

Family Policy in Iceland: An Overview

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Abstract

There are more children in Icelandic families than is common in the other Nordic countries. Work participation in Iceland is also amongst the highest in the West. The need for family support is therefore great. While overall expenditures on families with children in Iceland have converged with those of the Scandinavian nations in the last few years, the expenditures per child at age 0 to 17 are still significantly lower in Iceland. This is more marked for expenditures on benefits while expenditures on services are more comparable between the countries.

During the 1990s significant policy changes occurred in Iceland, improving the legal rights and conditions of families with children. These applied for example to rights to paternity and maternity leaves, childrens right to care from both parents and a stronger status for joint care, while the rights of same-sex people have been significantly equalized in 2006. Day care services (pre-school) have improved extensively since the early 1990s (increased rates of use and longer care hours) and so have after-school services. On the other hand expenditures on child benefits have been reduced since 1990. It is not clear at this stage whether this has changed the extent of poverty amongst families with children.

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Introduction

The Icelandic welfare system deviates from the Nordic model in some respects.¹ This is particularly significant with respect to the structure and amounts of benefits and use of income-testing in the social security system, but much less so in the field of welfare services. In a way it seems that the Icelandic model approaches the Anglo-Saxon liberal model as regards benefits but the Scandinavian one as regards services (Esping-Andersen 1990, 1999; Ólafsson 1999; Broddadóttir et al. 1997). Iceland's expenditure figures on welfare and health were comparable to those of the other Nordic countries in the 1940s and 1950s, but during the 1960s and 1970s, welfare expenditures in Iceland lagged behind. During the 1990s, Iceland's proportion of GNP spent on welfare and health hovered around 18-19%, which is low, even by European standards (NOSOSKO 2000; Ólafsson 1999). In the last few years Iceland has however surpassed the 20% mark for welfare expenditures (OECD 2005).

This general pattern of welfare provision in Iceland is also reflected in the field of family policies. On the whole Iceland has had lower expenditures (as % of GDP) on families and children but in the last years the total expenditure has converged. Thus Iceland spend 2,4% of GDP on families in 1996-7 while the other Nordic countries spent from 3,5% to 4%. By 2003 Iceland was spending 3.2% while the others spent from 2.9% to 4% (NOSOSKO 2000 and 2005). The main reason for the relatively large increase in Iceland is the emergence of paternal leave in relation to birth of a child, which was taken up in these years and has become quite extensively used. Child benefits have though also increased a little in the same period and expenditures on services have increased significantly.

But since Iceland has more children per family than the other Nordic countries it is more relevant to examine the expenditures on benefits and supplements per child at ages 0 to 17, as well as on services for families with children. This is done in table 1. Such figures give a

¹ The aim of this report is to describe the development of Icelandic family policies from 1990 and onward and it is written in accordance with the framework of the project, "Welfare Policy and Employment in the Context of Family Change", and follows the prescribed headlines and subjects. Cynthia Lisa Jeans, Kolbeinn Stefánsson and Kristin Einaradóttir have assisted with data collection and the authors thank them all for their contribution. Gudny Bjork Eydal is an assistant professor of Social Work at the University of Iceland (ge@hi.is) and Stefan Olafsson is a professor of sociology at the University of Iceland (olafsson@hi.is).

better indication of the emphasis put on public financial support to families and children in the individual countries.

Table 1
Expenditures on families and children in the Nordic countries
Euros (PPP) per child age 0-17, in 1999 and 2003

	Denmark		Finland		Iceland		Norway		Sweden	
	1999	2003	1999	2003	1999	2003	1999	2003	1999	2003
Benefits/supplement	1,765	1,922	1,747	1,779	1,013	1,379	2,459	2,508	1,676	1,854
Services	2,567	2,767	1,225	1,403	987	1,528	1,502	1,638	1,781	1,678
Total	4,332	4,688	2,972	3,182	2,000	2,907	3,961	4,146	3,457	3,531
Size of yearly child benefit (in Euro with PPP)	1,152	1,203	1,110	1,075	507	672	1,317	1,238	882	1,108

Source: NOSOSKO (2001 and 2005)

Looking firstly at total expenditure per child (on benefits, supplements and services together), we see that Iceland has the lowest real expenditure, followed by Finland. Denmark and Norway on the other hand have the highest expenditures. Expenditures on services are in both years by far the highest in Denmark, where the highest proportion of children at pre-school age have attended public day care. This factor has increased greatly in Iceland during the period, as can be seen from the figures on service expenditures per child. By 2003 Iceland spent more on services than Finland and only slightly less than Norway and Sweden.

Iceland is however somewhat behind in both years as regards expenditures on child benefits and supplements, which is in line with the main character of the Icelandic welfare system, as indicated above. Iceland's expenditures per child on benefits and supplements are from 55% to 78% of the other countries' expenditures. If we look specifically at the child benefit (the lowest line in the table), we see the difference between the countries more clearly. The figures show the average size of the benefit per child for those that receive the benefit. In case of Iceland the child benefit is income-tested so lower income households get

a more adequate amount but the expenditure on the whole is significantly lower in Iceland for the average family.

When we keep in mind that the average family in Iceland has more children (due to long-term higher fertility rates) and works more (work participation is higher for both parents and the working week is generally longer) than the average family in the other countries, it would seem that the need for support is larger in Iceland (see e.g. Eydal 2000; Ólafsson 1999, 1993 and 1990; Júlíusdóttir 1993; Kristinsdóttir 1991). The public support is however less extensive in Iceland which should mean that the pressure on the average family is greater in Iceland than in the other Nordic countries.

