

Act relating to Reindeer Husbandry (The Reindeer Husbandry Act)

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Chapters:

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Cf. previous act 9 June 1978 no. 49 relating to reindeer husbandry.

Chapter 1. Introductory provisions

Section 1. *The purpose of the act*

For the Sami reindeer grazing area the Act shall arrange for ecologically, economically and culturally sustainable reindeer husbandry based on Sami culture, tradition and custom for the benefit of the population conducting reindeer husbandry itself and the society in general. In order to achieve this goal, the Act shall provide a basis for a practical organization and management of reindeer husbandry. Reindeer husbandry must be preserved as an important foundation for Sami culture and social life.

The Act shall contribute to securing the reindeer herding areas in the Sami reindeer grazing area as the most important resource basis for reindeer husbandry. The responsibility of securing the areas lies both with the holder of the right to conduct reindeer husbandry, other rights holders and the authorities.

Outside the Sami reindeer grazing area the Act shall arrange for an ecological and economically sustainable use of the reindeer grazing resources based on local culture and tradition in the areas where permission for reindeer husbandry has been granted pursuant to the rules in Section 8.

Both inside and outside the Sami reindeer grazing area, the Act shall contribute to ensuring sound animal welfare for domestic reindeer.

Section 2. *Scope*

The Act applies to the realm with the limitations following from Act 9 June 1972 no. 31 relating to Swedish reindeer grazing in Norway and Norwegian reindeer grazing in Sweden.

With respect to reindeer herding in Trollheimen and surrounding areas, the rules laid down in Act 21 December 1984 no. 101 relating to reindeer husbandry in the municipalities of Meldal, Midtre Gauldal, Oppdal, Rennebu, Rindal, Sunndal and Surnadal apply.

Section 3. *The relationship to international law*

The Act shall be applied in accordance with the rules of international law relating to indigenous people and minorities.

Section 4. *The Sami reindeer grazing area*

On the basis of consuetude the Sami population has a right to conduct reindeer husbandry in the counties of Finnmark, Troms, Nordland, Nord-Trøndelag, Sør-Trøndelag and Hedmark where from old times reindeer husbandry Sami have conducted reindeer husbandry (the Sami reindeer grazing area).

Within the Sami reindeer grazing area it shall be assumed that a right to reindeer grazing exists within the framework of this Act unless otherwise dictated by special legal rules.

In case of any encroachments on the rights of the reindeer husbandry Sami to conduct reindeer husbandry, compensation shall be granted in accordance with general principles of compulsory acquisition law.

Section 5. *Sami regional reindeer grazing areas*

The Sami reindeer grazing area is divided into Sami regional reindeer grazing areas that shall be open to reindeer husbandry with such special rights and duties as provided for by or pursuant to this Act. The King shall determine the division.

Section 6. *Sami reindeer grazing districts*

The Norwegian Reindeer Husbandry Board shall divide the Sami regional reindeer grazing areas into Sami reindeer grazing district pursuant to the rules laid down in Section 42.

Section 7. *Compulsory purchase to secure reindeer grazing areas*

The King may require that land and rights, including rights as specified in Chapter 3, as well as the right to compensation for damage caused by reindeer, be surrendered to the state when this is considered necessary on account of the reindeer husbandry in the Sami reindeer grazing area, and it must be assumed that the encroachment will undoubtedly do more good than harm.

If the matter applies to the cession of rights as specified in Chapter 3, the plaintiff may be exempted from compensating the legal costs of the defendant provided that the defendant, following negotiations has refused or failed to reply to an offer, and the plaintiff through the appraisal decision does not obtain more than the offer. Apart from this, the rules concerning legal costs laid down in act 1 June 1917 no. 1 relating to valuation and compulsory purchase apply.

Section 8. *Reindeer husbandry outside the Sami reindeer grazing area*

Reindeer husbandry may not be conducted outside the Sami reindeer grazing area without special permission from the King. Such permission may only be given to persons who are able to present consent in writing from the landowners or rights holders in question, or in some other way has at his/her disposal sufficiently large and appropriately delimited reindeer grazing areas. Permission should not be granted for wild reindeer areas. Caution should also be shown in connection with granting such permission for areas with such location near reindeer grazing areas that conflicts may arise. Permission may be given for a limited period of time and under no circumstances applies after the grazing right has lapsed. More detailed conditions for such reindeer husbandry may be specified.

Areas of common property outside the Sami reindeer grazing area may be allocated to domesticated reindeer husbandry by a majority decision in accordance with act 18 June 1965 no.6 relating to joint ownership (lov 18. juni 1965 nr.6 om sameige).

If owners and users who have at their disposal the larger part of a mountain area suitable for domestic reindeer husbandry want that the area be allocated to such activity, but are prevented from doing so by certain landowners who do not want to participate, the provisions relating to joint measures section 3-9 of the Land Consolidation Act may be applied correspondingly.

With the approval of the King, the Common Land Board may, for a period of 10 years, grant permission to reindeer husbandry in village commons outside reindeer grazing areas provided that reindeer husbandry can be carried out without material harm or disadvantage for persons with rights of use.

For reindeer husbandry in the state commons outside reindeer grazing areas the provisions of the State Commons Act apply.

^o Amended by Act 21 June 2013 no. 100 (entry into force on 1 January 2016 pursuant to decree 21 June 2013 no.736)

Chapter 2. Reindeer husbandry in the Sami reindeer grazing area

Section 9. *The right to own reindeer in the Sami reindeer grazing area*

Only persons entitled to a reindeer earmark, cf. Section 32, have the right to own reindeer in the Sami reindeer grazing area.

A condition for owning reindeer is that the reindeer is part of a siida share or a coordinate recruitment share run by a responsible leader in accordance with the rules laid down in Sections 10 ff.

If special reasons exist, the Reindeer Husbandry Board may consent to allowing a person who does not meet the conditions under the first or second paragraph to own reindeer in the Sami reindeer grazing area.

Moreover, the Reindeer Husbandry Board may give permission to private individuals or institutions to own reindeer for scientific purposes and for experimental purposes under public management or supervision. Such permissions shall be granted for limited periods of time and on specific terms.

Section 10. *Siida share*

A siida share is a family group or an individual who is part of a siida, cf. Section 51, and who conducts reindeer husbandry under the management of one person or under the joint management of spouses or cohabitants. The leader of the siida share must be resident in Norway.

The responsible leader of the siida determines who may own reindeer in the share and the relevant person's number of reindeer.

A reindeer owner may be the responsible leader of only one siida share and may not own reindeer in more than one siida share. Children under age whose parents do not live together, however, have the right to own reindeer in a siida share both in their father's family and their mother's family.

⁰ Amended by act 26 March 2010 no. 9 (entry into force on 1 July 2013 pursuant to decree 5 April 2013 no. 338) as amended by act of 5 April 2013 no. 12.

Section 11. *The creation of a siida share*

Entities registered with the County Governor at the time of entry into force of the Act are considered siida shares under the rules of this Act. The person who at the entry into force of the Act is the owner of the entity, is considered to be the responsible leader of the siida share in question.

The leaders of the siida shares of a siida may by unanimity decide that a new siida share is created in the siida under the management of an appointed person who is of age and who satisfies the condition of Section 9 for owning reindeer. It must be taken into account that the creation of the new siida share does not threaten the basis for ecological, economic and cultural sustainability of the siida.

In connection with the creation of a new siida share, the number of reindeer must be kept within the upper number of reindeer determined for the siida, cf. Section 60, first and second paragraph. If the creation of the new siida share implies that the number of reindeer is exceeded, the number must be reduced pursuant to the rules in Section 60 third and fourth paragraph.

In connection with the decision regarding who will lead the new siida share, the work effort in the siida and the living conditions of the person who is considered for appointment, among other things, must be taken into consideration, as well as the purpose of the Act.

