suitable and accessible the polling station was. This is the same at the same level as at the parliamentary election in 2013. Several of the 11 municipal authority areas that had not considered the accessibility before the election, informed that a separate evaluation had not been necessary.

A corresponding percentage of the municipal authority areas informed that all the permanent premises in the advance voting period and all the premises on Election Day were accessible to all elector groups and that all electors could enter without assistance. The percentage of accessible permanent premises in the advance voting period was the same as at the parliamentary election in 2013. The number of accessible premises on Election Day has increased by 10 percentage points compared with the parliamentary election in 2013. The main reason for this is that one or more premises do not satisfy the accessibility requirement or lack own premises.

62 per cent of the municipal authority areas informed that they had electors with visual impairment. These electors cast their votes with assistance from the polling committee, a self-elected companion or a combination of these. Several of the appeals received following the parliamentary election concerned the application of the provision on assisted voting.

In Innst. 1 S (2017–2018) (Recommendation to the Storting), the Credentials Committee points out that the Act of 20 June 2008 no. 42 relating to the prohibition of discrimination due

to impaired functional ability (the Anti-Discrimination and Accessibility Act) lays down requirements for the design of the polling station and that the Representation of the People Regulations require good accessibility and that the blind and visually impaired can vote without having to request assistance. The Act has been annulled and replaced by the Equality and Anti-discrimination Act from 1 January 2018. The Committee points out that the Election Guide contains a good explanation of how the polling station and voting can be organised for people with impaired functional ability. The Committee is also of the opinion that it is important take use technological solutions to simplify voting for people with impaired functional ability. The Ministry points out that it is very important that the municipal authority areas ensure good accessibility for all the groups of electors, and will be in dialogue with the user organisations regarding possible improvements within the framework of the current conduct of the election.

4.9 External evaluation

4.9.1 Introduction

The Ministry has made an external evaluation of the Directorate of Election's services to the municipal and county authorities. The evaluation helps to ensure good quality of all the services the Directorate provides. The evaluation will also contribute to the development and improvement of target structure and key performance indicators for the Norwegian Directorate of Election at future elections. The project was carried out by ideas2evidence, and implemented in the period October 2017 – February 2018. The most important findings from the evaluation are presented in this chapter, including some recommendations for improvement prior the election in 2019.

Ideas2evidence conducted a survey that was sent to all the municipal authority areas and county authorities. The response rate was high: 77 per cent of the municipal authority areas and 89 per cent of the county councils responded. Ideas2evidence has also had access to data from the survey conducted by the Norwegian Directorate of Election and has conducted some in-depth interviews with selection municipal authority areas.

4.9.2 The Election Administration System EVA

The Election Administration System EVA is used by all municipal authority areas and county authorities in all phases of the election, from registration of list proposals to election result and record-keeping. Ideas2evidence conducted a "usability analysis" of the system to evaluate how functional and user-friendly it is from a user point of view. The usability analysis showed that the system is well developed, especially in relation to the criteria that the system shall be intuitive and effective. The analysis gives the system an average score as regards being easy for users who have not seen the user interface before. The main reason for this is that the help information lies in the Election Officials' portal not in EVA itself. A recommended improvement from the analysis is to make the home page of EVA less static, e.g., by showing status information and news stream here.

The evaluation shows that they election officials in the municipal authority areas and county authorities are generally very satisfied with the system. The majority are more satisfied with the system in 2017 than they were in 2015, and the majority of the respondents generally agree that the system has improved since the previous election. The survey shows that the

municipal authority areas and county authorities think that EVA solves the election tasks in an accurate, trustworthy and secure manner, and it is informed that the system functioned without any significant problems during the election. The main impression is that on the whole, the municipal authority areas and the county authorities were equally as satisfied with the system in 2017 as in 2015. The evaluation also shows that the size of the municipal authority and how much experience they have with the system does not significantly affect how they assess the functionality and efficiency, or how much confidence they have in the system. At the same time, some municipal authority areas and county authorities state that they would like to be more involved in the further development of the system.

The evaluation shows that the users of EVA Scanning give generally very good assessments of how user-friendly the system is. County authorities in particular, think the system is intuitive and easy to use, and the Norwegian Directorate of Election's training in the system is adequate. Some users gave feedback that it was difficult to login to three different programs in order to use EVA Scanning. This was also among the feedback following the election in 2015. It was pointed out that there is room for improvement of certain control functions and deviation messages in EVA Scanning, and this should be prioritised in the future development work.

4.9.3 Information

Municipal authority areas and county authorities have mainly given positive feedback about the information they received from the Norwegian Directorate of Election before and during the election.

