

Press Release Regarding Prohibition of Advertisement, Publishing or Broadcast of Alcohol

The Advertisement Board has issued a Press Release (“Press Release”) on March 12, 2023 notifying the public of the directive issued by the Advertisement Board, subsequent to its meeting held on March 10, 2023, that prohibits the advertiser, advertising agency, print, electronic, digital medium including social media from advertising, publishing, broadcasting of intoxicants and causing to advertise, publish or broadcast intoxicants.

Advertisers, advertisement agencies and local level authorities have been requested to remove such kind of prohibited advertisements done through hoarding boards. If upon inspection, the Advertisement Board finds that advertisement of alcohol has been published and broadcast, action will be taken against such advertiser, advertising agency and communication medium in accordance with Advertisement (Regulation) Act 2076 (2019 A.D.) (“ARA”), Public Health Service Act 2075 (2018 A.D.) (“PHS Act”) or other prevailing laws.

The Press Release comes in light of the interim order passed by the Supreme Court in the case of *Forum for Protection of Consumer Rights Nepal v.*

Advertisement Board Babarmahal, and others (Case No. 079-WO-0882) dated February 23, 2023 that prohibited advertisement and causing of advertisement of alcohol through any communication medium till the final resolution of the writ petition (which has been filed citing interest of the general public under applicable constitutional provisions). The interim order also assigned the Advertisement Board with monitoring the same and submitting a monitoring report to the Supreme Court within 2 months.

The Advertisement Board, a regulatory body formed under ARA, is authorized by Section 15 (k) of ARA to provide necessary direction to the advertiser, advertisement creator, distributor or broadcaster. Section 5 (1) (f) of ARA prohibits the advertisement of matters banned by prevailing laws. Section 45 of PHS Act imposes a ban on the production, distribution and dissemination of advertising materials that adversely affects human health, including alcohol, cigarette, tobacco or tobacco-based substances. Noncompliance of the abovementioned provision will trigger a punishment amounting to a fine of NPR 10,000.

For further information about the subjects covered in this Alert, please contact:

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