Icelandic family policy has on the whole been fragmentary in nature and the concept of family policy was hardly referred to in public debates until the 1990s when it gained greater political attention. In 1994 (the UN's Year of the Family), a proposition was put forth in a parliamentary debate that called for a comprehensive body of family policy. Research on families was also influential and promoted further debate and policy making (see, Broddadóttir 1994; Júlíusdóttir 1993; 1995). In 1997, the Icelandic parliament, Alþingi, passed a resolution on both the formulation of an official family policy as well as measures to be implemented that would strengthen the position of the family (*Alþingistiðindi* 1997-98 A: 1230). Parliament formally recognized the need for explicit public family policy with this resolution (Júlíusdóttir 2001).

The principal premises of this family policy are that the family is the cornerstone of Icelandic society and a source of human values that shall be reinforced and protected regardless of the type of family structure. The policy shall primarily take into account the following three principles:

- “That the welfare of the family is based upon equality between men and women and on shared responsibility for the tasks within it
- That the family is the setting for emotional ties

- That family life provides individuals, especially children, with security and the opportunity to develop their qualities to the utmost” (*Alþingistidindi* 1997-98 A: 1230).²

A special council, the Family Council, was appointed in 1998 by the Minister of Social Affairs. The Family Council has worked closely with the municipalities, since the resolution decrees that all municipalities are to form an explicit family policy (Júlíusdóttir and Sigfúsdóttir 2001).

In addition to the changes that have taken place in public family policies, there has also been an ongoing change aiming at enabling reconciliation of job and family in both the private and public sectors. According to the prevailing law on equality between the sexes, companies and institutions that employ more than 25 individuals shall prepare a program on equality, which shall include specific provisions on gender equality in their personnel policy (Cf. Law on Equal Status and Equal Rights of Women and Men no. 96/2000). Similarly, a growing number of companies have formed family policies or family-friendly employment policies.³

² For English version of the resolution please see:
[http://felagsmalaraduneyti.is/interpro/fel/fel.nsf/Files/resolution_public_family_policy/\\$file/resolution_public_family_policy.PDF](http://felagsmalaraduneyti.is/interpro/fel/fel.nsf/Files/resolution_public_family_policy/$file/resolution_public_family_policy.PDF)

³ An example of such change is a project called “Striking the Balance” (*Hið gullna jafnvægi*) where partners from the private sector, Reykjavik City and Gallup Iceland co-operated with the aim of changing the culture and policies of some of the major companies operating in Reykjavik. See <http://www.hgj.is> for further information.

The right (not) to have children

1. Abortion law and policy

In 1975, a new law on abortion replaced the original law from 1935. While the original law allowed abortion in cases when the life of the mother was in danger the 1938 law also referred to cases where the health of the mother or foetus was at risk or if the pregnancy was the result of a rape. The 1975 law emphasized counselling and education on matters of birth control and sexual relations. In addition to the above-mentioned reasons, it allowed for abortion due to social reasons, but only during the first 12 weeks of pregnancy (Sigfúsdóttir 1994). If a woman applies for an abortion within the first 12 weeks of pregnancy, her request has to be supported by the signature of two doctors or a doctor and a social worker. It is possible to get an abortion between the 12th and 16th week of the pregnancy. Authorization is issued by a special committee consisting of a doctor, a lawyer and a social worker appointed by the Minister of Health. Only in special cases where abortion is medically necessary can the procedure be done after the 16th week of pregnancy. It is the legal right of the mother to decide upon an abortion, and therefore it is not necessary to consult the father. It is however considered preferable that the father be included in the decision (cf. Law on Counselling and Education regarding Sex, Childbearing, Abortion and Sterilization no. 25/1975).⁴

2. Fertility policy

There are no explicit policies on either fertility or population (Eydal 2005b). This is probably due to the fact that fertility rates in Iceland have been, and still are, relatively high by European standards. According to law from 1938, it was legally possible to sterilize individuals without their consent, if the necessary legal procedures were followed (Law on Sterilization no. 16/1938). In 1975 the Law on Counselling and Education regarding Sex,

⁴ For further information and statistics on abortions and fertility in Iceland see Eydal and Ólafsson 2002.

Childbearing, Abortion and Sterilization (no. 25/1975) came into force, and partly revised the 1938 law.

In 1999, 760 sterilizations were carried out on 560 women and 200 men, in accordance with the 1975 law, thus with the full consent of the individuals (NOMESKO 2000).

Rights and Obligations

1. Parental rights and obligations

The Nordic countries have had formal consultations in the field of family law during the 20th century (Therborn 1993; Ludvigsen 2005). Consequently, the family laws of these Nordic countries have significant resemblances. In Iceland, there are four main types of families/parents addressed by laws during the period in question; where parents are heterosexual and married, homosexual and living in registered partnership, heterosexual and cohabiting, and lone parents (either holding custody or sharing it with the other parent). However, from June 2006 new law will ensure same-sex couples with equal legal rights as heterosexual couples, except for the fact that religious communities do not have the right to confirm a communion, but there is a tradition for blessing of such unions in Icelandic churches (*Alþingistiðindi* 2005-06 A: 1445).

The legal relationships of parents with their children and the legal possibilities of becoming parents in the first place have varied greatly. Rights and duties of married couples are defined in the Law in Respect of Marriage (no. 31/1993). If a married woman gives birth to a child, her husband is automatically considered to be the father unless authorities are notified otherwise. The parents have joint custody of their children. In case of divorce custody shall be decided in accordance with the child's best interests.

