Regulations on the Sale of Alcoholic Beverages (Alcohol Regulations)

Chapter 1 Definitions

Section 1-1 The following definitions apply in these regulations:

- **Non-alcoholic beverage**: Beverage containing less than 0.7 per cent alcohol by volume
- **Low-alcohol beverage**: Beverage containing between 0.7 and 2.5 per cent alcohol by volume
- **Alcoholic beverage category 1**: Beverage containing more than 2.5 and a maximum of 4.7 per cent alcohol by volume
- **Alcoholic beverage category 2**: Beverage containing more than 4.7 and less than 22 per cent alcohol by volume
- **Alcoholic beverage category 3**: Beverage containing between 22 and 60 per cent alcohol by volume.

Chapter 2 Retailing and serving

Section 2-1 Alcoholic beverages shall be retailed and served in such a way as to limit their harmful effects and to safeguard alcohol policy and social considerations.

Section 2-2 Licensees and managers are responsible for ensuring that the retailing and serving of alcoholic beverages under retail licences pursuant to section 3-1 second paragraph of the Alcohol Act and under serving licences take place in accordance with the Alcohol Act and with provisions laid down in pursuance thereof.

Licensees and managers are duty bound to oversee the employees’ performance of retailing and serving, and are responsible for ensuring that employees are acquainted with the rules governing the retailing and serving of alcoholic beverages, and otherwise receive the requisite guidance for the activity.

In the manager’s absence the manager’s responsibilities and duties rest with his deputy.

Section 2-3 Whoever retails or serves low-alcohol and alcoholic beverages in category 1 and 2 must have reached the age of 18, and whoever retails or serves alcoholic beverages in category 3 must have reached the age of 20. This does not however apply to waiters with a cook's or waiter's certificate or to the retailing of low-alcohol beverages when a person aged 18 or more supervises such retailing on a daily basis.

Apprentices and trainees, cf Act relating to Primary and Secondary Education (Education Act, No. 61 of 17 July 1998), section 4-1, and pupils in cookery and waiting subjects at upper-secondary schools undergoing practical training in an enterprise who have not reached the age set in the Alcohol Act section 1-5 third paragraph may none the less retail, supply or serve alcoholic beverages where this is necessary for reasons of the training. A condition is that a genuine training situation obtains in which the retailing or serving of alcoholic beverages forms part of a prescribed curriculum. The provisions of this paragraph do not apply to any licence...
Section 2-4   Low alcohol beverages and alcoholic beverages in category 1 and category 2 must not be retailed, supplied or served to persons under the age of 18, and alcoholic beverages in category 3 must not be retailed, supplied or served to persons below the age of 20, even if the individual concerned produces written authorisation from a parent, guardian or other person.

When in doubt about an individual's age, employees at retail and serving establishments are entitled and obliged to demand proof of identity.

Section 2-5   Low alcohol and alcoholic beverages must not be retailed, supplied or served from an automatic drink dispenser.

Chapter 3   Specifically on retailing

Section 3-1   Alcoholic beverages must not be retailed or supplied to persons who are obviously under the influence of alcohol or drugs.

Section 3-2   The employees shall ensure that alcohol is not consumed in the sales room.

Section 3-3   At premises that retail alcoholic beverages in category 1, such beverages shall be positioned in such a manner that they cannot be confused with non-alcohol and low alcohol beverages.

Section 3-4   A licence to retail alcoholic beverages may not be granted to filling stations or kiosks.

“Filling station” means an outlet which primarily retails petrol, oil and other articles needed for the operation or maintenance of motor vehicles and motor boats. “Kiosk” means an outlet which primarily retails kiosk articles.

Section 3-5   An order for alcoholic beverages must not be executed unless the order contains full particulars of the purchaser's name, address and age.

Section 3-6   Outlets retailing alcoholic beverages in category 2 and 3 shall not execute orders destined for military areas unless confirmation of the order has been received from the military superior concerned. Commandant residences etc where military personnel’s private homes are located are not deemed to be a military area.

