

Lov om særlige rådgjænder under krig, krigsfare og  
liknende forhold.

Act no. 7 of 15 December 1950 relating to special measures  
in time of war, threat of war and similar circumstances

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Chapter I. The powers of the King when the Storting is prevented  
by war from exercising its functions

§ 1. If the Storting is prevented by war from exercising its functions, the King is empowered to take all necessary decisions to protect the interests of the realm during war and to prepare for the transition to peace.

§ 2. Provisions of a legislative nature issued by the King pursuant to § 1 shall be communicated to the Storting at the earliest opportunity.

If the provisions have not previously been rescinded by the Storting or the King, they shall cease to apply at the latest upon the dissolution of the first ordinary Storting to assemble after the provisions were issued.

Chapter II. Special powers of the King

§ 3. If the realm is at war or war is threatening or the independence or security of the realm is in danger, and delay for these reasons would be dangerous, the King may issue provisions of a legislative nature to ensure the security of the realm, public order, public health and the country's supplies, to promote and safeguard military measures and measures for the protection of the civilian population and property, and to utilize the country's facilities for the furthering of these objectives. This includes the issuing of provisions for the drafting of manpower for military and civilian purposes. If necessary, the provisions may derogate from applicable statutory law.

Provisions issued by the King in pursuance of this section shall be communicated to the Storting at the earliest opportunity. If the Storting is not assembled when the provisions are issued, it shall be summoned immediately. The provisions may be rescinded by the King or the Storting.

If the provisions have not been rescinded within 30 days after having been communicated to the Storting, they shall be submitted as Bills at the earliest opportunity.

§ 4. Provisions issued pursuant to § 3 shall be announced by whatever means are found suitable. They shall enter into force

at once unless they themselves provide otherwise.

If the provisions have not previously been rescinded, they shall cease to apply upon the dissolution of the first ordinary Starting to assemble after the provisions were issued.

§ 5. When circumstances as mentioned in § 3 prevail, and an area is cut off from communication with the Government or it is found necessary for other reasons, the King may empower the County Governor and other local administrative agencies - including military authorities - to issue such provisions as mentioned in § 3. Powers otherwise vested in the King, a Ministry, or another central administrative agency, may under the same conditions be delegated for purposes mentioned in § 3. Powers under this paragraph may be given without regard for existing administrative divisions.

If the preservation of vital public interests makes it unavoidably necessary, the County Governor may exercise such powers as mentioned in the preceding paragraph even if authorization by the King has not yet reached him.

Provisions of a legislative nature issued pursuant to the first or second paragraph shall be communicated to the King at the earliest opportunity. If they have not been rescinded previously, they shall cease to apply one month after the communication is received.

### Chapter III. The relation between the military and civil authority in a theatre of war

§ 6. In a theatre of war, the military authorities may take over command of the police and may in such a case if necessary temporarily suspend the functions of the senior officers and other members of the police force. The King may decide that all police, individual police forces, or the police in certain districts shall be incorporated in the military forces. As far as is thought necessary for promoting and safeguarding military measures, the military authorities may also assume control of other civil administrative agencies. Civilian officials and agents of the government and the municipalities shall give the military authorities whatever assistance they require.

The King may issue specific provisions concerning which regions are to be regarded as theatres of war.

Chapter IV. Special rules relating to proceedings in penal cases

§ 7. If the realm is at war or war is threatening or the independence or security of the realm is in danger, the King may, insofar as special circumstances require, decide that the rules in §§ 8 - 13, or some of them, shall become applicable. Such a decision can be made applicable to the whole realm or to parts of it

§ 8. Arrest pursuant to chapter 19 of the Criminal Procedures Act may be made regardless of the size of the penalty that may be imposed for the suspected offence.

The arrested person must be brought before a judge or prosecuting authority at the earliest opportunity, but it is not necessary to observe the time limit prescribed in the second sentence of § 235 and the first sentence of § 236 of the Criminal Procedures Act. The time limit pursuant to the third sentence of § 235 shall be three days.

§ 9. If delay would be dangerous, the question of indictment need in no case be submitted to the Director General of Public Prosecutions.

Subject to the same conditions, a chief of police may exercise the prosecuting authority vested in the state advocate, and the deputy assistant chief of police may exercise the prosecuting authority vested in a chief of police.

§ 10. Cases that should be heard by the High Court may instead be brought before a District or City Court.

§ 11. The Presiding Judge of the High Court may decide that members of a jury shall be drawn from among those members of the panel who live in the municipality where the court is in session or in the nearest municipalities.

