



Bills to amend the law:

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Act on the Administration of Equality Matters

2020 No. 151 December 29

History of the case in the Althingi. Bill for Acts.

Entered into force on 6 January 2021. Amended by: [Act 63/2022](#) (entered into force on 13 July 2022, cf. however, the 2nd sentence of Article 12).

If this Act mentions a minister or ministry without a specific area of responsibility being specified or referred to, this refers to **the Minister of Justice** or **the Ministry of Justice** that administers this Act. [Information on the areas of responsibility of ministries according to presidential decree.](#)

Chapter I. Scope and management.

■ Article 1. *Scope.*

☐ This Act applies to administration in the field of equality matters in the field covered by equality legislation, namely the Act on Equal Status and Equal Rights of the Sexes, [Act on Equal Treatment Outside the Labour Market]¹⁾ and the Act on Equal Treatment in the Labour Market. This Act applies, among other things, to the work of the Equal Rights Office and the Equal Rights Complaints Committee.

¹⁾ [Law 63/2022, Article 13.](#)

■ Article 2. *Executive authority.*

☐ The Minister shall be responsible for the implementation of this Act unless otherwise specifically stated.

Chapter II. Equality Office.

■ Article 3. *The Office of Equal Opportunities.*

☐ The Office of Equal Opportunities is a special institution under the authority of the Minister. It is responsible for administration in the field of equality matters covered by this Act, cf. Article 1.

☐ The Minister appoints the Director of the Office of Equal Opportunities for a term of five years. The Director is responsible for the day-to-day management of the Office of Equal Opportunities and hires its

staff.

■ **Article 4.** *Role of the Gender Equality Office.*

□ Tasks that the Gender Equality Office carries out on the basis of the Gender Equality Act, cf. Article 1, include:

- a. supervising the implementation of the Act,
- b. providing education and information activities in the field of gender equality,
- c. providing advice and assistance in the field of gender equality,
- d. communicating to the Minister and other authorities suggestions and proposals for actions to promote greater equality, for example on specific actions in the field of gender equality,
- e. encouraging active participation in the field of gender equality, including increased involvement of men in gender equality work,
- f. monitoring the development of gender equality in society, such as by gathering information and assessments and taking the initiative in having reports, surveys or research in the field of gender equality,
- g. work on preventing gender-based violence, gender-based harassment and sexual harassment in collaboration with other authorities and organisations that specifically deal with such prevention, cf. the Act on Equal Status and Equal Rights of the Genders,
- h. work against wage inequality and other discrimination in the labour market; special emphasis shall be placed on working against wage inequality on the basis of gender, cf. the Act on Equal Status and Equal Rights of the Genders,
- i. seek reconciliation in disputes that the Office for Equal Rights receives and that concern the provisions of the Act, if the Office for Equal Rights considers it appropriate,
- j. work against negative gender images and negative stereotypes about the roles of women and men as well as negative stereotypes based on race, ethnic origin, religion, outlook on life, disability, reduced working capacity, age, sexual orientation, gender identity, gender characteristics and gender expression,
- k. supervise the administration of equal pay certification and equal pay confirmation, cf. Article 9 of the Act on Equal Status and Equal Rights of the Gender Equality, supervise equal pay certification and equal pay confirmation, cf. Article 10 of the same Act, and provide equal pay confirmation, cf. Article 8 of the same Act,
- l. carry out other tasks in accordance with the objectives of the Act according to further decisions of the Minister.

■ **Article 5.** *Information gathering and monitoring.*

□ Institutions, companies and non-governmental organizations are obliged to provide the Icelandic Equality Agency with any general information necessary for its activities on the basis of the Equality Act pursuant to Article 1.

