



## VELFERÐARRÁÐUNEYTIÐ

*Ministry of Welfare*

### **[Act on the Affairs of Disabled People]<sup>1)</sup>, No. 59/1992,**

<sup>1)</sup> Act No. 152/2010, Article 44.

**as amended by Act No. 127/1993, No. 148/1994, No. 140/1996,  
No. 161/1996, No. 130/1997, No. 156/1998, No. 52/1999, No. 174/2000,  
No. 93/2002, No. 95/2002, No. 83/2003, No. 152/2010, No. 160/2010,  
No. 162/2010, No. 88/2011, No. 126/2011, No. 178/2011, No. 134/2012 and No. 19/2013.**

#### SECTION I

##### **Objectives and Definition.**

###### Article 1

[The aim of this Act is to ensure disabled people equality of rights and a standard of living comparable with that of other citizens and to create conditions in which they are able to live a normal life.

In the application of this Act, consideration shall be given to the international obligations which the Government of Iceland has undertaken, and in particular the UN Convention on the Rights of Disabled People. Furthermore, the Government shall guarantee that the national federations of disabled people and their constituent associations will have an influence on policymaking and decisions regarding the affairs of disabled people.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 1.

###### Article 2

[People shall be entitled to services under this Act if they have mental or physical disabilities and require special services and support as a consequence.]<sup>1)</sup> This refers to mental retardation, psychiatric illness, physical disability, blindness and deafness. Disabilities can also be the consequence of chronic illness and of accidents.

<sup>1)</sup> Act No. 152/2010, Article 2.

#### SECTION II

##### **Administration and Organization.**

###### Article 3

[[The Minister]<sup>1)</sup> shall be in overall charge of disabled people's affairs under this Act. The Minister shall be responsible for government policymaking in this sphere, and this shall be carried out in collaboration with the Association of Local Authorities in Iceland. The national federations of disabled people and their constituent associations shall be consulted.

Furthermore, the Minister shall monitor the application of this Act, this to include checking on whether the services, operations and management of the local authorities and other entities under this Act are in accordance with the aim of the Act and of regulations and rules issued under the Act, and ensuring that disabled people's rights are respected. The aim of this monitoring shall also be to collect and disseminate information so as to ensure that comparable services are given to disabled people in the light of their dissimilar needs. The Minister shall make proposals to the local authorities regarding improvements to their services where necessary and regarding coordination of services. Furthermore, the Minister shall supervise the preparation of service standards and quality standards in collaboration

with the Association of Local Authorities in Iceland, following consultation with the national federations of disabled people.

The Minister may issue regulations setting out more detailed rules on monitoring under paragraph 2, in collaboration with the Association of Local Authorities in Iceland, including as regards how monitoring is to be effected and the obligation of the local authorities to provide information.]<sup>2)</sup>

<sup>1)</sup> Act No. 126/2011, Article 167. <sup>2)</sup> Act No. 152/2010, Article 3.

#### Article 4

[Local authorities shall be responsible for the organisation and administration of services to disabled people, including the quality of the services, and for meeting their costs under this Act unless otherwise stated here or other arrangements follow from other statutes. Furthermore, the local authorities shall maintain internal monitoring of the provision of services, including the application of contracts which the local authorities make with operators or service providers regarding the provision of services, *cf.* Article 6 b.

The country shall be divided into service regions, each embracing at least 8,000 inhabitants. The smaller local government areas (in terms of population) shall collaborate with other local authorities on the organisation and administration of services to disabled people under paragraph 1, bearing joint responsibility for both the organisation and administration of services and their costs unless otherwise stated here or other arrangements follow from other statutes. Local authorities which collaborate on the organisation and administration of services to disabled people in one service region may entrust the organisation and administration to one of them, in which case it shall take decisions regarding the services on behalf of the other local authorities in the region. They may also entrust the organisation and administration of services to a special legal person of which they are members, such as a regional association.

The Minister may grant exemptions from the requirement regarding the number of inhabitants stated in paragraph 2 on the basis of geographical conditions, providing that the local authority or local authorities concerned have demonstrated their ability to provide services in accordance with the provisions of this Act.

