

## REGULATION AND SELF-REGULATION ON ADVERTISING DIRECTED AT MINORS -Norway

### DEFINITIONS

<b>Child</b>	An individual younger than 18 years of age
<b>Minor</b>	An individual who has not yet reached the age of 18. The majority is set at 18 years accomplished; at that age one is capable of all actions of civilian life
<b>Civilian majority</b>	As of 18 years
<b>Civilian minority</b>	Until 18 years
<b>Legal entitlement to contract</b>	Minors are not entitled to contract
<b>Youth protection</b>	
<b>Sex offences</b>	sanctioned.
<b>Moral protection</b>	It is illegal to hand over sexual indecent or pornographic magazines, pictures, films, video or similar media to persons under 18 years of age.
<b>Advertising</b>	Not generally defined. All communications paid or free of charge, aiming directly or indirectly to promote the sale of products or services will be considered as advertising. The broadcasting sector: Any form of promotion of a product or service in return for payment or any other form of remuneration.

## LEGAL PROVISIONS

### GENERAL PROVISIONS

#### 1. In general

general rules.

#### Misleading advertising

The advertising may not be incorrect, give insufficient guidance or otherwise be misleading in a way that is likely to influence the demand for or supply of goods, services or other performances. The advertising may not be denigrating. The advertising may not conflict with the inherent equality between the sexes and may not imply any derogatory judgement of either sex. The advertising may not run counter to good business practice.

#### 2. Through media

### RADIO AND TELEVISION

#### Principles

Ban on advertising for products that are illegal to advertise for according to Norwegian law

Ban on advertising for weapons, weapons models or toy weapons

Ban on clandestine subliminal advertising

Ban on advertising for religious or political views in television broadcasts.

#### Special protection for minors

General ban on advertisements that are especially targeting children

All advertising must take into account that it may be seen or heard by children, and advertisers must show particular sensitivity to children's influence and lack of experience

prominent element of that programme and the programme can be generally received within Norway.

Ban on advertisements in general 10 minutes before and after a programme destined for children.

#### SPONSORSHIP

Sponsorship is generally considered as advertising, and is therefore subject to the Marketing Control Act

If a broadcasted programme is sponsored, information to this effect shall be given at the introduction and the conclusion of the programme. Information concerning the sponsor may be given in the form of the name, trademark or logo of the sponsor, further information about the sponsor is not allowed. Identification of the sponsor can last up to 10 seconds, although when several sponsors are sponsoring one programme the total time cannot exceed 30 seconds.

The content and form of presentation of a sponsored programme must be such as to maintain the full editorial integrity of the broadcasting company.

Sponsored programmes shall not promote the purchase or rental of any of the sponsor's products or services or those of a third party, and may not contain specific promotional references to such products or services.

News or current affairs programmes may not be sponsored.

Broadcasting may not be sponsored by any natural or legal person whose principal activity is to manufacture, sell or rent out products or services the advertising of which is prohibited by Norwegian legislation or rules issued pursuant to Norwegian legislation. Political parties or organizations may not sponsor broadcasted programmes.

When a sponsor is sponsoring prizes in a programme, the presentation of the prize must not exceed what is reasonable to orient the viewing/listening audience about the prize.

Ban on sponsoring programmes directed primarily towards children or youth

#### TELESHOPPING

##### Principle

Subject to the Marketing Control Act and to the act relating to broadcasting.

### PRINT

No specific regulations except the general bans

**POSTERS**

No specific regulations except the general bans

**CINEMA**

No specific regulations except the general bans

**INTERNET**

No regulations except the general bans. The general broadcasting regulations might apply indirectly.

