

Regulations on the Sale of Alcoholic Beverages (Alcohol Regulations)

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Amended by regulations of 21 June 2005, no. 665, 10 January 2006, no. 62, 19 June 2009, no. 690, 17 December 2009, no. 1658, 8 December 2011, no. 1218, 5 December 2012, no. 1142, 26 November 2013, no. 1381, 8 December 2014, no. 1547, 31 August 2015, no. 1015, 8 December 2014, no. 1547, 26 October 2015, no. 1225, 4 November 2015, no. 1294, 14 December 2015, no. 1600, 18 December 2015, no. 1740, 14 January 2016, no. 34, 24 June 2016, no. 816, 23 November 2016, no. 1361, 21 November 2017, no. 1818, 20 November 2018, no. 1730, 29 November 2019, no. 1595 (in force 1 January 2020), 29 June 2020, no. 1431 (in force 1 September 2020).

Amended by regulation of 26 October 2020, no. 2167 (in force 1 January 2021).

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.

0 Amended by regulation of 8 December 2011, no. 1218 (in force 1 January 2012).

Section 1-2. (Revoked)

0 Revoked by regulation of 8 December 2011, no. 1218 (in force 1 January 2012).

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 retailing under retail licences granted to other parties than Vinmonopolet, cf. Section 3-1, second paragraph, and Section 3-1b of the Alcohol Act, and serving under serving licences, take place in accordance with the Alcohol Act and with provisions laid down pursuant thereto.

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 their deputy.

0 Amended by regulation of 24 June 2016, no. 816 (in force 1 July 2016).

Section 2-3. Whoever retails or serves low-alcohol and alcoholic beverages in categories 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 the retailing of low-alcohol beverages when a person aged 18 or more supervises such retailing on a daily basis. Persons with a cook, waiter or receptionist trade certificate who have not reached the age stipulated in Section 1-5, third paragraph of the Alcohol Act may nonetheless retail, supply or serve alcoholic beverages.

Apprentices and trainees, cf. Act of 17 July 1998, no. 61 relating to Primary and Secondary Education and Training (the Education Act), Section 4-1, and pupils in cooking, serving or reception trades at upper-secondary schools who are undergoing practical training in an enterprise and who have not reached the age stipulated in Section 1-5, third paragraph of the Alcohol Act, may nonetheless retail, supply or serve alcoholic beverages when this is necessary for reasons of the training. A condition is that a genuine training situation exists, 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 granted to AS Vinmonopolet.

0 Amended by regulations of 21 June 2005, no. 665 (in force 1 July 2005), and 8 December 2011, no. 1218 (in force 1 January 2012).

Section 2-4. Low-alcohol beverages and alcoholic beverages in category 1 and category 2 may not be retailed, supplied or served to persons under the age of 18, and alcoholic beverages in category 3 may not be retailed, supplied or served to persons under 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 require proof of identity.

0 Amended by regulation of 21 June 2005, no. 665 (in force 1 July 2005).

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

Chapter 3. Specifically concerning retailing

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

Section 3-2. It must be ensured that no alcoholic beverage is consumed on the sales premises, unless the beverage has been served in premises for which both a retailing and serving licence has been issued, pursuant to Section 3-1c, cf. Section 1-7g, of the Alcohol Act.

0 Amended by regulation of 29 June 2020, no. 1431 (in force 1 September 2020).

Section 3-3. In the case of a municipal licence for retailing of alcoholic beverages granted to any party other than Vinmonopolet, such beverages must be displayed in the retail outlet in such a way that they cannot be mistaken for non-alcoholic and low-alcohol beverages.

0 Amended by regulation of 24 June 2016, no. 816 (in force 1 July 2016).

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

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

Section 3-5. An order for alcoholic beverages may 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 categories 2 and 3 may 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 control that its retailing of alcoholic beverages in categories 2 and 3 at all times takes place in accordance with the Act and the Regulation.

