

Preface

This brochure has been published by Juridisk rådgivning for kvinner (JURK) – Legal Advice for Women.

JURK is operated by female law students who provide free legal aid to women all over Norway. JURK has a group of women specializing in immigration law and international private law.

The purpose of this brochure is to provide a brief overview of the legal status of women with an immigrant background in Norway. It does not, however, contain detailed descriptions of the legal issues mentioned. The first section deals with the regulations governing the right of residence in Norway for foreign nationals, the second section examines some of the general laws that apply in Norway.

The provisions that are examined in this brochure also apply to men.

JURK would like to thank our mentors and supervisors, Professors Kristian Andenæs and Helge J Thue, both at the University of Oslo, and Ann-Karin Kr. Høimyr, senior consultant at the Directorate of Immigration (Utlendingsdirektoratet = UDI) for their assistance. We also would like to thank the Refugee and Immigration Authority of the municipality of Oslo and the Ministry of Children and Family Affairs, both of whom provided funding for the publication of this brochure.

Oslo, September 1999

JURK is responsible for the content of this brochure. Contributors include: Janicke Lygren, Hilde Thorstad, Eli Kristin Bøe, Hege Langeland, Elisabeth Mo, Kari Gimmingsrud and Cecilie S.W. Berg.

This brochure was revised in the autumn of 2001 due to amendments in the legislation. JURK would also like to thank Trond Olsen Næss, Attorney, for his legal review of the brochure. We also would like to thank the Refugee and Immigration Authority of the Municipality of Oslo for their financial support for the revision and translation of the brochure.

The editors of the revised addition are Farah Ali and Astrid Teigaas.

This brochure was revised in the autumn of 2004 due to amendments in the legislation. Any later amendments to the Immigration Act and Regulations etc are not covered by the information in this brochure.

JURK would like to thank ????????????

The editors of the revised addition are ??????????????

TABLE OF CONTENTS

SECTION 1 IMMIGRATION LAW	3
Chapter I Visitor's visa.....	3
Chapter II Residence in Norway.....	5
1. Residence granted to an asylum seeker	5
2. Residence on humanitarian grounds	6
3. Family reunification.....	7
4. Work permit	11
5. Residence for study purposes.....	12
Chapter III The requirement concerning subsistence and housing.....	13
Chapter IV Settlement permit	15
Chapter V Nationality.....	18
Chapter VI Rejection and expulsion	21
Chapter VII EEA provisions.....	24
Chapter VIII Case processing rules	25
SECTION 2 LEGAL STATUS IN NORWAY	27
Chapter 1 Introduction.....	27
Chapter II Employment and education.....	27
Chapter III Health care, social insurance and social security benefits	29
Chapter IV Family law	30
Chapter V Law of Inheritance	32
Chapter VI The right to vote and elections.....	34
Chapter VII Free legal aid	35
Where women with an immigrant background may receive assistance.....	37
Glossary	38
Other brochures issued by JURK.....	39

SECTION 1 IMMIGRATION LAW

Chapter 1 Visitor's visa

Visa requirement

A visa is an entrance permit for Norway and the Schengen Area. It also functions as a residence permit within Schengen in a limited period of 90 days. A Norwegian visa gives the holder the right to travel within all Schengen countries. Visa may be granted to tourists, or for a series of other purposes, including family visits, business travels and studies.

Schengen nationals do not need a passport or a visa to enter Norway. Moreover, Norway has entered into visa exemption agreements with a number of countries. You can contact UDI for more information on this.

How to apply for a visitor's visa

The visa application must be submitted to a Norwegian foreign service mission or in special circumstances to another country's foreign service mission. As a general rule, the application must be submitted in person. The application must be filled in accurately and must be signed by the applicant. A photograph of the applicant must also be attached. The visa will be issued as a stamp in the passport or in other valid travel document.

Conditions

In order to be granted a visitor's visa, certain conditions must be satisfied:

- You must submit a valid passport or other approved identification that has been recognized as a travel document. Furthermore, the travel document must be valid for at least three months beyond the period for which the visitor's visa applies to.
- When the visitor's visa expires, you must have the right to re-enter your country of origin or another country for which you have a residence permit.
- You must also cover your travelling expenses to and from Norway and your living expenses during your stay in Norway. The person or persons you are visiting may provide a guarantee that board, lodging and travel expenses will be covered.

Duration and content

A visitor's visa may be granted for up to three months, and normally the visa is valid for only one entry. In special cases a specified or unspecified number of entries may be stipulated for a period of 12 months. This applies in particular to business trips and other similar situations. In the course of a period of six months, you must not have stayed in Norway for more than a total of three months. To stay in Norway for a period longer than three months you must have a valid residence permit.

A visitor's visa confers the right to enter and stay in Norway for the stipulated period of time. A date for the last day of entry into Norway is specified.

If you have been granted a visa for less than three months, you may apply to the police for an extension of the visa so that its duration in total is three months. In actual practice, special grounds are required if a visa extension is to be granted.

Persons with a visa to Norway and who have a valid travel document may travel freely in the Schengen area for up to three months.

The visa does not confer the right to take employment or run a business activity in Norway.

Emergency visa

If you are required to have a visa and report to passport control without a valid visa, you may be issued an emergency visa where strong grounds so indicate and the reason why the visa is lacking is deemed excusable. The conditions for being granted a visitor's visa must then be satisfied. An emergency visa may nevertheless be issued if particular reasonable grounds so indicate.

Asylum

When a foreign national applies for asylum on entry, UDI must process and decide the case. This means that a person applying for asylum cannot be expelled because he or she does not have a visa.

Grounds for refusing a visa

UDI will reject an application for a visa in the following cases:

- There are grounds for expulsion or rejection
- Foreign policy or security policy considerations so indicate
- Immigration policy considerations so indicate

If the authorities have reason to believe that the real purpose of the visit is to take up employment or to stay longer than three months, they may refuse the application for a visa. Therefore it is very important that the applicant shows the connection to his or her country of origin, for example through proof of employment, studies and family situation. If possible this should also be documented through references, letters of confirmation from a school or workplace and a return ticket.

Chapter II Residence in Norway

Immigration into Norway is restricted and regulated. This means that all foreign nationals who wish to stay in Norway for more than three months must have a residence permit. A residence permit may be granted if special considerations so indicate. Special considerations include:

- asylum
- humanitarian grounds
- family reunification
- employment
- studies

As of April 2004 it costs 600 NKR to process for residence permit, work permit, settlement permit or renewal of these permits. It costs 1000 NKR to process an application for Norwegian nationality. The fee is to be paid on submission of the application to a Norwegian Foreign Service mission, or to the Police. EEA (European Economic Area) citizens are exempted from fees.