If no agreement is reached between local authorities on forming a service region as provided for under paragraph 2, the Minister may, following consultation with the Association of Local Authorities in Iceland, take decisions regarding the size or boundaries of service regions, and these decisions shall be binding on the local authorities in question.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 4.

#### [Article 4 a

The handling of personal data used in the application of this Act shall be in conformity with the Personal Data Act. Measures shall be taken to ensure that no greater access is granted to the data than is strictly necessary, and that the security of the data is ensured.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 5.

#### Article 5

[A disabled person shall be entitled to services wherever he/she chooses to live. The local authority in the area where the disabled person lives shall take decisions on services to that person in accordance with this Act unless otherwise stated here or other arrangements follow from other statutes. A local authority which collaborates with other local authorities to form a service region may entrust another local authority or a special legal person with taking decisions regarding services to the disabled individual on its behalf.

Applications for services under this Act, including services provided in institutions under items 1-3 of paragraph 2 of Article 9 and housing services under paragraph 1 of Article 10, shall be submitted to the relevant local authority, *cf.* paragraph 1, or, where appropriate, to the legal person in charge of the administration of services in the relevant service region. Applications shall be valid when made by the disabled person, or the person's legal guardian or legal representative.

Local authorities shall maintain teams of professionals to make comprehensive assessments of each disabled person's service requirements and how his/her wishes are to be met. The team shall consult the person regarding the assessment, which shall be based on recognised assessment methods.

[Disabled children have the right to express their opinions on their service in accordance with their age and maturity.]<sup>1)</sup> When [the disabled person's]<sup>1)</sup> wishes concern a service which is provided by parties other than the local authorities, the approval of the party in charge of administration must be obtained before a decision is taken on whether or not to provide the person with the service in question. Furthermore, the disabled person, and the persons with whom he/she is expected to share a home, where appropriate, shall be consulted before a decision is taken regarding services covered by Article 10.

Local authorities may entrust a team of professionals as provided for under paragraph 3 with the assessment of disabled children's care requirements in connection with payments to care-givers in accordance with the Social Assistance Act.]<sup>2)</sup>

<sup>1)</sup> Act No. 19/2013, Article 4. <sup>2)</sup> Act No. 152/2010, Article 6.

#### [Article 5 a

Disabled people may appeal to the Social Services and Housing Complaints Committee against administrative decisions regarding services taken under this Act, *cf.* Section XVII of the Municipalities' Social Services Act.

The Social Services and Housing Complaints Committee shall examine procedure and entitlement to services and whether services are in conformity with this Act and regulations or rules set by the relevant local authority under this Act.

The deadline for lodging an appeal shall be three months from the date on which notification of the decision is received. Appeals shall be considered as having been made by the deadline if the letter stating the appeal has been received by the complaints committee, or committed to the postal service, before the deadline has expired.

An appeal against an administrative decision shall not defer the legal effects of the decision.

Procedure shall be subject to Section XVII of the Local Authorities' Social Services Act and the Administrative Procedure Act.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 7.

#### Article 6

[The organisational structure within each service region shall be set out in a special memorandum agreement stating, amongst other things, which local authority or local authorities provide services to disabled people in the region, how collaboration between the local authorities is to be structured, including which of the local authorities is in charge of organising and administering the services or whether a special legal person, such as a regional association, has been entrusted to handle the organisation and administration of the services on behalf of the local authorities, what contracts have been made, and what they stipulate, and information about the operators or service providers with whom contracts have been made on the administration of services in the region. The memorandum agreement shall also state how internal monitoring by the local authorities, including as regards the execution of contracts under Article 6 b, is to be structured.

Local authorities which collaborate with other local authorities to form a service region, *cf.* paragraph 2 of Article 4, shall also enter into a collaboration agreement regarding the structure, administration and financing of disabled people's services within the service region. This agreement shall not take effect until it has been approved by the relevant local authorities forming the service region. The agreement shall state that the local authorities bear joint responsibility for the administration and financing of the services, including their quality, and the agreement shall contain further provisions on the form and structure of the services. Furthermore, it shall state how administration of disabled people's affairs within the local government areas is to be arranged; in this field, the agreement shall state, where appropriate, the arrangement agreed between the local authorities as to which of them is to be in charge of the organisation and administration of the services, or whether a special legal person is to be in charge of the services on their behalf.

