

**Twenty-third Session
Vienna, 28 March – 4 April 2006**

**Item 5 of the Provisional Agenda:
Reports of the divisions**

Revision of the Norwegian Place-Names Act

The Norwegian Place-Names Act Revised

1. Abstract

The Norwegian Place-Names Act was passed by the National Assembly (Stortinget) for the first time on 18 May 1990 and became law on 1 July 1991. After having been in force for 14 years a revised text of the Act was passed on 18 March 2005. The new Act will be put into effect 1 August 2006. In the meantime new regulations are being prepared by the Ministry of Cultural Affairs. The original Act was presented at The Sixth United Nations Conference on the Standardization of Geographical Names, New York, 25 August–3 September 1992 as document E/CONF.85/L.85 (also published in Vol. II Technical Papers, pp. 218–219 of that Conference). A Consultation on the Act was presented as WP 55 at the Twenty-Second Session of UNGEGN, New York, 20–29 April 2004.

The Act and its Regulations provide rules for laying down the spelling of Norwegian, Saami and Kvenish (Finnish) place-names in Norway, and for the use of place-names in monolingual and multilingual areas. The spelling shall be based on the local inherited pronunciation and shall follow current orthographic principles for Norwegian and Saami. For Kvenish place-names the spelling shall follow current orthographic principles in Finnish. Finnish place-names in Eastern Norway may be adjusted to orthographic principles of Norwegian. Under the provisions of the Act six regional Name Consultancy Services were also established, with a secretariat and consultants for Norwegian, Saami and Kvenish (Finnish) place-names, and a central register of place-names under the Norwegian Mapping and Cadastre Authority. The Name Consultancy Services were to have the task of providing advice and guidance in place-name matters. An appeal board was also established.

Before the Place-Names Act was passed the spelling of place-names was laid down on the ground of special Regulations issued by the Ministry of Cultural Affairs. However, as these had no support by law it turned out that they sometimes collided with the view of single holding owners whose interests were protected by the cadastral law. After several cases in the Supreme Court around 1960 it was concluded that the authorities had to prepare a law on the standardization of place-names. Thirty years later the first Act was adopted.

2. Evaluation process

After the Act and its Regulations had been in force for almost 10 years, an evaluation was conducted to determine how the legislation had functioned during this period. A questionnaire was circulated in 1997, in which numerous local authorities and affected organisations and institutions were asked questions related to the practising of the rules. On the basis of the responses from the investigation and other problematic issues that had come to light in the course of the ten years during which the Act had at that time been in force, a working group with representatives from the Name Consultancy Services, The Appeal Board for place-name cases, the Norwegian Mapping and Cadastre Authority and the Ministry of Cultural Affairs produced an evaluation report. The Language Council of Norway also participated in this work at times. The working group's report was submitted in 2001 and was then distributed for consultation to all local authorities, ministries and affected organisations and institutions. The responses to the consultation showed broad support for the idea of amending the law: in particular there was agreement on simplification of the rules.

Inter alia the report proposed amendments on the following points:

- The procedure in place-name cases is extremely time-consuming and demanding in terms of resources. Consideration ought therefore to be given to amendments that may simplify this, and that will make the rules clearer and thus more accessible to all who are to practise them, at the same time as the democratic and onomastic aspects are safeguarded.
- A number of the provisions have shown themselves to entail an unreasonable amount of time, local strife and appeal cases. Amendments that seek to remove or mitigate these provisions should therefore be considered.
- There also appeared to be a need to make rules for some areas that are not included in the present Act, such as a purpose section and provisions concerning the protection and determination of names.
- Further, a number of editorial amendments are necessary, as is clarification of unclear points, e.g. by means of clearer definitions.

3. Historical monuments and addresses

The Ministry of the Church and Cultural Affairs sent out a consultation document with 23 March 2004 as the closing date for statements. In its proposal the Ministry emphasises that place-names can have several functions. They are historical monuments that transmit a multifaceted picture of older generations' experiences and insight into the interplay between man and Nature, and they are a valuable source of local history, at the same time as they represent an important factor for the well-being of the people in a local community. The names of places also belong to our linguistic heritage, they are part of the dialects, and usually follow the same phonological development as other words. They are therefore an integral and irreplaceable part of the vocabulary of the local community, and will as a rule be pronounced in conformity with the form of speech there.

However, the names of places are first and foremost addresses that help us to find our way about in the world around us. Just as personal names are necessary to distinguish persons from one another, place-names are necessary to identify particular places in a certain and unambiguous way so that taxis and emergency vehicles, for example, can find their way swiftly and surely.

The authorities wish to take care of our place-name heritage not only as a basis for investigating cultural history and the history of population settlement, but also through giving these names an appropriate spelling on maps and signs and in registers, and by using them in connection with the assignment of addresses and other naming under the Place-Names Act.

