



London Olympic Games and Paralympic Games Act 2006

2006 CHAPTER 12

An Act to make provision in connection with the Olympic Games and Paralympic Games that are to take place in London in the year 2012; to amend the Olympic Symbol etc. (Protection) Act 1995; and for connected purposes. [30th March 2006]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Modifications etc. (not altering text)

- C1 Act: functions made partly exercisable concurrently (22.8.2007) by [Transfer of Functions \(Olympics and Paralympics\) Order 2007 \(S.I. 2007/2129\)](#), arts. 1(2), 3(1), (2)(d) (with art. 4)
- C2 Act functions cease to be exercisable concurrently (7.7.2010) by [Secretary of State for Culture, Olympics, Media and Sport Order 2010 \(S.I. 2010/1551\)](#), art. 7(d)

Introductory

1 Interpretation of principal terms

- (1) In this Act “the London Olympics” means—
 - (a) the Games of the Thirtieth Olympiad that are to take place in 2012, and
 - (b) the Paralympic Games that are to take place in that year.
- (2) A reference in this Act to the London Olympics includes a reference to any event which forms part of the Games specified in subsection (1)(a) or (b) including, in particular—
 - (a) an event, other than a sporting event, held in accordance with the Host City Contract, and
 - (b) an event which is to take place outside London.

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

(3) In this Act—

- (a) “the British Olympic Association” means the company limited by guarantee registered with that name,
- (b) “London Olympic event” means an event (whether or not a sporting event and whether or not held in London) held as part of the London Olympics,
- (c) “the London Olympics period” means the period which—
 - (i) begins four weeks before the day of the opening ceremony of the Games of the Thirtieth Olympiad that are to take place in 2012, and
 - (ii) ends with the fifth day after the day of the closing ceremony of the Paralympic Games 2012,
- (d) “the London Organising Committee” means the organising committee formed in accordance with section 2 of the Host City Contract as the company limited by guarantee registered as the London Organising Committee of the Olympic Games Limited (LOCOG),
- (e) “the Host City Contract” means the Host City Contract, for the Games of the Thirtieth Olympiad that are to take place in 2012, signed at Singapore on 6th July 2005 and entered into by—
 - (i) the International Olympic Committee,
 - (ii) the Mayor of London (representing London), and
 - (iii) the British Olympic Association,
- (f) “the Paralympic Games” means the events known by that name and to be organised by the London Organising Committee in accordance with section 60 of the Host City Contract, and
- (g) “the Olympic Charter” means the Olympic Charter of the International Olympic Committee.

2 Alteration of Olympic documents

- (1) If the Secretary of State ^{F1}... thinks that a reference in this Act to an Olympic document has ceased to be accurate by reason of the amendment or substitution of that document, he may by order amend the reference.
- (2) In subsection (1) “Olympic document” means a document referred to in section 1.
- (3) An order under subsection (1)—
 - (a) may include consequential or incidental provision,
 - (b) shall be made by statutory instrument,
 - (c) shall be subject to annulment in pursuance of a resolution of either House of Parliament, and
 - (d) may not be made unless the Secretary of State ^{F1}... has consulted the London Organising Committee.

Textual Amendments

F1 Words in s. 2 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\(1\)\(a\)](#)

Commencement Information

I1 S. 2 in force at 30.5.2006 by [S.I. 2006/1118](#), art. 2(1)

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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The Olympic Delivery Authority

F23 Establishment

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Textual Amendments

- F2** S. 3 repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 2(a)**

F34 General functions

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Textual Amendments

- F3** S. 4 repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 2(b)**

F45 Planning

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Textual Amendments

- F4** S. 5 repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 2(c)**

F56 Security

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Textual Amendments

- F5** S. 6 repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 2(d)**

F67 Street lighting and cleaning

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Textual Amendments

- F6** S. 7 repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 2(e)**

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F78 Transfer schemes

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Textual Amendments

F7 S. 8 repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 2\(f\)](#)

9 Dissolution

- (1) The Secretary of State ^{F8}... may by order make provision for the dissolution of the Authority.
- (2) An order under this section may, in particular—
 - (a) provide for the transfer of property, rights or liabilities of the Authority to—
 - (i) the Secretary of State, or
 - (ii) any other person;
 - (b) make provision enabling a person to receive anything transferred under paragraph (a) (and that provision shall have effect despite any other enactment or instrument);
 - (c) establish a body corporate;
 - (d) make consequential, incidental or transitional provision which may, in particular—
 - (i) provide for anything done by or in relation to the Authority to have effect as if done by or in relation to another person;
 - (ii) permit anything (which may include legal proceedings) which is in the process of being done by or in relation to the Authority when a transfer takes effect, to be continued by or in relation to another person;
 - (iii) provide for a reference to the Authority in an instrument or other document to be treated as a reference to another person;
 - (iv) amend an enactment.
- (3) Before making an order under this section the Secretary of State ^{F8}... shall consult—
 - (a) the Mayor of London, and
 - (b) such other persons as the Secretary of State thinks appropriate.
- (4) The Secretary of State ^{F8}... may not make an order under this section providing for the transfer of property, rights or liabilities to a person unless the person has consented to the transfer.
- (5) An order under this section—
 - (a) may transfer rights and liabilities relating to employees, but
 - (b) shall not affect the operation of the Transfer of Undertakings (Protection of Employment) Regulations 1981 (S.I. 1981/1794).
- (6) The Secretary of State ^{F8}... may not make an order by virtue of subsection (5)(a) unless satisfied that sufficient notice has been given to enable compliance with any applicable requirement of those regulations.
- (7) An order under this section—

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- (a) shall be made by statutory instrument, and
- (b) shall not be made unless a draft has been laid before Parliament.

Textual Amendments

F8 Words in s. 9 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)(d)**

Commencement Information

I2 S. 9 in force at 30.5.2006 by [S.I. 2006/1118](#), **art. 2(2)**

Transport

F⁹10 Olympic Transport Plan

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Textual Amendments

F9 [Ss. 10-18](#) repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii)) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), **s. 40(6)**

F⁹11 Olympic Route Network

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Textual Amendments

F9 [Ss. 10-18](#) repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii)) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), **s. 40(6)**

F⁹12 Co-operation

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Textual Amendments

F9 [Ss. 10-18](#) repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii)) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), **s. 40(6)**

F⁹13 Functions affecting London Olympics

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Textual Amendments

F9 Ss. 10-18 repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), [s. 40\(6\)](#))

F9 14 Traffic regulation orders and notices

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Textual Amendments

F9 Ss. 10-18 repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), [s. 40\(6\)](#))

F9 15 Traffic regulation orders and notices: enforcement

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Textual Amendments

F9 Ss. 10-18 repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), [s. 40\(6\)](#))

F9 15A Section 15: supplemental

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Textual Amendments

F9 Ss. 10-18 repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), [s. 40\(6\)](#))

