

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

STATUTORY INSTRUMENTS

1984 No. 467

The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984

PROSPECTIVE

PART I

CITATION, COMMENCEMENT, INTERPRETATION AND APPLICATION

Application

3.—(1) Subject to the provisions of paragraphs (3) and (4) of this regulation, these regulations shall apply to the display on sites in Scotland of all advertisements, except any advertisement—

- (a) displayed within a building, other than an advertisement of a description specified in paragraph (2);
- (b) displayed on or in a vehicle normally employed as a moving vehicle on any road or railway or displayed on or in a vessel normally employed as a moving vessel on any inland waterway:

Provided that this exception shall not apply to advertisements displayed on any such vehicle or vessel during any period when it is being used primarily for the display of advertisements;

- (c) incorporated in, and forming part of the fabric of, a building, other than a building used principally for the display of advertisements or a hoarding or similar structure:

Provided that no advertisement shall be deemed to form part of the fabric of a building by reason only of being affixed to, or painted on, the building;

- (d) displayed on enclosed land, and not readily visible from the land outside that enclosure or from any part of such enclosure over which there is a public right of way or to which there is a public right of access;
- (e) displayed on, or which consists of, a balloon flown at a height of more than 60 metres above ground level;
- (f) displayed on an article for sale or on the package or other container in which an article is sold, or displayed on the pump, dispenser or other container from which an article, gas or liquid is sold, being an advertisement wholly with reference to the article, gas or liquid for sale, which is not an illuminated advertisement and does not exceed 0.1 square metre in area.

(2) The display of an advertisement within a building so as to be visible from outside that building shall be subject to these regulations if the advertisement is—

- (a) an illuminated advertisement; or

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- (b) an advertisement displayed within any building used principally for the display of advertisements; or
- (c) an advertisement any part of which is within a distance of one metre from any external door, window, or other opening through which the advertisement is visible from outside the building.

(3) These regulations shall not apply to the display of an advertisement on, or which consists of, a balloon on a site (as defined in paragraph (4) of this regulation) which is not within an area of special control, a conservation area, or such other area as the Secretary of State may from time to time by direction designate for the purpose of conserving the natural beauty and amenity of the countryside, so long as the following conditions are complied with:—

- (a) not more than one such advertisement shall be displayed at any one time on the site; and
- (b) the site shall not be used for the display of such advertisements on more than 10 days in total in any one calendar year (taking into account all occasions on which such an advertisement is displayed on any part of the site by any person for any purpose).

(4) For the purposes of paragraph (3) of this regulation, “site” means—

- (a) in a case where the advertisement is being displayed by a person (other than the occupier of the land) who is using or proposing to use the land, building or other premises to which the balloon is attached for a particular activity (other than the display of advertisements) for a temporary period only, the whole of the land, building or other premises used or to be used by that person for the carrying on of that activity; or
- (b) in any other case, the land, building or other premises to which the balloon is attached and all land, buildings or other premises normally occupied together therewith.

Commencement Information

II Reg. 3 in force at 2.5.1984, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Regulations applied by [2020 asp 2 sch. 3 para. 29](#)
- Regulations applied by [1997 c. 61 Sch. 3 para. 3\(1\)](#)
- Regulations applied by [2011 c. 1 Sch. 1 para. 18\(2\)](#)
- Regulations applied by [S.I. 2002/2779 art. 86](#)
- Regulations applied by [S.I. 2010/2999 art. 89](#)
- Regulations applied by [S.I. 2016/219 Sch. 3 para. 110](#)
- Regulations applied in part (with modifications) by [S.S.I. 2006/270 art. 6](#)
- Regulations extended by [S.I. 1999/787 art. 90](#)
- Regulations modified by [2013 asp 14 Sch. 4 para. 28](#)
- Regulations modified by [S.S.I. 2015/425 art. 85](#)
- reg. 3 coming into force by [S.I. 1984/467 reg. 1](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 4 Class 3 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(3\)\(a\)](#)
- Sch. 4 Class 3 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(3\)\(b\)](#)
- Sch. 4 Class 3 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(3\)\(c\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(a\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(b\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(c\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(d\)](#)
- reg. 2 amended by
- reg. 2 amended by
- reg.2(1) (defn of advertisement) substituted by [S.I. 1992/1763 reg.2](#)
- reg. 2(1) words inserted by [S.S.I. 2004/332 Sch. 3 para. 1](#)
- reg. 2(1) words substituted by [S.I. 1996/252 Sch.](#)
- reg. 2A inserted by [S.S.I. 2004/332 Sch. 3 para. 2](#)
- reg 6 am by [S.S.I. 2006/95 art 2](#)
- reg. 6 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(2\)](#)
- reg 12 am by [S.S.I. 2006/95 art 2](#)
- reg. 12(1)(c) words substituted by [S.I. 2013/602 Sch. 2 para. 67\(1\)](#)
- reg. 14(5) words omitted by [S.S.I. 2013/154 reg. 2\(2\)](#)
- reg. 20(2A) inserted by [S.S.I. 2004/332 Sch. 3 para. 3](#)
- reg. 20(3) omitted by [S.S.I. 2013/154 reg. 2\(3\)](#)
- reg. 21(1)(1A) substituted for reg. 21(1) by [S.S.I. 2013/154 reg. 2\(4\)\(a\)](#)
- reg. 21(2) words inserted by [S.S.I. 2013/154 reg. 2\(4\)\(b\)](#)
- reg. 21(3)-(7) omitted by [S.S.I. 2013/154 reg. 2\(4\)\(c\)](#)
- reg. 21(9) omitted by [S.S.I. 2013/154 reg. 2\(4\)\(c\)](#)
- reg. 24(4) words inserted by [S.S.I. 2013/154 reg. 2\(5\)](#)
- reg. 25 substituted by [S.S.I. 2013/154 reg. 2\(6\)](#)
- reg. 26A inserted by [S.S.I. 2014/139 reg. 2\(2\)](#)

– [reg. 32A inserted by S.S.I. 2004/332 Sch. 3 para. 4](#)