

GENERAL CIVIL PENAL CODE

Part I. General Provisions

Introductory Provisions

Section 1. The first part of this code is applicable to all criminal acts unless it is otherwise provided.

The criminal legislation shall apply subject to such limitations as derived from any agreement, with a foreign State or from international law generally.

Section 2. The criminal acts dealt with in the second part of this code are felonies. Unless otherwise provided, the same applies to the criminal acts that are dealt with in other statutes in so far as they are punishable by imprisonment for more than three months, detention for more than six months, or dismissal from public office as the main penalty.

The criminal acts that are dealt with in the third part of this code are misdemeanours, as are those dealt with in other statutes in so far as they are not felonies according to the above provisions.

Section 3. If the criminal legislation has been amended in the period following the commission of an act, the penal provisions in force at the time of its commission shall be applicable to the act unless otherwise provided.

The penal provisions in force at the time a particular issue is decided shall be applicable when they lead to a decision more favourable to the person charged than the provisions in force at the time of commission of the act. However, in the case of an appeal, interlocutory appeal, or a petition for reopening a case, no account shall be taken of provisions that come into force only after the decision occasioning the appeal, interlocutory appeal, or petition for reopening the case, has been made.

If a prosecution or execution of sentence has been lawfully commenced, no account shall be taken of the fact that by a subsequent enactment the riimngbe18(e)-6.2659(n)-20.3074(t)-22.1762

When two persons are living together permanently in a marriage-like relationship, this shall be considered equivalent to marriage.

Section 6. In this code the term chattel includes any power produced or stored for the production of light, heat or motion.

Section 7.

1. In this code public place means any place intended for public use or frequented by the public.
2. An act is considered to be committed in public when it is committed by publication of printed matter or in the presence of a large number of persons or under such circumstances that it could easily have been observed from a public place and is observed by any person present there or close to it.

Section 8. The provisions of this code relating to time of war shall also apply when the armed forces or any part thereof have been alerted for war service.

Section 9. In this code considerable injury to body or health means injury whereby a person loses or suffers substantial impairment of sight, hearing, speech, or reproductive capacity, becomes disabled, unable to continue his work or seriously disfigured, contracts a deadly or protracted disease, or incurs serious mental injury.

It is also considered a considerable injury when a felony is committed against a pregnant woman with the result that the foetus is injured or destroyed.

Section 10. Printed matter includes any writing, representation or the like which is reproduced by printing or other chemical or mechanical means.

Publication also means posting, placing and the like in a public place.

Section 11. One month means one calendar month; one day means 24 hours.

Section 148, second paragraph, and section 149, first paragraph, of the Courts of Justice Act shall apply to the calculation of statutory time-limits.

b) constructions for the transport of petroleum resources connected with any

Section 13. In the cases dealt with in section 12,

Section 21. Should a person who is serving detention be sentenced to imprisonment, the execution of the latter sentence would normally commence immediately and the other sentence would be temporarily suspended.

Section 22. Detention may be imposed for a term of from 14 days to 20 years.

Two days' detention shall be considered the equivalent of one day's imprisonment.

Section 23. On the application of the convicted person or with his consent, detention may be converted to imprisonment.

Section 24. When imprisonment is specified as the only form of custodial penalty, an equivalent sentence of detention may be imposed, provided that special circumstances make it probable that the act did not originate from a depraved mind.

Section 25. A custodial sentence not exceeding four months shall be determined in days; a custodial sentence exceeding four months shall be determined in months and years.

Section 26. Further provisions for the execution of sentences of imprisonment, community sentences, special criminal sanctions and preventive detention shall be made in a separate Act.

Section 26 a. In addition to a custodial sentence the court may impose a fine. This applies even though fines are not prescribed as a penalty for the offence. In assessing a custodial sentence the fact that a fine is also imposed shall be taken into account.

The power to combine a custodial sentence with a fine derived from this section is of no significance in relation to statutory provisions that give legal effect to the penalty limits.

Section 27. When a fine is imposed, due consideration should be given not only to the nature of the offence but also especially to the financial position of the convicted person and to what he can presumably afford to pay in his circumstances.

The fine shall accrue to the State treasury.

Section 28. When a fine is imposed, a sentence of imprisonment of from one day to three months, or in the cases mentioned in section 63 up to four and a half months, shall be stipulated, which shall be executed if the fine is not paid.

When a fine is imposed pursuant to section 48 a, no sentence of imprisonment pursuant to the first paragraph shall be stipulated.

Section 28 a. A community sentence may be imposed instead of a sentence of imprisonment when

a)

guilty of the criminal act, or on whose behalf the offender has acted. The provision in section 34, first paragraph, third sentence, shall apply correspondingly.

Such provision may also be made in the case of the holder of a right who, when the right was established, understood or should have understood that the object was to be used in a criminal act, or that it could be confiscated.

When an object is sold with the ownership reserved to the seller, the purchaser shall be deemed to be the owner and the seller the holder of a right in applying the provisions of this section.

Section 37 a. When any proceeds or object mentioned in section 34 or 35 is after the commission of the offence transferred from a person from whom confiscation may be effected, what has been transferred or its value may be confiscated from the receiver if the transfer has occurred as a gift or if the receiver understood or should have understood the connection between the criminal act and what has been transferred to him.

If extended confiscation may be effected pursuant to section 34 a and the offender has transferred any asset to one of his next-of-kin, the said asset or its value may be confiscated from the receiver if the prosecuting authority proves on a balance of

object that has been seized, or that has been exempted from seizure on provision of security. The owner shall as far as possible be notified of the proceedings.

If neither the offender nor the possessor is known or has a known place of sojourn in the realm, the District Court may order confiscation under circumstances similar to those mentioned in the first paragraph, without any person being made a defendant.

These provisions shall apply correspondingly to confiscation of rights pursuant to sections 37 and 37 a, fifth paragraph.

Section 37 d. The proceeds of any confiscation shall accrue to the State treasury unless it is otherwise provided.

In its judgment or by a subsequent order made by the District Court that decided the issue of confiscation, the court may decide that the proceeds of any confiscation may be applied to covering any claim for compensation made by the aggrieved person.

The Ministry may decide that the proceeds of any confiscation shall be divided between the Norwegian State and one or more other States. In the decision importance shall be attached to, inter alia, what expenses have been incurred in such States and in which countries harmful effects have occurred and the proceeds were acquired. Any division pursuant to this paragraph may not result in any reduction of the covering of the aggrieved person's claim for compensation pursuant to the second paragraph.

When proceeds have been confiscated pursuant to section 34, and the convicted person or someone who is responsible for the harm done has paid compensation to the aggrieved person after the date of adjudication, the court may at the request of the convicted person decide that the amount confiscated shall be reduced correspondingly. The same applies if the convicted person pays tax or duty corresponding to the amount confiscated. Any request pursuant to this paragraph must be submitted to the court not later than one year after the decision concerning confiscation becomes legally enforceable.

Section 38. Printed matter containing any felonious matter may be confiscated by a court judgment regardless of whether any person may be punished for such a publication or even if the author cannot be punished at all because of the circumstances mentioned in section 249, No. 3, or other circumstances that exclude a penalty.

The judgment shall designate those parts of the publication which justify the confiscation. On execution of the judgment the other parts shall, at the request of the person concerned and at his expense, if possible be separated and returned to him.

The confiscation may also include any plates and moulds prepared for the printing; at

may only be effected when the conditions prescribed in No. 1 or No. 2 have been fulfilled:

1. The offender has committed or attempted to commit a serious violent felony, sexual felony, unlawful imprisonment, arson or other serious felony impairing the life, health or liberty of other persons, or which may expose these legal rights to risk. In addition there must be deemed to be an imminent risk that the offender will again commit a serious felony that impairs or exposes to risk the life, health or liberty of other persons. In assessing the risk importance shall be attached to the felony committed as compared with especially the offender's conduct, the course of the illness, and mental functioning capacity.
2. The offender has committed or attempted to commit a less serious felony of the same nature as is specified in No. 1, and has previously committed or attempted to commit any such felony as is thereby specified, and it must be presumed that there is a close connection between the previous felony and the one now committed. In addition it must

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years at a time. Proceedings for such extension may be instituted in the District Court not later than three months before the period of preventive detention expires.