The application is submitted to the Police. You are then registered by the Police, who will go through your luggage and the documents you might bring. They also take your photo and your fingerprints. You have the right to a free lawyer. UDI questions you about your reason for fleeing. A translator might be used during the interview. UDI decides whether you will be granted asylum in Norway.

1. Residence granted to an asylum seeker

To be granted asylum means to be given a place of refuge. This means that the person in question is granted residence in Norway due to persecution in his or her country of origin.

How to apply for asylum

You must apply for asylum in Norway or at the Norwegian border. You cannot apply for asylum from your country of origin or from another country.

Asylum seekers who come to Norway are first registered by the police on arrival. The police then place the applicant in a transit reception centre. The applicant is entitled to free legal aid and is informed about case-processing procedures. UDI will then conduct an interview with the applicant, preferably within three or four weeks after being registered by the police. UDI decides whether you will be granted asylum in Norway.

Conditions

An asylum seeker must be considered a refugee. You are considered a refugee when you have a well-founded fear of being persecuted in your country of origin for reasons of race, religion, nationality, political opinion or membership of a particular social group.

If you are considered a refugee, the general rule is that you are entitled to be granted asylum.

There is no requirement that subsistence and a dwelling must be ensured.

Grounds for denying asylum

UDI may reject an application for asylum even though you have a well-founded fear of persecution. This applies in the following circumstances:

- The asylum seeker has been granted asylum or a residence permit in another country
- The asylum seeker is considered to be a risk to the security of the realm
- The asylum seeker has been convicted of a particularly serious crime and must therefore be considered a danger to society

In practice, very few asylum seekers are granted asylum. However, more are granted a residence permit on humanitarian grounds, see below under Item 2.

Duration

A work and residence permit on asylum grounds is granted one year at a time. It can be renewed if the grounds for asylum are still present.

What being granted asylum entails

- You have the status of refugee
- You are granted a work permit; persons under 18 years of age are only granted a residence permit.
- Asylum may constitute a basis for a settlement permit, see Chapter IV

2. Residence on humanitarian grounds

If the authorities reject an application for asylum, they are obliged to examine whether a residence permit may be granted on humanitarian grounds. This type of permit is granted more often than asylum.

How to apply for a residence permit on humanitarian grounds

A person who has not been granted asylum but is in imminent danger of losing his or her life or being subjected to inhuman treatment must be granted a work or residence permit. This applies when the person is in a refugee-like situation and is thus entitled to protection from expulsion.

When a foreign national's application for asylum has been rejected, the authorities making the decision shall on their own initiative assess whether the person may be granted residence on humanitarian grounds.

If there is no protection against expulsion, the applicant has no unconditional claim for a residence permit on humanitarian grounds, even if there are strong humanitarian considerations or a special connection to Norway. The decision is dependent on a discretionary assessment.

Conditions

To be granted a residence permit on humanitarian grounds, strong humanitarian considerations must so indicate. Such a consideration may be that while you are not considered a refugee, you still have a well-founded fear of persecution. This could be the case if it is

deemed too dangerous for you to return to your country of origin. Strong humanitarian considerations may also apply if the applicant has serious physical or mental health problems.

When applying for residence permit on humanitarian grounds *subsistence and housing* must, as a general rule, *be ensured (poeng: underhold og husvær må være sikret)*. Exemptions may be given to protect a person from persecution. More information about subsistence is given in chapter III.

Unaccompanied minor asylum seekers may only be returned if they have a care provider in the country of origin. If such a care person cannot be found, single minor asylum seekers will be granted a residence permit in Norway.

A work or residence permit may also be granted if you have a special connection to Norway. An example of a special connection may be that you have previously lived in Norway, or that you have relatives here with whom a family reunification permit was not granted. (It is very difficult to be granted a permit on this basis). See family reunification below under Item 3.

If the applicant has any children when she arrives in Norway, these shall also be considered when assessing whether a residence permit should be granted on humanitarian grounds. The health condition of the children and their schooling situation may be of importance.

Duration

A residence permit is granted for one year at a time. It may be renewed if the conditions continue to be satisfied.

What being granted a residence permit on humanitarian grounds entails

- You are granted a work permit; persons under 18 years of age are only granted a residence permit
- A permit may constitute a basis for a settlement permit, see Chapter 4

3. Family reunification

Family reunification means that a person may be granted a residence permit in Norway because one or several family members already live in the country.

How to apply for family reunification

As a general rule, an application must be submitted to the Norwegian embassy or consulate in the country of origin. The spouse of a Norwegian or Nordic national, or of a foreign national who has a settlement permit, may apply in Norway.

A seven-day visa for spouses

Some foreign nationals do not need to have the first issue of the work and residence permit before entry into Norway. They may submit their application from Norway.

A foreign national who wishes to be reunited with his or her spouse may be granted a seven-day visa. This applies when the spouse is a Norwegian national, or when the spouse has a settlement visa and the partners have been married for at least three years.

It is a condition that the spouses must live together. A visitor's visa may be granted irrespective of whether the applicant is also applying for family reunification or has already submitted such an application.

A visitor's visa shall not be granted if from experience there is a need to verify documents in connection with the processing of the application for a work or residence permit or if the person with whom family reunification is being sought has a settlement permit and has stayed outside Norway for more than two years.

The applicant must submit the information that is required to document the probability that he or she comes under the category of those who may be granted a visitor's visa. There must be no doubt that the conditions for being granted a visitor's visa have been satisfied, and that the processing of the application by the foreign service mission will not require more resources than is common for visa applications. A visa may be granted for a period of up to a week. The applicant is obliged to report to the police within a week after entry. Issuing a visitor's visa does not mean that an application for family reunification will be granted.

Conditions

Requirements regarding the person with whom family reunification is being sought (the person living here)

You may apply for family reunification with the following persons in Norway:

- A Norwegian or Nordic national resident in the realm
- A foreign national with a settlement permit
- A foreign national with a work or residence permit that may constitute a basis for a settlement permit
- A foreign national who has a time-restricted work or residence permit which cannot constitute a basis for a settlement permit
- A foreign national who has a residence permit to study in Norway

Requirements for the person applying for family reunification

As a general rule, a residence permit on the basis of family reunification may only be granted to the closest family members living in Norway. The following people are considered to be close family members:

- A spouse who is over 18 years of age. If the person in Norway has more than one spouse, then only the person who was married with him or her first may apply for family reunification. A registered partner of the same gender is regarded in the same way as a spouse. It is a condition that the spouses/partners shall live together.
- A cohabitant who is over 18 years of age. The partners must have lived together for at least two years in a permanent and established relationship, and the purpose of the family reunification must be the continuation of their life together. It is a condition that neither of them is married.

