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THE NORWEGIAN CIVIL DEFENCE ACT

Nn. 9

of July 17. 1953 as amended June 12. 1956

Supplementary Acts of June 29. 1956 No. 2, June 9. 1961 No. 19, June 19. 1969 No. 54.

CHAPTER I. GENERAL REGULATIONS

§ 1. The object of the Civil Defence is to plan and execute measures of a non-military nature, for the purpose of preventing or alleviating harm to the civilian population by acts of war, which are not assigned to other authorities pursuant to special regulations.

To such extent and on such terms as may be laid down by the Crown, the Civil Defence shall assist also in preventing or alleviating harm not caused by acts of war.

§ 2. The assistance of public authorities, individuals and institutions may be required to realize the object set forth in § 1.

Every citizen is obliged to accept appointment or election to the Civil Defence Council (§ 6) and to the committees set up in connection with civil defence (§§ 13 and 34).

Every citizen is obliged1) to give the Civil Defence authorities any information they need to carry out their duties pursuant to this Act.

- 1) See § 62.
- § 3.1) When the Kingdom is at war or is under threat of war, the Crown may declare a state of Civil Defence emergency in the Kingdom or in any part of it.
 - 1) Cf. Act of December 15, 1950 No. 7.
- § 4. The Crown may issue regulations concerning traffic, public order and security during a state of Civil Defence emergency¹) in public places and places to which the public have access. For training purposes the Ministry²) may give such regulations even if a state of Civil Defence emergency has not been declared.

During a Civil Defense emergency the Civil Defence District Leader (cf. § 8) may wholly or partly prohibit²) the use of meeting halls or other premises to which the public have access. He may also prohibit meetings or arrangements in places to which the public normally have access.

- 1) See Royal Decree of Dec. 14.1956 and May 3. 1957.
- ²) The Ministry of Justice
- 3) See § 62.

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CHAPTER II THE ORGANIZATION OF THE CIVIL DEFENCE

§ 5.1) The Crown shall determine under which ministry²) the Civil Defence is to be organized. The Crown shall appoint the Director of Civil Defence and shall issue rules relating to his authority.

The appointment may be granted for a certain number of years.

- 1) Amended by Act of June 29. 1956 No. 2.
- ²) The Ministry of Justice.
- § 6. A Civil Defence Council shall be established to promote co-operation with other authorities, institutions and organizations.

The Crown shall appoint the members of the council and give instructions for the activities of the council.

§ 7.1) The Kingdom shall be divided into Civil Defence Regions, each with a Regional Director.

The Crown shall define the regions, appoint regional directors and give rules relating to their activities.

A regional director skall be obliged²) to serve in the region to which he is posted.

- 1) Amended by Act of June 29. 1956 No. 2.
- ²) See § 62.
- § 8. Each Police District¹) shall constitute a Civil Defence District, in which the Chief of Police is the Civil Defence District Leader.

If, for special reasons, the Chief of Police should be exempted from the position of district leader, another person may be appointed.

The Ministry²) shall issue rules relating to district leaders. Parts of one Police District may be transferred to another Civil Defence District as determined by the Ministry.

- 1) See Act of March 13. 1936 No. 3, § 3.
- ²) The Ministry of Justice.
- § 9. The Ministry²) may direct that local Civil Defence Areas shall be organized in towns and built-up areas within the Civil Defence District¹).

Each local Civil Defence Area shall have a Civil Defence Area Leader who is appointed by the Ministry, and who is subordinate to the Civil Defence District Leader.

Unless some other person has been appointed, the District Leader shall also be leader of the Civil Defence Area in which his office is situated, provided that the Area lies within his District.

The Ministry may order that joint Civil Defence measures shall be organized for an industrial enterprise and a defined neighbouring area. The management of the enterprise shall be responsible for carrying out Civil Defence measures in such areas.

The Ministry shall give rules relating to the Area Leader and the management of the enterprise.