A minimum period of preventive detention not exceeding 10 years should also be determined.

Any sentence of imprisonment previously imposed shall cease to have effect when a sentence of preventive detention is passed.

Section 39 f. Release before expiry of the period of preventive detention shall be effected on probation with a probation period of from one to five years.

When the convicted person or the prison and probation service applies for release on probation, the prosecuting authority shall submit the case to the District Court, which will decide it by a judgment.

The hearing of a case concerning release on probation shall be accelerated.

If the prosecuting authority consents to a release on probation, the prison and probation service may decide on such a release.

The convicted person may not apply for release on probation until a year has elapsed after the sentence of preventive detention or a judgment denying release on probation is legally enforceable.

Section 39 g. In the event of a release on probation effected by the court such conditions may be imposed as in the case of a conditional sentence, cf. section 53, No. 2 to 5 of the Penal Code. The court may also impose a condition to the effect that the convicted person shall be followed up by the prison and probation service. When there are special reasons for doing so and the institution or municipality has consented thereto, the court may also impose a condition that the convicted person shall stay in an institution or municipal residential unit beyond the one-year time-limit set in section 53, No. 3 (g). If the convicted person is to stay in an institution or municipal residential unit, the court may determine that the convicted person may be restrained there against his will and brought back on escape, if necessary by force and with the assistance of public authorities.

In the event of a release on probation effected by the correctional services conditions may be imposed as specified in section 53, No. 2, No. 3, (a) to (g), No. 4 and No. 5 of the Penal Code. A condition may also be imposed that the convicted person shall be followed

Section 48 b. In deciding whether a penalty shall be imposed on an enterprise pursuant to section 48 a, and in assessing the penalty vis-à-vis the enterprise, particular consideration shall be paid to

- a) the preventive effect of the penalty,
- b) the seriousness of the offence,
- c) whether the enterprise could by guidelines, instruction, training, control or other measures have prevented the offence,
- d) whether the offence has been committed in order to promote the interests of the enterprise,
- e) whether the enterprise has had or could have obtained any advantage by the offence,
- f) the enterprise's economic capacity,
- g) whether other sanctions have as a consequence of the offence been imposed on the enterprise or on any person who has acted on its behalf, including whether a penalty has been imposed on any individual person.

Chapter 4. Attempt

Section 49. When a felony is not completed, but an act has been done whereby the commission of the felony is intended to begin, this constitutes a punishable attempt.

may even be considered to have been completely served. If the period in custody has been spent in complete isolation, a further deduction shall be made equivalent to one day for each 48-hour period commenced while the convicted person was subjected to complete isolation.

If a community sentence is passed, the deduction shall be made from the term of imprisonment imposed in lieu of such sentence, while at the same time the number of hours of the community sentence shall be reduced proportionally. If a community sentence is passed as well as a sentence of immediate imprisonment, the deduction shall

penalty prescribed for any of them. The joint custodial penalty shall normally take the form of imprisonment when any of the criminal acts would have been punishable thereby. The provisions of the first paragraph shall apply c

two years when the maximum penalty prescribed is fines or imprisonment for a term not exceeding one year,
five years when the maximum penalty prescribed is imprisonment for a term not exceeding four years,
10 years when the maximum penalty prescribed is imprisonment for a term not exceeding 10 years,
15 years when a penalty for a specified period not exceeding 15 years may be imposed
25 years when imprisonment for a term not exceeding 21 years may be imposed.

Detention is deemed to be equivalent to imprisonment when calculating the limitation period.

The fact that fines or loss of civil rights may be imposed in addition to another penalty is of no significance when calculating the limitation period.

If any person has by the same act committed two or more offences which pursuant to the first paragraph should become time-barred at different times, the longest period of limitation shall apply to all the offences.

The period of limitation of criminal liability applicable to enterprises shall be calculated on the basis of the penalty limits for individual persons in the penal provision that has been contravened.

Section 68. The period of limitation begins to run from the date the criminal activity has ceased. In the event of a contravention of section 195 or 196, however, the said period shall begin to run from the day on which the aggrieved person reaches 18 years of age.

When criminal liability is dependent on or influenced by a subsequent effect, the period of limitation does not begin to run until the date on which such effect occurs. The same applies when the prosecution is dependent on the occurrence of a subsequent event.

If the criminal act is committed on a Norwegian ship outside the realm, the period of limitation begins to run from the date the ship arrives at a Norwegian port. The commencement date of the period of limitation cannot pursuant to this provision be postponed for more than one year.

Section 68 a. The period of limitation for a contra

limitation will continue to run as if the prosecution had not taken place. The same applies

Section 73 a. A sentence of preventive detention s

PART II FELONIES

Chapter 8. Felonies against the independence and security of the State

Section 83. Any person who unlawfully attempts to cause Norway or any part of the realm to be brought under foreign rule or incorporated into another State, or any part of the realm to be detached, or who aids and abets thereto, shall be liable to detention for a term of not less than eight years or to imprisonment for a term of not less than eight years and not exceeding 21 years.

Section 84. Any person who unlawfully causes an outbreak of war or hostilities against Norway or any State allied with Norway in time of war, or who aids and abets thereto, shall be liable to detention for a term of not less than five years or to imprisonment for a term of not less than five years and not exceeding 21 years.

Section 85. Any person who contravenes any regulation issued by the King for maintenance of the neutrality of the realm in time of war between foreign powers, or who aids and abets thereto, shall be liable to fines or to detention for a term not exceeding four years.

Under especially aggravating circumstances imprisonment for a term not exceeding four years may be imposed.

Section 86. Any person who in time of war or for the purpose of war

1. bears arms against or otherwise takes part in military operations against N.2068(s)-21.2416436(is1)dr:5

imprisonment for a term of less than three years may be imposed. The same penalty shall be imposed on any person who commits any such act against a State allied with Norway or at war with a common enemy.

These provisions are also applicable if the act is committed when military action is initiated against Norway or an attempt is made by a

Section 113. (Repealed by Act of 4 July 2003 No. 79.)

Section 114. (Repealed by Act of 4 July 2003 No. 79.)

Section 115. A public servant who in criminal proceedings uses illegal means in order to obtain evidence to a specific effect or a confession, shall be liable to fines, loss of office or detention for a term not exceeding two years.

Section 116. A public servant who carries out an illegal search of any house or person or an illegal seizure of any letter or telegram shall be liable to fines, loss of office, or detention for a term not exceeding two years.

Section 117. A public servant who unlawfully confines, imprisons, arrests or otherwise deprives of liberty, expels or deports any person, or who unlawfully extends any deprivation of liberty or increases its severity, shall be liable to imprisonment for a term not exceeding six years.

A public servant who unlawfully executes a death sentence shall be liable to imprisonment for a term of not less than two years but not exceeding 21 years.

Under especially extenuating circumstances, namely when the felony consists solely of disregarding the statutory procedure or exceeding the authority vested in the public servant concerned, fines, loss of office or detention for a term not exceeding two years may be imposed.

Section 117 a. Any person who commits torture shall be liable to imprisonment for a term not exceeding 15 years. In the case of aggravated and severe torture resulting in death, a sentence of imprisonment for a term not exceeding 21 years may be imposed. Any person who aids and abets such an offence shall be liable to the same penalty.

Torture here means that a public official inflicts on another person harm or severe physical or mental pain,

- a) with the intention of obtaining information or a confession,
- b) with the intention of punishing, threatening or compelling someone, or
- c) because of the person's creed, race, skin colour, sex, homosexual inclination, lifestyle or orientation or national or ethnic origin.

In this provision public official means anyone who

- a) exercises public authority on behalf of a state or municipality, or
- b) performs a service or work that a state or municipality shall pursuant to a statute or regulation appoint someone to perform or wholly or partly pay for.

