

Act on the Government Offices of Iceland¹⁾

Entered into force on 28 September 2011. Amended by **Act no. 173/2011** (entered into force on 30 December 2011), **Act no. 115/2012** (entered into force on 2 November 2012), **Act no. 82/2015** (entered into force on 23 July 2015 except for the latter sentence of Art. 1 which entered into force on 1 September 2015) and **Act no. 130/2016** (entered into force on 1 July 2017).

Chapter I On the Government Offices of Iceland.

■ **Article 1** The ministers of the Icelandic government and their ministries constitute the Government Offices of Iceland. Ministers manage and are responsible for the all executive action, each in their own areas of competence. The minister, whom the President of Iceland appoints as head of the Icelandic government, is called the Prime Minister.

□ Ministers act under the authority of the Althing. The Prime Minister is obliged to tender his/her resignation and that of his/her cabinet, if a vote of no confidence is passed by the Althing. If the Althing passes a vote of no confidence against a specific minister in the government's cabinet, the Prime Minister is obliged to submit a motion to the President for the minister in question to be discharged from office.

■ **Article 2** The Government Offices of Iceland are divided into ministries. Ministries are the ministers' offices and constitute the highest executive authorities in their particular areas of competence. The number of ministries and their names shall be determined by presidential decree, pursuant to Art. 15 of the Constitution, on the basis of a proposal from the Prime Minister. The proposal shall be submitted to the Althing in the form of a draft resolution, which must be discussed and voted upon without delay by parliament before the presidential decree is issued.

□ The Government Offices of Iceland are located in Reykjavík.

□ [The minister determines the location of an agency which operates under his/her auspices, except as otherwise specifically provided for by law. Before changing the location of an agency the minister shall report the intended transfer to the Althing.]¹⁾

¹⁾ Act No 82/2015, Art.1.

Chapter II On the appointment of ministers and the division of tasks between them.

■ **Article 3** The President of Iceland appoints the Prime Minister. The President of Iceland appoints other ministers upon a proposal from the Prime Minister. The President of Iceland discharges the Prime Minister and his/her cabinet, as well as individual ministers from office, upon a proposal from the Prime Minister.

■ **Article 4** Pursuant to Art.15 of the Constitution, the state matters assigned to ministries shall be determined by presidential decree, on the basis of a proposal from the Prime Minister.

□ In the division of state matters between ministries, cf. Par. 1, care shall be taken, taking into account the division of Government Offices into ministries, pursuant to Art. 2, to ensure that state matters of a similar nature are grouped under the same ministry.

□ It is permissible for the same minister to head more than one ministry at a time.

□ In the event of any doubts or disagreements regarding which ministry a particular state matter should fall under, the Prime Minister shall decide.

■ **Article 5** In the event of a state matter being transferred from one ministry to another, pursuant to Art. 4, the handling of any uncompleted administrative matters shall be managed by the ministry that takes over.

Chapter III Regarding the cabinet and coordination of tasks between ministers.

■ **Article 6** Cabinet meetings shall be convened for the following issues:

1. New legislation: i.e. proposals which ministers intend to submit to the Althing as government bills and other issues, which require the President of Iceland's approval, such as a draft parliamentary resolution.
2. Important state matters. Important state matters are considered to be, for example, regulations and declarations, which are considered to entail important strategies or shifts in emphasis, or regulations and declarations which could result in Treasury expenditure exceeding budgetary allocations or have an impact on economic issues in general. [Important state matters also include for example information about ministerial meetings concerning important issues with representatives from within or outside the administrative system or when important information is provided to them as representatives of the government or they are made aware of important issues that should be considered to concern the government as a whole.]¹⁾
3. Other issues which ministers may wish to raise.

□ . . . ¹⁾

□ [Any matter submitted by a minister to the cabinet shall be accompanied by a specific memorandum from the minister to the cabinet where the most important points are highlighted and the main underlying reasons set out. When an approval of the cabinet is requested, a clearly worded proposal shall be submitted therein. Under special circumstances the obligation to introduce a matter in writing may be derogated from with an approval by the Prime Minister.]²⁾

□ The Prime Minister chairs Cabinet meetings.

¹⁾ Act No 82/2015, Art. 2 ²⁾ Act No 115/2012, Art. 1

■ **Article 7** The Prime Minister shall designate a member of the Prime Minister's Office's staff to act as cabinet secretary.

