

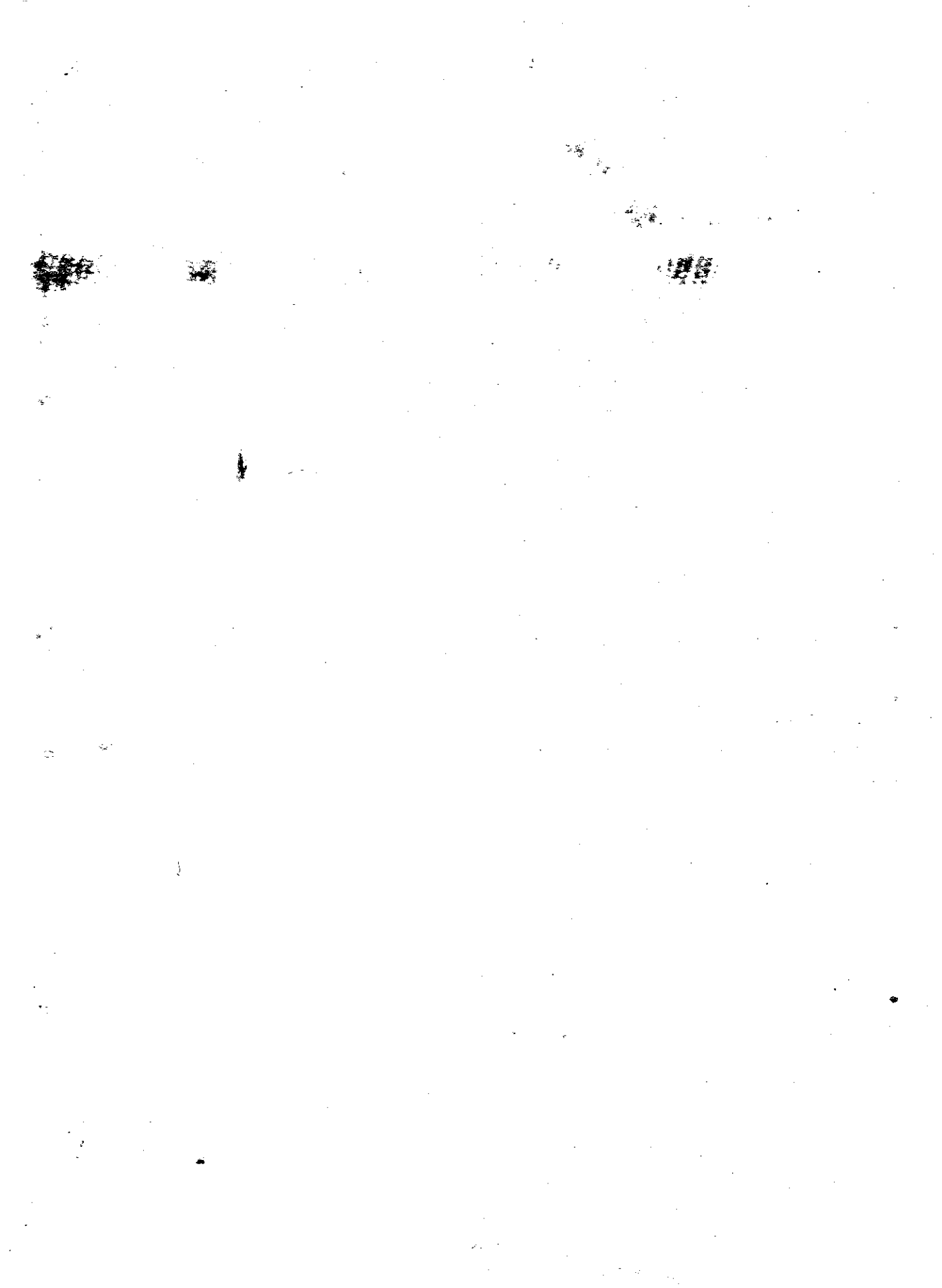
ALCOHOL ADVERTISEMENT (HEALTH WARNING) BILL, 2018

ARRANGEMENT OF CLAUSES

*Clause:*

1. Alcohol advertisement in printed publications
2. Health warning when alcohol advertisement displayed
3. Meaning of alcohol advertisement
4. Offence and penalty
5. Interpretation
6. Short Title

SCHEDULE



# A BILL

## FOR

AN ACT TO MAKE PROVISION FOR HEALTH WARNING IN THE  
ADVERTISEMENT OF ALCOHOL IN NIGERIA AND FOR RELATED MATTERS

*Sponsored by Hon. Hosea Danasabe Charles*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of  
Nigeria as follows:

1           1.-(1) No person shall print or publish an alcohol advertisement in  
2 a printed publication to which this section applies unless the advertisement  
3 bears the health warning as set out in the Schedule.