□ If the Icelandic Equality Agency has a well-founded suspicion that an institution, company or non-governmental organization has violated the Equality Act, cf. Article 1, it shall investigate whether there is reason to request that the Equality Complaints Committee handle the case. The institution, company or non-governmental organization concerned is obliged to provide the Icelandic Equality Agency with information and documents that it considers necessary to provide information about the facts of the case. If the person concerned does not comply with this request of the Icelandic Equality Agency within a reasonable period, it may decide that the person concerned shall pay daily fines until the information and documents have been provided, cf. Article 6. If the Equality Authority requests that the Equality Appeals Committee handle a case, the party concerned shall be notified of this in writing. However, this provision shall only apply to cases that may concern the interests of many and have general validity in the opinion of the Equality Authority.

□ At the request of the complainant, the Equality Authority shall ensure that the instructions for specific improvements in the ruling of the Equality Appeals Committee are implemented in an acceptable manner. To this end, the Equality Authority may issue instructions to the party concerned to take specific improvements in accordance with the ruling within a reasonable period, subject to daily fines, cf. Article 6, until the instructions are complied with.

■ **Article 6.** *Daily fines.*

□ If a party fails to comply with the Equal Opportunities Agency's request for data or information or fails to comply with the agency's instructions pursuant to paragraphs 2 and 3 of Article 5 of this Act, or pursuant to paragraph 3 of Article 5 or paragraph 1 of Article 10 of the Act on Equal Status and Equal Rights of the Sexes, the Equal Opportunities Agency may impose daily fines on the party concerned until appropriate improvements have been made.

□ Daily fines may amount to up to ISK 50,000 per day from the date they are determined and until the date on which the obligation is fulfilled in the opinion of the Equal Opportunities Agency. When determining the amount of the daily fine, the number of employees of the company, institution or association in question, the extent of the relevant operation and the nature and seriousness of the case shall be taken into account.

□ The Equal Opportunities Agency shall impose daily fines on the party by special decision. The party to whom a decision on daily fines is addressed shall be given the opportunity to submit written objections within a reasonable period before the Equality Authority makes a decision on daily fines. A decision on daily fines shall be verifiably notified to the person to whom it is addressed.

□ A decision on daily fines pursuant to paragraph 3 of Article 5 shall be revoked if the ruling of the Equality Appeals Committee is brought before the courts.

□ It is permissible to appeal the decision of the Equality Authority on daily fines to the Minister. An appeal to the Minister does not suspend the legal effects of a decision on daily fines, cf. however, paragraph 7 of this provision.

□ Decisions of the Equality Authority on daily fines are enforceable and daily fines shall be paid into the treasury less the costs of collection.

□ An appeal to the Minister or legal proceedings in court shall suspend enforcement.

Chapter III. Equality Appeals Committee.

■ **Article 7.** *Appointment.*

□ The Minister shall, in accordance with the nomination of the Supreme Court, appoint three members to the Equality Appeals Committee for a term of three years, including both the chairman and the vice-chairman. They shall all have completed a law degree or a master's degree and at least two of them, including the chairman, have specialist knowledge in the field of equality. At least one of them shall have specialist knowledge of gender equality and one of them of equality in a broader sense. The chairman and vice-chairman, who is also a principal member, shall meet the requirements for holding office as a district judge. An equal number of deputies shall be appointed in the same manner.

□ The Equality Appeals Committee may call upon the advice and assistance of experts if it deems it necessary.

■ **Article 8.** *Role, costs of proceedings, defence, etc.*

□ The Equality Appeals Committee shall consider appeals submitted to it in accordance with the provisions of the Equality Act, cf. Article 1, and shall issue a written ruling on whether the provisions of

that Act have been violated. If the Equality Appeals Committee concludes that the Act has been violated, it may, in its ruling, issue instructions for specific improvements to the parties concerned. The Equality

□ Appeals Committee is independent and self-sufficient in its work, and its rulings are not subject to appeal to a higher authority. The rulings of the Equality Appeals Committee

□ are binding on the parties to the case. The parties to the case may appeal the committee's ruling to the courts. If a party to the case appeals the Equality Appeals Committee's ruling to the courts within eight weeks of the publication of the ruling, the legal effect of the ruling is suspended. The party to the case is authorised to request expedited proceedings in court. If a request for expedited proceedings is denied, a lawsuit shall be filed as soon as possible after the denial is made and no later than within thirty days of the judge's denial. The suspension of the legal effects of a ruling shall lapse if a lawsuit is not filed within thirty days of the judge's denial of expedited proceedings. If a lawsuit is filed due to a ruling by the committee, it may suspend the processing of comparable cases pending before it until a judgment is rendered in the case.

