

Act related to the right to participate in fishing and hunting (Participation Act)

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Ministries	Ministry of Trade and Fisheries
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Corrected	24.08.2021 (professional footnotes removed, UU adapted)
Card title	The Participation Act — deltl

Cf. former *Acts* 5 Dec. 1917 No. 1, 16 June 1939 No. 7, 20 Apr 1951, 14 Dec 1951 No. 1, 16 June 1972 No 57.

Chapter I. Purpose and scope of the act

Section 1. *Purpose of the Act*

The purpose of this act is:

- a. adapting the fishing fleet's catch capacity to the resource base in order to ensure a rational and sustainable use of marine resources;
- B. to increase profitability and value creation in the industry and through this safe settlement and jobs in coastal districts, and
- C. to enable the harvesting of marine resources to continue to benefit the coastal population.

Section 1 a. *The relationship with international law*

The act shall be applied in accordance with the rules of international law on indigenous peoples and minorities.

0 Added by Act 21 Sep 2012 No 66 (No. 1 Jan 2013 iflg. res. 21 Sep 2012 No 913).

Section 2. *Scope*

The Act regulates access to commercial fishing and hunting and other harvesting of wild marine resources with vessels that are Norwegian according to the rules of Sections 1 to 4 of the Sea Act and vessels owned by foreigners resident in Norway when the vessel's maximum length is less than 15 metres. However, vessels that are Norwegian pursuant to Section 1 third paragraph of the Maritime Act are not covered by the act here, unless the vessel is owned by a person resident in Norway and the vessel's maximum length is less than 15 metres. As a Norwegian vessel, the act includes vessels that are subject to the first and second sentences.

However, the Act does not apply to the harvest of anadromous salmon fish as defined in the Act of 15 May 1992 No 47 on salmon fish and inland fish etc. Section 5 letter a. The Ministry may decide in regulations that all or part of the act shall not apply to the harvest of one or more species other than fish, crustaceans, molluscs or marine mammals.

0 Amended by Act 21 Jan 2000 No. 8, 6 June 2008 No 37 (No. 1 Jan 2009 iflg. res. 12 Dec 2008 No 1355), 31 May 2013 No. 24 (No. 1 Jan 2014 iflg. res. 31 May 2013 No 540).

Section 3. *Commercial fishing and fishing — definition*

Whereas, in this act, commercial fishing and hunting are understood to mean all harvesting of wild marine resources when the professional concerned has this to their own way of life or together with other industries and where vessels are used.

Scientific investigations or practical fishing trials carried out under the permission of the Directorate of Fisheries, cf. Section 66 of wild marine resources, is not to be regarded as commercial fishing and fishing under the Act here.

The King may, by regulations, specify when fishing and catching are to be considered to be commercial, including rules on requirements for income earned from fishing and trapping.

0 Amended by Act 6 June 2008 No 37 (Section 1 Jan 2009 iflg. res. 12 Dec 2008 No 1355). 31 May 2013 No. 24 (No. 1 Jan 2014 iflg. res. 31 May 2013 No 540).

Chapter II. Acquisition Permit

Section 4. *Requirements for an acquisition permit*

A vessel cannot be used for commercial fishing or hunting unless an acquisition permit has been granted by the Ministry. Conditions for such authorisation may be laid down.

Acquisition permit is granted to the ship's owner for one particular vessel. The permit does not grant the right to use other vessels. Other than the natural or legal person holding the authorisation may not, without his own authorisation, engage in fishing or catching with the vessel.

An acquisition permit only grants the right to engage in fishing or fishing in accordance with the provisions laid down in or pursuant to the Act governing wild marine resources or this Act at any time.

0 Amended by Act 6 June 2008 No 37 (Section 1 Jan 2009 iflg. res. 12 Dec 2008 No 1355).

Section 5. *Nationality requirements*

Acquisition permits may only be granted to the person who is a Norwegian citizen or equivalent to a Norwegian citizen. As equal to Norwegian citizens, foreigners are resident in Norway. Foreigners living in Norway can only be granted an acquisition permit when the vessel's largest length is less than 15 metres.