4. Application

The Act is applicable when individual administrative decisions are made, when regulations are issued or when textbooks are published. Further, any company that is publicly owned or any foundation that is established by the public authorities shall comply with the Act. The Ministry proposes that the Act shall apply when any state or local government body is to determine place-names or the spelling of place-names. Further, it is proposed that for the actual use of place-names the Act shall apply in addition to companies that are fully publicly owned and to textbooks that are to be used in the schools. Posten Norge AS [The Post Norway Ltd] is a typical example of a company that the State owns in full, but that is not

deemed to be a public body, and in the case of which this type of problematic issue is therefore relevant.

The Act is not made applicable to Svalbard, Jan Mayen and the Norwegian dependent territories, the Norwegian Continental Shelf and Norway's Economic Zone on account of the many special factors entailed by international agreements and treaties and consideration for other nations. The name stock in these areas is also partly of a different nature from names in mainland Norway.

5. Protection of names and naming

The purpose of the provisions relating to the protection of names and naming is to safeguard existing name traditions and at the same time to ensure that old names are not improperly used in commercial activity, for example where a well known name is used of a new place that has no connection with the original bearer of the name for such purposes as increasing the market value of the new place.

The evaluation report proposed that these provisions should also contain a clause to the effect that when names are given to new objects, one must to the greatest possible extent follow the naming custom in the place. This is an important guideline, but is not included in the Act. It is to be considered as a guideline – something one ought to follow, not something one must follow – and should rather be expressed in the comment on the provisions.

6. The new Place-Names Act (as adopted 18 March 2005).

§ 1. Purpose and extent

The purpose of this Act is to safeguard place-names as cultural monuments, to determine a spelling which is practical and useable and to promote knowledge and active use of the names.

The Act shall secure the consideration of Saami and Kvenish place-names in accordance with national law and international treaties and conventions.

The Act applies where any state, county or municipal body shall determine place-names or the spelling thereof, or use them in the performance of its duties. The Act also applies to the use of place-names in companies that are fully publicly owned and in textbooks that are to be used in the schools. The Ministry may in particular cases give provisions that the Act applies when companies that are not fully publicly owned are using place-names.

This Act does not apply to Svalbard, Jan Mayen and the Norwegian dependent territories, the Norwegian Continental Shelf and Norway's Economic Zone.

§ 2. Definitions

In this Act the following terms shall have the following meanings:

- a. place-name [Norw. stadnamn], name of geographical points, lines and areas that may occur on maps

- b. farm name [Norw. gardsnamn], the name of the whole area to which one or more cadastral numbers are linked.
- c. single-holding name [Norw. bruksnamn], name of a property with its own single-holding number or leasehold number under a cadastral number.
- d. inherited place-name [Norw. nedervd stadnamn], place-name that has been handed down orally or in writing from earlier generations.
- e. local spoken form [Norw. lokal talemålsform], the form as it is pronounced in general use by people who have traditional ties to the place, either as residents or through annual industry.
- f. current orthographic principles [Norw. rettskrivingsprinsipp], general rules for the way in which sounds and combinations of sounds shall be reproduced in writing.

§ 3. Protection of names and naming

As a general rule a place-name may not be adopted for use in a place where it does not traditionally belong when it

- a. is in use as a family name and is protected, or
- b. is in any other manner a distinctive name,
- c. ought to be protected on other grounds

An inherited place-name may not be replaced by a name without tradition in the place unless particular grounds so indicate.

§ 4. Spelling rules

Unless otherwise provided by this Act, for the determination of the spelling the point of departure shall be the inherited local spoken form of the name. The spelling shall follow current orthographic principles for Norwegian and Saami. For Kvenish place-names the spelling shall follow current orthographic principles in Finnish. Finnish place-names in Eastern Norway may be adjusted to orthographic principles of Norwegian.

Where the same name has been used of different name-bearers in the same place, the spelling in its primary function shall be indicative of its spelling in its other functions. Two or more written forms of the same name for the same name-bearer may be laid down as equally valid if one or more of the following conditions are satisfied:

- a. there are several pronunciation variants of the name because the locality has great geographical extent, or lies in a dialectical or administrative boundary area
- b. two or several written forms of the name are well established by tradition
- c. there is strong local interest in two or more of the forms

§ 5. Determination of the spelling

Cases relating to the spelling of place-names may be taken up by:

- a. A public body and any other such persons as are mentioned in the third paragraph of § 1.
- b. An owner or lessee when the single-holding name comes under the second paragraph of § 8.

- c. A local organisation with a particular tie to a place-name.
- d. The name consultants where place-names in their area are concerned.

The municipal authority passes resolutions on the spelling of official addresses and of names of centres of population, farm groups, municipal streets, roads, marketplaces, urban districts, residential areas, plants etc. The county council passes resolutions on the spelling of names of county plants etc.