In the evaluation from 2015, it was pointed out that the Election Officials' portal worked well, and that no extensive changes should be made. The evaluation from 2017 shows that the users of the Election Officials' portal found it accurate and user-friendly, while the volume of information may also seem rather overwhelming. The portal is very useful for the users and has been generally positively assessed. Due to the large volume of information, the conclusion is that the portal would benefit from being better structured and organised. This feedback was also given in 2015.

The users are generally satisfied with the user guidelines for EVA Admin and EVA Scanning, although the county authorities are less positive to the latter than the municipal authority areas. The evaluation also shows that there is some feedback that the information may seem overwhelming, especially for users with little experience from elections.

The county authorities are somewhat critical of the ongoing information provided in connection with the extra security measures prior to the election. At the same time, many users greatly appreciated that the Norwegian Directorate of Election made calls to ensure that the most time-critical information reached all the relevant recipients.

4.9.4 Training

The training consisted of two modules with separate workshops for municipal authority areas and county authorities. The evaluation report from the election in 2015 recommended a separate training workshop for the county authorities. Each module involved one workshop over two days with plenary lectures and group work.

The municipal representatives are generally positive to the training, but also expressed a wish for even more confident lecturers, more time for review of the tasks and a different composition of plenary lectures and group work. Several also pointed out that the time could have been better used. The feedback from the representatives also shows that there is relatively broad consensus that the training workshops have a network-building function where participants are able to exchange experiences, and this is equally as important as the training they receive. The survey shows that the respondents from the county authorities are generally somewhat less positive than those from the municipal authority areas as regards the assessment of the quality and use of the training.

The evaluation revealed that many municipal authority areas and county authorities want a more differentiated training programme. According to the report, it is evident that this will give more efficient use of the participants' time in the workshops, and that some participants should be offered more training than others. The evaluation report from 2015 also recommends differentiation of the training to meet the needs of the various groups.

Many representatives also point out that it is possible supplement the workshops with various digital solutions and e-learning. However, the representatives are divided on this issue. A slight majority of the respondents from the municipal area authorities do not want to replace the training period in workshops with e-learning. The county authorities are somewhat more positive. The evaluation report recommends that the Norwegian Directorate of Election tests different models as a supplement to the training workshops, and that this should be seen in context with the differentiated training programme. The report shows that it may be difficult to assess the usefulness of a solution that has not been tested.

Two test elections were also held to simulate the various stages of a real election. The representatives regarded the test elections as a necessary run-through and an important test prior to the election, but also gave feedback on some improvements, especially in terms of coordination of the tasks of the municipal authority areas and county authorities.

4.9.5 User support

The Norwegian Directorate of Election's user support replied to a total of 5,600 telephone inquiries and 10,600 e-mails during the election in 2017, i.e., the period from January to September. 90 per cent of the respondents in the survey informed that they had used the user support, and 90 per cent of these gave a positive assessment of the usefulness of the user support. The evaluation shows that the response time in the Norwegian Directorate of Election's user support is generally low. 90 per cent of the respondents also informed that the user support opening hours met their needs.

The evaluation in 2015 showed some weaknesses in the organisation of the user support. Among other things, it was pointed out that it could be appropriate to have fewer temporary employees. so that the staff was better equipped to answer questions, and that the third line response time was too long. The Norwegian Directorate of Election changed the organisation before the election in 2017. The entire user support was with the Norwegian Directorate of Election and 12 part-time employees were recruited as first line personnel. Permanent Directorate employees sat in the second and third line and responded to questions about the election and the electoral system.

A total of 81 per cent of the user support queries were solved in the first line. In general, the municipal authority areas experienced that the election and technical expertise of the user

support team was relatively good. User support received a good score for service-mindedness. Some users, particular among the county authorities, experienced that the expertise of the user support team was not always adequate. General speaking, the county authorities and the largest municipal authority areas are less satisfied than the small and medium-size municipal authority areas. Similar findings were made in the evaluation in 2015, but in 2017 there were a few major differences in how satisfied the various users were. The finding may be because these are much more demanding users who have higher expectations for the user support they receive,

The evaluation points out that there is potential for improvement in the training of the first line staff and in the fine tuning of the division of responsibilities between the lines. At the same time, it is emphasised that on the whole, the user support organisation seems successful and efficient and that the organisational weaknesses revealed in the evaluation in 2015 were to a great extent remedied in the election in 2017.

4.9.6 Overall assessment and recommendations

The evaluation concludes that the representatives from the municipal authority areas and the county authorities are satisfied with the Directorate of Election's services in connection with the election in 2017. The users are most satisfied with EVA and the Election Official portal. The evaluation shows that all the users of EVA have confidence that the system solves their tasks in a secure, accurate and trustworthy manner. However, the representatives from the municipal authority areas and the county authorities expressed a desire to be more involved in the further development of EVA.