The last decade of the 20th century saw a number of legal reforms aimed at extending civil rights to homosexual people as well as reducing discrimination (Traustadóttir and Kristinsson 2003; Stefánsson and Eydal 2005). In 1996, a law on registered partnership for same-sex couples was ratified. The law provided same-sex couples that register their

partnership with a similar legal status to married couples. According to Law on Registered Partnership (no. 52/2000), same-sex partners were allowed to legally adopt their partner's child. In other words, if a partner had a child, e.g. from a previous heterosexual relationship, it was legally possible for their homosexual partner to adopt that child. However, same-sex couples did not have legal rights to adopt a child together and they did not have rights to artificial insemination or other fertility procedures according to the law on Artificial Insemination (Adoption Law no 130/1999; Artificial Fertilisation Law no. 55/1996). By law from 2006 same-sex couples enjoy all legal rights that heterosexual couples enjoy, including the right to artificial inseminations and adoption (*Alþingistiðindi* 2005-06 A: 1445).

The cohabitation of heterosexual couples has gained wide recognition in Icelandic law and has been a relatively common family form and widely accepted (Eydal and Ólafsson 2002; Eydal 2005b). Unlike marriage or registered partnerships, forms of heterosexual cohabitation recognised by the state are not defined in a single body of law. However, it is possible to register cohabitation with the authorities (Law on Legal Resident no. 21/1990). The parental rights and duties are the same as in the case of married couples. The Icelandic legislature has chosen to recognize legal rights of heterosexual cohabiting couples through provisions in different laws, but cohabiting same-sex couples did not enjoy legal recognition until 2006 when cohabiting same-sex couples were ensured all same rights as man and woman in cohabitation (*Alþingistiðindi* 2005-06 A: 1445).

Despite the recognition that heterosexual cohabiting couples have received in law, there is a clear difference between the legal status of cohabitation and marriage. Cohabiting couples were not able to adopt children until 1999. Cohabitants do not have any automatic inheritance rights, and no laws exist on how to administer the financial affairs if the relationship breaks up (*Alþingistiðindi* 2000-01 A:935; Erlendsdóttir 1988; Inheritance Law no. 8/1962; Adoption Law no.130/1999). However if a cohabiting woman gives birth to a child, her heterosexual cohabitant will automatically be regarded as the father unless the parents notify otherwise. However, if the parents are not cohabiting the mother has custody

of the child, but both parents share parental obligations (Law in Respect of Children no. 20/1992).

The Law in Respect of Children emphasizes the child's right to know and receive care from both parents and mandates the parents to fulfil these obligations (Law in Respect of Children no. 76/2003). However, despite the emphasis on the parental duties of both parents, the legal possibility of joint custody was recognized by law only relatively late in Iceland, i.e. in 1992 (cf. Law in Respect of Children no. 20/1992; Júlíusdóttir and Sigurðardóttir 2000). Joint custody was optional and the parents could choose to leave the custody in hands of one parent only. In 2006 the law was changed so that joint legal custody would be the rule, except in cases when one or both of the parents did oppose such an arrangement (*Alþingistiðindi 2005-06 A:1456*). Children's rights to receive the best possible care are ensured by various laws (e.g. the Law on Child Protection no. 58/1992).

The Law in Respect of Children from 2003 stipulated for the first time that the mother is obligated to declare the paternity of her child. It also stipulated that a man who claims to be a child's father can initiate a paternity suit in order to justify his claim. This is a major change, because only the mother or child could initiate a paternity suit under the previous legislation (Law in Respect of Children no. 76/2003; *Alþingistiðindi 2002-03 A: 181; 1443*).

Child Maintenance and State-Guaranteed Advance Payment

In Icelandic law there have been stipulations for centuries that require fathers to support their children when not living with them (Snævarr 1983). According to the Law in Respect of Children, the parents have joint obligations towards their child's maintenance (Law in Respect of Children no. 76/2003). Usually parents who do not live together draft an agreement declaring how they will share their financial duties towards the child. This agreement has to be ratified by authorities. If parents end their cohabitation, registered partnership or marriage, they also create an agreement declaring how they want to share the financial responsibility for their child. It is possible to make contracts based on the agreement made by the parents to divide the maintenance costs of the child in various ways.

As a minimum, when no agreement exists, the parents living with the child can make a claim to the child maintenance allowance guaranteed by the state. The child maintenance allowance is paid monthly in advance by the Social Security Institute (*Tryggingastofnun Ríkisins*) if the parent wishes (Ólafsson 1999).

The child maintenance allowance guaranteed by the state equals the amount of the current child pension (paid for children of pensioners), which equals the amount of 180 Euros per month in June 2006. The child maintenance is paid until the child is 18 years old, but the child can apply for a continuance until the age of 20 if he/she is a student (Law in Respect of Children no. 76/2003).

From 1953 onwards a benefit scheme existed that provided what was called “mothers’ wages” (*mæðralaun*) (The Social Security Law no. 40/1953). These benefits are paid to lone mothers (and to lone fathers since 1972) who are living with two or more children. During the 1990s, the balance between the child maintenance allowance (*meðlag*) and the mothers’/fathers’ wages has been altered, so that the child maintenance constitutes a much larger part of the total payment. In June 2006 the amount paid with two children is 52 Euros and, with three children or more, it is 136 Euros per month. If a lone parent receiving such benefits starts cohabiting or marries a new partner, the payments are terminated, except during the first year of cohabitation, as long as a new child of the new cohabiting couple is not born within that calendar year (The Social Security Law no. 118/1993).

2. Children’s Rights

The legal definition of a child underwent some changes during the 1990s in Iceland. Following the ratification of the UN’s Convention on the Rights of the Child, in 1992, it became necessary to adjust the Icelandic law in accordance with the convention, which states that a child is an individual under 18 years of age. Until then, Icelandic children came of age at 16, but in 1997 the law on legal competence was changed so that individuals now achieve personal competence at the age of 18 (Law on Legal Competence nr. 71/1997). Despite this change, there are still varying definitions of childhood left in different laws. For example, a

17 year old can receive a driver's licence, an 18 year old can vote and a 20 year old can buy wine in the state monopolized wine stores.

