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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRANSPORT DEPARTEMENT VAN VERVOER

No. R. 1402

22 December 2000

THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL ROADS ACT, 1998 (ACT NO. 7 OF 1998)

REPEAL OF CERTAIN REGULATIONS AND MAKING OF REGULATIONS ON ADVERTISING ON OR VISIBLE FROM NATIONAL ROADS

I, Abdulah Mohamed Omar, Minister of Transport, acting under section 58 of The South African National Roads Agency Limited and National Roads Act, 1998, hereby

- (a) repeal the Regulations on Advertising on or Visible from National Roads, published by Government Notice No. R. 6844 of 13 July 2000; and
- (b) make the regulations in the Schedule.

SCHEDULE

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PART A: INTRODUCTORY PROVISIONS**1. Definitions**

In these regulations, a meaning that has been assigned to a word or expression in the Act shall bear that meaning and, unless the context indicates otherwise—

“advertisement for sale of goods or livestock” means an advertisement announcing such a sale on land or premises not normally used for commercial purposes and may

include an advertisement announcing auctions of household goods on residential properties, or livestock or game on farms;

“advertisement for sponsored road traffic projects” means an advertisement relating to the sponsoring of a specific project aimed at the provision of road services, the promotion of road safety or the management and conservation of roadside environments;

“advertising structure” means any physical structure erected to display an advertisement;

“advertiser” means the person or organisation whose product or service is being advertised, or whose name or image is mentioned or promoted in an advertisement;

“aerial advertisement” means an advertisement painted on, attached to or produced by an aircraft, including a captive balloon, kite, unmanned free balloon, moored airship, parasailing craft, hang glider, model or radio controlled aircraft, an aircraft towed behind a vehicle or sailing vessel for the purpose of flight, and an aircraft towing banners or producing smoke signals;

“animated” means that the visibility or message of an advertisement is enhanced by means of moving units, flashing lights or similar devices, or that an advertisement contains a variable message;

“area of advertisement” means the area in square metres of the smallest rectangle that will encompass the extreme limits of the advertisement or combined advertisement, together with any material or colour forming an integral part of the background of the advertisement or used to differentiate the advertisement from the structure or building against which it is placed;

“areas of maximum control” means natural areas, rural areas and urban areas of maximum control;

“balcony or under awning advertisement” means an advertisement—

- (a) affixed flat onto or painted on a parapet wall, balustrade or railing;
- (b) affixed flat onto or painted on a fascia;
- (c) affixed flat or painted on the fascia of a roof structure without walls;
- (d) affixed to or painted on a pillar, column or post supporting a roof structure without walls;
- (e) painted or printed on the fabric of a blind;

“banner” means a piece of cloth (or similar material) upon which an advertisement is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaffs projecting vertically, horizontally or at an angle, or attached to buildings or to special structures, but excludes banners carried as part of a procession;

"billboard" means any advertisement supported by a free-standing structure or affixed to an external wall of a building, or painted to an external wall or roof of a building used for commercial, office, industrial or entertainment purposes, also known as a "custom-made billboards" or "spectaculars" which may be paper-posted, sign written, posted with vinyl or covered, posted or written by a combination of such methods and may feature special effects such as internal illumination, specialist character cut-outs or three-dimensional presentations and may include variable messages. The main function of a billboard is to display advertisements;

"bit" means the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos, graphics or abbreviations. For the purposes of these regulations bit values shall be calculated as follows:

Words of up to eight letters, inclusive	1,0 bit
Words of more than eight letters	2,0 bit
Numbers of up to four digits, inclusive:	0,5 bit
Numbers of five to eight digits:	1,0 bit
Symbol or abbreviation:	0,5 bit
Large logos and graphics	2,0 bit

"candela" means a unit of luminance as determined from time to time by the International Commission on Illumination;

"centre of economic activity" means an enterprise or a group of enterprises outside of urban areas and which may include farm stalls, service facilities, accommodation facilities, food services, industries and cottage industries, as well as shops and other commercial facilities;

"clear height" means the minimum vertical distance from the ground, road or surface level, as the case may be, to the advertisement;

"combination advertisement" means an advertisement comprising a number of smaller, individual advertisements, usually displaying different products or services, placed next to each other on a single structure specially designed to accommodate more than one advertisement;

"construction site advertisement" means an advertisement affixed flat against or on top of a fence or wall forming the boundary of a construction site;

"development advertisement" means an advertisement describing (including a pictorial representation of) the type of development being carried out on a construction site;

"electronic billboard" means a billboard which has an electronically controlled, illuminated display surface which allows all or a portion of the advertisement to be

changed, animated or illuminated in different ways;

“engineer” means an engineer registered in terms of the Engineering Profession of South Africa Act, 1990 (Act No. 114 of 1990);

“entertainment area” means an area the main purpose of which is to be used as a park, sports field, barbecue area or for other recreational purposes;

“erf” means an erf, stand, lot, plot, agricultural holding or similar land entity registered in a deeds registry;

“estate agents’ board” means an advertisement that are temporarily displayed to advertise the fact that land, premises, development or other forms of fixed property are for sale or to let;

“flag” means a piece of cloth (or similar material) upon which an advertisement is displayed and which is attached to a single rope, pole or flagstaff projecting vertically in such a way that its contents are normally not readable in windless conditions. Flags exclude:

- a) national flags that do not carry any advertisement in addition to the design of the flag or flagstaff, and
- b) flags carried as part of a procession;

“forecourt” means an outdoor area forming a functional part of a building housing an enterprise, and may include the area of a filling station where the pumps are situated, or a terrace in front of a restaurant, enclosing fences, walls, screens or similar structures, excluding sidewalk areas in front of business premises intended for pedestrian circulation;

“forecourt advertisement” means an advertisement on a forecourt of business premises, being an advertisement displayed in such forecourt to draw attention to commercial services, goods for sale or other services available at the premises, but does not include a combination advertisement at a filling station or roadside service area;

“freeway” means a national road that has been designated as a freeway by an appropriate road traffic sign in terms of the National Road Traffic Act;

“functional public advertisement” means an advertisement displayed only for announcement or direction of the functions of municipalities or parastatal bodies that cannot be displayed under any other class of advertisement;

“gore” means the area immediately beyond the divergence of two roadways, bounded by the edges of those roadways;

“height” means the maximum vertical distance from the ground, road surface, or

surface level to the top of the advertisement;

“illuminated” in relation to an advertisement means that it has been installed with electrical or other power for the purpose of illuminating it, either continuously or intermittently;

“large billboard” means any billboard larger than 18 square metres in area of advertisement;

“large electronic billboard” means an advertisement that is an electronic billboard larger than 18 square metres in area;

“large poster” means a poster which does not exceed 2,2 square metres in area, which is attached to street furniture and which has been approved by a relevant municipality;

“light not intended for illumination” means a flashing, flickering or continuous light source, beam of light or a number of such sources or beams, aimed or moved in such a manner as to attract attention, without being primarily for the purpose of illuminating an area or object;

“locality-bound” means an advertisement displayed on a specific erf or premises and referring to an activity, product, service or attraction located, rendered or provided on that erf or those premises or inside that building;

“m” means metre;

“mm” means millimetre;

“National Road Traffic Act” means the National Road Traffic Act, 1996 (Act 93 of 1996);

“natural area” means an area of the rural or non-urban environment which is in an unspoilt natural state or is of high scenic value, and includes, but is not limited to, national parks, game reserves, nature reserves, marine reserves, wilderness areas, areas of extensive agriculture and scenic areas;

“on-premises business advertisement” means an advertisement aimed at identifying and locating business enterprises and industries, and excludes a residential or community advertisement;

“owner” in relation to an advertisement means the person who owns the advertising structure, or will own the structure once it has been erected, or any person who has a right to or share in the ownership of the advertising structure.

“poster” is any placard announcing or attracting public attention to any meeting, event, function, activity or undertaking or to the candidature of any person nominated for election to parliament, local government or any similar body or to a referendum, or

any placard advertising any product or service or announcing the sale of any goods, livestock or property;

“product replica or three-dimensional advertisement” is a replica or device used for advertising that may be free-standing or attached to a structure, and includes an inflatable object that is not an aerial advertisement;

“project board” means an advertisement displaying the involvement of a contractor or consultant in a construction project;

“relevant municipality” means the municipality in whose area of jurisdiction an advertisement is erected or displayed, and in the case of Category B and C municipalities contemplated in section 155(1)(b) and (c) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), both such municipalities;

“residential or community advertisements” includes a variety of small notices and advertisements displayed on premises used for residential-orientated purposes and for community services, and include advertisements in urban areas and also on places of residence in natural and rural areas, but are limited to—

- (a) identification, direction and warning signs with regard to residences, for example—
 - (i) names of houses, flat complexes, farms and smallholdings;
 - (ii) signs such as “beware of the dog”, “no parking” and “close the gate”;
 - (iii) signs indicating the nature of or main activity on farms and smallholdings;
- (b) signs showing the name or nature of the business, practice or enterprise or the owners or practitioners on small businesses, enterprises and practices in urban residential premises and buildings constructed or used for community purposes or premises on urban, but not rural, smallholdings;
- (c) signs showing the name and nature of the facility or of the proprietor or partners, on small scale accommodation facilities;
- (d) signs showing the name and nature of the institution, the names of practitioners and nature and extent of services on community services and institutions, such as religious, cultural, educational and recreational institutions and medical institutions related to those purposes;

“road island” means an area demarcated on a roadway by means of painted lines, stones, kerbs or by other means with the intention of preventing vehicles from standing or being operated in that area;

“road median” means the area separating traffic lanes on a roadway;

“road reserve” means the full width of a national road, and includes roadways, shoulders and sidewalks and the air space above such roadways, shoulders and

sidewalks and all other areas within the road reserve boundary;

"road reserve boundary" means the proclaimed boundary forming the outer edge of the road reserve;

"roadside service area" means an area with direct access from a national road in which facilities and services such as petrol and diesel sales, restaurants, fast food outlets, toilets, playgrounds and picnic spots may be provided for motorists;

"road traffic sign" means a road traffic sign as defined in the National Road Traffic Act;

"roadway" means a roadway as defined in the National Road Traffic Act;

"rural area" means an area forming a transition between urban areas and unspoilt natural areas and includes intensive agriculture, subsistence agriculture and peri-urban smallholdings of a predominantly rural nature and with relatively low population densities;

"security advertisement" means an outdoor advertisement for neighbourhood watch, farm watch and similar schemes, and an advertisement containing the name, address and telephone number of a security company contracted to protect the premises on which the advertisement is displayed;

"service facility advertisement" means an advertisement at a filling station or roadside rest and service area;

"shoulder" means the shoulder of a national road as defined in the National Road Traffic Act;

"sidewalk" means a sidewalk of a national road as defined in the National Road Traffic Act;

"sidewalk poster or notice" means a temporary advertisement attached to an electrical light standard within a road reserve to advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational, cultural, political, social, sporting or recreational nature, and includes a poster displayed for an election or referendum campaign;

"small billboard" means a billboard smaller than 18 square metres in area of advertisement;

"sponsored road traffic project" means a project specifically intended for the benefit of road users involving the provision of road services, the promotion of road safety or the management and conservation of road environments, agreed to between the Agency and the sponsor of the sponsored road traffic project;

“street furniture” means public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, sidewalk litter bins, pole mounted bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road traffic signs, traffic lights, street lights or any other road-related structures;

“street name advertisement” means a pole-mounted advertisement that may be illuminated, that is displayed in combination with a street name sign;

“streetscaping” or “streetscape” means the coherence between street furniture and other features on a national road;

“suburban advertisement” means a pole mounted location advertisement at the entrance to a town or suburb that carries an advertising sign beneath the road traffic sign bearing the name of the town or suburb;

“the Act” means the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998);

“tourism sign” means a road traffic sign having a trapezoidal shape and white on brown colour, the main objective of which is to inform and guide tourists in the final stages of their journeys;

“tower, bridge and pylon advertisement” means a billboard affixed to or painted on a tower, bridge or pylon that is not used primarily for advertising purposes;

“tower structure” means a structure used for advertising in a parking area of a shopping centre and at an important transport node such as an airport, railway station or bus or taxi station;

“traffic sign” means a road traffic sign or signal contemplated in the National Road Traffic Act or a rail traffic sign or signal;

“urban areas of maximum control”, subject to regulation 4(1)(b), include, but are not limited to, natural open spaces and urban conservation areas, interface of natural landscape with built-up areas, bodies of water, rivers, ridges, forests, open recreational areas, characteristic vistas, heritage sites or buildings, special tourist areas, skylines, residential areas of lower density, and visual zones along freeways in urban areas, unless the Agency after obtaining a strategic environmental assessment designates areas along such freeways as urban areas of partial or minimum control;

“urban areas of minimum control”, subject to regulation 4(1)(b), are areas which require minimum control such as areas of concentrated economic activity where business is the main focus, commercial districts, central shopping centres, central office precincts, commercial enclaves and shopping centres in industrial areas and industrial parks, entertainment districts or complexes and prominent transport nodes excluding nodes of an exceptional historical or architectural value.

“urban areas of partial control”, subject to regulation 4(1)(b), are areas characterised by a greater degree of integration and complexity of land use which require a lesser degree of control, such as high density mixed residential areas, medium density areas in transition and residential areas where office and commercial encroachment has taken place and low density suburbs, small commercial enclaves in residential areas, suburban shopping centres and office parks, ribbon development along main streets, educational institutions, sports fields or stadia, commercialised squares, government enclaves and smallholdings of an urban nature with a higher population density than rural smallholdings;

“vehicle” means a motor vehicle as defined in the National Road Traffic Act;

“visual zone” means the road reserve of a national road and any area that is visible from any spot on such road reserve, but does not include an area situated at a distance of more than 250 metres from the road reserve boundary of a freeway in an urban area.

2. Scope of these regulations

- (1) These regulations are designed to regulate advertising on or visible from national roads, within the scope of section 50 of the Act, and apply only to national roads, as defined in the Act, including freeways.
- (2) Unless these regulations provide specifically that the approval of the Agency is required for a particular advertisement, such approval is not required, but all of the conditions of these regulations applicable to that type of advertisement must be complied with.

3. Areas in relation to categories of advertisements

- (1) For the purpose of determining the places where advertisements may be displayed, the Agency may designate areas in which national roads are situated in accordance with the categories described in regulation 4, subject to sub-regulation (4) of this regulation.
- (2) For the purpose of determining the nature, content and size of advertisements, they are divided into the categories defined in regulations 16 to 39.
- (3) The advertisements which may be displayed on or so as to be visible from national roads in the various categories of areas, are regulated in regulations 16 to 39, subject to the general provisions in Part B.
- (4) These regulations shall not apply to areas outside of visual zones.
- (5) Despite these regulations, the Agency may, by notice in the *Government Gazette*, designate areas along national roads, either individually or in respect

of a class or type of such roads, where the erection or display of advertisements shall not be permitted.

4. Designation of areas

(1) The Agency may, subject to sub-regulation (2) of this regulation and sub-regulations (4) and (5) of regulation 3—

- (a) designate areas outside of urban areas in which national roads are situated as either natural areas or rural areas;
- (b) in urban areas, after consultation with relevant municipalities, designate areas in which national roads are situated as—
 - (i) urban areas of maximum control;
 - (ii) urban areas of partial control;
 - (iii) urban areas of minimum control,

provided that where a relevant municipality has already designated an area as one of such categories, the Agency must designate it as such.

- (2) Where a national road falls within an area which has not been designated into a particular category under sub-regulation (1), the area in which it falls shall be deemed to be an area of maximum control.
- (3) The Agency must make details of a designation under sub-regulation (1), with appropriate maps or diagrams, available for inspection by the public during the Agency's office hours at the Head Office and the relevant regional office of the Agency.

5. Regulations not applicable in some municipal urban areas

(1) Subject to sub-regulation (2) and in terms of section 156, read with Part B of Schedule 5, and Chapter 3 of the Constitution of the Republic of South Africa Act 108 of 1996, these regulations shall not apply in an urban area, except for regulation 6 which will apply, where the relevant municipality has promulgated a by-law—

- (a) dealing substantially with the matters covered by these regulations, and
- (b) that is applicable to national roads in that area,

or in any urban area which the Minister has declared these Regulations not applicable by notice in the Government Gazette.

- (2) Where in terms of sub-regulation (1) these regulations do not apply, the municipality, when considering any application for an advertisement equal to or larger than six square metres which will face a national road, must make its approval conditional upon the applicant also obtaining the approval of the Agency, and the Agency in considering such an application must consider only

road traffic, road traffic sign and safety considerations as contemplated in regulation 6.

PART B: PROVISIONS APPLICABLE TO ALL ADVERTISEMENTS

6. Road safety and traffic considerations

- (1) Despite the other provisions of these regulations, no advertisement may—
 - (a) constitute a danger to persons or property;
 - (b) be so placed as to distract, or contain an element which distracts, the attention of drivers of vehicles in a manner likely to lead to unsafe driving conditions;
 - (c) be illuminated to the extent that it causes discomfort to or inhibits the vision of approaching pedestrians or drivers of vehicles;
 - (d) be attached to traffic signs, combined with traffic signs (unless specifically authorised by the National Road Traffic Act), obscure traffic signs, create confusion with traffic signs, interfere with the functioning of traffic signs or create road safety hazards;
 - (e) obscure the view of pedestrians or drivers, or obscure road or rail vehicles and road, railway or sidewalk features such as junctions, bends and changes in width;
 - (f) project over pedestrian or cycle circulation routes, unless the clear height of the advertisement exceeds 2,4 metres;
 - (g) obstruct fire escapes or the means of egress to fire escapes;
 - (h) be placed closer than the minimum clearance with regard to overhead power lines as prescribed by any law;
 - (i) be erected in the vicinity of a signalised intersections which display the colours red, yellow or green if such colours will constitute a road safety hazard;
 - (j) have light sources that are visible to vehicles travelling in either direction;
 - (k) be erected without approval where such approval is required by the Act or these regulations or any other law.
- (2) In considering applications for approval for advertisements that will face a national road, the Agency must evaluate whether, according to road traffic sign standards published under applicable road traffic legislation, prevailing traffic conditions and the roadside environment—
 - (a) the size of the advertisement, together with other advertisements in the area, if any, will affect the conspicuousness of road traffic signs by virtue of potential visual clutter;
 - (b) the size of the advertisement, or any portion thereof by way of its colour, letter size, symbol, logo, graphics or illumination, will result in the advertisement having a distracting effect on the attention of drivers of

- vehicles to the task of driving and lead to unsafe driving conditions;
- (c) the number of road traffic signs and advertisements in any area constitute a driving hazard, due to the attention of drivers of vehicles being deviated from the task of driving and leading to unsafe driving conditions;
 - (d) the colour, or combination of colours, contained in the advertisement correspond with the colours or combinations of colours specified for road traffic signs in the regulations promulgated under the National Road Traffic Act;
 - (e) the speed limit, and the measure of the traffic's adherence thereto, the traffic volume, the average following headway and accident history of the road demand more stringent control of outdoor advertising;
 - (f) the amount of information contained in the advertisement, measured in bits, is within prescribed limits;
 - (g) the advertisement is suitably positioned and orientated;
 - (h) the position of the advertisement will negatively affect the visibility of, sight distance to or efficiency of any road traffic sign, or series of such signs;
 - (i) the advertisement could be mistaken to represent a road traffic sign;
 - (j) the illumination of advertisements is likely to distract drivers' attention from road traffic signs which are not illuminated;
 - (k) the position of an advertisement would disrupt the flow of information from road traffic signs to drivers who encounter a series of road traffic signs intended for traffic regulation, warning or guidance, in cases where the applicable speed limit on the road exceeds 60 km per hour;
 - (l) the position of any advertisement would potentially distract drivers' attention at places where traffic turns, negotiates curves, merges or diverges, or in the area of intersections or interchanges, or where drivers' uninterrupted attention to the driving task is important for road safety;
 - (m) the distance of any advertisement before any road traffic sign, an advertisement's position in between road traffic signs or an advertisement's distance behind any road traffic sign is of such a nature as to distract a driver's attention from any road traffic sign.
- (3) The Agency may increase the minimum spacing between advertisements, or place further restrictions on the position, size and content of any advertisement it considers necessary, in the interests of road safety.
- (4) No advertisement will be allowed that emits a noise, sound, smoke, smell or odours.

7. Amenity and decency

Despite the other provisions of these regulations, no advertisement may—

- (a) be detrimental to the environment or to the amenity of a human living

- environment by reason of size, colour, texture, intensity of illumination, quality of design or materials or for any other reason;
- (b) be in its content objectionable, indecent, offensive or suggestive of indecency or prejudicial to public morals or be in conflict with the guidelines or standards laid down from time to time by the South African Outdoor Advertising Association;
 - (c) obscure, partially or wholly, an advertisement owned by another person that has been erected previously and legally displayed.