Alcohol  
Advertisement  
in printed  
publications

4           (2) This section applies to:

5           (a) any newspaper printed or published in Nigeria;

6           (b) any periodical, magazine or other publication printed or  
7 published in Nigeria.

8           2. No person shall:

9           (a) display; or

10           (b) publish or distribute for the purpose of display, an alcohol  
11 advertisement in writing or other permanent form or semi-permanent form  
12 unless the advertisement bears the health warning as set out in the Schedule;

Health warning  
when alcohol  
advertisement  
displayed

13           (c) use such money charged for any purpose or otherwise but 5 % of  
14 money charged to vest under the control and management of primary  
15 healthcare.

16           3.-(1) For the purposes of this Act an advertisement is an alcohol  
17 advertisement if it:

Meaning of  
alcohol  
advertisement

18           (a) contains any express or implied inducement, suggestion or  
19 request to purchase alcohol;

20           (b) relates to the consumption of alcohol in terms which are

- 1 calculated, expressly or impliedly, to promote or encourage the use of alcohol.
- 2 (2) An advertisement which:
- 3 (a) mentions:
- 4 (i) the name or trade name of any person associated with the
- 5 marketing of alcohol;
- 6 (ii) a brand name of alcohol; or
- 7 (iii) any pictorial device commonly associated with what is specified
- 8 in subparagraph (i) or (ii); or
- 9 (b) illustrates or mentions the consumption of alcohol or alcohol or its
- 10 bottling, canning or packaging or quality, shall be deemed to be an alcohol
- 11 advertisement unless the contrary is proved;
- 12 (3) Notwithstanding subsection (2), no advertisement is regarded as
- 13 an alcohol advertisement only because it uses the name or trade mark or a brand
- 14 name of, or otherwise identifies, a person associated with the manufacture or
- 15 marketing of alcohol, as the sponsor of an event or as congratulating another
- 16 person or thing on an achievement of, or event relating to, that person or thing.

Offence and  
penalty

17 4.-(1) Any person who violates section 3 (1) or 4 commits an offence,

18 punishment on summary conviction is a fine of N 100,000 and in the case of a

19 continuing offence a further fine of N100,000 for every day during which the

20 offence continues.

21 (2) In any proceedings for a violation of section 3 (1) it is a defence for

22 the person charged to prove that the advertisement to which the proceedings

23 relate was printed or published in such circumstances that he did not know and

24 had no reason to believe he was taking part in the printing or publication

25 thereof.

Interpretation

26 5. In this Bill, unless the context otherwise requires:

27 "advertisement" means any announcement to members of the public made or to

28 be made in a printed publication;

29 "alcohol" means spirits, liqueurs, wine, beer, cider, perry or other fermented,

30 distilled or spirituous liquor;

1 "alcohol advertisement" has the meaning assigned to it by section 5;  
2 "brand", except in section 5 (3), includes a brand product, that is to say, a  
3 variety of a brand marketed as having qualities differing from another  
4 variety of that brand;  
5 "printed publication" means a publication to which section 3 (2) applies;  
6 "publish" in relation to an advertisement means making known an  
7 advertisement in a printed publication.

8 6. This Bill may be cited as the Alcohol Advertisement (Health Short Title  
9 Warning) Bill, 2018.

10 SCHEDULE

11 *Sections 3 (1) and 4*

12 HEALTH WARNING IN ALCOHOL ADVERTISEMENTS

13 The health warning shall be "Excessive Alcohol Consumption May Be  
14 Harmful to Your Health".

EXPLANATORY MEMORANDUM

This Bill seeks to make provision for Health Warning in the Advertisement  
of Alcohol in Nigeria.

