

L.C.B.L. 27/6/2002

**LOCAL COUNCILS ACT
(CAP. 363)**

**Advertisements on Street Furniture
(Hamrun Local Council) Bye-Laws, 2002**

IN exercise of the powers conferred by articles 34, 36 and 60 of the Local Councils Act and in conformity with the provisions of article 35 (8) of the said Act, the Hamrun Local Council has made the following Bye-Laws:-

Citation and
commencement.

1.1 The title of these Bye-Laws is the Advertisements on Street Furniture (Hamrun Local Council) Bye-Laws, 2002.

1.2. These Bye-Laws shall come into force one month after their publication in the Gazette.

Interpretation.

2. In these Bye-Laws unless the context otherwise requires -

“Act” means the Local Councils Act;

“advertisement” means any type of promotion whether commercial or otherwise, and includes a notice;

“applicant” means the person who applies to the Council under the provisions of subarticle (2) of article 3 of these Bye-Laws;

“contractor” means the person who has been authorised by the Council to display, fix or place any advertisement on street furniture under the provisions of subarticle (1) of article 3 of these Bye-Laws;

“Council” means Hamrun Local Council;

“street furniture” means any object, movable or immovable, which is the Council’s property or is under its responsibility and which although would not substantially form part of the road, pavement, garden or other public area, would be placed in such area or fixed to it, or even placed on it, and includes dustbins, skips, bins on wheels, benches, planters, boundary walls, walls, columns, roundabouts, central strips and traffic islands.

3.1 Without prejudice to any permit, authorization, or licence required under any law, no person shall display, fix or place any advertisement on any street furniture within the Hamrun locality boundary without the written authorization of the Council.

Authorization to
advertise on street
furniture.

3.2 Such authorization may be granted either after a written application is submitted to the Council or else after a public call for applications is made by the Council:

Provided that the authorization shall be deemed void if applicant fails to comply with the requirements established in the guidelines issued or which may be issued from time to time by the Council in terms of paragraph (g) of subarticle (1) of article 33 of the Act:

Provided also that the guidelines shall be incorporated in the contract document which shall regulate the authorization granted by the Council to the contractor in terms of subarticle (3) of this article.

3.3 Following a public call by the Council, the authorization of the Council shall take the form of a contract in accordance with the regulations and procedures applicable to Local Councils.

Such a contract shall be valid for a period of one year which may be renewed by the Council for a further one year period by means of a contract.

3.4 The Council may, on awarding the contract mentioned in subarticle (3) of this article, authorise the contractor to use the space where advertisements may be displayed on street furniture, even by selling the mentioned space to third parties. In such a case, third parties would not require the Council's authorization:

Provided that the contractor shall not use or sell the space for any advertisement that is prohibited by the contract, or at a higher price than that established by the Council by the contract or with conditions other than those stipulated in the original contract.

3.5 For every authorization granted by the Council according to these Bye-Laws there shall be paid a fee as established in the Schedule to these Bye-Laws:

Provided that for the authorization granted by the Council following a public call for applications, the fee payable to the Council is that offered in the accepted tender document:

Provided further that the Council may exempt voluntary organizations which operate from the locality, parochial and philanthropic organizations or non-government organizations as listed in the Eight Schedule of the Act from making any such payment.

3.6 Notwithstanding the authorization granted under these Bye-Laws, the person granted authorization in accordance with subarticle 2 of article 3 of these Bye-Laws is personally responsible for any permits or licences necessary under any other law.

3.7 Any authorization granted under these Bye-Laws is subject amongst other conditions to a condition that the advertisement shall be removed within one week from the expiry date of the authorization.

Penalty.

4. Every person who contravenes any of the provisions of these Bye-Laws or infringes any condition of the authorization shall, on conviction, be liable to a fine (*ammenda*) of twenty liri for every contravention, or infringement thereof, and to a further fine (*ammenda*) of not less than one lira and not more than five liri for every day during which one of the provisions of these Bye-Laws or any condition of the authorization is breached.

5. The Council reserves the right to remove any advertisement affixed without authorisation or any advertisement which is not removed by the person authorised within the time-limit stipulated in these Bye-Laws, to any street furniture at the expense of the person contravening any of the provisions of these Bye-Laws or infringing any condition of the authorization given by virtue of these Bye-Laws.

SCHEDULE

(Article 3.5)

Fees due for Advertisements on Street Furniture

Size	Fee Due		
	Two Weeks	One Month	One Year
up to 0.5 square metre	Lm 3	Lm 5	Lm 20
up to 1.0 square metre	Lm 6	Lm10	Lm 50
up to 2.0 square metres	Lm12	Lm20	Lm100

Exceeding 2.0 square metres – Lm2 per day (subject to a minimum of Lm40).