A notification of a new siida share must be submitted to the County Governor for approval. The County Governor shall check that the conditions for the creation of a new siida share have been met, including that the creation does not threaten the basis for an ecologically, economically and culturally sustainable reindeer husbandry in the siida. The County Governor may refuse to give his approval if the average number of reindeer in each siida share is below 250 reindeer calculated in relation to the upper number of reindeer determined for the siida.

The rules in the second to the fifth paragraphs apply correspondingly in connection with the transfer of a siida share to another siida.

If special reasons exist, the County Governor may order a district or a siida to create one or more siida shares. The leader of a new siida share is appointed in accordance with the rules in the second to the fifth paragraphs. If no agreement is reached, the leader shall be appointed by the County Governor.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 12. *Coordinate recruitment share*

The responsible leader of a siida share may determine that a coordinate recruitment share associated with the siida share shall be established.

The creation of a coordinate recruitment share presupposes that a maximum number of reindeer is stipulated that the siida share and the coordinate recruitment share in total must not exceed.

Only one coordinate recruitment share may be created for each siida share.

A coordinate recruitment share may exist for a period of up to seven years and it is condition that in connection with the establishment of such unit, an agreement for overtaking the siida share is entered into at the same time. The responsibility as leader of a recruitment share may only be left to a child, grandchild or someone else in the younger generation who satisfies the conditions in Section 9 for owning reindeer. The person in question must be of age and must have participated in all the aspects of the reindeer husbandry together with the leader for a period of at least three years.

The leader of the coordinate share has the same rights and duties as the leader of a siida share, unless it follows otherwise from this Act.

If the leader of the siida dies or resigns as responsible leader, the coordinate recruitment share is incorporated in the siida share with the leader of the coordinate recruitment share as the new leader.

A notification of the creation of a coordinate recruitment share must be sent to the County Governor who must check that the formal requirements for establishing a coordinate recruitment share have been met.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 13. *The position of a spouse or cohabitant*

If the responsible leader of a siida-unit marries, both spouses may be responsible leaders of the siida share. This applies even if only one of the spouses meets the conditions in Section 9 first paragraph for owning reindeer. Such joint siida share implies that both spouses are jointly and severally responsible as leaders of the siida share.

If the spouses agree that both are to be responsible leaders, a notification of this must be given in notices about reindeer husbandry, cf. Section 18.

Spouses who both satisfy the conditions in Section 9 first paragraph for owning reindeer, may both be independent leaders for a siida share each, with the limitations otherwise following from the Act.

The provisions of the first paragraph apply correspondingly for two unmarried persons who live together (cohabitants) if they

1. Have or have had joint children
2. Previously have been married to one another
3. Have lived together in a marriage-like relationship for two years.

Section 14. *Termination of marriage and cohabitation*

If the siida share has been run jointly between spouses or cohabitants, and one of them dies, the surviving party becomes the sole leader. This applies even if the surviving party does not satisfy the conditions of Section 9 first paragraph for owning reindeer.

If the marriage or cohabitation is terminated in any other way than by death, the spouse or cohabitant who has received joint responsibility through the marriage or cohabitation will lose the right to act as a jointly responsible leader. The parties may agree that he or she shall still own reindeer in the siida share and, if relevant, have the leadership responsibility for the siida share alone. This applies even if the person in question does not satisfy the conditions of Section 9 first paragraph for owning reindeer.

Changes related to the leadership responsibility pursuant to the first and second paragraphs must be reported to the County Governor.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646)

Section 15. *Transfer of the responsibility as leader of a siida share*

If a coordinate share has not been established, the leader of a siida share may transfer the responsibility as leader of the unit to a child, a grandchild or another person who satisfies the conditions of Section 9 first paragraph for owning reindeer in the share.

The new leader of the siida share must be of age and must have participated in all the aspects of the reindeer herding together with the leader for a period of at least three years. In special cases the County Governor may approve transfer to a child or grandchild who does not meet these requirements.

In case the leader responsibility for a siida share is transferred, the previous leader still has a right to own reindeer in the siida share.

If the leader of a siida share dies and no decision has been made as mentioned in the first paragraph, a child, a grandchild or some other relative who satisfies the conditions in Section 9 first paragraph for owning reindeer in the share, has a right to take over the responsibility for the siida share unless a surviving spouse or cohabitant takes over the responsibility pursuant to the rules in Section 14. The second paragraph applies correspondingly.

In the event of death, an application may be submitted to the County Governor to suspend the matter until a child, grandchild or some other person who satisfies the conditions of Section 9 first paragraph for owning reindeer in the share comes of age.

A notification of the transfer of a siida share must be sent to the County Governor who shall check that the formal conditions exist.

^o Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 16. *Termination of a siida share*

Should the responsible leader of a siida share decide to terminate his/her reindeer husbandry, or if he/she dies without the responsibility being transferred to someone else pursuant to the rules in Sections 12 and 15, the siida share shall be dissolved and the reindeer sold unless it is incorporated in a different siida share or in a coordinate recruitment share. The board of the summer siida, cf. Section 52, or the contact person who has been elected pursuant to Section 53 second paragraph, shall see to it that the siida share is terminated. The costs in connection with the termination shall be covered by the revenues from the sale of the reindeer.

Should the responsible leader of a coordinate recruitment share decide to terminate his/her reindeer husbandry, or if he/she dies, the share shall be incorporated in the siida share that formed the basis for the creation of the recruitment share.

A notification of termination under the first and second paragraphs must be sent to the County Governor.

If a siida share or a coordinate recruitment share has had less than 50 reindeer for a period of five years, it must be terminate as a siida share. The decision of termination is taken by the County Governor. In the fourth year with a number of reindeer below 50, the County Governor shall notify the leader of the siida share about the forthcoming termination. The notification must be made at least six months prior to the deadline for the submission of next year's report on reindeer husbandry. The provision concerning implementation of termination in the first paragraph shall apply correspondingly.

^o Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 17. *Keeping of reindeer in conflict with the rules in Chapter 2*

Persons who have reindeer in conflict with the rules in Chapter 2, may be ordered to put an end to it pursuant to the rules in Chapter 11.

Section 18. *Report on reindeer husbandry*

The leader of a siida share shall submit a report on the reindeer husbandry to the County Governor on an annual basis. The report must contain information about the number of reindeer in the siida share and the owners of reindeer in the share, as well as information about siida connection. A copy of the report must be sent to the District Board where the reindeer husbandry is conducted.

The ministry shall give more detailed rules regarding what information the report must contain and regarding the deadline for submitting the report, etc.

Information in the report about the number of reindeer of individuals and their personal circumstances is subject to confidentiality, unless otherwise provided for by law. Sections 13 a to 13 e of the Public Administration Act apply correspondingly.

^o Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Chapter 3. The content of the right to conduct reindeer husbandry

Section 19. *Grazing right*

The right to conduct reindeer husbandry gives the right to graze reindeer in the mountains and other outfields, including previously cultivated land and hay fields located by themselves, and not connected with populated areas or cultivated fields in operation, provided that they are not kept in good condition and are not used as cultivated pasture, unless the area is fenced in with a fence intended to protect against reindeer. The King may issue more detailed provisions concerning what is to be understood by a fence intended to protect against reindeer.

The King may determine that certain areas of coniferous forest shall be preserved against reindeer grazing for a certain period of time if this is considered necessary to allow forest regeneration or regrowth. The King may also determine that specified areas shall be preserved for a certain period of time if justified by special considerations. A decision of preservation may also apply to moving with reindeer.

Areas preserved from reindeer grazing, should be compensated for by the provision of corresponding grazing areas where possible.

Section 20. *Seasonal grazing areas*

Grazing rights include the right to seasonal grazing as necessary, such as spring, summer, autumn and winter grazing and also migratory routes, calving areas and mating areas.