The Law in Respect of Children also provides children with the right to express their opinion on subjects concerning their own affairs (custody). According to this law, if a child is 12 years or older the authorities must consider their opinion. The law dictates that parents must include their children in decisions that affect the child's life (Law in Respect of Children no. 20/1992). The right to have a say in their own matters is also apparent in other laws such as laws on child welfare. In 1992, the law stated that all children 12 years and older should be consulted on matters concerning decisions being made on their behalf. Younger children should be consulted in accordance with their maturity and for the first time it was made possible by law to appoint a spokesperson for the child in specific cases (Law on Child Protection no. 58/1992). From 2003 the legal rights of an unborn child are also insured by the child welfare law, where it is possible for the child welfare authorities to address pregnant women and make sure that mother-to-be does not endanger the health or life of the unborn child.

In order to strengthen children's legal rights further, Icelandic children were given their own ombudsman by law in 1994 (Law on Children's Ombudsman no. 83/1994).

3. Pensions and children's obligations to parents

Originally, the system of social security emphasised the role of the breadwinner, but has gradually been moving towards an individual model, though with an emphasis on extra payments for children (Eydal 2005b). The law still gives entitlements to extra benefits for parents in case of illness, unemployment, loss of spouse, disability, old age, and to children when both parents are deceased (The Social Security Law no. 117/1993). The amounts in cases of sickness and unemployment are very low, but the additional payment for survivors and pensioners, the so-called child pension, is around 180 Euros per month.

Survivors' benefits were originally paid to widows only. From 1993, a survivor is entitled to payments for six months after the death of a spouse. Cohabitants are entitled to

survivors' benefits according to the same rules applied to social security in general (cohabiting for one year, having at least one child together, or the woman being pregnant). Survivors' benefits are approximately 1/3 of the minimum wage. If the survivor has children under the age of 18, it is possible to apply for payments for twelve months. The maximum period of payments is 48 months except in cases of accidental death, where the maximum period is eight years (The Social Assistant Law no. 118/1993). Other payments that a parent receives after the death of a spouse are related to their position as lone parents.

The family element of the social security system is first and foremost a parental one. Support is aimed at parents, to enable them to provide for their children. There are only a few examples of payments for care-giving to relatives or couples (e.g. the possibility for a spouse of a dependent pensioner to apply for payments when providing care) (Ólafsson 1999).

The system of social assistance, run by the local authorities, has quite a different profile, since the family has typically been the beneficiary unit, even from the period of settlement some 1000 years ago. Such a support was generally proclaimed in the prevailing law of the early Icelandic Republic. However, the definition of 'family' in public law has gradually been narrowed. In the first Icelandic legislation, the list of family members responsible for each other took up over half a page (Eydal and Ingimarsdóttir 2003). In the twentieth century, only parents and children were liable, and as late as 1991, adult children were no longer obligated by law to support their parents. As of 1991, the only legal support duties are those of parents to provide for their children 18 years old or younger and for each other (The Local Authority Social Service Law no. 40/1991).

The aim of the Social Service Law is to guarantee the financial and social security of residents, and furthermore, to work for their welfare based on mutual aid. According to the law, social services include social counselling, financial assistance, home help, child welfare, services for the elderly and disabled, housing, employment services and unemployment registration, assistance for alcohol and drug abusers as well as preventive work in these areas (Broddadóttir et al. 1997). During the 1990s, proportionately fewer families and individuals

received social assistance in Iceland than in the other Nordic countries (Nordic Statistical Yearbook 1999).

The costs and benefits of having children

Unfortunately, no comprehensive data exists on the character and quality of the total child benefit package in contemporary Iceland. Before the system of child benefits is addressed, a brief summary of other benefits and costs might therefore be helpful. The tax system does not favour parents as a unit in any way since the taxation is individually-based, although (couples) can ask for joint taxation and jointly use their personal deduction. Nor is there any consideration of the number of children in a family when it comes to tax deductions for mortgages. Parents pay health care costs up to a certain ceiling and the family does not pay fees for the rest of that year after that ceiling has been reached. There are no school fees, but parents usually pay for after-school care (parents paid 53% of total cost for that in 2003), school meals and leisure activities.

Family/child benefits

The first laws on universal family benefits came into force in 1946. Family benefit was paid only with the fourth child but after amendments of the scheme in 1963, it was paid for all children (Ólafsson 1999). In 1975, the family benefits scheme was transferred from the social security system to the tax system, and the benefits were renamed “child benefits”. Child benefits are deductible from the amount the parent or parents pay in tax. If the benefit amount exceeds the tax, the parent/parents are entitled to a refund. From 1977 the payments to lone parents were 40% higher than to cohabiting parents and higher benefits were paid for children under seven years of age (Knudsen 1993).

Special additional income-tested child benefits were established in 1984. There has been a gradual increase in the proportion of income-tested child benefits as a percentage of the total benefit amount: from 23% in 1988 to 25% in 1990 and up to 45% in 1996. The final step in this direction was taken in 1999 when the universal part of the child benefits was

abolished completely and all child benefits became fully income-tested (Law on Taxation of Incomes and Property no. 75/1981 with later changes; *Alþingistiðindi* 1997–98. A:52).

The benefit amount is calculated for each parent residing with the child. If both parents are residing with the child the benefit is divided equally between them. In cases of joint custody, the child benefits are paid only to the parent living with the child, regardless of how much time the child stays with the parent who does not share legal residence. Before the changes in 1999, the income-tested benefits were calculated according to the parents' income, net wealth assets, whether both or one parent shared legal residence with the child, and the age and number of children (Law on Taxation of Incomes and Property no. 75/1981, with later changes).