- 1) See § 8.
- ²) The Ministry of Justice.
- § 10. Police officers are obliged¹) to accept appointments pursuant to § 8 and to hold Civil Defence offices to which they are appointed. They are obliged¹) in all respects to carry out tasks assigned to them in connection with Civil Defence. See § 62.
- § 11. The Crown shall give rules¹) for the co-ordination of the Police and the Civil Defence.
 - 1) Given by Royal Decree of June 10. 1955.
- § 12. The Crown¹) shall give rules concerning Civil Defence ranks, titles and uniforms.
- Delegated of the Ministry of Justice by Royal Decree of May 18, 1956.
- § 13. Local committees may be established in accordance with rules laid down by the Crown to assist Civil Defence authorities.
- § 14. Any person holding office in the Civil Defence shall retain that office when this Act comes into force, without special appointment.

All committees shall also continue their activities until the expiry of their previously fixed terms of office.

CHAPTER III CIVIL DEFENCE AND THE MUNICIPALITIES

- § 15. The municipalities shall:
- 1. Build, equip and fit out public shelters in accordance with plans approved by the Ministry¹) and maintain them in proper condition for use in war.
- 2. Provide emergency measures for water supply and public utilities,
- 3. Administer and store local Civil Defence equipment.
- 4. Maintain equipment belonging to local Civil Defence fire brigade and rescue services.

- 5. Place municipal equipment, premises and land at the disposal of the Civil Defence during action or for training purposes.
- 6. Provide heating, lighting and cleaning of premises used by the Civil Defence according to item 5.
- 7. Provide municipal sites for local Civil Defence facilities and permit alterations to premises made available according to item 5.
- 8. Arrange for the clearing of attics, marking of pavement edges etc. and blackout in public places.
- 9. Arrange billeting, feeding and other assistance as required by reason of war incidents.
- 10. Be responsible for and organize repair activities from such time as the Civil Defence Area Leader so directs.
- 11. Procure and distribute supplies and equipment to the Civil Defence Wards (cf. § 40) and provide premises for warden posts.
- 12. Organize Civil Defence measures for the protection of forests, crops, etc.
- 13. Give advice and assistance in promoting the objects of Civil Defence, e.g.:
 give technical assistance in planning, building and maintaining Civil Defence facilities,
 procure and give information and prepare documentation intended for use in conscription and in the planning of evacuation, assist in carrying out evacuation.
 - 1) The Ministry of Justice.
- § 16.1) The cost of constructing public shelters shall be covered by the municipality. The Government shall refund²) up to ²/₃ of approved costs relating to procurement and work which the Ministry³) finds necessary to put the shelter in proper order for wartime use.

The Crown shall determine the maximum amount of Government refund for the different types of shelter.

If the shelter is used for peacetime purposes, the value of this application shall be subtracted from the total cost of the shelter. Any extra expenditure necessary to make the shelter suitable for peacetime purposes shall be added to the total cost. A demand that the value of peacetime use shall be taken into consideration may be put forward by the Ministry not later than 10 years after the shelter has been approved for use, even if the Government

refund has already been paid. In case of dispute the value of peacetime application and of extra expenditure necessary to make the shelter suitable for peacetime purposes shall be determined by valuation.⁴)

- 1) Cf. § 22.
- ²) Cf. § 18.
- 3) The Ministry of Justice.
- 4) See the Valuation Act, Chapter 1.
- § 17. Expenditures relating to emergency water supply (§ 15 No. 2) shall be refunded¹) by the Government as decided by the Ministry²).

The same applies to expenses due to substantial damage to municipal property made available pursuant to § 15 item 5.

The Ministry may decide that the Government shall build or contribute to the building of depots and storerooms.

- 1) Cf. § 18.
- ²) The Ministry of Justice.
- § 18. Municipalities shall not be entitled to claim payment for services rendered or refund of expenses incurred pursuant to § 15 except as provided in §§ 16 and 17.

The Ministry¹) may decide that the Government contribution pursuant to §§ 16 and 17 shall be paid in advance.

- 1) The Ministry of Justice.
- § 19. If two or more municipalities are situated wholly or partly within the same Civil Defence Area¹), expenses incurred pursuant to § 15 items 3 and 4 shall be divided between the municipalities in proportion to the population in that part of each municipality which is covered by the Civil Defence Area.

When division of expenses is to be effected pursuant to the above paragraph, the Ministry ²) decide which municipality shall be responsible for the tasks in question. The Ministry may decide on the payment of advances to the municipality in charge of the task.

