

Act 9 March 1973 no 14 relating to prevention of harmful effects of tobacco. Last amended by Act 21. December 2001 no 119, 21 June 2002 no 33 and 23 May 2003 No 34.

[The amended version is being translated.](#)

Section 1

The purpose of this Act is to limit the damages to health which use of tobacco, leads to.

Section 2

All forms of advertising of tobacco products is prohibited. The same applies to pipes, cigarette paper and cigarette rollers.

Tobacco products must not be included in the advertising of other products or services.

A brand name which is mainly known as denoting a tobacco product may not be used in the advertising of other products or services, as long as the brand name in question is used in connection with a tobacco product.

Tobacco products may not be launched by means of trademarks which are known as, or in use as, brand name for other products or services.

Any form of free hand out of tobacco products is prohibited.

The King may lay down regulations concerning exceptions from the provisions of this section.

Section 3

It is prohibited to import into Norway, sell or hand out tobacco products which are not marked with a text pointing to the risk of damages to health by use of such. Similarly, cigarette packets must have a declaration of contents. The Ministry stipulates further regulations concerning the marking and use of this, and also declaration of contents.

Anyone producing or selling tobacco products may not, by symbol or text on packages, supply their own information on health consequences of smoking.

By tobacco products are meant products that may be smoked, snuffed, sucked or chewed, provided that they totally or partly consist of tobacco.

Section 4

The Ministry may stipulate regulations concerning the content of tobacco products, including maximum level of ingredients, weight, filters, wrapping etc.

Section 5

It is prohibited to sell or to hand over tobacco products, or imitations which may encourage use of such products, to persons under 18 years of age. If there is doubt as to the age of the buyer, sale can only take place if the buyer documents to have reached an age of 18 years.

Sale of tobacco products to consumer may only be carried out by persons more than 18 years of age. This shall not apply, however, if a person over the age of 18 years has the daily supervision of the sales.

Sale of tobacco products from automatic vending machines is prohibited.

The Ministry may stipulate regulations concerning the age limit for import of tobacco products and cigarette paper.

Section 6

In premises and means of transport to which the public have access, the air shall be smoke-free. The same applies in meeting rooms, work premises and institutions where two or more persons are gathered. This does not apply to living accommodation in institutions, but the institution has an obligation to offer the

option of smoke-free rooms to those who wish it.

If, within an area, several premises are used for the same purpose, smoking may be permitted in up to half of these premises. The division of premises or means of transport into a smoke-free area and a smoking area can only take place when it is impossible for the smoke to pass into the smoke-free area. The smoke-free premises and areas must not be smaller or of a lower standard than premises or areas where smoking is permitted. In restaurants and other catering establishments which are open towards premises used for other purposes, there shall be total prohibition against smoking.

The owner or the person having the premises or the means of transport at his disposal is under obligation to ensure that the rules contained in or issued by virtue of these provisions are complied with. In places where there may be doubt it shall be clearly indicated by explicit signs that smoking is prohibited.

Any person who in spite of warning by the owner or the person having the premises or the means of transport at his disposal, or by his representative, violates the provisions contained in or issued by virtue of this section may be expelled from the premises or the means of transport.

The Municipal Council shall supervise that the rules contained in or issued by virtue of this section are complied with. In the case of work premises, the supervision shall be carried out by the Labour Inspection.

The rules concerning the activities of the Municipal Council and the Labour Inspection in the capacity of supervisory agencies pursuant to Sections 4a-7 to 4a-9 and 4a-12 respectively of Act of 19 November 1982 no 66 relating to municipal health services, and Sections 77-82 of Act of 4 February 1977 no 4 relating to worker protection and working environment, apply correspondingly to supervision pursuant to this section.

The Norwegian Petroleum Directorate supervises that the rules contained in or issued by virtue of this section are complied with, within The Norwegian Petroleum Directorate's area of responsibility in the petroleum activities in accordance with the Working Environment Act. The Maritime authorities supervise that the rules contained in or issued by virtue of this section are complied with on ships together with vessels and other offshore units. Within their supervisory authority the said authorities may employ corresponding instruments as they have according to current regulations regarding health conditions and working environment on ships and offshore units in the petroleum activities.

The Armed Forces High Command supervises that the rules contained in or issued by virtue of this section are complied with on the ships of the Armed Forces.

The District governor (Sysselmannen) of Svalbard supervises that the rules contained in or issued by virtue of this section are complied with on Svalbard. The District governor of Svalbard may leave it to the Local government of Longyearbyen (Longyearbyen lokalstyre) to supervise Longyearbyen.

The supervisory authority may in special cases give dispensation from rules contained in or issued by virtue of this section and set terms for any dispensation. On work places with a working environment committee, statements from the committee shall be enclosed with the application. On work places without a working environment committee, statements from the safety delegate shall be enclosed.

The King may lay down further rules regarding the implementation and complementation of these provisions and may make exception from them.

Section 7

The Norwegian Agency for Health and Social Welfare shall, as a general rule, express its views before the Ministry makes any decision pursuant to this Act. The Norwegian Agency for Health and Social Welfare shall examine the effects of measures which are implemented pursuant to this Act.

Manufacturers and importers of, and dealers in, tobacco products, as well as their joint institutions, are obliged to furnish the Ministry with such information as it requires for the Norwegian Agency for Health and Social Welfare to be able to fulfil its functions. Information which is supplied to the Ministry in accordance with this section, may be passed on to the Norwegian Agency for Health and Social Welfare. The person receiving such information shall, in accordance with the limitations ensuing from his functions under the Act, maintain secrecy concerning manufacturing and business circumstances which it would be

important for reasons of competition to treat as confidential out of consideration for the person whom such information concerns. The duty of secrecy shall not impede exchange of information (co-ordination) as required in the Act relating to the register of business reporting obligation ("Oppgaveregisteret").

§ 8

It is prohibited to export snuff to countries which are members of the European Economic Area and which have issued prohibition against trade with snuff.

The prohibition of exports does not apply for snuff brought with travellers for their personal use or as a gift for personal use.

By snuff, according to this provision, shall be understood tobacco products made for oral use, entirely or partly made of tobacco, with exception for tobacco products made for smoking or chewing.

Section 9

Any person who wilfully or through negligence violates prohibitions or injunctions contained in or issued by virtue of this Act shall be liable to fines. Complicity shall be subject to the same penalties. Attempts are punished as committed misdemeanours.

The Ministry may stipulate by regulation that the penalty for violation through negligence shall not be used unless after warning by the police.

Section 10

The Ministry may stipulate transitional rules and other regulations to implement and supplement the provisions in this Act.

Section 11

For offshore petroleum activities the Act applies correspondingly with Act of 4. February 1977 no 4. relating to worker protection and working environment.

The Act also applies for Svalbard and Jan Mayen.

Section 12

The Act enters into force from such time as is decided by the King.