The amounts of child benefits differ considerably for different family forms and income groups due to the income-testing. In 1996, lone parents received on average double the child benefits of couples, mainly due to their lower income. Almost all lone parents received some income-tested child benefits (93%), while that applies only to about a half of the married or cohabiting couples. The fact that married/cohabiting parents received on average less than 2% of their total income from universal child benefits in 1996 could explain why the change to 100% income-tested benefits which was implemented in 1999 was not heavily debated. An important factor regarding the possible stigmatisation of receivers of income-tested benefits is that it is considered desirable in Iceland to receive a refund from the tax authorities, including the receipt of a refund of child benefits. Tax authorities can transfer the child benefits to pay tax debts, but if there is no debt, it is paid out.

Because the benefits are income-tested, they constitute a higher proportion of the income of the lowest income groups, or 5% of the income of married or cohabiting couples in the lowest decile (see Table 2).

Table 2
 Child Benefits by Income Groups, Iceland 2004
 Married and cohabiting couples

Income deciles:	Family benefits, as % of total family income
I - Lowest 10%	5,0
II	3,5
III	3,8
IV	3,0
V	2,3
VI	1,6
VII	1,2
VIII	0,8
IX	0,6
X – Highest 10%	0,2
Average	1,5

(Calculated from Statistics Iceland: *Landshagir* 2005)

The table shows how the income-testing works to reduce the family benefits (child benefits and interest rebates on housing debts) as family incomes rise. The middle groups receive 1,6% - 2,3% of their income in the form of these family benefits, while the arithmetic mean is 1,5%. Still the highest decile of families receives some family benefit (0,2%).

In 2000, the government revised the decision of abolishing the universal child benefits and reintroduced universal benefits for children less than 7 years old. Parents are entitled to universal benefits for all children under the age of 7 (488 Euros pr. year, in 2006). In 2000, income-testing was also scaled down a little and assets were no longer included in the calculation, only taxable income. Income-tested child benefits are paid for each child under 16 years of age. The amount varies depending on whether the custodial parent is single or not. Maximum benefits for lone parents in 2006 are 2,428 Euros a year for the first child and 2,490 Euros for each child after the first. Maximum benefits for couples are 1,457 Euros for the first child and 1,735 Euros for each child after that. The taxable yearly incomes of parents beyond 19,406 Euros for couples and 9,703 Euros for a lone parent is calculated for

deduction; 3% of the income will be deducted for the first child, 7% with the second child and 9% with three or more children (cf. Law on Taxation of Incomes and Property no. 75/1981, with later changes). The income threshold was gradually increased and the proportion that was deducted was decreased during the period from 2000.

According to the Ministry of Finance, the changes are supposed to augment the disposable income of families with children. The Ministry believes that families in all tax brackets will benefit from these changes, while emphasizing the benefits to the lowest and middle tax brackets. In addition to these changes, child benefits for lone parents increased by 8% overall (Ministry of Finance 2003).

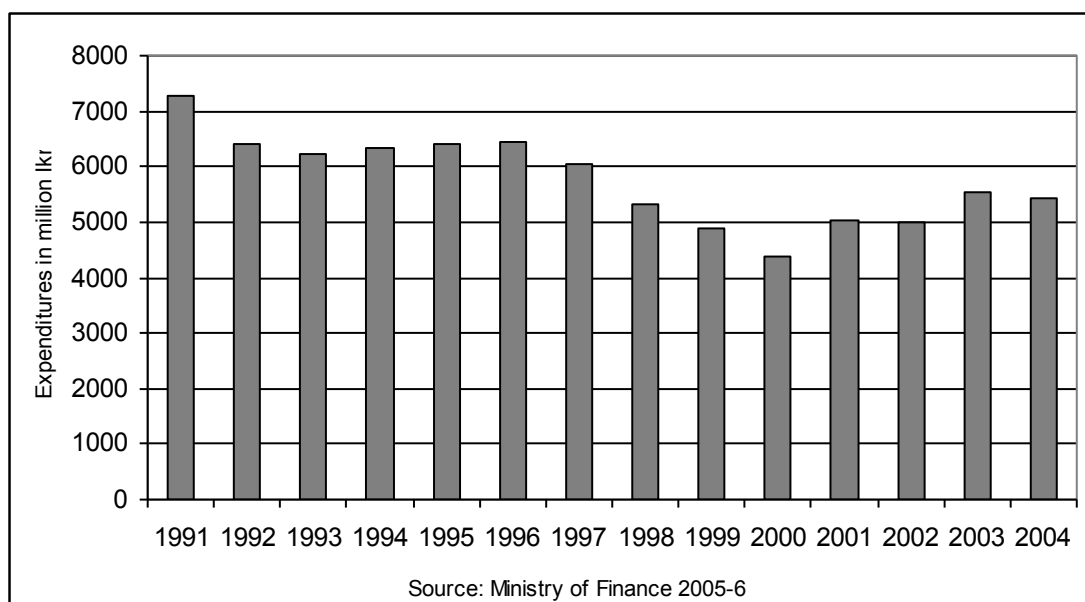


Figure 1: Expenditures on Public Child Benefits. Millions of IKr. at 2004 prices.

As the figure shows there has been a decline in the overall real expenditures on child benefits since 1991, but since 2000 there has been some increase again, though without regaining the levels from the early 1990s. If these expenditures are measured as a proportion of GDP the ratio was 1,2% of GDP when it was at the highest, in 1991, and by 2004 it was down to 0,6% of GDP.