Section 3-7   It is AS Vinmonopolet’s responsibility to check that alcoholic beverages in category 2 and 3 are at all times retailed in accordance with law and regulations.

Chapter 4   Specifically on serving

Section 4-1   Persons who are obviously under the influence of alcohol or drugs must not be allowed to enter licensed premises.
If a person who is obviously under the influence of alcohol or drugs is present on licensed premises, the licensee is obliged to ensure that the individual leaves the premises. The licensee is obliged to ensure that persons in need of assistance receive such assistance.

**Section 4-2** Alcoholic beverages must not be served to persons who are obviously under the influence of alcohol or drugs, or be served in such a manner that it must be assumed that the individual will become so influenced.

Where two or more persons are seated together and one or more of them is obviously under the influence of alcohol or drugs, no alcoholic beverages may be served to any of them before the person(s) under such influence has been removed.

**Section 4-3** Care must be taken to ensure that persons who do not meet the minimum age requirements of the Alcohol Act section 1-5 do not consume alcohol that is served to other guests.

**Section 4-4** Care must be taken to ensure that the guests do not consume alcoholic beverage they have brought with them, or take alcoholic beverage with them when they leave the premises.

**Section 4-5** Spirits may only be served in quantities of 2 and 4 cl. This shall not apply to the serving of cocktails.

**Section 4-6** Whoever holds a licence to serve alcoholic beverages shall also be obliged to stock a reasonable selection of non-alcoholic and/or low alcohol beverages which are regarded as a natural replacement for alcoholic beverages.

Non-alcoholic and low alcohol beverages shall be included in the beverage list and other price lists.

**Section 4-7** When half bottles are commercially available, licensed premises shall be obliged to stock a reasonable selection thereof.

**Section 4-8** An ordinary serving licence may include self-service from refrigerators in hotel rooms.

Care must be taken to ensure that alcoholic and low alcohol beverages are not available to minors.

**Chapter 5 Knowledge test**

**Section 5-1** Managers and their deputies must have documentary proof of their knowledge of the Alcohol Act and provisions laid down in pursuance thereof. This requirement is met by passing a knowledge test in accordance with the provisions of this chapter.

**Section 5-2** The municipality is responsible for holding knowledge tests for managers and deputies at establishments that hold or apply for a municipal licence to retail or serve alcoholic beverages.
The county governor is responsible for holding knowledge tests for managers and deputies at establishments that hold or apply for a state licence to serve alcoholic beverages on ships and at Armed Forces’ officers messes under the Alcohol Act section 5-3 first paragraph.

The Directorate for Health and Social Affairs is responsible for holding knowledge tests for managers and deputies at establishments that hold or apply for a state licence to serve alcoholic beverages on ships, aircraft and at Armed Forces’ officers messes under the Alcohol Act section 5-3 second paragraph.

The municipality may hold knowledge tests for candidates not attached to a licensed establishment.

Two or more licensing authorities may cooperate on carrying out tests.

**Section 5-3** The licensing authority shall hold a test within two months of receiving notification that someone wishes to take the test.

**Section 5-4** The test shall be in the form of a multiple choice test which differs for, respectively, retail licences and serving licences. 45 minutes shall be allowed for answering the test questions.

Successful completion of the test for a serving licence shall demonstrate the candidate’s knowledge of the content of the provisions of the Alcohol Act chapter 1, 4, 5, 7, 8 and 9, and regulations issued pursuant to these chapters, and the candidate’s knowledge of the Alcohol Act chapter 2, 3, 6, 10, and regulations issued pursuant to these chapters.

Successful completion of the test for a retail licence shall demonstrate the candidate’s knowledge of the content of the provisions of the Alcohol Act chapter 1, 3, 7, 8 and 9, and regulations issued pursuant to these chapters, and the candidate’s knowledge of the Alcohol Act chapter 2, 4, 5, 6 and 10, and regulations issued pursuant to these chapters.

**Section 5-5** Upon successful completion of the test the licensing authority shall issue a certificate proving that the knowledge requirement has been met.