The Norwegian Mapping and Cadastre Authority passes resolutions on the spelling of other place-names unless otherwise provided by statute or regulations. It may be passed collective resolutions on the spelling of parts of a name within a single administrative area.

Where there is any doubt about who shall lay down the spelling of a place-name in pursuance of these rules, the matter may be submitted to the Ministry for decision.

§ 6. Further provisions on procedure

When a name case has been taken up with the decision-making body, the matter shall be made known to those who have a right to make statements. An owner or lessee has the right to make a statement in cases applying to single-holding names. An owner or lessee has also the right to make a statement in cases applying to farm names, when the spelling of the farm name shall serve as a pattern for the spelling of the single-holding name. The views of the owner shall be ascribed particular weight. Municipal authorities have a right to express their views when the decision shall be made by a body other than the municipal authority itself. County authorities have a right to express their views in cases that include more than one municipal authority area. Local organisations have a right to express their views in cases concerning any place-name in respect of which the organisation has a particular tie. Before any decision on spelling is made, the name consultants shall give advice on the spelling.

The case documents relating to farm names and names of single holdings shall be sent direct to an owner or lessee. Cases relating to Saami or Kvenish place-names shall also be sent to local organizations that have special interest in the case. In addition the case shall be announced in no fewer than 2 newspapers that are generally read locally, or be made known in any other appropriate manner.

A name case shall be taken up simultaneously for parallel names in Norwegian, Saami or Kvenish. Unless otherwise provided by statute or in pursuance thereof, the provisions of Chapters IV, V and VIII of the Public Administration Act do not apply to cases under the Place-Names Act.

§ 7. Reconsideration

A case may be taken up again by any such persons as are mentioned in § 5 a-d if new information is being provided. A new decision shall be made pursuant to the provisions of this Act.

§ 8. Particular provisions as to the farm names and names of single holdings

An owner or lessee may determine the name of his or her own holding. Nevertheless an owner or lessee is not entitled to change or replace the name of any single holding that comes under the second paragraph of this section, unless special grounds so indicate.

The spelling of farm names and single-holding name which linguistically and geographically coincides with inherited place-names, or with other place-names which in pursuance of the provisions of this Act or of other Acts and regulations shall be used by the public authorities, shall be determined in accordance with the provisions of §§ 4 and 6.

Decisions on the spelling of farm names shall as a main rule be guiding for the spelling of names of single holdings which are coinciding with the farm name, or when the farm name is a part of the name of the single holding.

For other names of single holdings the owner or lessee determines the spelling.

§ 9. Use of place-names

When the spelling of a place-name has been determined under this Act and entered in the register of place-names, the spelling shall be used by those who are mentioned in the third paragraph of § 1.

Saami and Kvenish place-names that are used among people who are permanently resident in the place or have trading ties to the place shall normally be used by the public authorities on maps and signboards and in registers etc. together with any Norwegian name.

Public bodies and such other persons as mentioned in the third paragraph of § 1 shall continue to use the written forms that are in public use when the Act comes into force until such time as any decision to amend is made.

§ 10. Appeal

There is a right of appeal against a decision on spelling for any person who pursuant to the first paragraph, a-c, of § 5 is entitled to take up cases concerning the spelling of place-names. Official bodies have the right of appeal only in cases relating to names which they are using in service. This right of appeal also applies to decisions made by municipal and county authorities. Grounds for an appeal shall be given. There is no appeal against decisions made by the King and the Stortinget. Where names have been omitted or incorrectly used an appeal can be made to the appropriate ministry in accordance with § 9. In the case of a body failing to make a decision an appeal can be made to the appeal board

Appeals against decisions other than those that are made by a ministry shall be dealt with by an appeal board appointed by the King. In appeal cases that involve matters of principle, the appeal board may give the Language Council, the Saami Assembly and the Ministry leave to express their views.

Any ministry that makes decisions on spelling has a duty to review the case on appeal. In such cases the Ministry shall seek advice from the appeal board.

For the preparation of an appeal case the provisions of § 6 apply. Otherwise the provisions of Chapter VI of the Public Administration Act apply.

§ 11. Place-name consultants (now § 9)

The Ministry appoints place-name consultants for Norwegian and Kvenish place-names. The Saami Assembly appoints place-name consultants for Saami place-names.

The name consultants shall provide guidance and advice on the spelling of place-names.

§ 12. Register of place-names

A central register of place-names shall be kept. Notice of all written forms that have been finally determined shall be given to the register of place-names by the body that has made the decision.

The information in the register is public.

§ 13. Regulations and exceptions

The Ministry may issue regulations for the supplementation and implementation of this Act.

§ 14. Implementation

This Act is will be implemented when the King so decides.