



ROYAL NORWEGIAN MINISTRY  
OF CHILDREN AND EQUALITY

EFTA surveillance authority  
Rue Belliard 35  
B-1040 BRUSSELS

BELGIUM

Your ref  
78118 / 851139

Our ref  
17/4829

Date  
22 January 2018

## **Reply to the Authority's reasoned opinion - the right to paid parental leave**

Reference is made to reasoned opinion from the EFTA Surveillance Authority (the Authority) dated 15 November 2017, concerning the right to paid parental leave in Norway (193/17/COL).

In its reasoned opinion the Authority maintains that certain provisions in the National Insurance Act are in breach of the EEA Agreement, more specifically the Equal Treatment Directive (2006/54/EC), as the father's entitlement to paid parental leave is dependent upon the mother's situation whilst this is not the case in the reverse circumstance. The relevant provisions are Section 14-13 first, second and third paragraphs, and Section 14-14 first paragraph of the National Insurance Act.

The Ministry of Children and Equality (the Ministry) considers Norwegian law regarding the right to paid parental leave to be compatible with EEA law. We present a summary of the reasons of our view, below. For further elaborations on the relevant arguments, we refer to the Ministry's letter to the Authority dated 10 October 2016<sup>1</sup>.

### **The Ministry's observations**

In the Ministry's opinion, Norwegian law regarding paid parental leave is not in breach of the Equal Treatment Directive (2006/54/EC).

It is undisputed that the EEA Agreement does not require the EEA States to grant *paid* parental leave, cf. the Parental Leave Directive (2010/18/EC) and the Authority's reasoned

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<sup>1</sup> Your reference no: 821851