The feedback is more complex as regards training and user support. The area where most users see potential for improvement is training. The Norwegian Directorate of Election received praise for being available and accommodating, but some questioned the quality of the content that was communicated. The evaluation also shows that the majority of the questions were answered by the first line, who did not always have sufficient expertise to reply to these. The municipal authority areas are generally more positive in their feedback than the county authorities.

The evaluation recommends that the Norwegian Directorate of Election places competence building high on its list of priorities before the next election. They emphasise that the local government and regional reform will require major adaptations in EVA. Furthermore, ideas2evidence recommends that emphasis is placed on improving the security of the system and the procedures for machine counting of ballot papers, as there is also likely to be focus on security at the next election.

The evaluation report further recommends differentiated training and that the users are consulted to a greater extent during further development of EVA and the Election Official portal. In addition, the report recommends considering supplementing and eventually replacing the training workshops with e-learning. It will be recommended that the user support is continued at the next election, since it functioned reasonably well. However, the Norwegian Directorate of Election should prioritise extensive training of the first line and prepare better distribution procedures between the first line and the other lines, plus quality assurance.

4.9.7 The Ministry's evaluation

The evaluation made provides useful input to the future work on improvements and changes to the work by supporting the municipal authority areas and county authorities in the election. The Ministry notes that the municipal authority areas and county authorities largely provide generally good feedback regarding the Norwegian Directorate of Election's services.

The Ministry emphasises that imprecise or incorrect responses in the user support may have very serious consequences for the election. It will be an important priority for the Norwegian Directorate of Election to build sufficient expertise in the user support to prevent such errors from occurring.

The Ministry points out that one of the Norwegian Directorate of Election's tasks in the award letter for 2018 is to follow-up the evaluations of the election in 2017. The Norwegian Directorate of Election will provide suggestions for follow-up of the various recommendations from ideas2evidence regarding changes prior to the election in 2019.

5 Sami Parliamentary Election

5.1 Current legislation

The conduct of the Sami Parliamentary Election is regulated by the Regulations of 19 December 2008 no. 1480 relating to Election of the Sami Parliament, which has been issued pursuant to the Act of 27 June no. 51 relating to the Sami Parliament and other Sami legal matters (the Sami Act) The Ministry of Local Government and Modernisation is responsible for the legislation.

In municipal authority areas with 30 or more people on the electoral roll, elections take place in the same places and at the same time as the elections to the Storting, section 47, first paragraph of the regulations relating to election to the Sami Parliament. In the municipal authority areas where there are fewer than 30 people registered on the Sami electoral roll it is only possible to cast advance votes in the election to the Sami Parliament, cf. section 2-3, third paragraph of the Sami Act. The advance votes shall be forwarded without undue delay to the Sami Electoral Committee where the elector is registered on the Sami electoral roll, or to the polling committee in the constituency where the elector has been registered on the electoral roll of a municipal authority area with fewer than 30 people registered on the electoral roll, cf. section 43, seventh paragraph of the regulations.

5.2 Voter turnout

The voter turnout at the Sami Parliamentary Election in 2017 was 70.3 per cent. This is an increase of 3.4 percentage points compared with the election in 2013 and is on a par with the voter turnout in 2009.

The voter turnout for the Sami Parliamentary Election in 2017 was 7.3 percentage points lower than at the parliamentary election. There were a total of 11,757 approved votes at the Sami Parliamentary Election.

The results from the election show major variations in the voter turnout in the various constituencies. The voter turnout was highest in the two northernmost constituencies; Ávjovári with 75.7 per cent and Austre with 78.3 per cent. The voter turnout in the

constituency of Southern Norway was lowest at 61.4 per cent. However, this was an increase of 5.4 percentage points compared with the election to the Sami Parliament in 2013 and 7.1 percentage points compared with the election in 2009.

About half of the approved votes at the Sami Parliamentary Election were cast as advance votes.

5.3 Evaluation

The Ministry has evaluated the Sami Parliamentary Election in particular. The Sami Parliament makes its own evaluation of the Sami Parliamentary Election. In close cooperation with the Sami Parliament, the Ministry will consider whether amendments to the regulations relating to Sami Parliamentary Elections are required prior to the Sami Parliamentary Election in 2021. Section 2-4 of the Sami Act relating to constituencies and distribution of seats is related to the municipal authority and regional structure and must be updated as a result of this changing.

6 International election observation

6.1 Observation of the parliamentary election in 2017

Pursuant to Section 15-10 of the Representation of the People Act, the municipal authority areas have a duty to accept and accommodate accredited election observers. The Ministry accredits national and international election observers, and since 2009 has received election observers at each election. The Ministry considers it useful to receive input about the Norwegian electoral system and how we conduct elections in Norway, and is of the opinion that this helps to maintain confidence in the electoral system.