**Section 5-6** A fee of NOK 300 shall be paid before the test is taken, and for any attempt to take the test.

**Chapter 6  Licence fee**

**Section 6-1** The fee for municipal licences to retail alcoholic beverages in category 1 and municipal and state licences to serve alcoholic beverages shall be fixed for one year at a time for each individual licence with reference to the revenues which the licence may be expected to bring the holder.

**Section 6-2** The fee shall be payable at the following rates:
Retail sales:
- NOK 0.17 per litre of product for alcoholic beverages in category 1

Serving:
- NOK 0.34 per litre of product for alcoholic beverages in category 1
- NOK 0.94 per litre of product for alcoholic beverages in category 2
- NOK 3.07 per litre of product for alcoholic beverages in category 3

The annual licence fee shall be at least NOK 1,200 for retailing and NOK 3,500 for serving. The licensing authority may however in special cases decide that a lower fee shall be set. For ambulatory licences the licensing authority may demand a fee of NOK 250 per occasion.

Section 6-3 The licensing authority shall set deadlines for licensees to file a statement of expected volume sales of alcoholic beverages and to pay fees.

At the end of the year the licensee shall file a statement of the actual volume of alcohol sold. Where there is a difference between expected sales and actual sales, the licensing authority may carry out a recalculation and a final settlement.

Chapter 7 Information for statistical purposes

Section 7-1 Holders of a licence to retail or serve alcoholic beverages are obliged upon request to supply information for statistical purposes to the Norwegian Institute for Alcohol and Drug Research (SIRUS).

The information which licensees may be requested to provide refers to sales of alcoholic beverages at the individual retail or serving establishment, including litres of product and type(s) of product. Information on low alcohol beverages may also be requested. SIRUS may lay down further provisions.

Section 7-2 SIRUS may in cooperation with the Statistics Norway prescribe how official statistics are to be prepared, including

- definition of statistical entities, identifying features, classifications etc.
- data processing

Importance shall be attached to statistical considerations and to the costs incurred by affected parties in obtaining information and preparing statistics.

Chapter 8 Internal control

Section 8-1 To ensure compliance with requirements laid down in or pursuant to the Alcohol Act, cf the Alcohol Act section 1-1, holders of licences to retail and serve alcoholic beverages shall maintain internal control of the activity engaged in under the licence, the Alcohol Act and provisions laid down in pursuance of the Alcohol Act.

The first paragraph shall not apply to holders of ambulatory serving licences granted under the Alcohol Act section 4-5. For licences granted under the Alcohol Act section 1-6 third paragraph, the obligation under the first paragraph may be dispensed with if
it appears unreasonable in light inter alia of the size of the premises.

**Section 8-2** In these regulations "internal control" means systematic measures designed to ensure that the activities of the establishment are planned, organised, conducted and maintained in accordance with requirements set in the licence, the Alcohol Act and in provisions laid down pursuant to the Alcohol Act.

**Section 8-3** The internal control shall be adapted to the establishment’s size, specific character, activities and risk factors and have the scale needed in order to comply with requirements of the licence, the Alcohol Act and provisions laid down pursuant to the Alcohol Act. The internal control shall be documented in the form and on the scale required by the establishment's size, specific character, activities and risk factors. The documentation shall at all times be updated and available to the supervisory authority.

The internal control entails that the person(s) responsible for the establishment shall

1. maintain an overview of requirements in the licence, the Alcohol Act and provisions laid down pursuant to the Alcohol Act that apply to the establishment.
2. ensure that employees of the establishment have sufficient knowledge and competence to comply with the requirements on its operations, including the requirements as to internal control,
3. maintain an overview over how the establishment is organised and how tasks and responsibilities are distributed,
4. maintain routines to ensure compliance with requirements of the licence, the Alcohol Act and provisions laid down pursuant to the Alcohol Act that apply to the establishment.
5. maintain routines to prevent, expose and rectify deviations,
6. carry out a systematic and regular review of the internal control.

