

# **UEFA EUROPEAN CHAMPIONSHIP (SCOTLAND) ACT 2020**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Advertising***

##### ***Section 12: Ban on advertising within event zones***

23. This section makes it an offence to advertise within an event zone at particular times during the period of the Euro 2020 Championship (the “advertising offence”). The Scottish Ministers are given a duty to make further provision in regulations about advertising in event zones, including by setting out exceptions to the offence, examples of which are given in subsection (3).
24. This list of examples includes advertising to commemorate events or publicise political campaigns, and advertising to which the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984/467 do not apply (because, for instance, it forms part of the fabric of a building). However, these exceptions are subject to the provision in subsection (4) that nothing in the advertising regulations can allow anyone to knowingly participate in ambush marketing.
25. Subsection (5) provides that the offence also does not apply to advertising by UEFA, although the advertising regulations may require it to comply with prescribed conditions.

##### ***Section 13: Advertising activities, places and prohibited times***

26. This section provides a definition of activities that will be treated as advertising. It must be a communication to the public or a section of the public for the purpose of promoting an item, service, trade, business or other concern. An illustrative (but not exhaustive) list of activities which will be treated as advertising if done for that purpose is then set out in subsection (2).
27. Subsection (3) allows the advertising regulations to define further activities which will be treated as advertising. It also allows those regulations to designate areas within the event zones in which the advertising offence set out in section 12 would not apply, and to define “prohibited times” for the purposes of the advertising offence. Such prohibited times will fall within the Championship period as defined in section 1.

##### ***Section 14: Advertising permitted in prescribed circumstances***

28. This section allows the advertising regulations to determine circumstances in which advertising which would otherwise constitute an advertising offence would be permitted. This could be by reference to the person who is advertising, the nature or purpose of the advertising, or the circumstances of its display.

***Section 15: Existing advertising licences***

29. This section makes it clear that holding an advertising licence, whether granted before or after this section comes into force, is not a defence against an advertising offence under the Act.

***Section 16: Guidance and information about advertising***

30. This section requires Glasgow City Council to issue guidance about advertising within event zones. It also allows for the advertising regulations to require specified persons to inform others of the likely effect of the ban on advertising in event zones (section 12) and of the advertising regulations.