- Unmarried children under 18 years of age. If only one of the parents lives in Norway, it is a condition that the person in question shares the parental responsibility and that it is in the best interests of the child that she or he should be granted residence here. When parental responsibility is shared, consent from the other parent is generally required. Children over 12 years of age have a right to be heard as to whether they would like to live with the parent who lives in Norway.
- Parents of a child under 18 years of age without a spouse or cohabitant who has been granted asylum in Norway or who is a resettlement refugee, when the parents are married or cohabitants. Siblings under 18 years of age, without spouses or cohabitants, who live together with their parents in the country of origin may be granted a residence permit in Norway together with the parents. It is a condition that the applicants will live together with the child in Norway.
- A single mother or father of a child under 18 years of age without a spouse or cohabitant who has been granted asylum in Norway or is a resettlement refugee, and siblings under 18 years of age, without a spouse or cohabitant, who live together with the mother or father in question. The parent who had the parental responsibility and with whom the child lived together permanently in the country of origin has the pre-emptive right to residence in Norway. It is a condition that the parents and the sibling shall live together with the child in Norway.
- A mother or father of a Norwegian child under 18 years of age without a spouse or a cohabitant for whom the applicant has parental responsibility and who lives permanently together with the applicant. It is a condition that the applicant has neither spouse nor cohabitant at the time of entry into Norway.
- The mother or father of a child under 18 years of age who lives together in Norway with the other parent who has parental responsibility and with whom the child lives permanently. The purpose of the family reunification must be to exercise visitation rights with regard to the child. It is a condition that the applicant has stayed legally in Norway during the last year, is able to document a substantial amount of visitation rights and satisfies this right.

In certain cases more distant family members may also be granted family reunification in Norway due to a special connection to the country.

This does not confer an automatic right to family reunification. The following persons are considered to have a special connection to Norway:

- An applicant intending to enter into marriage with a resident in Norway after entry. It is a condition that both parties are over 18 years of age, and it must be documented that there are no impediments to the marriage.
- A cohabitant over 18 years of age when the parties intend to continue their life together and they have or are expecting a child together. The same principle applies to cohabitants who have lived together in a permanent and established relationship for at least two years and there are long-lasting obstacles to satisfying the requirement that neither of the parties must be married.

- A mother or father over 60 years of age without a spouse, cohabitant or any other of his or her close family members living in the country of origin. The same principle applies to both parents in special circumstances. It is a condition that a son or a daughter in Norway must be assumed to have a special responsibility for the applicant.

Parents may also be allowed to visit their family in Norway for up to nine months on the condition that they return to their country of origin *and* that subsistence and housing are guaranteed during their stay.

- A dependent child over 18 years of age, without a spouse or a cohabitant, when the child is in or will be left in the country of origin without parents or siblings over 18 years of age or married. The same applies to dependent children over 18 years of age without a spouse or a cohabitant when it can be proved that for medical reasons the child is completely dependent on personal care provided by the parents living in Norway.
- A foster child under 18 years of age without a spouse or a cohabitant who is an established member of the family. It must be proven that the parental responsibility has been legally transferred. The Norwegian child welfare authority must approve the foster home.
- A full-blood brother or sister under 18 years of age without a mother, father or any other care provider in the country of origin or the country of residence and without a mother or father in another country. It is a condition that the full-blood sibling in Norway is capable of serving as the care provider.

When strong human considerations so indicate a residence permit for family reunification may also be granted in other cases.

Subsistence and housing requirements

Persons applying for family reunification must as a general rule be ensured subsistence and housing. For the closest family members it is not required that housing is ensured, and under certain conditions exemptions may be made to the subsistence requirement. See more on this topic in Chapter III.

Duration

A first-issue residence permit is normally granted for one year at a time and may be renewed if the conditions continue to be satisfied.

What being granted a residence permit on family reunification grounds entails

- You receive a work permit; children under 18 years of age are only granted a residence permit.
- As a general rule the permit may constitute a basis for a settlement permit

Residence permit for women after termination of marriage/cohabitation

If after the termination of the marriage/cohabitation, the woman is expected to suffer unreasonable difficulties in the country of origin due to the social and cultural conditions there, she may be granted a residence permit.

It is not an adequate reason if the woman will encounter difficulties in her country of origin. The difficulties must be so burdensome that it would be unreasonable to demand that the woman should return to her country of origin.

The decision to grant a permit will be made according to a discretionary assessment, where both general and individual circumstances will be taken into consideration.

If the woman and/or any children have been abused in a marriage/cohabitation, the woman and her children, if any, shall be granted a residence permit.

The abuse may be of a physical nature, for example the use of violence, or of a psychological nature, such as threats of violence.

There are no strict requirements for proving the probability of the abuse. As a general rule, the woman is not required to document that abuse has occurred. Should there be any doubt, it may be useful to have some documentation, such as proof that the woman has been treated by a physician or a psychologist. The woman must be prepared to be summoned to an interview at the police station to report on her experiences during the marital cohabitation. It is her choice as to whether she also wants to prefer charges against her spouse/cohabitant.

4. Work permit

Foreign nationals must have a work permit in order to take employment or run their own business activity in Norway.

Nordic nationals are exempted from the requirement for a work permit. Special provisions apply to EEA nationals, see Chapter VII.

How to apply for a work permit

As a general rule, first-issue work permit must have been granted before entry into Norway. The application is to be submitted to a foreign service mission in the country the applicant is a national of, or through a Norwegian foreign service mission in the country where the applicant has had a work or residence permit during the last six months.

Conditions

- You must have a concrete offer of employment
- You must have professional/vocational training or have special qualifications for which there is a special need
- Similar manpower must not be available in Norway or in the EEA area
- Housing and subsistence must be ensured, see Chapter III

Duration

A work permit is generally granted for a period of one year at a time. The permit may be granted for a shorter or longer term in the event that the employment is time restricted.

A work permit without restrictions may constitute a basis for a settlement permit, see Chapter IV.

A short-term work permit may also be granted, for example to seasonal workers, au-pairs or similar. Such a permit cannot constitute a basis for a settlement permit. Subsistence and housing must be ensured, see Chapter III.

5. Residence for study purposes

Foreign nationals wishing to study in Norway need a residence permit. As a general rule this permit must have been granted before entry. In principle such permits are only granted for tertiary studies – college or university studies. A permit will only be granted for studies in upper secondary education if this comes under a development programme.

Conditions

- You must have been admitted to a full-time place at an approved educational institution
- Subsistence and housing must be ensured, see Chapter III
- You must submit a plan for your studies
- You must return to your country of origin after completion of your education

Duration

A residence permit for study purposes will be granted for one year at a time. For renewal you must prove satisfactory progress in your studies, in addition to the requirements mentioned above.

