

Act on the Organization of Research Ethics Work (The Research Ethics Act) (LAW-2017-04-28-23)**§ 1. Purpose**

The Act shall contribute to ensuring that research in the public and private sector takes place in accordance with recognized research ethical norms.

§ 2. Scope

The Act applies to researchers and research in Norway. In Svalbard and Jan Mayen, the Act applies if the research is carried out by researchers employed by a Norwegian employer or if a significant part of the funding derives from Norway.

The National Commission for the Investigation of Research Misconduct [*Granskingsutvalget*] can also issue statements on research abroad if the research is carried out by a researcher employed by a Norwegian employer or if a significant part of the funding derives from Norway.

§ 3. Independence

Committees and commissions appointed pursuant to this Act are required to maintain professional independence

§ 4. Researchers' duty of care

Researchers should act with care to ensure that all research is conducted in accordance with recognized research ethical norms. This also applies during planning, reporting and other research-related activities.

§ 5. Requirements for research institutions

Research institutions are public or private institutions with research as one of their main tasks.

Research institutions must ensure that the research at the institution is conducted in accordance with recognized research ethical norms. The institution is responsible for:

- a. necessary training of students, doctoral candidates and staff in recognized research ethical norms and
- b. that everyone who carries out or participates in the research are familiar with recognized research ethical norms.

§ 6. Handling misconduct cases at research institutions

Research institutions are responsible for handling cases of possible breaches of recognized research ethical norms. Chapters IV and V of the Public Administration Act apply to these cases.

Research institutions are required to have a commission for the investigation of research misconduct [*redelighetsutvalg*]. The commission must have the necessary expertise in research, research ethics and law. The commission must have at least one member who is not employed by the institution.

Research institutions must establish guidelines for handling cases of possible breaches of recognized research ethical norms. The guidelines must also indicate when, as part of processing of such cases, an opinion from the misconduct commission should be obtained.

Research institutions must report cases of possible serious breaches of recognized research ethical norms to the National Commission for the Investigation of Research Misconduct.

Statements concluding that a researcher has engaged in scientific misconduct [*vitenskapelig uredelighet*] may be appealed by the researcher to the National Commission, cf. section 7, second paragraph. Chapter VI of the Public Administration Act applies with the restrictions following this Act.

§ 7. The National Commission for the Investigation of Research Misconduct

The Ministry appoints a national commission to investigate misconduct in research. The National Commission must have the necessary expertise in research and research ethics. The chair must have a Master of Laws degree.

The National Commission is the appeals body for statements where it is concluded that a researcher has acted with scientific misconduct. The commission may also handle cases of possible breaches of recognized research ethical norms on its own initiative. Chapters IV and V of the Public Administration Act apply to these cases. The National Commission's statements are final and cannot be appealed further.

The National Commission shall provide guidance to research institutions on the handling of cases of possible breaches of recognized research ethical norms.

§ 8. Statements in cases of misconduct

Statements from research institutions pursuant to § 5, institutional misconduct commissions pursuant to § 6 second paragraph and the National Commission pursuant to § 7 in cases of possible violations of recognized research ethical norms, must always contain conclusions on:

- a. whether the researcher has engaged in scientific misconduct,
- b. whether there are system errors at the institution and
- c. whether the scientific work should be corrected or withdrawn.

Scientific misconduct refers to falsification, fabrication, plagiarism and other serious breaches of recognized research ethical norms committed intentionally or by gross negligence in the planning, execution or reporting of research.

§ 9. *National research ethics committees*

The Ministry appoints national research ethics committees [*Nasjonale forskningsetiske komiteer*] that jointly cover all subject areas and determines each committee's area of responsibility. The members are appointed by the Ministry following proposals from relevant bodies. Each committee must have expertise in the relevant research disciplines, ethics and law, and include at least one lay member.

The committees shall act as advisory bodies on research ethics.

§ 10. *Regional committees for medical and health research ethics*

The Ministry appoints regional committees for medical and health research ethics. Each committee must have expertise in the relevant research disciplines, ethics and law, and include at least one lay member.

The committees' areas of responsibility derive from the Health Research Act and other legislation that assigns tasks to the committees.

The National Committee for Medicine and Health Research Ethics is the appeals body for the committees' decisions, including their decisions pursuant to the Freedom of Information Act. The National Committee's decision is final and cannot be appealed further.

§ 11. *Exemption from the right of access*

The Freedom of Information Act § 24, second paragraph, applies to cases of possible breaches of recognized research ethics norms according to this Act.

§ 12. *Regulations*

The Ministry may issue regulations further detailing rules on the appointment of and administrative procedures in committees and commissions under this Act.

§ 13. *Entry into force*

The Act enters into force at the time the King decides.

At the same time, Act 30 June 2006 no. 56 on the treatment of ethics and integrity in research is repealed.

§ 14. *Amendments to other acts*

At the time the Act comes into force, the following amendments are made to other acts: