



# London Olympic Games and Paralympic Games Act 2006

## 2006 CHAPTER 12

### *Advertising*

#### **19 Advertising regulations**

- (1) The Secretary of State <sup>F1</sup>... shall make regulations about advertising in the vicinity of London Olympic events.
- (2) In making the regulations the Secretary of State <sup>F1</sup>... —
  - (a) shall aim to secure compliance with obligations imposed on any person by the Host City Contract,
  - (b) shall have regard to any requests or guidance from the International Olympic Committee, and
  - (c) shall also have regard to amenity and public safety.
- (3) The regulations shall specify, or provide criteria for determining—
  - (a) the places in respect of advertising in which the regulations apply,
  - (b) the nature of the advertising in respect of which the regulations apply, and
  - (c) what is, or is not, to be treated for the purposes of the regulations as advertising in the vicinity of a place.
- (4) The regulations may apply in respect of advertising of any kind including, in particular—
  - (a) advertising of a non-commercial nature, and
  - (b) announcements or notices of any kind.
- (5) The regulations may apply in respect of advertising in any form including, in particular—
  - (a) the distribution or provision of documents or articles,
  - (b) the display or projection of words, images, lights or sounds, and
  - (c) things done with or in relation to material which has or may have purposes or uses other than as an advertisement.

---

*Changes to legislation:* There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Cross Heading: Advertising. (See end of Document for details)

---

- (6) The regulations shall specify, or provide criteria for determining, the period of time during which they apply; and—
- (a) the regulations shall apply only for such time as the Secretary of State <sup>F1</sup>... considers necessary for the purpose of securing compliance with obligations imposed on any person by the Host City Contract, and
  - (b) the regulations may apply during different periods in respect of different places.
- (7) The regulations shall permit, subject to any specified conditions, advertising undertaken or controlled by—
- (a) any person specified in the regulations as appearing to the Secretary of State <sup>F1</sup>... to have responsibility in accordance with the Host City Contract for the control of advertising in relation to the London Olympics (“a responsible body”), or
  - (b) any person authorised by a responsible body (whether or not subject to terms and conditions and whether or not in accordance with a sponsorship or other commercial agreement).
- (8) The regulations—
- (a) may prohibit action of a specified kind or in specified circumstances,
  - (b) may impose obligations on persons who—
    - (i) take action in relation to an advertisement, or
    - (ii) have an interest in or responsibility for a product or service to which an advertisement relates,
  - (c) may impose obligations on persons who own, occupy or have responsibility for the management of land, premises or other property,
  - (d) may, in particular, impose on a person an obligation to take steps to ensure—
    - (i) that other persons do not take action of a particular kind;
    - (ii) that a situation is not permitted to continue, and
  - (e) shall have effect despite any consent or permission granted (whether before or after the commencement of the regulations) by any landowner, local authority or other person.

#### Textual Amendments

- F1** Words in s. 19 omitted (7.7.2010) by virtue of [Secretary of State for Culture, Olympics, Media and Sport Order 2010 \(S.I. 2010/1551\)](#), art. 1(2), [Sch. para. 8\(1\)\(e\)](#)

#### Commencement Information

- I1** S. 19 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), [art. 3\(1\)](#)
- I2** S. 19 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), [art. 2](#)

## 20 Regulations: supplemental

- (1) Regulations under section 19—
- (a) may, to a specified extent or for specified purposes, disapply or modify specified enactments relating to planning or the control of advertising,
  - (b) may apply (with or without modifications) or make provision similar to any enactment (including, but not limited to, provisions of Chapter III of Part VIII

---

**Changes to legislation:** There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Cross Heading: Advertising. (See end of Document for details)

---

of the Town and Country Planning Act 1990 (c. 8) (control of advertising) and regulations under that Chapter)),

- (c) may provide for exceptions (in addition to those referred to in section 19(7)) which may be expressed by reference to the nature of advertising, its purpose, the circumstances of its display or any other matter (which may include the consent of a specified person),
- (d) may make provision for application, with any specified modifications or exceptions, to the Crown,
- (e) may make provision which applies generally or only for specified purposes or in specified circumstances,
- (f) may make different provision for different purposes or circumstances, and
- (g) may apply in relation to advertising whether or not it consists of the result or continuation of activity carried out before the regulations come into force.

(2) Regulations under section 19—

- (a) shall be made by statutory instrument, and
- (b) may not be made unless a draft has been laid before and approved by resolution of each House of Parliament.