0 Amended by regulation of 24 June 2016, no. 816 (in force 1 July 2016).

Chapter 4. Specifically concerning serving

Section 4-1. Persons who are obviously under the influence of alcohol or drugs may 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 may 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 or persons 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 in Section 1-5 of the Alcohol Act 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 beverages they have brought with them, or take alcoholic beverages with them when they leave the premises.

0 Amended by regulation of 29 June 2020, no. 1431 (in force 1 September 2020).

Section 4-5. Spirits may only be served in measures of 2 and 4 cl. This does 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 must be included in the beverage list and other price lists.

0 Amended by regulation of 21 June 2005, no. 665 (in force 1 July 2005).

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, their deputies and inspectors must have documented knowledge of the Alcohol Act and provisions laid down pursuant thereto. This requirement is met by passing a knowledge test in accordance with the provisions of this chapter.

0 Amended by regulation of 8 December 2014, no. 1547 (in force 1 January 2016).

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, and for their inspectors.

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 board ships and at the Armed Forces' officers messes, under Section 5-3, first paragraph of the Alcohol Act.

The Directorate of Health 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 trains, aircraft and at Armed Forces' officers messes under Section 5-3, second paragraph of the Alcohol Act.

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.

0 Amended by regulations of 8 December 2011, no. 1218 (in force 1 January 2012), and 8 December 2014, no. 1547 (in force 1 January 2016).

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 will be in the form of an electronic multiple choice test which differs for, respectively, retail licences and serving licences, and for inspectors. 60 minutes must be allocated to complete 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, Chapters 1, 4, 5, 7, 8 and 9, and regulations issued pursuant to these Chapters, and the candidate's knowledge of the Alcohol Act, Chapters 2, 3, 6 and 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, Chapters 1, 3, 7, 8 and 9, and regulations issued pursuant to these

Chapters, and the candidate's knowledge of the Alcohol Act, Chapters 2, 4, 5, 6 and 10, and regulations issued pursuant to these Chapters.

Successful completion of the test by inspectors shall demonstrate that the candidate has sufficient knowledge of the provisions stated in the second and third paragraphs to be able to conduct appropriate inspection of retailing and serving activities.

0 Amended by regulations of 8 December 2014, no. 1547 (in force 1 January 2015), and 8 December 2014, no. 1547 (in force 1 January 2016).

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

Section 5-6. A fee of NOK 400 shall be paid before the test is taken, and for any attempt to take the test.

0 Amended by regulation of 8 December 2014, no. 1547 (in force 1 January 2015).

Chapter 6. Licence fee

Section 6-1. The fee for municipal licences to retail alcoholic beverages outside Vinmonopolet and for municipal and state licences to serve alcoholic beverages shall be fixed for one calendar year at a time for each individual licence, on the basis of the expected volume of alcoholic beverages.

0 Amended by regulation of 24 June 2016, no. 816 (in force 1 July 2016).

Section 6-2. The fee shall be payable at the following rates:

Retail sales:

- NOK 0.22 per litre of product for alcoholic beverages in category 1
- NOK 0.60 per litre of product for alcoholic beverages in category 2

Serving:

- NOK 0.49 per litre of product for alcoholic beverages in category 1
- NOK 1.29 per litre of product for alcoholic beverages in category 2
- NOK 4.27 per litre of product for alcoholic beverages in category 3

The annual licence fee shall be at least NOK 1,700 for retailing and NOK 5,300 for serving. The licensing authority may, however, in special cases determine that a lower fee shall be set. For ambulatory licences, the licensing authority may require a fee of up to NOK 380 per instance.

0 Amended by regulations of 8 December 2011, no. 1218 (in force 1 January 2012), 5 December 2012, no. 1142 (in force 1 January 2013), , 26 November 2013, no. 1381 (in force 1 January 2014), 8 December 2014, no. 1547 (in force 1 January 2015), 4 November 2015, no. 1294 (in force 1 January 2016), 24 June 2016, no. 816 (in force 1 July 2016), 23 November 2016, no. 1361 (in force 1 January 2017), 21 November 2017, no. 1818 (in force 1 January 2018), 20 November 2018 no. 1730 (in force 1 January 2019), 29 November 2019, no. 1595 (in force 1 January 2020). **Amended** by regulation of 26 October 2020, no. 2167 (in force 1 January 2021).