Section 21. *The right to lodging, sheds, etc.*

The right to conduct reindeer husbandry gives the right to use land in the outfields for necessary cabins and turf huts for people, and for sheds and positions necessary for storage of movables and food.

A person conducting reindeer husbandry is entitled, against a consideration, to having a building site assigned if he/she is not able to obtain housing that is necessary to conduct the reindeer husbandry efficiently in any other way. If the parties are not able to agree that the conditions for assigning a building site exist, or agree on the choice of location, size and delimitation, terms and compensation, this shall be determined by the Land Consolidation Court.

The land that has been put to use or allocated, as well as buildings and facilities erected pursuant to the first or second paragraph, may not, without the approval of the King and the consent of the landowner, be used for other purposes than reindeer husbandry or be transferred to anyone else than persons who conduct reindeer husbandry and who satisfy the conditions of the first and second paragraphs.

⁰ Amended by act 21 June 2013 no. 100 (entry into force on 1 January 2016 pursuant to decree 21 June 2013 no. 736).

Section 22. *Migration routes*

Persons who conduct reindeer husbandry are entitled to freely and unhindered drive and move their reindeer in the reindeer grazing areas where the reindeer may legally roam. They are also entitled to move with reindeer along traditional migration routes. Migration routes also include permanent loading and unloading sites for transportation of the reindeer.

The migration routes of the reindeer husbandry must not be closed. The King, however, may consent to divert migration routes and open new migration routes if legitimate interests give reason this. Any damage due to the diversion of a migration route or the opening of a new migration route shall be compensated for by a decision of the Land Consolidation Court. The King may also determine that the detailed location of the new migration route is to be left to the valuation.

⁰ Amended by act 21 June 2013 no. 100 (entry into force on 1 January 2016 pursuant to decree 21 June 2013 no. 736).

Section 23. *Motor traffic*

Persons who conduct reindeer husbandry are entitled to use necessary conveyance and means of transport in accordance with the district plan, cf. Section 62.

The use of off-road vehicles on bare ground must be limited to the extent possible and in so far as possible must take place in permanent tracks. Motor traffic or flying into areas protected by the Nature Diversity Act Section V or older protection decisions as mentioned in Section 77 of the Nature Diversity Act, shall take place in accordance with adopted regulations relating to protection. More detailed rules relating to such traffic in protected areas may be determined through regulations from the relevant administrative body in consultation with the District Board.

⁰ Amended by acts 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646), 28 March 2014 no. 9 (entry into force on 1 June 2014 pursuant to decree 28 March 2014 no. 371).

Section 24. *Fences and other installations*

The right to carry out reindeer husbandry gives the right to erect work and barring fences, slaughter facilities, bridges and other installations necessary for the reindeer husbandry. Fences and installations must not be placed where they appear unnecessarily disfiguring or constitute material harm or disadvantage to the landowner or other legitimate interests.

Fences and installations that are to remain for more than one season may not be erected without the approval of the Ministry. Approval of major installations can only be given after a professional assessment of the total environmental effects, compared with the special reindeer husbandry needs for the installation. Should the landowner and any users not give their approval, the Ministry may grant permission for construction of the facility against compensation for damage and disadvantage determined by the Land Consolidation Court.

The County Governor may require that fences and installations that are not in accordance with the first and second paragraphs are removed or changed by whoever is responsible. If this is not complied with within a set deadline, the County Governor may effect demolition or change immediately. Expenses in connection with measures pursuant to this paragraph shall be borne by the person who is responsible and constitute a basis for enforcement.

The Ministry may give further details as to the location and design of fences and other installations, including fence materials, etc. The Ministry may also issue provisions for the maintenance of permanent fences and installations and on the duty to remove fences and installations that are not kept in order in accordance with regulations, or that are no longer in use.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646), 21 June 2013 no. 100 (entry into force on 1 January 2016 pursuant to decree 21 June 2013 no. 736).

Section 25. *Firewood and wood in the Sami reindeer grazing area*

The right to conduct reindeer husbandry in the Sami reindeer grazing area gives the right, in connection with the lawful conduct of reindeer husbandry, for own use, to take broadleaved trees, shrubs, juniper, wickers, birch brushwood, self-dried conifer trees and dry windfalls, fallen-down branches and twigs, stumps, birch bark and bark when the wood is to be used as:

1. Firewood
2. Turf huts, sheds and positions necessary for storage of movables and food
3. Tent poles, tools and simpler utility articles
4. Working fences, (enclosures, ring fences)
5. Tanning

Healthy broadleaved trees and healthy bushes must not be taken, provided that other wood suitable for the purpose is found at the location or in its vicinity.

The forest owner may demand payment for healthy broadleaved trees taken in privately owned forest areas. Otherwise, however, payment may not be demanded for wood that is legally taken pursuant to this section. Without delay the landowner must be notified of wood taken that he/she may demand payment for. If agreement on the payment is not reached, the Land Consolidation Court may be required to determine the size of the amount. The Finnmark Property (Finnmarkseiendommen) may not demand payment in accordance with the provisions of this paragraph.

In so far as it appears necessary on account of forest preservation, regeneration or regrowth, or because of a lack of wood in the district, the King, through regulations, may restrict or totally forbid the taking of wood in specific areas, including a decision that healthy wood may only be taken after having been assigned.

⁰ Amended by act 21 June 2013 no. 100 (entry into force on 1 January 2016 pursuant to decree 21 June 2013 no. 736).

Section 26. *Hunting, catching and fishing in the Sami reindeer grazing area*

The right to conduct reindeer husbandry in the Sami reindeer grazing area gives the right, in connection with lawful conduct of reindeer husbandry, to hunting, catching and fishing in the state commons, on state property not specifically registered on the land of the Finnmark Property within the reindeer grazing district where the reindeer husbandry is carried out, on the same terms as those applying to persons with permanent residence in the municipality, village or hamlet where the commons, the state property or the relevant part of the Finnmark Property is located. In the state's registered forests and high mountain areas within reindeer grazing areas, the right of persons who conduct reindeer husbandry to hunting, catching and fishing shall be as it has been of old.

The King may decide that persons who conduct reindeer husbandry shall have an exclusive right to use bound appliances for catching and fishing in specific lakes and river stretches on other state properties than the state commons. The King may also decide that certain lakes and river stretches as mentioned in the previous sentence shall be reserved for the use of those who conduct reindeer husbandry.

No lease or card charges shall be paid for hunting, catching and fishing carried out in accordance with the provisions of this section.

Chapter 4. General rules relating to the conduct of reindeer husbandry

Section 27. *The conduct of reindeer husbandry*

During his conduct of reindeer husbandry, a reindeer owner shall take into account the reindeer husbandry of other reindeer owners and not utilize the pastures in such a way that their use is deteriorated for other reindeer owners. Neither must the reindeer owner interfere with the legitimate right of others to conduct reindeer husbandry.

A reindeer owner shall see to it that the reindeer husbandry takes place within the framework following from this Act in correspondence with the rules of use in the district.

Section 28. *Supervision*

The reindeer shall be kept under supervision to prevent, to the extent possible, that they cause any damage, roam outside their lawful grazing area or are mixed with other reindeer.

Further details on supervision may be stipulated in the district's rules on the use of pastures.

Section 29. *Inspection*

A siida that has reason to believe that some of its reindeer have mingled with the herd of another siida has a right to inspect the herd to find out if its reindeer are in the herd.

Inspection may only take place with a representative of the siida present. The representative shall contribute to making the inspection possible. Besides, inspection shall be carried out in accordance with accepted practice among the reindeer owners in the district.

Further details on inspection may be laid down in the rules of use for the district.

Section 30. *Treatment of the reindeer of other siidas*

A siida whose herd has received reindeer from other siidas shall inform the other siida about this as soon as possible. Separation takes place according to the rules in Section 31.