The Organisation for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) sent a delegation to Norway in the period 21 – 23 June 2017 to identify to what extent it was relevant to send a delegation to Norway during the parliamentary election. On the basis of the findings and conclusions of the delegation, OSCE sent a delegation of three election experts who conducted a limited observation during the election. The expert team evaluated the election administration, funding of the political parties and campaigns and the use of the electronic election administration system EVA. The delegation published a report with its findings and comments following the election. The Ministry appreciates that OSCE prioritised the election observation in Norway in 2017.

In addition to the expert team from OSCE, the Ministry accredited Norwegian and international observers from a total of 32 different countries. Several of the observers were accompanied by Norwegian organisations, including the Norwegian Helsinki Committee and the Norwegian Resource Bank for Democracy and Human Rights (NORDEM). A total of 158 observers were accredited in 2017. The Ministry also arranged one seminar where all the observers received an introduction to the Norwegian electoral system and election regulations.

6.2 The OSCE report on the parliamentary election in 2017

6.2.1 Introduction

OSCE published the report from the election experts on 4 December 2017 (go to <http://www.osce.org/odihr/elections/norway/360336>).

This chapter includes a review of OSCE's recommendations and the Ministry's comments on the various issues.

6.2.2 Preference election during advance voting

OSCE is of the opinion that the Norwegian Directorate of Election and the municipal authority areas may consider implementing measures that allow electors who cast advance votes outside their own municipal authority area may vote on local lists and use personal voting as electors are able to in their native municipal authority.

The Ministry points out that electors who vote outside their native municipal authority are issued with a ballot paper with all the names of the registered political parties. If the elector wishes to vote for a non-registered political party or a local list, he or she may write the name of this list on the ballot paper. It has therefore been facilitated that the electors may vote for the party they want no matter where they vote.

In practice, it would be difficult to allow the electors to use personal voting when they vote outside their own municipal authority area in a municipal election and outside their own county in a county council election and parliamentary election. The Ministry sees it as being a not very useful and very costly solution that all the municipal authority areas in the country shall have copies of the ballot papers available throughout the country. The Ministry emphasised the long advance voting period and that good arrangements have been made for voting in Norway, and that the electors may also vote for a local party when they vote away from their home municipal authority area. The electors also have the possibility to obtain a local ballot paper by contacting their home municipal authority area. The Ministry emphasises that there have been no complaints or inquiries from the electors about this. The Ministry will not follow-up this recommendation as it would be difficult within the current way of conducting elections.

6.2.3 Identification

OSCE is of the opinion that the list of what is acceptable identification at an election may be expanded or elaborated on to adapt to electors with no passport or driving licence.

Pursuant to section 8-4, sixth paragraph and section 9-5, second paragraph of the Representation of the People Act, electors who are unknown to the returning officer must provide identification. There is no further regulation of what kind of identification shall be approved. Emphasis shall be placed on the returning officer ensuring that it is clear from the process of voting who the elector is, and the returning officer must then assess the quality of the elector's proof of identity. The Ministry calls on the municipal authority areas to exercise discretion, but are of the opinion that a minimum requirement is that the proof of identity includes the name of the elector, date of birth and photo and has a certain official character. Although the usual proof of identity is a bank card with photo, driving licence or passport, the regulations do not prevent other types of identification from being approved. The Ministry

does not want to regulate further what kind of identification shall be approved. The purpose of the identification is that the returning officer shall be able to check that the elector is the person he or she says they are, and the current regulations allow the returning officer to exercise discretion.

6.2.4 Visually impaired electors

OSCE recommends that the Ministry implements measures to make it possible for visually impaired electors to cast personal votes without assistance.

All electors who so require may ask a returning officer for assistance in the process of voting. Pursuant to section 8-4, eighth paragraph of the Representation of the People Act, Electors with serious mental and physical disabilities may also appoint an extra assistant among the persons who are present at the polling station. The polling station is also adapted so that electors who read braille can cast their votes by themselves either by using a card index solution or a ballot paper with braille where all the registered political parties are listed.

The Ministry currently does not see any obvious practical measures that enable visually impaired electors to cast personal votes without assistance. The Ministry emphasises that the electors are entitled to assistance at the polling station, and that the polling committee have a duty of confidentiality. As part of the evaluation of the election, the Ministry will meet various user groups and organisations to find good solutions within the current regulations. The issues will also be followed-up by the Electoral Reform Commission.