The local authorities shall send [the Ministry]<sup>1)</sup> a copy of the memorandum agreement and inform the Ministry of any amendments that may subsequently be made to it.]<sup>2)</sup>

<sup>1)</sup> Act No. 126/2011, Article 167. <sup>2)</sup> Act No. 152/2010, Article 8.

#### [Article 6 a

The local authority or local authorities which form a service region may, when certain conditions have been met, grant operating licences to non-governmental organisations (NGOs), private institutions or other private entities that wish to begin, or take over, the operation of service institutions under Article 9, or housing under paragraph 1 of Article 10, in their service regions.

If the licensor under paragraph 1 has entrusted one local authority or a special legal person, such as a regional association, with the organisation and provision of disabled people's services, it may entrust them with the granting of a licence under paragraph 1.

The licensor may revoke the operating licence granted under paragraph 1 when the operator or service provider does not respond to a demand for improvements within the stated time limit or the operations are, in the estimation of the licensor, substantially deficient. Revocation shall be subject to the provisions of the Administrative Procedure Act and the general principles of Administrative Law.

The Minister shall issue a regulation setting out more detailed rules on the conditions for granting operating licences under paragraph 1 in consultation with the Association of Local Authorities in Iceland.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 9.

#### [Article 6 b

When the local authority or local authorities which form a service region grant an operating licence under Article 6 a, a contract shall be made with the service provider or operator stating in detail the obligations of both parties and how monitoring is to be carried out. Furthermore, the contract shall state that the Administrative Procedure Act and the general principles of Administrative Law are to apply to those aspects of administration for which the service provider or operator undertakes responsibility under the contract.

A service provider or operator working on the basis of a contract made in accordance with paragraph 1 shall submit each year to its contractual partner, and to [the Ministry]<sup>1)</sup> and the Office of the Icelandic National Audit Office, its annual accounts, signed by a certified public accountant, and a report on its activities over the past year.]<sup>2)</sup>

<sup>1)</sup> Act No. 126/2011, Article 167. <sup>2)</sup> Act No. 152/2010, Article 9.

### SECTION III General Services.

#### Article 7

[Disabled people shall be entitled to all ordinary services provided by central and local government. Attempts shall be made at all times to provide disabled people with services according to ordinary statutes in the field of education and the health services and social services. If the needs of a disabled person prove to be too great to be met within the framework of the ordinary services, the person shall receive services under this Act.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 10.

### SECTION IV Support Services.

#### Article 8

[Disabled people shall be provided with services designed to enable them to live and work in an ordinary community with other people.]<sup>1)</sup> Services for people with disabilities shall be provided with the aim of enabling them to live and function in a normal community along with other people. These support services shall be provided in each region in the manner most appropriate for each locality. They shall be based on the following needs of [disabled people]:<sup>1)</sup>

1. [The need for services in their homes aimed at ensuring them the possibility of maintaining their households independently.]<sup>1)</sup> These services are regulated i.a. according to the provisions of Section X.
2. [The need for habilitation, rehabilitation and employment, the aims of which include enabling them to support themselves and participate actively in the community.]<sup>1)</sup> These services are regulated by i.a. the provisions of Sections XI and XII.

3. The need ...<sup>1)</sup> for psychiatric services, counsel, social support and social interaction, including the enjoyment of recreational and cultural activities. These services are regulated by i.a. the provisions of item 10 of Article 12, Article 24 and Section XIV.
4. The need of disabled children for care and training along with the necessary assistance to their families so that they can provide the children with safe and stimulating conditions for growing up. These services are i.a. in accordance with Sections VIII and IX.

<sup>1)</sup> Act No. 152/2010, Article 11.