Family-Friendly labour market

1. Childcare

Broddadóttir et al. (1997) give an account of day care services development in Iceland during the 1980s and early 1990s. These were characterised by relatively low volumes of care for children under the age of 2. There were higher volumes for children aged between 3 and 6, but it was also characterized by a high proportion of part-time care. The first law on public day care institutions came into force in 1973. The aim of the law is pedagogical and from the beginning day care was administered by the Ministry of Culture and Education.

As early as 1981, the relevant laws specified that an educational plan should be developed for the day care stage. The plan should define in detail the aims and methods of all professional work at day care institutions in co-operation with people specially qualified in early childhood education. In 1991, a new day care Act was passed in Iceland (Law Pre-Schools no. 48/1991). This law also established the educational and pedagogical aspects of public day-care. The concept "day care institution" (*dagheimili*) was changed into "playschool" (*leikskóli*). A new curriculum was also established where children's play was defined as an educational tool. In addition, the job title of professionally-trained staff was changed from "nanny" (*fóstra*) to "playschool teacher" (*leikskólakennari*). The regulation concerning family day care (which was earlier under the jurisdiction of municipalities) was established in 1992 as part of the Social Services Law and is regulated by the Ministry of Social Affairs (Broddadóttir et al. 1997).

It can be concluded that the development of day care in Iceland has been strongly connected with the idea of education; the preference has been given to pedagogical goals in building the public day care system. In most municipalities, full-time day care in institutions was only available to a small group of children during the 1980s and was primarily used by lone parents and students, who were privileged in the day care system at that time, both as regards access to places as well as fees (Broddadóttir et al. 1997; Eydal 2000). Thus, a relatively low volume of public day care (family care included) was developed despite the

fact that the labour market participation rates in Iceland have been among the highest in Europe.⁵

However, during the period from 1990-2005, there has been a persistent increase in public day-care, both in coverage (% of the age group in question) as well as full time placements. As table 3 shows, the increase has been slow but constant and since 1998, more than 90% of 3-5 year olds in Iceland have been enrolled in public day care (institutions or family day-care). The total enrolment rates for 1-5 year olds in day care went from 69% in 1998 to 80% in 2005. The increase was greatest for the youngest age groups. One year old children went from 12% in 1988 to 30% in 2005 while two year olds went from 65% to about 90%. According to *Key Data on Education in Europe 2002*, Iceland is now amongst those countries that have the highest coverage rates for both 3 and 4 year olds in Europe. Children start regular primary school at age 6 in Iceland and thus “graduate” from pre-school (day care) at age 5.

Table 3
Icelandic children under 6 enrolled in public day care, 1998-2005
% of age group

	Total at ages 1-5	Age 1	Age 2	Age 3	Age 4	Age 5
1998	69	12	65	87	91	88
1999	68	11	61	87	91	90
2000	68	10	54	89	92	91
2001	72	14	73	92	93	91
2002	77	19	84	93	94	93
2003	79	24	89	93	95	93
2004	80	27	90	94	95	93
2005	80	30	89	94	95	93

(Source: Statistics Iceland - Data on homepage: www.hagstofa.is).

In 1994 there were 178 day care institutions in Iceland; 141 operated by municipalities, 15 connected with hospitals and 22 run by other organizations (Broddadóttir et al. 1997). In

⁵ During the period in question there has been almost constant high demand for labour in Iceland.

2004, there were 262 day care institutions; 234 run by municipalities and 28 run by other organisations (*Landshagir* 2005).

The Ministry of Culture and Education grants licences to operate playschools and supervises relevant laws and regulations. Nevertheless, it is primarily the municipalities that make policies on the operation of the playschools and on how many places they offer at any particular time, since there is no guarantee or universal right of children to day care (Law on Pre-Schools no. 78/1994, w.l.c.). Parents pay about 30% of the real cost of day care in Iceland, which is rather high compared to the Scandinavian nations (NOSOSKO 2005).

During the municipality elections in the spring of 2006 in Iceland it was greatly debated, and promised by many candidates, that day care services should become free of charge, since this is an educational operation and should be provided on the same basis as primary school. Thus it seems likely that free pre-school (or day care) will emerge in Iceland in the next few years.

2. After-School Care

Before 1996 the elementary schools were run by the state, but when the municipalities took that responsibility over, there was a rapid increase in after-school care run by the schools themselves. There is presently a lack of comprehensive public statistics on the number of children enrolled in after-school care.

3. Parental leave (maternity leave, paternity leave, parental leave, leave to care for children, leave to care for sick children)

In 1981, the first legislation on universal rights for paid parental leave came into effect in Iceland. The laws were a result of union wage bargaining in which the government promised the Federation of Labour (*ASÍ*) that all women be entitled to 3 months paid maternity leave. The payments should be of two kinds: (1) universal benefits, a fixed amount and (2) an extra monthly supplement in accordance with hours worked (not salaries) in the last 12 months. Thirty days after the birth, the mother was free to transfer her entitlements to the father. The

benefits were paid by the state, so at the same time the employer's social insurance fees were changed (*Alþingistiðindi* 1980-81; Eydal 2000). According to Bergquist et.al. (1999), it was neither the women's organisations nor the labour unions that demanded that fathers be granted rights to parental leave. Rather, parental leaves for fathers were enacted into law due to influences from other Nordic countries. In 1987, the length of leave was gradually extended to 6 months (Law on Parental Leave no. 57/1987).

In May 1997, parliament passed a resolution on family policy, that states it is the task of government to ensure the rights of both parents to parental leave, and called for measures to be taken that would enable fathers to take parental leave (*Alþingistiðindi* 1995-96 A:719). In September 1997, the Minister of Finance decreed that all fathers working for the state should have the right to a two-week paid paternity leave. This leave needed to be taken within eight weeks from the birth of the child. In December of that year, parliament voted in favour of a bill, mandating a two-week paternity leave for all fathers as of January 1st 1998 (Eydal 2000).