Torture also includes any acts referred to in the second paragraph committed by a person who acts at the instigation of or with the express or implied consent of a public official.

Section 130. Any person who against his better judgment publicly attributes to any of the State authorities or any other public authority act

e) is considering the performance of such an act or the undertaking of such a task or such a service.

Any person who aids and abets such an offence shall be liable to the same penalty.

Obstruction of the administration of justice shall be punishable by imprisonment for a term not exceeding five years. If the act is committed under especially aggravating circumstances, a sentence of imprisonment for a term not exceeding ten years may be imposed. In deciding whether especially aggravating circumstances subsist, particular importance shall be attached to whether the offence has endangered any person's life or health, has been committed on more than one occasion, or by two or more persons jointly, or is of a systematic or organized nature.

Grossly negligent obstruction of the administration of justice shall be punishable by imprisonment for a term not exceeding five years.

Section 132 b. Any person who contravenes an order of secrecy made pursuant to sections 200 a, 208 a, 210 a, cf. 208 a or 210 c, of the Criminal Procedure Act, or section 24, second paragraph, of the Police Act, shall be liable to fines or imprisonment for a term not exceeding two years.

Section 133. Any person who without the King's permission recruits troops in the realm for foreign military service, or who aids and abets thereto, shall be liable to fines or to detention for a term not exceeding one year.

Section 134. Any person who with intent to evade military service in Norway renders himself unfit for such service by mutilation or in any other way, or who aids and abets wilfully rendering another person unfit for military service, shall be liable to imprisonment for a term not exceeding one year.

Any person who aids and abets the desertion or failure to report for military service of a person who has been drafted into the Norwegian armed forces, or the commission of a criminal offence punishable according to military law with imprisonment for a term of two years or a more severe penalty, shall be liable to fines or to detention or imprisonment for a term not exceeding one year.

The penalty prescribed in the second paragraph shall also apply to any person who publicly seeks to arouse in any member of the armed forces aversion to military service or

Section 135 a. Any person who wilfully or through gross negligence publicly utters a discriminatory or hateful expression shall be liable to fines or imprisonment for a term not exceeding three years. An expression that is uttered in such a way that it is likely to reach a large number of persons shall be deemed equivalent to a publicly uttered expression, cf. section 7, No. 2. The use of symbols shall also be deemed to be an expression. Any person who aids and abets such an offence shall be liable to the same penalty.

A discriminatory or hateful expression here means threatening or insulting anyone, or inciting hatred or persecution of or contempt for anyone because of his or her

- a) skin colour or national or ethnic origin,
- b) religion or life stance, or
- c) homosexuality, lifestyle or orientation.

Section 136. Any person who causes the occurrence of a riot with intent to use violence against persons or property or to threaten therewith, or who aids and abets the causing of such a riot, or who during a riot in which such intent is revealed acts as a leader, shall be liable to imprisonment for a term not exceeding three years.

If during a riot any such felony against persons or property is committed as is thereby intended, or is revealed by the participants therein to be intended, or if any felony against public authority is committed, the above-mentioned persons as well as any person participating in the felony shall be liable to imprisonment for a term of not less than two months and not more than five years, but to the penalty provided for the felony increased by up to 50 per cent if a more severe penalty thereby results.

Section 137. Any person who remains present or who aids and abets another person to remain present in such a riot as is mentioned in se

243, 267, 268 or 269 of this code, or the results of any such felony, although he has received reliable information that the felony was impending or being committed at a time when the felony or its consequences could still have been prevented, shall be liable to fines or to detention or imprisonment for a term not exceeding one year. In the case of a felony contrary to sections 197 and 199, however, such obligation only applies when the aggrieved person is under 16 years of age.

A person shall not, however, be liable to a penalty if the felony is not completed or no punishable attempt is made, or if it could not be prevented without exposing himself, or one of his next-of-kin or an innocent person to prosecution or risk to life, health, or welfare.

Any superior who has failed to prevent a felony committed in his service, as far as he was able to do so, shall be liable to the same penalty, but in no case shall the penalty exceed the penalty prescribed for the felony.

Section 140. Any person who publicly urges or instigates the commission of a criminal act or extols such an act or offers to commit or to assist in the commission of it, or who aids and abets such urging, instigation, extolling, or offer, shall be liable to fines or to detention or imprisonment for a term not exceeding

Section 144. Clergymen of the Church of Norway, priests or pastors in registered religious communities, lawyers, defence counsel in criminal cases, conciliators in matrimonial cases, medical practitioners, psychologists, chemists, midwives and nurses, as well as their subordinates or assistants, who unlawfully reveal secrets confided to them or their superiors in the course of duty, shall be liable to fines or imprisonment for a term not exceeding six months.

A public prosecution will only be instituted when requested by the aggrieved person or required in the public interest.

Section 145. Any person who unlawfully opens a letter or other closed document or in a similar manner gains access to its contents, or who breaks into another person's locked repository shall be liable to fines or imprisonment for a term not exceeding six months or to both.

The same penalty shall apply to any person who unlawfully obtains data or software which are stored or transferred by electronic or other technical means.

Any person who, with such intent as is mentioned in the first paragraph, threatens to commit such criminal act as is mentioned in the first paragraph under such circumstances

- e) by interfering with the safe operation of a ship, railway, aircraft or any installations or constructions on the continental shelf, or
 - f) by aiding and abetting any such conduct as is mentioned under (a) to (e)
- shall be liable to imprisonment for a term not exceeding six years.

If any such accident as is mentioned in section 148 is caused, imprisonment for a term not exceeding 12 years shall be imposed.

An attempt may be subject to the same penalty as a completed felony.

If any person has committed any of the above-mentioned acts without being aware of the danger or negligently, he shall be liable to fines or imprisonment for a term not exceeding one year.

Section 151. If any such fire, collapse, explosion, flood, maritime damage, railway accident or aircraft accident as is referred to in section 148 is caused by negligence, the offender shall be liable to fines or imprisonment f

Section 152 a. Any person who without lawful permission receives, possesses, uses, transfers, alters, disposes of or distributes any m

individual decision made pursuant to the Act relating to Control of Communicable Diseases, shall be liable to fines or to imprisonment for a term not exceeding two years, but not exceeding four years if as a result thereof any person dies or receives considerable injury to body or health. Any person who aids and abets such an offence shall be liable to the same penalty. Contravention of section 5-1 of the Act relating to Control of Communicable Diseases shall not, however, be punishable.

Section 157. Any person who knowing that he thereby endangers the life or health of other persons

1. sells, offers for sale or otherwise tries to distribute among the public as medicine or prophylactics any products that are devoid of the qualities stated, or
2. in medical practice employs any method of treatment which is unsuitable for curing or counteracting disease,

shall be liable to imprisonment for a term not exceeding six years, but not less than one year if any person's death or considerable injury to body or health is thereby caused.

Any person who aids and abets such an offence shall be liable to the same penalty.

Section 158. Any person who by breach of any obligations he has assumed or by spreading false rumours brings about famine or scarcity of necessities, or who aids and abets thereto, shall be liable to imprisonment for a term not exceeding eight years.

Section 159. Any person who conspires with anyone with intent to commit any of the felonies or kinds of felony referred to in sections 148, 151 a, 151 b, first paragraph, 152 second paragraph, 153 first, second or third paragraph, or 154, or who aids and 4368(n)-30.3127(y)9.7109

be a drug shall be guilty of a drug felony and liable to fines or imprisonment for a term not exceeding two years.

An aggravated drug felony shall be punishable by imprisonment for a term not exceeding 10 years. In deciding whether the offence is aggravated particular importance shall be attached to what sort of substance is involved, its quantity, and the nature of the offence.

If a very considerable quantity is involved in the offence, the penalty shall be imprisonment for a term of not less than three years and not exceeding 15 years. Under especially aggravating circumstances a sentence of imprisonment for a term not exceeding 21 years may be imposed.

A drug felony committed negligently shall be punishable by fines or imprisonment for a term not exceeding two years.

Any person who aids and abets a drug felony shall be liable to the same penalty.