## SECTION V Service institutions.

### Article 9

[Service institutions for disabled people shall be operated in order to meet their special needs so that they can live an independent life.]<sup>1)</sup>

The following service institutions shall be operated in each region as needed:

1. Habilitation and rehabilitation centres.
2. Day-care centres [for disabled people].<sup>1)</sup>
3. Sheltered workshops.
4. ...<sup>1)</sup>
5. Short-term foster homes.

[The local authority or local authorities which form a service region may add service institutions, merge them or discontinue their activities.

An NGO, private institution or other private entity that wishes to begin, or take over, the operation of a service institution, shall obtain a licence under Article 6 a from the relevant local authority or local authorities which form the service region in which the service institution is located.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 12.

## SECTION VI Residence.

### Article 10

[Disabled people shall have access to social services which enable them to live in their own homes and housing solutions in accordance with their needs and wishes, as far as is possible.

The local authority or local authorities which form a service region shall ensure that housing solutions as provided for under paragraph 1 are available, and also provide services under paragraph 1.

An NGO, private institution or other private entity that wishes to operate housing solutions or provide services under paragraph 1 shall obtain a licence under Article 6 a from the relevant local authority or local authorities which form the service region in which the housing solution is located.

Housing solutions for disabled people under this Act shall be located in residential areas as defined under the Planning Act. Housing solutions shall, furthermore, be located close to ordinary and public services if this is at all possible.

The local authority shall enter into a lease with each disabled person living in the housing solution in accordance with the provisions of the Rent Act, and shall collect rent according to the lease.

The Minister may issue a regulation<sup>1)</sup> setting out more detailed rules on housing solutions under this Article in consultation with the Association of Local Authorities in Iceland, including how the monetary amount of rent in housing solutions is to be determined, and changes to that amount, the operation of funds in the homes and payments to them, and further provisions regarding the organisation of housing solutions.]<sup>2)</sup>

<sup>1)</sup> Regulation No. 1054/2010. <sup>2)</sup> Act No. 152/2010, Article 13.

### Article 11

...<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 14.

## SECTION VII ...

<sup>1)</sup> Act No. 152/2010, Article 15.



## SECTION VIII

...<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 15.

## SECTION IX

### **[The affairs of disabled children and their families.]<sup>1)</sup>**

<sup>1)</sup> Act No. 152/2010, Article 20.

#### Article 17

If symptoms appear after birth, indicating that a child may be disabled, a preliminary assessment should be arranged. If such preliminary assessment reveals the need for further diagnosis or means of therapy, this shall be reported to the State Diagnostic and Counselling Centre, or other appropriate parties, who will then seek adequate solutions in consultation with the parents.

#### Article 18

Health service, educational and social workers should pay special attention to children's mental and physical condition. If they discover that a child shows symptoms of a disability, they shall inform its guardians accordingly. This shall be dealt with in accordance with Article 17.

#### Article 19

Disabled children shall be entitled to attend a pre-school (nursery school) operated by the local authority. They can attend public playschools, where necessary support services are provided, [cf. the Pre-School Act].<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 16.

#### Article 20

...<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 17.

#### Article 21

The families of disabled children shall be ensured the services of support families as needed. The stay of a disabled individual with a support family shall be laid down in an agreement on the basis of a specified period. [The Minister may issue guidelines for the local authorities regarding the implementation of services on under this Article. The local authorities may also issue rules covering their services under this Article and the guidelines issued by the Minister.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 18.

#### Article 22

Parents shall be entitled to having short-term foster homes for their disabled children when needed. Short-term foster homes are intended to give [disabled individuals]<sup>1)</sup> a short-term stay for rest purposes or in the event of a difficult domestic situation, such as due to illness or other stress factors.

<sup>1)</sup> Act No. 152/2010, Article 19.

#### Article 23

It shall be endeavoured to give disabled children the option of a summer vacation stay when needed. Such summer vacations are intended to give [disabled individuals]<sup>1)</sup> the opportunity of a change of environment and a stay outside their homes for their enjoyment and as a break from routine.

<sup>1)</sup> Act No. 152/2010, Article 19.