**Chapter 9 Oversight of retail and serving licences**

**Section 9-1** The municipality shall be responsible for overseeing the exercise of the municipal licences to serve alcoholic beverages, municipal licences to retail alcoholic beverages in category 1 and state licences granted under the Alcohol Act section 5-3 first paragraph, including overseeing maintenance of internal control under chapter 8 of these Regulations.

**Section 9-2** The municipality shall provide requisite advice and guidance to licensees, managers and deputies to enable alcohol to be sold and served in accordance with the body of applicable rules, and in such a manner as to promote alcohol policy and social considerations.

**Section 9-3** The municipality shall be responsible for ensuring that persons charged with inspecting retail and serving establishments (the inspectors) receive the training needed in order to carry out their tasks.

**Section 9-4** Inspections shall in particular encompass the hours of sale and serving, the minimum age provisions, and ensure that alcoholic beverages are not retailed or served to persons who are obviously under the influence of alcohol or drugs. The
municipality shall ensure that inspections at all times target factors which appear relevant based on an assessment of local conditions.

**Section 9-5**  Inspections of retail and serving establishments may be carried out openly or anonymously.

Upon completing an inspection the inspector shall invariably present himself to the person(s) responsible for the premises and give an oral account of his impression of the premises.

**Section 9-6**  A report in writing shall be sent as soon as possible - and within one week - to the retail or serving establishment giving the licensee an opportunity to comment within two weeks.

The reports shall be sent to the licensing authority. Reports from establishments with a state licence shall be sent via the municipal licensing authority. The comments of the particular retail or serving establishment shall accompany the report.

**Section 9-7**  Retail and serving establishments shall be inspected as often as required. Each premises shall be inspected at least once a year. Each year the municipality shall perform at least three times as many inspections as the number of retail and serving establishments.

**Section 9-8**  Within the framework of these regulations the municipality may lay down further guidelines for the exercise of oversight of retail and serving establishments.

**Chapter 10  Withdrawal of retail and serving licences**

**Section 10-1**  A licence may be withdrawn if it has not been used in the course of the past year.

A licence may however not be withdrawn if the reason for the non-use of the licence is a hindrance beyond the control of the licensee which he could not reasonably be expected to avoid or the consequences of which he could not reasonably be expected to overcome. This applies only to the extent of that operations can be expected to be resumed within a reasonable period.

**Chapter 11  Transfer of establishment**

**Section 11-1**  If a new licence is awarded prior to a change of ownership, alcoholic beverages included in the inventory may be transferred together with the establishment. The licensing authority shall be notified of the transfer.

**Section 11-2**  If a new licence is not awarded prior to a change of ownership, but the establishment continues to operate on the basis of the previous licence, cf. the Alcohol Act section 1-10 first paragraph third and fourth sentences, alcoholic beverages included in the inventory may be transferred together with the business on condition that the parties, at the same time as notifying the transfer, document
- the identity of the party taking over the establishment
- the date of the transfer
- the volume of the inventory
- a plan for handling the inventory should a new licence not be granted by the end of the transitional period.

The licensing authorities may check the documented information.

**Chapter 12  Secured party's sale of alcoholic beverages**

**Section 12-1** The Directorate for Health and Social Affairs may authorise a secured party, who provides evidence that alcoholic beverages have been transferred to him from an estate in bankruptcy, to sell alcoholic beverages to the licensee under the provisions of the Alcohol Act.

Before granting authorisation, the Directorate shall obtain a statement from the police.

**Section 12-2** Authorisation shall be granted for a specified quantity. The secured party shall designate a person over whom he has right of instruction who shall be responsible for carrying out the sale.

**Section 12-3** The inventory shall be adequately secured.

**Section 12-4** The secured party shall provide documentary evidence that the goods have been transferred to the holder of a licence under the Alcohol Act. The goods shall be resold within three months. If they are not, the secured party shall notify the Directorate for Health and Social Affairs of the reason. The Directorate may extend the deadline.

**Chapter 13  Register of data on holders of retail and serving licences**

**Section 13-1  The scope and purpose of the register**
The register shall include data on holders of retail and serving licences.