Fines may be imposed in addition to imprisonment.

Section 162 a. (Repealed by Act of 11 June 1993 No. 76.)

Section 162 b. Any person who unlawfully manufactures, imports, exports, stores, sends or conveys any substance that pursuant to provisions made by the King is deemed to be a means of doping shall be guilty of a doping felony and liable to fines or imprisonment for a term not exceeding two years.

The penalty for an aggravated doping felony shall be imprisonment for a term not exceeding six years. In deciding whether the offence is aggravated, particular importance

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Section 163. Any person who gives false testimony in court after making an affirmation shall be liable to imprisonment for a term not exceeding five years.

The same penalty shall apply to any person who give

Section 169. If by reason of any such felony as is mentioned in section 168 any person has received a custodial sentence that has wholly or partly been served, or a death sentence, the offender shall be liable to imprisonment for a term of not less than one year.

If as a result of the felony a death sentence has been executed or a custodial sentence has been served for more than five years, the offender may be liable to imprisonment for a term not exceeding 21 years.

Section 170. Any person who without reasonable ground for suspicion makes an accusation or report against another person in regard to a criminal offence to the court or the prosecuting authority, or who misleads another person into making such an accusation or report, shall be liable to fines or to detention or imprisonment for a term not exceeding one year.

A public prosecution will only be instituted when requested by the aggrieved person.

Section 171. Any person

1. who, against his better judgment reports to the court, the prosecuting authority, or any other public authority a criminal offence though no such offence has been committed, or who commits any act aimed at arousing suspicion that such an offence has been committed, or who aids and abets thereto;
2. who falsely reports himself or any other person with the latter's consent as guilty of a criminal offence, or who aids and abets thereto,

shall be liable to fines or to detention or imprisonment for a term not exceeding one year.

Section 172. Any person who, although he could have done so without exposing himself, any of his next-of-kin, or any innocent person to prosecution or danger to life, health or welfare or to loss of public esteem, fails to report facts that prove that any person indicted for or convicted of a felony is innocent, or aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding one year.

Section 173. When any person is convicted pursuant to section 168, 169 or 170, it may

substantially affects the evidential force of the document, or if the contents thereof have been altered by removal of a part thereof.

Section 182. Any person who with unlawful intent uses as genuine or unfalsified any document that is forged or falsified, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding two years, but not exceeding four years if the document in question is a Norwegian or foreign official document.

If the document has been used with the intent of obtaining evidence for a lawful claim or for protection against an unlawful claim, fines or imprisonment for a term not exceeding one year may be imposed.

Section 183. Any person who as means for the commission of a felony punishable by imprisonment for a term of two years or by a more severe penalty uses as genuine or unfalsified a document that is forged or falsified, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding five years.

Section 184. If the falsified document used with unlawful intent as unfalsified is a postage stamp or other such stamp, a certificate of admission, or travel ticket or similar object and an attempt is made to make it appear valid either to an extent beyond what really is the case, or after its validity has expired, the offender shall be liable to fines or imprisonment for a term not exceeding six months.

Section 185. Any person who falsifies a public record, or who aids and abets thereto, shall be penalized pursuant to section 182, but pursuant to section 183, if it is done as a means of committing a felony punishable by imprisonment for a term of two years or by a more severe penalty.

Any person who fabricates or procures a forged document in order to use it or have it used in a manner punishable pursuant to section 182 or 183, or who aids and abets thereto, or who with such intent falsifies a genuine document or obtains a falsified document, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding half that prescribed for the use of the document.

No penalty pursuant to this section shall be applicable if the offender is convicted pursuant to section 182 or 183.

Section 186. Any person who in preparation for the forging of a document fabricates or procures a false seal, stamp or mark or other object that appears to be designed for use in forgery or falsification, or who with such intent appropriates a genuine seal, stamp or mark, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three years.

Section 187. Any person who with unlawful intent refuses to acknowledge his signature on any document, or who destroys, conceals or wholly or partly renders a document

- c) the offender has previously been convicted and sentenced pursuant to this provision or section 195, or
- d) as a result of the act the aggrieved person dies or sustains considerable injury to body or health. Sexually transmitted diseases and generally infectious diseases, cf. section 1-3, No. 3, cf. No. 1, of the Act relating to control of communicable diseases, shall always be deemed to be serious injury to body or health pursuant to this section.

Any person who through gross negligence is guilty of rape pursuant to the first paragraph is liable to imprisonment for a term not exceeding five years. If such circumstances as are specified in the third paragraph subsist, the penalty shall be imprisonment for a term not exceeding eight years.

Section 193. Any person who engages in or who aids and abets another person to engage in sexual activity by misuse of a position, or a relationship of dependence or trust shall be liable to imprisonment for a term not exceeding five years.

Any person who engages in or who aids and abets another person to engage in sexual activity by exploiting any person's mental illness or mental retardation shall be liable to the same penalty.

A penalty pursuant to this provision may be remitted or imposed below the minimum prescribed in the second sentence of the first paragraph if those who have engaged in the sexual activity are about equal as regards age and development.

Section 196. Any person who engages in sexual activity with a child who is under 16 years of age shall be liable to imprisonment for a term not exceeding five years.

Imprisonment for a term not exceeding 15 years may be imposed if

- a) the act is committed by two or more persons jointly,
- b) the act is committed in a particularly painful or offensive manner,
- c) the offender has previously been convicted and sentenced pursuant to this provision or section 192 or 195, or
- d) as a result of the act the aggrieved person dies or sustains considerable injury to body or health. Sexually transmitted diseases and generally infectious diseases, cf. section 1-3, No. 3, cf. No. 1, of the Act relating to control of communicable diseases, shall always be deemed to be considerable injury to body or health pursuant to this section.

Criminal liability shall not be excluded by any mistake made as regards age, unless there is no element of negligence in this respect.

A penalty pursuant to this provision may be remitted if those who have engaged in the sexual activity are about equal as regards age and development.

Section 197. Any person who engages in sexual activity with a blood relation in the descending line shall be liable to imprisonment for a term not exceeding five years. Both biological and adopted descendants shall be regarded as blood relations in the descending line.

Section 198. Any person who has sexual intercourse with a brother or sister shall be liable to imprisonment for a term not exceeding one year. No penalty shall, however, be imposed on persons under 18 years of age.

Section 199. Any person who engages in sexual activity with a foster-child, child in his care, step-child or any other person under 18 years of age who is under his care, or subject to his authority or supervision, shall be liable to imprisonment for a term not exceeding five years.

Any person who aids and abets another person to engage in sexual activity with any person with whom he himself has such a relationship shall be liable to the same penalty.

Section 200. Any person who commits a sexual act with any person who has not consented thereto shall be liable to fines or to imprisonment for a term not exceeding one year.

Any person who commits a sexual act with a child under 16 years of age shall be liable to imprisonment for a term not exceeding three years. Any person who misleads a child under 16 years of age to behave in a sexually offensive or otherwise indecent manner as

referred to in section 201 shall be liable to imprisonment for a term not exceeding three years.

In cases referred to in the second paragraph the offender may be sentenced to imprisonment for a term not exceeding six years if the act has been committed under especially aggravating circumstances. In deciding whether especially aggravating circumstances subsist, particular importance shall be attached to how long the relationship has endured, whether the act is a misuse of a blood relationship, care relationship, position, or relationship of dependence or close trust, and whether the act has been committed in a particularly painful or offensive manner.

Section 196, third and fourth paragraphs, shall apply correspondingly.

Section 201. Any person who by word or deed behaves in a sexually offensive or otherwise indecent manner

- a) in a public place,
 - b) in the presence of or towards any person who has not consented thereto, or
 - c) in the presence of or towards children under 16 years of age,
- shall be liable to fines or to imprisonment for a term not exceeding one year.

Section 202. Any person who

- a) promotes the engagement of other persons in prostitution, or
 - b) lets premises on the understanding that such premises shall be used for prostitution or is grossly negligent in this respect,
- shall be liable to fines or to imprisonment for a term not exceeding five years.