Section 6-3. The licensing authority shall set deadlines for licensees to file a statement of expected volume of 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 sales. Where there is a deviation between previously reported 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 and establishments which supply alcoholic beverages in connection with private import are obliged upon request to provide information for statistical purposes to the Norwegian Institute of Public Health (NIPH).

The information which licensees may be required to provide concerns 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 required. The Institute of Public Health may lay down further provisions.

0 Amended by regulations of 19 June 2009, no. 690 (in force 1 July 2009), and 18 December 2015, no. 1740 (in force 1 January 2016).

Section 7-2. In cooperation with Statistics Norway, the Institute of Public Health may 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 the affected parties on obtaining information and preparing statistics.

0 Amended by regulation of 18 December 2015, no. 1740 (in force 1 January 2016).

Section 7-3. The municipalities are obliged, on request, to provide information on the municipality's management of the Alcohol Act to the Institute of Public Health, including information on collected sales fees.

0 Added by regulation of 8 December 2011, no. 1218 (in force 1 January 2012), amended by regulation of 14 January 2016, no. 34.

Section 7-4. The holder of a licence for tax-free sales at airports will be obliged to submit information for statistical purposes to the Institute of Public Health.

The information which licensees may be required to provide concerns sales of alcoholic beverages, including litres of product and type(s) of product. Information on low-alcohol beverages may also be required.

0 Added by regulation of 8 December 2011, no. 1218 (in force 1 January 2012), amended by regulation of 14 January 2016, no. 34.

Chapter 8. Internal control

Section 8-1. To ensure compliance with requirements laid down in or pursuant to the Alcohol Act, cf. Section 1-1 of the Alcohol Act, holders of licences to retail and serve alcoholic beverages shall perform internal inspection of the activity conducted under the licence, the Alcohol Act and provisions laid down pursuant to the Alcohol Act. The provisions of this Chapter will also apply to establishments which issue alcoholic beverages in connection with private import.

The first paragraph will not apply to holders of ambulatory serving licences granted under Section 4-5 of the Alcohol Act. For licences granted under Section 1-6, second paragraph, last sentence of the Alcohol Act, exemption can be made from the obligation under the first paragraph when it can be deemed to be unreasonable in view of, inter alia, the size of the premises.

0 Amended by regulations of 19 June 2009, no. 690 (in force 1 July 2009), and 8 December 2011, no. 1218 (in force 1 January 2012).

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 be of the extent necessary to comply with the licence requirements, the Alcohol Act and provisions laid down pursuant to the Alcohol Act. The internal control shall be documented in the form and to the extent necessary on the basis of the establishment's size, specific character, activities and risk factors. The documentation shall at all times be updated and available to the inspection 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 competences to comply with the requirements made of the establishment, including the requirements concerning internal control,
3. maintain an overview of how the establishment is organised and how tasks and responsibilities are distributed,
4. maintain procedures to ensure compliance with the licence requirements, the Alcohol Act and provisions laid down pursuant to the Alcohol Act that apply to the establishment,
5. maintain procedures 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 granted to any party other than Vinmonopolet, and state licences granted under Section 5-3, first paragraph of the Alcohol Act, including overseeing the performance of internal control under Chapter 8 of this Regulation.

0 Amended by regulation of 24 June 2016, no. 816 (in force 1 July 2016).

Section 9-2. The municipality shall provide requisite advice and guidance to licensees, managers and deputies to enable alcohol to be sold in accordance with the body of applicable regulations, and so 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 necessary training in alcohol legislation, inspection methods and report writing in order to be able to perform their tasks. The inspectors must have passed the knowledge test pursuant to Chapter 5 of this Regulation.

