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WELSH STATUTORY INSTRUMENTS

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**2012 No. 60**

**The London Olympic Games and Paralympic Games  
(Advertising and Trading) (Wales) Regulations 2012**

**PART 2**

Advertising Activity

**Exceptions modelled on the 1992 Regulations**

**9.—(1)** Regulation 6 does not apply to advertising activity that consists of the display of an advertisement—

- (a) within a Class specified in the first column of Schedule 2 to the 1992 Regulations so long as the display or the advertisement complies with the conditions referred to in regulation 3(2) of those Regulations,
  - (b) within a Class specified in Part 1 of Schedule 3 to the 1992 Regulations subject to the conditions and limitations referred to in regulation 6(1)(a) and (b) of those Regulations, or
  - (c) which is an illuminated advertisement on business premises—
    - (i) to which express consent within the meaning set out in regulation 5(1) of the 1992 Regulations was granted before the date on which these Regulations come into force, and
    - (ii) that complies with the conditions and limitations specified in paragraphs (2) to (11) of Class 4B in Part 1 of Schedule 3 to the 1992 Regulations.
- (2) But this exception does not apply to the display of an advertisement—
- (a) within Class A (advertisements on balloons),
  - (b) within Class B (advertisements displayed on enclosed land) where the enclosed land on which the advertisement is displayed is—
    - (i) a railway station (and its yards) or bus station (together with its forecourt, whether enclosed or not), or
    - (ii) enclosed land (including a sports stadium or other building) on or in which a London Olympic Event<sup>(1)</sup> is taking place or to take place,
  - (c) within Class D (advertisements incorporated in the fabric of buildings) which was not in existence on the date on which these Regulations came into force,
  - (d) within Class J (advertisements displayed inside buildings), other than an exempt business advertisement, where the building in which the advertisement is displayed—
    - (i) is or forms part of a railway station or bus station, or
    - (ii) is a sports stadium or other building in which a London Olympic Event is taking place or to take place,

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(1) “London Olympic Event” is defined in section 1(3)(b) of the Act.

- (e) within Class 1B (advertisements displayed by local planning authorities) that—
    - (i) is not displayed wholly for the purpose of announcement or direction in relation to any of the functions of the local planning authority by which it is displayed, and
    - (ii) is not reasonably required to be displayed for the safe or efficient performance of those functions,
  - (f) within Class 3D (advertisements announcing local events and activities) that promotes or advertises—
    - (i) goods or services, or
    - (ii) a person or body (other than a not-for-profit body) that provides goods or services,
  - (g) within Class 3F (advertisements relating to travelling circuses, fairs or similar travelling entertainments),
  - (h) within Class 7B (flags on residential development sites) that does not relate to the development or to a person carrying out the development or an aspect of the development,
  - (i) within Class 8 (advertisements on hoardings),
  - (j) within Class 9 (advertisements on highway structures),
  - (k) within Class 12 (advertisements displayed inside buildings), other than an exempt business advertisement, where the building in which the advertisement is displayed—
    - (i) is or forms part of a railway station or bus station, or
    - (ii) is a sports stadium or other building in which a London Olympic Event is taking place or to take place,
  - (l) within Class 13 (advertisements on sites used for the display of advertisements without express consent),
  - (m) within Class 14 (advertisements displayed after expiry of express consent).
- (3) In this regulation—
- (a) “exempt business advertisement” (“*hysbysiad busnes esempt*”) means an advertisement (whether illuminated or not) displayed on business premises within a building (or a forecourt associated with such premises) that refers wholly to any or all of the following: the business carried on, the goods or services provided or the name or qualifications of the person carrying on the business, or providing the goods or services, on those premises,
  - (b) a reference to a “Class” (“*Dosbarth*”) of advertisement is a reference to the corresponding Class of advertisement in Schedule 2 or (as the case may be) 3 to the 1992 Regulations, and
  - (c) “business premises” (“*mangre busnes*”) and “forecourt” (“*blaengwrt*”) have the same meaning as in Schedule 3 to the 1992 Regulations<sup>(2)</sup>.
- (4) For the purposes of this regulation—
- (a) Part 2 of Schedule 3 to the 1992 Regulations applies for the interpretation of that Schedule,
  - (b) a reference to a building in Schedule 2 or 3 to the 1992 Regulations is to be construed in accordance with the definition of building in regulation 3 of these Regulations,
  - (c) a reference to displaying an advertisement (however phrased) in Schedule 2 or 3 to the 1992 Regulations is to be construed in accordance with the definition in regulation 5 of these Regulations, and
  - (d) a reference to a vehicle in Schedule 2 to the 1992 Regulations includes a bicycle.

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(2) See paragraph 1(1) of Part 2 to Schedule 3 to the 1992 Regulations.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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