F9 16 Road closures or restrictions

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Textual Amendments

F9 Ss. 10-18 repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), [s. 40\(6\)](#))

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F9 16A Enforcement of moving traffic contraventions in Greater London

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Textual Amendments

- F9** [Ss. 10-18](#) repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii)) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), [s. 40\(6\)](#)

F9 16B Section 16A: supplemental

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Textual Amendments

- F9** [Ss. 10-18](#) repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii)) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), [s. 40\(6\)](#)

F9 16C Enforcement of bus lane contraventions outside Greater London

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Textual Amendments

- F9** [Ss. 10-18](#) repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii)) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), [s. 40\(6\)](#)

F9 16D Section 16C: supplemental

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Textual Amendments

- F9** [Ss. 10-18](#) repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii)) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), [s. 40\(6\)](#)

F9 16E Goods vehicle operator licences: waiver of procedural requirements

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Textual Amendments

- F9 Ss. 10-18 repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), s. 40(6)

F9 17 Office of Rail Regulation

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Textual Amendments

- F9 Ss. 10-18 repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), s. 40(6)

F9 18 Interpretation

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Textual Amendments

- F9 Ss. 10-18 repealed (14.9.2012 which is the fifth day after the day of the closing ceremony of the Paralympic Games 2012, in accordance with s. 1(3)(c)(ii) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), s. 40(6)

Advertising

19 Advertising regulations

- (1) The Secretary of State ^{F10}... shall make regulations about advertising in the vicinity of London Olympic events.
- (2) In making the regulations the Secretary of State ^{F10}... —
 - (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

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- (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.
- (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 ^{F10}... 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 ^{F10}... 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

F10 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

I3 S. 19 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), [art. 3\(1\)](#)

I4 S. 19 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), [art. 2](#)

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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 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.

[^{F11}(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 ^{F12}... 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 ^{F12}... 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 ^{F12}... to represent interests likely to be affected by the regulations, as he thinks appropriate,

^{F13}(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

F11 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)

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- F12** 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)**
- F13** 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**

Commencement Information

- I5** S. 20 in force at 30.5.2006 for E.W.N.I. by S.I. 2006/1118, **art. 3(1)**
- I6** 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—
- (a) without his knowledge, or
 - (b) 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—
- (a) on conviction on indictment, to a fine, or
 - (b) on summary conviction, to a fine not exceeding £20,000.
- (4) [^{F14}A court by or before which a person is convicted of an offence under subsection (1) may require him to pay to [^{F15}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

- F14** 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)**
- F15** 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

- I7** S. 21 in force at 30.5.2006 for E.W.N.I. by S.I. 2006/1118, **art. 3(1)**
- I8** 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 ^{F16}... may—
- (a) 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);
 - (b) remove, destroy, conceal or erase any infringing article;
 - (c) when entering land under paragraph (a), be accompanied by one or more persons for the purpose of taking action under paragraph (b);
 - (d) use, or authorise the use of, reasonable force for the purpose of taking action under this subsection.

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- (2) The power to enter land or premises may be exercised only at a time that a constable ^{F16}... thinks reasonable having regard to the nature and circumstances of the contravention of regulations under section 19.
- (3) Before entering land or premises a constable ^{F16}... 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 ^{F16}... 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 ^{F16}... 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 ^{F16}... has complied with subsection (3),
 - (c) the constable ^{F16}... 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 ^{F16}... thinks it necessary for the purpose of—
- (a) ending the contravention of regulations under section 19,
 - (b) preventing a future contravention of the regulations, [^{F17}or]
 - (c) enabling the article to be used as evidence in proceedings for an offence under section 21, [^{F18} or]
 - (d) [^{F18}enabling the article to be forfeited in accordance with section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).]
- ^{F19}(6)
- (7) Having exercised a power under this section a constable ^{F20}...—
- (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 ^{F20}... 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 [^{F21}a local policing body][^{F22}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 [^{F23}local policing body][^{F22}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.

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(10) In this section—

^{F24}
...

“infringing article” means—

- (a) an advertisement which contravenes regulations under section 19, and
- (b) any other thing [^{F25}, 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

- F16** 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\(a\)](#)
- F17** 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)
- F18** 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)
- F19** 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\(b\)](#)
- F20** 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\(a\)](#)
- F21** 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
- F22** 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\(c\)](#)
- F23** 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
- F24** 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\(d\)](#)
- F25** 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

- I9** S. 22 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), [art. 3\(1\)](#)
- I10** S. 22 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), [art. 2](#)

^{F26}23 **Role of Olympic Delivery Authority**

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Textual Amendments

- F26** 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 ^{F27}... 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

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

- (b) any regulations under section 19.
- (2) In subsection (1) “advertising consent” means consent of such kind as the order shall specify.
- (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

F27 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

I11 S. 24 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), [art. 3\(1\)](#)

I12 S. 24 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), [art. 2](#)

Trading

25 Street trading, &c.

- (1) The Secretary of State ^{F28}... shall make regulations about trading in the vicinity of London Olympic events.
- (2) In making the regulations the Secretary of State ^{F28}... —
 - (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 (including in each case the need to avoid congestion).
- (3) The regulations shall specify, or provide criteria for determining—
 - (a) the places in respect of which the regulations apply,
 - (b) the nature of the trading in respect of which the regulations apply, and
 - (c) what is, or is not, to be treated for the purposes of the regulations as trading in the vicinity of a place.
- (4) The regulations may apply only in respect of trading which takes place—
 - (a) on a highway, or
 - (b) in another place—
 - (i) to which the public have access (whether generally or only for the purpose of the trading), and
 - (ii) which is not in any building other than one designed or generally used for the parking of cars.
- (5) The regulations shall specify, or provide criteria for determining, the period of time during which they apply; and—

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

- (a) the regulations shall apply only for such time as the Secretary of State ^{F28}... 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.

^{F29}(6)

^{F29}(7)

^{F29}(8)

Textual Amendments

F28 Words in s. 25 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)(i)**

F29 S. 25(6)-(8) repealed (2.12.2014) by The Olympic Delivery Authority (Dissolution) Order 2014 (S.I. 2014/3184), art. 1(2), **Sch. para. 2(h)**

Commencement Information

I13 S. 25 in force at 30.5.2006 for E.W.N.I. by S.I. 2006/1118, **art. 3(1)**

I14 S. 25 in force at 31.12.2006 for S. by S.I. 2006/611, **art. 2**

26 Section 25: supplemental

(1) Regulations under section 25—

- (a) may, to a specified extent or for specified purposes, disapply or modify specified enactments relating to trading (which may include enactments conferring rights to conduct a fair or market),
- (b) may apply (with or without modifications) or make provision similar to any enactment ^{F30} ...,
- (c) may provide for exceptions which may be expressed by reference to the nature of trading, its circumstances, the application of profits or any other matter (which may include the consent of a specified person),
- (d) may make provision which applies generally or only for specified purposes or in specified circumstances, and
- (e) may make different provision for different purposes or circumstances.