If it is difficult for the other siida to collect the reindeer, or if separation cannot be performed, the siida whose herd has received the reindeer of someone else has a duty to take care of the reindeer until they can be separated and collected.

Further rules on the treatment of the reindeer of other siidas may be laid down in the rules of use for the district.

Section 31. *Separation*

A person who has reindeer in a herd together with others may require separation of the reindeer so that he/she can take away his/her own animals.

The others who have reindeer in the herd have a duty to make arrangements for separation. Nobody must interfere with the work during separation. Separation should take place before the herd leaves the seasonal grazing area.

Separation may not be demanded during calving time or in connection with rutting or if it is not advisable for animal protection reasons.

Before a reindeer is placed in a pen for separation, the siidas that may have reindeer in the herd must be notified.

Further rules on separation and notification may be laid down in the rules of use for the district.

Chapter 5. Reindeer earmarking and registration of reindeer earmarks

Section 32. *Right to a reindeer earmark*

The right to a reindeer earmark is reserved for persons of Sami family who

1. at the time of the entry into force of the Act had reindeer husbandry as their primary occupation in a reindeer grazing area pursuant to Act of 9 June 1978 no. 49 relating to Reindeer Husbandry, Section 4 cf. Section 3
2. who have parents or grandparents who have or have had reindeer husbandry as their primary occupation, and who
3. are part of or shall become part of a siida share as determined pursuant to Section 10 second paragraph, or lead a siida share or a coordinate recruitment share pursuant to Sections 11 – 15.

A child who is adopted gets the same right to a reindeer earmark as if the adopted child had been born by the adoptive parents themselves, even if the person in question is not of Sami family.

A person who is married to someone who is the responsible leader of a siida share, but who him/herself does not satisfy the conditions of the first paragraph for a reindeer earmark, has the right to a reindeer earmark. The same applies to cohabitants as referred to in Section 13 fourth paragraph.

If a person as mentioned in the third paragraph takes over the leadership responsibility for the siida share, cf. Section 14, the person in question has the right to a reindeer earmark as long as he/she is the responsible leader of a siida share. A new spouse or cohabitant of the person in question is not entitled to a reindeer earmark pursuant to the third paragraph.

If the Reindeer Husbandry Board pursuant to Section 9 third paragraph has granted a person the right to own reindeer, the Reindeer Husbandry Board may also grant this person the right to a reindeer earmark where this is necessary to ensure well-organized reindeer husbandry,

Section 33. *The duty to earmark reindeer*

All reindeer in the Sami reindeer grazing area must be earmarked with the owner's mark.

The reindeer must be earmarked with the owner's registered earmark within 31 October in the same year as the reindeer is born. In special cases the County Governor may consent to a transgression of this time limit, but under no circumstances beyond 31 May in the following year.

Earmarking must be carried out pursuant to the provisions in Act of 20 December 1974 no. 73 relating to Animal Welfare.¹

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

¹ Repealed, see now act of 19 June 2009 no. 97.

Section 34. *Forms of marking*

Within the Sami reindeer grazing area the marking of reindeer shall take place through a cut in the ear by the reindeer owner's registered reindeer earmark.

In connection with the takeover of the right of ownership to reindeer that are marked by the reindeer earmark of the previous owner, an ear clip may be used in addition to the registered earmark.

Temporary marking takes place through a hair mark or an ear clip. Temporary marking shows the ownership until marking in accordance with the first or second paragraph takes place.

Section 35. *Remarking*

Remarking is not allowed.

Remarking is punished pursuant to the rules in Chapter 27 of the Penal Code.

⁰ Amended by act 19 June 2015 no. 65 (entry into force on 1 October 2015).

Section 36. *The sale of reindeer without a legal mark*

As a main rule, reindeer born in previous years that after 31 May are found without a legal mark will be sold under the responsibility of the District Board or the Siida Board.

The proceeds from the sale go to the owner of the reindeer. If the owner is not known, the proceeds go to the siida to which the reindeer belong. If the siida is not known either, the proceeds go to the district.

Section 37. *Earmarks committee and complaints board*

In each Sami regional reindeer grazing area, an Earmarks Committee of at least three and at most five members, with personal deputy members, from different reindeer grazing districts is elected. The members and deputy members are elected by the district leaders. The County Governor appoints a secretary to the committee. The Reindeer Husbandry Board appoints a complaints board.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 38. *Registration and deletion of earmarks*

All reindeer marks must be approved by the earmarks committee before they are put to use in the regional reindeer grazing area. Approved reindeer earmarks in the regional reindeer grazing area are registered with the Reindeer Husbandry Administration.¹ The reindeer earmark shall have such form that there can be no confusion or misuse. The earmarks committee, while taking well-organized reindeer husbandry into consideration, shall try to preserve traditional use and design of reindeer earmarks. Among other things, one should try to preserve traditional family earmarks for the family.

A reindeer earmark may not be registered as a trademark pursuant to Act of 3 March 1961 no. 4¹ relating to Trademarks.

A registered reindeer earmark must be deleted when the owner of the earmark passes away without leaving reindeer behind that together with the earmark is taken over by the spouse or an heir.

If a reindeer earmark has not been in use for the past four years, the earmark committee may delete the earmark.

With the approval of the Reindeer Husbandry Board the Earmarks Committee may adopt supplementary guidelines for the design of earmarks, etc.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

¹ From 1 July 2014, the Norwegian Agriculture Agency

¹ Repealed, see now Act 26 March 2011 no. 8.

Section 39. *Procedural work*

The Earmarks Committee shall inform the leaders of the siida shares in the relevant and neighbouring district about received applications for reindeer earmarks. Such announcement shall also

be made in Sweden and Finland. The decision of the Earmarks Committee shall be announced in the same way.

The decision of the Earmarks Committee may be appealed to the Complaints Board.

The Ministry gives further rules for the procedural work of the Earmarks Committee, including rules relating to registration fee and rules for how to deal with complaints.

Section 40. *Supplementary provisions relating to reindeer earmarks*

The Ministry may give further rules relating to the earmarking of reindeer and registration of reindeer earmarks, as well as the transfer and deletion of reindeer earmarks not in use.

Section 41. *Marking outside the Sami reindeer grazing area*

The Ministry gives further rules relating to reindeer earmarks and marking of reindeer outside the Sami reindeer grazing area.

Chapter 6. The organization of reindeer husbandry – districts and siidas

I. Reindeer grazing districts

Section 42. *Reindeer grazing districts*

When dividing the Sami regional reindeer grazing areas into reindeer grazing districts, the Reindeer Husbandry Board, based on custom and practice, shall attach importance to determining borderlines for the reindeer grazing district that are natural and practical from an operational point of view.

A district, preferably, shall include all the seasonal pastures for the reindeer herders associated with the district. Where appropriate, the seasonal pastures may be distributed on several districts.

The division into districts is no impediment to cooperation between the reindeer herders across district boundaries provided that such cooperation does not negatively affect the rights of other reindeer herders. Nor is the division into districts an impediment to the use of pastures in a different district when a special legal basis for this exists.

Section 43. *District Boards*

Each reindeer grazing district shall have a District Board elected by and among those in the district entitled to vote pursuant to the rules in the second and third paragraphs.

The chairperson of the board is elected by the district annual meeting, cf. Section 49. The rest of the board consists of a representative of each summer siida in the district, cf. Section 54 first paragraph no. 2. Siida board members are elected by the annual meeting for the siida, cf. Section 53. If the number of summer siidas exceed seven, six members are elected by drawing lots among the candidates for board membership from each summer siida, with the exception of the summer siida that has the chairperson. The district annual meeting may decide that board membership instead shall alternate by turns between the summer siidas. Such rules must be approved by the County Governor. The chairperson and the other board members are elected for terms of two years at the time with personal deputies.