8. Advertisement to be concise

An advertisement positioned on or next to a national road and visible from a national road must be concise and legible and comply with the following requirements:

- (a) No advertisement displaying a single message may exceed six bits of information in a visual zone and 10 bits on a road other than a freeway;
- (b) No combination sign, or any other advertisement displaying more than one advertisement or message, may contain more than six bits of information per enterprise, service or property, or per individual advertisement or message displayed on a combination sign;
- (c) Numbers longer than eight digits are not allowed;
- (d) A street number indicating specific premises must have a minimum size of 150 millimetres and a maximum size of 350 millimetres;
- (e) No message may be spread across more than one advertisement.

9. Design and construction

(1) Any advertisement must—

- (a) be neatly and properly constructed according to generally accepted design and construction standards;
- (b) not be detrimental to or have a negative aesthetic impact on the streetscape or character of the surrounding area by way of the design of the structure or device;
- (c) have a neat appearance and consist of durable materials suited to the function, nature and permanence of the advertisement, and materials such as cloth, canvas, cardboard, paper or synthetic cardboard may be used only when essential to the nature and function of a particular advertisement;
- (d) have a neat appearance in terms of advertisement content and sign writing, and may not contain untidy handwritten messages;
- (e) not deface building facades with electrical services provisions and other accessories;
- (f) be rigidly and securely attached, supported or anchored in a safe manner so that unwanted movement in any direction is prevented;
- (g) be capable of effectively securing, supporting and maintaining not less than twice its mass with the addition of any force to which the

- advertisement may be subjected, including wind pressure;
- (h) wherever necessary in accordance with the nature of the advertisement and when attached to brickwork, masonry or concrete, be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry or concrete or passing through the same and secured on the opposite side;
 - (i) not be secured by water soluble adhesive, adhesive tape or similar material to display the advertisement;
 - (j) have all exposed metalwork painted or otherwise treated to prevent corrosion and all timber treated to prevent decay;
 - (k) have measures taken to prevent entry of water into and the accumulation of water or moisture on or in the advertisement or any part of its supporting framework, brackets or other members.
- (2) No advertisement may—
- (a) obstruct any window or opening provided for the ventilation of a building or obstruct any stairway or doorway or other means of exit from a building or prevent the movement of persons from one part of a roof to another part;
 - (b) be painted on any fence or boundary wall in an area of maximum control.

10. Glass

- (1) All glass used in an advertisement, other than glass tubing used in a neon and similar advertisement, must be safety glass at least three millimetres thick.
- (2) Glass panels used in an advertisement must not exceed 0,9 square metres in area, each panel being securely fixed in the body of the advertisement, structure or device independently of all other panels.

11. Electrical

Every illuminated advertisement and every advertisement in which electricity is used, must—

- (a) have power cables and conduit containing electrical conductors positioned and fixed so that they are not unsightly;
- (b) be constructed of material that is not combustible;
- (c) be provided with an external switch in an accessible position and at a height of at least three metres from the ground whereby the electricity supply to the advertisement may be switched off;
- (d) be wired and constructed in accordance with and subject to the provisions of all applicable laws.

12. Maintenance

(1) An advertisement must—

- (a) be located at a height that discourages vandalism;
- (b) be serviced on a regular basis;
- (c) be maintained in good repair and in a safe condition.

(2) Any person who displays an advertisement or permits it to be displayed shall be responsible for the maintenance in a safe and proper condition of the advertisement and the repainting thereof, and be liable for the consequences of not doing so, and must undertake at least one annual inspection of the advertisement with a view to satisfying himself or herself of the safety thereof.

13. Position of advertisements

An advertisement shall not, except where specifically authorised by these regulations—

- (a) cause any obstruction to a motorist's view of the roadway or its approaches, regardless of the direction the motorist is travelling;
- (b) be positioned on a road island or road median;
- (c) be suspended across a national road;
- (d) be erected within or suspended above a visual zone;
- (e) be permitted at urban street corners.

14. Illumination and electronic advertisement

(1) Illumination is permitted on an advertisement only if it does not lead to unsafe driving conditions, and where it is specifically not prohibited.

(2) The luminance level on any advertisement where illumination is permitted, and where the applicable speed limit on the national road is higher than 60 km per hour, shall not exceed the following:

Illuminated area	Maximum luminance
Less than 0,5 square metres	1000 candela per square metre
0,5 to 2,0 square metres	800 candela per square metre
2,0 to 10 square metres	600 candela per square metre
10 or more square metres in visual zones	350 candela per square metre
10 or more square metres in other areas	400 candela per square metre

(3) In a visual zone an advertisement may not be illuminated unless the freeway, or other national road if the speed limit applicable thereto exceeds 80 km per hour, is lit by overhead lighting over the full distance within which the advertisement is visible from the freeway or such national road and the source

of the illumination is concealed from oncoming traffic.

- (4) A variable or animated message shall not exceed the following frame update limits:

Speed limit 60 km per hour or less	Full video
Speed limit more than 60 km per hour	One single complete frame that changes every 30 seconds as a maximum

- (5) An electronic advertisement may not inhibit the view of a driver or pedestrian or be in the direct line of sight of a traffic light.
- (6) An electronic advertisement may not have subliminal flashes.
- (7) Light not intended for illumination may only be utilised if it is allowed for in the environmental plans of the relevant municipality.
- (8) No person may display light not meant for illumination in a visual zone, or in a natural area, or in an urban area of maximum control if it will be visible from a national road.
- (9) No person may display light not meant for illumination in a rural area of economic activity visible from a national road, or in an urban area of partial or minimum control visible from a national road, without the written approval of the Agency.
- (10) No light beam may be moved or directed in such a manner as to distract the attention of drivers of vehicles from the task of driving.
- (11) No light source or beam of light not meant for illumination may be positioned or aimed so as to shine directly onto, or at, a national road.

15. Floodlighting

- (1) Subject to regulation 14, a light source for an advertisement must be positioned to ensure effective distribution and minimise light wastage or "spill".
- (2) Any light source for an advertisement must not be visible to traffic travelling in either direction.

PART C: TYPES OF ADVERTISEMENTS AND REGULATION OF THEIR ERECTION OR DISPLAY

16. Electronic billboards

- (1) No person may erect an electronic billboard in a visual zone and facing a national road without first obtaining the written approval of the Agency. In deciding whether to grant or refuse such approval, the Agency must have regard to—
 - (a) the matters set out in regulation 6;
 - (b) whether it is allowed for in environmental plans of the relevant municipality;
 - (c) aesthetic and ecological aspects;
 - (d) the nature of the proposed messages;
 - (e) other factors specified in the Act or these regulations or that the Agency regards as relevant.
- (2) A large electronic billboard must be displayed perpendicular to oncoming traffic.
- (3) No large electronic billboard may be erected closer than five kilometres to another large electronic billboard on the same side of a national road, unless this is allowed for in the environmental plans of the relevant municipality.
- (4) An electronic billboard may not be erected within a radius of 50 metres from the centre of an intersection on a national road where the speed limit on the national road is less than or equal to 60 kilometres per hour, or within a radius of 100 metres from the centre of an intersection or from a ramp gore at an interchange on a national road where the speed limit exceeds 60 kilometres per hour but does not exceed 100 kilometres per hour, or within a radius of 200m from the centre of any intersection or from any ramp gore at an interchange on any portion of a freeway where the speed limit exceeds 100 kilometres per hour.
- (5) The approval contemplated in sub-regulation (1) must be granted for a specified period.
- (6) No electronic billboard 18 square metres or smaller in area of advertisement, may be erected closer than 1,5 kilometres to another electronic billboard or large electronic billboard on a national road, unless this is allowed for in the environmental plans of the relevant municipality.
- (7) No one may erect an electronic billboard or large electronic billboard in a visual zone in an area other than an urban area of partial or minimum control.

17. Large billboards

- (1) No person may erect a large billboard in a visual zone or facing a national road without first obtaining the written approval of the Agency. In deciding whether to grant or refuse such approval, the Agency must have regard to—
- (a) the matters set out in these regulations;
 - (b) whether it is allowed for in environmental plans of the relevant municipality;
 - (c) aesthetic and ecological aspects;
 - (d) other factors specified in the Act or these regulations or that the Agency regards as relevant.

(2) The clear height of a large billboard shall be not less than 2,4 metres.

(3) Large billboards must be spaced as follows:

On a national road where a speed limit of more than 80 km/hour has been imposed	At least 250 metres apart and at least 250 metres from any product replica or three dimensional advertisement when in view of each other or of such product replica or three dimensional advertisement and on the same side of the national road, and at least 200m from any road traffic sign.
On a national road where a speed limit of more than 60 and up to 80 km/hour has been imposed	At least 200 metres apart and at least 200 metres from any product replica or three dimensional advertisement when in view of each other or of such product replica or three dimensional advertisement and on the same side of the national road, and at least 100m from any road traffic sign.
On a national road where a speed limit of 60 km/hour or less has been imposed	At least 120 metres apart and at least 120 metres from any product replica or three dimensional advertisement when in view of each other or of such product replica or three dimensional advertisement and on the same side of the national road, and at least 50m from any road traffic sign

- (4) A large billboard may not be erected within a radius of 50 metres from the centre of an intersection on a national road where the speed limit on the national road is less than or equal to 60 kilometres per hour, or within a radius of 100 metres from the centre of an intersection or from a ramp gore at an interchange on a national road where the speed limit exceeds 60 kilometres per hour but does not exceed 100 kilometres per hour, or within a radius of 200m from the centre of any intersection or from any ramp gore at an interchange on any portion of a freeway where the speed limit exceeds 100 kilometres per hour.
- (5) The approval contemplated in sub-regulation (1) must be granted for a specified period.
- (6) No person may erect a large billboard in a visual zone in an area other than an

urban area of partial or minimum control

18. Small billboards and tower structures

- (1) Small billboards may not exceed 18 square metres in area of advertisement and 10m in height, and must have a clear height of not less than 2,4m. Tower structures may be pole-mounted units of not more than four panels. No panel or board on a tower structure may exceed 4,5 square metres. The clear height of a tower structure may not be less than 2,4m, while the maximum height shall not exceed five metres.
- (2) No person may erect a small billboard or tower structure in a visual zone in an area other than an urban area of partial and minimum control.
- (3) No person may erect a small billboard or tower structure on or visible from a national road without first obtaining the written approval of the Agency. In deciding whether to grant or refuse such approval, the Agency must have regard to—
 - (a) the matters set out in these regulation;
 - (b) aesthetic and ecological aspects;
 - (c) the consideration that tower mounted advertisements must be “internally oriented” and not be aimed at road users outside the shopping centre or transport node;
 - (d) the consideration that tower structures must be of a high visual standard and harmonize with buildings and streetscapes;
 - (e) other factors specified in the Act or these regulations or that the Agency regards as relevant.
- (4) The approval contemplated in sub-regulation (3) must be granted for a specified period.