0 Amended by regulation of 8 December 2014, no. 1547 (in force 1 January 2016).

Section 9-4. Inspections shall in particular encompass the hours of sale and serving, and the minimum age provisions, while ensuring 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 the local conditions.

Section 9-5. Inspections of serving establishments must be performed by at least two inspectors.

Inspections of retail and serving establishments may be carried out openly or anonymously.

Upon completing an inspection the inspectors must always present themselves to the person(s) responsible for the establishment and give a verbal account of their impression of the establishment.

0 Amended by regulation of 8 December 2014, no. 1547 (in force 1 January 2016).

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 on the report shall accompany the report.

Section 9-7. Retail and serving establishments shall be inspected as often as required. Each establishment 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 this Regulation the municipality may lay down further guidelines for the performance of inspection of retail and serving establishments.

Chapter 10. Withdrawal of retail and serving licences

Section 10-1. The provisions concerning assignment of penalty points and confiscation in Sections 10-2 to 10-6 will apply where inspection performed pursuant to Chapter 9 of this Regulation, or a report from other authorities, reveals that the holder of the municipal retailing or serving licence has failed to fulfil their obligations pursuant to the Alcohol Act, provisions laid down pursuant to the Alcohol Act, provisions of an Act or pursuant to an Act related to the purpose of the Alcohol Act, or obligations arising from the terms of the licence decision.

0 Added by regulation of 26 October 2015, no. 1225 (in force 1 January 2016, applying to infringements committed as from and including this date).

Section 10-2. In the case of infringements as described in Section 10-3, the municipality will assign a specific number of penalty points to the licensee. Similar infringements discovered during the same inspection will be deemed to be a single infringement.

If a licensee is assigned a total of 12 penalty points over a period of two years, the municipal council will revoke the licence for a period of one week. If more than 12 penalty points are assigned in the course of the two-year period, the municipal council will increase the confiscation period equivalently.

The calculation of the two-year period will be based on the dates of the infringements.

The two-year period will apply irrespective of whether the licence was renewed during the period, cf. Section 1-6 of the Alcohol Act. In the event of transfer of ownership, a new period will commence as from the transfer date, cf. Section 1-10, first paragraph of the Alcohol Act..

0 Added by regulation of 26 October 2015, no. 1225 (in force 1 January 2016, applying to infringements committed as from and including this date).

Section 10-3. The following infringements will lead to the assignment of eight penalty points:

- sale, supply or serving to persons under the age of 18, cf. Section 1-5, second paragraph of the Alcohol Act
- breach of the duty of assistance, cf. Section 4-1, second paragraph of this Regulation
- breach of the requirement concerning responsible operation, cf. Section 3-9 and Section 4-7 of the Alcohol Act
- obstruction of municipal inspection, cf. Section 1-9 of the Alcohol Act.

The following infringements will lead to the assignment of four penalty points:

- sale and issue to persons who are obviously under the influence of alcohol or drugs, cf. Section 3-1 of this Regulation, serving of persons who are or must be assumed to be obviously under the influence of alcohol or drugs, cf. Section 4-2, first paragraph of this Regulation
- breach of the sale, supply and serving time provisions, cf. Sections 3-4a, 3-7 and 4-4 of the Alcohol Act
- serving of alcoholic beverages in category 3 to persons aged 18 or 19, cf. Section 1-5, first paragraph of the Alcohol Act
- breach of the age requirement concerning a person who sells, supplies or serves alcoholic beverages, cf. Section 1-5, third paragraph of the Alcohol Act.