The register shall be used to maintain an overview of the holders of such licences.

**Section 13-2  Responsibility for the register**
The Directorate for Health and Social Affairs shall be responsible for the register.

**Section 13-3  Management of the register**
The register shall be managed by means of electronic data processing (EDP).

The licensing authority shall itself maintain the data in the register. Steps shall be taken to enable the licensing authorities to register and change registered data in the easiest possible manner.

Steps shall be taken to enable information from the Central Coordinating Register for Legal Entities to be used where possible, cf the Act relating to the Central Coordinating Register for Legal Entities (No. 15 of 3 June 1994) section 1 second paragraph third sentence.
Section 13-4  Content of the register
The register shall contain the following types of data

1. what rights are covered by the licence, cf Alcohol Act section 3-1 second and third paragraph or section 4-2 first and third paragraph
2. the licensee’s trade name and organisation number
3. the establishment’s address and other contact information
4. licence valid to (date)
5. licence granted on (date)
6. licence revoked on (date)
7. for cases mentioned in the Alcohol Act section 1-10 first paragraph: date of transfer of the business and details of the transferee.

Section 13-5  Supply of data from the register
Data in the register are public.

Section 13-6  Relationship to the Personal Data Act
Act of 14 April 2000 no. 31 relating to the processing of personal data (Personal Data Act, No. 31 of 14 April 2000) applies to the extent that the data in the register are personal data, cf section 2 of the Act.

Chapter 14  Prohibition of advertising of alcoholic beverages

Section 14-1  Advertising of alcoholic beverages shall be prohibited.

The prohibition shall also apply to the use of brand or trade names or identifying marks for alcoholic beverages, provided that a not insignificant portion of the advertisement’s target group must be assumed to construe it as an advertisement for alcoholic beverages.

The prohibition shall also apply to advertisements for other products carrying the same brand or trade name or identifying marks as alcoholic beverages, unless the product concerned has its own distinct brand name/identifying marks. Where the product has its own distinct brand name/identifying marks, the advertisement may in addition give information on the brand or trade name or identifying marks, unless a not insignificant portion of the advertisement’s target group must be assumed to construe it as an advertisement for alcoholic beverages.

Products as mentioned in the first and third paragraph must not be included in advertising for other products or services.

Section 14-2  "Advertisement" shall mean any form of mass communication for the purpose of marketing, including advertisements in printed matter, films, radio, television, telephone networks, data networks, illuminated advertisements, hoardings, signboards and similar devices, depictions, exhibitions and the like, distribution of printed matter, trade samples etc.

Section 14-3  The following shall be excepted from the prohibition:
1. Advertisements in foreign printed documents which are imported to Norway, unless the main purpose of the document or importation is to advertise alcoholic beverages in Norway.

2. Informative advertisements in trade journals and other information to licensees as part of the ordinary sales process for alcoholic beverages.

3. Advertisements for a retail or serving establishment giving the establishment’s name, address and licence rights.

4. Small information signs in the immediate vicinity of a retail or serving establishment.

5. Marking of ordinary serving equipment at a serving establishment with the alcohol producer’s or wholesaler’s trade name and/or trademark.

6. Marking of a licensee’s vehicles, packaging, service uniforms and the like with the licensee’s trade name and/or trademark.

7. Advertising on foreign television channels when such advertising is in accordance with the advertising rules of the country from which the channel is broadcast. This exception does not apply to advertising in television broadcasts specifically intended for Norway.

8. Product and price information on the Internet when such information is provided by AS Vinmonopolet as a basis for online order placing (Internet sale) or by the holder of a municipal licence to retail alcoholic beverages in category 1.

Section 14-4 The obligation to remove outdoor advertisements rests on the owner (lessee) of the property concerned.

A police order to remove an outdoor advertisement etc may be enforced under the rules of the Enforcement Act (tvangsfullbyrdelsesloven) section 13-14 without a court order being required.

Section 14-5 The ministry may in the individual case, when special reasons obtain, depart from the rules of this chapter.

