



MONTSERRAT

CHAPTER 6.01

ADVERTISEMENTS REGULATION ACT

Revised Edition
showing the law as at 1 January 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

ADVERTISEMENTS REGULATION ACT

Act 2 of 1965 .. in force 30 January 1965

Amended by Act 4 of 2003

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CHAPTER 6.01

ADVERTISEMENTS REGULATION ACT

(Acts 2 of 1965 and 4 of 2003)

AN ACT TO REGULATE AND CONTROL THE ERECTION OF HOARDINGS AND THE EXHIBITION OF ADVERTISEMENTS IN MONTSERRAT.

Commencement

[30 January 1965]

Short title

1. This Act may be cited as the Advertisements Regulation Act.

Interpretation

2. In this Act, unless the context otherwise requires—

“**advertisement**” includes any sky sign and any notice, bill, placard, poster and other similar publication;

“**hoarding**” includes any structure used as an advertisement or for exhibiting any advertisement;

“**sky sign**” means any word, letter, model, sign, device or representation in the nature of an advertisement, announcement or direction, supported or attached to any post, pole, standard, framework or other, support,

wholly or in part upon, over or above any building, structure or erection, which, or any part of which, sky sign is visible against the sky from some point in any public place in Montserrat or in the waters thereof, and includes all and every part of such post, pole, standard, frame work or other support. "sky sign" also includes any balloon, parachute, searchlight, flashlight or other similar device employed wholly or in part for the purposes of any advertisement or announcement on, over or above any building, structure or erection of any kind or on or over any public place in Montserrat or in the waters thereof; but does not include any flagstaff, pole, vane or weathercock unless adapted or used wholly or in part for purposes of any advertisement or announcement.

Erection of hoardings etc., to be subject to control

3. No hoarding shall be erected and no advertisement shall be exhibited upon any hoarding or on any wall, tree, pole, fence, gate or other place so as to be visible from any public place in Montserrat except in accordance with the provisions of this Act.

Exemption of advertisements on business premises

4. Notwithstanding the provisions of section 3 of this Act, any person may exhibit in or upon his own premises, or in or upon any premises in his occupation advertisements relating to the business, profession or trade carried on in or upon those premises, and further may exhibit any advertisements upon any building used by him for business purposes in or upon such premises:

Provided that any advertisement so exhibited shall not be suspended across the street or in any way suspended or projected outwards from such premises.

Removal of unauthorised hoardings and advertisements

5. (1) Unless exempted under section 4 of this Act, any hoarding erected at the date of the coming into operation of this Act shall be removed by the person responsible therefor within one month from such date and if not so removed as aforesaid the Director of Public Works shall serve on the person responsible for such hoarding or advertisement a notice in writing requiring the removal thereof within fourteen days, and upon failure to comply with such notice such person shall be deemed to have committed a contravention of the provisions of this Act.

(2) If no person responsible for such hoarding or advertisement can be found within one month of the coming into operation of this Act, the Director of Public Works may cause such hoarding or advertisement to be removed and for this purpose may enter upon any land whereon such hoarding or advertisement is and may do such other acts and things as may be necessary for the removal thereof.

Penalties

6. Every person who contravenes the provisions of this Act shall be liable, on summary conviction, to a fine of \$500 and to a further fine of \$100 for every day during which the offence is continued after his conviction therefor:

Provided that the offence shall not be deemed to be continued during a period of fourteen days from the date of the conviction and, if any appeal is lodged during the period until the determination of such appeal. (*Amended by Act 4 of 2003*)

Saving

7. Nothing in this Act shall apply to hoardings erected and advertisements exhibited by any Department of the Government or by any Military, Naval or Air Force Authority, or by any Judicial Authority, or by any Municipal Authority, or by the or under the authority of any law, or to any notice relating to any service in a church, chapel or other building used for the purpose of religious worship.

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