□ The minutes of Cabinet meetings shall contain a record of its conclusions, and an account of the ministers' reports and notifications, as well as a record of the matters that were discussed, if no formal conclusion was reached, and ministers may request their positions to be noted in the minutes. [If a conclusion of a matter is grounded on other reasons than those described in the minister's memorandum, cf. Par. 3 of Art. 6, or other submitted documents, it shall be explained in the meeting minutes.]¹⁾

□ The minutes of the meetings shall be approved by the Prime Minister and distributed to the other ministers once they have been approved. If a minister wishes to submit any comments on the minutes, they shall be entered into the minutes of the following meeting.

□ [The Cabinet meetings' agenda shall be made public upon the conclusion of the meeting, notified to the media with news releases and published at the web page of the Government Offices of Iceland. The minister who is responsible for an item on the agenda gives further accounting regarding its content in accordance with the government's decision, of his/her own volition or in response to inquiries. It is authorised to exclude items from being published if they relate to matters that are exempted from the public's right to information pursuant to the Information Act, when the cabinet has not finished discussing the matter, a final decision on the handling of a matter has not been taken or when other objective considerations justify derogation from the principle of publishing. Access to material from the cabinet is governed by the provisions of the Act on Information.]¹⁾

□ The cabinet shall in other respects operate under the rules of procedure²⁾ set by the cabinet.

¹⁾ Act No 115/2012, Art. 2 ²⁾ Regulation 195/2017.

■ **Article 8** The Prime Minister shall ensure that the division of tasks between ministers, pursuant to Art. 4, is as clear as possible. Ministers shall endeavour to coordinate policies and ministerial measures where tasks and areas of competence overlap. The Prime Minister shall

endeavour to ensure that policies and ministerial measures in specific areas are coordinated if required.

■ **Article 9** The Prime Minister can decide, with the cabinet's approval, to appoint ministerial committees to discuss particular issues or a category of issues.

□ The Prime Minister chairs ministerial committee meetings or designates other ministers to chair the ministerial committee meetings.

□ Even though a minister may have raised an issue at a ministerial committee meeting, this does not relieve him/her of the obligation to raise the issue with the cabinet, cf. Art. 6.

□ [In addition to the ministerial committees which operate at each given time in accordance with the decision of the Prime Minister, pursuant to Par. 1, a ministerial committee on state finances and on economic affairs shall always operate. The Prime Minister and the minister responsible for state finances have a permanent seat in the ministerial committee on state finances. The Prime Minister and the minister responsible for economic management and financial stability have a permanent seat in the ministerial committee on economic affairs. In other respects the same rules apply to the ministerial committees on state finances and on economic affairs as to other ministerial committees cf. Par 1.]¹⁾

¹⁾ Act No 82/2015, Art. 3

■ **Article 10** The minutes of ministerial committee meetings shall contain the conclusions, as well as the accounts and notifications of ministers and accounts of the matters that were discussed, if no formal conclusion was reached, and the positions of individual ministers may be noted upon their request.

□ The minutes of the meetings shall be approved by the Prime Minister, or the minister the Prime Minister has appointed to chair the ministerial committee, and distributed to the other ministers in the ministerial committee once they have been approved. If a minister wishes to submit any comments on the minutes, they shall be entered into the minutes of the following meeting.

□ The Prime Minister sets the rules¹⁾ of procedure for the ministerial committees in consultation with the cabinet.

¹⁾ Regulation 166/2013.

■ **Article 11** [A registry shall be kept of any formal communications and meetings, as well as informal communications, if they are deemed important, between government ministries as well as external entities.]¹⁾

□ The Prime Minister shall issue rules²⁾ on this registration.

¹⁾ Act No 82/2015, Art. 4 ²⁾ Regulation 320/2016.

Chapter IV On the administrative and supervisory scope of ministers.

■ **Article 12** A minister is responsible for supervising the authorities that are responsible for the implementation of state matters that are within [his/her]¹⁾ area of competence, provided the law does not specify that the authority shall be independent of the minister.

□ Supervision cf. Par. 1 includes, inter alia, the minister's right to issue general and specific instructions to authorities regarding the execution of its functions and the management of its funds and assets, cf. Par. 3 of Art. 13, provided, however, that this is not contrary to the law or the nature of the issue.

□ The minister is authorised to issue non-binding opinions, which can serve as guidelines for the implementation of policy in his/her area of competence, provided the law or nature of the issue does not prohibit him/her from doing so.

¹⁾ Act No 82/2015, Art. 5

■ **Article 13** The minister shall monitor the operations, finances and assets of the authorities that come under his/her ministry's general administrative scope.