

**REGULATION
FOR
STATE RECEPTION CENTRE
OPERATIONS
(THE OPERATIONS REGULATION)**

In force as of 1 January 2003

REGULATION FOR STATE RECEPTION CENTRE OPERATIONS (THE OPERATIONS REGULATION)

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1 DEFINITIONS

A state reception centre provides temporary housing, with accompanying financial benefits and resident activities for persons who are applying for asylum in Norway.

The Regulation for State Reception Centre Operations (The Operations Regulation) lays down the overarching objectives, the frameworks and the division of responsibilities.

The Specification of Requirements for the Operations Regulation lists the requirements that govern the operations.

An operator is the person who has entered into an agreement with the Norwegian Directorate of Immigration to operate a state reception centre.

2 OBJECTIVES

A state reception centre must be as normal a place to live as possible for persons in an abnormal life situation. The reception centre shall look after and help foster the residents' individuality, sense of belonging and self-reliance. Housing shall be of a plain but adequate standard.

The Directorate of Immigration may provide guidelines for reduced programmes for persons with assumed groundless applications and for persons whose asylum applications have been rejected.

2.1 HOUSING

The housing offered must address the residents' needs for safety and must be differentiated in relation to their needs.

The housing offer applies from the point in time when asylum is applied for and until either the date of settlement in a municipality or when the rejection of the asylum application has been finalised.

The offer of housing only applies to persons who actually live at the reception centre.

The operator is responsible for a satisfactory standard of hygiene at the reception centre.

2.2 ORGANIZATIONAL AND ADMINISTRATIVE MATTERS

The reception centre must be staffed and have a division of responsibilities and tasks between the operator, management, employees and residents that ensures that the tasks are resolved in keeping with the steering documents for state reception centres.

In cooperation with the residents, the reception centre shall be organized in a manner that allows the residents good opportunities for practical participation in and genuine influence on the operations.

2.3 ACTIVITIES FOR RESIDENTS

Activities for residents shall help them to deal with their life situation during their stay at the reception centre and to create a meaningful day-to-day existence. Measures must be differentiated in relation to the residents who are living at the

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reception centre at any point in time, and must help residents maintain their own language and culture. Measures must prepare residents for possible settlement and integration in Norway or return to the country of origin.

The centre's staff shall primarily serve as guides and facilitators for the residents.

3 FRAMEWORKS FOR THE OPERATION

The Directorate of Immigration is responsible for drawing the operator's attention to the steering documents in force, providing continuous updates on amendments to such documents as well as providing information about other matters that influence operations.

3.1 DOCUMENTS THAT PROVIDE THE UNDERPINNING FOR THE OPERATION OF STATE RECEPTION CENTRES

The following documents constitute the basis for the operation of state reception centres:

3.1.1 OVERARCHING DOCUMENTS

- The Parliamentary reports on state asylum and refugee policies that are in force at any point in time
- The action plans in force at any point time regarding activities focusing on asylum seekers and refugees

3.1.2 STEERING AND PLANNING DOCUMENTS FOR THE DIRECTORATE OF IMMIGRATION

- Proposition no. 1 to the Norwegian Parliament
- The annual allocation letter from the Ministry of Local Government and Regional Development to the Directorate of Immigration regarding budgets, aims and priorities for the coming year
- The Directorate of Immigration's annual plan of operations

3.1.3 STEERING DOCUMENTS FOR STATE RECEPTION CENTRES

- The Regulation for State Reception Centre Operations (The Operations Regulation)
- The Specification of Requirements to the Operations Regulation (The Requirements Specification)
- The Regulation regarding financial benefits for residents in state reception centres (The Benefits Regulation)
- The guideline letter in force for operators, with the accompanying annual requirements for planning and reports (The Guidelines Letter)

3.1.4 MISCELLANEOUS

The following also apply:

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- The regulations, circulars, procedures and forms that are in force at any point in time
- Guide manuals for the operation of state reception centres

4 DIVISION OF RESPONSIBILITIES BETWEEN THE DIRECTORATE OF IMMIGRATION AND OPERATORS

4.1 THE RESPONSIBILITIES OF THE DIRECTORATE OF IMMIGRATION

4.1.1 OVERARCHING RESPONSIBILITY

The Directorate of Immigration is responsible for implementing state policies on state reception centres. The Directorate has the administrative responsibility and may instruct operators within the framework of the agreement that has been entered into for the operation of the reception centre.