- 1) Cf. § 9.
- 2) The Ministry of Justice.
- § 20. Manpower and equipment of one Civil Defence Area1), may be employed for relief work outside that Area. Expenses shall be paid by the municipality receiving assistance, on terms laid down by the Ministry2).
 - 1) Cf. § 9.
 - ²) The Ministry of Justice.

- § 21. The Ministry¹) may decide that the provisions of this Chapter shall apply in full or in part to other local corporations as well (Fire prevention districts²), Building districts³), Harbour districts⁴).
 - 1) The Ministry of Justice.
 - 2) Cf. Act of November 19. 1954, § 1.
 - 3) Cf. Act of February 22. 1924 No. 1 § 1.
 - 4) Cf. Act of June 24. 1933 No. 8, § 9.
- § 22. The Ministry¹) may decide that the rules of § 16 and the maximum amounts set forth in § 16, 2nd paragraph, shall apply also to shelters under construction, and shelters for which approved plans exist when this Act comes into force.
 - 1) The Ministry of Justice.

CHAPTER IV COMPULSORY SERVICE

§ 23. Men and women between 18 and 65 years of age who are resident in Norway may be ordered¹) to serve in Civil Defence.

Persons over the age of 65 may be ordered to serve in the House Protection organizations (see Chapter VI).

Persons between 16 and 18 and over 65 years of age may volunteer for Civil Defence service. In such cases §§ 25, 27, (28)²) and 29 shall apply. Nevertheless medical examination shall always be carried out.

Civil Defence volunteers have the same protection as conscripted personnel against loss of employment by reason of service in the Civil Defence.

- 1) Cf. § 62.
- 2) Abolished by Act of June 9. 1961 No. 19 (see II of that Act).
- § 24. Any person who may be conscripted pursuant to § 23, is obliged1) also to serve as an officer or instructor and to take part in the training necessary for his situation.
 - 1) Cf. § 62.
- § 25. Persons who are liable to military service¹) may not be called upon to serve in Civil Defence or be retained in Civil Defence service, if this will prevent them from fulfilling their military duties.
 - 1) Cf. Act of July 17. 1953 No. 29, § 3.
- § 26. In wartime men and women may be called upon to assist in Civil Defence work which must be carried out without delay.

§ 27. Persons conscripted by Civil Defence shall¹) undergo a medical examination if this is considered necessary.

Conscripted personnel shall²) take part in courses and training when called upon, and obey orders and regulations applying to the service. They shall²) not leave the service without permission.

Conscripted personnel may not leave the Civil Defence Area⁴) during a Civil Defence emergency³) without permission from the Area Leader or his deputy.

- 1) See § 62.
- 2) See §§ 62 and 63.
- 3) See § 3.
- 4) See § 9.
- § 28. (Abolished by Act of June 9. 1961 No 19, see II of the Act.)
- § 29. The Crown shall give regulations concerning the application of the rules relating to conscription and service, including full or partial exemption from service¹), and concerning expenses for travel, board and lodgings for personnel²). The Crown with the assent of the Storting shall stipulate the extent of service in peacetime, including service on officers' training courses and other special training and extraordinary exercises.

During a Civil Defence emergency all personnel are obliged to serve as long as necessary.

- 1) Given by Royal Decree of February 11 1955.
- 2) See Royal Decree of August 12 1955.
- 3) See §§ 62 and 63.

CHAPTER V. EXPROPRIATION1)

- 1) Cf. Royal Decree of November 15. 1963 concerning regulations for expropriation.
- § 30. Against payment of compensation²) the Ministry¹) may demand the assignment to state ownership, use or other special disposal, of property³), rights, goods and chattels of any kind and of electric energy required for the execution of activities set forth in § 1.

Assignment for use includes the right to carry out any alterations to the property or goods which may be deemed necessary.

The Ministry may give permission for others to demand such assignment as described in the first paragraph.

Persons owning or possessing property as described in the first paragraph may be required to give information concerning the property and to permit inspection. If necessary, directions can be given for the transportation of goods and chattels to specified places. Directions for such transportation shall be complied with without compensation unless otherwise decided by the Ministry.