What being granted a residence permit for study purposes entails

- You may apply for a permit to work part time. There must be a concrete offer of employment. The scope of the employment must not exceed a half-time position, that is, a maximum of 20 hours a week.
- Family members of students may be granted a residence permit on certain conditions. It is a condition that the family member will return to the country of origin when the student completes his or her education.
- Residence for study purposes does not constitute a basis for a settlement permit.

Chapter III The requirement concerning subsistence and housing

The general rule for being granted residence in Norway is that the applicant must be ensured subsistence and housing.

Subsistence

The subsistence requirement means that you must have enough money to meet your expenses during your stay in Norway.

The following may be considered subsistence:

- Earned income. This may be income from full-time paid employment, or the promise of permanent employment. In case of part-time employment or running a private business activity, a specific assessment will be undertaken as to whether the subsistence requirement is satisfied.
- Private means
- A combination of earned income and private means
- A pension or other social security benefits when these are of sufficient size and duration
- A study loan or grant

UDI provides more detailed guidelines on what is considered to be sufficient subsistence. A specific assessment will be undertaken in each case.

In some cases it may be accepted that another person guarantees an adequate subsistence level for the applicant.

If the applicant comes to Norway under family reunification, a combination of the means of the applicant and the person living here may be considered as adequate subsistence.

Social benefits are not deemed to be subsistence.

All sources of income must be documented. Such documentation may consist of a bank account statement, an employment contract or wage slips for the last three months.

When subsistence is ensured through private means or a guarantee by another person, it may be required that a certain amount has to be transferred to a Norwegian bank and frozen for a stipulated period of time.

Exemptions from the subsistence requirements

In some cases no subsistence requirement is set. This may include:

- When married and the spouse living in Norway is under 23 years old. In some cases exceptions from this requirement may occur.
- When applying for family reunification with close family members

- If strong humanitarian considerations so indicate

Housing

You must be ensured housing for the period of time the application applies to.

Housing may be a house, a flat/apartment or rented rooms, and must satisfy the requirements of the public health authorities.

You must be able to document that housing is ensured by, for example, submitting a lease or purchase contract. When you are renting a dwelling, the lease should be more than short-term.

Chapter IV Settlement permit

As a general rule, a work or a residence permit is granted for one year at a time, and must therefore be renewed each year. After a period of three years with a residence or work permit without any restrictions, you may apply for a settlement permit. A settlement permit confers the right to stay in the country without any time limit, and constitutes independent grounds for residence.

To obtain a settlement permit you must apply for it. Basically only the person who has applied within the appropriate time has a right to a settlement permit. This means within two months before the current permit expires. The application must be submitted using the form for this purpose, and must be submitted to the police in the district where you have your fixed place of abode. As a general rule, the decision is made by UDI.

Conditions for being granted a residence permit

- During the last three years you must have had a residence or work permit that pursuant to the Immigration Act may constitute a basis for a residence permit. A residence permit that has been granted as collective protection in a mass outflow situation may not constitute a basis for a settlement permit. This also applies to foreign students and au-pairs who have been granted residence in Norway.
- You must have stayed continuously in the country for the last three years. This means that you may not have stayed abroad for a period exceeding seven months in total during the last three years. Application must be submitted within two months before the current permit expires. It is important to apply for a renewal of the residence permit in time. If the residence permit expires and some time passes before you manage to have it renewed, this can lead to a later rejection of your application for a settlement permit.
- The conditions for the residence permit must also have been satisfied. A change in the reason for residence generally means that it will take longer to obtain a settlement permit. This refers, for example, to a foreign national who first was granted a residence permit for family reunification with his spouse and then separates from that spouse after two years. If the foreign national is then granted a residence permit on other grounds after the separation, he or she may only be granted a settlement permit after three years with this new residence permit.

If you have been granted residence for family reunification with your spouse and you are separated or leave one another before you have been granted a settlement permit, you are no longer entitled to a residence permit in Norway. This is because your grounds for residence no longer are valid as you are not living with your spouse. See Chapter II for other possible grounds for residence after a divorce.

If you have had residence for family reunification with your spouse for three years and have lived together the entire time, you may be granted a settlement permit after applying for it. Once you have been granted a settlement permit, a separation from your spouse will have no consequences for your further residence in Norway.

A settlement permit when the main conditions have not been satisfied

If you have had a residence permit that may constitute a basis for a settlement permit for at least one year, a settlement permit may be granted if you have lived in Norway for an extended period of time earlier. This provision may be relevant for students who have had long-term residence in Norway.

This also applies when you have been granted a one-year residence permit which may constitute a basis for a settlement permit and particular reasonable grounds so indicate. A settlement permit may, for example, be granted to a child when the rest of the child's family has a settlement permit.

Children may be granted a settlement permit without a preceding period of residence when born in Norway of parents who are resident here. An application for a permit must be submitted at the latest one year after the birth of the child. It is a condition that the parents at that period of time have applied for and satisfy the requirements for a settlement permit.

Other rules apply for granting a settlement permit to foreign nationals with a residence permit on collective protection grounds due to a mass outflow situation.

An applicant who has been indicted for a criminal offence

If you have been indicted for a criminal offence that qualifies for expulsion, the application will only be processed when the question of guilt has been finally decided.

If you are convicted of a criminal offence that *may* lead to expulsion and you nevertheless are not expelled, a period of more than three years of continuous residence in Norway is required before a settlement permit *shall* be granted.

Rights in consequence of a settlement permit

- The permit confers the right to residence in Norway and to take employment without any time limit
- The permit confers the right to run a self-employed business activity in Norway
- The permit confers extended protection against expulsion
- The permit allows repeated entry into Norway

If a spouse, cohabitant or child wishes to obtain a residence permit in Norway for the purpose of family reunification with a foreign national with a settlement permit, it is a condition that subsistence and housing are ensured. This only applies if the parties have been married or cohabitants for at least three years.

A foreign national who is a student must have a settlement permit to become a Norwegian national.

Lapse of a settlement permit

A settlement permit lapses when a foreign national has lived or stayed outside Norway for a continuous period of more than two years. This also applies when the stay abroad has been interrupted by short visits to Norway. Settlement or a stay abroad is also considered to be continuous when the foreign national has been abroad on several occasions which together constitute a period of time of more than two years.

A foreign national may in some cases, and after an application, be allowed to reside abroad for an extended period of time without the permit lapsing.

The settlement permit lapses when a decision on expulsion is final.

Chapter V Nationality

If you are a Norwegian national you have more rights and obligations in Norway than is the case when you have a residence permit. The general rule in Norwegian law is that your nationality is derived from your parents, and is not determined by where you have lived or were born.

According to Norwegian law you may generally only be a national of one country. Thus you must be released from your original nationality in order to become a Norwegian national. You may still be granted Norwegian nationality even though it proves to be difficult to be released from your original nationality.