If justified by special reasons, the Reindeer Husbandry Board may determine that the board shall have up to 11 members. If strong reasons exist, the Reindeer Husbandry Board may determine that a summer siida that is considerably larger than the average for the district should have a stronger representation on the board than what follows from the rules of the second paragraph. This summer siida, however, may not have a majority of the board.

If the reindeer herders in the summer siida for the rest of the year forms smaller winter siidas, the leaders of the siida shares in a winter siida, or several winter siidas together, or some other grouping, may require that the office on the District Board shall alternate by turns among the winter siidas/groups.

If the district corresponds to a summer siida, the rules in Section 52 apply for the election of board, however in such a way that a board must always be established.

The board has a quorum when at least half of its members are present. However, a District Board with fewer than three members only has a quorum when all the members attend. In case of an equal number of votes the chairperson's vote decides the matter.

^o Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 44. *Responsibilities and authority of the District Board*

The District Board represents the reindeer husbandry interests in the district. It is the responsibility of the District Board to take care of the reindeer grazing resources in the district in accordance with laws and rules of use.

Among other things, the District Board may enter into compromises, sue and be sued on behalf of the reindeer herders in connection with matters of joint interest in the district. This also applies to matters related to land preservation even if not all the herders are affected. This, however, is not an obstacle for a siida or reindeer owner to take care of their own special interests.

Section 45. *Authorization*

In certain cases the District Board may give the chairperson together with the secretary of the board, or together with one of the board members, authority to act on behalf of the board.

Section 46. *District cash*

Each district shall have its own cash. All siida shares are obliged to make an annual contribution to the district cash. Remuneration to the members of the District Board and other expenses for the administration of the district are covered by the district cash.

The amount of the contribution is calculated per reindeer and stipulated by the annual meeting of the district based on a recommendation from the District Board, cf. Section 50, first paragraph no. 7. The District Board calculates the contribution for each siida share on the basis of the number of reindeer in the siida share, including marked reindeer belonging to residents.

Decisions relating to the contribution to be paid by the individual siida share may be referred to the County Governor, who may change the decision if the contribution is not in reasonable proportion to the responsibilities of the district. A claim for such re-examination must be submitted within eight weeks after the siida share was notified about the decision on the contribution.

If the contribution amount is not paid, the siida share will lose its right to vote until the amount due has been paid. The final decision on the contribution constitutes a basis for enforcement.

^o Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 47. *Reindeer husbandry fund*

The district shall have a reindeer husbandry fund. The following goes into fund:

1. Compensation to the district in connection with the expropriation of grazing rights, et al.
2. Compensation to the district for damage, disadvantage, etc.
3. Concession charges to the district in connection with expropriation
4. Proceeds from the sale of reindeer without a legal earmark

5. Charge in case of the violation of rules of use, cf. Section 77
6. Other cash that goes to the district

The resources of the fund are managed by and are at the disposal of the District Board in accordance with regulations adopted pursuant to Section 57, second paragraph no. 5.

Section 48. *Auditing*

The annual meeting elects an auditor who must be a registered or state authorized auditor pursuant to the rules in act 15 January 1999 no. 2 relating to Auditing and Auditors.

The county Governor may approve that instead of an external auditor, an auditing committee of two or three members is elected among those entitled to vote in the district. The members must not be members of the board or have special ties to any board members.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 49. *The district annual meeting*

The annual meeting must be held by the reindeer owners in the district each year by the end of the month of June. The meeting is convened in the way that is customary in the district, with at least four weeks notice.

All reindeer owners have a right to speak and make proposals at the annual meeting. In connection with ballots, each siida share is entitled to vote, and each siida share has five votes. A coordinate recruitment share has two votes. The leader of the siida share determines the division of votes between the other reindeer owners in the siida share. The leader must always him/herself retain at least one vote, or two votes if the leader and spouse or cohabitant are co-managing the siida share.

The board's annual report and accounts, as well as a proposal for application of the resources of the reindeer husbandry fund, must be sent to the leaders of the siida shares in the district together with the agenda for the annual meeting and, if relevant, the candidate for the position of board leader, no later than four weeks before the date of the annual meeting.

The annual meeting is chaired by a chairperson elected by the annual meeting. The meeting is private unless the annual meeting itself decides otherwise.

Minutes shall be taken of the discussions at the annual meeting and the elections, and these shall be read out loud at the close of the meeting and signed by two participants elected to do so.

Section 50. *Matters and authority of the district annual meeting*

The annual meeting shall:

1. Make a statement on the annual report of the District Board and adopt the annual accounts
2. Make a statement on the proposal of the District Board concerning rules of use cf. Section 57
3. Make a statement on the proposal of the District Board concerning the district plan, cf. section 62
4. Elect chairperson of the District Board pursuant to Section 43
5. Adopt rules for the election board members pursuant to Section 43, second paragraph
6. Determine the remuneration for the members of the District Board
7. Determine the contribution per reindeer to the district cash, cf. Section 46
8. Elect auditor or auditing committee, if relevant, cf. Section 48
9. Make a statement concerning matters that someone with the right to attend the annual meeting, by a request to the District Board no later than a week before the annual meeting, has demanded be considered.
10. Make a statement on other matters submitted by the District Board with a request for a statement by the annual meeting.

In matters where the annual meeting has a right to express its opinion, such opinion is supervisory and not binding for the board.

The annual report must be sent to the county Governor.

The Ministry gives further rules concerning the content of the annual report.

^o Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

II. Siida

Section 51. *Siida*

By siida in this Act is understood a group of reindeer owners who conduct reindeer husbandry jointly in specific areas. This Act distinguishes between summer siida and winter siida. A summer siida conducts reindeer husbandry jointly mainly in the summer and autumn grazing areas. A winter siida mainly conducts reindeer husbandry in the winter and spring grazing areas.

Section 52. *Summer siida board*

In the summer siida a board must be elected to be responsible for organizing joint activities and managing joint installations of the siida, such as slaughter facilities, fences and the like. The board is elected by the annual meeting of the siida. The annual meeting may decide that no board for the siida is to be elected, cf. Section 53 second paragraph.

Section 53. *The annual meeting of the summer siida*

Summer siidas have to hold annual meetings every year within the end of the month of May. Everyone who owns reindeer in the siida is entitled to attend and has the right to speak and make proposals. Each siida share is entitled to vote. The provisions of Section 49 second paragraph apply correspondingly.

If the summer siida does not have a board, the annual meeting has to elect a person to serve as contact person between the siida and the District Board. This person is responsible for convening the annual meeting.

Section 54. *Matters and authority of the siida annual meeting*

The annual meeting shall:

1. Elect the siida board pursuant to Section 52
2. Elect a candidate for the District Board pursuant to Section 43
3. Determine the contribution to the siida cash, cf. Section 55
4. Adopt rules for the siida cash, cf. Section 55
5. Adopt rules for the siida fund, cf. Section 56 first paragraph
6. Elect auditor, cf. Section 56 second paragraph
7. Elect contact person as mentioned in Section 53 second paragraph

Through regulations the annual meeting may decide that one or more of the provisions applying to the annual meeting of the district, cf. Section 50, also shall apply to the annual meeting of the siida.

Section 55. *Siida cash*

If the siida board has been elected pursuant to Section 52, a siida cash arrangement must also be established. If the siida does not have its own board, the annual meeting may determine that a siida cash arrangement managed by the contact person as mentioned in Section 53 second paragraph shall be established.

Rules for the use of the siida cash must be prepared. The rules of Section 46 first to third paragraph apply correspondingly.

Any leader of a siida share may require that the cash be reviewed by an auditor pursuant to the rules in Section 56 second paragraph.

