

Act Relating to the Ombudsperson for Children [The Ombudsperson for Children Act]

Date	LOV-1981-03-06-5
Ministry	Ministry of Children and Families
Entry into force	01.09.1981
Last consolidated	LOV-2009-06-19-43 from 01.07.2009
Last update	19.01.2021
Abbreviated title	The Ombudsperson for Children Act
Original title	Lov om barneombud [barneombudsloven]

Amendment acts incorporated in this text: This translation was first published 19 January 2021 and included all amendment acts in force, the last of which was act 19 June 2009 no. 43.

This is an unofficial translation of the Norwegian version of the Act and is provided for information purposes only. Legal authenticity remains with the Norwegian version as published in Norsk Lovtidend. In the event of any inconsistency, the Norwegian version shall prevail.

The translation is provided by the Ombudsperson for Children.

Cf. the act of 17 July 1992 no. 100 (The Child Welfare Act, not yet i english) and the act of 8 April 1981 no. 7 (Act relating to Children and Parents (the Children Act)).

Section 1.(*purpose*)

The purpose of this Act is to contribute to promoting the interests of children in society.

Section 2.(*Ombudsperson for Children*)

The Ombudsperson for Children shall be appointed by the King in Council for a term of six years without the possibility of reappointment.

Section 3.(*Duties of the Ombudsperson*)

The duties of the Ombudsperson are to promote the interests of children in relation to the public and the private sectors, and to monitor the development of conditions for children's upbringing.

In particular, the Ombudsperson shall:

- a) on own initiative or as a body entitled to comment, safeguard the interests of children in connection with planning and reporting in all fields,
- b) monitor that legislation safeguarding the interests of children is observed, including whether or not Norwegian law and administrative practice complies with Norway's obligations pursuant to the UN's Convention on the Rights of the Child.
- c) propose measures to strengthen children's legal safeguards,
- d) propose measures that can solve or prevent conflicts between children and society,
- e) ensure that sufficient information is provided to the public and private sectors concerning children's rights and the measures they require.

The Ombudsperson may act on own initiative or at the request of other parties. The Ombudsperson for Children determines whether or not a communication offers sufficient grounds for action.

Section 4.(*access to institutions and duty to provide information*)

The Ombudsperson shall have unrestricted access to all public and private institutions for children.

Public authorities and public and private institutions for children shall, notwithstanding the duty of confidentiality, furnish the Ombudsperson with the information needed for the performance of the Ombudsperson's duties pursuant to this Act. Information that is needed for the performance of the Ombudsperson's duties pursuant to Section 3, second paragraph (b), may also, notwithstanding the duty of confidentiality, be demanded from others. When information may be demanded pursuant to this paragraph, it may also be required that records and other documents be produced.

The rules in the Dispute Act, sections 22-1, 22-2, 22-4 to 22-11 correspondingly apply to the Ombudsperson's right to demand information. Disputes concerning the application of these rules may be brought before the district court, which will decide the matter by a ruling.

Section 5. (*Statements by the Ombudsperson*)

The Ombudsperson is entitled to make statements regarding conditions under the Ombudsperson's purview pursuant to this Act and according to the Instructions for the Ombudsperson for Children. The Ombudsperson decides to whom these statements shall be addressed.

Section 6. (*Instructions for the Ombudsperson*)

The King issues general instructions for the organisation and procedures of the Ombudsperson. Otherwise, the Ombudsperson performs its duties independently.

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Section 7. (*entry into force etc.*)

This Act is also applicable to Svalbard.

The Act shall enter into force from the date prescribed by the King.¹

¹ From 1 Sept 1981 pursuant to the Royal Decree of 6 March 1981.