The following infringements will lead to the assignment of two penalty points:

- access to the premises is granted to persons who are obviously under the influence of alcohol or drugs, or the licensee fails to ensure that a person who is obviously under the influence of alcohol or drugs leaves the premises, cf. Section 4-1 of this Regulation
- deficiencies in the licensee's internal inspection, cf. Section 1-9, last paragraph of the Alcohol Act, cf. Chapter 8 of this Regulation
- failure to submit a sales report within the municipality's deadline, cf. Chapter 6 of this Regulation
- failure to pay a licence fee within the municipality's deadline, cf. Chapter 6 of this Regulation
- breach of the requirement concerning manager and deputy, cf. Section 1-7c of the Alcohol Act
- repeated sale of drugs at the serving establishment, cf. Section 1-8, second paragraph of the Alcohol Act
- repeated discrimination, cf. Section 1-8, second paragraph of the Alcohol Act.

The following infringements will lead to the assignment of one penalty point:

- breach of the requirement concerning non-alcoholic alternatives, cf. Section 4-6 of this Regulation
- breach of regulations concerning serving measures, cf. Section 4-5 of this Regulation
- consumption of brought-in alcoholic beverages, cf. Section 4-4 of this Regulation
- guests taking alcohol away from the premises, cf. Section 4-4 of this Regulation
- breach of the obligation to ensure that no alcohol is consumed on the sales premises, cf. Section 3-2 of this Regulation.
- breach of the requirement concerning the location of alcoholic beverages at the point of sale, cf. Section 3-3 of this Regulation
- breach of the terms of the licence decision, cf. Sections 3-2 and 4-3 of the Alcohol Act
- breach of the advertising ban, cf. Section 9-2 of the Alcohol Act, cf. Chapter 14 of this Regulation
- other infringements subject to Section 1-8, first paragraph of the Alcohol Act, cf. among other things Section 3-1, fifth paragraph, Section 4-1, second paragraph, Section 8-6, Section 8-6a, Section 8-12 and Section 8-13 of the Alcohol Act.

0 Added by regulation of 26 October 2015, no. 1225 (in force 1 January 2016), amended by regulations of 24 June 2016, no. 816 (in force 1 July 2016), and 29 June 2020, no. 1431 (in force 1 September 2020).

Section 10-4. In very specific and highly extenuating circumstances, the municipality may assign fewer penalty points for an infringement than as set out in Section 10-3.

In highly aggravating circumstances, the municipality may assign more penalty points for an infringement than as set out in Section 10-3. In highly aggravating circumstances, the municipal council may also increase the length of the confiscation beyond what is set out in Section 10-2, and in the most severe cases for the remainder of the licence period.

If weight is given to circumstances as described in the first and second paragraphs, the reasons must be specified in the decision.

0 Added by regulation of 26 October 2015, no. 1225 (in force 1 January 2016, applying to infringements committed as from and including this date).

Section 10-5. If there is a basis for allocation of penalty points, the municipality must issue advance notice of the allocation of penalty points, cf. Section 16 of the Public Administration Act.

The municipal council will take individual decisions on the allocation of penalty points. In connection with the decision, the licensee must be notified of the possible consequences of the assignment of further penalty points.

Decisions pursuant to the second paragraph may be appealed under the rules of the Public Administration Act. Where the right of appeal is not used, the allocation of penalty points can nevertheless be appealed in connection with an appeal concerning subsequent confiscation decisions that are partly based on the allocation of penalty points.

0 Added by regulation of 26 October 2015, no. 1225 (in force 1 January 2016, applying to infringements committed as from and including this date).

Section 10-6. If the allocation of penalty points is the basis for confiscation, the municipality must issue advance notice of the confiscation of the licence, cf. Section 16 of the Public Administration Act.

The municipal council will take individual decisions on the confiscation of licences, on the basis of the allocation of penalty points.

The municipality should initiate confiscation measures within four weeks of the decision date.

0 Added by regulation of 26 October 2015, no. 1225 (in force 1 January 2016, applying to infringements committed as from and including this date).

Section 10-7. 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 an impediment beyond the control of the licensee which they could not reasonably be expected to avoid, or the consequences of which they could not reasonably be expected to overcome. This applies solely to the extent that operations can be expected to be resumed within a reasonable time.