□ The Equality Appeals Committee may decide that the person against whom the complaint is directed shall pay the complainant's legal costs of bringing the complaint before the Equality Appeals Committee, provided that the committee's ruling is in the complainant's favor.

□ If the ruling of the Equality Appeals Committee is in the complainant's favor but the opposing party does not wish to be satisfied and files a lawsuit to have the ruling annulled in court, the Equality Appeals Committee and the complainant shall be summoned to defend themselves. The complainant shall be paid the legal costs of the proceedings before the District Court, the High Court and the Supreme Court from the State Treasury.

□ If the complaint is manifestly unfounded in the opinion of the Equality Appeals Committee, the Committee may rule that the complainant shall pay the other party the legal costs incurred as a result of the case. Enforcement may be carried out without a prior judgment to enforce a claim for legal costs.

□ The costs of the activities of the Equality Appeals Committee shall be paid from the State Treasury.

■ **Article 9.** *Membership, appeal deadline and procedure.*

□ Individuals, companies, institutions and non-governmental organizations who believe that the provisions of the Act on Equality, cf. Article 1, have been violated against them may, in their own name or on behalf of their members, as appropriate, seek the assistance of the Equality Complaints Committee.

□ The Equality Office may request that the Equality Complaints Committee handle a case, cf. the first sentence of the second paragraph of Article 5.

□ Complaints must be submitted to the committee in writing within six months of becoming aware of an alleged violation of the Act on Equality, cf. Article 1, of the situation that is considered a violation of the relevant law, or of the person concerned becoming aware of an alleged violation. If justification is sought on the basis of the provisions of the Administrative Procedure Act, the deadline begins to run when that justification is available. The Equal Rights Appeals Committee may, in exceptional circumstances, decide to accept a case for consideration even if the aforementioned deadline has passed, but never if more than one year has passed.

□ The Equal Rights Appeals Committee may, after consultation with the complainant, refer the case to the Icelandic Equal Rights Agency for conciliation.

□ The Equal Rights Appeals Committee shall issue a ruling as soon as possible and no later than two months after the collection of evidence has been completed.

□ Proceedings before the Equal Rights Appeals Committee shall generally be in writing, but the committee may, however, summon the parties to the case or their representatives to a meeting if the

committee deems it necessary. In other respects, proceedings before the Equal Rights Appeals Committee shall be governed by the provisions of the Administrative Procedure Act and further rules that the Minister may issue after receiving the opinion of the Equal Rights Appeals Committee.

■ **Article 10.** *Gathering information.*

- ☐ The Equality Appeals Committee shall ensure that a party to a case has the opportunity to express his or her opinion on the subject matter of the case before the Equality Appeals Committee issues a ruling, provided that it considers that neither his or her position nor the arguments for it are included in the case documents.
- ☐ The Equality Appeals Committee may, at the request of the opposing party, require a party to provide information that it considers may influence the resolution of the case.
- ☐ The Equality Appeals Committee may require further information from the parties to the case if it considers that the case is not sufficiently informed.
- ☐ If information concerning salaries, other working conditions or the rights of individuals who are not parties to the relevant case are submitted to the Equality Appeals Committee, the Equality Appeals Committee shall notify the party concerned that this information has been provided to it. Such information shall be treated as confidential.
- ☐ If the Equal Opportunities Appeals Committee is considering a case concerning recruitment, placement or appointment to a position, it may obtain further information about the case from the individual who was awarded the position, if it deems it necessary, in order to provide sufficient information on the case in accordance with Article 10 of the Administrative Procedure Act.
- ☐ When it can be assumed that a case may have a policy-making impact on the labour market as a whole, the Equal Opportunities Appeals Committee shall seek the opinion of the general organisation of employees and employers before issuing a ruling.