What being a Norwegian national entails

- You receive a Norwegian passport as proof that you are a Norwegian national
- Norway has entered into visa exemption treaties with a number of countries, which means that as a Norwegian national, you may travel to these countries without a visa
- You have the right to vote in parliamentary elections
- Certain positions within the police and legal system are restricted to Norwegian nationals
- You have the right to be protected by the Norwegian authorities
- A Norwegian national can never be expelled from Norway
- Men over 18 years of age must perform their military service. You may apply for an exemption from military service; however, there must be special reasons for being granted an exemption.

Obtaining Norwegian nationality

You may become a Norwegian in several ways.

National on the basis of birth

- If the mother is a Norwegian national, the child becomes a Norwegian national at birth
- If the child's father is a Norwegian national and is married to the child's mother, the child will obtain Norwegian nationality
- If the parents are not married, and the child's father is Norwegian, the child may obtain Norwegian nationality if the parents marry before the child is 18 years old. If they do not marry, they may apply to UDI for the child to be a Norwegian national. It is a condition that the father accepts paternity or that this has been determined by the courts, and that the father was a Norwegian national when the child was born.

Applying to UDI for Norwegian nationality

Anyone who has a settlement permit, residence permit or a work permit that constitutes a basis for a settlement permit may apply to UDI for Norwegian nationality.

The following conditions must be satisfied:

1. You must be more than 18 years of age.

Exceptions:

- Children who are included under their parents' application for Norwegian nationality.
- Children of parents who have been granted Norwegian nationality.

2. You must have lived continuously in Norway during the last seven years. Several extended periods of residence abroad mean you will have to have a longer period of residence in Norway.

Exceptions:

- If you are married to a Norwegian national, the demand for a period of residence in Norway is reduced. The time you have lived in Norway and simultaneously have been married to a Norwegian national counts double. The time you have lived in Norway and the time you have been married must total eight years. You must have lived in Norway for two of those years. If, for example, you have been married for four years and lived in Norway all that time, you may be granted Norwegian nationality after the four years.

- If you have been a Norwegian national previously, you may reacquire your Norwegian nationality after having lived for one year in Norway.

- Nordic nationals may be granted Norwegian nationality after two years of residence in Norway.

- For children under 12 years of age there is no requirement concerning residence time in Norway. This applies to children of parents who are Norwegian nationals and children who are included in their parents' application for Norwegian nationality. For children between 12 and 18 years of age special rules apply to the requirement concerning residence time.

3. You must not have committed a criminal offence.

If you have committed a criminal offence, you will not be granted Norwegian nationality before a certain number of years have passed after the criminal offence was committed.

4. You must not have a substantial maintenance debt.

If you have a substantial maintenance debt for children or a former spouse, this may lead to a delay in being granted Norwegian nationality until a payment plan has been established and a substantial part of the debt has been paid.

Nationality through notification to the county governor

- If you have lived in Norway for more than five years in total before you turned 16 years of age and have lived here permanently from when you were 16 until you were 21 years of age, you may notify the county governor that you wish to become a

Norwegian national. The notification must be sent after your 21st birthday, but before you have reached 23 years of age.

- You can submit the notification to the county governor to be granted Norwegian nationality if you are between 18 and 21 years of age and you have lived in Norway for more than 10 years in total. You must have lived in Norway continuously for five years when you submit the notification. It is a condition that you relinquish your original nationality.
- If you received Norwegian nationality at birth and have lived in Norway until you reached the age of 18, but later have lost your Norwegian nationality, you may reacquire it after having lived here for at least the last two years before you submit the notification. It is a condition that you relinquish your second citizenship.
- If you are a Nordic national from birth, you may be granted Norwegian nationality by notifying the county governor. You must be over 18 years of age and must not have been convicted of a criminal offence. You must have lived in Norway the last seven years.

Citizenship pursuant to an application to the county governor

Children under 12 years of age who have been adopted from a foreign country and reside in Norway may be granted Norwegian nationality after applying to the county governor. At least one of the parents must be a Norwegian national.

The adoption licence must have been granted or approved by the Norwegian authorities. In other cases the application must be submitted to UDI.

Losing Norwegian nationality

- You will lose your Norwegian nationality if you are granted nationality in another country according to an application or your own consent.
- If you are a Norwegian national and are born abroad, you will lose your Norwegian nationality when you reach 22 years of age. This is conditional on the fact that you have never been resident in Norway before this time and that you have never stayed here which would indicate that you have connections to Norway. You may apply to UDI if you want to retain your nationality before you reach 22 years of age.
- You may apply to be released from your Norwegian nationality. You must be able to prove that you are a national of another country or intend to become one. A person who lives outside Norway on a permanent basis has the right to have his or her application granted.

Chapter VI Rejection and expulsion

A foreign national who comes to Norway may be rejected on arrival at the Norwegian border. Any foreign national may in special cases be rejected or expelled from the country after entry. The police and UDI decide such cases.

Rejection

The Norwegian authorities may reject a foreign national:

- a) if the foreign national does not show valid passport or another valid legal travel document or visa when required,
- b) if the foreign national has been rejected from Norway or another Nordic country with a prohibition of entry that still applies, and the foreign national has not been granted entry in accordance with an application,
- c) who is in lack of necessary permission or can not substantiate given purpose of staying,
- d) who can not substantiate to have or be ensured subsistence and homeward journey,
- e) who has served a sentence according to immigrationlaw § 29 first section letter b or c, or if other circumstances give special grounds to suspect that the foreign national will commit a criminal offence in Norway or in another Nordic country that may lead to imprisonment of more than three months,
- f) according to the rules in the Nordic (*Passport Convention -passkontrollovenskomsten*) article 6, when it is possible that foreign national will travel to another Nordic country and probably be rejected because of invalid passport or visa on arrival, or because of other rejection reasons for this country.
- g) who according to competent health authorities evidently suffer from serious psychic conditions,
- h) when a foreign national has not covered the expenses incurred by the public authorities in connection with a previous return of the foreign national to his or her country of origin,
- i) when a foreign national is enrolled in the Schengen information system (SIS) with a view to deny arrival,
- j) when it is necessary for national security considerations, public order or international affairs for Norway or other Schengen countries.

Rejection on entry

A foreign national may be rejected on arrival at the Norwegian border. The police may also decide to reject the foreign national within seven days after entry.

If a foreign national claims to be a refugee or provides information that so indicates, the person concerned cannot be rejected on arrival at the Norwegian border. The case must then

be forwarded to UDI for processing and a decision. If the foreign national is not granted a residence permit, he or she may be rejected at a later stage.

Rejection after entry

A foreign national may also be rejected after the seven-day deadline has expired, but not if the foreign national has a residence or settlement permit. A foreign national having no intention of staying in Norway on arrival may nevertheless be rejected later if his or her intention changes at a later stage. This may be the case when the foreign national applies for employment without having a work permit.