0 Amended by regulation of 26 October 2015, no. 1225 (in force 1 January 2016, previously Section 10-1).

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. Section 1-10, first paragraph, third and fourth sentences of the Alcohol Act, alcoholic beverages included in the inventory may be transferred together with the establishment, provided that, on notification of the transfer, the parties also 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 before the end of the transitional period.

The licensing authorities may perform inspection to check the documented information.

Chapter 12. Secured party's sale of alcoholic beverages

Section 12-1. The Directorate of Health may authorise a secured party who provides evidence that alcoholic beverages have been transferred to them 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.

0 Amended by regulation of 8 December 2011, no. 1218 (in force 1 January 2012).

Section 12-2. Authorisation shall be granted for a specified quantity. The secured party will designate a person over whom they have a right of instruction, and 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 must be resold within three months. If they are not, the secured party must notify the Directorate of Health of the reason. The Directorate may extend the deadline.

0 Amended by regulation of 8 December 2011, no. 1218 (in force 1 January 2012).

Chapter 13. Register of data concerning 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 of Health shall be responsible for the register.

0 Amended by regulation of 8 December 2011, no. 1218 (in force 1 January 2012).

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 amend 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. Act of 3 June 1994, no. 15 concerning the Central Coordinating Register for Legal Entities, Section 1, second paragraph, third sentence.

Section 13-4. Content of the register

The register shall contain the following types of data:

1. which rights are covered by the licence, cf. licence pursuant to Section 3-1, second paragraph of the Alcohol Act, licence granted to a party other than Vinmonopolet pursuant to Section 3-1, first paragraph of the Alcohol Act, cf. Section 3-1b,, or licence pursuant to Section 4-2, first and third paragraphs
2. the licensee's trade name and organisation number/business number
3. the establishment's address and other contact details
4. licence valid to (date)
5. licence granted on (date)
6. licence revoked on (date)
7. for cases named in Section 1-10, first paragraph of the Alcohol Act: date of transfer of the establishment and information concerning to whom the establishment has been transferred.

0 Amended by regulation of 24 June 2016, no. 816 (in force 1 July 2016).

Section 13-5. Disclosure of data from the register

Data in the register is public.

Section 13-6. Relationship to the Personal Data Act

Act of 14 April 2000, no. 31 relating to the processing of personal data (the Personal Data Act) applies to the extent that the data in the register is personal data, cf Section 2 of the Act.

Chapter 14. Prohibition of advertising of alcoholic beverages

Section 14-1. Advertising of alcoholic beverages is prohibited.

The prohibition also applies to the use of brand or trade names or identifying marks for alcoholic beverages, provided that it must be assumed that a not insignificant proportion of the advertisement's target group would 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 provide information on the brand or trade name or identifying marks, unless it must be assumed that a not insignificant proportion of the advertisement's target group would construe it as an advertisement for alcoholic beverages.

Products as mentioned in the first and third paragraphs may 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.

There is a marketing purpose if an objective of the communication is to promote sales. On assessing whether there is a marketing purpose, emphasis must be placed on who is the sender of the information, who takes the initiative to provide the information, the content and design of the information and how the information is presented and disseminated.

0 Amended by regulation of 31 August 2015, no. 1015 (in force 1 November 2015).

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 import 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, including online, or serving establishment giving the establishment's name, address and opening hours, and licence rights. Equivalent information can be given from retail and serving establishments on their own websites.
4. Small information signs in the immediate vicinity of a retail or serving establishment.
5. Labelling of ordinary serving equipment at a serving establishment with the alcohol producer's or wholesaler's trade name and/or trademark.
6. Labelling 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. Sober, non-product-specific factual information concerning alcoholic beverages, including raw materials, fabrication, storage, areas of use and serving method, including non-product-specific images and other illustrations presenting alcoholic beverages, in mass-communication channels that the recipient must seek out actively in order to get this information from the sender.
9. Sober, non-product-specific factual information that alcoholic beverages are included in food and beverage packages at the serving establishment, or that experiences related to such beverages are included in travel events. No images or illustrations of alcoholic beverage may be displayed.
10. For online sales: Sober product and price information, including images of the products against a neutral background, in online stores when the information is provided by AS Vinmonopolet as the basis for ordering online (online sales) or by the holder of a municipal sales licence for alcoholic beverages in category 1, when the licence includes online sales. The information concerning the alcoholic beverage may not promote the beverage in relation to other products sold by the online store.