6.2.5 Counting advance

OSCE refers to the provisions in the Representation of the People Act that the elector is responsible for casting his or her advance vote at the right time so that the municipal authority area receives the ballot paper within the deadline for approval of advance votes. OSCE points out that electors have the right to vote in advance up to the Friday before Election Day and that this means that some ballot papers will arrive after the deadline and therefore be rejected.

The Ministry considers it important that votes cast within the statutory deadlines are included in the election result, as this is a rightful expectation from the electors. The Ministry has laid down clear procedures for forwarding advance votes, and the Norwegian Directorate of Election has provided training and information to the municipal authority areas regarding accurate addressing. Norway Post informed the municipal authority areas in a separate letter how best to ensure that the advance votes arrived in time. Based on the evaluation of the election in 2017, it would seem the measures implemented have had an effect. The Norwegian Directorate of Election's studies following the election in 2017 show that the percentage of advance votes received late had fallen from 0.19 per cent in 2013 to 0.11 per cent in 2017. At the same time, the feedback from the municipal authority areas shows that the main reason why the advance votes arrive too late is errors by the election officials. The Ministry will ensure that this is well covered when training election officials prior to the next election. Forwarding of advance votes is also part of the mandate of the Electoral Reform Committee and the Committee shall consider future methods of forwarding advance votes to prevent votes from being rejected.

6.2.6 Publication of the election result

OSCE recommends that the election result should be published per polling station to provide a better insight into the election result and to make it easier to scrutinise the result. The exception is polling stations where this is not possible without violating the principle of voting by ballot, i.e., polling stations with very few votes casts.

The Norwegian Directorate of Election publishes the election result on the website www.valgresultat.no. There are municipal authority areas that report the result via EVA. The way in which the municipal authority area has chosen to count the ballot papers decides how the result will be reported and published. It is the Electoral Committee in the municipal authority area that decides how the counting shall take place. If the municipal authority area decides to count all the ballot papers in the municipal authority area as a whole, the result will also be published at municipal authority level. The municipal authority areas that conduct counting per constituency will also have the result published per constituency, as OSCE advises.

The Ministry does not want to order all the municipal authority areas to conduct counting at constituency level and therefore will not follow-up the recommendation from OSCE.

6.2.7 System changes

OSCE points out that a short time prior to Election Day new IT security regulations were issued with the aim of improving security during the counting. According to OSCE, due to time limits, these recommendations were only partly implemented by the municipal and county Electoral Committees. OSCE states that when changes to the election procedures, including the electronic system, are introduced, it should be checked that all Electoral Committees comply with these.

The Ministry points out that two new measures were implemented prior to the election to increase the security of the election. One of the measures was an order to have a manual provisional count, as stated in chapter 4.4. This measure was imposed in the regulations and was implemented in all the relevant municipal authority areas. The other measure was a set of recommendations issued by the Norwegian Directorate of Election which specifically addressed at control counting of ballot papers by the County Electoral Committee. The recommendations were implemented in different ways by the municipal authority areas and county authorities, as they were adapted to local technical facilities and local risk assessments. According to the Directorate's assessment, time limits were not the cause of this. The Norwegian Directorate of Election contributed actively by observing and giving advice to the county when implementing the recommended measures, and had personal contact with all the County Electoral Committees. The Norwegian Directorate of Election sees that more advice is required at local level, especially as concerns demonstrating good practice for the technical setup of IT solutions and risk assessment and security in this area.

6.2.8 Source codes

OSCE recommends that the Ministry publishes the software source codes that are used to facilitate key election procedures so that these are available for external verification.

The Ministry also agrees with OSCE that it is important to have a high degree of transparency in the conduct of the election and with the electoral authorities, as this

contributes to a high level of trust among the population. At the same time, it is important to maintain the security of the electoral system. The Norwegian Directorate of Election informs that they have an ongoing assessment of the issues OSCE raises.

6.2.9 Political party funding

OSCE is of the opinion that the Ministry may consider further provisions on regulation and disclosure of financial contributions and services to party members and list candidates as a measure to provide better transparency regarding party income.

The Ministry points out that the Norwegian political system is characterised by being party-centred, and it is unusual that candidates have their own personnel election campaign. Pursuant to section 22 a) of the Political Parties Act, the Ministry may lay down provisions in the regulations which determine that the reporting system in whole or in part is to include the election campaign funding of candidates who represent political parties or party units and who win representation to elected bodies. The Ministry emphasises that this will mean 11,000 reports at local elections, which will be resource-intensive both to submit and receive. It is more relevant to limit the reporting to apply to candidates who represent a political party, and that the reporting is done as part of the party's annual report.