19. Large posters and other advertising on street furniture

- (1) A large poster, other than on a bus or taxi shelter incorporating posters —
 - (a) is not allowed in a natural and rural area;
 - (b) may not be used for the primary purpose of directing or guiding travellers;
 - (c) is not allowed on or next to a freeway;
 - (d) may not be closer than 1800 millimetres from the edge of a roadway and not less than 300 mm from the edge of a cycle path; and
 - (e) may not be closer than 120m to another large poster;
 - (f) may not be placed so as to obstruct pedestrian movement on a national road.
- (2) The size of a large poster and other advertising on street furniture facing in any

one direction may not exceed 2,2 square metres in area of advertisement. Street furniture carrying an advertisement shall not exceed three metres in height, except that a maximum height of four metres will be allowed where the structure serves as a visual focal point and is of a high visual quality.

- (3) A large poster and advertising on street furniture shall not be illuminated or animated in an urban area of maximum control, but may be illuminated, but not animated, in an urban area of partial or minimum control.
- (4) A large poster advertising on street furniture may be displayed on the road reserve, but not on a road median or island.
- (5) No person may erect a large poster or advertise on street furniture without first obtaining the written approval of the relevant municipality.

20. Flags

- (1) A flag may be used only for—
 - a) locality-bound advertising of functions or events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or cultural purposes or functions or events relating to municipal, provincial or parliamentary elections or referenda;
 - b) locality-bound advertisements displaying of the name, corporate symbol and nature of enterprises;
 - c) streetscaping urban areas such as pedestrian malls and gateways,
 - d) non-locality bound advertisements of campaigns supported by government.
- (2) A flag is not permitted in a natural area.
- (3) No-one may display a flag larger than five square metres in a rural area or urban area of maximum control and six square metres in an urban area of partial or minimum control without obtaining the approval of the Agency.
- (4) A flag must be attached to or supported by poles or other supports on the site, or against the building where the function or event is to be held, or where the enterprise is located.
- (5) A flag may not be attached in such a manner as to interfere with or constitute a danger to passing pedestrians or traffic.

21. Suburban advertisements

- (1) A suburban advertisement shall be permitted only in an urban area where the applicable speed limit on the road in question does not exceed 80 km per hour, but not on or next to a freeway.

- (2) Subject to sub-regulation (1), no person may erect a suburban advertisement facing a national road without first obtaining the written approval of the relevant municipality.
- (3) A suburban advertisement must be rectangular, and must be not more than 0,4 metres in height and not wider than the suburb name sign. It must be less conspicuous than the suburb name sign.
- (4) A suburban advertisement may not bear colours that may cause confusion with road traffic signs and may not be illuminated or animated.
- (5) Suburban advertisements must comply with the requirements of the suburb name GL2 sign as prescribed in the National Road Traffic Act.

22. Estate agents' boards

- (1) An estate agents' board may not contain information other than the words "for sale", "to let" or "sold" and the name, logo, and telephone number of the selling or letting agent.
- (2) An estate agents' board is permissible in any area, but not more than one such board per estate agent may be erected on any erf and not more than three agents may display their boards simultaneously on the same erf.
- (3) An estate agents' board may only be a single board or two duplicate boards joined together.
- (4) The maximum size of an estate agent's board shall be—

Natural and rural areas;;	2,0 square metres for single boards or 2,3 square metres in total for two joined boards
Urban areas of maximum or partial control	0,55 square metres for single boards or a total area of 0,65 square metres for two joined boards
Urban areas of minimum control	2,8 square metres for single boards or 3,2 square metres for two joined boards

- (5) An estate agents' board must be attached to the boundary fence of the property concerned or displayed within the boundaries of premises.
- (6) An estate agents' board must be removed not later than 14 days after conclusion of a contract of sale or lease for the property in question.
- (7) Not more than 10 direction boards indicating the position of a property (known as "trail blazer boards"), are permitted per erf, if allowed by the relevant municipality, but not on or along freeways, and such boards may not show more than direction arrows and the name and logo of the estate agent

- (8) Estate agents' boards may not be displayed on the road reserve, or road reserve boundaries of freeways
- (9) The size of estate agents' trailblazer boards may not exceed 0,65 square metres and a height of three metres.
- (10) No illumination or animation of estate agents' boards is allowed.

23. Advertisements for sale of goods or livestock

- (1) Only one advertisement for sale of goods or livestock per sale shall be allowed facing a national road.
- (2) The size of such an advertisement may not exceed two square metres in a natural or rural area or an urban area of maximum or partial control, and 2,8 square metres in an urban area of minimum control, and no part of the advertisement shall be higher than three metres above the ground.
- (3) Such an advertisement may be displayed only on the premises or property where the advertised sale is to take place, or be attached to the boundary fence of such a property or premises.
- (4) No illumination or animation of such an advertisement shall be allowed.
- (5) Such an advertisement may be erected no earlier than one day before the sale in question and must be removed not later than one day after such sale, and advertisements of a permanent nature are not allowed.
- (6) Advertisements for the sale of goods or livestock may not be displayed on the road reserve or road reserve boundary of freeways.

24. Sidewalk posters and notices

- (1) A sidewalk poster or notice may be displayed only in an urban area of partial or minimum control.
- (2) No person may erect a sidewalk poster or notice without first obtaining the written approval of the relevant municipality.
- (3) A sidewalk poster or notice may be displayed only on an electric light standard or other structure which is provided for the express purpose of pasting or affixing the poster or notice, and may not be attached or affixed to a road traffic sign or a signal, wall, column or post of a veranda or balcony, electricity box, tree or bridge.

- (4) A sidewalk poster or notice may not cover municipal markings or painted stripes on lampposts.
- (5) A sidewalk poster or notice may not be illuminated or animated.
- (6) A sidewalk poster or notice must be fixed by means of suitable cords acceptable to the relevant municipality, and metal clamps or wire may not be used.
- (7) No person may advertise commercial products, services or events by means of a sidewalk poster or notice.
- (8) Only one sidewalk notice or poster may be displayed per post or standard, except that in the case of election or referendum campaigns, not more than three posters per post or standard shall be allowed.
- (9) The name of the institution, body or organisation, the date of the function or event and the venue thereof must appear on each sidewalk notice or poster in letters not smaller than 50 millimetres in height.
- (10) A sidewalk poster or notice may not exceed 0,55 square metres in area and must be at least two metres below any light fixture.
- (11) A sidewalk poster or notice, except for an election or referendum poster, may not be erected more than 14 days before the relevant event and must be removed not later than seven days thereafter.
- (12) A parliamentary, provincial or municipal election or referendum poster may not be erected before the date on which the notice or proclamation in the *Government Gazette* or provincial gazette announcing the election or referendum is published and must be removed not later than 14 days after the date of the election or referendum.
- (13) A sidewalk poster or notice, except for an election or referendum poster, must bear an official stamp or sticker from the relevant municipality which displays the expiry date prominently, and may not be displayed without such a stamp or sticker.
- (14) Sidewalk posters and notices may not be displayed on the road reserve or road reserve boundaries of freeways.

25. Project boards

- (1) A project board must be approved by the relevant developer or employer, and may display only—

- (a) a description of the building or structure being erected or other work or activity being carried out;
 - (b) the names and the company symbols or logos of the contractors or consultants;
 - (c) the branches of their industry or profession;
 - (d) a description of the development being carried out;
 - (e) where relevant, details of the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or the agent of the developer.
- (2) Only one combined project board listing contractors and consultants shall be allowed per street front of a site.
- (3) A project board shall not exceed 1,5 square metres in area of advertisement per consultant or contractor, and may not exceed a total area of 9 square metres.
- (4) A project board may be erected on a road reserve, but not on a freeway, and only if there is insufficient space on the development site, but a board concerning road construction may be positioned in any road reserve.
- (5) A project board may not be illuminated or animated.
- (6) A project board may be displayed only while the relevant works are actually taking place on the site.

26. Street name advertisements

- (1) A street name advertisement shall be permitted only in an urban area on a road other than a freeway.
- (2) A street name advertisement which omits the street name shall not be permitted.
- (3) No one may erect a street name advertisement without first obtaining the written approval of the relevant municipality.
- (4) The advertising and street name sections of a street name advertisement must both be rectangular in shape. The street name section must be below the advertising section but not closer than 200 millimetres to it and not closer than 2,1 metres to the ground. The advertising section of the advertisement may not exceed 1,64 square metres in area of advertisement.
- (5) Where illuminated, the illuminated portion of the advertisement must be above the level of standard pole-mounted traffic lights and may not extend over the road surface.
- (6) A street name advertisement may be erected only at an intersection and may be

erected on a road reserve or road median.

- (7) Illumination on a street name advertisement must be static and the degree of illumination of the advertising section may equal, but may not exceed, the street name section. The advertisement may not be animated and may not flash. The colour of the street name and background must be determined by the relevant municipality..
- (8) Any street name on the advertising space of a street name advertisement must be smaller and less conspicuous than the actual street name on the street name panel, and the layout must be such that there is no confusion with the street name on the street name panel.
- (9) Only two street name advertisements will be permitted per intersection, and such advertisements may not be placed on the same side of any of a national road.
- (10) The street name advertisement shall comply with the requirements for the street name GL1 sign as prescribed in the National Road Traffic Act.

27. Security advertisements

- (1) A security advertisement must refer only to the existence and operation of a commercial security service, burglar alarm system, neighbourhood watch, farm watch or similar system or scheme.
- (2) A security advertisement may not exceed 0,35 square metres in area of advertisement, except a farm advertisement, which may not exceed 1,5 square metres in area of advertisement. All such advertisements may not exceed a height of three metres above ground level.
- (3) In an urban area in a visual zone only one security advertisement per street boundary of the premises may be erected and must be firmly affixed to the building, boundary wall, fence or gate on the street frontage or within the boundaries of the erf.
- (4) A security advertisement on a farm must be displayed at the intersection of a national road and private access road or at the entrance to the property. Only one advertisement per farm or holding shall be allowed. The advertisement may be erected within a road reserve other than a freeway, but not on a road island or median.
- (5) A security advertisement may not be illuminated or animated.