§ 12. For renewed trial to be held before the High Court at the petition of the accused, the consent of the Appeals Selection Committee of the Supreme Court must always be obtained, unless the accused has received a stricter sentence than imprisonment for three years or corresponding custodia honesta.

§ 13. In no case does an interlocutory appeal have a delaying effect unless the court concerned or the appeals court so decides.

§ 14. When conditions are such as mentioned in § 7, and it would because of special circumstances lead to disproportionate or harmful delay to proceedings to bring cases before the Supreme Court or the Appeals Selection Committee of the Supreme Court, the King may decide with effect for the whole realm or parts thereof that the High Court shall function as the court of last instance. Such a decision shall have the following effects:

1. The right to lodge an appeal or interlocutory appeal against High Court decisions shall cease to apply, and decisions which have already been rendered are final even if an appeal or interlocutory appeal has been lodged.

2. The High Court replaces the Supreme Court as court of appeal. This applies also to cases which have already been adjudicated by District or City Courts or decided by writ of optional fine, unless an appeal has been received by the Appeals Selection Committee of the Supreme Court. In such appeal cases, the High Court's Presiding Judge may make the decisions mentioned in the second paragraph of § 387 of the Criminal Procedures Act. Decisions pursuant to the third and fourth paragraphs of the same section may be made by the court in plenary session without appeal proceedings. Otherwise, proceedings shall be conducted in accordance with the rules relating to appeals to the Supreme Court in the Criminal Procedures Act.

3. Consent to conduct a new trial is given by the High Court.

When decisions made pursuant to the first paragraph are rescinded, the King decides what measures are to be taken with regard to cases being tried before the High Court pursuant to subparagraphs 2 and 3 of the first paragraph.

#### Chapter V. Compulsory surrender to the public authorities

§ 15. When the realm is at war or war is threatening or the independence or security of the realm is in danger, the King may, to the extent necessary for the protection of important public interests, demand the surrender to the government or municipality of rights of ownership or other rights of disposal over movable property of any kind, including electric power, and the right of use or other special rights of disposal over real estate.

The person to whom such a demand is made is under the obligation to help to ensure that the means of transport, goods, etc., to be surrendered are made available as quickly as possible at an appointed place. Assistance in the implementation of the demand may if necessary be requested from the police.

The demand for the surrender of rights shall be presented in writing. When the surrender has been implemented, a written receipt shall be issued.

§ 16. Failing an amicable agreement, compensation is determined by valuation by such authority and in such manner as the King may decide. Unless otherwise decided, the valuation is to be carried out according to the rules in the Public Survey Valuation Act, in the district of a Rural Sheriff as a Rural Sheriff's valuation.

The King may decide that compensation for certain types of performance shall not be determined by valuation but paid according to rates determined by the King. Such rates may be determined for the whole realm or parts thereof.

Surrender may be demanded immediately even though compensation has not been paid or determined.

§ 17. The King may prescribe rules governing the payment of compensation under §§ 15-16. Such rules may be prescribed with effect also for surrenders which have already taken place.

If nothing else is decided, compensation falls due as soon as possession has been taken of the object and the amount of compensation has been determined. If compensation for a continuous performance is to be paid in the form of a periodic fee, the first payment falls due at the time mentioned in the first sentence.

#### Chapter VI. Miscellaneous provisions

§ 18. The King may issue specific regulations and take other necessary steps for the implementation of the provisions in this Act.

Powers pursuant to the Act may be delegated to others to the extent considered necessary for the achievement of the objectives of the Act.

§ 19. Anyone who fails to comply with a demand for surrender of rights pursuant to chapter V or opposes or attempts to obstruct the implementation of such surrender shall be punished by fines or

by imprisonment up to three years.

Anyone violating provisions issued in pursuance of §§ 3 and 5 of this Act and which contain a threat of punishment, or who aids and abets in such a violation, shall be punished in the same way, unless the violation is subject to a stricter penal provision. If the violation is due to negligence, the punishment shall be a fine or imprisonment up to one year.

Wilful or negligent violation or aiding and abetting in the violation of the first paragraph of § 18 of this Act shall be punished by fines or imprisonment up to three months, unless the violation is subject to a stricter penal provision.

§ 20. In cases of violation of the first and second paragraphs of § 19, the second paragraph of § 287 of the Criminal Procedures Act shall apply, irrespective of whether the penalty is stricter than mentioned there.

§ 21. The King may decide whether all or parts of this Act shall be applicable to Svalbard.

§ 22. This Act enters into force immediately.