The following companies and associations are regarded as equivalent to Norwegian national:

- a. limited liability companies, public limited liability companies and other limited liability companies when the company's head office and the board's seat are in Norway, when the board's majority, including the chairman of the board, consists of Norwegian nationals who reside in Norway and have lived here for the last two years, and when Norwegian nationals own shares corresponding to at least 6/10 of the company's capital and may exercise voting rights in the company with at least 6/10 of the votes.
- B. parties or other Norwegian companies when the members remain unlimited for the company's obligations, and when Norwegian citizens are co-owners for at least 6/10.
- C. limited liability companies when Norwegian nationals own at least 6/10 of own funds, and when Norwegian nationals own at least 6/10 of the share capital.

For the purposes of this paragraph, equal to that which is owned by Norwegian nationals, it is regarded as owned by the Norwegian government, institution or fund managed by the Norwegian state and the municipalities of Norway.

0 Amended by Act 31 May 2013 No. 24 (Section 1 Jan 2014 iflg. res. 31 May 2013 No 540).

Section 5 a. *Residency requirements*

It is forbidden to use vessels for commercial fishing or hunting if not least half of the crew and lott fishermen and the vessel operator are resident in a coastal municipality or in a neighbouring municipality of a coastal municipality. The requirement for the captain's residence does not apply if the master is also the vessel owner. Dispensation may be granted on application from the claim for residence for a shipper who resides elsewhere in Norway, or in the Nordic and EEA territory in general.

By regulations, the King may derogate from the prohibition set out in the first paragraph for vessels used for commercial fishing or fishing in waters beyond the national jurisdiction of the Norwegian or other state, which are regulated by international organisations or agreements to which Norway is a party and which gives Norway access to fishing and fishing.

The requirement in the first paragraph shall not apply to the extent permitted by the first paragraph pursuant to the Act of 17 June 1966 No 19¹ concerning the prohibition of foreigners engaged in fishing etc. in Section 4 of Norway's territorial waters.

0 Added by Act 31 May 2013 No. 24 (No. 1 Jan 2014 iflg. res. 31 May 2013 No 540). **Amended** by Act 5 March 2021, No. 7 (i.e. from the time the King decides).

1 The Act has been repealed, see now Act 6 June 2008 No 37 Section 23 b (4).

Section 6. *Requirements for previous activity in fishing or fishing*

Commercial permits may only be granted to those who have engaged in commercial fishing or catching on or with Norwegian vessels for at least three of the last five years and are still linked to the occupation of fishing and hunting.

In the case of companies or associations, acquisition permits may only be granted if persons who fulfil the requirement in the first subparagraph hold more than 50 per cent of the interests and actually have similar control over the activities.

In particular, the Ministry may, where nutritional and regional considerations so require, by individual decisions, derogating from the requirement laid down in the first and second paragraphs relating to previous activities in fishing or fishing. The King may by regulations make exceptions to the requirement for previous activity, including for vessels below a certain size.

Where it is necessary for the implementation of the Convention with a foreign State, the King may, by regulations, lay down additional rules, including rules other than those laid down in the first paragraph, for authorisation under Section 4.

Section 7. *Special provisions for acquisition*

Application for authorisation may be refused if:

- a. granting is not desirable on account of the distribution of the fishing fleet's district distribution, consideration of the resource base or the purpose of the act. The King may, by regulations, issue more detailed rules on when an application for an acquisition permit may be refused.
- B. the vessel has previously been taken out of fishing pursuant to a condemnation or structural quota scheme or similar arrangement.
- C. the vessel owner or others who have operated a vessel on behalf of the vessel owner, grossly or repeatedly have infringed provisions in accordance with or pursuant to this act or other fisheries legislation.

When a vessel is to be taken over by inheritance according to the rules of Chapters 2, 3 or 4, the new owner shall be granted a temporary acquisition permit for up to five years until the activity requirement in Section 6 first paragraph is fulfilled. Such time-limited acquisition permits may also be granted upon transfer of the vessel as part of a generational shift in favour of persons who can obtain inheritance rights under Chapter 2 of the inheritance act. The surviving spouse or cohabitant in the change of residence, cf. the inheritance act chapters 5 and 6, can be granted a temporary acquisition permit as long as the unchangebow remains if the vessel is included in the wealth that is taken over.

