



Isle of Man

Ellan Vannin

AT 29 of 1981

CONTROL OF ADVERTISING ACT 1981



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**Isle of Man***Ellan Vannin*

CONTROL OF ADVERTISING ACT 1981

<i>Received Royal Assent:</i>	<i>24 November 1981</i>
<i>Passed:</i>	<i>15 December 1981</i>
<i>Commenced:</i>	<i>15 December 1981</i>

AN ACT to control advertising in the vicinity of certain road racing courses and for connected purposes.

GENERAL NOTE: The maximum fines in this Act are as increased by the *Fines Act 1986* and the *Criminal Justice (Penalties Etc.) Act 1993 s. 1*

1 Control of advertising

[P1971/78/109(3)]

- (1) Subject to subsections (2) and (4), no person shall exhibit any advertisement within one hundred metres of any highway forming part of a road racing course on any day on which access to the highway is closed to the public for any period by virtue of a racing authorisation under the *Road Races Act 2016* or on any day during the week immediately before any day on which such access is closed.¹
- (2) Without prejudice to any enactment relating to town and country planning or to any enactment relating to the safety of persons and vehicles in the vicinity of roads or the Local Government Acts 1916 to 1976, the Department of Economic Development (in this Act referred to as "**the Department**") may by licence permit any person to exhibit any lawful advertisement within one hundred metres of a road racing course on such days and subject to such conditions as may be contained in the licence.²
- (3) The Department may charge such fee in respect of a licence granted under subsection (2) as may be prescribed.³
- (4) The Department may by order exempt any advertisement or class of advertisements from the provisions of this Act, and shall exempt any advertisement or class of advertisements which are not, in the opinion of the Department, connected with the Tourist Trophy Motor Cycle Races or the Manx Grand Prix Races.⁴

- (5) Any person contravening subsection (1) or failing to comply with the terms of a licence granted under subsection (2) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £2,500.
- (6) For the purposes of subsection (1), and without prejudice to the generality thereof, a person shall be deemed to exhibit an advertisement if –
- (a) the advertisement is exhibited on land of which he is the owner or occupier; or
 - (b) the advertisement gives publicity to his goods, trade, business or other concerns:

Provided that a person shall not be guilty of an offence under that subsection by reason only that an advertisement is exhibited on land of which he is the owner or occupier, or that his goods, trade, business or other concerns are given publicity by the advertisement, if he proves that it was exhibited without his knowledge or consent.

2 Interpretation

In this Act –

“**the Board**” [Repealed]⁵

“**the Department**” means the Department of Economic Development;⁶

“**prescribed**” means prescribed by order of the Department with the concurrence of the Treasury and different fees may be prescribed for different advertisements in different places;⁷

“**advertisement within one hundred metres of any highway**” shall be deemed to include any moored balloon displaying an advertisement visible from a road racing course notwithstanding that neither the balloon, nor the mooring for the balloon are within one hundred metres of such course;

“**a road racing course**” means such portions of the highway as are closed to public access by a racing authorisation under the *Road Races Act 2016* for the purposes of the Tourist Trophy Motor Cycle Races or the Manx Grand Prix Races or practice racing for any of such races.⁸

3 Financial provisions

There shall be paid out of money provided by Tynwald any sums necessary for and attributable to the administration of this Act.

4 Short title

This Act may be cited as the Control of Advertising Act 1981.

ENDNOTES

Table of Endnote References

¹ Subs (1) amended by Road Races Act 1982 Sch 1, by SD155/10 Sch 11 and by Road Races Act 2016 s 19.

² Subs (2) amended by GC122/86, by SD155/10 Sch 2 and by Legislation Act 2015 s 99.

³ Subs (3) amended by GC122/86.

⁴ Subs (4) amended by GC122/86.

⁵ Definition of “the Board” repealed by GC122/86.

⁶ Definition of “the Department” inserted by GC122/86 and amended by SD155/10 Sch 2.

⁷ Definition of “prescribed” amended by Treasury Act 1985 Sch 2 and by GC122/86.

⁸ Definition of “a road racing course” amended by Road Races Act 1982 Sch 1 and by Road Races Act 2016 s 19.