## SECTION X

### **Personal support.**

#### Article 24

Municipalities shall, within possible means, give [disabled people]<sup>1)</sup> the option of personal support services. Personal support is understood as person-to-person support and assistance which chiefly aims at breaking through social isolation, for instance by assistance in enjoying cultural and social events.

<sup>1)</sup> Act No. 152/2010, Article 21.

#### Article 25

In special circumstances, disabled people shall be given further personal support, consisting of various kinds of assistance concerning the multiple functions of daily life, if such assistance is needed to prevent institutionalization. ...<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 22.

### SECTION XI

#### **Social habilitation and rehabilitation.**

#### Article 26

[Disabled people shall receive social habilitation and rehabilitation for the purpose of ameliorating the effects of their disabilities and increasing their capacity for work and participation in daily life. Special habilitation and rehabilitation centres, and also day-care centres, shall be operated for disabled people which shall be able to provide them with social pedagogy, occupational therapy and/or vocational training.]<sup>1)</sup> Work and occupational training shall also be given at sheltered workshops, *cf.* Article 30.

As regards medical rehabilitation, this is dealt with according to the Health Services Act.

<sup>1)</sup> Act No. 152/2010, Article 23.

#### Article 27

[Disabled people]<sup>1)</sup> may be granted assistance for social habilitation and rehabilitation as follows:

1. A grant towards the purchase of tools or equipment or other facilitation on account of work at home or independent activities after rehabilitation.
2. A grant towards payment of tuition costs, which are not paid according to the provisions of other Acts.

[The Minister may issue guidelines for the local authorities on the implementation of services under this Article. The local authorities may also set more detailed rules regarding services under this Article and the guidelines issued by the Minister, and conditions to be met in order to qualify for assistance and frames of reference regarding the monetary amount of the grants.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 24.

### SECTION XII

#### **Employment.**<sup>1)</sup>

<sup>1)</sup> Regulation No. 376/1996.

#### Article 28

[The Directorate of Labour shall be in charge of labour market measures for disabled people under the Labour Market Measures Act, the cost of these labour market measures being paid by the State Treasury.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 25.

#### Article 29

[Disabled people]<sup>1)</sup> shall be given assistance in holding jobs on the general labour market when necessary. This shall be done through special personal support at the workplace as well as through information and instruction for other workers.

[Disabled people]<sup>1)</sup> shall be given work training in general enterprises and/or institutions where this can be arranged. In those instances a special agreement shall be made, with i.a. a definition of the training period and payment of costs.

[The cost of special personal support at the workplace shall be paid by the State Treasury.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 26.

#### Article 30

[In each employment area, sheltered employment shall be available for disabled people on the private-sector labour market. Sheltered employment may consist of jobs designed to take account of workers' disabilities. It shall also be permitted to run workplaces based on sheltered employment for disabled people. Places of sheltered employment shall, on the one hand, give disabled people

vocational training so that they are able to work on the private-sector labour market. On the other hand, they shall offer disabled people permanent paid positions.

The cost of sheltered employment under paragraph 1 shall be paid by the State Treasury.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 27.

#### Article 31

[The Directorate of Labour]<sup>1)</sup> shall take the initiative, in consultation with [the national federations of disabled people]<sup>1)</sup> and the organized labour and employers' associations, to have regular surveys conducted on [the status of disabled people]<sup>1)</sup> in the labour force and have these followed up by suggestions for improvements.

<sup>1)</sup> Act No. 152/2010, Article 28.

#### Article 32

[Disabled people shall enjoy priority for employment offered by central or local government if their capacity to do the job is greater than, or equal to, that of other applicants for the position.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 29.

### SECTION XIII

...<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 30.

### SECTION XIV

#### **Access to transport and transport services.**

#### Article 34

The local authorities shall attend systematically to matters concerning disabled people's mobility, including the drawing up of schedules covering improvements in access to public buildings and service institutions in accordance with the Construction Act and the Planning Act and regulations issued under those acts.<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 31.

#### Article 35

[The local authorities shall make transport services available to disabled people. The aim of transport services for disabled people shall be to enable those who, on account of their disabilities, are not able to use public transport to pursue employment and studies and to enjoy leisure-time activities.