The King may, by regulations, issue detailed provisions concerning the granting of an acquisition permit by the acquisition of vessels in the cases referred to in the second paragraph, for forced sale and bankruptcy, and

on the procedure for forced sale of fishing vessels where there is an acquisition permit attached to vessels. Companies and associations covered by Section 1-3 of the Financial Institutions Act and which have the right to engage in financing activities in Norway may be granted temporary acquisition permits by forced sale and bankruptcy without prejudice to section 5 of the Financial Institutions Act.

0 Amended by Act 17 Dec 2004 No. 88, 31 May 2013 No. 24 (No. 1 Jan 2014 iflg. res. 31 May 2013 No. 540), 13 Dec 2019 No. 79 (No. 1 Jan 2020 iflg. res. 13 Dec 2019 No. 1778), 14 June 2019 No. 21 (No. 1 Jan 2021 iflg. res. 28 Feb 2020 No 200) as amended by Act 18 Dec 2020 No 149.

Section 8. *Requirements for vessels*

The licence for acquisition shall not be granted if the vessel is not equipped for or suitable for fishing or hunting. The King may, by regulations, issue rules on requirements for the vessel, including rules stating that the vessel cannot be entered in the register of Norwegian fishing vessels if it does not comply with the requirements imposed by the maritime authorities or other authorities.

0 Amended by Act 17 Dec 2004 No 88.

Section 9. *Transfer of shares, ownership interests, etc.*

A share or party to a company or association that directly or indirectly owns a brand-registered vessel must not be transferred to another owner without the Ministry having given prior authorisation to change the composition of ownership.

The King may, by regulations, issue rules on notification of changes in ownership. Where such notification obligations have been introduced, the prohibition of transfer shall not apply until an authorisation has been granted. However, the rules on notification obligations may contain a prohibition on transfer before a certain period after the notification has been sent.

0 Amended by Act 17 Dec 2004 No 88.

Section 10. *Lapse of acquisition permit*

An acquisition permit shall be forfeited when the owner loses ownership of the ship, including by forced sale, destruction and loss.

Section 11. *Revocation of licence*

A licence for acquisition shall be revoked where the vessel owner:

- a. no longer meets the requirements of Section 5,
- B. have not been engaged in commercial fishing or catching for at least three of the last five years on or with Norwegian vessels and are not linked to the occupation of fishing or fishing.

An acquisition authorisation may be revoked when:

- a. the vessel has not been used in commercial fishing or catching a specified time specified by the Ministry in regulations or in the acquisition licence;
- B. the ship or vessel owner no longer fulfils the conditions laid down in or pursuant to the act herein;
- C. the assumptions on which the authorisation is based have been substantially altered;
- d. the shipowner has provided false information or denominated conditions of essential importance to the decision to grant such an authorisation against better knowledge;
- e. the owner of the vessel or other who has operated the ship, has seriously or repeatedly infringed provisions in accordance with or pursuant to this act or other fishery legislation; or
- F. revocation under general administrative law rules.

In minor cases, the Ministry may decide that an acquisition authorisation shall be revoked for a specified period.

The King may grant supplementary rules for the withdrawal of permits.

Chapter III. Special permission

0 The heading is amended by Act 5 March 2021, paragraph 7 (i.e. from the time the King decides).

Section 12. Requirements for special permits for certain types of fishing and fishing

No one must, without special permission, use sea fishing vessels for commercial fishing and hunting. Conditions for such authorisation may be laid down. The provisions of Sections 7 and 8 apply mutatis mutandis for the granting of special permits.

The King may, by regulations, provide more detailed rules on what is to be regarded as sea fishing vessels and lay down requirements for special permits for the use of vessels other than sea fishing vessels for commercial fishing and hunting.

The King may, by regulations, lay down detailed rules for the granting of special permits.

0 Amended by Act 31 May 2013 No. 24 (Section 1 Jan 2014 iflg. res. 31 May 2013 No 540). Amended by Act 5 March 2021, No. 7 (i.e. from the time the King decides).

Section 13. Relationship to Acquisition Permit

A permit must be made available for special permission to be granted.

0 Amended by Act 5 March 2021, No. 7 (i.e. from the time the King decides).

Section 14. Exemption from the requirement for special authorisation

The King may, by regulations, make exceptions to the requirement for special permits for vessels below a certain size, and for fishing and trapping according to specific species, with specific tools or in specific areas.