The decision concerning rejection shall be effected without undue delay, i.e. as rapidly as possible.

Expulsion

A foreign national who has no settlement permit in Norway may be expelled:

- If the foreign national has committed gross or repeated violation of one or more provisions in the Immigration Act. This also applies when a foreign national does not leave the country after a decision has been made to this effect.
- if the foreign national has violated the Criminal Code §§ 147 a or b, or has given a safety resort to someone who committed such crime.
- If less than five years ago the foreign national has served a sentence abroad or has been convicted of a criminal offence that under Norwegian law could lead to a prison sentence of more than three months. This also applies when a foreign national has been sentenced to a penalty or preventive detention in Norway for a similar offence or in the course of the last three years has been sentenced to prison a number of times.
- when an administrative government of any Schengen member state has finally decided expulsion or rejection of the foreign national, because of violation of the country's rules of foreigners arrival or residence.
- If national security considerations so indicate.

A decision to expel due to a criminal offence will not be taken if this will amount to unduly harsh punishment of the foreign national or his or her closest family members. An assessment will take into account the seriousness of the offence and the foreign national's connection to Norway.

A foreign national who has a work or residence permit in Norway or who is a Nordic national and has lived in the country for more than three months may only be expelled if the criminal offence may result in a prison sentence of more than one year.

Effect and duration

Expulsion is an obstacle to later entry into Norway. The prohibition of entry may be permanent or time-limited, but cannot be shorter than two years. The person who has been expelled may gain entry into Norway after making a new application.

Rejection and expulsion of a foreign national with a settlement permit

A foreign national who is born in Norway and has lived here permanently and continuously may not be rejected or expelled.

A foreign national who satisfies conditions for being granted a settlement permit may only be rejected or expelled when:

- National security considerations so indicate.
- The foreign national has served a sentence or has been convicted of an offence that under Norwegian law could result in a prison sentence of three or more years. This also applies to a conviction for narcotics offences that occurred less than five years ago abroad, or less than one year ago in Norway.

A decision to expel will not be made if this amounts to unduly harsh punishment of the foreign national or his or her closest family members. An assessment will take into account the seriousness of the offence and the foreign national's connection to Norway.

Chapter VII EEA provisions

The Immigration Act contains special rules and provisions that apply to EEA nationals.

EEA nationals do not need a visa to enter Norway. They may stay and work in the country for a period of up to three months.

If an EEA national wishes to stay in Norway for a period that is longer than three months, a work permit must be applied for. However, a person seeking employment may stay in Norway for a period of six months without a work permit.

If they have employment or are attending a course of study, and subsistence is ensured, they have a right to be granted a residence permit.

As a general rule, a work permit will be granted for five years at a time. If the employment period is for a shorter duration, a permit will be granted for a corresponding period. A residence permit will only be granted to students one year at a time.

A residence permit confers the right to residence, and the right to take employment or run a business activity in the entire country, unless restrictions are laid down in the permit.

A residence permit granted to EEA nationals does not constitute a basis for a settlement permit later.

Family members of EEA nationals also have a right to be granted a residence permit. This applies even if the family members are not nationals of an EEA country.

Chapter VIII Case processing rules

The police, UDI and the Immigration Appeals Board make the decisions in immigration cases.

These authorities are obliged to inform and offer assistance to those persons who come to them with enquiries.

A person who is a party to a case is entitled to see the documents relating to the case, unless otherwise stipulated in Norwegian legal rules.

The authorities are obliged to gather as much information as possible before a decision is made in the case.

The right to make a statement in a case

You have the right to make a statement in a case that relates to you before a decision is made, unless you have not already made your statement in your application or in another way at an earlier stage. In such cases the authorities are obliged to send advance notification before a decision is made. The notification must contain information about your right to make a statement before a given deadline.

If new information emerges in the case that you have a right to be informed about, this information must be disclosed to you so that you may comment on it. This applies unless special considerations indicate otherwise.

In asylum cases and other cases where similar protection provisions apply, and also cases involving rejection and expulsion, the foreign national has the right to express his or her opinion in a language he or she masters. This must occur without undue delay, and before a decision in the case is made.

The right to legal aid

In cases involving rejection, expulsion, asylum or revocation of a granted permit, the foreign national has a right to legal aid. The foreign national also has the right to contact representatives from his or her country of origin, the UN High Commissioner for Refugees and a Norwegian refugee organization. The police are obliged to inform the foreign national of these rights.

A foreign national nevertheless is not always entitled to free legal advice without a means test in expulsion cases where the foreign national has served a sentence in prison for more than three months or has been sentenced for an offence for more than three months or repeatedly has been sentenced to prison. A foreign national who comes under the EEA agreement and who is expelled because he or she is considered to be a general threat to society has no right to free legal advice.

A foreign national who has applied for asylum, but who has been granted residence on humanitarian grounds and wishes to lodge an appeal has no right to free legal advice. A person wishing to appeal a decision granting him or her residence on humanitarian grounds instead of asylum has no right to free legal advice.

Furthermore, legal aid shall be given when a foreign national is about to be imprisoned pursuant to the Immigration Act. In some cases a foreign national may be obliged to cover the expenses related to his or her case if this person has the funds to do so.

If the foreign national satisfies the requirements under Norwegian law for receiving free legal aid, the person in question will receive free legal aid in other cases as well. For more information about this see Section 2, Chapter VII.

The right of appeal

An appeal may be lodged with UDI against a decision made by the police or a Norwegian Foreign Service mission. A decision made by UDI may be appealed to the Immigration Appeals Board.

As a general rule, the decision must supply reasons. Furthermore, the decision must include information about the right of appeal, the deadline for an appeal, how to proceed when lodging an appeal and the right to see the documents in the case.

SECTION 2 LEGAL STATUS IN NORWAY

Chapter 1 Introduction

Immigrant women basically have the same rights and obligations as Norwegian women. Below we shall explain some of the most important rights and obligations.

Chapter II Employment and education

Employment

The rights of employees are regulated in collective bargaining agreements and legislation. Here you will find provisions on pay, holidays, working hours, the working environment and dismissal.

You are entitled to have a written labour contract with your employer. The labour contract regulates your specific work situation. To ensure your rights as an employee, you may join a trade union.

For the other provisions with regard to working life, we refer to the brochures JURK has published on labour law.

School

All children from six to 16 years of age have the right and the duty to attend school. If you have children in this age group, you must contact the school or the school's administration in the area where you live in order to register your children. Children also have the right to receive instruction in their native language.

To be admitted to upper secondary school, an applicant must normally have attended Norwegian primary school for a period of ten years or have similar schooling. Young persons satisfying this requirement have the right to three years of upper secondary education when they apply for it. Their education must normally be completed within four years after having completed lower secondary school.