28. Product replicas and three-dimensional advertisements

- (1) A product replica or three-dimensional advertisement is allowed only in an urban area of partial or minimum control and then only in a shopping centre or other commercial area or in an entertainment or industrial area. It shall be allowed only if the prior written approval of the Agency has been obtained.
- (2) The highest point of a free-standing product replica or three-dimensional advertisement above ground level shall not exceed three metres in an urban area of partial control and four metres in an urban area of minimum control.
- (3) A product replica or three-dimensional advertisement aimed at road users must be spaced at the following minimum distances when in view of another such replica or advertisement or of any large billboard and on the same side of a national road:

On a national road where a speed limit of more than 80 km/hour has been imposed	At least 250 metres from any other product replica, three dimensional advertisement or large billboard
On a national road where a speed limit of more than 60 and up to 80 km/hour has been imposed	At least 200 metres from any other product replica, three dimensional advertisement or large billboard
On a national road where a speed limit of 60 km/hour or less has been imposed	At least 120 metres from any other product replica, three dimensional advertisement or large billboard

29. Balcony or under awning advertisements

- (1) A balcony or under awning advertisement may be erected only on premises used for commercial, office, industrial or entertainment purposes.
- (2) In the case of an advertisement contemplated in paragraph (a), (b) or (c) of the definition of "balcony or under awning advertisement"—
 - (a) no advertisement may project at any point more than 100 millimetres from the surface to which it is affixed;
 - (b) no advertisement may exceed a vertical dimension of 750 mm and a horizontal dimension of 2400 mm;
 - (c) no advertisement may extend above or below or beyond any extremity of a parapet wall, balustrade, railing, beam or fascia;
 - (d) not more than one advertisement per facade per enterprise shall be allowed, unless the facade exceeds 20m in length, where more than one advertisement is allowed if they are spaced at a minimum of 6m intervals and the total horizontal advertisement length does not exceed

4000 mm.

- (3) In the case of an advertisement contemplated in paragraph (d) of the definition of "balcony or under awning advertisement"—
- (a) the advertisement must be painted on or affixed flat onto the supporting column, pillar or post;
 - (b) a projecting advertisement may be affixed only to a column, pillar or post supporting a roof over fuel pumps at a filling station or roadside service area, and may not exceed one square metre per sign face or two square metres in total area;
 - (c) an advertisement affixed flat onto a supporting column, pillar or post may not project more than 50 mm from the surface to which it is affixed;
 - (d) no advertisement may extend beyond any extremity of the column, pillar or post;
 - (e) an advertisement affixed flat onto a non-rectangular supporting structure must be curved to fit the form of such a structure;
 - (f) only one advertisement per column, pillar or post is allowed;
 - (g) no poster or placard may be pasted onto a supporting column, pillar or post.
- (4) A balcony or under awning advertisement may be suspended above a sidewalk or road reserve.
- (5) No illuminated advertisement or advertisement designed to reflect light may be attached to or displayed on a splayed or rounded corner of a balcony at a street intersection, unless the bottom of the advertisement is at least six metres above the street immediately below it.

30. Forecourt advertisements

- (1) A forecourt advertisement may be displayed only in an urban area. In any other area, it may only be displayed in a centre of economic activity.
- (2) An individual, free standing forecourt advertisement may not exceed 1,7 square metres in area of advertisement for single sided advertisement and 3,4 square metres for a double-sided advertisement.
- (3) The total area of advertisement of all free-standing forecourt advertisements may not exceed 5,0 square metres on each forecourt frontage, except in the case of filling stations and roadside service areas, where it may not exceed 8,0 square metres. In the case of filling stations and roadside service areas, additional non-free standing advertisements with a maximum area of 0,15 square metres per advertisement shall be allowed if attached to fuel pumps, vending machines and other non-advertising structures.

- (4) A forecourt advertisement must be free-standing, except for an advertisement attached to a fuel pump, vending machine or other non-advertising structure in a filling station or roadside service area.
- (5) A forecourt advertisement may not be displayed in a road reserve and may not interfere with pedestrian circulation.
- (6) A forecourt advertisement may not be animated.

31. Residential or community advertisements

- (1) A residential or community advertisement may be affixed flat or painted on a gate or wall, or on a pole mounted advertisement or an advertisement with supporting structures forming a visual structure around the sign panel.
- (2) A direction or warning sign may not exceed 0,5 square metres in total area of advertisement per premises, except where there is more than one entrance to the same premises on different road frontages, where a total sign area of advertisement of 1,0 square metre and 0,5 square metres per frontage is permitted.
- (3) In the case of an advertisement showing the name and nature of an enterprise or place of residence or the name of a proprietor or practitioner, one advertisement per premises is allowed, that may not exceed 1,5 square metres in area of advertisement per premises, but where there is more than one entrance to the same premises on different road frontages, two advertisements with a total sign area of advertisement of 1,5 square metres each may be displayed, each on a different frontage.
- (4) Despite sub-regulations (2) and (3), where the advertisement has a solid supporting structure other than a framework, the maximum area per advertisement may be 3,0 square metres.
- (5) Where more than one enterprise or property is involved, a combination advertisement must be provided with not more than 1,0 square metre per premises or per property.
- (6) The highest point of a free standing advertisement may not exceed 3,0 metres above ground level, except for a combination sign, where the highest point of the sign shall not exceed 4,0 metres above ground level.
- (7) In the case of a residential or community advertisement, a name or logo of a sponsor of the advertisement may not be displayed except on the name of a farm or smallholding. The sponsor advertisement may not exceed one third of the total advertisement area.
- (8) A residential or community advertisement may be displayed only on the

premises to which it refers, or on the boundary wall, fence or gate of such premises.

- (9) A farm or smallholding name sign must be displayed next to the entrance of the access road thereto or affixed to the gate at the entrance of such access road. Where more than two farms or smallholdings share an unnumbered or private access road, a direction road traffic sign must be used to indicate the access road.
- (10) A free standing residential or community advertisement is allowed only where it is not aesthetically or practically acceptable to attach a sign to a building or boundary wall, fence or gate, and may not be erected in a road reserve.
- (11) A residential or community advertisement may not be animated, and may be illuminated only in an urban area. It must harmonise with the buildings and other structures on the premises as to materials, colour, texture, form, style and character.

32. On-premises business advertisements

- (1) An on-premises business advertisement must be locality bound and may provide information only of the name and nature of the enterprise, the nature of goods sold or services provided and the name of the proprietor(s) or practitioner(s), and may be erected as a free standing advertisement.
- (2) An on-premises business advertisement may not be displayed unless—
 - (a) the building housing the enterprise is situated in relation to the road which it faces such that passing pedestrians or motorists may have difficulty noticing advertisements affixed to the building;
 - (b) it is not structurally possible or visually feasible to affix appropriate advertisements to a building;
 - (c) the advertisement is needed to locate the entrance to business premises or the private access road to a business;
 - (d) there are no tourism road traffic signs reducing the need for such advertisements.
- (3) No one may erect or display an on-premises business advertisement facing a national road without first obtaining the written approval of the Agency. In deciding whether to grant or refuse such approval, the Agency must have regard to the manner and type of illumination of the advertisement, if applicable, and the consideration that—
 - (a) a proliferation of advertisements must be prevented and that combination advertisements must be promoted.
 - (b) the design of combination advertisements must harmonise with the architecture of shopping centres or other buildings or structures;

- (c) messages on individual panels of combination advertisements must be concise and legible;
 - (d) advertisements at access roads to farms and smallholdings must be co-ordinated with residential and community advertisements to form combination advertisements;
 - (e) combination advertisements must be harmonious in terms of form, letter types and colour.
- (4) Only one on-premises business advertisement shall be allowed per enterprise, unless there is more than one entrance on different road frontages, where two will be allowed, one per frontage.
 - (5) An on-premises business advertisement in areas of maximum control shall be limited to a size not exceeding 6 square metres and a height of 7m. In an urban area of partial or minimum control, the advertisement will be limited to a size not exceeding 12 square metres and a height of 10m.
 - (6) In the case of an on-premises business advertisement, the name or logo of the sponsor of the advertisement may be displayed, but may not occupy more than one third of the total area of the advertisement.
 - (7) An on-premises business advertisement may not have letters, figures or symbols or similar features that exceed 0,35m in height in a natural or rural area and an urban area of maximum control, and 0,75m in an urban area of partial or minimum control.
 - (8) An on-premises business advertisement may not be closer than five metres from the road reserve boundary.
 - (9) An on-premises business advertisement may be illuminated, subject to regulation 14, but may not be animated.
 - (10) An on-premises business advertisement may refer only to the name and nature of the business on the premises, the brand name and nature of goods for sale or produced or the nature of the service provided and the name of the person(s) or firm(s) who own the business or provide the goods or services.

33. Tower, bridge and pylon advertisements

- (1) No person may erect or display a tower, bridge or pylon advertisement in a visual zone in a natural or rural area, or an urban area of maximum control, or over a freeway in any area. No one may erect or display such an advertisement in an urban area of partial or minimum control without first obtaining the written approval of the Agency, which must consider the matters set out in regulation 40(16) and whether such advertisements are allowed for in the environmental plans of the relevant municipality.

- (2) The maximum area of advertisement of tower bridge and pylon advertisements per structure shall not exceed 36 square metres.
- (3) The clear height of a pylon advertisement may not be less than 2,4m.
- (4) No person may erect or display a tower, bridge or pylon advertisement that is illuminated or animated except in an urban area of minimum or partial control, subject to regulation 14, and then only if—
 - (a) it is not a safety hazard;
 - (b) it does not cause undue disturbance; and
 - (c) the source of the illumination is concealed from oncoming traffic.
- (5) No person may attach an advertisement to a pylon unless the pylon is independently supported without the aid of guys, stays, brackets or other restraining devices, and is properly secured to an adequate foundation in the ground.

34. Construction site advertisements

- (1) No person may erect or display a construction site advertisement without first obtaining the written approval of the Agency, unless the advertisement does not exceed 6,0 square metres in size.
- (2) Construction site advertisements may be erected only for the duration of the relevant construction works.
- (3) Construction site advertisements may not exceed a vertical dimension of 3,0 metres and a total area of advertisement of 18 square metres
- (4) Construction site advertisements will not be allowed along or on freeways.
- (5) Construction site advertisements may be illuminated but not animated.
- (6) Construction site advertisements may not exceed a vertical dimension of 3,0 metres and a total area of 18 square metres.

35. Advertisements for sponsored road traffic projects

- (1) The Agency may approve conditionally or unconditionally, or reject proposals for sponsored road traffic projects at its discretion.
- (2) The Agency, when considering whether to approve or reject proposals for sponsored road traffic projects, must consider -
 - a) the environmental plans of the relevant municipality or municipalities;

- b) the benefits to be gained in respect of road services provision, the promotion of road safety, the management and conserving of road environments, or the obtaining of additional funds for national roads;
 - c) road safety.
- (3) The Agency may approve advertisements for sponsored road traffic projects -
 - a) in natural and rural areas and urban areas of maximum control, provided that the area of advertisement of any advertisement does not exceed 0,5 square metres;
 - b) covered by regulations 16 to 19, 26, 28, 33 and 36 in urban areas of partial and minimum control.
- (4) In addition to any other permissible contents in terms of these regulations, an advertisement for a sponsored road traffic project may also contain the name of, or details of the project and the name, message or logo of the sponsor.
- (5) No advertisement for a sponsored a road traffic project may be combined with or be attached to a road traffic sign.
- (6) No road traffic sign, or symbol used in any road traffic sign, may be used in an advertisement for a sponsored road traffic project.
- (7) An advertisement for a sponsored road traffic project may be displayed in a road reserve, but not on a road island.
- (8) An advertisement for a sponsored road traffic project may not be animated.