[<sup>F2</sup>(2A) But if, in relation to regulations under section 19 other than the first regulations, the Secretary of State considers that by reason of urgency it is necessary that they be made without being approved in draft—

- (a) subsection (2)(b) does not apply to the regulations, and
- (b) the regulations are instead subject to annulment in pursuance of a resolution of either House of Parliament.]

(3) Before making regulations under section 19 the Secretary of State <sup>F3</sup>... shall consult—

- (a) such authorities, with responsibilities for planning in respect of places to which the regulations apply or may apply, as he thinks appropriate,
- (b) one or more persons who appear to the Secretary of State <sup>F3</sup>... to represent interests within the advertising industry which are likely to be affected by the regulations,
- (c) such other persons, who appear to the Secretary of State <sup>F3</sup>... to represent interests likely to be affected by the regulations, as he thinks appropriate,
- <sup>F4</sup>(d) .....
- (e) the London Organising Committee.

(4) If regulations under section 19 would be treated as a hybrid instrument for the purposes of the standing orders of either House of Parliament, they shall proceed in that House as if they were not a hybrid instrument.

**Textual Amendments**

- F2** S. 20(2A) inserted (E.W.S) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), **ss. 2(1)**, 10(1)
- F3** Words in s. 20 omitted (7.7.2010) by virtue of [Secretary of State for Culture, Olympics, Media and Sport Order 2010 \(S.I. 2010/1551\)](#), art. 1(2), **Sch. para. 8(1)(f)**
- F4** S. 20(3)(d) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 3**

*Changes to legislation: There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Cross Heading: Advertising. (See end of Document for details)*

#### Commencement Information

- I3** S. 20 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), [art. 3\(1\)](#)  
**I4** S. 20 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), [art. 2](#)

## 21 Offence

- (1) A person commits an offence if he contravenes regulations under section 19.
- (2) It shall be a defence for a person charged with an offence under subsection (1) to prove that the contravention of the regulations occurred—
- without his knowledge, or
  - despite his taking all reasonable steps to prevent it from occurring or (where he became aware of it after its commencement) from continuing.
- (3) A person guilty of an offence under subsection (1) shall be liable—
- on conviction on indictment, to a fine, or
  - on summary conviction, to a fine not exceeding £20,000.
- (4) [<sup>F5</sup>A court by or before which a person is convicted of an offence under subsection (1) may require him to pay to [<sup>F6</sup>a local policing body,] a police authority or to the Olympic Delivery Authority sums in respect of expenses reasonably incurred in taking action under section 22(1) in relation to the matters to which the offence relates.]

#### Textual Amendments

- F5** S. 21(4) omitted (E.W.S.) (14.2.2012) by virtue of [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), [ss. 1\(1\)](#), 10(1)  
**F6** Words in s. 21(4) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 355](#); [S.I. 2011/3019](#), art. 3, Sch. 1

#### Commencement Information

- I5** S. 21 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), [art. 3\(1\)](#)  
**I6** S. 21 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), [art. 2](#)

## 22 Enforcement: power of entry

- (1) A constable <sup>F7</sup>... may—
- enter land or premises on which they reasonably believe a contravention of regulations under section 19 is occurring (whether by reason of advertising on that land or premises or by the use of that land or premises to cause an advertisement to appear elsewhere);
  - remove, destroy, conceal or erase any infringing article;
  - when entering land under paragraph (a), be accompanied by one or more persons for the purpose of taking action under paragraph (b);
  - use, or authorise the use of, reasonable force for the purpose of taking action under this subsection.
- (2) The power to enter land or premises may be exercised only at a time that a constable <sup>F7</sup>... thinks reasonable having regard to the nature and circumstances of the contravention of regulations under section 19.

---

*Changes to legislation:* There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Cross Heading: Advertising. (See end of Document for details)