(2) Regulations under section 25—

- (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.

[^{F31}(2A) But if, in relation to regulations under section 25 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 25 the Secretary of State ^{F32}... shall consult—

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

- (a) such authorities, with responsibilities for the licensing of trading in respect of places to which the regulations apply or may apply, as he thinks appropriate,
 - (b) such persons, who appear to the Secretary of State ^{F32}... to represent interests likely to be affected by the regulations, as he thinks appropriate,
 - ^{F33}(c)
 - (d) the London Organising Committee.
- (4) Regulations under section 25 shall have effect despite any licence granted (whether before or after the commencement of the regulations)—
- (a) by any landowner, local authority or other person, or
 - (b) by or by virtue of any enactment, Charter or other document.
- (5) If regulations under section 25 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.
- (6) In section 25 and this section “licence” includes any kind of consent, certificate, permission or authority (by whatever name).

Textual Amendments

- F30** Words in s. 26(1)(b) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 5(a)**
- F31** S. 26(2A) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), **ss. 2(3)**, 10(1)
- F32** Words in s. 26 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)(j)**
- F33** S. 26(3)(c) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 5(b)**

Commencement Information

- I15** S. 26 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), **art. 3(1)**
- I16** S. 26 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), **art. 2**

27 Offence

- (1) A person commits an offence if he contravenes regulations under section 25.
- (2) A person guilty of an offence under subsection (1) shall be liable—
- (a) on conviction on indictment, to a fine, or
 - (b) on summary conviction, to a fine not exceeding £20,000.

Commencement Information

- I17** S. 27 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), **art. 3(1)**
- I18** S. 27 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), **art. 2**

28 Enforcement: power of entry

- (1) A constable ^{F34}... may—

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

- (a) enter land or premises on which they reasonably believe a contravention of regulations under section 25 is occurring;
 - (b) remove any infringing article;
 - (c) when entering land under paragraph (a), be accompanied by one or more persons for the purpose of taking action under paragraph (b);
 - (d) use, or authorise the use of, reasonable force for the purpose of taking action under this subsection.
- (2) The power to remove an article may be exercised only if the constable ^{F35}... thinks it necessary for the purpose of—
 - (a) ending the contravention of regulations under section 25,
 - (b) preventing a future contravention of the regulations, [^{F36}or]
 - (c) enabling the article to be used as evidence in proceedings for an offence under section 27, [^{F37}or]
 - (d) [^{F37}enabling the article to be forfeited in accordance with section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).]
- (3) [^{F38}An article removed shall be returned when retention is no longer justified by a matter specified in subsection (2)(a) to (d); but this subsection does not apply to perishable articles which have ceased to be usable for trade.]
- ^{F39}(4)
- (5) Having exercised a power under this section a constable ^{F40}...—
 - (a) shall take reasonable steps to leave the land or premises secure, and
 - (b) shall comply with any provision of regulations under section 25 about informing specified persons of what the constable ^{F40}... has done.
- (6) Regulations under section 25 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) to obtain compensation from [^{F41}a local policing body][^{F42}or a police authority]; and the regulations may, in particular, include provision—
 - (a) conferring jurisdiction on a court or tribunal;
 - (b) about appeals.
- (7) A [^{F43}local policing body][^{F42}or a police authority] may recover from a person responsible for the contravention of regulations under section 25, as if it were a debt, the reasonable costs of taking action under this section.
- (8) In this section—

^{F44}
...

“infringing article” means—

 - (a) an article [^{F45}or animal] that is being offered for trade in contravention of regulations under section 25 or is otherwise being used in connection with a contravention of the regulations, and
 - (b) anything (other than a vehicle) containing an article [^{F45}or animal] to which paragraph (a) applies.

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

Textual Amendments

- F34** Words in s. 28(1) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 6\(a\)](#)
- F35** Words in s. 28(2) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 6\(a\)](#)
- F36** Word in s. 28(2) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), [ss. 1\(5\)\(a\)](#), 10(1)
- F37** S. 28(2)(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\(5\)\(b\)](#), 10(1)
- F38** S. 28(3) omitted (E.W.S.) (14.2.2012) by virtue of [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), [ss. 1\(6\)](#), 10(1)
- F39** S. 28(4) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 6\(b\)](#)
- F40** Words in s. 28(5) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 6\(a\)](#)
- F41** Words in s. 28(6) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 357\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F42** Words in s. 28(6)(7) substituted (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 6\(c\)](#)
- F43** Words in s. 28(7) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 357\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F44** Definition in s. 28(8) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 6\(d\)](#)
- F45** Words in s. 28(8) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), [ss. 1\(8\)\(b\)](#), 10(1)

Commencement Information

- I19** S. 28 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), [art. 3\(1\)](#)
- I20** S. 28 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), [art. 2](#)

^{F46}29 Role of Olympic Delivery Authority

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Textual Amendments

- F46** S. 29 repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 2\(i\)](#)

30 Other authorities

- (1) The Secretary of State ^{F47}... may by order require specified persons to give information about the effect or likely effect of regulations under section 25 to persons falling within a specified class.
- (2) In particular, the order may require a person who grants a consent, certificate, permission or authority (by whatever name) to inform the recipient of the effect of section 26(4).
- (3) An order under this section—

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

- (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

F47 Words in s. 30 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\(1\)\(I\)](#)

Commencement Information

I21 S. 30 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), [art. 3\(1\)](#)

I22 S. 30 in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), [art. 2](#)

31 Sale of tickets

- (1) A person commits an offence if he sells an Olympic ticket—
 - (a) in a public place or in the course of a business, and
 - (b) otherwise than in accordance with a written authorisation issued by the London Organising Committee.
- (2) For the purposes of subsection (1)—
 - (a) “Olympic ticket” means anything which is or purports to be a ticket for one or more London Olympic events,
 - (b) a reference to selling a ticket includes a reference to—
 - (i) offering to sell a ticket,
 - (ii) exposing a ticket for sale,
 - (iii) advertising that a ticket is available for purchase, and
 - (iv) giving, or offering to give, a ticket to a person who pays or agrees to pay for some other goods or services, and
 - (c) a person shall (without prejudice to the generality of subsection (1)(a)) be treated as acting in the course of a business if he does anything as a result of which he makes a profit or aims to make a profit.
- (3) A person does not commit an offence under subsection (1) by advertising that a ticket is available for purchase if—
 - (a) the sale of the ticket if purchased would be in the course of a business only by reason of subsection (2)(c), and
 - (b) the person does not know, and could not reasonably be expected to discover, that subsection (2)(c) would apply to the sale.
- (4) A person does not commit an offence under subsection (1) (whether actual or inchoate) only by virtue of making facilities available in connection with electronic communication or the storage of electronic data.
- (5) Where a person who provides services for electronic communication or for the storage of electronic data discovers that they are being used in connection with the commission of an offence under subsection (1), the defence in subsection (4) does not apply in respect of continued provision of the services after the shortest time reasonably required to withdraw them.

