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Regulations relating to grants from the Svalbard Environmental Protection Fund

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The Fund is to be used for the benefit of the environment in Svalbard by encouraging the initiation of projects to protect the natural environment and cultural heritage of the archipelago, in accordance with the Svalbard Environmental Protection Act and the statutes of the Fund.

The translation is not official; it is provided for information purposes only. In the event of any inconsistency, the Norwegian version shall prevail.

This translation is based on the norwegian version of 30. april 2007. Later amendments are not translated.

Section 1. The purpose of the Fund and use of its capital

The Fund is to be used for the benefit of the environment in Svalbard by encouraging the initiation of projects to protect the natural environment and cultural heritage of the archipelago, in accordance with the Svalbard Environmental Protection Act and the statutes of the Fund. The Fund's capital is intended to play a part in ensuring that the distinctive natural wilderness of Svalbard is maintained as a source of knowledge, experience and value creation. The Fund is to initiate and promote suitable projects for the purpose of pursuing the ambitious environmental goals that have been set for Svalbard.

The Fund's capital may be used only for projects in Svalbard for the purpose of protecting the environment. It may be used for:

- a. investigations and measures to survey and monitor the state of the environment, the causes of environmental pressure and the environmental impact of activities;
- b. restoration of the environment;
- c. grants for management, maintenance and investigations in accordance with sections 21, 44, third paragraph, and 45 of the Svalbard Environmental Protection Act, in so far as the person responsible or the owner cannot be expected to cover the expenses of these measures;
- d. information and training measures and measures to improve access.

The Office of the Governor of Svalbard serves as the secretariat for the Fund, cf section 8 of the statutes of the Svalbard Environmental Protection Fund.

Section 2. Target groups

Applicants for grants from the Svalbard Environmental Protection Fund may be private legal persons, voluntary organisations or public agencies.

Section 3. Announcement

Grant appropriations shall be announced in the newspaper Svalbardposten. If the board so decides, announcements may also be made in other suitable media.

The announcement shall specify that persons, organisations and agencies that come within the scope of section 2 of these regulations may apply for grants for projects of the types described in section 1 of the regulations. The announcement must also set out other requirements for applications, cf section 4 below, and the deadline for applications.

Section 4. Requirements for applications

An application shall be signed by the person who is responsible for implementing the project to which the grant application applies. This person's name, address and telephone number must be stated in the application. In the case of Norwegian businesses, the business enterprise organisation number must be supplied. The number of the bank account to which a grant is to be transferred must also be given.

An application must specify the purpose of the project and contain an adequate description of the project or how it is to be implemented, together with a progress plan.

In the case of an application relating to a project that requires a high level of technical or other specialised expertise, it must be substantiated that the applicant possesses the necessary expertise to carry out the project.

An application must contain a realistic estimate of the costs of implementing the project and a funding plan, and must state the amount applied for. If the project is planned to last for more than one year, the amounts must be presented on an accrual basis. The Governor will lay down further requirements relating to specification of the costs of projects for which grant applications are submitted. If the funding plan is based on contributions, loans or the like from sources other than the Svalbard Environmental Protection Fund and the applicant, the application must specify the amounts involved and indicate the reliability of such sources of funding. Written confirmation that such elements of the funding plan are secured must be provided before the Governor submits a recommendation to the board, cf section 5 of the regulations.

Applications may be submitted in hard copy or electronically. Applications that are submitted in electronic form must be confirmed in hard copy form before the Governor submits a recommendation to the board, cf section 5 of the regulations.

Applications must contain information on any legal authority that exempts the results of the project from public disclosure.

Section 5. Processing of applications

Applications that are received after the deadline for submission or that do not satisfy the requirements of sections 1 and 2 of the regulations shall be rejected.

The Governor may ask an applicant for further information about any unclear points in the application.

Priorities among applications are to be decided on the basis of section 1 of these regulations, the statutes of the Fund and the annual allocation letters from the Ministry of the Environment, taking into account the application sums and the capital available from the Fund.

The board will decide which projects are to receive grants and the size of the grants.

Decisions regarding allocations from the Fund are not regarded as individual decisions under the Public Administration Act, cf section 98, third paragraph, of the Svalbard Environmental Protection Act.

Section 6. Information to applicants on the results of application processing

The Governor shall ensure that all applicants receive written information on the results of application processing by the board.

An applicant who is awarded a grant shall receive a letter of commitment specifying the size of the grant and all conditions of importance for implementation of the project by the recipient, reporting requirements, information on controls that may be carried out to verify that the grant has been used in accordance with the conditions for the commitment, and informing the applicant that repayment of the grant may be required in the event of noncompliance with the conditions on which it was awarded.

Section 7. Disbursement plan for grants

Confirmation that the conditions in the letter of commitment are accepted must be received before any disbursements are made.

The Governor will determine the disbursement plan on the basis of the size of the grant. Disbursements shall normally be made in arrears, in line with the recipient's expenditure in implementing the project. However, the timing of disbursements must not prevent the implementation of projects that have received grants. Disbursements may be made in advance if it has been documented that this is necessary for the implementation of the project.

If a grant is to be paid in instalments, the last instalment shall be withheld until a final report has been submitted and has been approved by the Governor.

If the letter of commitment covers a period of several years, annual disbursements shall be limited to the actual expenditure in the year in question.