

In recognition of the exceptional national, historical and geographical position held by the Faroes within the Realm, the Rigsdag [the Danish Parliament], in conformity with the approval of the Løgting [the Faroese Parliament], has passed, and His Majesty the King by Royal Assent confirmed, the following

Act
on
the Home Rule Powers of the Faroes

Section 1.

The Faroes are a self-governing nation within the Danish State, within the framework of this Act. With due respect to the state boundaries the Faroese people, through its elected representatives, the Løgting, and an executive established by it, the Landsstýri, shall assume the government and administration of Faroese Special Affairs as stated in this Act.

Section 2.

The matters and fields of responsibility included in the appended List A are in principle considered Faroese Special Affairs. The Faroese Home Rule Authorities (the bodies referred to in the second sentence of Section 1) may determine that all or some of these matters and fields of responsibility shall forthwith be assumed by the Home Rule Authorities with the consequence that the expenses involved are borne by the same. The Home Rule Authorities may later determine to assume, with the same consequence, matters and fields of responsibility included in the list not previously assumed. In like manner the Home Rule Authorities are under obligation to take over matters and fields of responsibility included in the list when the State Authorities so desire.

Section 3.

Regarding the fields of responsibility included in List B, further negotiations shall be held to determine whether and to what extent they may be transferred to Faroese Special Affairs.

Section 4.

The Home Rule Authorities hold legislative and executive powers over fields of responsibility within its purview.

Acts passed by the Faroese Parliament and assented to by the chairman of the Faroese Government shall be designated Løgtingslógir [Faroese Parliamentary Acts].

Section 5.

The Faroese self-government shall be subject to the limitations following from treaties and other international rights and obligations existing at any time.

The State Authorities decide matters concerning the foreign relations of the State.

Section 6.

Matters which, according to the present Act do not fall within the jurisdiction of the Faroese Home Rule Authorities, shall be conducted by the State Authorities as Common Affairs of the State.

Matters of dispute regarding the powers of the Faroese Home Rule Authorities as opposed to the State Authorities shall be referred to a tribunal consisting of two members appointed by the Danish Government and two appointed by the Faroese Government and three Supreme Court Judges appointed by the president of the Supreme Court, one of whom shall be designated as chairman. In case of agreement between the four members appointed by the Danish Government and the Faroese Government the matter is definitively decided. Failing this, the matter shall be decided by the three Supreme Court judges.

The Danish Prime Minister may suspend a decision which has been referred to the tribunal, until the tribunal has decided the matter.

Section 7.

Danish Government Bills containing provisions relating exclusively to the Faroes shall, before being introduced to the Danish Parliament, be submitted to the Faroese Home Rule Authorities for consideration in order to secure for the Faroese Parliament the greatest possible influence on the elaboration of such provisions. Other Danish Government Acts affecting conditions in the Faroes shall be submitted to the Faroese Home Rule Authorities for consideration before they are given effect in the Islands. In each case a time limit may be stipulated before the expiry of which the opinion of the Home Rule Authorities shall be given. If for any compelling reason it has not been possible to effect the consultation provided for in this Section, the Act shall be submitted as soon as possible to the Faroese Home Rule Authorities for comment.

The same procedure shall apply with regard to treaties and other international agreements which require the approval of the Danish Parliament and which affect special Faroese interests.

Section 8.

When the Faroese Home Rule Authorities so requests an expert in Faroese matters shall, following negotiation with the Faroese Government, be appointed to the Ministry of Foreign Affairs to assist the Ministry in dealing with matters concerning special economic interests of the Faroes. The expenses involved shall be paid by the Danish Treasury.

When the Faroese Home Rule Authorities so requests, attachés shall, following negotiation with the Faroese Government, be assigned to Danish missions in those countries where the Faroes have special economic interests, to safeguard such interests. The expenses involved shall be paid by the Faroes.

The Faroese Home Rule Authorities shall, following consultations, in each particular case, have the opportunity to assert the special interests of the Faroes in negotiations with foreign countries regarding agreements on trade and fishery.

Where matters of special interests to the Faroes are at issue, the Minister of Foreign Affairs may, at the request of the Home Rule Authorities, authorise representatives of the Home Rule Authorities to negotiate directly, with the Cupertino of the foreign service, provided such negotiations are not considered incompatible with the interests of the Realm.

Section 9.

Regarding Common Affairs it may be agreed, following negotiations, in which cases and to what extent it is possible to empower the Faroese Home Rule Authorities to issue detailed regulations regarding specific Faroese matters and assume administration of the field of responsibility in question.

Section 10.

In a passport and a certificate of nationality issued in the Faroes to a Faroese the words "Føroyingur" and "Føroyar" shall be inserted after the words "Dansk" and "Danmark". A person who is a Danish citizen and domiciled in the Faroes shall be deemed a Faroese.

The right of voting and eligibility for institutions of the Faroese Home Rule Authorities may be conditional on the person concerned being a Faroese. No other legislative or executive distinction may be made between Faroese and other Danish citizens.

Section 11.

Faroese is recognised as the principal language, but Danish shall be taught well and carefully, and Danish may be used as well as Faroese in public affairs.

At the presentation of cases of appeal all Faroese documents shall be accompanied by a Danish translation.