Furthermore, disabled people shall be entitled to transport services provided by the local authorities, in the form of motor transport to service institutions provided for under items 1–3 of paragraph 2 of Article 9 and in the form of other special services made available separately.

The Minister may issue guidelines for the local authorities on the operation of transport services for disabled people under this Article. The local authorities may also set rules on the service under this Article and the guidelines issued by the Minister. Furthermore, the local authorities may charge fares for the transport services they provide for disabled people in accordance with a scale of charges which they shall draw up, the fares taking account of those charged for public transport in the area in question.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 32.

### SECTION XV

#### **[Measures to guarantee rights.]<sup>1)</sup>**

<sup>1)</sup> Act No. 152/2010, Article 35.

#### Article 36

[Staff who provide services for disabled people and work in institutions for disabled people shall defend their interests and ensure that their rights are respected.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 33.

Article 37

...<sup>1)</sup>  
<sup>1)</sup> Act No. 88/2011, Article 12.

SECTION XVI

...<sup>1)</sup>  
<sup>1)</sup> Act No. 152/2010, Article 36.

SECTION XVII

**Financing and operations.**

...<sup>1)</sup>  
Article 41

[Local authorities shall provide funding for disabled people's services and other operating costs under this Act to the extent that no other arrangements are specified here or in other statutes. In addition, the local authorities shall take part in the development of service institutions for disabled people by making contributions towards their foundation costs, as necessity demands.

Each year, the local authorities shall draw up budgets covering expenses on disabled people's affairs in accordance with the services which they are obliged to provide under this Act.

[The Ministry]<sup>1)</sup> may request that the local authorities send the Ministry their budgets as provided for in paragraph 2.]<sup>2)</sup>

<sup>1)</sup> Act No. 126/2011, Article 167. <sup>2)</sup> Act No. 152/2010, Article 37.

Article 42

[Earnings generated by the professional activities of a service provider or operator which receives allocations from the local authorities or from the Local Authorities' Equalization Fund for its implementation of services under this Act shall go to pay the operational costs of the activities. Public financial allocations shall take account of these earnings and the parties in question shall be obliged to provide all the bookkeeping data necessary in order to verify their earnings and operating costs.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 38.

Article 43

[Local authorities, including regional associations, and the state, and private entities, may not engage for work in the service of disabled people, irrespective of whether the service is provided in the disabled person's home, in other homes or in institutions, those who have received sentences for violations of the provisions of Chapter XXII of the General Penal Code, No. 19/1940, with subsequent amendments. If an applicant has been sentenced to a punishment for violations of other provisions of the General Penal Code, an assessment shall be made of the influence this has on the competence of the person concerned to work in the position involved, taking into account factors such as the nature of the work and the seriousness of the violation.

Managers in local authorities, central government or private entities involved in providing services for disabled people shall be entitled to receive information from the Penal Registry regarding whether particular applicants for jobs they offer have been sentenced for violation of the provisions of Chapter XXII of the General Penal Code or other provisions of the same Act, after obtaining the assent of the applicant.<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 39.

Articles 44–53

...<sup>1)</sup>  
<sup>1)</sup> Act No. 152/2010, Article 40.

SECTION XVIII

**Miscellaneous provisions.**

Article 54

All persons working in accordance with this Act shall observe the utmost discretion regarding anything of which they may become aware in the course of their work.

#### Article 55

[The Minister may issue guidelines for the local authorities regarding the implementation of services under this Act. The local authorities may also issue rules on the services under this Act and the guidelines issued by the Minister. Local authorities' rules shall be published in Section B of the Law and Ministerial Gazette.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 41.

### SECTION XIX Commencement.

#### Article 56

This Act shall take effect on September 1 1992. ... However, paragraph 2 of Article 35 and paragraph 1 of Article 51 shall come into force on January 1 1993.

### Interim Provisions.

#### I.

...

#### II.

This Act shall be revised within four years from the date it comes into force, taking into account the revision of the Local Authorities' Social Services Act, No. 40/1991, and after consultation with the Union of Local Authorities in Iceland and the national federations of disabled people. The revision of this Act shall aim at increasing the responsibility of the municipalities for disabled people's affairs.