Persons to whom demands are made shall be given the opportunity to state their views before decision is made. When permission is sought for expropriation for the benefit of a non-municipal user, the municipality concerned shall be given the opportunity to state its opinion as to whether permission should be granted.

- 1) The Ministry of Justice and others, pursuant to Royal Decree of November 15. 1963.
- 2) See §§ 32 and 33, and § 105 of the Constitution.
- 3) See Act of October 23. 1959, § 60.
- § 31. Where military authorities have powers to requisition pursuant to the Military Requisitions Act of June 29. 1951, § 8 of that Act shall apply to expropriation pursuant to § 30, as decided by the Crown.
- § 32. The Ministry¹) may stipulate rates for the use of accommodation, stables, garages and storerooms, and for electric energy, goods and other objects. The same applies to services pursuant to §§ 52 and 53. The rates may apply to the whole Kingdom or to parts of it. Compensation shall otherwise be decided by valuation²).
 - 1) The Ministry of Justice.
 - 2) See § 34, Valuation Act, Chapter 2, Act of October 23. 1959, § 30.
- § 33. For accommodation requisitioned for a period not exceeding two consecutive days, the only allowance payable shall be compensation for substantiated damage, loss or expense. Where rooms in normal use are requisitioned from the same person more than once in the same calendar year, allowance shall nevertheless be paid if the rooms are requisitioned for more than three days in all.
- § 34. Where military authorities have powers to requisition pursuant to the Military Requisitions Act of June 29. 1951, the Ministry¹) may resolve that valuation pursuant to § 32 which is not applicable to real estate may be made by valuation committees of three members. The Ministry decides in which districts the committees shall serve and what cases they shall deal with.

The members and their deputies are appointed by the County Governor for a period to be fixed by the Ministry and not to exceed four years. They shall comply with the conditions set forth in the Courts of Justice Act § 53. One of the members shall be appointed chairman.

If the committee's district comprises more than one county or parts of more than one county, the Ministry shall decide which county governor shall appoint the committee.

The committee members shall receive allowances in accordance with rules given by the Ministry. Expenses shall be paid by the Government.

The Crown may decide that valuation shall instead be carried out by committees appointed pursuant to the Military Requisitions Act of June 29. 1951, §§ 13 cf. 14, or that two assessors appointed by the county governor to these committees, shall also be members of committees appointed pursuant to this section.

- 1) The Ministry of Justice.
- § 35.1) Valuation shall be based on current prices. If the assessors do not agree on the amount to be paid in compensation, the amount determined by the majority shall be applied. If there is no majority for any amount, the second highest amount shall be applied.
 - 1) Amended by Act of June 19. 1969 No. 54.
- § 36.1) The Crown may decide that rates pursuant to § 32 shall be laid down not by the Ministry but by the Central Board for Requisitions where such a board has been established pursuant to the Military Requisitions Act of June 29. 1951.
 - 1) Amended by Act of June 19. 1969 No. 54.
- § 37. The Crown may give rules for the payment of compensation. Such rules may be applied also to expropriations already effected.
- § 38. Expropriations may be required to take immediate effect, even if compensation has not been determined. In the case of expropriation for non-Government users, such security for the payment of compensation as may be determined by the Ministry¹) shall be posted. § 55 of the Property Valuation Act shall not apply. Expropriation may be effected with the assistance of the police if necessary.

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1) The Ministry of Justice.

CHAPTER VI. HOUSE PROTECTION

- § 39. Civil Defence measures for the protection of persons and property of various kinds are termed «House Protection».
- § 40. A Civil Defence Area¹) may be divided into Civil Defence Wards for the organization of mutual assistance and house protection in the Civil Defence Wards. The Ministry²) may direct that Civil Defence Wards shall also be organized elsewhere. There shall be a Civil Defence Warden for each Ward. He shall be appointed by the Civil Defence Area Leader and shall report to him.

Instructions for the Civil Defence Wardens shall be issued by the Ministry.

- 1) See § 9.
- ²) The Ministry of Justice.
- § 41. Owners and users of premises public or private shall¹) plan and carry out house protection measures on the premises in accordance with rules issued by the Ministry²). The Ministry may direct that shelters constructed in accordance with regulations shall be arranged also to accommodate the inhabitants of neighbouring premises.