If personal election is introduced at the parliamentary election and more attention is paid to candidates in the election campaign, it may be appropriate to use this legal authority. The Ministry wants to improve the system continuously and to also ensure transparency of the political party funding in future. The Ministry follows-up the recommendation by following the development in the field of responsibility and considering separate measures, but will not implement measures at the present time.

7 Financial and administrative consequences

The proposed amendments to the Representation of the People Act could be implemented within the applicable financial frameworks. The Bill will have administrative consequences in that some of the County Electoral Committees would be responsible for the list proposals, control counting and election result in more than one constituency. The Ministry will ensure that the county administrations receive adapted training prior to the election in 2021 so that they are best prepared. The Bill also requires follow-up with good information to the electors, political parties, municipal authority areas and the county authorities. The Ministry will place great emphasis on this in the preparations for the parliamentary election.

8 Comments on the individual proposals

Comments to section 6-2, first paragraph, first sentence

The provision is a continuation of the applicable provision on how many names of candidates there must be on the list proposal at a parliamentary election. The term "constituency" replaces "county", which is the current term. The 19 constituencies in the parliamentary election are stated in section 11-1, first paragraph, second sentence of the Representation of the People Act. The provision states that list proposals shall be filled out in sequence with the names of as many candidates as there shall be returned members of the Storting from the *constituency*, in addition to six other names.

Comments to section 6-3, first paragraph, first sentence

The provision is a continuation of current legislation. The term “constituency” replaces both “county” as a consequence of the amendment to section 11-1, first paragraph, second sentence and “municipal authority area”. At a parliamentary election, the constituencies are the 19 former counties stated in section 11-1, first paragraph, second sentence of the Representation of the People Act. At municipal council elections, each municipal authority area is a constituency, and at county council elections each county authority is a constituency.

The provision maintains the political parties’ right to organise themselves as they wish, and gives them more flexibility when it comes to local branches of political parties that put up list. It is the local branch with responsibility for the constituency that can put up a list when no fewer than two members of the executive committee of the local branch sign the list proposal. If the political party only has one county branch that has the responsibility for the nomination process in all the parliamentary constituencies, two members of the executive committee of the party’s local branch in the county, who have the right to vote in the constituency, shall sign the list proposal. If the party maintains the current organisations in the parliamentary constituencies (the current counties), these could put up lists. This will apply both at parliamentary and local government elections. At local government elections, the constituency will be the same as the county or municipal authority area respectively. The requirement that the signatories must have the right to vote in the constituency is continued and the purpose of this is to still to ensure local affiliation of the list proposals.

Comments to section 6-3, second paragraph, letter a)

The provision is a continuation of the current law that a list proposal at a parliamentary election and county council election shall be signed by no fewer than 500 people with voting rights in the *constituency* at the election in question. The term “constituency” replaces “county” as a result of the amendment to section 11-1, first paragraph, second sentence of the Representation of the People Act. At parliamentary elections there are 19 constituencies and at county council elections each county authority is a constituency.

Comments to section 6-6, fourth paragraph

The provision replaces and continues the provision in section 16 of the Representation of the People Regulations. The provision is a continuation of current legislation which states that if it is unclear who is entitled to represent a registered political party at local level and to put up a list of proposed candidates, the election officials shall obtain and use statements from the executive bodies of the political parties, cf. Section 3, second paragraph, letter b) of the Parties Act.

What is currently the fourth paragraph will become the fifth paragraph.

Comments to section 8-2 third paragraph, second sentence

The provision is a continuation of current legislation. The term “constituency” replaces “county” as a result of the amendment to section 11-1 of the Representation of the People Act. The provision states that a candidate listed on an electoral list at a parliamentary or county council election cannot be appointed as a returning officer for advance votes in the municipal authority areas in the same *constituency*. Constituency means the 19 constituencies listed in section 11-1, first paragraph, second sentence at a parliamentary election and the county at a county council election.

Comments to section 9-3 third paragraph, second sentence

The provision is a continuation of current legislation. The term “constituency” replaces “county” as a result of the amendment to section 11-1 of the Representation of the People Act. The provision states that a candidate listed on an electoral list at a parliamentary or county council election cannot be appointed as a returning officer or election official at the polling stations in the municipal authority areas in the same *constituency*. Constituency means the 19 constituencies listed in section 11-1, first paragraph, second sentence at a parliamentary election and the county at a county council election.

Comments to section 10-6 fourth paragraph, second sentence

The provision is a continuation of current legislation. The term “constituency” replaces “county” as a result of the amendment to section 11-1 of the Representation of the People Act. The provision states that the County Electoral Committee at parliamentary and county council elections shall register shall record corrections the electors have made to the ballot papers. The County Electoral Committee shall county how many ballot papers are given to each list, in total for all municipal authority areas in one *constituency*. Constituency means the 19 constituencies listed in section 11-1, first paragraph, second sentence at a parliamentary election and the county at a county council election.