In 2000, new legislation on parental leave came into force, radically changing the scheme of parental leaves. According to the new law the goal of the Law is, "...to ensure that children have access to both their fathers and mothers". In addition the aim of this Law is, "to enable both women and men to co-ordinate family life and work outside the home" (Law on Maternity/Paternity Leave and Parental Leave no. 95/2000)⁶. In the bill, it was argued that the traditional division of labour between mothers and fathers has often resulted in the father being deprived of opportunities to be with his children. It also stated that research in both Iceland and other countries has shown that fathers want to spend more time with their children. The purpose of the law is to meet the wishes of these fathers. Furthermore, it is argued that in order to promote equal participation of parents in the labour market it is necessary for them to have equal rights in balancing family and work responsibilities. In the bill, reference is made to the Icelandic legislation on equality between the sexes, which has the same goal.

⁶ For English translation of the Act please see: [http://brunnur.stjr.is/interpro/fel/fel.nsf/Files/act-maternity-paternity/\\$file/act-maternity-paternity.PDF](http://brunnur.stjr.is/interpro/fel/fel.nsf/Files/act-maternity-paternity/$file/act-maternity-paternity.PDF)

In order to ensure these goals are reached, each parent will, “...have an independent right to maternity/paternity leave of up to three months due to: a birth, primary adoption or the permanent fostering of a child. This right shall not be transferable.”⁷ In addition, parents shall have a joint right to three additional months, which may either be taken entirely by one of the parents or else divided between them. The right to maternity/paternity leave shall lapse when the child reaches the age of 18 months... A woman shall take maternity leave for no less than the first two weeks after the birth of her child... A non-custodial parent shall have the right to maternity/paternity leave providing the custodial parent has agreed that the non-custodial parent is to have access to the child during the period of the maternity/paternity leave” (Law on Maternity/Paternity Leave and Parental Leave no. 95/2000, article 8). In addition to the rights of maternity/paternity leave, each parent has the right to an unpaid 13-week parental leave (total 26 weeks, 13 weeks for mothers and 13 weeks for fathers; not assignable). The right to this unpaid parental leave shall lapse when the child reaches the age of eight years.

It is stated specifically in the notes that paternity/maternity leave shall not be transferable, because if it were the aim of the law could not be reached. When the bill was introduced in Alþingi, by the Minister of Social Affairs, he stated in his speech that only in exceptional cases would a child not be ensured 9 months care from both parents. This would include: if the mother choose not to reveal the child’s paternity; if the custodial parent did not give his/her permission for the non-custodial parent to use his/her rights to maternity/paternity leave; and thirdly, if one of the parents resided abroad (Minister Páll Pétursson, in *Alþingistíðindi* 1999-2000, case 623).

⁷ If one of the parents dies before the child reaches the age of 18 months, the right to maternity/paternity leave that the deceased has not used can be reverted to the surviving parent.

Table 4
Overview of maternity/paternity/parental leave in Iceland, years 2001-3

Age of child	Type of leave/Period	Payment
0-18 months	Paternity/Maternity leave: 3 months maternity leave; 3 months paternity leave; 3 months divided as the parent choose	For parents participating in labour market; 80% of total pay. For other parents: flat rate payments
18 months – 8 years	Parental leave: 13 weeks for mothers 13 weeks for fathers	No payments

(Source: Eydal, 2005a)

According to the law, it is necessary for an employee to notify her/his employer within a certain time limit when he/she intends to take a maternity/paternity leave. The employee may take the leave in one continuous period. However, it is also permissible to divide the time off into individual chunks in arrangement with the employer, but never less than one week at the time. If the employer is unable to meet the wishes of the employee he needs to give a written reason and propose another arrangement within one week (Law on Maternity/Paternity Leave and Parental Leave no. 95/2000).

The Icelandic social security system has generally based its benefit payments on a flat rate and/or income-tested benefits. The Scandinavian tradition of income replacement has never been adopted in the Icelandic social security system (Ólafsson 1999).⁸ Until 2001, the payments for parental leave were of two kinds: a flat rate payment, which all parents were entitled to, and a payment that was based on how many hours the parent had been working or studying prior to the birth of the child. Thus it was a radical change and out of line with prevailing forms of benefits when the 2000 legislation entitled parents to payments that equal 80% of their average pay. This originally included all wages with no ceiling or upper limit. The average was calculated from the hours worked during a consecutive 12-month period

⁸ This has on the other hand been a feature of the labour market's occupational pension system, which is run by the unions and employers and as such within the private sector, even though the affiliation of working people to this system is compulsory by law.

ending two months prior to the first day of the maternity/paternity leave (Law on Maternity/Paternity Leave and Parental Leave no. 95/2000). In 2004, a ceiling on the wages was implemented and the limit was put on 80% of incomes up to 600.000 IKR. After the change the payments are based on a period of two years before the birth year of the child, instead of 12 months (Regulation no. 1056/2004). If the parents had been working less than 25%, part-time or have not been active in the labour market they are entitled to a maternity/paternity grant of 434 Euros each month. Full time students are entitled to 971 Euros a month.

When the bill was introduced, the Minister of Social Affairs emphasised that this change was not only to ensure equality between the mother and the father, but also equality between employees in different unions, because the new law ensured all employees would receive 80% of previous earnings (*Alþingistiðindi* 1999-2000). Prior to the law in 2000 some union workers received full salary payments during parental leave while other workers were only entitled to the payments from Social Security. The new maternity/paternity leave is paid by a special fund, the Maternity/Paternity Leave Fund, that was established by the law and financed through the collection of an insurance levy (Law on Maternity/Paternity Leave and Parental Leave no. 95/2000).