## SPECIFIC LEGAL PROVISIONS

<b>3.1 ALCOHOL</b>	
<b>3.1.1 General rules</b>	<p>Spirits must not be sold, served or passed to anyone under the age of 20. Other alcoholic beverages than spirits containing more than 0,7 per cent alcohol must not be sold, served or passed to anyone under the age of 18.</p> <p>A license is required for the sales, serving and manufacturing of alcoholic beverages.</p> <p>A person who sells or serves spirits must at least be 20 years of age. A person who sells or serves other alcoholic beverages containing more than 0,7 per cent alcohol must be 18 years of age. (A few exceptions apply.)</p> <p>Persons who do not fulfill the age-requirements for drinking alcoholic beverages must not have access to alcohol through other guests at the establishment where alcohol is served</p> <p>Local restrictions might also apply, e.g. not giving children under 15 years of age access to establishments where there is dancing after 10 pm unless accompanied by adults</p>
<b>3.1.2 Advertising</b>	
<b>3.1.2.1 In general</b>	<p>General ban on advertisements for alcoholic beverages that contain more than 2,5 per cent alcohol</p> <p>Advertising of items for use in the production of alcoholic beverages must have explicit permission from the Ministry of Health and Social Affairs.</p> <p>Advertising for breweries that mainly produces alcoholic beverages may be considered as advertisement for alcoholic beverages</p>
<b>3.1.2.2 Per media</b>	
<b>All media</b>	<p>The general ban applies to all media</p>
<b>3.2 TOBACCO</b>	
<b>3.2.1 General Rules</b>	<p>Ban on selling tobacco to persons who are under 18 years of age.</p> <p>Ban on smoking on indoor premises and means of transport that are generally available to the public.</p>
<b>3.2.2 Advertising</b>	
<b>3.2.2.1 In general</b>	<p>General ban on all forms of advertising for tobacco products.</p>
<b>3.2.2.2 Per media</b>	
<b>All media</b>	<p>The general ban applies to all media</p>
<b>3.3 DRUGS AND HEALTH</b>	
<b>3.3.1 General rules</b>	<p>Pharmaceutical drugs can only be sold through pharmacies</p>
<b>3.3.2 Advertising</b>	
<b>3.3.2.1 In general</b>	<p>Advertisements for pharmaceutical drugs must be objective, to the matter-of-fact and true.</p> <p>Ban on advertising for prescription drugs towards the general public.</p> <p>Food articles: The presentation of the product must not mislead the customers with regards to its properties</p>
<b>3.3.2.2 Per media</b>	
<b>Television/radio</b>	<p>Ban on advertisements for pharmaceutical drugs on television</p>
<b>Press</b>	<p>Subject to the general provisions.</p>

<b>3.4 VEHICLES</b>	
<b>3.4.1 General rules</b>	Drivers license needed to operate motorised vehicle 16 years : moped, small motorbikes, scooters and tractors 18 years : cars and mid-size motorcycles, small trucks 21 years: motorcycles, buses, large trucks and trailers
<b>3.4.2 Advertising</b>	Subject to the general provisions regarding advertising
<b>3.4.2.1 In general</b>	
<b>3.4.2.2 Per media</b>	
<b>Television/radio</b> <b>Others</b>	
<b>3.5 EDUCATION</b>	
<b>3.5.1 General rules</b>	Subject to the general provisions regarding advertising On-going discussion on whether sponsoring of school-books should be allowed.
<b>3.5.2 Advertising</b>	
<b>3.5.2.1 In general</b>	
<b>3.5.2.2 Per media</b> <b>Television/radio</b> <b>Others</b>	
<b>3.6 TOYS AND CHILDREN'S THINGS</b>	
<b>3.6.1 General rules</b>	Obligation to add warning signs or precautions for usage
<b>3.6.2 Advertising</b>	Ban on advertising for toy weapons
<b>3.6.2.1 In general</b>	
<b>3.6.2.2 Per media</b>	
<b>Television/radio</b> <b>Others</b>	
<b>3.7 FINANCIAL SERVICES</b>	
<b>3.7.1 General rules</b>	License from the Banking, Insurance and Securities Commission of Norway is required to marketed financial products and services. Marketing is surveyed by the Banking, Insurance and Securities Commission of Norway and the Consumer Council.
<b>3.7.2 Advertising</b>	Subject to the Marketing Control Act
<b>3.7.2.1 In general</b>	
<b>3.7.2.2 Per media</b>	
<b>Television/radio</b> <b>Others</b>	