11. At auction: Sober product and price information about products to be auctioned off, including images of the products against a neutral background. Such information may only be provided by AS Vinmonopolet or auction houses that assist the company, and only on their websites or upon request.
12. At retail and serving establishments: Sober product-specific factual information about the alcoholic beverages sold by the establishment. Information may be given concerning price, raw materials, fabrication, fragrance, taste, colour, serving method, storage and areas of use, and images of the products may be displayed against a neutral background. Product-specific information materials in the form of product catalogues, brochures or similar are not permitted. The information concerning the alcoholic beverage may not promote the beverage in relation to other products sold by the establishment. At points of sale, the information must be placed in close physical proximity to the products. In their menus, serving establishments may provide information concerning which alcoholic beverages are suitable for the dishes served by the establishment, if non-alcoholic options are also provided.
13. On the websites of retail and serving establishments: Sober product-specific factual information about the alcoholic beverages sold by the establishment, if this is part of a complete overview of the products sold by the establishment. Information may be given concerning price, raw materials, fabrication, fragrance, taste, colour, serving method, storage and areas of use, and images of the products may be displayed against a neutral background. The information concerning the alcoholic beverage may not promote the beverage in relation to other products sold by the establishment. In their menus, serving establishments may provide information concerning which alcoholic beverages are suitable for the dishes served by the establishment, if non-alcoholic options are also presented.
14. On the websites of manufacturers and wholesalers: Sober product-specific factual information about raw materials, fabrication, fragrance, taste, colour, serving method, storage, areas of use and retailers, including product images on a neutral background, on the following terms:
 - a) Similar information is provided for other products that are in the manufacturers' and wholesalers' product range.
 - b) Information is provided for mandatory labelling of the products in accordance with regulation of 28 November 2014, no. 1497 concerning food information to consumers (the food information regulation). A list of ingredients and nutritional label should be provided if such information exists.
 - c) Information must be provided on the harmful effects of alcohol.

Further requirements concerning the content, design and location of the information may be determined by the Directorate of Health.

15. On pre-ordering alcoholic beverage for delivery on overseas flights: Sober product and price information as the basis for the order if the information is only available to travellers who have requested this information. In a sober way, travellers can also be informed that they may request this information.
16. At fairs, festivals, tours, courses and lectures which concern alcoholic beverages: Sober product-specific factual information about raw materials, fabrication, fragrance, taste, colour, serving method, storage, areas of use and retailers, including product images on a neutral background. Information may also be provided concerning websites with such product information, cf. this provision's nos. 13 and 14.

The area where the information pursuant to the first paragraph, first sentence is given must be clearly delineated without access for persons under the age of 18.

Sober information may be provided that is necessary to make such events and the content of the events known. Images or illustrations depicting alcoholic beverages and information about company brands or products are not permitted. Information about specific manufacturers and wholesalers is only permitted on the event's website.

17. Advertisements for other goods and services with the same name as alcoholic beverage, if the name of the alcoholic beverage is the manufacturer's own personal name. It is also permitted to use the personal name of an alcoholic beverage brand, even if the personal name is also used on brands for other goods or services.

The alcoholic beverage must have its own distinct trademark, and the label/packaging may not have clear associations with the other goods and services by using words and word links, including slogans, names, letters, numbers, figures, shapes and depictions.

18. Special labels for general labelling schemes on the label or packaging of alcoholic beverages, when the labelling documents that products bearing the label fulfil specific requirements concerning the method of production, origin or content.
19. Sober use of the same company name or company brand as an alcoholic beverage when sponsoring non-profit purposes and when the sponsor's marketing purpose is insignificant. Such labelling may only have a discreet placement on information materials for the purpose that is sponsored.
20. Company name or company brand for alcoholic beverages as the name of the serving establishment, when the production of the beverage occurs at the serving establishment.