36. Service facility advertisements

- (1) A service facility advertisement may refer only to the name or logo of a business providing a service, and the type of service provided.
- (2) A service facility advertisement must be locality-bound and may be erected or displayed only in service facilities adjacent to and directly accessible from a national road at which the advertisement is directed. Only one such advertisement per direction of traffic flow will be allowed.
- (3) No one may erect or display a service facility advertisement without first obtaining the written approval of the Agency. An applicant for such approval must submit with the application a location plan, detailed drawings of the advertisement and a certificate issued by an engineer verifying that it was designed by such engineer.
- (4) No service facility advertisement may exceed the following dimensions:

Natural areas and urban freeways	10m in height and 3m in width
Other urban areas	7m in height and 2m in width
Rural areas	20m in height and 6m in width

- (5) The Agency may, in the approval referred to in sub-regulation (3), stipulate requirements for the positioning of the advertisement.
- (6) A service facility advertisement may not be animated, and illumination is allowed only while the services concerned are being provided.
- (7) No advertisement shall be allowed in a roadside service area except a service facility advertisement permitted under this regulation, unless used for internal direction and orientated and aimed at motorists within the facility.
- (8) No person may erect a service facility advertisement in a road reserve without the approval of the Agency.
- (9) No person may erect a service facility advertisement in the road median or on an island.

37. Banners

- (1) A banner may be used only for—
 - a) locality-bound advertising of functions or events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or cultural purposes or functions or events relating to municipal, provincial or parliamentary elections or referenda;
 - b) locality-bound advertisement displaying of the name, corporate symbol and nature of enterprises;
 - c) streetscaping urban areas such as pedestrian malls and gateways,
- (2) A banner is not permitted in a natural area.
- (3) No one may display a banner in a natural or rural area or an urban area of maximum or partial control without first obtaining the written approval of the Agency.
- (4) No banner may be larger than five square metres in a rural or urban area of maximum control and six square metres in an urban area of partial or minimum control.
- (5) The total area of the advertisement per event, -function or enterprise may not exceed ten square metres in a rural area or an urban area of maximum control and 15 square metres in an urban area of partial and minimum control.
- (6) A banner must be attached to or supported between poles or other supports on

the site or against the building where the function or event is to be held or where the enterprise is located.

- (7) A banner may not be attached in such a manner as to interfere with or constitute a danger to passing pedestrians or traffic.

38. Development Advertisements

- (1) A development advertisement board must be approved by the relevant developer or employer, and may display only—
- a) a description of the building or structure being erected or other work or activity being carried out;
 - b) a description of the development being carried out;
 - c) where relevant, details of the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or the agent of the developer.
- (2) Only one advertisement describing the type of development shall be allowed. No person may erect such an advertisement without first obtaining the written approval of the Agency.
- (3) An advertisement describing a type of development may not exceed three metres in height. It may not exceed 6.0 square metres in area of advertisement in an area of maximum control and 12 square metres in any other area.
- (4) Development advertisements may be illuminated but not animated.
- (5) A development advertisement may be displayed only while the relevant works are actually taking place on the site.

39. Aerial advertisements

- (1) No person may display an aerial advertisement in a natural or a rural area. In an urban area, no one may do so in a visual zone without the written approval of the Agency.
- (2) An aerial advertisement may not be illuminated or animated, except that an airship may be illuminated.
- (3) With the exception of a moored airship, an aerial advertisement may be displayed only in daylight hours.

PART D: GENERAL PROVISIONS**40. Approval by Agency**

- (1) Any application for approval required by these regulations must be made by completing the application form prescribed in Annexure A and lodging the completed form with the application fee determined by the Agency from time to time.
- (2) The Agency may refuse to consider an application where the relevant form has not been completed properly or the relevant fee has not been paid.
- (3) An application in terms of sub-regulation (1) must be signed by the owner of the proposed structure or device upon which the advertisement will be displayed and by the owner of the land on which it is to be erected or displayed, or by the agent of such persons authorised in writing, and must be accompanied by any additional information or documents requested by the Agency.
- (4) The Agency may, in respect of road safety considerations and before granting approval, require the applicant to submit letter sizes and length of the proposed message, and may impose the condition that the message may not be changed without the prior approval of the Agency.
- (5) The Agency, when granting approval for any advertisement, or structure upon which an advertisement is to be displayed in an urban area, must make its approval conditional on the applicant also obtaining the approval of the relevant municipality.
- (6) The Agency may refuse to consider an application for approval unless or until a strategic environmental management plan has been prepared by the relevant municipality, and is available.
- (7) The Agency may grant approval subject to conditions, which must be complied with by the owner of the advertisement, the owner of the structure upon which an advertisement is to be displayed, the person or persons who erect or display it, the owner of the land on which it is displayed or erected and any occupier or other person in charge of such land.
- (8) The Agency may invite applications for approval to erect non locality-bound advertisements on or visible from a particular national road or portion thereof, by public notice within a period specified in the notice, and hold all applications received in respect of such road or portion in abeyance until expiry of that period.
- (9) Where the Agency has granted approval for the erection or display of an advertisement, the advertisement may not be moved or re-erected nor shall any

alteration be made to the electric wiring system thereof, except for the purpose of renovation or maintenance, without first obtaining the further written approval of the Agency.

- (10) The Agency must register every advertisement approved by it and allocate to it a registration number, which must be displayed on the advertisement in a clearly visible position by the owner of the advertisement, and, if so directed by the Agency, in more than one place on the advertisement, in a manner so directed and in a manner which will ensure that the number is not removed or obscured. The name and address of the advertiser must also appear on the advertisement in the manner directed by the Agency, in letters that conform with the sizes stipulated by the Agency.
- (11) Approvals granted in terms of these regulations may be renewed after expiry of the period for which the approval was granted by—
 - (a) making application for such renewal to the Agency on the form provided by the Agency, and;
 - (b) lodging the completed form with the renewal fee determined by the Agency (which may include an inspection fee).
- (12) The Agency may reject an application for renewal of an approval that does not comply with sub-regulation (11).
- (13) Where an approval has so lapsed, application may be made afresh on compliance with sub-regulations (1), (2) and (3).
- (14) The owner of the land on which an advertisement is erected or displayed in terms of an approval obtained under this regulation, must retain certified copies of all documentation relating to the application and the approval issued by the Agency and any renewal thereof for as long as the advertisement is erected or displayed, and must present it to any person authorised by the Agency on request. The owner of the advertisement, if not also the owner of the land, must provide the owner of the land with certified copies of all relevant documentation.
- (15) Approvals granted by the Agency in terms of the Act or these regulations shall be additional to, and not in substitution of, consent or approval required by any other law.
- (16) Where these regulations provide that the approval of the Agency will be required for the erection or display of an advertisement, in the absence of other specific criteria provided, the Agency must consider, where applicable in each case—
 - (a) the matters set out in regulation 6, road safety considerations being the most important and overriding factor;

- (b) any other matters set out in these regulations;
 - (c) environmental considerations, which must include aesthetic, ecological and traffic safety aspects;
 - (d) the visual content of the advertisement, with regard to letter sizes and length of messages, colours, impact etc.;
 - (e) whether the advertisement complies with the Act and these regulations and with the requirements and standards of the Agency;
 - (f) requirements and guidelines published by the South African Advertising Standards Authority or similar regulatory bodies established by the industry.
- (17) The Agency may withdraw any approval given under this regulation where the relevant advertisement does not or ceases to comply with these regulations, or a condition imposed in such approval has not been complied with.
- (18) The Agency may set a fee as portion of the application fee which will be held in trust for the period of the approval and may use this amount to defray any expenses it may incur as a result of the conditions of the approval, and these regulations, not being complied with. If not so used, the Agency must return the amount, or what is left thereof, to the holder of the approval on termination of the period of the approval.

41. Transitional provisions

- (1) Subject to section 50 of the Act, any advertisement that was erected or displayed on the date of commencement of these regulations that is prohibited by these regulations, and is not an advertisement for which the Agency may grant approval, must be removed within 90 days of such date of commencement.
- (2) Where an advertisement has been erected or displayed on the date of commencement of these regulations, which, in terms of these regulations, may not be so erected or displayed without the approval of the Agency or another authority, the owner of the advertisement must apply to the Agency or the other authority, as the case may be, for such approval, within 90 days of such date of commencement, failing which the advertisement must be removed forthwith. No such application may be made in respect of an advertisement contemplated in sub-regulation (1).
- (3) If approval for an advertisement contemplated in sub-regulation (2) has been refused, the owner must remove it within 30 days of receipt of notification of such refusal. Where such a notification has been posted by registered post, the owner will be deemed to have received it eight days after posting thereof.

42. Short title

These regulations shall be known as the Regulations on Advertising On or Visible From National Roads, 2000.

**ANNEXURE A: APPLICATION FORM FOR APPROVAL OF AN ADVERTISEMENT
THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL
ROADS ACT, 1998 (ACT NO. 7 OF 1998)**

**APPLICATION FOR APPROVAL OF AN ADVERTISEMENT IN TERMS OF THE
REGULATIONS ON ADVERTISING ON OR VISIBLE FROM NATIONAL ROADS,
2000**

- (1) This application must be accompanied by an application fee in the amount determined by the Agency from time to time.
- (2) The Agency may refuse to consider the application if this form has not been completed properly or if the application fee has not been paid.
- (3) Applications must be submitted to the address, or addresses published in the Gazette from time to time.
- (4) A separate application must be submitted for each advertisement. An application fee must be paid for each such application.

Advertisement identifying information

Office to which submitted

Route number Section number Kilometre distance

Advertisement is located on the side of road on which traffic is travelling in direction (N,E,S,W)

Advertisement details

Description of property on which advertisement will be situated.....

Reference number of regulation in terms of which the approval is required.....

Advertisement category description

Full description of approval required

Agent of applicant (if applicable)

Name of representative of agent

Identification number of representative

Name of agent or company, corporation or other juristic person

First names of agent

Identity/registration number/other identification number of agent

Street address and code

Postal address and code

Telephone no (s)

Fax no

E-Mail address

Signature of representative of agent Date

Applicant (owner of advertisement structure)

Name of representative of applicant

Identification number of representative

Name of applicant or company, corporation or other juristic person

First names of applicant

Identity/registration number/other identification number of applicant

Trade name (if applicable).....