Any person who in a public announcement unambiguously offers, arranges or asks for prostitution shall be liable to fines or to imprisonment for a term not exceeding six months.

In this provision prostitution means that a person engages in sexual activity or commits a sexual act with another person for payment.

depictions involving the use of corpses, animals, violence and duress. Sexual depictions that must be regarded as justifiable for artistic, scientific, informational or similar purposes shall not be regarded as pornographic.

Any person who negligently commits any act referred to in the first paragraph shall be liable to fines or imprisonment for a term not exceeding six months. The same penalty shall apply to any proprietor or superior who wilfully or negligently fails to prevent the commission in any activity of any act referred to in the first paragraph.

This section shall not apply to any film or videogram that the Norwegian Media

Section 207. When any person is found guilty of a criminal act pursuant to section 195, 196, 200, second paragraph, or 201 (c), the court shall consider passing a sentence of loss of civil rights pursuant to section 29.

Section 208. Any person who accuses any other person of having contravened sections 192 to 197, 200, third paragraph, or 205, cannot be held legally liable for such accusation pursuant to the provisions of chapter 23 of this code or section 3-6 of the Damages Act if such accusations are made

- a) in a formal report, or
- b) by the person who claims to be offended or by one of her or his next-of-kin in a confidential conversation with a person in whom it is natural to confide, in order to allay the consequences of the act.

The person making the report or claiming to be offended may, however, be legally liable if it was grossly negligent to assert that the information was true. The next-of-kin may be held legally liable if it was negligent to assert that the information was true.

Section 209. (Repealed by Act of 11 August 2000 No. 76.)

Section 210. (Repealed by Act of 15 February 1963 No. 2.)

Section 211-214. (Repealed by Act of 11 August 2000 No. 76.)

Chapter 20. Felonies concerning family relationships ~~so t424371(h)-14.3371(i)-22.176593-30.3127(y)9-.343(s)-11.2.71032()-20.1596(p)-20.3074(e)-16.27~~

Section 7.

Section 218. Any person who

1. employs a child under 16 years of age who is in his care or subject to his authority in a way that is harmful to the child's health, morals, or integrity, or permits such employment, or
2. by misuse of his authority causes any person under 18 years of age who is subordinate to him to be employed in such a manner,

or who aids and abets thereto, shall be liable to imprisonment for a term not exceeding three years.

Any person who misleads or incites another person to commit any of the acts referred to above shall be liable to the same penalty.

Section 219. Any person who by threats, duress, deprivation of liberty, violence or any other wrong grossly or repeatedly maltreats

- a) his or her former or present spouse,
- b) his or her former or present spouse's kin in direct line of descent,
- c) his or her kin in direct line of ascent,
- d) any person in his or her household, or
- e) any person in his or her care

shall be liable to imprisonment for a term not exceeding three years.

If the maltreatment is gross or the aggrieved person dies or sustains considerable harm to body or health as a result of the treatment, the penalty shall be imprisonment for a term not exceeding six years. In deciding whether the maltreatment is gross, particular importance shall be attached to whether it has endured for a long time and whether such circumstances as are referred to in section 232 are present.

Any person who aids and abets such an offence shall be liable to the same penalty.

Section 220. Any person who enters into, or who aids and abet another person to enter into a marriage or registered partnership with anyone who is under 16 years of age, shall be liable to imprisonment for a term not exceeding four years. Criminal liability shall not be excluded by any mistake made as regards age unless there has been no negligence in this respect. Any penalty may be remitted in the case of spouses or registered partners who are about equal in age and development.

Any person who enters into a marriage contrary to section 3 or 4 of the Marriage Act, or who enters into a partnership that is contrary to section 2, first paragraph, of the Registered Partnership Act, cf. section 3 of the Marriage Act, or section 2, first paragraph, second sentence, of the Registered Partnership Act, shall be liable to imprisonment for a term not exceeding four years. If the spouse or partner was unaware that the marriage or partnership had been entered into contrary to the said provisions, the offender shall be liable to imprisonment for a term not exceeding six years. Any person who aids and abets such an offence shall be liable to the same penalty.

Any person who causes a marriage or registered partnership that is invalid because of the forms used to be entered into with any person who is not aware of its invalidity, or who aids and abets thereto, shall be liable to imprisonment for a term not exceeding four years.

Section 221. (Repealed by Act of 4 July 1991 No. 47.)

Chapter 21. Felonies against personal liberty

Section 222. Any person who by unlawful conduct or by any threat thereof compels another person to do, submit to, or omit to do anything, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three years. If there are especially aggravating circumstances, cf. section 232, third sentence, imprisonment for a

c) provides payment or any other advantage in order to obtain consent to such exploitation from any person who has authority over the aggrieved person, or who receives such payment or other advantage shall be liable to the same penalty.

Any person who commits an act referred to in the first or second paragraph against a person who is under 18 years of age shall be liable to a penalty independently of any use of force or threats, misuse of a person's vulnerability, or other improper conduct.

Gross human trafficking is punishable by imprisonment for a term not exceeding ten years. In deciding whether the offence is gross, particular importance shall be attached to whether the person exposed to the act was under 18 years of age, whether gross violence or coercion was used or whether the act led to considerable gain.

Section 225. Any person who causes another person to be enslaved, or who aids and abets thereto, shall be liable to imprisonment for a term of not less than five years and not exceeding 21 years.

Any person who engages in slave-trading or the transporting of slaves or persons destined for slave-trading, or who aids and abets thereto, shall be liable to the same penalty.

Any person who conspires with another person for the purpose of carrying out any act referred to in this section, or aiding and abetting thereto, shall be liable to imprisonment for a term not exceeding 10 years.

Section 226. Any person who is guilty of depriving another person of his liberty in a manner which he without sufficient cause considers to be lawful, or in a case in which an arrest may lawfully be made executes such an arrest by disregarding the statutory procedure, or who aids and abets such felony, shall be liable to fines, or to detention or imprisonment for a term not exceeding three months.

A public prosecution will only be instituted when requested by the aggrieved person.

Section 227. Any person who by word or deed threatens to commit a criminal act that is subject to a more severe penalty than detention for one year or imprisonment for six months, under such circumstances that the threat is likely to cause serious fear, or who aids and abets such threat, shall be liable to fines or imprisonment for a term not exceeding three years. If there are especially aggravating circumstances, cf. section 232, third sentence, imprisonment for a term not exceeding six years may be imposed.

If an assault is retaliated with another assault, or is prov-16.2718(s)(1)-22..86.16 747.68 Tm [(I)-7s3099

Section 239. Any person who negligently causes the death of another person, by the use

Section 245. Any person who terminates a pregnancy, or who aids and abets thereto, when the statutory requirements for such an operation have not been fulfilled, or an administrative decision for such termination has not been made by any person authorized to do so, is guilty of criminal abortion and shall be liable to imprisonment for a term not exceeding three years. If the act is committed for the purpose of gain or under especially aggravating circumstances, the penalty shall be imprisonment for a term not exceeding six years. If the offender has acted without the woman's consent, imprisonment for a term not exceeding 15 years shall be imposed, but not exceeding 21 years if she dies as a result of the felony.

The penal provision in the first sentence of the first paragraph shall not apply to

- b) if the court unanimously finds that the allegation is undoubtedly improper regardless of its truth and that refusal to admit such evidence is desirable in the interests of the aggrieved person. Admission of such evidence must never be refused if the prosecuting authority or the plaintiff has indicated in advance that a penalty pursuant to section 248 will be demanded or that only civil legal claims will be pursued.
- 5. When evidence of the truth of an allegation is not admitted, evidence concerning whether the person indicted (the defendant) believed in or had reason to believe in the truth of the allegation is also inadmissible.

Section 250. If the defamation is provoked by improper conduct on the part of the aggrieved person himself, or retaliated with bodily assault or defamation, any penalty may be waived.