As stated above, the purpose of the new legislation was to ensure the rights of children to care from both parents and to increase equality between men and women. In the bill, references were made to research results that show that a majority of men claimed they wanted to be able to reconcile labour market participation and childcare to a higher extent. It stated that equal and independent rights to maternity/paternity leave play an essential role in ensuring that both parents have the opportunity to reconcile work and family life. In the debates, references were made to different agreements within the EU and that one of the goals of the legislation is to adopt the Directive on Parental Leave (96/34/EC) (*Alþingistiðindi* 1999-2000).

During the period since the new law on maternity and paternity leave came into force (January 2001), there seems to be general acceptance and support for the law (Eydal 2005a).

A Gallup poll from March 2003 shows broad support, though the support was slightly stronger among women. When asked if respondents supported women's use of their entitlements for a 3-6 month-long paid parental leave 99% of the respondents were supportive, while 85% were supportive in the case of men utilising the same rights. Younger respondents claimed higher support to men utilising their rights than older respondents did (e.g. 97.5% of 18 to 24 year olds as against 69.9 % of 55 to 75 year olds. There was less support among employers (73.7%) than employees (87.3%) and similarly slightly higher support among women towards men's use of their parental leave (80.3% of the men compared to 90.8% of the women) (IMG-Gallup 2003).

The ultimate test of acceptance is of course, how many fathers use their rights. There are still only limited statistics available on the utilisation of this leave. When comparing the usage of fathers and mothers it should be kept in mind that the fathers were entitled to one month in 2001, two months in 2002 and three months in 2003. According to statistics from the Social Security Institution (*Tryggingastofnun Ríkisins*) almost 100% of the women used their full entitlements while 94.8% of the men made use of their rights to one month in 2001 and 82.5% of the men used their full entitlements to two months paternity leave in 2002. The three months that the couples could share according to their own wishes is used by 94.2% of women in 2001 compared to 93.3% in 2002. In 2001, 14.5% of men used some period of these entitlements and in 2002, 12.9%. When comparing how the parents plan their parental leave, results show that the majority of women take leave in one consecutive period, or 71.3% in 2001 and 65% in 2002, while men still prefer to split their leave into two or more periods, and in 2002 70.9% of the men took more than one leave of absence (Equality Commission 2003). Total figures on numbers of recipients in 2003 and 2004 indicate that fathers are indeed using their entitlements to a greatly increased degree, as shown in table 5

Table 5.
Use of maternity/paternity leave in Iceland, 2001 to –2004
Number of receivers of maternity/paternity leaves

	2001	2002	2003	2004
Men	2.748	3.817	4.724	5.625
Women	4.073	6.261	6.338	6.608
Total	6.821	10.078	11.062	12.223

Source: Statistics Iceland, *Landshagir* 2005

The figures indicate that the participation ratio is high among fathers, but it is still too early to draw any larger conclusions from the limited data that has been collected so far. Table 6 does on the other hand show a comparison between the Nordic countries of the effective use of fathers of paternity leave, as measured by the fathers' proportion of benefit-days taken in relation to the birth of a child.

Table 6
Fathers' use of paternity leave in the Nordic countries, 1995 to 2003
Fathers' % of total benefit-days taken

	Denmark	Finland	Iceland	Norway	Sweden
1995	4.4	3.6	0.1	5.8	10.3
2000	5.5	4.1	3.3	7.2	13.7
2002	5.5	4.8	19.6	8.6	16.6
2003	5.1	5.3	27.6	8.6	18.3

Source: NOSOSKO 2005.

It is clear from this table that Iceland has taken the lead in the use of paternity leave since 2002. Thus Iceland has moved from a laggard's position in 1995 to setting the pace for others in this respect. Given that fathers have the independent right to a third of the total leave-days in Iceland (9 months in all), it seems that the great majority of new Icelandic fathers are taking their paternity leaves nowadays.

5. Pensions Credits for mothers.

Pension credits do not exist for mothers or other long-term caretakers in Iceland.

Conclusions

During the 1990s, some significant policy changes in the field of family policies have taken place, and the parliament (Alþingi) accepted a new resolution on family policy. New laws on the equal rights of both parents to paternity/maternity leaves and the ratification of the ILO resolution regarding employees with family obligations are two examples of results of the family policy resolution from 1997. In the field of family law, various changes have ensured that children have greater rights to care from both parents, e.g. the possibility of joint custody. In June 2006 legal history was made with the implementation of a new legislation securing same-sex people equal rights to establish a family. Gender equality issues have also been high on the political agenda and new laws on the Equal Status and Equal Rights of Women and Men came into force. The day care services have been radically improved and the importance of day care or playschools as the first stage of schooling has been further emphasised by law. After-School Services have also improved during the period in question. Children's rights have been enforced through different laws and the ratification of the UN's Convention on the Rights of the Child.

However, not all changes have favoured families in general. During the period in question, there have for example been cut-backs and changes in the child benefit system that have reduced benefits for many. Research on poverty shows that certain groups among families with children are in a precarious situation and some of these may have been adversely affected (Ólafsson 1999; Harpa Njáls 2003). This needs to be researched further.

Even though the following statement has not been confirmed by systematic research, the 1990s can be characterized as a decade of the family in Iceland, because family and care-related issues have featured significantly more on the political agenda than in previous

decades. On the other hand, the overall generosity of public family benefits was reduced at the same time as they became income-tested to a greater degree. Thus the total expenditures on child benefits were lower by the end of the period than at the beginning of the 1990s.

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