0 Amended by regulations of 8 December 2011, no. 1218 (in force 1 January 2012), and 31 August 2015, no. 1015 (in force 1 November 2015).

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 Section 13-14 of the Enforcement Act, without a court order being required.

Section 14-5. The ministry may in the individual case, when special reasons exist, waive the provisions of this Chapter.

Section 14-6. The provisions of Section 14-1 to Section 14-5 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 exempt from the prohibition when such information is provided as a basis for ordering goods online (online sale).

Chapter 15. Import

Section 15-1. Persons under 18 years of age are not permitted to import alcoholic beverages in categories 1 and 2 and persons under 20 years of age are not permitted to import alcoholic beverages in category 3.

0 Amended by regulation of 19 June 2009, no. 690 (in force 1 July 2009).

Section 15-2. When private individuals import alcoholic beverages, the Directorate of Health and the customs and excise authorities may require documentation that the alcoholic beverage is for personal use if, in view of the amount of alcoholic beverages or for other reasons, there is reason to believe that the goods are not for personal use. If such documentation is not provided, the goods cannot be imported unless the importer has the right to operate on a wholesale basis, or without a licence, as specified in Section 2-1 of the Alcohol Act.

0 Amended by regulation of 19 June 2009, no. 690 (in force 1 July 2009).

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

A condition for such import is that the alcoholic beverage is not intended for resale or commercial use.

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

Section 15-5. Establishments that supply alcoholic beverages to private individuals who import alcoholic beverages for personal consumption must:

1. have an internal control system to ensure compliance with the requirements applicable to the supply of alcoholic beverages, cf. Chapter 8,
2. be independent of the retailer of the alcoholic beverage that is supplied and have no direct or indirect benefits from the actual sale beyond the normal payment for the service, and
3. have no fixed supply outlets for alcoholic beverages beyond what is part of their normal distribution scheme for all types of shipments.

In order to register as a supplier of alcoholic beverages by private import and thus legally be responsible for such supply, cf. Section 2-4 of the Alcohol Act, the establishment must provide a self-declaration that the establishment fulfils the requirements made for the supply of alcoholic beverages.

0 Added by regulation of 19 June 2009, no. 690 (in force 1 July 2009).

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

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

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

Apprentices and trainees, cf. Act of 17 July 1998, no. 61 relating to Primary and Secondary Education (the Education Act), Section 4-1, and upper-secondary school pupils undergoing practical training in an enterprise, who have not reached the age of 18, may nonetheless retail or supply such goods where this is necessary for reasons of the training. A condition is that a genuine training situation exists in which the retailing of such goods is part of a prescribed curriculum.

Section 16-3. Goods as mentioned in Section 16-1 may not be sold or supplied to persons under 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 purchase of goods as mentioned in Section 16-1 on behalf of someone under the age of 18 shall be prohibited.

Section 16-5. Orders for goods as mentioned in Section 16-1 may 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 under the age of 18.

Chapter 17. Entry into force and transitional provisions

Section 17-1. This Regulation shall enter into force on 1 July 2005. An exception to this is Chapter 8 of the Regulation, which shall enter into force on 1 January 2006.

The regulation on the sale of alcoholic beverages, etc. of 11 December 1997, no. 1292 shall be revoked as of 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, before 31 December 2005, shall up to and including 31 December 2005 pay a licence fee in accordance with the provisions of the regulation on the sale of alcoholic beverages, etc. of 11 December 1997, no. 1292, Chapter 11.

Section 17-3. Up to 1 July 2016, the municipality may use inspectors who have not passed the knowledge test pursuant to Section 5-1 of the Alcohol Regulation.

0 Added by regulation of 14 December 2015, no. 1600 (in force 1 January 2016).