Comments to section 11-1

First paragraph, first sentence of the provision continues the current legislation that the country shall be divided into 19 constituencies. *First paragraph, second sentence* of the provision states that the 19 constituencies, which correspond to the 19 counties that constituted constituencies at the parliamentary election in 2017. The amendment takes place as a result of amendments in the county structure, cf. Prop. 84 S (2016–2017) (draft resolution). Maintaining the current 19 constituencies at the election in 2021 takes into account geographical and party political representation and these are well-established.

The second paragraph of the provision is new and authorises naming in the regulations what municipal authority areas belong to the various constituencies. The regulations will only name the municipal authority areas that belong to the constituency. Which municipal authority areas belong to the various constituencies follows from the county to which municipal authority area belongs. The background for the legal authority is that not all mergers, border adjustments and name changes have been adopted when this bill was put forward.

Comments to section 11-4, second paragraph, first sentence

The provision is mainly a continuation of current legislation. Adjustments have been made as a result of the amendment to section 11-1. The provision states that the County Electoral Committee shall determine the election result for the constituency in the county and allocate the county's constituency seats between the lists. This means that some County Electoral Committees will have to produce election results for more than one constituency.

Comments to section 11-6, third paragraph

The provision is a continuation of the current provision on how the National Electoral Committee allocates the seats at large among the political parties at a parliamentary election. Amendments have been made to the provision as a result of the amendment to section 11-1, first paragraph, second sentence, so that the term "constituency" replaces "county" throughout the provision. There will therefore still be 19 seats at large for distribution among 19 constituencies.

To section 11-9, second paragraph

The provision is a continuation of current legislation. Amendments have been made to the provision as a result of the amendment to section 11-1, first paragraph, second sentence, so that the term "constituency" replaces "county" throughout. The provision states that where a candidate has been elected a member or alternate for two or more counties, the candidate must send a written declaration of which election is to be accepted. If such a declaration is not submitted, the election is deemed to have been accepted in the county in which he or she is entitled to vote or _ or if the person in question is not entitled to vote in any constituency _ the constituency which comes first in alphabetical order.

Comments to section 13-1, first paragraph, first sentence

The provision is a continuation of the current right to appeal against matters relating to the preparation and conduct of the parliamentary election in the constituency where the person in question is included in the register of electors. The term "constituency" replaces "county", as a result of the amendment to section 11-1, first paragraph, second sentence.

Comments to section 13-3, third and fourth paragraph

The provision is a continuation of current legislation on the Storting's authority to declare the parliamentary election invalid. The term "constituency" replaces "county", as a result of the amendment to section 11-1, first paragraph, second sentence. The election result is conducted per constituency and thus it is one constituency that it may be relevant for the Storting to order a second ballot.

The Ministry of Local Government and Modernisation

recommends:

That Your Majesty approves and signs the presented proposal for a Proposition to the Storting regarding amendments to the Representation of the People Act (constituencies in parliamentary elections, right to put up a list at an election, etc.).

We HARALD, King of Norway,

confirm:

The Storting is requested to adopt amendments to the Representation of the People Act (constituencies in parliamentary elections, the right to put up a list at an election, etc.) in accordance with an enclosed Bill.

Bill
relating to amendments to the Representation of the People Act
(constituencies in parliamentary elections, the right to put up a list
at an election, etc.)

I

The following amendments are made to the Act of 28 June 2002 no. 57 relating to election of the Storting, county and municipal councils:

Section 6-2, first paragraph, first sentence shall read:

(1) At parliamentary elections a list proposal shall be filled out in sequence with the same of as many candidates as there shall be returned members of the Storting from the *constituency*.

Section 6-3, first paragraph shall read as follows:

(1) For parties included in the Register of Political Parties which at the previous parliamentary election polled no fewer than 500 votes in one *constituency* or no fewer than 5,000 votes in the whole country, it is sufficient for the list proposal to be signed by new fewer than *two of the members of the executive committee of the party's local branch with responsibility for the constituency* to which the list applies. The same applies to political parties that have been registered in the Register of Political Parties after the previous parliamentary election. The signatories must be entitled to vote in the constituency. If a registered political party puts up a list proposal together with an unregistered group, the provisions in the second paragraph still apply.

Section 6-3, second paragraph, letter a shall read:

- a) At parliamentary and county council elections a list proposal shall be signed by no fewer than 500 persons entitled to vote in the *constituency* at the election concerned.

Section 6-6, fourth paragraph shall read as follows:

(4) If it is unclear who is entitled to represent a registered political party at local level and thus is entitled to put up a list for this party, the electoral authorities shall obtain and use a statement from the party's executive body, cf. section 3, second paragraph, letter b of the Political Parties Act.

