

L.C.B.L 32/04/2018

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

Advertisements (Hal Lija Local Council) *Bye-Laws*, 2018

IN exercise of the powers conferred by articles 34, 35(8) and 60 of the Local Councils Act, the Hal Lija Local Council has made the following *Bye-Laws*:

1. The title of these *Bye-Laws* is the Advertisements (Hal Lija Local Council) *Bye-Laws*, 2018. Citation.

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

"Act" means the Local Councils Act; Cap. 363.

"advertisement" includes notices and any commercial or non-commercial promotion;

"applicant" means the person who applies to the Council in accordance with the provisions of these *Bye-Laws* in order to place an advertisement on any street furniture or anywhere in Hal Lija, the Council's Web-page or any Council publication;

"authorised person" means any person who is authorised by the Council in accordance with the provisions of *Bye-Laws* 3.2 in order to display, fix or place any advertisement on any street furniture in Hal Lija, the Council's Web-page or any Council publication;

"billboard" means any erected structure on which Council advertisements, notices or notifications are affixed or exhibited, and which is in conformity with specifications established for this purpose according to regulations and procedures established in any other law;

"Council" means the Hal Lija Local Council;

"Council publication" means any publication made by the Council, and includes newsletter, magazine, leaflet, brochure, journal, notice and any other documentation made for the information of the public, whether against payment or not;

"Contractor" means the person authorised by the Council to display, fix or place an advertisement on the street furniture according to the dispositions of Bye-law 3.1;

"social media" means any Council websites and applications that enable users to create and share content or to participate in social

networking in the name of the 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, and bins on wheels, litter bins, benches, planters, boundary walls, walls, balustrades, columns, notice-boards, poles, railings, bus shelters, tree pits, verges and central reservations, roundabouts, central strips and traffic islands and any other property that is included by the Council through a resolution;

"Web-page" means access to information on a system and database by means of the Internet, described as the World Wide Web (WWW), which *web-page* can be advertised on the so-called Web Search Engines.

Advertisement
on street
furniture, web-
page, social
media and
Council
publications.

3.1. A person may apply to the Council or make an offer, as the Council decides, in order to make an advertisement on any street furniture, the Council Web-page, social media or any Council publication.

3.2 The authorisation may be given either after an application in writing is made for such purpose to the Council, or after a public call for applications is made by the Council.

3.3 When the Council makes a public call for tenders, the authorisation by the Council shall be by means of a contract drawn up in accordance with the regulations and procedures applicable to Local Councils:

Provided that the contract is valid for a period of one year which may be renewed for a further period of one year by means of a contract. In all cases, the Council shall have the right to refuse to renew the contract after giving valid reasons in writing to the person concerned.

3.4 The contract shall stipulate that the authorised person shall not sell the space to third parties or make an advertisement which is prohibited by the contract, or which is against public morals or which incites the public against the State or against the Council.

3.5 For any authorisation given by the Council according to these *Bye-Laws* a fee is to be paid as established in the Schedule:

Provided that when the authorisation by the Council is given after a public call for tenders, the fee payable to the Council shall be offered in the successful tender.

4.1. The Council may authorise a person to display, fix or place an advertisement on any street furniture within the boundaries of the Hal Lija locality.

Advertisement
on street
furniture.

4.2. For every authorisation given by the Council in accordance with these *Bye-Laws* allowing the display, fixing or placing of advertisements on street furniture, after an application is made to the Council for this purpose, there shall be paid a fee as stipulated in Schedule:

Provided that in the case of any authorisation given by the Council after a public call for tenders, the fee payable to the Council shall be that offered in the successful tender.

4.3. All authorisations for an advertisement on street furniture granted under these *Bye-Laws* are subject, amongst other conditions, to a condition that the advertisement shall be removed within one week from the expiry date of the authorisation. If this is not the case, the responsible person shall be guilty of a contravention.

4.4. The Council shall have the right to erect a number of billboards within the boundaries of the Hal Lija locality, over which every person may fix or display an advertisement after being granted authorisation in terms of these *Bye-Laws*, and after that Council has obtained the necessary permit or licence necessary under any other law.

5. The Council may, against payment, authorise any person to include or attach the Council's official Web-page or social media with, or over another Web-page, after an application for this purpose has been made:

Advertisements
on Council's
Webpage or
social media.

Provided that the Council may decide to authorise a person to do so free of charge.

6. The Council may give an authorisation to any person to make an advertisement on any Council publication, either after an application in writing has been made to the Council for such purpose or after a public call for applications has been made by the Council.

Advertisements
on Local
Council
Publications.

7. Notwithstanding the authorisation granted under these *Bye-Laws*, the person to whom it is given is personally responsible for any permits or licences necessary under any other law.

Other permits or
licences.

8. The Council may, in terms of these *Bye-Laws*, give an authorisation free of charge, to voluntary or philanthropic organisations or other organisations which operate from the locality, after they have made a request in writing to advertise activities or

Authorisation
free of charge.

appeals to the public.

Penalties.

9. Every person who is in breach of one of the provisions of these *Bye-Laws* or any condition of the authorisation given by virtue of these *Bye-Laws*, shall, on conviction, be liable to a fine (*ammenda*) of seventy euro (€70) for such contravention, and to a further fine (*ammenda*) of fifteen euro (€15) for every day during which one of the provisions of these *Bye-Laws* or any condition of the authorisation is breached.

SCHEDULE

(Bye-law 4.2)

Fees due for Advertisements on Street Furniture and on Billboards

Specifications	Fee due		
	Two Weeks	One Month	One Year
Up to 0.25 square metre	€10	€25	€100
Up to 1.0 square metre	€20	€35	€150
Up to 2.0 square metres	€50	€150	€500
Exceeding 2.0 square metres - €10 per day (subject to a maximum of €200).			