0 Amended by Act 5 March 2021, No. 7 (i.e. from the time the King decides).

Section 15. The range of a special permit

A special permit pursuant to Section 12 is granted to the ship's owner for a particular vessel. The permit does not grant the right to use other vessels. Other than the natural or legal person holding the authorisation may not, without his own authorisation, engage in fishing or catching with the vessel.

Section 4 third paragraph and Section 7 third paragraph apply accordingly to special permits.

0 Amended by Act 5 March 2021, No. 7 (i.e. from the time the King decides).

Section 16. Granting of new special permits for certain types of fishing and fishing

When, on the basis of the purpose of the Act, the Ministry finds that the total number of special permits for a type of fishing or catch is to be increased, and that the Ministry will therefore undertake the granting of new permits, the Ministry shall make a separate decision that such allocations should be made. New permits will be published in public.

Where special reasons so warrant, the granting of new permits may take place without a public announcement.

Allocation under the first paragraph shall be carried out on the basis of an overall assessment of the applicants based on the purpose of the act, including rules laid down in accordance with the third paragraph of Section 12.

0 Repealed by Act 5 March 2021, No 7 (i.e. from the time the King decides).

Section 17. *Granting of special permission to replace the corresponding special permit*

In the following cases, the Ministry may grant special permission to the vessel owner for a particular vessel to replace the corresponding special permit specified:

- a. Vessel owner replaces his old vessel with a used vessel or new build.
- B. Vessel owner buys or otherwise acquires the vessel for continued operation.
- C. Vessel owner or owner of another vessel declares the corresponding special permit.

The Ministry may pledge to the owner of the ship to grant a new special permit under the first subparagraph (a) for an indefinite replacement vessel if the ship is abandoned within the last six months, or the ship is planned to be sold without the owner having acquired a new vessel.

The King may, by regulations, issue detailed provisions concerning the granting of special authorisations in accordance with the first subparagraph and commitments under the second subparagraph, including restrictions on the granting of authorisation under the first subparagraph and commitments under the second subparagraph and the duration of commitments under the second subparagraph. In individual fisheries, the King may allow for the granting of special permits in more cases than that resulting from the first paragraph.

0 Repealed by Act 31 May 2013 No. 24 (No. 1 Jan 2014 iflg. res. 31 May 2013 No 540), added by Act 19 June 2015 No. 78 (No. 1 July 2015 in accordance with res. 19 June 2015 No 692). **Repealed** by Act 5 March 2021, No 7 (i.e. from the time the King decides).

Section 18. *Lapse and revocation of a special permit*

A special permit shall be forfeited if the authorisation of the ship is lapsed or revoked.

The provisions of Section 10 concerning the lapse of an acquisition permit and Section 11 concerning the revocation of an acquisition permit apply equally to special permits.

0 **Amended** by Act 5 March 2021, No. 7 (i.e. from the time the King decides).

Section 19. *Revocation and delimitation of a whole group of special permits*

The King may revoke all special permits granted for a particular type of fishing or catch. The King may also limit all special permits for a particular type of fishing or catch to a narrower geographical area or to a smaller extent of fishing or catch than the permits.

0 **Amended** by Act 5 March 2021, No. 7 (i.e. from the time the King decides).

Chapter IV. Special restrictions on fishing and trapping, etc.

Section 20. *Permission to fish in waters outside Norway's economic zone*

The Ministry may lay down restrictions on participation or other regulatory measures for Norwegian vessels fishing in waters under other States' jurisdiction of fisheries or in waters outside any State's jurisdiction of fisheries.

Section 21. *Annual restrictions on participation in certain fisheries*

Where resource management, the liquidation of fishing or the profitability of fishing necessitates this, the King may, by regulations with effect up to one year at a time, lay down provisions concerning the conditions governing the admission to a particular fishing. This may include a requirement that the vessel owner, the driver of the vessel or the captain is registered in the fisherman's population or a requirement for previous participation in the fishing in question. Furthermore, technical and technical prerequisites, including vessels and equipment, and to the owner's and crew's need to be able to fish may be required. A maximum number of vessels to be granted access to fishing may also be determined.

Provisions laid down in the first subparagraph may be limited to specific vessel sizes, specific fishing methods, specific geographical areas or for specific periods of time. The capture of king crab can also be distinguished according to where the vessel is registered.

Regulations pursuant to the first paragraph requiring previous participation in the fishing in question may be subject to similar provisions as in Section 17, first and second paragraphs.