#### III.

After this Act has taken effect, the Minister of Social Affairs shall make arrangements to prepare the transfer of responsibility for disabled people's affairs to the local authorities, and appoint project boards in order to do so. During preparation attention shall be given to measures to guarantee rights of disabled people.

[Before the transfer of the matter takes effect, the Althingi shall, among other things, have passed:

- a. a new Local Authorities' Social Services Act that includes the services granted according to the current Act on the Affairs of Disabled People, No. 59/1992, except as regards the operation of the State Diagnostic and Counselling Centre,
- b. amendments to the Act on Municipal Revenues,
- c. a special Act on the State Diagnostic and Counselling Centre.]<sup>1)</sup><sup>2)</sup>

<sup>1)</sup> Act No. 156/1998, Article 3. <sup>2)</sup> Act No. 161/1996, interim provisions.

#### IV.

[A special collaborative project involving central government, the local authorities and the national federations of disabled people shall be established to effect the introduction of client-controlled personal assistance. The aim of the project shall be to develop methods of adopting client-controlled personal assistance for disabled people in a deliberate and successful manner. The aim shall be to structure services on the client's terms and under his/her direction, while at the same time they should be as comprehensive as possible within the framework of dissimilar service systems.

The Minister shall appoint a seven-man task force to lead the collaborative project on the introduction of client-controlled personal assistance. The national federations Þroskahjálp and Öryrkjabandalagið shall each nominate a representative, and the Association of Local Authorities in Iceland shall nominate three representatives. The Minister shall appoint two representatives without nomination, one of whom shall be the chairman. Alternates on the task force shall be equal in number to the principal members and shall be appointed in the same way.

The role of the task force shall be to draw up a framework for the structure of client-controlled personal assistance for disabled people. Towards this end, the local authorities shall, in collaboration with the task force, seek to offer disabled people client-controlled personal assistance on a trial basis for a specific length of time. When assessment is made of which disabled people, or groups of people, are to be offered such services, the principle of equality shall be observed.

Local authorities may put a price on individual elements of their services according to a scale of charges. Local authorities shall then make client contracts with each client, or person representing the client, stating what services the person concerned requires in his/her daily life and the price of the service. Local authorities may dispose of funds equivalent to the cost of the services provided to each client under the client contract covering client-controlled personal services in the way specified in the client contract.

Professional and financial evaluation of the collaborative project shall be completed by the end of 2014, at which time the project shall be formally concluded. Furthermore, the Minister shall, not later than the end of 2014, submit a bill proposing that it be established in law that client-controlled personal assistance shall be one of the main forms of services to disabled people; the substance of the bill shall take account of, amongst other things, the experience gained from the implementation of the collaborative project.]<sup>1)</sup><sup>2)</sup>

<sup>1)</sup> Act No. 152/2010, Article 42. <sup>2)</sup> Act No. 52/1999, Article 1.

#### [IV.

Notwithstanding paragraph 3 of Article 29 and paragraph 2 of Article 30, costs arising in connection with special personal support in the workplace and sheltered employment in [the year 2013]<sup>1)</sup> shall be divided between central government and the local authorities in accordance with an agreement between them as stated in Article 1 of the agreement on the transfer of disabled people's services from central government to the local authorities.]<sup>2)</sup>

<sup>1)</sup> Act No. 134/2012, Chapter II. <sup>2)</sup> Act No. 152/2010, Article 43.

#### [VI.

[The Minister]<sup>1)</sup> shall appoint an eight-man consultative committee on disabled people's affairs. [The Minister in charge of financial accounts of the state, the Minister in charge of human rights]<sup>1)</sup> and the national federations Þroskahjálp and Öryrkjabandalag Íslands shall each nominate a representative, and the Association of Local Authorities in Iceland shall nominate three representatives. The Minister shall appoint one representative without nomination, who shall be the chairman of the consultative committee. The term of the consultative committee's appointment shall be until 31 December 2014.

