

CHAPTER 127

ADVERTISEMENT REGULATION

Ordinances Nos. 27 of 1931, 2 of 1945, 37 of 1966

AN ACT TO CONTROL THE EXHIBITION OF ADVERTISEMENTS.

[15th June, 1931]

Short title

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

Regulations

2.—(1) The Minister may make regulations for the control, prohibition and removal of advertisements of any kind whatsoever which are situated outside the boundaries of the cities of Suva and Lautoka and which are visible from any street or from the waters of Fiji, or from any other place to which the public have access, or from any land or building not belonging to or in the possession of the owner or occupier of the land or building on or in which the advertisements are exhibited.

(Amended by 2 of 1945, s. 92.)

(2) The city councils of Suva and Lautoka may make regulations for the control, prohibition and removal of advertisements of any kind whatsoever which are situated within the boundaries of the cities of Suva and Lautoka respectively, and which are visible from any street or from the waters of Fiji, or from any other place to which the public have access, or from any land or building not belonging to or in the possession of the owner or occupier of the land or building on or in which the advertisements are exhibited.

(Amended by 2 of 1945, s. 92.)

(3) Any person who fails to comply with any regulations made in pursuance of the provisions of this section shall be guilty of an offence and shall be liable to a fine not exceeding twenty dollars or to imprisonment for any period not exceeding two months or to both such fine and imprisonment.

(Amended by 2 of 1945, s. 92.)

Exhibiting liquor advertisements on commercial vehicles

3.—(1) Notwithstanding anything contained in section 2, no owner of any goods or public service vehicle defined in the Traffic Act shall exhibit or allow to be exhibited in or upon such vehicle any advertisement or poster of whatsoever kind which induces or is intended or likely to induce any person to purchase liquor as defined in any Act relating to the control of liquor for the time being in force.

(Cap. 176.)

(Amended by 2 of 1945, s. 92, and 37 of 1966, s. 66.)

(2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and shall be liable to a fine not exceeding forty dollars or in the event of non-payment to imprisonment for a term not exceeding three months.

(Amended by 2 of 1945, s. 92, and 37 of 1966, s. 66.)

Controlled by Ministry of Information

CHAPTER 127

ADVERTISEMENT REGULATION

SECTION 2.—ADVERTISEMENT REGULATIONS

Regulations 2nd Oct., 1962 [in force 16th Aug., 1963].

Made by the Governor in Council

Short title

1. These Regulations may be cited as the Advertisement Regulations.

Application

2.—(1) These Regulations shall only apply to any area which is not constituted a town planning area under the provisions of the Town Planning Act. (Cap. 139)

(2) These Regulations shall only apply to advertisements which are visible from any place to which the public have access.

(3) Nothing in these Regulations shall apply to an advertisement on cloth, cardboard, paper or other flimsy material erected or displayed in connexion with a Parliamentary election.

Interpretation

3. In these Regulations, unless the context otherwise requires—

“advertisement” means any word, letter, model, sign, placard, board, notice, device or representation, employed wholly or in part for the purposes of advertisement, announcement, description or direction, and without prejudice to the foregoing provision includes any hoarding or similar structure used or adapted for use for the display of advertisements, and references to the display of advertisements shall be construed accordingly;

“business premises” means any premises licensed under the provisions of the Business Licensing Act; (Cap. 204)

“descriptive notice” means an advertisement containing only the description of any profession, business, occupation or activity carried on on any land, building or structure, with or without the name of any person carrying on such profession, business, occupation or activity, and erected on the land, building or structure where such profession, business, occupation or activity is carried on, but does not include a public notice;

“directional notice” means an advertisement containing only the description of any profession, business, occupation or activity carried on on any land, building or structure, with or without the name of any person carrying on such profession, business, occupation or activity, together with any sign or word indicating the situation or direction thereof, and erected elsewhere than on the land, building or structure where such profession, business, occupation or activity is carried on, but does not include a public notice;

“local authority” means the local authority of a rural sanitary district constituted under the Public Health Act in which the advertisement is erected or displayed; (Cap. 111)

“occupier” means the person in occupation of the land, building or structure in respect of which the word is used, or having the charge, management or control thereof either on his own account or as agent of another person, but does not include a lodger;

“prescribed size” means an area of 16 square feet;

“public notice” means a traffic sign, or a sign post, or an advertisement not exceeding the prescribed size, relating to a religious, educational, Government, local authority, cultural, recreational or medical institution, or a public wharf, aerodrome, burial ground or other place of public use, or a temporary notice not exceeding the prescribed size signifying an intention to sell or let land or buildings or advertising any forthcoming event not being of a commercial or industrial nature;

“sign post” means a notice containing only the name of any city, town or village, with or without the mileage thereto;

“traffic sign” means a traffic sign erected or caused or permitted to be erected by a highway authority constituted under the Traffic Act.

