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# G-4/2020 – Entry into force of the Regulations relating to rejection etc. of foreign nationals without a residence permit in the realm, out of concern for public health

Circular | Date: 15/03/2020 | [Ministry of Justice and Public Security](#)  
(<http://www.regjeringen.no/en/dep/jd/id463/>)

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Status: **INVALID/CANCELLED** - replaced by [G-05/2020 – Revised circular relating to Entry into force of the Regulations relating to rejection etc. of foreign nationals without a residence permit in the realm, out of concern for public health](#) (<http://www.regjeringen.no/en/dokumenter/g-052020--revised-circular-relating-to-entry-into-force-of-the-regulations-relating-to-rejection-etc.-of-foreign-nationals-without-a-residence-permit-in-the-realm-out-of-concern-for-public-health/id2694110/>)

The Ministry of Justice and Public Security refers to the Regulations of 15 March 2020 No. 293 relating to rejection etc. of foreign nationals without a residence permit in the realm, out of concern for public health. The Regulations enter into force immediately, and foreign nationals arriving in the realm after 16 March at 8 a.m. will be subject to implementation of the Regulations.

It is pointed out for clarity's sake that the Regulations do not prevent Norwegian nationals or foreign nationals with residence permits from returning to Norway.

The Regulations stipulate that foreign nationals without a residence permit may be rejected for reasons of public health, due to outbreaks of the hazardous and widely infectious disease COVID-19. This means that all foreign nationals without a residence permit, who are not covered by any of the exemptions cited below, will be rejected without further consideration of the risk of infection posed by each individual.

The Regulations stipulate certain exemptions which entail that the following groups may not be rejected:

- EEA nationals, and their family members as defined under section 110 of the Immigration Act, who reside or work in Norway; see section 1, third paragraph, of the Regulations
- Foreign nationals who will only be staying in airport transit before departing Norway; see section 2 a) of the Regulations
- Foreign nationals who are covered by an exemption from the duty of quarantine pursuant to § 2 of Regulations relating to quarantine etc. upon arrival in Norway; see section 2 b) of the regulations
- Foreign nationals seeking protection in the realm (asylum); see section 2 c) of the regulations
- When special reasons so indicate, such as specific care responsibilities for persons in Norway or other compelling welfare considerations; see section 2 d) of the Regulations

It is pointed out that EEA nationals who work in Norway also include workers posted to Norway who have begun a work assignment.

It is emphasised that the exemptions to the rejection provisions do not constitute exemption from the rules relating to quarantine and isolation in force at any given time.

A closer look at exemptions based on maintaining proper operation of critical public functions

Section 2 d) of the Regulations states that foreign nationals who are covered by an exemption from the duty of quarantine pursuant to section 2 of the Regulations relating to quarantine etc. upon arrival in Norway may not be rejected.

This means, first, that foreign nationals who travel in connection with their work between home and their workplace, and in so doing cross the borders between Norway, Sweden and Finland, shall not be rejected.

This also means that foreign nationals who are essential to maintain the proper operation of critical public functions and attend to fundamental needs of the population, including foreign nationals who perform goods and passenger transport functions, may not be rejected.

Examples of other foreign nationals who may not be rejected because their presence in Norway is essential to maintain the proper operation of critical public functions and attend to fundamental needs of the population include foreign nationals invited by the Norwegian authorities for special purposes. Such foreign nationals could, for example, have special expertise in addressing virus outbreaks or other skills required by the health service or other critical public functions.

## **A closer look at exemptions for special reasons**

Section 2 d) of the Regulations states that foreign nationals may not be rejected if 'special reasons so indicate, such as specific care responsibilities for persons in Norway or other compelling welfare considerations'. This applies to cases involving, for example:

- Minor children and foster children of foreign nationals who live or work in Norway.
- Foreign nationals who have a special care responsibility for persons who live in Norway, including minor children or foster children or others with special care needs.
- Foreign nationals who, due to compelling welfare considerations, need to enter Norway, and the visit cannot wait; an example would be a close family member (spouse/cohabitant, sibling or family member in ascending or descending line) who seeks to visit a dying or seriously ill family member in Norway.
- Members of the Sami community in the exercise of reindeer herding.
- EEA nationals who needs to travel through Norway to get home.
- Foreign nationals as mentioned in sections 1-4 and 1-5 of the Immigration Regulations, and who can present a diplomatic or service passport, or possibly a national passport in combination with a Norwegian ID card

issued by the Ministry of Foreign Affairs, or in combination with a Schengen residence card for embassy personnel (Foreign Missions Residence Card). The same applies to dual-accredited diplomats and diplomatic couriers.

- Military personnel as mentioned in section 1-7, second and third paragraphs, of the Immigration Regulations.
- Foreign nationals who perform professional goods transport functions.

With regards,

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Deputy Director General

Kaja Kolvig  
Senior Advisor

## Ministry of Justice and Public Security

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### RELATED ACT OR REGULATION

- › [Regulations relating to rejection etc. of foreign nationals without a residence permit in the realm, out of concern for public health](http://www.regjeringen.no/en/dokumenter/regulations-relating-to-rejection-etc.-of-foreign-nationals-without-a-residence-permit-in-the-realm-out-of-concern-for-public-health/id2693697/)  
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