■ **Article 11.** *Publication of rulings. Annual report.*

- ☐ The Equality Appeals Committee shall publish its rulings in an accessible and orderly manner, as a rule two weeks after the ruling. Neither the name of the complainant nor other individuals shall be specified in the public publication of rulings. Personal information, such as salary and other similar information, shall also be omitted. The name of the respondent shall as a rule be published in the ruling.
- ☐ The committee shall annually submit a report on its work to the Minister, who shall publish it in an accessible manner. The report shall state the main findings and conclusions that can be drawn from the committee's rulings.

Chapter IV. Miscellaneous provisions.

■ **Article 12.** *Report on the status and development of gender equality issues.*

- ☐ The Minister shall issue a report on the status and development of gender equality issues once per electoral term. The Minister's report shall, among other things, include an assessment of the status and success of projects in the current parliamentary resolution on the implementation plan for gender equality issues, cf. Article 26 of the Act on Equal Status and Equal Rights of the Genders, in addition to a discussion of the status and development of gender equality issues in the main areas of society. The report on the status and development of gender equality issues shall be accompanied by a proposal for a parliamentary resolution on the implementation plan for gender equality issues.

■ **Article 13.** *Municipal plans on equality issues.*

- ☐ After the local elections, local governments shall ensure that a plan is drawn up within each

municipality for a new electoral term on objectives and actions to prevent discrimination, cf. the Act on Equal Status and Equal Rights of the Genders, the Act on Equal Treatment in the Labour Market and [the Act on Equal Treatment Outside the Labour Market],¹⁾ which, among other things, states how gender and equality considerations shall be addressed in all areas. The plan shall include objectives and actions to promote equality and equal treatment in the allocation of funds, in municipal services and in personnel matters, including how employees shall be guaranteed the rights stipulated in Articles 6–14 of the Act on Equal Status and Equal Rights of the Genders. It shall be submitted for approval to the relevant local government no later than one year after the local government elections, its progress shall be discussed annually in the local government thereafter, and it shall be revised as necessary.

☐ The local government shall entrust the regional council or another permanent committee of the municipality with the responsibility for the municipality's equality issues and, with the support of the staff, supervise the preparation of the plan and its implementation.

☐ The local government is not also obliged to draw up an equality plan or integrate equality considerations into its personnel policy pursuant to Article 5 of the Act on Equal Status and Equal Rights of the Genders.

☐ The Office for Equal Opportunities monitors the implementation of this provision and provides support to municipalities in its implementation.

¹⁾ [Law 63/2022, Article 13.](#)

■ **Article 14.** *Equality advisors.*

☐ The Minister may appoint an equality advisor to work temporarily on equality issues in a specific field and/or in a specific geographical area.

■ **Article 15.** *Authority to make regulations.*

☐ The Minister is authorized to issue regulations¹⁾ on the further implementation of this Act, such as on the activities and organisation of the Office for Equal Opportunities, including the application of daily fines determined by the Office for Equal Opportunities, cf. Article 6, and on the work of the Equal Opportunities Appeals Committee and its secretariat, including on submissions to the Committee, working methods, proceedings and publication of rulings.

¹⁾ [Reg. 1320/2024.](#)

■ **Article 16.** *Entry into force.*

☐ This Act enters into force immediately.

■ **Article 17.** *Amendment of other laws. ...*

■ **Provisional provisions.**

☐ Upon the entry into force of this Act, the mandate of the appointed representatives of the Equality Appeals Committee shall be terminated and the Minister shall appoint, in accordance with the nomination of the Supreme Court, three representatives of the Equality Appeals Committee, cf. Article 7, who shall take over the tasks of the outgoing committee.

☐ Notwithstanding the first sentence of the first paragraph of Article 7, the Minister shall, for the first time that the committee is appointed under this Act, appoint two representatives of the Equality Appeals Committee for a term of three years, other than the chairman and deputy chairman, but the Minister shall appoint the chairman for a term of four years and the deputy chairman for a term of two years. Deputies shall be appointed in the same manner.