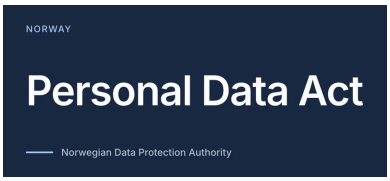
SmartSuite

Framework / Privacy / Global Privacy Regulations

Lov om behandling av personopplysninger (personopplysningsloven), LOV-2018-06-15-38 (Personal Data Act)

Norway's Personal Data Act (LOV-2018-06-15-38) makes the GDPR Norwegian law through the EEA Agreement and adds national rules on consent, identity numbers, research and sanctions.



What it is

Norway's Personal Data Act (Lov om behandling av personopplysninger, personopplysningsloven, LOV-2018-06-15-38) is the Act of June 15, 2018 by which the Storting made the EU General Data Protection Regulation (Regulation (EU) 2016/679) Norwegian law, through Annex XI no. 5e of the EEA Agreement, and added the national rules that the GDPR leaves to each state (Section 1). It has been in force since July 20, 2018, when it repealed the Act of April 14, 2000 No. 31 (Section 32), and it binds every controller and processor established in Norway as well as non-EEA controllers that offer goods or services to, or monitor, people in Norway (Section 4). Datatilsynet, the Norwegian Data Protection Authority, supervises it (Section 20).

At a glance

PUBLISHER Storting (Norway); supervised by Datatilsynet (Norwegian Data Protection Authority)	TYPE Regulation	VERSION LOV-2018-06-15-38 (consolidated to January 1, 2022)
EFFECTIVE July 20, 2018	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION Norway	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY High

Source: lovdata.no/dokument/NLE/lov/2018-06-15-38

Why it matters

- **One text makes the GDPR Norwegian law** Section 1 incorporates the Regulation through the EEA Agreement, so controllers and processors apply the GDPR articles directly, with the EEA adaptations and the Act's own sections read together.
- **The national choices are written down** The age of consent for information society services is 13 (Section 5), special categories may be processed for employment obligations and rights (Section 6), and national identity numbers only where there is a legitimate need for definite identification (Section 12).
- **A defined route for research and archiving** Sections 8 to 10 allow processing for archiving, research and statistics under the Article 89(1) safeguards, with a duty to consult the data protection officer before special categories are processed without consent unless a DPIA has been done.
- **A clear supervisory structure** Datatilsynet is the Article 51 supervisory authority with Article 58 powers and cannot be instructed in individual cases (Section 20); appeals go to the seven-member Privacy Appeals Board (Section 22).

How SmartSuite supports Norway Personal Data Act

Records of Processing with National Flags

Hold each processing activity in Privacy Management with its legal basis, and mark where Section 5 (consent at 13), Section 6 (employment data) or Section 12 (national identity numbers) applies.

Impact Assessments and Section 9 Consultations

Record each Article 35 assessment and, for research processing of special categories under Sections 9 to 11, the consultation with the data protection officer that the Act requires before processing starts.

Breach Record and Communication Decisions

Log personal data breaches with the Article 34 communication decision and any Section 16 ground relied on for not communicating, with the written reasoning attached.

Data Subject Requests with Written Reasons

Track access, information and rectification requests, and where Section 16 or 17 is applied, keep the written refusal citing the precise legal basis that Section 16 requires.

National Identity Number Register

List every system and process that handles national identity numbers or other unique identifiers, with the Section 12 justification of legitimate need and necessity for each.

Datatilsynet Orders and Appeals

Manage orders, the four-week payment deadline for fines (Section 27), coercive fines per day (Section 29) and appeals to the Privacy Appeals Board (Section 22) in Compliance Management with owners and dates.

Common framework mappings

APEC PF | CCPA/CPRA | GDPR | ISO 27701 | NIST Privacy Framework v1.0 | UK DPA 2018 | UK GDPR

Official resources

Norwegian Personal Data Act (Personopplysningsloven)

Provides the full legal text of the Norway Personal Data Act, outlining personal data protection rules.

datatilsynet.no/regelverk-og-verktoy/lover-og-regler

Guidance on the Norwegian Personal Data Act

Describes detailed guidance on compliance with the Norway Personal Data Act and GDPR principles.

datatilsynet.no/regelverk-og-verktoy/lover-og-regler

Norwegian Data Protection Authority: Regulatory Sandbox

Outlines the sandbox approach for organizations to explore data protection innovations under the Act.

datatilsynet.no/regelverk-og-verktoy/sandkasse-for-kunstig-intelligens

Frequently asked questions

How does Norway's Personal Data Act relate to the GDPR?

Section 1 makes Regulation (EU) 2016/679, as incorporated in Annex XI no. 5e of the EEA Agreement, apply as Norwegian law with the adaptations that follow from Annex XI, Protocol 1 and the Agreement in general. Section 2 adds that in a conflict the GDPR takes precedence over any other statute on the same matter, citing section 2 of the EEA Act, and that Article 56 and Chapter VII apply only within the scope of the EEA Agreement.

What is the age of consent for online services in Norway?

Thirteen. Section 5 sets the age of consent at 13 years for the purposes of Article 6(1)(a) of the GDPR in relation to the information society services referred to in Article 8(1).

When may a Norwegian national identity number be processed?

Only when there is a legitimate need for definite identification and the method is necessary to obtain such identification (Section 12). The King may issue regulations on the use of national identity numbers and other unique identifiers. The rule applies to any unique identifier, not just the fødselsnummer.

Who enforces the Act and how are decisions appealed?

Datatilsynet, the Norwegian Data Protection Authority, is the supervisory authority under Article 51 with the Article 58 powers; it is independent, cannot be instructed in individual cases and is headed by a director appointed by the King (Section 20). Appeals go to the Privacy Appeals Board (Personvernnemnda), seven members appointed for four years, except for decisions under Article 56 and Chapter VII (Section 22). A fine falls due four weeks after the decision becomes final and the courts may review every aspect of it (Section 27).

What sanctions does the Act add to the GDPR?

Section 26 applies the Article 83(4) fines also to violations of Articles 10 and 24 and lets Datatilsynet fine public authorities and bodies under Article 83(7). Section 28 limits fines to five years after the violation ceased, Section 29 allows a coercive fine for every day an order remains unfulfilled, Section 30 adds damages for non-economic loss under Article 82, and Section 31 bans false surveillance cameras and misleading signage where real surveillance would be unlawful.

License included / downloadable: Yes The Act is published free of charge by Lovdata in Norwegian, with an unofficial English translation provided by the Ministry of Justice and Public Security; the Norwegian version prevails.

Full framework page and mappings: smartsuite.com/frameworks/norway-personal-data-act-personopplysningsloven

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