Adults who want an upper secondary school education have no legally established right to this. However, applicants may be able to attend a course of studies offered to this group by the county authorities, but they are not ensured a place. Persons born before 1978 may complete their upper secondary education and are then guaranteed a place.

Immigrants and refugees with a valid residence permit may apply for admission to an upper secondary school. Unaccompanied minor asylum seekers may be granted a place at an upper secondary school while waiting for the decision to be made on their application for asylum. However, they are not entitled to complete the school year if their application for a residence permit is rejected.

Higher Education

Public universities and colleges are generally open to all persons who satisfy the admission requirements. As a general rule, applicants must have successfully completed three years of upper secondary education *or similar education abroad*. To finance your studies you may apply to the State Education Loan Fund for support.

Education in Norwegian for adults with an immigrant background

All foreign nationals who are resident in Norway will be offered free instruction in the Norwegian language no later than three months after their arrival in Norway. Those who have a primary school education will be given up to 850 periods of instruction (each period being 45 minutes). Those without a primary school education may be given up to 3000 periods of instruction. Asylum seekers will also be offered this programme.

Chapter III Health care, social insurance and social security benefits

Rights relating to health care

Norway has a public health-care system. This means that everybody who lives in Norway, both Norwegian nationals and foreign nationals, have the right to medical assistance upon payment of a user fee.

Asylum seekers also have the right to medical assistance during the period they are waiting for a decision on their application.

Social insurance

Norway has a public social-insurance system. Everybody who lives in Norway and has legal residence is a member of the National Insurance Fund. You are considered a resident of Norway if you shall be living in Norway for an extended period of time, or if you have lived here for at least 12 months. Those who only stay in Norway without being resident here, for example on a holiday, are not members of the National Insurance Fund.

The objective of the National Insurance Fund is to provide financial security by ensuring income and compensating for special expenses in the event of unemployment, pregnancy and giving birth, single-parent care, illness and injuries, old age and death.

The amount of the National Insurance support is dependent on the type of support you apply for, the number of years you have been a member of the Fund and your previous income. The National Insurance office in the municipality where you live is obliged to provide information and guidance.

Social-security benefits

Any person who is unable to provide subsistence for him or herself through employment or through claiming financial rights is entitled to social-security benefits. The aim of the benefits should be to make each claimant self-reliant. The scheme is administered by the local authorities in each area, so your application for social-security benefits should be addressed to the social-security office in the municipality where you live or stay.

Social-security benefits may be provided as financial support, loans, loan guarantees, goods or services. The benefits may vary from region to region in the country.

Foreign nationals with legal residence in Norway are entitled to social-security benefits if they cannot provide for their own subsistence. Foreign nationals staying in Norway but without domicile here have limited opportunities to obtain social-security benefits.

Asylum seekers who are living in state reception centres or have an offer to stay in a state reception centre have as a general rule no claim to social-security benefits. They may receive separate subsistence benefits.

Chapter IV Family law

Entering into marriage

A foreign national must have legal residence in Norway to be able to enter into marriage in this country, and must be over 18 years of age. A person under 18 years of age who wishes to be married in Norway, must obtain the consent of the county governor and those who have parental responsibility.

The validity of a marriage will generally be assessed on the basis of the provisions that apply in the country where the marriage was entered into.

If the foreign matrimonial provisions differ markedly from the Norwegian ones, the marriage will not be approved. In Norway, for example, it is not permitted to be married to more than one person at the same time, what we call bigamy. In such circumstances only the marriage that was entered into first will be accepted in Norway.

A person who has been forced into marriage may have the marriage annulled by a Norwegian court of law. She must then file a civil suit within six months after the forced situation has ceased, or at the latest within five years after the marriage was entered into. The marriage may in any case be annulled by separation or divorce.

The spouse's maintenance support obligations

The spouses have a mutual obligation to support each other and any children of the marriage. This obligation may be fulfilled by financial contribution, work in the home or in other ways.

Spouses must also undertake to inform each other about their financial situation. If this obligation is not complied with, the other spouse may contact the tax assessment office to obtain information or a copy of the spouse's tax return or tax assessment. A spouse may also demand information from banks, insurance companies and similar.

Separation and divorce

A spouse who wishes to dissolve the marriage has a right to do so. The separation request should be sent to the county governor in the county where you live. You do not have to state any reason for your wish to be separated, nor is it necessary that the other spouse consents to or signs the separation papers.

Each of the spouses may demand a divorce after having been formally separated for *at least* one year. A divorce can also be demanded when the spouses have lived separately for *at least* two years.

If the spouses have children of the marriage who are under 16 years of age, they must see a mediator before they will be granted a separation. The mediator is the family care office or other mediators that the county governor has approved. The purpose of mediation is to reach agreement about parental responsibility, visitation rights, or about where the child/children should live permanently, where emphasis is placed on what is considered to be in the best interests of the child/children.

The distribution of financial assets between the spouses is regulated by legislation in the country where they had their first common domicile after the marriage was entered into. If the

spouses initially lived together in Norway, the Norwegian matrimonial provisions apply with regard to the financial settlement after the divorce.

You can read more about separation and divorce in the brochure "*Ektefellers rettsstilling*" [Legal status of spouses] that has been issued by JURK.

Registered partners

Gays and lesbians may enter into a registered partnership. As a general rule, registered partners are treated the same as spouses when it comes to rights and obligations. However, they do not have the right to adopt children together.

Chapter V Law of inheritance

When a person dies, the assets left by the deceased person shall be distributed among the heirs. By heirs is primarily meant the children and spouse of the deceased person. Below we focus on the right of inheritance of children and the spouse.

Indefeasible share of inheritance

If the deceased is survived by children, they have a right to two thirds of the deceased's assets after any debt and liabilities have been deducted. This right is called the right to the indefeasible share of inheritance. The value of *the indefeasible share* (the assets) must be divided equally among the children.

If you are not survived by a spouse, you have the liberty to leave one third of the value of your properties to another person, without infringing on the children's right to the indefeasible share. If you want to arrange your inheritance in this way, you must make out a will. If no will has been made, the children will inherit everything.

The spouse's right of inheritance

If you are married and have children, one fourth of your net assets shall go to your spouse. The minimum inheritance may nevertheless not be less than four times the National Insurance Fund basic amount (as of April 1, 2002, this (in Norwegian usually abbreviated to 1G) amounts to NOK 51 360). If you are married and have no children, the inheritance shall amount to 1/2 of your net assets, but at least 6 times the basic amount.

The spouse's right to inherit may be limited to the minimum inheritance. This must be arranged through a will, and the spouse must have been informed about the limitations before you die.

The minimum inheritance has priority over the indefeasible share of the children. This means that the children only inherit if the deceased's assets amount to more than the minimum inheritance.