Section 56. *Siida fund*

If a siida is awarded funds as mentioned in Section 47, a reindeer husbandry fund for the siida shall be established and rules for the use of the fund's resources prepared. The regulations of the fund must be approved by the County Governor.

The annual meeting of the siida elects an auditor pursuant to the rules in Section 48 to audit the fund. If the siida does not have an annual meeting, an auditor shall be elected by agreement between the leaders of the siida shares. If the siida does not appoint an auditor, the siida fund shall be controlled by the auditor of the district.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646)

Chapter 7. Rules of use for the district. District plan

Section 57. *Rules of use*

Rules of use for the management and use of the district's resources must be adopted. The rules of use must not be in conflict with this Act.

The rules of use are intended to ensure an ecologically sustainable utilization of the district's grazing resources and contain further rules regarding:

1. The use of pastures, cf. Section 59
2. The number of reindeer cf. Section 60
3. The use and maintenance of fences and other joint installations
4. The use of motor vehicles
5. Application of the reindeer husbandry fund, cf. Section 47
6. Management of the other resources of the district
7. Division of work obligations and investments
8. Other matters that it is considered appropriate to regulate through provisions laid down in the rules of use of the district.

Where necessary, the County Governor may order two or more districts to prepare joint rules of use for one or more of the matters mentioned in the first paragraph.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646)

Section 58. *Preparation and approval of rules of use*

The rules of use are prepared by the District Board and must be approved by the County Governor. In addition to a check as to whether the rules of the Act for the preparation of the rules of use have been complied with, the County Governor's consideration shall also include an assessment as to whether the rules of use provide a basis for ecologically sustainable reindeer husbandry in the district.

Rules concerning the use of pastures pursuant to Section 59 shall be prepared in cooperation with the siidas of the district. The same applies to the determination of the number of reindeer pursuant to Section 60.

Before the rules of use are sent to the County Governor for approval, a draft must have been considered at the annual meeting of the district. The draft must have been sent to the leaders of the siida shares in the district two months prior to the annual meeting. Opinions stated at the annual meeting are sent to the County Governor together with the draft rules of use.

Should the County Governor not approve the proposed rules of use, the reindeer husbandry agronomist shall assist the district in preparing a new proposal that must be dealt with in accordance with the above rules. If this does not succeed, the County Governor shall prepare rules of use for the district.

If required by a majority at the district annual meeting, or if the County Governor so demands, new rules of use must be prepared pursuant to the above rules.

The number of reindeer for each siida, cf. Section 60, must be submitted to the Reindeer Husbandry Board for final verification and approval.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646)

Section 59. *The use of pastures*

Through rules concerning the use of pastures, access to necessary pastures, including calving areas, migratory routes and mating areas will be secured for the reindeer owners of the district. The rules shall take the principles of good reindeer husbandry based on Sami traditions and customs into account.

The rules relating to the use of pastures shall be based on the traditional conduct of reindeer husbandry on the relevant land and promote rational arrangements of use. The rules for the use of pastures must not be in conflict with the rights of a siida that have been established on an individual legal basis.

Rules for grazing periods must be determined unless such rules have already been determined by the County Governor pursuant to Section 61.

The leader of a siida share may bring the rules for the use of pastures before the Land Consolidation Court within six months after they have been approved by the County Governor. Rules relating to the use of pastures that have unreasonable effects for some, or are in conflict with rights acquired on an individual legal basis, may be rescinded by the Land Consolidation Court.

If justified by strong reasons, the County Governor may grant exemption from the rules relating to the use of pastures.

In case of a breach of the rules for the use of pastures, action as mentioned in Chapter 11 may be taken.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646)

Section 60. *Number of reindeer*

In the rules of use, cf. Section 57, an upper number of reindeer for each individual summer siida must be stipulated. The number of reindeer must be determined on the basis of the grazing resources at the disposal of the siida. In the rules of use it must be stated what assessments related to operation and grazing form the basis for the stipulated number of reindeer. In cases where it is necessary in order to have a sound use of the winter grazing areas, a number of reindeer may also be determined for the winter siidas.

A winter siida or some other grouping may request that a specific number of reindeer is determined for them.

If the number of reindeer in the siida exceeds the number of reindeer stipulated in accordance with the first and second paragraph, the siida must prepare a reduction plan. If the siida fails to do this, or if it is not able to carry out the plan, each siida share shall reduce the exceeding number proportionally. The Reindeer Husbandry Board is responsible for seeing to it that such reduction is effected. Deadlines must be set for the preparation of the plan and implementation of the reduction of the number of reindeer.

An upper number of reindeer may be determined for per siida share. A reduction of the siida's number of reindeer pursuant to the third paragraph must in that event be made through a reduction first of the number of reindeer to the stipulated number of reindeer for the siida shares that have a number of reindeer exceeding that number.

If special reasons exist, the County Governor may determine an upper number of reindeer per siida share. The Ministry may give rules for when the county Governor has a duty to do this and for how the number of reindeer is to be determined.

When the County Governor has made a decision pursuant to the fifth paragraph, two or more siida shares may agree on a different division of the number of reindeer, provided that they keep within the total number of reindeer of the siida shares.

The Ministry may give supplementary provisions for the stipulation of the number of reindeer through regulations. Such regulations may be limited to apply to one or more reindeer grazing districts or one or more reindeer grazing areas.

⁰ Amended by act 17 June 2016 no. 70 (entry into force on 1 July 2016 pursuant to decree 17 June 2016 no. 728)

Section 61. *Grazing periods*

Where it is necessary in order to protect the seasonal pastures, the County Governor may specify grazing periods for the various seasonal pastures. The leader of a siida share shall make sure that reindeer from the leader's herd do not stay in grazing areas in conflict with these rules.

Where necessitated by circumstances, the grazing periods may be deviated from by permission from the County Governor. This also applies to grazing periods determined pursuant to Section 59.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646)

Section 62. *District plans*

The District Board shall prepare a district plan for the district that contains information about the activities in the district that are required for purposes of public planning.

The district plan shall contain:

1. A specification of the migratory patterns in the district
2. A survey of seasonal pastures, calving land, etc.
3. A survey of necessary conveyances and means of transport, including what off-road vehicles are used in the district, as well as any time-limited use of helicopter or other aircraft. Rules of use for off-road vehicles used on bare ground shall also appear from the plan.
4. A survey of all fences and installations of a permanent nature and, to the extent possible, fences of a temporary nature.
5. Any division into grazing zones

The leader of a siida share is obliged to provide the information that is necessary for the preparation of the plan.

The municipality, county municipality and County Governor should be informed about the work on the plan and must be informed about the main content of the plan before it is adopted. The adopted

plan must be sent to the municipality, county municipality and County Governor, as well as neighbouring districts affected by it.

⁰ Amended by act 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646)

Chapter 8. The relationship to other use

Section 63. *Utilization of property in reindeer grazing areas*

Landowners or persons entitled to use must not use their property in a reindeer grazing area in such a way that it causes material harm or disadvantage to the conduct of reindeer husbandry pursuant to this act. The first sentence, however, is not an obstacle to normal utilization of property for farming, forestry or other utilization of outfields for agricultural purposes.

Before measures that may cause material harm or disadvantage to the reindeer herders are implemented, a notification shall be given to the relevant District Board. Such notification shall be given no later than three weeks prior to the planned implementation. If notification has not been given, or if the parties disagree as to whether the provision in the first paragraph applies to the measure, the County Governor may prohibit the implementation until agreement has been entered into or until the Land Consolidation Court has considered the matter.

Questions as to whether measures will be in conflict with the first paragraph may be determined in advance by the Land Consolidation Court. The Land Consolidation Court may also decide how and on what terms the measure may be implemented. Claims to the Land Consolidation Court may be submitted by the party intending to implement a measure or by the District Board represented by its leader. If a District Board has not been established, a claim may be submitted by reindeer herders in the district that will be affected by the measure.