4.1.2 OPERATIONS

The Directorate of Immigration has the overarching responsibility for the operation of state reception centres. The Directorate handles this responsibility through the steering documents in force at any point in time.

Contact between the Directorate and the operator or reception centre is handled through the directorate's regional office. The Directorate of Immigration is the appeals body for decisions made by the regional offices.

4.1.3 SUPERVISION AND INSPECTION

The Directorate of Immigration is responsible for supervising and ensuring that the operator is running the reception centre in keeping with the steering documents in force.

4.1.4 COUNSELLING, INFORMATION AND TRAINING

The Directorate of Immigration is responsible for counselling operators and reception centre employees in matters concerning the operation of the reception centre, asylum and refugee policies and the regulations in this area. Counselling must in particular focus on the reception centre's activities to satisfy the objectives and aims of the Operations Regulation.

The Directorate of Immigration is responsible for providing operators and reception centre employees with training programmes in priority areas within the Directorate's area of responsibility.

4.1.5 USING RECEPTION CENTRE PLACES

The Directorate of Immigration is responsible for utilising the capacity of the state reception centre system. The Directorate has the right to use the places and decides at any point in time which groups should stay in reception centres and at which reception centre.

4.2 THE OPERATOR'S RESPONSIBILITY

Operators have the executive responsibility for operating the reception centre and must ensure that the reception centre is operated in accordance with the legislation in force and in keeping with the provisions and intentions of the steering documents.

The Directorate of Immigration recommends that day-to-day operations, personnel and financial administration within the frameworks of the operating budget are delegated to the reception centre's management.

4.2.1 EMPLOYER RESPONSIBILITIES

The operator must employ the number of persons required to solve the tasks to be addressed by the reception centre.

The operator is responsible for ensuring that the reception centre's management and other employees are qualified to solve the tasks they are given responsibility for.

The operator is responsible for ensuring that all employees receive the necessary training and guidance.

The operator is responsible for ensuring that all employees know and comply with the steering documents in force.

4.2.2 PLANNING, REPORTING, BUDGETING AND ACCOUNTING

The operator is responsible for planning and evaluating the operations in relation to the steering documents.

The operator is responsible for ensuring that the financial management of the reception centre is in compliance with the steering documents.

4.2.3 INSPECTIONS

The operator is responsible for preparing for inspections that have been announced in advance and must take part during the inspection.

The operator is responsible for following up the Directorate of Immigration's inspection reports.

4.2.4 ADMINISTRATIVE PROVISIONS

All reception centre employees, persons appointed on contracts and/or others involved in the reception centre come under the Public Administration Act provisions that lay down the duty of confidentiality with respect to what they learn about the resident's personal matters while performing their duties. The operator is responsible for ensuring that these persons sign a declaration of non-disclosure when they are hired. This duty of confidentiality does not apply to the Directorate of Immigration.

The operator is responsible for obtaining the necessary permits for or notifying the Norwegian Data Inspectorate of the reception centre's registration of personal

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information about residents, cf. the Personal Information Act, and that personal information is treated in accordance with the provisions in this act.

The operator is responsible for ensuring that the reception centre complies with the stipulated procedures and that the proper forms are used.

4.2.5 THE USE OF INTERPRETERS

The operator is responsible for using an interpreter at the reception centre when necessary and for paying for this service.

4.2.6 COOPERATION PARTNERS

The operator is responsible for initiating cooperation with relevant local authorities and the county and state sector authorities. The operator must notify the Directorate of Immigration if these bodies do not carry out the duties they are responsible for.

The operator is responsible for establishing contact with associations and organizations in the local community.

5 FINAL PROVISIONS

5.1 SCOPE

The Operations Regulation does not apply to transit reception centres. Other than this exemption, it applies in its entirety to all operators and reception centres unless otherwise specially agreed.

5.2 INTERPRETATION

The Directorate of Immigration is responsible for enforcing and interpreting the Operations Regulation.

5.3 EXEMPTIONS

Exemptions from the Operations Regulation or any of its provisions may only be granted by the Directorate of Immigration.

5.4 REVISION

The Directorate of Immigration is responsible for undertaking amendments to or revisions of the Operations Regulation.