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

- (6) A person guilty of an offence under subsection (1) shall be liable on summary conviction to a fine not exceeding [^{F48}£20,000] .
- (7) Section 32(2)(b) of the Police and Criminal Evidence Act 1984 (c. 60) (power to search premises) shall, in its application to the offence under subsection (1) above, permit the searching of a vehicle which a constable reasonably thinks was used in connection with the offence.
- (8) Subsection (9) applies where a person in Scotland is arrested in connection with the commission of an offence under subsection (1).
- (9) For the purposes of recovering evidence relating to the offence, a constable in Scotland may without warrant enter and search—
- (a) premises in which the person was when arrested or immediately before he was arrested, and
 - (b) a vehicle which the constable reasonably believes is being used or was used in connection with the offence.
- (10) Subsection (9) is without prejudice to any power of entry or search which is otherwise exercisable by a constable in Scotland.
- (11) The London Organising Committee shall make arrangements for the grant of authorisations under subsection (1)(b); and the arrangements may, in particular—
- (a) make provision about charges;
 - (b) enable the Committee to exercise unfettered discretion.
- (12) In this section a reference to a London Olympic event includes a reference to an event held by way of a pre-Olympic event in accordance with arrangements made by the London Organising Committee in pursuance of paragraph 7 of the Bye-Law to Rule 49 of the Olympic Charter.

Textual Amendments

F48 Word in s. 31(6) substituted (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\), ss. 3\(1\), 10\(1\)](#) (with ss. 3(2), 8)

Commencement Information

I23 S. 31 in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118, art. 3\(1\)](#)

I24 S. 31 in force at 31.12.2006 for S. by [S.S.I. 2006/611, art. 2](#)

[^{F49}Removal of infringing articles]

Textual Amendments

F49 [Ss. 31A-31E](#) inserted (E.W.S) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\), ss. 1\(9\), 10\(1\)](#)

^{F50}31A Cases involving criminal proceedings

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Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

Textual Amendments

F50 S. 31A repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 2\(j\)](#)

^{F51}31B Cases not involving criminal proceedings: articles other than vehicles

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Textual Amendments

F51 S. 31B repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 2\(k\)](#)

^{F52}31C Cases not involving criminal proceedings: vehicles

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Textual Amendments

F52 S. 31C repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 2\(l\)](#)

^{F53}31D Disposal orders

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Textual Amendments

F53 S. 31D repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 2\(m\)](#)

^{F54}31E Sale or other disposal

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Textual Amendments

F54 S. 31E repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 2\(n\)](#)

Miscellaneous

32 Olympic Symbol etc. (Protection) Act 1995

Schedule 3 (which amends the Olympic Symbol etc. (Protection) Act 1995 (c. 32)) shall have effect.

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

^{F55}33 London Olympics association right

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Textual Amendments

F55 S. 33 ceases to have effect (31.12.2012) by virtue of [London Olympic Games and Paralympic Games Act 2006 \(c. 12\), s. 40\(8\)](#)

34 Greater London Authority: powers

- (1) The Greater London Authority may do anything—
- (a) for the purpose of complying with an obligation of the Mayor of London under the Host City Contract (whether before, during or after the London Olympics),
 - (b) for a purpose connected with preparing for or managing the London Olympics, or
 - (c) for a purpose connected with anything done in accordance with paragraph (a) or (b).
- (2) In particular, the Greater London Authority may—
- (a) arrange for the construction, improvement or adaptation of premises or facilities of any description;
 - (b) arrange for the provision of services of any description;
 - (c) undertake works of any description;
 - (d) acquire land or other property;
 - (e) enter into agreements;
 - (f) act jointly or cooperate with any person (whether or not having functions under the Host City Contract);
 - (g) give financial or other assistance to persons in respect of activity connected with the London Olympics (whether or not the activity is undertaken in pursuance of an agreement with the Authority);
 - (h) take action in respect of places outside London.
- (3) In exercising the function under subsection (1) the Authority shall have regard to the desirability of consulting and cooperating with—
- (a) the Secretary of State,
 - ^{F56}(aa)
 - (b) the British Olympic Association,
 - (c) the London Organising Committee, and
 - (d) other persons with experience or knowledge which might be useful in relation to preparing for or managing the London Olympics.
- (4) In exercising the function under subsection (1) the Authority shall have regard to the desirability of maximising the benefits to be derived after the London Olympics from things done in preparation for them.
- ^{F57}(5)

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

Textual Amendments

- F56** S. 34(3)(aa) 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(2)**
- F57** S. 34(5) repealed (31.3.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

35 Section 34: supplemental

- (1) Financial assistance under section 34(2)(g) may be given on terms or conditions (which may, in particular, include terms or conditions for repayment with or without interest).
- (2) The Greater London Authority may accept contributions towards expenditure in connection with the London Olympics.
- (3) The Secretary of State^{F58}... may, after the conclusion of the London Olympics, repeal section 34 and this section by order made by statutory instrument; and the order may—
 - (a) include savings (which may include provision saving, to such extent as may be specified and whether or not subject to modifications, the effect of a provision of the Greater London Authority Act 1999 or another primary or subordinate enactment in so far as it applies in relation to section 34);
 - (b) include transitional provision (which may include provision relating to the effect of a provision of an enactment in so far as it applies in relation to section 34);
 - (c) include provision for the transfer of property, rights or liabilities (which may, in particular, include provision for transfer—
 - (i) to the Secretary of State or to any other person whether or not exercising functions of a public nature;
 - (ii) on terms and conditions, whether as to payment or otherwise;
 - (iii) of liabilities whether arising under the Host City Contract or otherwise;
 - (iv) of rights or liabilities in relation to legal proceedings);
 - (d) include provision of any other kind relating to the management, control or treatment of anything constructed or done in accordance with section 34(1);
 - (e) include incidental or consequential provision;
 - (f) make provision having effect generally or only for specified cases or purposes;
 - (g) make different provision for different cases or purposes.
- (4) Before making an order under subsection (3) the Secretary of State^{F58}... shall consult the Mayor of London.
- (5) An order under subsection (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F58** Words in s. 35 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)(m)**

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

Commencement Information

I25 S. 35 partly in force; s. 35(1)(2) in force at Royal Assent see s. 40(1)(e)

I26 S. 35(3)-(5) in force at 30.5.2006 by [S.I. 2006/1118](#), [art. 2\(4\)](#)

^{F59}36 Regional development agencies

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Textual Amendments

F59 S. 36 repealed (1.7.2012 at 0.02 a.m. except for the repeal of s. 36(3)(c)) by [Public Bodies Act 2011](#) (c. 24), s. 38(3), [Sch. 6](#) (with Sch. 6 Note 1); [S.I. 2012/1662](#), [art. 2\(2\)\(b\)](#)