Type of business

Street address and code

Postal address and code

Telephone no (s)

Fax no

E-Mail address

Signature of representative of applicant..... Date

Land owner (if different from applicant)

Name of representative of land owner

Identification number of representative

Name of land owner or company, corporation or other juristic person

First names of land owner

Identity/registration number/other identification number of applicant

Street address and code

Postal address and code

Telephone no (s)

Fax no

E-Mail address

Signature of representative of land owner..... Date

Local authority or municipality

Name of representative of local authority or municipality

Identification number of representative
 Name of local authority or municipality
 Postal address and code
 Telephone no (s)
 Fax no
 E-Mail address
 Name of local by-law dealing with advertisement
 Area designation by local authority (not allowed, natural, rural, urban area of maximum control, urban area of partial control or urban area of minimum control)

Note – letter of approval by local authority or municipality to be submitted when requested by the Agency.

Advertisement structure

Detailed information regarding the size, height, width and clearance height of the advertisement as well as areas to be illuminated or animated.

Site sketch plan

A sketch plan of the site on which the advertisement is to be erected or displayed, drawn to a scale of roughly 1:500 and for a distance not less than 100m upstream and downstream of the advertisement, showing all natural features and also buildings and structures which may affect sight distance, roads and streets, the national road reserve boundary, street names, route and section numbers, kilometre distances along the national road, all existing advertisements in the area, road traffic signs and traffic signals, the approximate extent of the visual zone, and the dimensional position of the advertisement being applied for.

Elevation plan or photographs

Elevations of the proposed advertisement to a scale of not less than 1:500, or photographs of a size not less than 200 x 250 mm, taken from points on the road reserve from which the advertisement will be visible, at 50 metre intervals along the left hand-most lane of the roadway over a distance of 500 metres upstream of the advertisement, showing the proposed advertisement superimposed thereon. Elevation plans or photographs are only required for large and small electronic billboards, large and small billboards, tower structures, product replicas and three-dimensional advertisements, balcony and under-awning advertisements, forecourt advertisements, tower and pylon advertisements and aerial advertisements. Details of the position from which an elevation plan is provided or a photograph has been taken, the distance from the advertisement, the position of the advertisement and its structure in relationship to its surroundings and the national road must be provided, as well as any other information subsequently required by the Agency.

Additional information to be submitted when requested

When required, the Agency will request the applicant to submit any or all of the following additional information:

Layout plan

A layout plan, drawn to a scale of at least 1:2000 and showing a distance of not less than 500m upstream and downstream of the proposed site of the advertisement being applied for. This plan must accurately show all the information as required for the site sketch plan, the positions from which elevations or photographs are provided, horizontal curve positions, road gradients, speed limits, street and road lighting poles, as well as any other information required by the Agency which will allow a detailed evaluation of any factor which could affect road safety.

- Such layout plans may be prepared using 1:2000 completion survey drawings obtainable, when available, from the Agency.

Electrical engineer's certificate

When electricity is used, an electrical certificate signed by a licensed electrical engineer or by an inspector duly authorised by a municipality must be submitted stating that the advertisement will comply with the requirements of these regulations as well as any other regulations and requirements related to the use of electricity. The certificate must also show the engineer's name, registration number, postal address, telephone no, fax no and e-mail address.

Structural engineer's certificate

If required by the Agency, additional drawings, calculations and other information and a certificate by an engineer giving details to the Agency's satisfaction to enable it to establish the adequacy of the proposed means of securing, fixing or supporting the advertisement, to resist all loads and forces to which the advertisement may be exposed and the sufficiency of the margin of safety against failure to comply with the provisions of the national building regulations contemplated in section 17 of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977). The certificate must also show the engineer's name, registration number, postal address, telephone no, fax no and e-mail address.

Additional information on advertisement contents

When required, the Agency will request the applicant to submit a drawing or photograph at a suitable scale of the advertisement, showing all details of the contents of the advertisement, including words, numbers, symbols, colours, graphics, illumination and animation

The Agency may also require the applicant to submit an electronic photograph of the erected advertisement, showing the advertisement structure as well as the contents of the advertisement.

Letter of approval by local authority or municipality

A letter approval the advertisement structure and contents from the local authority or municipality must be submitted when requested by the Agency.

Other information

The Agency may request you to submit additional information or documents.

No. R. 1402

22 Desember 2000

**DIE WET OP DIE SUID-AFRIKAANSE NASIONALE PADAGENTSKAP
BEPERK EN OP NASIONALE PAAIE, 1998 (WET NO. 7 VAN 1998)**

**HERROEP VAN REGULASIES EN UITVAARDIGING VAN REGULASIES OP
ADVERTERING OP OF SIGBAAR VANAF
NASIONALE PAAIE**

Ek, Abdulah Mohamed Omar, Minister van Vervoer, het kragtens artikel 58 van die Wet op Die Suid-Afrikaanse Nasionale Padagentskap Beperk en op Nasionale Paaie,

- a) die regulasies op advertering op of sigbaar vanaf nasionale paaie, gepubliseer in Staatskoerant R6844 van 13 Julie 2000, herroep en
- b) die regulasies in die Bylae uitgevaardig.

BYLAE

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ooOoo

DEEL A: INLEIDENDE BEPALINGS**1. Woordomskrywing**

In hierdie regulasies het 'n woord of uitdrukking waaraan daar in die Wet 'n betekenis geheg is, daardie betekenis en, tensy dit uit die samehang anders blyk, beteken -

"adverteerder" die persoon of organisasie wie se produk of diens geadverteer word of wie se naam of beeld genoem of bevorder word in 'n advertensie;

"advertensie onder 'n balkon of sonskerm" 'n advertensie wat -

- (a) plat aan 'n borsweringmuur, balustrade of reling geheg of daarop geverf is;
- (b) plat aan 'n fassie geheg of daarop geverf is;
- (c) plat op die fassie van 'n dakstruktuur sonder mure geheg of daarop geverf is;
- (d) op 'n pilaar, kolom of paal wat 'n dakstruktuur sonder mure stut, aangebring of geverf is;
- (e) op die materiaal van 'n blinder geverf of gedruk is;

"advertensiestruktuur" enige fisiese struktuur wat opgerig is om 'n advertensie te vertoon;

"advertensie vir geborgde padverkeersprojekte" 'n advertensie met betrekking tot die borg van 'n bepaalde projek gemik op die verskaffing van paddienste, die bevordering van padveiligheid of die bestuur en bewaring van die omgewing langs die pad;

"advertensie vir verkoop van goedere of lewende hawe" 'n advertensie wat so 'n verkoping aankondig op grond of op 'n perseel wat nie normaalweg vir kommersiële doeleindes gebruik word nie, en dit kan insluit 'n advertensie wat veilings van huishoudelike goedere op residensiële eiendomme of lewende hawe of wild op plase aankondig;

"banier" 'n stuk doek (of soortgelyke materiaal) waarop 'n advertensie vertoon word op so 'n wyse dat dit ten volle leesbaar is in windlose toestand, geheg aan een of meer toue, pale of vlagpale wat vertikaal, horisontaal of teen 'n hoek uitsteek, of geheg aan geboue of spesiale strukture, maar uitgesluit baniere wat as deel van 'n optog gedra word;

"besigheidsadvertensie op die perseel" 'n advertensie wat daarop gemik is om sakeondernemings en nywerhede te identifiseer en te lokaliseer, en dit sluit 'n residensiële of gemeenskapsadvertensie uit;

"bis" die basiese eenheid om die lengte van advertensieboodskappe te meet, en dit kan bestaan uit letters, syfers, simbole, logo's, grafika of afkortings; vir doeleindes van hierdie regulasies word biswaardes soos volg bereken:

Woorde van tot en met agt letters	1,0 bis
Woorde van meer as agt letters	2,0 bis
Getalle van tot en met vier syfers	0,5 bis
Getalle van vyf tot agt syfers	1,0 bis
Simbool of afkorting	0,5 bis
Groot logo's en grafika	2,0 bis

"deurpad" 'n nasionale pad wat as 'n deurpad aangewys is deur 'n geskikte padverkeersteken ingevolge die Nasionale Padverkeerswet;

"diensarea langs die pad" 'n gebied met regstreekse toegang vanaf 'n nasionale pad waarin fasiliteite en dienste soos petrol- en diesilverkope, restourante, kitskosverkooppunte, toilette, speelgronde en piekniekterreine vir motoriste verskaf kan word;

"diensfasiliteitadvertensie" 'n advertensie by 'n vulstasie of rus- en diensarea langs die pad;

"die Wet" die Wet op Die Suid-Afrikaanse Nasionale Padagentskap Beperk en op Nasionale Paaie, 1998 (Wet No. 7 van 1998);

"eienaar", met betrekking tot 'n advertensie, die persoon wat die advertensiestruktuur besit, of die struktuur sal besit nadat dit opgerig is, of enige persoon wat 'n reg op of aandeel in die eienaarskap van die advertensiestruktuur het;

"eiendomsagent se bord" 'n advertensie wat tydelik vertoon word om die feit te adverteer dat die grond, perseel, ontwikkeling of ander vorm van vaste eiendom te koop of te huur is;

"elektroniese reklamebord" 'n reklamebord wat 'n elektronies beheerde, verligte vertoonoppervlak het wat dit moontlik maak om die hele of 'n deel van die advertensie op verskillende maniere te verander, te animeer of te verlig;

"erf" 'n erf, standplaas, hoewe, landbouhoeve of soortgelyke grondentiteit wat in 'n akteregestrasiekantoor geregistreer is;

"funksionele openbare advertensie" 'n advertensie wat vertoon word net vir die aankondiging of aanwysing van die funksies van munisipaliteite of parastatale liggame wat nie onder enige ander klas advertensie vertoon kan word nie;

"geanimeer" dat die sigbaarheid of boodskap van 'n advertensie verbeter word deur middel van bewegende eenhede, flitsende ligte of soortgelyke toestelle, of dat 'n advertensie 'n veranderlike boodskap bevat;

"gebiede van maksimum beheer" natuurgebiede, landelike gebiede en stedelike gebiede van maksimum beheer;

"geborgde padverkeersprojek" 'n projek wat spesifiek bedoel is vir die voordeel van padgebruikers wat die verskaffing van paddienste, die bevordering van padveiligheid of die bestuur en bewaring van padomgewings behels, waarop daar ooreengekom is tussen die Agentskap en die borg van die geborgde padverkeersprojek;