The Ministry may direct that owners and users of electricity works and dam structures of any kind shall¹) organize special emergency and security measures, unless the structures are covered by the Electric Energy Precautions Act of June 25, 1948. The same shall apply to gasworks.

The Ministry may direct that owners and users of structures of any kind shall¹) organize special security measures if the structure when damaged would constitute a hazard to neighbouring premises.

Civil Defence authorities may demand³) access to the premises to inspect house protection measures.

House protection measures pursuant to this section may comprise one or more buildings. House leaders and industrial civil defence leaders shall be appointed, and instructions covering their duties shall be issued.

- :1) See § 62.
 - 2) The Ministry of Justice.
- 3) See § 62 and the Penal Code § 326.
- § 42. The cost of measures pursuant to § 41 shall be borne¹) by the owners and users of the premises. When shelters are designed to accommodate the inhabitants of neighbouring premises, cf. § 41, second sentence, the owners and users of these premises shall pay part of the cost.

The Ministry²) shall regulate the division of expenses pursuant to the first paragraph.

In accordance with the decision of the Ministry, the Government will refund expenses for measures; carried out pursuant to § 41, second and third paragraphs.

- 1) See § 62.
- ²) The Ministry of Justice.
- § 43. If orders concerning house protection are not complied with, the required measures may be carried out by the authorities at the expense of owners or users. Claims for reimbursement may be enforced by distraint1).
 - 1) See Enforcement Act, Chapter 8.
- § 44. Any person is obliged¹) to consent to and to co-operate in the provision of emergency exits from neighbouring premises by the opening of partition walls or by other means.
 - 1) See § 62.
- § 45. Any person suffering loss or damage in connection with measures pursuant to § 41, where the expenses for the measures are not to be paid in full by him¹), shall be entitled to compensation unless the loss or damage may be classified as immaterial. Compensation shall be paid by the agency responsible for expenses relating to the measures in question. Questions of whether compensation is to be paid and in what amount, shall be settled by valuation²). Measures may be required to be carried out before the question of compensation has been settled.
 - 1) See § 42.
- 2) See Valuation Act, Chapter 2.
- § 46. The civil defence organization of an industrial enterprise1) is obliged2) to assist other industrial enterprises and the Civil Defence Area Services. The cost of such assistance shall be refunded by the organization receiving assistance, pursuant to the rules laid down by the Ministry3). In the case of substantial damage to equipment belonging to the enterprise giving assistance, the Government may contribute to its replacement as decided by the Ministry.

The provisions of the first paragraph also apply to exercises. Expenses in respect of assistance planned as part of the exercise shall not be refunded.

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- 1) See § 41.
- 2) See §§ 62 and 63.
- 3) The Ministry of Justice.

§ 47. The Crown may decide that Civil Defence measures are to be carried out in respect of ships, harbours, railways and other means of communication and installations.

The provisions of this chapter also apply to these cases.

- § 48. The Crown may order an organization or institution to organize and supervise house protection measures at certain factories or enterprises. The organization or institution may divide its expenses for the measures between the factories or enterprises concerned, and claim repayment from them.
- § 49. In Civil Defence Areas where joint Civil Defence measures in accordance with § 9, sub-section 4, are organized for an industrial enterprise and a defined neighbouring area, the enterprise is obliged to pay expenses for measures which the enterprise is to organize pursuant to industrial Civil Defence regulations, even if the measures do not exclusively serve to protect the enterprise.

The enterprise shall also pay:

- 1. Administration costs
- 2. Expenses for warning and communications
- 3. Expenses for maintenance and storage of Civil Defence equipment provided by the Government.

CHAPTER VII. EVACUATION

§ 50. When the Kingdom is at war or is under threat of war, the Crown may decide that people shall be evacuated from areas which are or may be expected to be exposed to enemy action.

The Crown shall give regulations for the planning and realization of evacuation measures.

§ 51. When evacuation is realized pursuant to § 50, persons ordered to evacuate shall¹) move at the time, in the way and to the place appointed.

No person may move from the appointed place or return to the evacuated area without permission.

- 1) See § 62.
- § 52. During evacuation pursuant to § 50, persons in possession of control of railways, boats, vehicles or other means of transport are under obligation¹) to transport evacuees.