General

37 Scotland

- (1) In its application to Scotland, this Act has effect subject to the following modifications.
 - (2) “Enactment”, except in section 9(2)(d)(iv), includes an enactment contained in, or in an instrument under, an Act of the Scottish Parliament.
 - (3) “Local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39).
 - (4) “Local planning authority” means a planning authority for the purposes of the Town and Country Planning (Scotland) Act 1997 (c. 8).
 - (5) “Police authority” includes a joint police board constituted under an amalgamation scheme made under section 19 of the Police (Scotland) Act 1967 (c. 77).
 - (6) [^{F60}References to costs are to be read as if they were references to expenses.]
 - (7) References to a highway are to be read as if they were references to a road within the meaning of the Roads (Scotland) Act 1984 (c. 54).
 - (8) In sections 19 to 30—
 - (a) references to the Secretary of State ^{F61}... are to be read as if they were references to the Scottish Ministers, and
 - (b) references [^{F62}(other than in sections 20 and 26)] to a resolution of either House of Parliament are to be read as if they were references to a resolution of the Scottish Parliament.
 - (9) In section 20(1)(b), the reference to Chapter III of Part VIII of the Town and Country Planning Act 1990 (c. 8) is to be read as if it were a reference to Chapter 3 of Part 7 of the Town and Country Planning (Scotland) Act 1997.
- [^{F63}(9A) Sections 20 and 26 are to have effect as if, in each case, for subsections (2) and (2A) there were substituted—
- “(2) Regulations under that section are subject to the affirmative procedure.

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- (2A) But if, in relation to regulations under that section other than the first regulations, the Scottish Ministers consider that by reason of urgency it is necessary that they be made without being approved in draft—
 - (a) subsection (2) does not apply to the regulations, and
 - (b) the regulations are instead subject to the negative procedure.”]

(10) In section 22(4)—

- (a) the references to a justice of the peace are to be read as if they were references to a sheriff, and
- (b) the reference to the application of a constable ^{F64}... is to be read as if it were a reference to the application of a procurator fiscal.

(11) [^{F65}In sections 22(5)(d) and 28(2)(d), the references to section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) are to be read as if they were references to section 21 of the Proceeds of Crime (Scotland) Act 1995 (c. 43).]

[^{F66}(12) In section 22, subsection (6) has effect as if there were substituted for it—

“(6) An article that is held by a constable (having been removed by or delivered to the constable) shall be returned when retention is no longer justified by a matter specified in subsection (5)(a) to (c), unless—

- (a) in the case of a perishable article, the article has ceased to be usable for trade, or
- (b) the court orders the article to be forfeited under Part 2 of the Proceeds of Crime (Scotland) Act 1995.

(6A) Subject to subsection (6), the article shall be treated as if acquired by the constable in the course of the investigation of an offence.

^{F67}(6B)”

(13) In section 28, subsection (4) has effect as if there were substituted for it—

“(4) An article that is held by a constable (having been removed by or delivered to the constable) shall be returned when retention is no longer justified by a matter specified in subsection (2)(a) to (c), unless—

- (a) in the case of a perishable article, the article has ceased to be usable for trade, or
- (b) the court orders the article to be forfeited under Part 2 of the Proceeds of Crime (Scotland) Act 1995.

(4A) Subject to subsection (4), the article shall be treated as if acquired by the constable in the course of the investigation of an offence.

^{F68}(4B)”

^{F69}(14)

^{F70}(15)

^{F71}(16)]

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Textual Amendments

- F60** S. 37(6) omitted (E.W.S.) (14.2.2012) by virtue of [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\), ss. 1\(10\)\(a\)](#), 10(1)
- F61** Words in s. 37 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\(1\)\(o\)](#)
- F62** Words in s. 37(8)(b) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\), ss. 2\(5\)](#), 10(1)
- F63** S. 37(9A) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\), ss. 2\(6\)](#), 10(1)
- F64** Words in s. 37(10)(b) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\), art. 1\(2\), Sch. para. 7\(a\)](#)
- F65** S. 37(11) omitted (E.W.S.) (14.2.2012) by virtue of [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\), ss. 1\(10\)\(b\)](#), 10(1)
- F66** S. 37(12)-(16) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\), ss. 1\(11\)](#), 10(1)
- F67** Words in s. 37(12) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\), art. 1\(2\), Sch. para. 7\(b\)](#)
- F68** Words in s. 37(13) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\), art. 1\(2\), Sch. para. 7\(c\)](#)
- F69** S. 37(14) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\), art. 1\(2\), Sch. para. 7\(d\)](#)
- F70** S. 37(15) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\), art. 1\(2\), Sch. para. 7\(d\)](#)
- F71** S. 37(16) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\), art. 1\(2\), Sch. para. 7\(d\)](#)

38 Northern Ireland

In its application to Northern Ireland this Act has effect as if—

- (a) references to an enactment included references to Northern Ireland legislation,
- (b) references to a police authority were references to the Northern Ireland Policing Board,
- (c) references to a justice of the peace were references to a lay magistrate,
- (d) references to a local planning authority were references to the Department of the Environment in Northern Ireland,
- (e) references to a highway were references to a road (within the meaning of the Roads (Northern Ireland) Order 1980 (S.I. 1980/1085 (N.I. 11)),
- (f) references to a local authority were references to a district council,
- (g) [^{F72}the reference in section 28(2)(d) to section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) were a reference to Article 11 of the Criminal Justice (Northern Ireland) Order 1994 (S.I. 1994/2795 N.I. 15)],]
- (h) the reference in section 31(5) to section 32(2)(b) of the Police and Criminal Evidence Act 1984 (c. 60) were a reference to Article 34(2)(b) of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)), and
- (i) for section 39 there were substituted—

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“@AMP@fill; Offences: arrest

In Article 26(2) of the Police and Criminal Evidence (Northern Ireland) Order 1989 (arrestable offences) at the end add—

“(r) offences under section 21(1), 27(1) or 31(1) of the London Olympic Games and Paralympic Games Act 2006 (unauthorised advertising, trading and ticket sales).”

Textual Amendments

F72 S. 38(g) omitted (E.W.S.) (14.2.2012) by virtue of [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), **ss. 1(12)**, 10(1)

39 Offences: arrest

- (1) At the end of Schedule 1A to the Police and Criminal Evidence Act 1984 (arrestable offences) add—

“London Olympic Games and Paralympic Games Act 2006

27B An offence under section 21(1), 27(1) or 31(1) of the London Olympic Games and Paralympic Games Act 2006 (unauthorised advertising, trading and ticket-sales).”

- (2) A constable in Scotland may arrest without warrant a person who the constable reasonably believes is committing or has committed an offence under section 21(1), 27(1) or 31(1).
- (3) Subsection (2) is without prejudice to any power of arrest which is otherwise exercisable by a constable in Scotland.

