



Birmingham Commonwealth Games Act 2020

2020 CHAPTER 10

PART 3

TOUTING, ADVERTISING AND TRADING OFFENCES

Supplementary and general

24 Interpretation of Part 3

(1) In this Part—

“advertising” means anything done wholly or partly for the purpose of promoting a product, service or business to the public or a section of the public;

“advertising licence” means a licence permitting the carrying out of advertising;

“business” includes trade or profession;

“enactment” includes an Act of the Scottish Parliament;

“Games event” has the meaning given by section 1(3);

“Games location” means a place in England which—

(a) is, or is to be, used for a Games event, or

(b) is otherwise used, or to be used, in connection with the Games (whether before, during or after the Games);

“Games location advertising” is to be read in accordance with section 13(2);

“Games location trading” has the meaning given by section 16(2);

“item” includes—

(a) any substance;

(b) any animal or plant;

Status: This is the original version (as it was originally enacted).

“licence” includes any kind of consent, certificate, permission or authority (by whatever name) granted by a landowner, local authority or other person in accordance with any enactment, Charter or other document;

“local authority” means—

- (a) a county council,
- (b) a district council,
- (c) a London borough council, or
- (d) the Common Council of the City of London;

“motor vehicle” has the same meaning as in the Road Traffic Act 1988 (see section 185(1) of that Act);

“relevant public place” has the meaning given by section 16(8);

“trading” has the meaning given by section 16(2);

“trading licence” means a licence permitting the carrying out of trading.

(2) In determining for the purposes of section 16 whether a person is carrying out Games location trading—

- (a) it is not necessary for both of the following conditions to be met—
 - (i) that the making of an offer, or the exposure of an item for sale, occurs in a specified Games location or (as the case may be) a relevant public place;
 - (ii) that any person to whom the offer is made or item exposed is in a specified Games location or (as the case may be) a relevant public place when the offer is made or item exposed;
- (b) a person is to be treated as doing something for gain or reward whether it is done for the person’s own gain or reward or for that of another person.