(Cap. 176.)

Advertisements not to be erected except on business premises with certain exceptions

4.—(1) No person shall erect or display an advertisement elsewhere than on business premises except in accordance with the following paragraphs.

(2) A descriptive notice or a directional notice may be erected elsewhere than on business premises with the prior permission in writing of the local authority.

(3) A public notice not exceeding the prescribed size may be so erected without any permission.

(4) A public notice exceeding the prescribed size may be so erected with the prior permission in writing of the local authority.

(5) A professional name plate not exceeding three square feet may be erected on the premises on which such profession is carried on, without any permission.

Advertisements on business premises

5.—(1) No person shall erect or display an advertisement on business premises except in accordance with the following provisions of this regulation.

(2) The whole of the advertisement must be below the eaves of the premises.

(3) The advertisement must be on or attached to the outside walls or windows of the premises and securely fixed, or within the premises, or in the case of a fuel bowser, to the bowser.

(4) The highest point of the advertisement must not exceed 12 feet from the level of the ground, measured from a point vertically below the point of measurement.

(5) Except with the prior permission in writing of the local authority, the aggregate area of all the advertisements on any one business premises shall not exceed 40 square feet.

Permits may be conditional and may be cancelled

6. A local authority when granting permission under either of regulations 4 or 5 may do so unconditionally or may attach such conditions as it thinks fit and may cancel such permission on breach of any such conditions.

Saving of existing advertisements

7. In the case of any advertisement erected prior to the commencement of these Regulations for which permission would be required under these Regulations if erected after such commencement, if the occupier of the land, building or structure upon which such advertisement is displayed shall apply for permission therefor within three months of the commencement of these Regulations, such permission shall be granted by the local authority.

Removal of advertisement

8. Any advertisement erected or displayed in contravention of these Regulations (including an advertisement erected prior to the commencement of these Regulations where the occupier has failed to apply for permission under regulation 7) may be removed by order of the local authority, and the expense of such removal may be recovered from the occupier of the land, building or structure.

SECTION 2.—SUVA (ADVERTISEMENT) REGULATIONS

Regulations 13th Sept., 1933 [in force 1st Jan., 1934].

Made by the Suva Town Board

Short title

1. These Regulations may be cited as the Suva (Advertisement) Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires—
“advertisement” means any word, device, or pictorial representation intended to promote the sale of any commodity or to induce persons to attend any place of entertainment or meeting for any purpose whatsoever and includes a sky sign and an occulting sign;
“Council” means the Suva City Council;
“building surveyor” means the building surveyor appointed by the Council;
“sky sign” means any advertisement situated within the boundaries of the city of Suva which, or any part of which, shall be visible against the sky from some point in any public place in Fiji or in the waters thereof, and includes any aircraft, kite, parachute or similar device employed wholly or in part for the display of any advertisement;
“Town Clerk” means the Town Clerk appointed by the Council.

Exhibition of advertisement

3. No person shall within the city of Suva exhibit or cause to be exhibited any advertisement, sky sign, or occulting sign which is visible from any place to which the public have access or from the waters of Fiji or from any land or building not belonging to him or not in his possession without the licence of the Town Clerk.

Approval of building surveyor

4. A person making application for a licence shall produce to the Town Clerk a certificate in writing from the building surveyor that the proposed advertisement and the place and manner in which it is proposed to be exhibited meet with his approval.

Licences may be cancelled

5. A licence issued under the provisions of these Regulations may be for such time as the Council may decide and may permit the exhibition of any advertisement, sky sign or occulting sign either unconditionally or subject to conditions to be endorsed thereon, and such licence may be cancelled by the Town Clerk in writing upon the breach of any such condition. A licence issued as aforesaid may be renewed from time to time by the Council.

Removal of advertisement

6. The Council shall have an unrestricted right from time to time to require any advertisement, sky sign or occulting sign to be removed, and the owner or occupier of the building on which the same is erected shall forthwith on receiving notice from the Council to that effect remove or take down such advertisement, sky sign or occulting sign.

Discretion to refuse licence

7. The Council may without disclosing any reason refuse to grant any licence to any person or persons under these Regulations.

Fees

8. There shall be paid to the Town Clerk for every licence under these Regulations and for the renewal of any licence an annual fee of fifty cents.