The current fourth paragraph now becomes the fifth paragraph.

Section 8-2, third paragraph, second sentence shall read:

Candidates who are listed on the electoral list at the parliamentary or county council election cannot be appointed as returning officer in the municipal authority areas in the *constituency* concerned.

Section 9-3, third paragraph, second sentence shall read:

Candidates who are listed on the electoral list at the parliamentary or county council election cannot be appointed as returning officer or election official at the polling stations in the municipal authority areas in the *constituency* concerned.

Section 10-6, fourth paragraph, second sentence shall read:

The number of votes cast for each list is found by counting how many ballot papers have been cast for each list, added together for all the municipal authority areas in the *constituency*.

Section 11-1 shall read as follows:

Section 11-1 *Constituencies for parliamentary elections*

(1) The country is divided into 19 *constituencies*. At a *parliamentary election*, members of the *Storting* are elected with deputy members from the following *constituencies*:

- a) *Østfold constituency*
- b) *Akershus constituency*
- c) *Oslo constituency*
- d) *Hedmark constituency*
- e) *Oppland constituency*
- f) *Buskerud constituency*
- g) *Vestfold constituency*
- h) *Telemark constituency*

- i) *Aust-Agder constituency*
- j) *Vest-Agder constituency*
- k) *Rogaland constituency*
- l) *Hordaland constituency*
- m) *Sogn & Fjordane constituency*
- n) *Møre & Romsdal constituency*
- o) *Sør-Trøndelag constituency*
- p) *Nord-Trøndelag constituency*
- q) *Nordland constituency*
- r) *Troms constituency*
- s) *Finnmark constituency*

(2) *The Ministry issues regulations on which municipal authority areas are included in the various constituencies.*

Section 11-4, second paragraph, first sentence shall read:

(2) *The County Electoral Committee shall undertake determination of one election result for each of the constituencies/ the county and allocate the constituency's seats to the lists.*

Section 11-6, third paragraph shall read as follows:

(3) *The National Electoral Committee allocates the seats at large, with one for each constituency, in the following manner.*

a) *For each constituency and for each party that has won at least one seat at large, the party's total vote polled in the constituency is taken as a starting point. If the party has not won any constituency seat, the party's total vote polled in the constituency shall be used as a basis. If the party has won a constituency seat, the party's total vote polled shall be divided by a number that is more than twice the number of constituency seats the party has won in the constituency. The party's total vote polled or the quotients arrived at are divided by the average number of votes per constituency seat in the constituency in question.*

b) *The quotients arrived at for all constituencies and for all parties that have won at least one seat at large are arranged in order according to size. If two or more quotients are of equal size, the number of votes in the constituency in question is decisive. In the event of an equality of votes, the order is determined by lot.*

c) *Seat at large no. 1 is allocated to that party and the constituency which after the calculation above has the largest quotient. Seat at large no. 2 is allocated to that party and the constituency which after the calculation above has the second largest quotient, etc.*

d) *When a constituency has been allocated a seat at large, that constituency is disregarded in the further calculations. When a party has won the number of seats at large it shall have in accordance with the distribution pursuant to the second paragraph above, that party is disregarded in the further calculations. The distribution continues for the remaining constituencies and the remaining parties until all the seats at large have been allocated.*

Section 11-9, second paragraph shall read as follows:

(2) Where a candidate has been elected a member or alternate for two or more *constituencies*, the person in question decides which election is to be accepted. A written declaration of which election is to be accepted shall be sent to the chairman of the relevant County Electoral Committee within three days of receipt of the notification of election from the County Electoral Committees. If the person in question does not make any such declaration, election is deemed to have been accepted in the *constituency* in which he or she is entitled to vote, or - if the person is not entitled to vote in any of *the constituencies* - the *constituency* which comes first in alphabetical order. If the election the person in question has received is declared invalid, he or she can make a new declaration.

Section 13-1, first paragraph, first sentence shall read:

(1) Any person who is entitled to vote may appeal against matters relating to the preparation and conduct of the parliamentary election in the *constituency* in which the person in question is included in the electoral roll.

Section 13-3, third and fourth paragraph shall read:

(3) The Storting shall declare a parliamentary election in a municipal authority area or in a *constituency* invalid if any error has been committed which may be deemed to have had an influence on the outcome of the election and which it is not possible to correct.

(4) Where the election in a municipal authority area or in a *constituency* has been declared invalid, the Storting orders a new election. In special cases, the Storting may order new elections in the whole *constituency* even if the error does not apply to all the municipal authority areas in the *constituency*.

II

The Act comes into effect immediately.