Section 251. Felonies dealt with in this chapter shall be subject to public prosecution

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b)

Section 262. Any person who

- a) for the purpose of gain produces, imports, distributes, sells, hires out, possesses, installs, maintains or replaces a decoding device,
- b) for the purpose of gain advertises or in any other way makes known a decoding device, or
- c) attempts to disseminate a decoding device

with intent to procure some person unauthorized access to a protected service, or who aids and abets thereto, shall be liable to fines or to imprisonment for a term not exceeding one year.

Any person who by means of a decoding device inflicts any loss on a person entitled to a protected service or who procures any gain for himself or another person by obtaining unauthorized access thereto, shall be liable to fines or to imprisonment for a term not exceeding six months.

In this section decoding device means any instrument whether it is technical equipment or software which is designed or adapted, either by itself or in combination with other instruments, to provide access in a comprehensible form to a protected service.

In this section protected service means

- a) television and radio signals, and
- b) services that are electronically telecommunicated when requested by the individual receiver of such services,

when access thereto in a comprehensible form is dependent on permission from the service provider and is provided in return for payment, or the control of access itself to the services referred to in (a) and (b), when it must be regarded as a separate service.

A public prosecution will only be instituted when requested by the aggrieved person unless it is required in the public interest. The person who exercises control of access shall also be regarded as an aggrieved person when such control must be regarded as a separate service.

Section 263. (Repealed by Act of 4 July 2003 No. 78.)

Section 264. A public prosecution for embezzlement will only be instituted when requested by the aggrieved person unless it is required in the public interest.

The same applies to theft committed against any of the offender's next-of-kin or against any person belonging to the same household or against any person in whose service the offender is employed.

If, as a result of the provisions in the second paragraph, the public authorities are only entitled to prosecute some of the offenders when two or more have collaborated, the prosecuting authority will decide whether a prosecution shall be brought only against such persons or against all or be completely waived. Receiving stolen goods (heleri)* is regarded as equivalent to aiding and abetting in regard to the felony.

* See section 317.

Section 265-265 a. (Repealed by Act of 11 May 1951 No. 2.)

Chapter 25. Extortion and robbery

Section 273. Any person who spreads incorrect or misleading information in order to influence the prices of goods, securities or other objects, or who aids and abets thereto, shall be liable to imprisonment for a term not exceeding four years. Fines may be imposed in addition to a sentence of imprisonment. Under especially extenuating circumstances fines alone may be imposed.

A penalty pursuant to this section is not applicable to any act that is covered by section 2-8 of Act of 19 June 1997 No. 79 relating to securities trading.

Section 274. Any person who in any invitation to participate in the founding or expansion of a company limited by shares, a public limited company or any other company with economic aims, or in connection with obtaining loans for such a company, gives incorrect or misleading information of significance for evaluating the enterprise shall be liable to imprisonment for a term not exceeding four years. Fines may be imposed in addition to a sentence of imprisonment. Under especially extenuating circumstances fines alone may be imposed.

Any officer or employee of such a company shall be liable to the same penalty as is prescribed in the first paragraph if he publishes incorrect or misleading information of significance for evaluating the company, or gives such information to the company's members or creditors, to any of its organs, or to a public authority. The same applies to other persons who through undertaking assignments for the company are aware of its condition.

Any person who aids and abets such a felony mentioned in the first and second paragraphs shall be liable to the same penalty.

Any person who through gross negligence becomes guilty of any of the offences mentioned in this section shall be liable to fines or imprisonment for a term not exceeding six months.

A penalty pursuant to this section is not applicable to any act that is covered by section 2-8 of Act of 19 June 1997 No. 79 relating to securities trading.

Section 275. Any person who, for the purpose of obtaining for himself or another person an unlawful gain or inflicting damage, neglects another person's affairs which he manages or supervises or acts against the other person's interests shall be guilty of breach of trust.

The penalty for breach of trust is imprisonment for a term not exceeding three years. Fines may be imposed in addition to a sentence of imprisonment. Any person who aids and abets such an offence shall be liable to the same penalty. Under especially extenuating circumstances fines alone may be imposed.

A penalty pursuant to this section shall not be applicable to an act that comes under section 255, cf. section 256 or section 176 a, cf. section 276 b.

Section 276. The penalty for gross breach of trust is imprisonment for a term not exceeding six years. Fines may be imposed in addition to a sentence of imprisonment. Any person who aids and abets such an offence shall be liable to the same penalty.

In deciding whether a breach of trust is gross, particular importance shall be attached to whether the act has caused considerable economic damage, whether it has been

Section 277. Any person who causes any person loss or exposes him thereto by unlawfully disposing of an object by a juristic act after another person has acquired or in return for full or partial payment has been promised ownership of or the right to use the object, or of a claim that has been transferred to another person, or of a promissory note that has fully or partially been paid, or who aids

Section 282. Any debtor who wilfully or through gross negligence gives any creditor payment in full or security shall be liable to fines or imprisonment for a term not exceeding two years if the said debtor is, becomes or runs a palpable risk of becoming insolvent as a result of this act and thereby prejudices the creditors' prospects of payment to a considerable degree.

Section 283. Any debtor who commits an act that is

Section 285. Any debtor who during bankruptcy or winding-up proceedings or debt-settlement negotiations pursuant to statute acts in such a way as is likely to prevent any asset serving as payment for or a benefit to the creditors, or who wrongly states or acknowledges any obligations, shall be liable to fines or imprisonment for a term not exceeding three years.

Any gross contravention of the first paragraph shall be punishable by fines or imprisonment for a term not exceeding six years. In deciding whether the contravention is gross, particular importance shall be attached to whether the act entails a considerable impairment of the creditors' prospects of obtaining payment, or whether other particularly aggravating circumstances subsist.

Any negligent gross contravention of the first and

A public prosecution will only be instituted when requested by the aggrieved person unless it is required in the public interest.

Section 292. The penalty for gross vandalism shall be fines or imprisonment for a term not exceeding six years. Any person who aids and abets such an offence shall be liable to the same penalty.

The same applies to any person who, after acquiring a claim arising from the said act with knowledge of its nature, enforces such claim or assigns it to another, or who aids and abets thereto.

Section 296. The penalty for an extortionate bargain shall be fines or imprisonment for a term not exceeding two years or both.

If the act is committed habitually or if there are other especially (t)-22.17629(i)-22.1762(a)-16.271ne9(

Section 302-303. (Repealed by Act of 15 February 1963 No. 2.)

Section 304. If any shipmaster goes to sea in an u

1. without authority publicly wears or permits any person in his service to wear any uniform prescribed for a public servant or any badge of public office, or any uniform or badge that may easily be mistaken for such.
2. publicly or for an unlawful purpose professes to hold a public office, or who aids and abets thereto, or
3. performs any act that may only be performed in relation to a public office that he does not hold, or
4. without authority makes use of any Norwegian or foreign official coat of arms, insignia or seal or any coat of arms, insignia or seal which can easily be mistaken for such.

shall be liable to fines or imprisonment for a term not exceeding three months.

Any person who without authority publicly or for an unlawful purpose uses:

- a) any designation recognized or commonly used in Norway or abroad of an international organization or any insignia or seal used by an international organization if Norway is a member of the said organization or has by international agreement undertaken to give protection against such use,
- b) any badge or designation which by international agreement binding on Norway is designed for use in connection with aid to the wounded and sick or the protection of cultural values in war,
- c) any designation, insignia, seal or badge which can easily be mistaken for anything mentioned under (a) and (b),

shall be liable to the same penalty.

Any person who otherwise without authority publicly wears or permits any person in his service to wear any badge prescribed or approved by public authorities for the holders of special positions or anything so similar thereto that error may easily arise shall be liable to fines. The same applies to any person who without authority publicly or for an unlawful purpose assumes or uses any Norwegian or f

Section 332. Any person who without public authorization or permit carries on any activity for which this is required, or who exceeds the limits for the authorization or permit granted him, or continues to carry on an activity to which he has been denied the right by a legally enforceable judgment, shall be liable to fines or imprisonment for a term not exceeding three months.

The same penalty shall apply to any person who carries on any activity for which he falsely claims to have public authorization, or who assumes a title which customarily is used only by a person who has such public authorization.