Removal of unauthorised advertisement

9. Any advertisement, sky sign or occulting sign exhibited in contravention of these Regulations may be removed by order of the Council and all expenses of such removal may be recovered in a summary manner from the exhibitor.

SECTION 2.—LAUTOKA (ADVERTISEMENT) REGULATIONS

Regulations 29th Sept., 1964 [in force 6th Nov., 1964].

Made by the Lautoka Town Council

Short title

1. These Regulations may be cited as the Lautoka (Advertisement) Regulations.

Application

2.—(1) These Regulations shall only apply to advertisements which are visible from any place to which the public have access.

(2) Nothing in these Regulations shall apply to an advertisement on cloth, cardboard, paper or other flimsy material erected or displayed in connexion with a Parliamentary or City Council election.

Interpretation

3. In these Regulations, unless the context otherwise requires—

“advertisement” means any word, letter, model, sign, placard, board, notice, device or representation, employed wholly or in part for the purposes of advertisement, announcement, description or direction, and without prejudice to the foregoing provision includes any hoarding or similar structure used or adapted for use for the display of advertisements, and references to the display of advertisements shall be construed accordingly;

“business premises” means any premises licensed under the provisions of the Business Licensing Act; (Cap. 204.)

“Council” means the Lautoka City Council;

“descriptive notice” means an advertisement containing only the description of any profession, business, occupation or activity carried on on any land, building or structure, with or without the name of any person carrying on such profession, business, occupation or activity, and erected on the land, building or structure where such profession, business, occupation or activity is carried on, but does not include a public notice;

“directional notice” means an advertisement containing only the description of any profession, business, occupation or activity carried on on any land, building or structure, with or without the name of any person carrying on such profession, business, occupation or activity, together with any sign or word indicating the situation or direction thereof, and erected elsewhere than on the land, building or structure where such profession, business, occupation or activity is carried on, but does not include a public notice;

“occupier” means the person in occupation of the land, building or structure in respect of which the word is used, or having the charge, management or control thereof either on his own account or as agent of another person, but does not include a lodger;

“prescribed size” means an area of 16 square feet;

“public notice” means a traffic sign, or a sign post, or an advertisement not exceeding the prescribed size, relating to a religious, educational, Government, local authority, cultural, recreational or medical institution, or a public wharf, aerodrome, burial ground or other place of public use, or a temporary notice not exceeding the prescribed size signifying an intention to sell or let land or buildings or advertising any forthcoming event not being of a commercial or industrial nature;

“sign post” means a notice containing only the name of any city, town or village, with or without the mileage thereto;

“traffic sign” means a traffic sign erected or caused or permitted to be erected under the Traffic Act. (Cap. 176.)

Advertisements not to be erected except on business premises with certain exceptions

4.—(1) No person shall erect or display an advertisement elsewhere than on business premises except in accordance with the following paragraphs of this regulation.

(2) A descriptive notice or a directional notice may be erected elsewhere than on business premises with the prior permission in writing of the Council.

(3) A public notice not exceeding the prescribed size may be so erected without any permission.

(4) A public notice exceeding the prescribed size may be so erected with the prior permission in writing of the Council.

(5) A professional name plate not exceeding three square feet may be erected on the premises on which such profession is carried on, without any permission.

Advertisements on business premises

5.—(1) No person shall erect or display an advertisement on business premises except in accordance with the following provisions of this regulation.

(2) The whole of the advertisement must be below the eaves of the premises.

(3) The advertisement must be on or attached to the outside walls or windows of the premises and securely fixed, or within the premises, or in the case of a fuel bowser, to the bowser.

(4) The highest point of the advertisement must not exceed 12 feet from the level of the ground, measured from a point vertically below the point of measurement.

(5) Except with the prior permission in writing of the Council, the aggregate area of all the advertisements on any one business premises shall not exceed 40 square feet.

Permits may be conditional and may be cancelled

6. The Council when granting permission under either of regulations 4 or 5 may do so unconditionally or may attach such conditions as it thinks fit and may cancel such permission on breach of any such conditions.

Saving of existing advertisements

7. In the case of any advertisement erected prior to the commencement of these Regulations for which permission would be required under these Regulations if erected after such commencement, if the occupier of the land, building or structure upon which such advertisement is displayed shall apply for permission therefor within three months of the commencement of these Regulations, such permission shall be granted by the local authority.

Removal of advertisement

8. Any advertisement erected or displayed in contravention of these Regulations (including an advertisement erected prior to the commencement of these Regulations where the occupier has failed to apply for permission under regulation 7) may be removed by order of the Council, and the expense of such removal may be recovered from the occupier of the land, building or structure.

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