Without hindrance to provisions laid down in accordance with the first paragraph, persons living in Finnmark, the municipalities of Kåfjord, Skjervøy, Nordreisa, Kvænangen, Karlsøy, Lyngen and Storfjord and the areas with sea Sami elements in the rest of Troms and Nordland that the King lays down have the right to fish cod, haddock and saithe with conventional tools. The court after the first sentence applies only to the person in the fisherman's population and owns a brand-registered vessel less than 11 metres. The King may, by regulations, provide that the provision of the first sentence also applies to other fisheries.

0 Amended by Act 18 Apr 2008 No. 10, 21 Sep 2012 No 66 (No. 1 Jan 2013 iflg. res. 21 Sep 2012 No 913), 19 June 2015 No 78 (No. 1 July 2015 iflg. res. 19 June 2015 No 692). **Amended** by Act 5 March 2021, No. 7 (i.e. from the time the King decides).

Chapter V. Registration and marking of vessels

Section 22. *Registration of vessels*

Vessels for which the acquisition is granted pursuant to Section 4 shall be entered in a register of Norwegian fishing vessels. Registration may not be made until an acquisition is granted.

The Ministry may make provisions on which registers are to be kept over Norwegian fishing vessels, the information to be recorded on each vessel, as well as provisions regarding the information to be provided in connection with the application for an acquisition permit and special permit. The Ministry may also lay down provisions concerning the administration of the registers.

0 Amended by Act 17 Dec 2004 No 88.

Section 23. *Registration in the ship register*

Vessels to be used for commercial fishing or hunting may not be registered in the Register of Ships, cf. Section 11 of the Maritime Administration Act of 24 June 1994 No. 39, until an acquisition permit is available in accordance with the Act here.

Section 24. *Vessel marking services*

Vessels to be used for commercial fishing or hunting shall be marked as determined by the Ministry.

Section 25. *Fee*

The Ministry may decide to pay a fee when entering the label register and an annual fee as long as the vessel is in the label register. The fee and fee are legal basis for spending.

0 Amended by Act 18 Apr 2008 No 10.

Section 26. *Deletion in the registration register*

Vessels shall be deleted in the registration register in case of permanent or temporary revocation or withdrawal of the licence.

Chapter VI. Penalties etc.

Section 27. *Administrative withdrawal of catches*

If a vessel exceeds the amount of catch per trip specified in each permit, the excess catch or its value accrues to the sales organisation to which the first-hand turnover has been added. This applies regardless of whether the situation entails criminal liability.

The Ministry may, by means of special regulations, permit the landing of larger quantities of catches per trip than the permit allows.

The sales organisation will submit assignments to the Norwegian Directorate for Fisheries. Confiscation in accordance with the first paragraph is decided by the Directorate of Fisheries, which makes the calculation of the excess catch and its value.

0 Amended by Act 31 May 2013 No. 24 (Section 1 Jan 2014 iflg. res. 31 May 2013 No 540).

Section 28. *Infringement fees*

In the event of intentional or negligent infringement of provisions laid down in or pursuant to this act, infringement fees may be levied. In case of infringement of provisions pursuant to this Act, infringement fees may only be levied on the basis of the regulations.

If someone acting on behalf of an entity has infringed a provision granted in or pursuant to this Act, the entity may be charged an infringement fee. This applies even if no individual may be charged an infringement fee.

The fee may be imposed at fixed rates or be measured on a case-by-case basis. In fixing the fee, account may be taken, inter alia, of the profits or potential profits of the infringement by the person responsible, the seriousness of the infringement and the additional costs resulting from control measures and the handling of the case.

The King may, by regulations, issue detailed rules on the fixing of infringement fees and provisions on interest and additional charges if the infringement fee is not paid at maturity.

The final decision on infringement fees is the basis for enforcement of expenses. Infringement fees may also be claimed through the selling layer for netting in hunting settlement. The courts may test the amount of the fee.

0 Added by Act 17 Dec 2004 No 88, as amended by Act 31 May 2013 No 24 (No 24, No. 1 Jan 2014 iflg. res. 31 May 2013 No 540).

Section 29. *Periodic penalty payments*

To ensure that the rules laid down in or pursuant to this Act, or the obligation imposed pursuant to this Act, are fulfilled, periodic penalty payments may be imposed.