⁰ Amended by acts 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646), 21 June 2013 no. 100 (entry into force on 1 January 2016 pursuant to decree 21 June 2013 no. 736).

Section 64. *Gathering of reindeer moss*

Through regulations the King may regulate the gathering of reindeer moss in the reindeer grazing districts and for specifically delimited areas completely forbid the gathering of reindeer moss if this is considered necessary on account of the reindeer husbandry.

Section 65. *Passage through areas where reindeer are grazing*

Those who pass through areas where reindeer are grazing are obliged to show consideration and act with caution so that the reindeer are not unnecessarily disturbed or scared during grazing, migration, etc. Special consideration must be shown in connection the rutting period of the reindeer, calving, marking, division of reindeer and slaughtering.

At the request of the relevant District Board or the reindeer owners in the area, the County Governor may set conditions for or, for a limited period of time, prohibit major events, sports events, hunting dog tests or similar activities that may cause particular harm to reindeer husbandry. The decision must apply to a specifically defined area and may only be made after the landowner and the municipality have been consulted. If the decision applies to a specific event, the organizer must also be consulted.

⁰ Amended by acts 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 66. *Dogs*

As regards the securing of dogs, catching loose dogs, putting dogs to death, reactions against the dog keeper, etc. the act relating to dogs applies.

The dog's owner and holder is obliged one for both and both for one to give compensation for damage caused to domestic reindeer by the dog and for expenses and disadvantages inflicted on the reindeer owner through the dog's unlawful chasing or scaring of reindeer during legal stay or migration, irrespective of guilt.

Chapter 9. Liability for damage. Valuations

Section 67. *Strict liability and joint liability*

With the exceptions provided for in this act, owners of reindeer are liable for damage caused by the reindeer irrespective of guilt.

For damage caused by reindeer in a reindeer grazing district, all the reindeer owners who conduct reindeer husbandry in the district are liable one for all and all for one. If such damage has been caused outside the reindeer grazing district by reindeer that must be assumed to belong to reindeer owners who conduct reindeer husbandry in a nearby district, the reindeer owners who conduct reindeer husbandry in the relevant district are in the same way jointly responsible towards the injured party. The King may limit the area outside a specific reindeer grazing district where such joint responsibility shall apply.

For damage caused by reindeer belonging to someone that pursuant to Section 8, cf. the Mountain Act Section 17, conducts reindeer husbandry outside the reindeer grazing district, those who conduct reindeer husbandry within an area to which the damage-causing reindeer are supposed to belong are responsible one for all and all for one.

Claims for compensation for damage pursuant to the second paragraph may be directed to the District Board in the relevant reindeer grazing area represented by the leader or directly to the owner of the reindeer that have caused the damage.

Compensation imposed on the reindeer grazing district represented by the District Board, shall be equalized on the reindeer owners in the district by the district annual meeting in proportion to the number of reindeer belonging to each reindeer owner, however in such a way that reindeer owners who are able to prove that their reindeer have not contributed to the damage cannot be ordered to pay any part of the compensation. The equalized compensation amount forms the basis for enforcement.

If it is established that reindeer from another district have caused or contributed to the damage, recourse may be applied towards this district in accordance with the rules of this section.

Section 68. *Exceptions from strict liability*

The provisions of Section 67 relating to liability for damages irrespective of guilt do not apply to damage caused during lawful migration, staying or grazing on migratory routes or grazing areas in mountains and outfields as mentioned in Section 19, if it is not a matter of damage that substantially exceeds what must be regarded as a consequence that is to be expected from rational and proper reindeer husbandry, for instance because the access to reindeer grazing land, etc. has been used in such a way that a landowner or person entitled to use has been exposed to a particular burden in cattle grazing areas or forest areas.

Neither do the provisions of Section 67 concerning liability irrespective of guilt apply to damage caused on cut crops by reindeer lawful being there if the crop is not protected by a fence that protects against reindeer or in a different secure way.

Section 69. Fences to support the reindeer owner's duty to operate and as protection against liability for damages

In a reindeer grazing district both the District Board and the individual reindeer owner, in the absence of an out-of-court settlement, may have the Land Consolidation Court decide whether the reindeer owner shall be entitled to erect fences to support his duty to operate and as protection against liability for damages. In such case the Land Consolidation Court shall determine where the fence is to be placed, as well as its design. The Land Consolidation Court may also order the landowner in question to bear a reasonable share of the costs of erecting the fence and of future maintenance in proportion to the landowner's benefit from the measure.

In the same way a landowner may claim that the Land Consolidation Court decides whether any of the costs in connection with the erection of fences as mentioned in Section 19 and Section 68 second paragraph should be divided between the reindeer owners.

⁰ Amended by act 21 June 2013 no. 100 (entry into force on 1 January 2016 pursuant to decree 21 June 2013 no. 736).

Section 70. Damage caused by reindeer

In the absence of agreement confirmed in writing by the reindeer owner or by the District Board represented by the chairperson, claims for compensation for damage caused by reindeer shall be decided by a valuation performed by the Land Consolidation Court or the District Court.

⁰ Amended by act 21 June 2013 no. 100 (entry into force on 1 January 2016 pursuant to decree 21 June 2013 no. 736).

Section 70 a. Executive work in connection with claims for damages

A claim for valuation pursuant to Section 70 should be submitted as soon as possible. To the extent possible the claim for a valuation must contain exact information about time and place for the damage caused, the nature and scope of the damage and the extent of the claim for damages. In so far as possible, information that may be of importance to ascertain who owns the reindeer having caused the damage should also be provided. Any witnesses should also be stated.

As soon as possible after a claim for valuation has been submitted, the leader of the court must carry out an inspection. A representative for the municipality in question and the reindeer husbandry service shall participate in the inspection to assist the leader of the court with expert assessments. If possible, the leader of the relevant reindeer grazing district must participate in addition to the person who has demanded the valuation. If it is obvious that no damage has been caused by the reindeer, the leader of the court may, on his own accord, reject the claim for a valuation.

The valuation must take place as soon as possible. If it applies to damage caused by reindeer assumed to belong to a reindeer grazing district, the District Board represented by the chairperson must always be summoned to the valuation procedure.

At any stage of the procedure, the administrator of the valuation procedure may attempt conciliation with a view to an out-of-court settlement.

The valuation must assess whether the damage has been caused by reindeer and whether it is of such nature that compensation for it may be claimed, and if so, estimate the damage and quantify the damages.

⁰ Added by act 21 June 2013 no. 100 (entry into force on 1 January 2016 pursuant to decree 21 June 2013 no. 736).

Section 70 b. *The relationship to the Land Consolidation Act*

In matters dealt with by the Land Consolidation Court pursuant to this Act, the rules of the land Consolidation Act Section 5-7 must be followed. In addition, the rules in Section 70 a apply to matters dealt with by the Land Consolidation Court pursuant to Section 70.

⁰ Added by act 21 June 2013 no. 100 (entry into force on 1 January 2016 pursuant to decree 21 June 2013 no. 736).

Chapter 10. Public authorities

Section 71. *The Reindeer Husbandry Board*

A reindeer husbandry board of seven members with personal deputy members, where four of the members with deputy members are appointed by the King and three members with deputy members are appointed by the Sami Parliament shall be established.

The reindeer husbandry board is the specialist adviser to the reindeer husbandry administration,¹ reindeer research institutions and the supervisory service and shall deal with the matters that follow from this Act, as well as matters in accordance with the King's further decisions. The scope of the Reindeer Husbandry Board may be limited to include reindeer husbandry within the Sami reindeer grazing area.

In connection with the appointment of members to the Reindeer Husbandry Board, importance shall be attached to a reasonable geographical distribution, comprehensive professional qualifications and societal experience, and that both genders are represented as equally as possible. Among the members there must be active reindeer herders in the reindeer grazing areas. The reindeer husbandry organizations have a right of nomination.

