
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2013 No.

The Glasgow Commonwealth Games (Trading
and Advertising) (Scotland) Regulations 2013

PART 3

Advertising Regulations

Interpretation of Part 3

10.—(1) In this Part—

“advertisement” means any word, letter, image, mark, sound, light, model, sign, placard, board, notice, screen, awning, blind, flag, device, costume or representation—

- (a) whether illuminated or not; and
- (b) in the nature of, and employed wholly or partly for the purpose of, advertisement, promotion, announcement or direction;

“advertiser” means a person who engages in advertising activity;

“advertising activity” means an activity which is to be treated as advertising under section 11(1) of the Act;

“advertising attire” means—

- (a) a costume that is an advertisement; or
- (b) clothing on which an advertisement is displayed;

“ambush marketing campaign” means a campaign (whether consisting of one act or a series of acts) intended specifically to advertise within an event zone during a prohibited time one or more of the following—

- (a) a good or service;
- (b) a person who provides a good or service;

“promotional material” means a document or article distributed or provided wholly or partly for the purposes of promotion, advertisement, announcement or direction;

“railway station” includes a subway station; and

“the Town and Country Planning Regulations” means the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984(1).

(2) In this Part, “displaying an advertisement” includes—

- (a) projecting, emitting, screening or exhibiting an advertisement;
- (b) carrying or holding an advertisement or an apparatus by which an advertisement is displayed;
- (c) providing for an advertisement to be displayed—

- (i) on an animal; or
 - (ii) on apparatus which is carried or held by an animal; and
- (d) if part of an ambush marketing campaign—
- (i) carrying or holding personal property on which an advertisement is displayed;
 - (ii) wearing advertising attire; or
 - (iii) displaying advertising on an individual’s body.
- (3) Advertising activity that consists of the display of an advertisement on a hand-held device is not to be treated as advertising for the purposes of section 11(1) of the Act unless the advertiser intends the advertisement to be displayed, by means of the device, to the public at large (rather than only to the individual using the device).
- (4) In paragraph (3), “hand-held device” means a hand-held mobile telephone or other personal interactive communication device.