Section 14-6 The provisions of section 14-1 to section 14-5 shall also apply to Svalbard and Jan Mayen.

Section 14-7 The advertising of substances which are specifically intended to be, or characterised as suitable as, additives to alcoholic beverages shall be prohibited. The same applies to the advertising of raw materials, to instructions for making alcoholic beverages, to apparatus and to other items used in the production of such beverages.

Product and price information on the Internet shall be excepted from the prohibition when such information is provided as a basis for ordering goods online (Internet sale).

Chapter 15 Importation
Section 15-1  Passengers may import for their personal use alcoholic beverage not exceeding a total of 27 litres in categories 1 and 2, and alcoholic beverage not exceeding 4 litres in category 3, as luggage through customs when entering Norway. The Directorate for Health and Social Affairs may authorise importation in excess of these limits.

A condition for such importation is that the alcoholic beverage is not intended for sale or commercial use and that the passenger personally brings the article with him to enable it to be presented for customs clearance when passing through customs control.

Section 15-2  Alcoholic beverages received as inheritance or gift, or taken along as removal goods from abroad, may be imported subject to authorisation from the Directorate for Health and Social Affairs. A gift consignment from abroad must not exceed 4 litres of alcoholic beverage.

A condition for such importation is that the alcoholic beverage is not intended for sale or commercial use.

Section 15-3  AS Vinmonopolet may import alcoholic beverages for sale to someone who has ordered a product for personal consumption if that product is not available in AS Vinmonopolet’s product range.

A condition for such importation is that the alcoholic beverage is not intended for sale or commercial use.

Section 15-4  The importation of spirits containing more than 60 per cent alcohol by volume is prohibited.

Chapter 16  Minimum age limits for the importation, sale and purchase of raw materials for wine etc

Section 16-1  Raw materials, semi-products, preparations and other goods used mainly in the production of or as additives to alcoholic beverages must not be imported from abroad by persons below the age of 18.

Section 16-2  Staff below the age of 18 must not be involved in the sale or supply of goods as mentioned in section 16-1.

Apprentices and trainees, cf Act relating to Primary and Secondary Education (Education Act, No. 61 of 17 July 1998) section 4-1, and upper-secondary school pupils undergoing practical training in an enterprise, who have not reached the age of 18, may none the less retail or supply such goods where this is necessary for reasons of the training. A condition is that a genuine training situation obtains in which the retailing of such goods is a part of a prescribed curriculum.

Section 16-3  Goods as mentioned in section 16-1 must not be sold or supplied to persons below the age of 18, even if the individual concerned produces written authorisation from a parent, guardian or other party.
When in doubt about an individual's age, employees at a retail outlet shall be entitled and obliged to demand that the purchaser produce proof of identity.

**Section 16-4** The purchasing of goods as mentioned in section 16-1 on behalf of someone below the age of 18 shall be prohibited.

**Section 16-5** Orders for goods as mentioned in section 16-1 must not be executed unless the order contains full particulars of the purchaser's name, address and age.

In the case of dispatch sales, the vendor may demand a copy of valid proof of identity from the purchaser if this is necessary in order to check that goods mentioned in section 16-1 are not retailed or supplied to persons below the age of 18.

**Chapter 17 Entry into force and transitional provisions**

**Section 17-1** These regulations shall enter into force on 1 July 2005. An exception to this is chapter 8 of the regulations which shall enter into force on 1 January 2006.

Regulations on the sale of alcoholic beverages etc (no. 1292 of 11 December 1997) shall be revoked on the same date.

**Section 17-2** Establishments which upon the entry into force of this Act hold a municipal licence to retail beer, a municipal serving licence or a state serving licence, and establishments which are granted a licence to retail alcoholic beverages containing a maximum of 4.7% alcohol by volume, a municipal serving licence or a state serving licence within 31 December 2005, shall up to and including 31 December 2005 pay a licence fee in accordance with the provisions of the Regulations on the sale of alcoholic beverages etc (no. 1292 of 11 December 1997) chapter 11.