Commencement Information

I27 S. 39(2)(3) in force at 30.5.2006 for E.W.N.I. by [S.I. 2006/1118](#), **art. 3(2)**

I28 S. 39(2)(3) in force at 31.12.2006 for S. by [S.S.I. 2006/611](#), **art. 2**

40 Commencement and duration

- (1) The following provisions of this Act shall come into force on Royal Assent—
- (a) section 1,
 - (b) sections 3 to 5 and Schedule 1,
 - (c) section 32 and paragraphs 1 to 11 of Schedule 3,
 - (d) section 33 and Schedule 4,
 - (e) sections 34 and 35(1) and (2),
 - (f) section 36(3)(a) and (d),
 - (g) section 37, and
 - (h) section 38.

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- (2) The other preceding provisions of this Act (including paragraphs 12 to 14 of Schedule 3) shall come into force in accordance with provision made by order of the Secretary of State^{F73}....
- (3) But the following provisions of this Act, so far as they extend to Scotland, shall come into force in accordance with provision made by order of the Scottish Ministers—
- (a) sections 19 to 31, and
 - (b) section 39(2) and (3).
- (4) An order under subsection (2) or (3)—
- (a) may make provision generally or only for specified purposes,
 - (b) may make different provision for different purposes,
 - (c) may include transitional or incidental provision, and
 - (d) shall be made by statutory instrument.
- (5) Despite subsection (1)(c), for the purposes of criminal proceedings under a provision of the Olympic Symbol etc. (Protection) Act 1995 (c. 32) in respect of anything done before the end of the period of two months beginning with the date on which this Act receives Royal Assent, no account shall be taken of any amendment made of that Act by Schedule 3 to this Act.
- (6) Sections 10 to 18 (including any power to make orders or give directions) shall cease to have effect at the end of the London Olympics period.
- (7) Paragraph 14 of Schedule 3, which inserts new sections 12A and 12B into the Olympic Symbol etc. (Protection) Act 1995, shall have effect in relation to things arriving in the United Kingdom during the period—
- (a) beginning with the day specified under subsection (2) above for the commencement of paragraph 14 of Schedule 3, and
 - (b) ending with 31st December 2012.
- (8) Section 33 and Schedule 4 shall cease to have effect at the end of 31st December 2012.
- (9) In respect of section 36(3)—
- (a) paragraph (a) shall have effect in relation to compulsory purchase orders made on or after 1st October 2005,
 - (b) an order bringing paragraph (b) into force on a date (“the commencement date”)—
 - (i) may provide for paragraph (b) to have effect in relation to purchases (whether compulsory or voluntary) completed before, on or after the commencement date, but
 - (ii) must include provision modifying section 295 of the Housing Act 1985 in its application by virtue of section 36(3)(b) so that extinguishment of rights and easements takes effect, in the case of a purchase completed before the commencement date, on the commencement date,
 - (c) an order bringing paragraph (c) into force on a date (“the commencement date”)—
 - (i) may provide for paragraph (c) to have effect in relation to purchases (whether compulsory or voluntary) completed on or after 1st October 2005, but

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- (ii) shall not affect the lawfulness of anything done before the commencement date, and
- (d) paragraph (d) shall be treated as having taken effect on 1st October 2005.

Textual Amendments

F73 Words in s. 40 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)(p)**

41 Extent and application

- (1) The following provisions of this Act extend only to England and Wales—
 - ^{F74}(a)
 - ^{F74}(b)
 - (c) sections 10 to 18, and
 - (d) sections 34 to 36.
- (2) The remaining provisions of this Act extend to—
 - (a) England and Wales,
 - (b) Scotland, and
 - (c) Northern Ireland.
- (3) The provisions specified in subsection (1) (except section 36) shall apply only in relation to—
 - (a) places in England, and
 - (b) things done in or in respect of England.
- (4) In their application to things done in Wales, sections 19 to 30 shall have effect as if—
 - (a) a reference to the Secretary of State ^{F75}... were a reference to the National Assembly for Wales, and
 - (b) a reference to a resolution of each or either House of Parliament were a reference to a resolution of the National Assembly for Wales.
- (5) Section 31 shall apply in respect of anything done whether in the United Kingdom or elsewhere.

Textual Amendments

F74 S. 41(1)(a)(b) repealed (2.12.2014) by The Olympic Delivery Authority (Dissolution) Order 2014 (S.I. 2014/3184), art. 1(2), **Sch. para. 2(o)**

F75 Words in s. 41 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)(q)**

42 Short title

This Act may be cited as the London Olympic Games and Paralympic Games Act 2006.

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

SCHEDULES

^{F76}SCHEDULE 1

Section 3

.....

Textual Amendments

F76 Sch. 1 repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 2\(p\)](#)

^{F77}SCHEDULE 2

Section 8

.....

Textual Amendments

F77 Sch. 2 repealed (2.12.2014) by [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 2\(q\)](#)

SCHEDULE 3

Section 32

OLYMPIC SYMBOL PROTECTION

Introduction

1 The Olympic Symbol etc. (Protection) Act 1995 (c. 32) shall be amended as follows.

Olympics association right: proprietor

2 After section 1(2) (proprietor of Olympics association right) insert—

“(2A) An order under subsection (2) above—

- (a) may appoint more than one person;
- (b) may make different appointments for different purposes;
- (c) may make provision for joint or concurrent exercise of rights;
- (d) may apply (with or without modifications) or make provision similar to a provision of section 23 of the Trade Marks Act 1994 (c. 26) (co-ownership).”

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Words similar to protected words

- 3 (1) At the end of section 3(1)(b) (infringement: similar symbols and mottos) add “ or a word so similar to a protected word as to be likely to create in the public mind an association with the Olympic Games or the Olympic movement ”.
- (2) In the application of section 4(11) to (14) (infringement: protection for existing use) to the Olympics association right as it has effect by virtue of sub-paragraph (1) above, a reference to the commencement of the Act shall be treated as a reference to the commencement of that sub-paragraph.

Olympics association right: limitations

- 4 For section 4(1) to (10) (infringement of Olympics association right: limitations) substitute—

- “(1) A person does not infringe the Olympics association right (despite section 3) by the use of a controlled representation—
- (a) in publishing or broadcasting a report of a sporting or other event forming part of the Olympic Games,
 - (b) in publishing or broadcasting information about the Olympic Games,
 - (c) as an incidental inclusion in a literary work, dramatic work, artistic work, sound recording, film or broadcast, within the meaning of Part I of the Copyright, Designs and Patents Act 1988 (c. 48) (copyright), or
 - (d) as an inclusion in an advertisement for a publication or broadcast of a kind described in paragraph (a) or (b).
- (2) But the exceptions in subsection (1)(a) and (b) do not apply to advertising material which is published or broadcast at the same time as, or in connection with, a report or information.
- (3) A person does not infringe the Olympics association right by using a controlled representation in a context which is not likely to suggest an association between a person, product or service and the Olympic Games or the Olympic movement; and for the purpose of this subsection—
- (a) the concept of an association between a person, product or service and the Olympic Games or the Olympic movement includes, in particular—
 - (i) any kind of contractual relationship,
 - (ii) any kind of commercial relationship,
 - (iii) any kind of corporate or structural connection, and
 - (iv) the provision by a person of financial or other support for or in connection with the Olympic Games or the Olympic movement, but
 - (b) a person does not suggest an association with the Olympic Games or the Olympic movement only by making a statement which—
 - (i) accords with honest practices in industrial or commercial matters, and
 - (ii) does not make promotional or other commercial use of a protected word by incorporating it in a context to

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which the Olympic Games and the Olympic movement are substantively irrelevant.

