

LONDON OLYMPIC GAMES AND PARALYMPIC GAMES ACT 2006

EXPLANATORY NOTES

ADVERTISING

Section 19: Advertising regulations

49. This section imposes a duty on the Secretary of State to make regulations about advertising in the vicinity of Olympic venues. These regulations are required in order to fulfil obligations imposed by the International Olympic Committee and made within the Host City Contract. In particular, the Contract requires that no advertising is placed around Olympic venues so as to be within the view of television cameras covering, or spectators watching, Olympic events.
50. The Secretary of State has broad discretion in the detail to be included in the regulations. The regulations will specify the nature and extent of these restrictions including the place, time period and type of advertisements to which the restrictions will apply. However, *subsection (6)* provides that they will only apply for a period which the Secretary of State considers necessary to comply with the Host City Contract.
51. Much of the detail of the restrictions has been left to secondary legislation in order to make a proper assessment of what is required closer to 2012: the IOC may change the requirements which are placed on host cities and venues may also change. The regulations may apply restrictions for different periods and in a different way for different venues. This will enable the characteristics of different venues and different events to be taken into account: for example, the intention is to restrict advertising around football venues for a limited period as some of those venues will only be used for a very short space of time. The regulations will also include exceptions. It is intended that these will follow exceptions provided in the regulations relating to the control of advertising under the Town and Country Planning Act (1990) as closely as possible.
52. *Subsection (7)* allows for the authorisation of controlled advertising within the vicinity of Olympic venues. Regulations will allow the Secretary of State to authorise a “responsible body” such as the ODA or London Organising Committee of the Olympic Games (“LOCOG”), to undertake advertising (subject to any conditions contained in the regulations), and that responsible body will, in turn, be able to grant subsequent authorisations to other advertisers.
53. *Subsection (8)* provides that the regulations may impose obligations on those who advertise or those who benefit from unauthorised advertising. Regulations may also impose duties on the owners and occupiers of land to ensure that unauthorised advertising – as specified in regulations – does not occur on their land. It allows for these regulations to supersede any previous permissions for the use of that land, for example permissions granted by local planning authorities under the Town and Country Planning Act (1990).