The periodic penalty payment is a running mule which departs from a specifically fixed time limit for fulfilling an order, if that period has expired without the injunction being fulfilled. In special cases, the Ministry may reduce or fall short of accrued mules.

The King may, in its regulations, specify the rules governing the determination, implementation and period of payment of the periodic penalty payment and the provisions relating to interest and additional charges if the periodic penalty payment is not paid on maturity.

Periodic penalty payments may be claimed through the selling layer when netting in hunting settlements.

0 Added by Act 17 Dec 2004 No 88, as amended by Act 31 May 2013 No 24 (No 24, No. 1 Jan 2014 iflg. res. 31 May 2013 No 540).

Section 30. *Implementation*

The King may issue further regulations for the implementation of this act.

0 Amended by Act 17 Dec 2004 No. 88, amended paragraph number from Section 28.

Section 31. Penalties

Anyone who intently or negligently infringes provisions given in or pursuant to Sections 4, 5 a, third paragraphs 7, 9, 12, 15, 20, 21 and 24 is punished by fines or imprisonment for up to one year.

Gross infringement of the provisions referred to in the first paragraph, which is done with gross negligence or deliberately, may be punished by imprisonment for up to six years. When assessing the seriousness of the infringement, particular attention shall be paid to whether the economic or potential economic value of the infringement is substantial, whether the infringement has occurred systematically and over time, whether the infringement is of a cross-border nature and whether the infringement has been carried out as part of organised activities.

When criminal liability referred to in the first subparagraph can be applied to the master of an act any of the crew of a ship is responsible, the subordinate may only be punished if he has violated the provision intentionally. In determining whether a subordinate is to be punished, account shall be taken, in particular, of the preventive effect of the penalty, the seriousness of the infringement and whether he has had or could have benefited from the infringement.

The pilot may adopt an order on behalf of the contracting entity. The contracting authority may also be punished in a case against the master.

0 Amended by Act 17 Dec 2004 No. 88, amended paragraph number from Section 29, 31 May 2013 No. 24 (No. 1 Jan 2014 iflg. res. 31 May 2013 No 540), 19 June 2015 No 65 (November 1, Oct 2015). **Amended** by Act 5 March 2021, No. 7 (i.e. from the time the King decides).

Section 31 a. Criminal procedural confiscation

In case of infringement of provisions referred to in the first paragraph of Section 31, the catch may be withdrawn. The same applies to tools, objects or vessels used in the offence. This applies regardless of who is the owner. Instead of the thing, the value may be withdrawn in whole or in part with the offender or the person acting on behalf of, or with the owner.

It may be stipulated that the liens and other rights in things that are being revoked fall away in whole or in part. The provisions of Section 74 of the Criminal Code apply accordingly.

When legal and illegal hunting is mixed together, the entire catch can be forfeited.

0 Added by Act 31 May 2013 No. 24 (No. 1 Jan 2014 iflg. res. 31 May 2013 No 540), as amended by Act 19 June 2015 No 65 (No. 1 Oct 2015).

Chapter VII. Entry into force and amendment of other acts

Section 32. Entry into force, etc.

1. This act comes into force from the time¹ the King decides.

2. From the same time, the following acts are repealed:

The Act of 16 June 1939 No. 7 on the capture of whales.

Act of 20 April 1951 on fishing with trawls.

The Act of 14 December 1951 No. 1 on the capture of seals.

The Act of 16 June 1972 No 57 on the regulations of participation in the fishing industry.

3. Regulations and decisions laid down pursuant to the acts referred to in paragraph 2 shall apply until otherwise determined pursuant to the act herein.

4. Provisions pursuant to the Intermediate Act of 29 June 1956 No 8 on the right of property to fish and trapping craft shall continue to apply until they are repealed or replaced by provisions laid down pursuant to this Act.

5. The Act of 5 December 1917 No. 1 on registration and marking of fishing vessels Sections 1 and 2 shall be repealed. Section 3 of the Act applies until they are repealed by the King.²
6. From the time the act enters into force, the following amendments shall be made to other acts: — — —

0 Amended by Act 17 Dec 2004 No 88, amended paragraph number from Section 30.

1 The Act was issued in NOK 1 Jan 2000 iflg. res. 19 Nov 1999 No 1178.

2 From January 1st 2013 iflg. research. 7 Dec 2012 No 1144.