Further provisions relating to the responsibilities, authority and work procedure of the Reindeer Husbandry Board are given by the King.

⁰ Amended by acts 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

¹ From 1 July 2014: The Norwegian Agricultural Agency.

Section 72. (Repealed by act 14 June 2013 no. 45.)

Section 73. *Conciliation*

Of his own accord, or on the direct request from a leader of a siida share, a siida or a district, the County Governor may decide that conciliation shall be initiated between two parties that are not able to cooperate to solve a conflict.

The County Governor or the Reindeer Husbandry Board shall appoint a person who is supposed to have the confidence of both parties as a conciliator. The conciliator shall call a meeting with reasonable notice and both parties have a duty to attend.

Further rules regarding conciliation are determined by the Ministry.

⁰ Amended by acts 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Chapter 11. Sanctions and coercive measures

Section 74. *Obligation to comply with the Act*

Everyone is obliged to comply with provisions given in or pursuant to this Act. The same applies to decisions made pursuant to these provisions. Violation may entail sanctions and coercive measures in accordance with the rules in this chapter.

Section 75. *Order to end illegal matters*

If activities are carried out in conflict with provisions given in or pursuant to this Act or decisions made pursuant to these provisions, The Reindeer Husbandry Board or the County Governor, if justified by public interests, shall give the necessary orders to put an end to the unlawful matter, including instructions to correct and remove illegally erected cabins and installations, etc. It may be demanded that such actions are implemented within a specific time limit. The Reindeer Husbandry Board may delegate its authority under this section to the Reindeer Husbandry Administration.¹

⁰ Amended by acts 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

¹ From 1 July 2014: The Norwegian Agricultural Agency.

Section 76. *Enforcement penalty*

In orders given under Section 75, the reindeer Husbandry Board or the County Governor may stipulate a running enforcement penalty for each day, week or month that passes after the expiry of the deadline set for complying with the order, until the order has been complied with. The King may give further rules regarding the use and size of coercive penalties.

When justified by strong reasons the Reindeer Husbandry Board and the County Governor may wholly or partly waive an incurred enforcement penalty.

An order of such penalty constitutes an enforcement basis for execution.

⁰ Amended by acts 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 77. *Charge in connection with the violation of rules of use.*

The Reindeer Husbandry Board and the County Governor may, in accordance with further provisions determined by the King, impose a charge on the leader of the siida share if the rules of use provided for in or pursuant to Section 57 are violated. Such charge shall go to the relevant fund, cf. Section 47.

A decision of charge forms the basis for execution.

⁰ Amended by acts 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 78. *Penalty notice*

The Reindeer Husbandry Board and the County Governor may, in accordance with further provisions determined by the King, issue a penalty notice against a person who, within a specified time limit, fails to comply with orders pursuant to Section 75. If more than six months have passed since the order was given, the person at whom the penalty notice is aimed, shall be given the opportunity to express his/her opinion before the penalty notice is issued. The penalty notice shall provide information about the provisions of the second paragraph and to the extent possible be served on the person it is aimed at.

The person whom the penalty notice is aimed at may bring a civil action against the Government to have the penalty notice tried. If a civil action is not filed within 60 days from the service of the penalty notice, the penalty notice has the same effect as a legally binding judgement, and may be executed in accordance with the rules for judgements. The time limit may be prolonged by the Reindeer Husbandry Board or the County Governor. The penalty notice may not be appealed.

If an order given in a legally binding judgement or an equal penalty notice is not complied with, the Reindeer Husbandry Board or the County Governor may allow the necessary actions to be taken at the expense of the person at whom the penalty notice or the judgement is aimed without a decision pursuant to the Legal Enforcement Act Section 13-14 being necessary.

⁰ Amended by acts 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

Section 79. *Enforcement measures*

The Reindeer Husbandry Board or the County Governor may, if an order under Section 75 has not been complied with, and other measures are not considered appropriate, make a decision about enforcement measures. A decision about enforcement measures may be about

1. Carrying out necessary work and control to implement orders for gathering, dividing, marking, driving out and counting reindeer
2. Putting reindeer to death where driving out has not been possible
3. Reduction of the number of reindeer in a siida share
4. Demolition of illegally erected cabins, fences or installations

The Reindeer Husbandry Board may delegate its authority to make decisions relating to enforcement measures pursuant to the first paragraph no. 1 and 2 to the Reindeer Husbandry Administration.¹

Decisions pursuant to the first paragraph constitute a basis for enforcement pursuant to the Legal Enforcement Act Chapter 13. The decisions are to be carried out pursuant to the Legal Enforcement Act section 13-14. The Reindeer Husbandry Board and the County Governor may petition for legal enforcement. Decisions pursuant to the first paragraph no. 1 may be implemented without it being necessary to bring the matter before the execution and enforcement authorities.

Expenses in connection with measures under this section shall be borne by the reindeer owner and constitutes an enforcement basis for execution.

⁰ Amended by acts 14 June 2013 no. 45 (entry into force on 1 January 2014 pursuant to decree 14 June 2013 no. 646).

¹ From 1 July 2014: The Norwegian Agricultural Agency.

Section 80. *Criminal liability*

Violations of this Act or regulations, orders, prohibitions or other provisions given or maintained pursuant to the Act are punished by fines, provided that the matter is not subject to any stricter penal provision. Negligent violation, too, is punishable

⁰ Amended by act 19 June 2015 no.65 (entry into force on 1 October 2015)

Chapter 12. Reindeer fence against Finland

⁰ The chapter added by act 16 September 2016 no.81 (entry into force on 1 January 2017 pursuant to decree 16 December 2016 no. 1645).

Section 81. *The reindeer fence convention 2014*

The Convention 9 December 2014 between Finland and Norway on the building and maintenance of reindeer fences and other measures to prevent reindeer from moving into the area of the other realm applies as Norwegian law. The Ministry determines what bodies on the Norwegian side shall execute authority pursuant to articles 5, 6, 7, 8, 9, 10, 12, 15, 16, 17 and 18.

If a Norwegian reindeer owner wilfully or negligently causes his reindeer to move into the Finnish area, Norwegian authorities may have recourse against the reindeer owner for compensation it has paid to a Finnish authority pursuant to the Convention.

⁰ Added by act 16 September 2016 no.81 (entry into force on 1 January 2017 pursuant to decree 16 December 2016 no. 1645), previously Chapter 12.

Chapter 13. Final provisions

⁰ Heading amended by act 16 September 2016 no.81 (entry into force on 1 January 2017 pursuant to decree 16 December 2016 no. 1645), previously Chapter 12.

Section 82. *Regulations*

The Ministry may determine further regulations for the implementation of this Act, including the counting of reindeer and control of the number of reindeer.

⁰ Amended by act 16 September 2016 no.81 (entry into force on 1 January 2017 pursuant to decree 16 December 2016 no. 1645), previously Section 81.

Section 83. *Entry into force*

The Act shall enter into force from the date determined by the King.¹ From the same date Act 9 June 1978 no. 49 relating to Reindeer Husbandry is repealed.

The King may issue transitional provisions, including determining to what extent provisions issued pursuant to the previous act shall apply, provided that they are not in conflict with this Act

⁰ Amended by act 16 September 2016 no.81 (entry into force on 1 January 2017 pursuant to decree 16 December 2016 no. 1645), previously Section 82.

¹ From 1 July 2007 pursuant to decree 15 June 2007 no. 627)

Section 84. *Amendments to other acts*

From the date this Act enters into force, the following amendments are made to other acts: - -

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⁰ Amended by act 16 September 2016 no.81 (entry into force on 1 January 2017 pursuant to decree 16 December 2016 no. 1645), previously Section 83.