Any person who gives a public performance or the like without a necessary public permit shall be liable to fines.

Section 333. Any person who refuses to state his name, date and year of birth, position, or place of residence to a process server, police officer, or any other public authority, when such information is required in the course of public duty, or who in such a case states a false name, date and year of birth, position, or place of residence, for himself or another, or who aids and abets such refusal or false statement, shall be liable to fines or imprisonment for a term not exceeding three months.

Section 334. Any person who makes a living by receiving lodgers who omits to keep a register of such persons as required by law, or who omits to enter any such person in the register or in a statement required by law in accordance with the regulations in force, or who fails to produce the register at the request of the public authorities, shall be liable to fines.

The same penalty shall apply to any person who causes no entry concerning him to be made in the register or no statement or report to be given, or the giving of information that is incomplete or incorrect on any point, or who aids and abets thereto.

Section 335. Any person who makes a living by assisting persons in search of employment to obtain work, or emigrants to obtain a passage abroad, shall be liable to fines if he fails to keep a register of the persons so assisted by him in accordance with rules prescribed by the King, or if he refuses to produce the said register for the public authorities.

Section 336. Any pawnbroker or manager of a pawnshop shall be liable to fines if he contrary to an order given by the public authorities

1. fails to keep a register approved by the police of the objects pawned, with a statement of the full name, position and place of residence of the pawnor, the amount of the loan and of the interest, and the date of maturity, or
2. unlawfully refuses to surrender any object in his possession in cases in which there is no reason to doubt that it has been taken from someone by a criminal act.

Any pawnbroker or pawnbroker's assistant who makes an incorrect entry in the register or who conceals, or refuses to show to the police, the registe()T e70.1559(6.17)-20.3074(a)-10.1584(t)-22

gives incorrect or incomplete information concerning it, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding six months.

The above provisions shall apply correspondingly to any person who makes a living by purchasing objects subject to a right of redemption or by trading in used objects.

Section 337. Any person who for himself or his children uses names that are contrary to law shall be liable to fines.

A public prosecution will only be instituted when it is required in the public interest.

Section 338. Any person who enters into a marriage or partnership pursuant to the Act relating to registered partnership without observing the provisions in force concerning the requirements for a valid marriage or the requirements for the registration of a partnership, dispensation or other statutory conditions, or who aids and abets thereto, shall be liable to fines.

Section 339. Any person who

1. fails to give any report or information required by law to a public authority, or
2. contravenes any regulation issued by a public authority according to law and implying liability to a penalty,

shall be liable to fines.

Section 340. Any person who finds a lost or abandoned child or takes in a child who has gone astray, and who fails to notify the persons responsible for the child or the police accordingly as soon as possible, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three months.

Section 341. Any person who contravenes the provisions in force concerning funerals or the treatment of corpses in general shall be liable to fines.

The same penalty shall apply to any person who finds a corpse and fails to notify the relatives of the deceased or the police immediately.

Any person who unlawfully or secretly either destroys the corpse of any deceased person or stillborn child or conceals it so as to preclude timely investigation, or who refuses to tell the public authorities what has become of any child or other helpless person of whom he has been taking care, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding six months.

A foetus is to be regarded as stillborn if it is so far developed that it could have sustained independent life if it had been born alive.

Section 342. Any person who

- a) after having been expelled from the realm re-enters it without permission,
- b) has by a court judgment been banished to or from specific parts of the realm and who unlawfully re-enters any place where he is prohibited from staying, or who in

aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three months.

Chapter 35. Misdemeanours against the general peace and order

Section 347. Any superior who wilfully fails to prevent the commission of any misdemeanour in his service, as far as he is able to do so, shall be liable to fines.

Section 348. (Repealed by Act of 14 March 2003 No. 16 (in force from 1 April 2003 pursuant to the decree of 14 March 2003 No. 300).)

Section 349. Any person who by groundless cries for help, misuse of distress signals or the like wilfully or negligently causes fear among

Any person who aids and abets such an offence shall be liable to the same penalty.

Section 351. Any person who

1. by careless driving, riding, sledging, or sailing, or
 2. by careless depositing of objects, or
 3. by throwing stones, or placing of obstacles, or setting up traps, or
 4. by neglecting to fence in or to cover a well, excavation or cavity in a secure manner, or
 5. by neglecting to maintain a building, road, bridge or handrail, or
 6. by failing to carry out prescribed safety measures, or
 7. by failing to repair or report any damage that he himself has caused,
- or by other similar conduct causes danger to traffic in a public place, or who aids and abets thereto, shall be liable to fines or imprisonment

2. by unlawfully exciting, teasing or frightening animals, or who aids and abets thereto,
- 3.

shall be liable to fines or imprisonment for a term not exceeding three months.

The same penalty shall apply to any person who in his trade manufactures or produces such objects.

Section 360. Any person who wilfully or negligently offers for sale or disposes of any medicine which because of inferior ingredients, incorrect manufacture or for similar reasons is injurious to health or does not to the proper degree possess the qualities pertaining to that medicine shall be liable to fines or imprisonment for a term not exceeding four months.

Section 361. Any person who contravenes the regulations issued in the realm concerning the manufacture, distribution, or storing of medicines, poison or other substances injurious to health shall be liable to fines.

Section 362. Any person who wilfully or negligently

1. offers for sale as genuine and unadulterated any foodstuff for humans or animals or any stimulant which is counterfeited or diminished in value by the removal of any essential element or by the addition of any foreign substance, or
2. manufactures any such foodstuff or stimulant or substance designed for the manufacture thereof for the purpose of offering it or letting it be offered for sale as genuine and unadulterated

shall be liable to fines.

Section 363. Any person who offers for sale artificially produced foodstuffs for humans or animals or stimulants under names or descriptions which in commerce are used only for the natural products, or natural foodstuffs or stimulants under names or descriptions which in commerce are used only for other kinds of products shall be liable to fines.

Section 364. Any person who uses any means or method by which another person with his consent is put into a state of hypnosis or helplessness, unconsciousness or a similar state shall be liable to fines or imprisonment for a term not exceeding three months.

This provision shall not prevent a medical practitioner or a psychologist from putting a person into such a state for scientific purposes or for the treatment of illness.

Section 365. Any person who contravenes the regulations lawfully issued in the realm for the protection of health or safety in factories, mines, on railways or ships, in theatres, at acrobatic performances or the like, at inns or other meeting places shall be liable to fines or imprisonment for a term not exceeding three months.

Chapter 37. Misdemeanours against public confidence

Section 367. Any person who counterfeits or without proper authorization manufactures money current in Norway or abroad or any document of the kind mentioned in section 178 or any tool or other object which appears to be designed for the manufacture thereof, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three months.

Section 368. Any person who without proper authorization manufactures any Norwegian or foreign official seal, stamp, or mark, stamped paper, revenue stamp, postage stamp or the like, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three months.

Section 369. Any person who distributes among the public any object that so clos-17.2074()-10374(i)- h2

Any person who delivers to another person a document of identification issued to himself, although he knows or ought to know that it will be used unlawfully, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three months.

Section 373. Any person who in the administration of an estate or in an enterprise in which decisions are made by a majority vote

1. fraudulently gains access to unauthorized participation in voting or to casting more votes than he is entitled to, or who aids and abets thereto, or
 2. causes the result of a vote to be distorted or aids and abets thereto
- shall be liable to fines or imprisonment for a term not exceeding three months.

Section 374. (Repealed by Act of 21 December 1979 No. 73.)

Section 375. Any person who is guilty of unlawfully stamping articles of gold, silver or

b) when such exhibition is non-commercial and is permitted by the local police.

Section 383. Any person who in a public place arranges or provides accommodation for gambling shall be liable to fines or imprisonment for a term not exceeding three months.

Any person who in such a place participates in gambling shall be liable to fines.

The court may decide that the winnings shall be repaid rather than confiscated.

The premises of a closed association may also be regarded as a public place if gambling is part of the purpose of the association or if any person or any person of a certain status, occupation or the like may generally be admitted, or if a special fee is paid for participation in the gambling.