Expenses relating to compulsory evacuation shall be paid by the Government.

- 1) See § 62.
- § 53. Owners or users of premises may be required to receive and shelter evacuees, providing them with beds, necessary appliances, lighting and fuel. Nevertheless facilities which the authorities concerned regard as essential to the owner, his household or his business, shall not be requisitioned.

The evacuated municipality shall pay lodging expenses for evacuees, but may claim compensation from them. Other expenses in connection with the stay shall be paid by the evacuees.

- § 54. Compensation for services rendered pursuant to §§ 52 and 53 shall be paid as provided in Chapter V.
- § 55. According to regulations to be laid down by the Crown, in situations as set forth in § 50, persons living in certain areas may be ordered not to leave the area.
- § 56. Evacuation pursuant to § 50 shall not alter the legal status of evacuees in relation to the evacuated municipality unless otherwise provided in this Act.
- § 57. The provisions of §§ 51 (second paragraph), 53 and 56 apply correspondingly to temporarily evacuated persons who have not been compulsorily evacuated pursuant to § 51, but who belong to groups subject to the provisions of § 51.
- § 58. Reception municipalities shall pay social security allowances and unemployment benefits to evacuees. These expenses shall be refunded by the Government or by the municipality or municipalities which would have had to cover the benefits if evacuation had not been effected.

The evacuated municipality shall refund extra costs incurred by reception municipalities in respect of schooling for evacuated children.

If expenses in respect of registration, rationing and supply organization, or general administration, are substantially increased in reception municipalities because of the evacuation, the Government shall pay compensation as determined by the Ministry¹).

Payment in advance may be claimed for expenses named in this section. Unless otherwise provided by law, municipalities may agree on mutual arrangements in respect of the provisions of this section.

1) The Ministry of Justice.

CHAPTER VIII. MISCELLANEOUS REGULATIONS

- § 59. Unauthorized use¹) of Civil Defence uniforms, emblems and insignia is prohibited. Neither may uniforms, emblems and insignia be used which might easily be mistaken for those used by Civil Defence.
 - 1) See § 62.
- § 60.1) Unless otherwise provided pursuant to the Administration Act, § 5, 2nd paragraph, the Administration Act shall apply in peacetime to matters arising out of the present Act. Nevertheless notification to the parties to a case may be omitted where the number of parties is large, or where a large number of cases are considered simultaneously, or where notification may lead to undesirable delay in the case. The same applies if notification seems unnecessary out of regard for the parties.

The Administration Act, Chapters IV —VI, shall not apply to matters relating to the obligation to serve and to service, nevertheless orders pursuant to §§ 23 and 24 may be appealed to the Ministry.

- 1) Amended by Act of June 19, 1969 No. 54.
- § 61. The Ministry¹) shall issue further regulations for the enforcement of the provisions of this Act.
 - 1) The Ministry of Justice.
- § 62. Any person who wilfully or negligently violates this Act or regulations or instructions given pursuant to it shall be punished by fines1) or imprisonment for up to one year unless violation carries a stricter penalty. Attempted violation2) and complicity shall carry the same punishment. Violations are misdemeanours.
 - 1) See Penal Code § 27.
 - 2) See Penal Code § 49.
- § 63. Violation or neglect of Civil Defence duties can be punished by disciplinary measures. The following disciplinary punishments may be applied:
- 1. reprimand,
- 2. extra guard duty,
- 3. denial of leave for a period of up to 1 month,
- 4. fines of up to kr. 500,—,
- 5. confinement to quarters, barracks, camp or other specified area for certain parts of the day, or for whole days, during a period of up to

- 21 days. This punishment may not be applied again within a period twice as long as the duration of the last confinement.
- 6. custody up to 20 days. §§ 16 and 17 of the Military Penal Code of May 22. 1902 are applicable to custody.

Cases relating to disciplinary action shall be considered pursuant to the Military Disciplinary and Police Authority Act of May 6. 1921, §§ 13—18, cf. §26 and the further regulations given by the Crown. The Crown shall decide who is to have authority to impose disciplinary punishment.

1) Amended by Act of June 19, 1969 No. 54.

§ 64. This Act comes into force immediately.