



*Hon. D.C. Hosea*

Member Representing Gashaka/Kurmi Sardauna  
Federal Constituency Of Taraba State

**HOUSE OF REPRESENTATIVES**  
Federal Republic of Nigeria



#### LEGISLATIVE BRIEF

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

**SPONSOR: HON. DANASABE CHARLES HOSEA**

#### **BACKGROUND AND OBJECTIVE OF BILL**

Mr. Speaker, my respected colleagues, permit me to lead the debate on the general principle of a Bill for an Act to make Provision for Health Warning in Advertisement of Alcohol in Nigeria. You would recall that the Bill was read for the first time on Wednesday, 17th January 2018 in this chamber.

The objective of this Bill is to restrict effects of alcohol consumption with public health messages presented as advertisement about the negative consequences of alcohol use. No person or organization shall print or publish an alcohol advertisement in a printed publication to which this section applies unless the advertisement bears the health warning as set out in the Schedules.

This section applies to any electronic or print media in Nigeria and any periodical, magazine or other publication printed or published in Nigeria.

Section 2 of this Bill highlights the Health warning when alcohol advertisement is displayed. No person shall display or publish or distribute for the purpose of display, an alcohol advertisement in writing or other permanent form or semi-permanent form unless the advertisement bears the health warning as set out in the Schedule.

Such money charged for any purpose or otherwise but 5% of the money charged to vest under the control and management of primary healthcare.

Section 3 of the Bill defines the meaning of alcohol advertisement. For the purposes of this Act an advertisement is an alcohol if it; contains any express or implied inducement, suggestion or request to purchase alcohol; relates to the consumption of alcohol in terms which are calculated, expressly or impliedly, to promote or encourage the use of alcohol.

In subsection 2 An advertisement which (a) mentions (i) the name or trade of any person associated with marketing of alcohol, (ii) a brand name of alcohol; or (iii) any pictorial device commonly associated with what is specified in (i) or (ii) or

(b) illustrates or mention the consumption of alcohol in bottling, canning or packaging or quality, shall be deemed to be an alcohol advertisement unless the contrary is proved.

Section 4 of this Act stipulates the offence and penalty. Any person who violates section 3 (i) or 4 commits an offence, punishment on conviction is a fine of N100,000 and in the case of continuing offence a further fine of N100,000 for every day during which the offence continues.

## **CONCLUSION**

Right Honorable Speaker and my Dear Colleagues, the Bill seeks to make provision for health Warning in the Advertisement of Alcohol in Nigeria and that excessive Alcohol Consumption may be Harmful to health. I urge you all to stand and support that the bill be read the second time.

Thank you.

**A BILL**

**FOR**

**AN ACT TO MAKE PROVISION FOR HEALTH WARNING IN THE ADVERTISEMENT OF  
ALCOHOL IN NIGERIA AND FOR OTHER MATTERS CONNECTED THEREWITH**

*Sponsored by* HON. HOSEA DANASABE CHARLES

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

**Short Title.**

1. This Bill may be cited as the Alcohol Advertisement (Health Warning) Bill, 2017.

**Interpretation.**

2. In this Bill, unless the context otherwise requires—

“advertisement” means any announcement to members of the public made or to be made in a printed publication;

“alcohol” means spirits, liqueurs, wine, beer, cider, perry or other fermented, distilled or spirituous liquor;

“alcohol advertisement” has the meaning assigned to it by section 5;

“brand”, except in section 5 (3), includes a brand product, that is to say, a variety of a brand marketed as having qualities differing from another variety of that brand;

“printed publication” means a publication to which section 3 (2) applies;

“publish” in relation to an advertisement means making known an advertisement in a printed publication.

**Alcohol advertisement in printed publications; Schedule.**

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

(2) This section applies to—

- (a) any newspaper printed or published in Nigeria;
- (b) any periodical, magazine or other publication printed or published in Nigeria.

**Health warning when alcohol advertisement displayed; Schedule.**

4. No person shall—

- (a) display; or
- (b) publish or distribute for the purpose of display, an alcohol advertisement in writing or other permanent form or semi-permanent form unless the advertisement bears the health warning as set out in the Schedule; or
- (c) use such money charged for any purpose or otherwise but 5% of money charged to vest under the control and management of primary healthcare.

**Meaning of alcohol advertisement.**

5.—(1) For the purposes of this Act an advertisement is an alcohol advertisement if it—

- (a) contains any express or implied inducement, suggestion or request to purchase alcohol;
- (b) relates to the consumption of alcohol in terms which are calculated, expressly or impliedly, to promote or encourage the use of alcohol.

(2) An advertisement which—

(a) mentions —

- (i) the name or trade name of any person associated with the marketing of alcohol; or
- (ii) a brand name of alcohol; or
- (iii) any pictorial device commonly associated with what is specified in subparagraph

(i) or (ii); or

(b) illustrates or mentions the consumption of alcohol or alcohol or its bottling, canning or packaging or quality, shall be deemed to be an alcohol advertisement unless the contrary is proved;

(3) Notwithstanding subsection (2), no advertisement is regarded as an alcohol advertisement only because it uses the name or trade mark or a brand name of, or otherwise identifies, a person associated with the manufacture or marketing of alcohol, as the sponsor of an event or as congratulating another person or thing on an achievement of, or event relating to, that person or thing.

**Offence and penalty.**

6.—(1) Any person who violates section 3 (1) or 4 commits an offence, punishment on summary conviction is a fine of ₦100,000 and in the case of a continuing offence a further fine of ₦100,000 for every day during which the offence continues.

(2) In any proceedings for a violation of section 3 (1) it is a defence for the person charged to prove that the advertisement to which the proceedings relate was printed or published in such circumstances that he did not know and had no reason to believe he was taking part in the printing or publication thereof.

**SCHEDULE**

*Sections 3 (1) and 4*

**HEALTH WARNING IN ALCOHOL ADVERTISEMENTS**

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