- (4) The Secretary of State may by order specify what is to be or not to be treated for the purposes of subsection (3) as an association between a person, product or service and the Olympic Games or the Olympic movement; and an order under this subsection—
- (a) may include incidental, consequential or transitional provision (which may include provision amending subsection (3)(a) or (b)),
 - (b) shall be made by statutory instrument, and
 - (c) may not be made unless a draft has been laid before and approved by resolution of each House of Parliament.
- (5) A person does not infringe the Olympics association right by using a controlled representation in relation to goods if—
- (a) they were put on the market in the European Economic Area by the proprietor or with his consent,
 - (b) the representation was used in relation to the goods when they were put on the market, and
 - (c) the proprietor does not oppose further dealings in the goods for legitimate reasons (including, in particular, that the condition of the goods has been changed or impaired after they were put on the market)."

5 At the end of section 5 (Olympics association right: power to prescribe further limitations) add—

“(4) An order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

The Paralympics

PROSPECTIVE

6 After section 5 insert—

“The Paralympics association right

5A Creation

- (1) There shall be a right, to be known as the Paralympics association right.
- (2) The provisions of this Act shall apply in relation to the Paralympics association right as they apply to the Olympics association right; and for that purpose—
 - (a) a reference to the Olympic Games shall be treated as a reference to the Paralympic Games,
 - (b) a reference to the Olympic motto shall be treated as a reference to the Paralympic motto,
 - (c) a reference to the Olympic movement shall be treated as a reference to the Paralympic movement,

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- (d) a reference to the Olympic symbol shall be treated as a reference to the Paralympic symbol, and
- (e) a reference to the commencement of this Act is a reference to the commencement of this section.”

7 In section 18(1) (interpretation) after the definition of “Olympic symbol” insert—

““the Paralympic Games” means the events known by that name and organised by the International Paralympic Committee;

“Paralympic motto” means the motto of the International Paralympic Committee — “Spirit in Motion”;

“Paralympic symbol” means the symbol of the International Paralympic Committee which the Secretary of State shall set out in an order made by statutory instrument (which shall be laid before Parliament after being made).”

8 For section 18(2) (protected words) substitute—

“(2) For the purposes of this Act—

(a) each of the following is a protected word in relation to the Olympics association right—

- (i) Olympiad,
- (ii) Olympiads,
- (iii) Olympian,
- (iv) Olympians,
- (v) Olympic, and
- (vi) Olympics, and

(b) each of the following is a protected word in relation to the Paralympics association right—

- (i) Paralympiad,
- (ii) Paralympiads,
- (iii) Paralympian,
- (iv) Paralympians,
- (v) Paralympic, and
- (vi) Paralympics.”

9 At the end of section 18 add—

“(5) The Secretary of State may by order amend this section to reflect a change of motto or symbol of the International Olympic Committee or the International Paralympic Committee.

(6) An order under subsection (5)—

- (a) may include incidental, consequential or transitional provision (which may include provision similar to section 4(11) to (14) above),
- (b) shall be made by statutory instrument, and
- (c) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

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

Infringement

- 10 In section 7(3)(a) (orders in relation to infringing goods: “infringing material”) for “, or for advertising goods or services,” substitute “, for advertising goods or services or by being displayed,”.

Penalties

- 11 (1) In respect of an offence under section 8 (infringement marketing of goods) committed during the period specified in sub-paragraph (2), the reference in section 8(5)(a) (maximum fine on summary conviction) to the statutory maximum shall be taken as a reference to £20,000.
- (2) The period referred to in sub-paragraph (1)—
- (a) begins at the end of the period of two months beginning with the date on which this Act receives Royal Assent, and
 - (b) ends with 31st December 2012.

Enforcement

- 12 (1) After section 8 add—

“8A Enforcement by trading standards authority

- (1) A local weights and measures authority may enforce within their area the provisions of section 8.
 - (2) The following provisions of the Trade Descriptions Act 1968 apply in relation to the enforcement of that section as in relation to the enforcement of that Act—
 - (a) section 27 (power to make test purchases),
 - (b) section 28 (power to enter premises and inspect and seize goods and documents),
 - (c) section 29 (obstruction of authorised officers), and
 - (d) section 33 (compensation for loss, &c of goods seized).
 - (3) Subsection (1) above does not apply in relation to the enforcement of section 8 in Northern Ireland; but—
 - (a) the Department of Enterprise, Trade and Investment may enforce that section in Northern Ireland, and
 - (b) for that purpose the provisions of the Trade Descriptions Act 1968 specified in subsection (2) apply as if for the references to a local weights and measures authority and any officer of such an authority there were substituted references to that Department and any of its officers.
 - (4) Nothing in this section shall be construed as authorising a local weights and measures authority to bring proceedings in Scotland for an offence.”
- (2) The London Organising Committee may—
- (a) make arrangements with a local weights and measures authority for the exercise of the authority's power under section 8 of the Olympic Symbol etc. (Protection) Act 1995 (as inserted by sub-paragraph (1));

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- (b) may make payments to a local weights and measures authority in respect of expenses incurred in the exercise of that power.

Commencement Information

I29 Sch. 3 para. 12 in force at 2.4.2007 by S.I. 2007/1064, art. 2(a)

13 After section 8A (inserted by paragraph 12 above) insert—

“8B Arrest

- (1) After paragraph 21 of Schedule 1A to the Police and Criminal Evidence Act 1984 (arrestable offences) add—

“Olympic Symbol etc. (Protection) Act 1995

21A An offence under section 8 of the Olympic Symbol etc. (Protection) Act 1995 (offences in relation to goods).”

- (2) A constable in Scotland may arrest without warrant a person who the constable reasonably believes is committing or has committed an offence under section 8 of the Olympic Symbol etc. (Protection) Act 1995.

- (3) Subsection (2) is without prejudice to any power of arrest which is otherwise exercisable by a constable in Scotland.”