<b>3.8 LEISURE</b>	
<b>3.8.1 General rules</b>	federation (NIF)
<b>3.8.2 Advertising</b>	
<b>3.8.2.1 In general</b>	
<b>3.9.2.2 Par support</b>	
<b>Television/radio</b>	
<b>Others</b>	
<b>3.9 ARMS/VIOLENCE</b>	
<b>3.9.1 General rules</b>	Ban on selling firearms or parts of firearms to persons without a license. License can not be given to persons under 16 years age, and can in exceptional cases be given to persons under 18 years age. Minors must have consent from their guardian. Licences are given by the local police authority.
<b>3.9.2 Advertising</b>	Ban on the producing, importing, marketing, selling, disposal of, use and carrying of "violent products".
<b>3.9.2.1 In general</b>	Advertising for all legal weapons is allowed, but subject to the general provisions in The Marketing Control Act.
<b>3.9.2.2 Per media</b>	Ban on advertising for "violent products"
<b>Television/radio</b>	
<b>Television</b>	Ban on gross violence in television broadcasts.
<b>3.10 POLITICS</b>	
<b>3.10.1 General rules</b>	
<b>3.10.2 Advertising</b>	
<b>3.10.2.1 In general</b>	Advertising for political views is allowed
<b>3.10.2.2 Per media</b>	
<b>Television</b>	Advertisements for religious or political views through television is prohibited
<b>Others</b>	
<b>3.11 TELECOMMUNICATIONS</b>	
<b>3.11.1 General rules</b>	Telecommunication entertainment services may not be primarily directed towards people under the age of 16 years. "Telecommunication entertainment services" are for example horoscopes, dating-lines, erotic lines, telephone games, information services etc. that costs an additional fee to use and has a certain prefix to the telephone number. In Norway these prefixes are 820- and 829. (Also known as "1-900-numbers" in the USA)
<b>3.11.2 Advertising</b>	
<b>3.11.2.1 In general</b>	No specific regulations: application of the Marketing Control Act
<b>3.11.2.2 Per media</b>	
<b>Television/radio</b>	
<b>Others</b>	

## PROPOSALS OF LAW

be submitted by the first half of the year 2001.

Proposal to change the definition of "advertisement" in the act relating to broadcasting, so that it also includes self-promoting activities from the broadcaster.

Proposal to make it possible by provision to ban broadcasting programmes that may cause serious harm to young viewers, especially programmes that contain pornography or explicit violence.

Proposed that programmes that may cause harm to children or youth should be warned with either an acoustic signal or a visual signal.

Proposal to make it possible by provision to set a time period during which all uncoded television programmes that may cause harm to children or youth will be banned.

Proposal to make it illegal for businesses to send email, telefax, sms messages etc. to the consumer without expressed prior consent from the consumer. Minors cannot give a valid consent according to general rules.

Proposal to expressly manifest by law the principle that advertising should appear as such.

## SELF-REGULATION

### GENERAL RULES

Norwegian broadcasters follow a self-imposed principle of not broadcasting pornographic or violent scenes before 9 pm.

Selections from the ethics code for advertising drafted by the Norwegian Association of Advertising Agencies (Reklamebyråforeningen):

- \* All advertising should follow a high professional and ethical standard, and be in accordance with Norwegian law
- \* All advertising should take into consideration the society as a whole and the environment
- \* Advertising must not enfeeble the trust confidence towards the advertising industry, and should be honourable and honest
- \* Advertising should not be based on fear or encourage violence
- \* Advertising must not be misleading to the consumer. All advertising should be presented as such.

children and youth

- \* Advertisements must not exploit children's gullibility or young people's lack of experience, nor must their natural loyalty be exploited commercially.



**SPECIAL PROVISIONS & CODES OF CONDUCT**

- ALCOHOL**
- TOBACCO**
- DRUGS/HEALTH**
- VEHICLES**
- EDUCATION**
- LEISURE**
- FINANCIAL SERVICES**
- LEISURE**
- ARMS/VIOLENCE**
- POLITICS**
- TELECOMMUNICATIONS**

All advertising is banned by law  
All advertising is banned by law

## OTHER ADVERTISING TECHNIQUES (LEGISLATION AND SELF-REGULATION)

### **DIRECT MARKETING**

Subject to the Marketing Control Act as well as the act relating to personal data filing systems etc of 9 June 1978

### **PROMOTIONAL SALES PRACTICES**

Subject to the Marketing Control Act, whereas the general rules for marketing will apply.

### **PUBLIC-REPORTING**

Subject to the Marketing Control Act, whereas the general rules for marketing will apply.