---

- (3) Before entering land or premises a constable <sup>F7</sup>... must take reasonable steps to—
  - (a) establish the identity of an owner, occupier or person responsible for the management of the land or premises or of any infringing article on the land or premises, and
  - (b) give any owner, occupier or responsible person identified under paragraph (a) such opportunity as seems reasonable to the constable <sup>F7</sup>... in the circumstances of the case to end the contravention of the regulations (whether by removing, destroying or concealing any infringing article or otherwise).
- (4) The power to enter premises may be exercised in relation to a dwelling only in accordance with a warrant issued by a justice of the peace; and a justice of the peace may issue a warrant only if satisfied on the application of a constable <sup>F7</sup>... that—
  - (a) there are reasonable grounds to believe a contravention of regulations under section 19 is occurring in the dwelling or on land that can reasonably be entered only through the dwelling,
  - (b) the constable <sup>F7</sup>... has complied with subsection (3),
  - (c) the constable <sup>F7</sup>... has taken reasonable steps to give notice to persons likely to be interested of his intention to apply for a warrant, and
  - (d) that it is reasonable in the circumstances of the case to issue a warrant.
- (5) The power to remove an article may be exercised only if the constable <sup>F7</sup>... thinks it necessary for the purpose of—
  - (a) ending the contravention of regulations under section 19,
  - (b) preventing a future contravention of the regulations, [<sup>F8</sup>or]
  - (c) enabling the article to be used as evidence in proceedings for an offence under section 21, [<sup>F9</sup> or]
  - (d) [<sup>F9</sup>enabling the article to be forfeited in accordance with section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).]
- <sup>F10</sup>(6) .....
- (7) Having exercised a power under this section a constable <sup>F11</sup>...—
  - (a) shall take reasonable steps to leave the land or premises secure, and
  - (b) shall comply with any provision of regulations under section 19 about informing specified persons of what the constable <sup>F11</sup>... has done.
- (8) Regulations under section 19 shall include provision enabling a person whose property is damaged in the course of the exercise or purported exercise of a power under this section (other than a person responsible for a contravention of the regulations or for the management of an infringing article) to obtain compensation from [<sup>F12</sup>a local policing body][<sup>F13</sup>or a police authority]; and the regulations may, in particular, include provision—
  - (a) conferring jurisdiction on a court or tribunal;
  - (b) about appeals.
- (9) A [<sup>F14</sup>local policing body][<sup>F13</sup>or a police authority] may recover from a person responsible for the contravention of the regulations, as if it were a debt, the reasonable costs of taking action under this section.
- (10) In this section—
  - <sup>F15</sup>...“infringing article” means—

*Changes to legislation: There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Cross Heading: Advertising. (See end of Document for details)*

- (a) an advertisement which contravenes regulations under section 19, and
- (b) any other thing [<sup>F16</sup>, or an animal,] that constitutes a contravention of regulations under section 19 or is being used in connection with a contravention of the regulations.

#### Textual Amendments

- F7** Words in s. 22(1)-(5) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 4\(a\)](#)
- F8** Word in s. 22(5) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), [ss. 1\(2\)\(a\)](#), 10(1)
- F9** S. 22(5)(d) and preceding word omitted (E.W.S.) (14.2.2012) by virtue of [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), [ss. 1\(2\)\(b\)](#), 10(1)
- F10** S. 22(6) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 4\(b\)](#)
- F11** Words in s. 22(7) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 4\(a\)](#)
- F12** Words in s. 22(8) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 356\(a\)](#); [S.I. 2011/3019](#), art. 3, Sch. 1
- F13** Words in s. 22(8)(9) substituted (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 4\(c\)](#)
- F14** Words in s. 22(9) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 356\(b\)](#); [S.I. 2011/3019](#), art. 3, Sch. 1
- F15** Definition in s. 22(10) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 4\(d\)](#)
- F16** Words in s. 22(10) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), [ss. 1\(4\)\(b\)](#), 10(1)

#### Commencement Information

- I7** S. 22 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), [art. 3\(1\)](#)
- I8** S. 22 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), [art. 2](#)

### <sup>F17</sup>23 Role of Olympic Delivery Authority

#### Textual Amendments

- F17** [S. 23](#) repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 2\(g\)](#)

### 24 Local planning authorities

- (1) The Secretary of State <sup>F18</sup>... may by order require a specified local planning authority who grant advertising consent to a person to notify him of the effect of—
  - (a) section 19(8)(e), and
  - (b) any regulations under section 19.
- (2) In subsection (1) “advertising consent” means consent of such kind as the order shall specify.

---

**Changes to legislation:** There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Cross Heading: Advertising. (See end of Document for details)

---

- (3) An order under subsection (1)—
- (a) shall be made by statutory instrument, and
  - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

---

**Textual Amendments**

**F18** Words in s. 24 omitted (7.7.2010) by virtue of [Secretary of State for Culture, Olympics, Media and Sport Order 2010 \(S.I. 2010/1551\)](#), art. 1(2), [Sch. para. 8\(1\)\(h\)](#)

---

**Commencement Information**

**I9** S. 24 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), [art. 3\(1\)](#)

**I10** S. 24 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Cross Heading: Advertising.