Commencement Information

I30 Sch. 3 para. 13 in force at 2.4.2007 for specified purposes by S.I. 2007/1064, art. 2(b)

14 After section 12 (forfeiture) insert—

“12A Detention by Revenue and Customs

- (1) The proprietor may give notice in writing to the Commissioners for Her Majesty's Revenue and Customs—

(a) stating that at a time and place specified in the notice, goods which are infringing goods, material or articles are expected to arrive in the United Kingdom—

(i) from outside the European Economic Area, or

(ii) from within the Area but not having been entered for free circulation,

(b) specifying the nature of the controlled representation by reference to which the goods are infringing goods, material or articles, and

(c) requesting the Commissioners to detain the goods.

- (2) The Commissioners may detain goods to which a notice under subsection (1) relates.

- (3) But the Commissioners may not detain goods—

(a) imported by a person for his private and domestic use, or

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- (b) to which section 89(3) of the Trade Marks Act 1994 applies (Council Regulation (EC) No. 1383/2003).
- (4) If the Commissioners detain goods to which a notice under subsection (1) applies they shall as soon as is reasonably practicable—
 - (a) give written notice of the detention and the grounds for it to the person in whose name the goods were presented or declared to customs, and
 - (b) give the proprietor notice that the goods have been detained, specifying in respect of the goods such information as is available to the Commissioners about—
 - (i) the nature of the goods,
 - (ii) their number,
 - (iii) the place where they were manufactured,
 - (iv) the place from which they were sent,
 - (v) the name and address of the person by whom they were sent,
 - (vi) the name and address of the person mentioned in paragraph (a),
 - (vii) the name and address of the person to whom they were to be delivered, and
 - (viii) the name and address of the person who holds them during detention.
- (5) The Commissioners may provide samples of detained goods to the proprietor on request, in which case he—
 - (a) may use the samples only for the purpose of determining whether they are infringing goods, material or articles,
 - (b) must return the samples to the Commissioners as soon as is reasonably practicable, and
 - (c) must inform the Commissioners as soon as is reasonably practicable whether the goods are infringing goods, material or articles.
- (6) The Commissioners may permit the proprietor on request to inspect detained goods (in which case he must inform the Commissioners as soon as is reasonably practicable whether the goods are infringing goods, material or articles).
- (7) The Commissioners shall release goods detained in pursuance of a notice under subsection (1) if—
 - (a) the Commissioners think that initiating process in proceedings under section 6 in respect of the goods has not been served during the period of 10 working days, in the case of non-perishable goods, or 3 working days, in the case of perishable goods, beginning with the date on which the notice under subsection (4)(b) was received,
 - (b) the Commissioners think that proceedings under section 6 in respect of the goods have been withdrawn, have lapsed or have terminated without an order being made in respect of the goods by virtue of section 7, or
 - (c) the Commissioners are informed by the proprietor that the goods are not infringing goods, material or articles.

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

- (8) The Commissioners may detain goods which they think, having regard to the nature of the goods and to information provided by the proprietor, may be infringing goods, material or articles; and if the Commissioners detain goods under this subsection—
- (a) they shall as soon as is reasonably practicable invite the proprietor to give the Commissioners a notice that the goods are infringing goods, material or articles,
 - (b) they shall, when giving an invitation under paragraph (a), give in respect of the goods such information as is available to them about—
 - (i) the nature of the goods,
 - (ii) their number,
 - (iii) the place where they were manufactured,
 - (iv) the place from which they were sent,
 - (v) the name and address of the person by whom they were sent,
 - (vi) the name and address of the person in whose name the goods were presented or declared to customs,
 - (vii) the name and address of the person to whom they were to be delivered, and
 - (viii) the name and address of the person who holds them during detention,
 - (c) they may provide samples of the goods to the proprietor on request in which case he —
 - (i) may use the samples only for the purpose of determining whether they are infringing goods, material or articles,
 - (ii) must return the samples to the Commissioners as soon as is reasonably practicable, and
 - (iii) must inform the Commissioners as soon as reasonably practicable whether the goods are infringing goods, material or articles,
 - (d) they may permit the proprietor on request to inspect the goods (in which case he must inform the Commissioners as soon as reasonably practicable whether the goods are infringing goods, material or articles),
 - (e) if no notice is given in accordance with paragraph (a) within the period of 3 working days beginning with the date on which the invitation under that paragraph is received, the Commissioners shall release the goods, and
 - (f) if a notice is given in accordance with paragraph (a), the Commissioners shall proceed as if it were a notice given under subsection (1) above (and as if the goods were detained in pursuance of that notice), but—
 - (i) subsections (4)(b), (5) and (6) shall not have effect, and
 - (ii) subsection (7) shall have effect as if the reference to the notice under subsection (4)(b) were a reference to information under paragraph (b) above.

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

12B Section 12A: supplementary

- (1) Section 90 of the Trade Marks Act 1994 (c. 26) (regulations as to form of notice, &c.) shall have effect in relation to a notice under subsection 12A(1) or (8)(a) above as in relation to a notice under section 89(1).
- (2) A person who is or was an officer or employee of the proprietor, or who acts or acted on the proprietor's behalf, commits an offence if he discloses information provided in accordance with section 12A(4)(b) or 12A(8)(b) other than—
 - (a) for the purpose of, or with a view to the institution of, proceedings under section 6,
 - (b) for the purpose of complying with an enactment,
 - (c) in pursuance of an order of a court,
 - (d) in a form which ensures that the identity of no person to whom the information relates is specified or can be deduced,
 - (e) with the consent of each person to whom the information relates, or
 - (f) with the consent of the Commissioners for Her Majesty's Revenue and Customs;
 and sections 19(3), (4), (7) and 55(1) of the Commissioners for Revenue and Customs Act 2005 (c. 11) (defences and penalties) shall have effect in relation to this subsection.
- (3) Section 139(1), (2), (3), (4), (7) and (8) of the Customs and Excise Management Act 1979 (detention of goods: constables, &c.) shall apply in relation to goods liable to detention in accordance with section 12A above as in relation to things liable to forfeiture—
 - (a) with the substitution of a reference to this Act for a reference to the customs and excise Acts, and
 - (b) with any other necessary modifications.
- (4) Section 144 of that Act (protection of officers) shall apply in relation to the detention of goods in accordance with section 12A above—
 - (a) with the substitution of a reference to proceedings under section 6 above for the reference in section 144(1) to proceedings for condemnation, and
 - (b) with any other necessary modifications.
- (5) In section 12A “working day” means a day that is not a Saturday, a Sunday or a bank holiday (within the meaning of section 1 of the Banking and Financial Dealings Act 1971 (c. 80)).”

Commencement Information

I31 Sch. 3 para. 14 in force at 2.4.2007 by S.I. 2007/1064, art. 2(c)

Status: Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

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

F78 SCHEDULE 4

Section 33

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Textual Amendments

F78 Sch. 4 ceases to have effect (31.12.2012) by virtue of [London Olympic Games and Paralympic Games Act 2006 \(c. 12\), s. 40\(8\)](#)

Status:

Point in time view as at 02/12/2014. This version of this Act contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006.