
STATUTORY INSTRUMENTS

2021 No. 1198

**The Birmingham Commonwealth Games
(Advertising and Trading) Regulations 2021**

PART 2

**Specified Games locations, advertising or trading in, or
in the vicinity of, a Games location, and specified periods**

Specified Games locations

3. The Games locations⁽¹⁾ which are specified for the purposes of section 13(2) (advertising offence) and section 16(2) (trading offence) of the Act are set out in Schedule 1.

Advertising or trading in, or in the vicinity of, a Games location

4.—(1) Subject to paragraph (2), a person is to be treated, for the purposes of section 13 and section 16 of the Act, as advertising⁽²⁾ or trading⁽³⁾ in, or in the vicinity of, a Games location when that person is—

- (a) advertising or trading in or on a railway station where any part of that station is on, above or under the ground in the non-shaded area that is bounded by a dotted green line on a relevant map;
- (b) advertising or trading on an event road;
- (c) advertising or trading in any other place within the non-shaded area that is bounded by a dotted green line on a relevant map;
- (d) advertising or trading—
 - (i) on any pavement that is outside the non-shaded area that is bounded by a dotted green line on a relevant map but is on any side of any part of a road that is within the non-shaded area that is bounded by a dotted green line on a relevant map (including on anything on or above the pavement), or
 - (ii) on any land or water that is outside the non-shaded area that is bounded by a dotted green line on a relevant map but is within two metres of any side of any part of a road that is within the non-shaded area that is bounded by a dotted green line on a relevant map (including on anything on or above the land or water) where there is no pavement, or where any pavement extends less than two metres from the side of the road;
- (e) advertising or trading on any part of any bridge which is outside the non-shaded area that is bounded by a dotted green line on a relevant map where the bridge carries an event road; or
- (f) advertising on the frontage or roof of any building or frontage of any bridge, where—

⁽¹⁾ “Games location” is defined in section 24(1) of the Act.

⁽²⁾ “Advertising” is defined in section 24(1) of the Act.

⁽³⁾ “Trading” is defined in section 16(2) of the Act.

- (i) that frontage or roof can be seen from any place within sub-paragraphs (a) to (e), and
 - (ii) any part of the frontage or roof is within 25 metres of that place.
- (2) Where the Games location is the road race course or the time trial course—
- (a) a person is not to be treated as advertising on any pavement or land in the circumstances described in paragraph (1)(d) where that person is advertising on the frontage of any building on that pavement or land;
 - (b) paragraph (1)(f) does not apply.
- (3) In this regulation—
- “road race course” means the Games location specified in paragraph 9 of Schedule 1;
 - “time trial course” means the Games location specified in paragraph 13 of Schedule 1.
- (4) Any reference in this regulation to a place (including references to a railway station, event road, pavement, land or water) includes the airspace above that place.

Meaning of “relevant map”

5. A “relevant map” is a map of a specified Games location and its vicinity, bearing the name of the specified Games location, the title of these Regulations and the date October 2021, of which copies are set out in Schedule 2 and are available by appointment for inspection during normal office hours at:

- (a) the Department for Digital, Culture, Media and Sport, 100 Parliament Street, Westminster, London, SW1A 2BQ; and
- (b) the Birmingham Organising Committee for the 2022 Commonwealth Games, One Brindley Place, Birmingham, West Midlands, B1 2JB.

Specified periods

6. Schedule 3 sets out the periods which are specified for the purposes of section 13(2) and section 16(2) of the Act.