Section 12.

A special Faroese flag is recognised. The Danish authorities fly the Danish flag in the Faroes, also on ships. Private persons and companies, associations and institutions may use the Danish flag on land. Otherwise, the rules governing the use of the Faroese flag in the Faroes and on vessels registered in the Faroes shall be a matter of Faroese Special Affairs.

Section 13.

The law in force in the Faroes, not in conflict with this Act, shall remain in force until amended or repealed by the proper authority.

Section 14.

The Faroes shall be represented in the Danish parliament by at least two members. While the Danish parliament is divided into the present two chambers, the Faroes shall be represented in the Upper House by one member, cf. Section 36 of the Constitution, and in the Lower House by two members.

Section 15.

The office of prefect of the Faroes is abolished.

In replacement an office of High Commissioner [Rigsombudsmand] is established. The High Commissioner is the supreme representative of the Danish Government in the Faroes and the head of the Danish administration in the Islands. The High Commissioner shall in official capacity have access to the Faroese Parliament and may participate in deliberations regarding all Common Affairs, however, without the right to vote. The High Commissioner shall be notified forthwith of decisions made by the Faroese Parliament or the Faroese Government, and copies of Faroese Parliamentary Acts and other regulations issued by the Faroese Home Rule Authorities shall be communicated to him forthwith.

The High Commissioner shall assume the duties of the prefect subject to the changes following from this Act until such time as the new system comes into operation.

Section 16.

This Act comes into force on 1 April 1948.

List A

Faroese Special Affairs

The following fields of responsibility shall be designated Faroese Special Affairs and transferred with immediate effect to the Faroese Home Rule Authorities or later transferred at the request of the Home Rule Authorities or the Danish Government.

The Faroese constitutional arrangement within the framework of the new system.

Including – within the said framework - rules governing the Faroese Parliament; legislation regarding elections to the Faroese Parliament; the executive administration; the adoption, assent and promulgation of Faroese Parliamentary Acts; appointment, dismissal, conditions of service, salaries and pensions of Faroese civil servants.

Municipal affairs.

Including: local government administration, supervision and taxation.

Public works and fire service; town planning; housing; tenancy; national registry.

Health service; medical practice, midwifery, hospital service, apothecaries.
Including: public medical officers, legislation on unqualified practising; combat of tuberculosis and other contagious diseases; care of mental patients; vaccination.

Public welfare services

Handicap care

National insurance

Compulsory accident insurance

Labourers and working conditions, apprentices, assistants, holidays

Direct and indirect taxes.
Including: stamp duties; totalisator duties; duties on special Faroese lottery. Dispatch charges such as probate fees, legal fees and land registration fees shall accrue to the authority which defrays the cost of the institution concerned.

Appropriation and, in general, management of all own revenues.
Accounting regulations, audits and appropriation of own revenues and expenditures.

Approval of harbour duties.

Education.
Including: elementary schools; secondary schools and courses; teachers' training; folk high schools; post-primary schools; youth and evening classes; home economics schools; vocational schools such as commercial-, technical- and navigation colleges, etc.

Archives, libraries, museums.
(Exemption is made for Danish Authority archives, reservation is made for statutory deliveries to the Royal Library).

Preservation of ancient buildings; nature conservancy.

Harbours; coastal protection; canals; hydroelectric powerplants; traffic, including roads, railways, tramways, ferry services, bus services and road haulage.

Motor and traffic.

Local mail, telegraph and telephone services

Electrical installations.

Rural and agricultural matters.
Including: general rural legislation; copyhold tenure; tenancy; parcelling of land; exchanges of strip-holdings; smallholdings; plant cultivation; animal husbandry; horticulture; agricultural sideline occupations; soil improvement; forestry.

Veterinary service

Pest control

Domestic animals, arbitration; protection of animals; legislation on dogs.

Hunting and protection of animals on the territory

Fishery and protection of fish on the territory

Land registration

Licensing of theatres and cinemas; entertainment

Collections and lotteries

Ship wrecks

Property lost and found

Toxic substances, explosives, arms

Supplies, production and distribution

Price control; maximum prices

Rationing, discounts and subsidies

Restrictions on bonuses and dividends

Peddling of goods

Alcoholic beverages regulations

Shop closing regulations

Catering

Trade licensing
Trade and association registers
Registers of ships
Brokers; translators; average adjusters; measurers and weighers
Auditors
Storage facilities
Commission; agents; commercial travellers
Agents of foreign firms
Book-keeping
Mortgage credit institutes, etc; local insurance activities
Local public trustee
Registration of deeds
Tourism
Expropriation for special purposes
Regulations regarding production of printed matters
Special calendar issues
Civic duties
Equal rights for men and women

List B

The following fields of responsibilities shall be subject to further negotiations prior to determining whether and to what extent they can be recognised as Faroese Special Affairs:

The Established Church

Including: all aspects of church organisation; rituals; church officials, their salaries and pensions; church buildings; graveyards; withdrawal from and admission into the Established Church; congregation councils; voluntary congregations within the Church; relations between parishioners and their clergy;

dissenting congregations;
public holiday legislation.

Police

Subsoil resources

Radio

Aviation

The Land Fund

Import and export controls.