Chapter 39. Misdemeanours against persons

Section 384. Any person who participates in a fight in which a person's death or considerable injury to body or health is caused, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding six months. He shall not, however, be liable to any penalty if it is shown to be probable that he was drawn into the fight against his will or that he intervened in it in order to protect another person from injury or to bring the fight to an end.

Section 385. Any person who uses a knife or any other particularly dangerous implement in a fight shall be liable to fines or imprisonment for a term not exceeding six months or to both.

Section 386. (Repealed by Act of 25 February 1972 No. 3.)

Section 387. Any person who, although it was possible for him to do so without special danger or sacrifice on the part of himself or others, fails

1. to help according to his ability any person whose l

by which the said life is endangered, shall be liable to fines or imprisonment for a term not exceeding three months.

Section 389. If the persons mentioned in the foregoing section, knowing or definitely presuming that any woman belonging to their household is concealing her pregnancy, fail to take the matter up with her and thereby contribute to her committing any such felony as

Section 391 a. Any person who commits theft or embezzlement or aids and abets thereto shall be guilty of pilfering when his guilt must be regarded as minor because of the insignificant value of the articles appropriated and other circumstances.

The penalty for pilfering shall be fines or imprisonment for a term not exceeding six months or both.

The same penalty shall apply to any person who commits receiving (*heleri*), fraud or any contravention of section 262 under such circumstances as are referred to in the first paragraph, or who aids and abets thereto.

Section 392. Any person who unlawfully puts himself or another person in possession of any chattel, or who aids and abets thereto, shall be liable to fines but, if the value of the chattel exceeds 10 kroner, by fines or imprisonment for a term not exceeding three months.

If the offender has acted with the intention of asserting a genuine or supposed right, no penalty higher than fines shall be imposed. Under especially extenuating circumstances, a penalty may be remitted.

Section 393. Any person who unlawfully uses or disposes of a chattel belonging to another person so that the rightful owner thereby suffers loss or inconvenience, or who aids and abets thereto, shall be liable to fines.

Section 394. Any person who unlawfully appropriates lost property shall be liable to fines or imprisonment for a term not exceeding six months.

Any person who unlawfully fails to report an object found to the police or to deliver it to the police or other persons who are legally authorized to take care of it shall be liable to fines.

Under especially extenuating circumstances a penalty pursuant to the first or second paragraph may be remitted.

Section 395. Any person who unlawfully puts himself or another person in possession of real property, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three months.

Section 392, second paragraph, shall apply correspondingly.

Section 396. Any person who without being entitled to do so builds, digs, uses explosives, sows or plants on, builds a road or footpath across, or drives livestock onto land in another person's possession, or who unlawfully makes other dispositions of real property in another person's possession to the detriment of the lawful possessor or contrary to his prohibition, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three months.

If any boundary mark is obliterated by any such dispositions, imprisonment for a term not exceeding six months may be imposed.

Section 397. Any person who exceeds his rights in relation to the corresponding rights of another person by exercising his right to dispose of real property to a greater extent or in another manner than is lawful, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three months.

Section 398. (Repealed by Act of 24 November 2000 No. 82.(in force from 1 January 2001 pursuant to the decree of 24 November 2000 No. 1169).)

Section 399. Any person who commits any act punishable pursuant to sections 255, 257 or 391 a with regard to

1. stones, sand, clay, earth, fertiliser, minerals, peat, moss, heather, flowers, bushes, twigs, leaves, bark, pine needles, dead trees or branches, waste wood, unharvested or fallen crops or fruit in a forest, field or meadow, or
 2. seaweed, wild oysters or mussels in the water or on the seashore or beach
- shall be liable to fines or imprisonment for a term not exceeding three months.

When the object is of more considerable value, imprisonment for a term not exceeding six months may be imposed.

Section 400. Any person who in an unfenced place picks wild nuts, which are consumed on the spot, or wild berries, mushrooms, or flowers, or pulls up the roots of wild herbs, shall not be liable to a penalty.

This provision shall not apply to any person who picks cloudberry fields in the diocese of Tromsø either contrary to the owner's express prohibition or without consuming them on the spot.

Section 401. Any person who for the purpose of obtaining an unlawful gain for himself

Section 403. Any person who without paying the fixed fee fraudulently attempts to obtain admission to any performance, exhibition, or assembly in a closed room, or to travel on a ship, railway or the like, or who aids and abets thereto, shall be liable to fines or imprisonment for a term not exceeding three months.

Section 404. Any person who, though prohibited from doing so, mixes with his own means any money or securities belonging to another person which have been entrusted to him for management or safekeeping, or who otherwise acts contrary to lawfully prescribed rules, shall be liable to fines or imprisonment for a term not exceeding six months.

Section 405. Any person who, in cases where the price of a commodity or the remuneration for work or services rendered is lawfully fixed by some public authority, demands or receives a payment higher than that prescribed shall be liable to fines, but in the case of repeated offences to fines or imprisonment for a term not exceeding three months.

The same penalty shall apply to any person who in any agreement stipulates for himself an advantage which it is prohibited to include in a contract.

Section 405 a. Any person who unreasonably obtains or attempts to obtain knowledge or control of a trade secret shall be liable to fines or imprisonment for a term not exceeding three months.

Section 405 b. (Repealed by Act of 4 July 2003 No. 79.)

Section 406. Any person who by unlawful acts attempts on his own or another's behalf to evade public taxes or duties shall, if no more severe penalty is provided, be liable to fines or in the case of repeated offences to fines or imprisonment for a term not exceeding four months.

Section 34 shall apply to all such cases to the effect that the amount shall accrue to the public treasury to which the tax or duty should have been paid.

Such acts committed against foreign States may, subject to reciprocity, be punished by fines pursuant to further provisions to be made by the King.

Section 407. Any person who violates the rights of others by fishing, hunting, trapping, catching or killing animals not owned by anyone shall be liable to fines.

Section 408. The misdemeanours referred to in sections 391 a, 395, 396, 398, 402, 403, 404, 405 a, 405 b and 407 shall not be subject to public prosecution except when requested by an aggrieved person.

Misdemeanours pursuant to section 391 a, section 398 pertaining to running water, and section 404 shall, however, always be subject to public prosecution when so required in the public interest.

The misdemeanours referred to in sections 391, 392, 393, 397 and 399 shall not be subject to public prosecution unless it is requested by an aggrieved person and required in the public interest.

maritime purposes, or concerning any duty to give information to any such authority, or concerning the holding of a maritime inquiry or other recording of evidence, he shall be liable to fines or imprisonment for a term not exceeding three months.

Section 415. Any shipmaster or mate on watch who in the case of a collision fails to inform the master of the other vessel or any other person concerned therewith of the name and home port of his own ship, its port of destination and the port from which it has come, shall be liable to fines or imprisonment for a term not exceeding three months. He shall be liable to the same penalty if he without reasonable grounds fails to give the said information when the ship otherwise in its manoeuvres causes damage to another vessel or to persons or goods carried thereon.

Section 416. Any shipmaster or owner who infringes any Norwegian statutory provision for securing the seaworthiness of the ship or for protecting the safety or interests of those on board shall be liable to fines or imprisonment for a term not exceeding three months.

The same penalty shall apply to any person who causes or who aids and abets any such misdemeanour.

Section 417. A shipmaster of a Norwegian ship shall be liable to fines or imprisonment for a term not exceeding three months if he

1. fails to observe any regulation prescribed by or pursuant to statute when a felony is committed by any person carried on the ship, or
2. without sufficient cause refuses to receive on board persons for whom Norwegian authorities must provide transportation, or
3. fails to comply with any decision made by the proper authority in any dispute between him and any of his subordinates which is finally or temporarily binding on him.

Section 418. Any person who wilfully or negligently

- 1.

2. unlawfully places, removes, alters or conceals nationality or registration marks on a registered ship,
 3. fails to comply with an order from the Ministry to appoint a representative or managing shipowner in cases mentioned in section 3 of the Maritime Act
- shall be liable to fines.