The consultative committee shall act in an advisory capacity to [the Minister]<sup>1)</sup> and the local authorities regarding disabled people's affairs, monitor the implementation of the transfer of responsibility for services to disabled people, make proposals, as necessary, on amendments to the way in which the transfer is made, direct the evaluation of the transfer and examine points of interpretation or dispute that may arise. The Minister may entrust the committee with further tasks in connection with the transfer of responsibility for the services.

The Special Division of the Local Authorities' Equalization Fund shall pay the costs of the consultative committee's work.]<sup>2)</sup>

<sup>1)</sup> Act No. 126/2011, Article 167. <sup>2)</sup> Act No. 152/2010, Article 43.

#### [VII.

The Disabled People's Investment Fund shall be abolished on 1 January 2011, from which date a real-estate property fund within the Local Authorities' Equalization Fund, *cf.* the Local Authorities' Income Base Act, No. 4/1995, with subsequent amendments, shall take over the rights and obligations of the fund in connection with real-estate property which is used in the service of disabled persons when the transfer takes place. Furthermore, the Executive Committee on Disabled Person's Affairs shall be abolished as of the same date.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 43.

#### [VIII.

The Regional Offices for Disabled People's Affairs which have operated under Article 12 of the Act No. 59/1992 shall be abolished on 1 January 2011. All positions in the management, administration and counselling provided by the regional offices shall be abolished as of the same date. The rights of the employees of the regional offices shall be subject to the Civil Servants' Rights and Obligations Act, No. 70/1996.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 43.

**[IX.]**

As of 1 January 2011, all positions in service institutions or in connection with housing solutions which are operated by the state under Articles 9 and 10 of the Act No. 59/1992 shall be transferred from central government to the relevant local authorities which take over the operation of institutions or housing solutions following the transfer of the services from central government to the local authorities. The rights and obligations of employees regarding employment with the relevant local authorities shall be subject to the provisions of the Local Government Act, No. 45/1998, with subsequent amendments, the bye-laws of the local authorities and the Act on the Employees' Rights in the Event of Transfers of Undertakings, No. 72/2002, as appropriate.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 43.

**[X.]**

Regional councils as provided for under Article 6 of the Act No. 59/1992 shall be abolished as of 1 January 2011.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 43.

**[XI.]**

The Minister shall, not later than 1 March 2011, submit to the Althingi a bill on measures to secure the rights of disabled people in which, amongst other things, a proposal shall be made regarding the appointment of persons to defend disabled people's rights, personal spokesmen and measures necessary to reduce, to the extent possible, the incidence of unfair or coercive treatment of disabled people.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 43.

**[XII.]**

This Act shall be reviewed in its entirety before the end of 2014, taking into account, amongst other things, the revision of the Local Authorities' Social Services Act, No. 40/1991, and following consultation with the Association of Local Authorities in Iceland and the national federations of disabled people. When this review is carried out, the basic principles of the UN Convention on the Rights of Persons with Disabilities shall be taken into consideration if this has not already been done.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 43.

**[XIII.]**

The Minister shall, not later than 1 October 2011, submit to the Althingi a proposal for a parliamentary resolution on a programme of action on the affairs of disabled people. This shall set out policy on disabled people's affairs, explaining the prioritisation of projects, a targeted plan of action and defined criteria of success. Amongst other things, dates shall be stated for measures relating to the ratification of the UN Convention on the Rights of Disabled People, disabled persons' access, waiting lists for services, employment of disabled people and coordinated evaluation of services.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 43.

**[XIV.]**

Personal data which has been processed by the Regional Offices for Disabled People's Affairs in connection with services for disabled people shall be transferred to the parties which take over those services under this Act. However, data which is not longer needed in connection with services for disabled people shall be made over to the National Archives in accordance with the legislation on the archives. When personal data is transferred, measures shall be taken to ensure its security and to prevent unauthorised persons gaining access to it, and to prevent it being lost or altered.]<sup>1)</sup>

<sup>1)</sup> Act No. 152/2010, Article 43.

*[This translation is published for information only.  
The original Icelandic text is published in the Law and Ministerial Gazette.  
In case of a possible discrepancy, the original Icelandic text applies.]*