Undistributed marital property

If the deceased had no children with another person than his surviving spouse, the spouse has a right to take over the undistributed property of the deceased. Taking over undistributed property means that the heirs of the deceased person will not receive any inheritance until the surviving spouse wishes to distribute the deceased's inheritance, the surviving spouse dies or remarries. If the spouses entered into a contract calling for separation of property, the surviving spouse is only permitted to enjoy the undistributed marital property if this has been agreed upon in the marriage contract, or if the children consent.

If the deceased had children with another person than the surviving spouse, these children must consent to the surviving spouse taking over possession of the undistributed marital property.

The general rule is that the legislation in the country where the deceased had his or her last permanent domicile determines who the heirs are and what kind of inheritance they will receive. For a foreign national who had Norway as his or her last domicile, the Norwegian inheritance legislation applies.

Will

The right to make a will means that you may bequeath your private property, a fixed sum of money or a certain amount of the value of the things you possess.

If you have children, you may not assign their indefeasible share to others in your will. If you are married you may not assign the spouse's minimum inheritance to others in the will.

Rules on the content of wills/testaments

If the deceased at the time of his or her death was resident in Norway, the content of the will must not violate the Norwegian inheritance law. The will *might* then be invalid, in part or in full.

Formal rules for a will

In order for the will to be valid, some formal requirements must be satisfied.

However, the will may still be valid in Norway even if the formal requirements have not been satisfied. This applies, for example, when the will satisfies the formal requirements of the country in which it was drawn up or of the country in which the deceased lived, either when the will was drawn up or when the deceased died.

This also applies when the will satisfies the formal requirements *of the country* where the deceased was a national at the time the will was drawn up or *when* the person in question died. If the will relates to real estate, it is also valid if the formal requirements of the country in which the property is located are satisfied.

Chapter VI The right to vote and elections

The right to vote

All Norwegian nationals who are or will be 18 years of age or older in an election year have the right to vote in the parliamentary election, county and municipal elections, and in referendums.

Foreign nationals who live in Norway only have the right to vote in county and municipal elections. They must have lived in Norway for the last three years preceding the elections and otherwise satisfy the requirements that apply to Norwegian nationals.

Eligibility

To be eligible to be elected to Parliament, you must be a Norwegian national with the right to vote in parliamentary elections. You must also have lived in Norway for at least 10 years.

Those who would like to stand for county or municipal elections must have the right to vote in the election and must have been registered with the Population Registry as resident in one of the municipalities in the county on Election Day.

Chapter VII Free legal aid

If you need legal aid and do not have the means to pay for it, you may in certain cases have your expenses paid for in part or in full through the free legal aid scheme.

Cases with no means testing

In certain cases where the authorities consider it of particular importance that legal aid is provided, free legal aid will be supplied irrespective of income or assets.

This is the case for example in:

- some immigration cases
- cases concerning the abuse of women
- child welfare cases and social cases
- cases concerning sexual offences, with the provision of legal counsel for the victim

In most criminal cases the accused person has a right to a publicly appointed Defence Counsel.

Cases with means testing

In certain cases assistance may be provided after a means test has been carried out. It must be considered necessary or reasonable that the public authorities should grant such assistance. Moreover, the gross income and net assets should not exceed an amount determined by the Ministry.

This applies in the following case types:

- family and child custody cases
- cases concerning compensation for personal injury or for the loss of a financial provider
- cases concerning eviction and termination of the lease for the dwelling the tenant lives in
- disputes concerning notice or dismissal in an employment situation
- insurance and pension cases

As a general rule, free legal aid is not provided in other cases.

If you are granted free legal aid after a means test has been carried out, you will still have to pay a user fee.

How to apply for free legal aid

A lawyer may determine whether you are entitled to free legal aid and apply for it on your behalf. You may also apply directly to the county governor for free legal aid.

A rejection of an application for free legal aid can be appealed within three weeks. The letter of appeal should be submitted to the body that has rejected the application. The Ministry of Justice will process the appeal.

Where women with an immigrant background may receive assistance

MiRA Ressurssenter (The MiRA Resource Centre) deals with issues relating to equal rights for immigrant and refugee women in Norway.
tel.: 22 11 69 20

SMED (The Centre against Ethnic Discrimination) provides legal aid and documents the nature and scope of discrimination in Norway.
tel.: 22 64 69 70

OMOD (the Association against Public Discrimination)
tel.: 22 20 87 37

UDI
tel.: 23 35 15 00

NOAS (the Norwegian Organization for Asylum Seekers)
tel.: 22 20 84 40

Rosenhoff voksenopplæring (Rosenhoff Adult Education Centre)
tel.: 22 38 77 00

Kontoret for fri rettshjelp (The Office for Free Legal Aid)
tel.: 22 42 52 60

JUSS-BUSS is a legal aid organization providing free legal aid, advice and support.
tel.: 22 85 18 50

If calling outside of Norway add the country code (+47) in front of the telephone number.

Glossary

(Norwegian term supplied in brackets)

(Bistandsadvokat) **Legal counsel** for legal aid – the victim's lawyer in a sexual offence case.

(Fornærmede) **Victim** – Person who has been exposed to abuse.

(Herboende) **Person living here** – Person with a residence permit in Norway (with whom, for example, family reunification has been applied for)

(Nettoformue) **Net assets** – A person's assets after subtracting liabilities.

(Overføringsflyktning) **Resettlement refugee** – One of the refugees Norway receives under a special quota in agreement with the UN High Commissioner for Refugees.

(Returvisum) **Return visa** – Stamp in the visa enabling a person to leave and enter Norway during the period of time for which the visa is valid.

(Sedelighetssak) **Sexual offence case** – A criminal case concerning, for example, rape or incest.

(Testator) **Testator** – Person who has made a will.

(Utlending) **Foreign national** – Person who is not a Norwegian national.

Other brochures issued by JURK

- "Arbeidsavtalen" [The Employment Contract]
- "Den kvinnelige arbeidstakeren" [The Female Employee]
- "Krav på lønn og feriepenger" [Entitlement to Pay and Holiday Pay]
- "Kvinner og odell" [Women and Allodial Property Rights]
- "Miljøet på arbeidsplassen" [The Working Environment]
- "Mishandlede kvinners rettsstilling" [The Legal Status of Abused Women]
- "Sameie" [Co-ownership]
- "Seksuelt misbrukte barns rettsstilling" [The Legal Status of Sexually Abused Children]
- "Ektefellers rettsstilling" [The Legal Status of Spouses]
- "Småbarnsforeldres rettsstilling" [The Legal Status of Parents of Young Children]
- "Ugift samliv" [Unmarried partners]
- "Oppsigelse og avskjed" [Notice and dismissal]