"geer" die gebied onmiddellik anderkant die plek waar twee ryvlakke uitmekaar loop, begrens deur die kante van daardie ryvlakke;

"groot elektroniese reklamebord" 'n advertensie wat 'n elektroniese reklamebord groter as 18 vierkante meter in oppervlak is;

"groot plakkaat" 'n plakkaat wat nie groter as 2,2 vierkante meter in oppervlak is nie, wat aan straattoebehore geheg is en wat deur 'n tersaaklike munisipaliteit goedgekeur is;

"groot reklamebord" enige reklamebord groter as 18 vierkante meter in advertensie-oppervlakte;

"hoogte" die minimum vertikale afstand van die vlak van die grond, padoppervlak of oppervlak na die bopunt van die advertensie;

"ingenieur" 'n ingenieur wat geregistreer is kragtens die Wet op die Ingenieursweseprofessie van Suid-Afrika, 1990 (Wet No. 114 van 1990);

"kandela" 'n eenheid van luminansie soos van tyd tot tyd deur die Internasionale Kommissie vir Verligting bepaal;

"klein reklamebord" 'n reklamebord wat kleiner as 18 vierkante meter in advertensie-oppervlakte is;

"kombinasieadvertensie" 'n advertensie bestaande uit 'n aantal kleiner, individuele advertensies, wat gewoonlik verskillende produkte of dienste vertoon, langs mekaar geplaas op 'n enkele struktuur wat spesiaal ontwerp is om meer as een advertensie te akkommodeer;

"konstruksierreinadvertensie" 'n advertensie wat plat teen of bo-op 'n heining of muur wat die grens van 'n konstruksierrein vorm, aangebring is;

"landelike gebied" 'n gebied wat 'n oorgang tussen stedelike gebiede en ongeskonde natuurgebiede vorm, en ook intensiewe landbou, bestaanslandbou en buitestedelike kleinhoewes van 'n oorheersend landelike aard en met betreklik lae bevolkingsdigtheid;

"lig nie vir verligting bedoel nie" 'n flitsende, flikkerende of ononderbroke ligbron, straal lig of 'n aantal sulke bronne of strale, wat so gemik of beweeg word dat dit die aandag trek sonder dat dit primêr vir die doel van verligting van 'n gebied of voorwerp bedoel is;

"lugadvertensie" 'n advertensie gevef op, geheg aan of geproduseer deur 'n lugvaartuig, insluitende 'n gevange ballon, vlieër, onbemande vrye ballon, geankerde lugskip, valskerm sweefuig, hang sweefuig, model- of radiobehoorde vliegtuig, 'n vliegtuig wat gesleep word agter 'n voertuig of seilvaartuig vir die doel van vlieg, en 'n vliegtuig wat baniere sleep of rookseine produseer;

"m" meter;

"mm" millimeter;

"Nasionale Padverkeerswet" die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996);

"natuurgebied" 'n gebied van die landelike of nie-stedelike omgewing wat in 'n onversteurde natuurlike toestand is of hoë natuurskoonwaarde het, en dit sluit in maar is nie beperk nie tot nasionale parke, wildreservate, natuurreservate, mariene reservate, wildernisgebiede, gebiede van ekstensiewe landbou en natuurskoongebiede;

"ontwikkelingsadvertensie" 'n advertensie wat die tipe ontwikkeling beskryf (insluitende 'n prentvoorstelling daarvan) wat op 'n konstruksieterrein gedoen word;

"oppervlakte van advertensie" die oppervlakte in vierkante meter van die kleinste vierkant wat die uiterste perke van die advertensie of gekombineerde advertensie sal insluit, tesame met enige materiaal of kleur wat 'n integrale deel van die agtergrond van die advertensie uitmaak of gebruik word om die advertensie te onderskei van die struktuur of gebou waarteen dit geplaas is;

"padeiland" 'n gebied afgebaken op 'n ryvlak deur middel van geverfde strepe, stene, randstene of ander middele met die doel om te voorkom dat voertuie in daardie gebied staan of gebruik word;

"padmediaan" die gebied wat verkeerslane op 'n ryvlak skei;

"padreserwe" die volle breedte van 'n nasionale pad, en ook ryvlakke, skouers en sypaadjies en die lugruim bokant sulke ryvlakke, skouers en sypaadjies en alle ander gebiede binne die padreserwegrens;

"padreserwegrens" die geproklameerde grens wat die buitenste rand van die padreserwe vorm;

"padverkeersteken" 'n padverkeersteken soos in die Padverkeerswet omskryf;

"plakkaat" enige plakkaat wat enige vergadering, gebeurtenis, funksie, aktiwiteit of onderneming aankondig of die publiek se aandag daarop vestig of op die kandidatuur van enige persoon wat benoem is vir verkiesing tot die Parlement, plaaslike regering of enige soortgelyke liggaam of op 'n referendum, of enige plakkaat wat enige produk of diens adverteer of die verkoop van enige goedere, lewende hawe of eiendom aankondig;

"plekgebonde" 'n advertensie wat op 'n bepaalde erf of perseel vertoon word en wat betrekking het op 'n aktiwiteit, produk, diens of aantreklikheid wat op daardie erf of perseel of in daardie gebou geleë is of gelewer of verskaf word;

"produkreplica of driedimensionele advertensie" 'n replica of toestel wat vir advertering gebruik word en wat vrystaande of aan 'n struktuur geheg kan wees, en ook 'n opblaasbare voorwerp wat nie 'n lugadvertensie is nie;

"projekbord" 'n advertensie wat die betrokkenheid van 'n kontrakteur of konsultant by 'n konstruksieprojek vertoon;

"reklamebord" enige advertensie wat deur 'n vrystaande struktuur gesteun word of teen 'n buitemuur van 'n gebou aangebring is of geverf is op 'n buitemuur of dak van 'n gebou wat gebruik word vir kommersiële, kantoor-, nywerheids- of vermaaklikheidsdoeleindes, ook bekend as 'n "doelgemaakte reklamebord", waarop daar papierplakkate geplak kan word, letterskilderwerk gedoen kan word of vinielplakkate aangebring kan word of wat met 'n kombinasie van sulke metodes bedek, beplak of beskryf kan word, en dit kan spesiale effekte soos interne verligting, spesialiskarakterbeelde of driedimensionele voorstellings bevat en kan veranderlike of geanimeerde boodskappe insluit; die hoofdoel van 'n reklamebord is om advertensies te vertoon;

"residensiële of gemeenskapsadvertensie" ook 'n verskeidenheid klein kennisgewings en advertensie wat vertoon word op persele wat gebruik word vir residensiële georiënteerde doeleindes en vir gemeenskapsdienste, en ook advertensies in stedelike gebiede en ook op plekke van bewoning in natuurgebiede en landelike gebiede, maar beperk tot -

- (a) identifiserings-, aanwysings- en waarskuwingstekens met betrekking tot wonings, byvoorbeeld -
 - (i) name van huise, woonstelkomplekse, plase en kleinhoewes;
 - (ii) tekens soos "Pasop vir die hond", "Geen parkering" en "Maak toe die hek";
 - (iii) tekens wat die aard van of vernaamste aktiwiteit op plase en kleinhoewes aandui;
- (b) tekens wat die naam of aard van die besigheid, praktyk of onderneming of die eienaars of praktisyns toon by klein besighede, ondernemings en praktyke in stedelike residensiële persele en geboue wat gebou is of gebruik word vir gemeenskapsdoeleindes of persele op stedelike, maar nie landelike nie, kleinhoewes;
- (c) tekens wat die naam en aard van die fasiliteit of van die eienaar of vennote op kleinskaalse akkommodasiefasiliteite toon;
- (d) tekens wat die naam en aard van die instelling, die name van praktisyns en die aard en omvang van dienste toon by gemeenskapsdienste en instellings, soos godsdienstige, kulturele, opvoedkundige en ontspanningsinstellings en mediese instellings wat met daardie doeleindes in verband staan;

"ryvlak" 'n ryvlak soos in die Nasionale Padverkeerswet omskryf;

"sekuriteitsadvertensie" 'n buitemuurse advertensie vir buurtwag-, plaaswag- en soortgelyke skemas, en 'n advertensie wat die naam, adres en telefoonnommer bevat van 'n sekuriteitsmaatskappy met wie gekontrakteer is om die perseel waarop die advertensie vertoon word, te beskerm;

"sentrum van ekonomiese aktiwiteit" 'n onderneming of 'n groep ondernemings buite stedelike gebiede en wat plaasstalletjies, diensfasiliteite, akkommodasiefasiliteite, voedseldienste, nywerhede en huisbedrywe kan insluit, asook winkels en ander kommersiële fasiliteite;

"skouer" die skouer van 'n nasionale pad soos in die Nasionale Padverkeerswet omskryf;

"stedelike gebiede van gedeeltelike beheer", behoudens regulasie 4(1)(b), gebiede wat gekenmerk word deur 'n groter mate van integrasie en kompleksiteit van grondgebruik wat 'n kleiner mate van beheer vereis, soos hoëdigtheid gemengde residensiële gebiede, mediumdigtheidgebiede in oorgang, residensiële gebiede waar kantoor- en kommersiële indringing plaasvind en laedigtheidvoorstede, klein kommersiële enklaves in residensiële gebiede, voorstedelike winkelsentrums en kantoorparke, strookontwikkeling langs hoofstrate, opvoedkundige instellings, sportvelde of -stadions, gekommersialiseerde pleine, staatsenklaves en kleinhoewes van 'n stedelike aard met 'n hoër bevolkingsdigtheid as landelike kleinhoewes;

"stedelike gebiede van maksimum beheer", behoudens regulasie 4(1)(b), ook, maar is dit nie beperk nie tot, natuurlike oop ruimtes en stedelike bewaringsgebiede, die oorgang tussen 'n natuurlandskap en beboude gebiede, waterliggame, riviere, riwwe, woude, oop ontspanningsgebiede, kenmerkende vergesigte, erfenisterreine of -geboue, spesiale toeristegebiede, kimlyne, residensiële gebiede van laer digtheid, en visuele sones langs deurpaaie in stedelike gebiede, tensy die Agentskap na verkryging van 'n strategiese omgewingsevaluering gebiede langs sulke deurpaaie aanwys as stedelike gebiede van gedeeltelike of minimum beheer;

"stedelike gebiede van minimum beheer", behoudens regulasie 4(1b), gebiede wat minimum beheer vereis, soos gebiede van gekonsentreerde ekonomiese aktiwiteit waar besigheid die hooffokus is, handelsgebiede, sentrale winkelsentrums, sentrale kantoorgebiede, kommersiële enklaves en winkelsentrums in nywerheidsgebiede en nywerheidspare, vermaaklikheidsgebiede of -komplekse en prominente vervoernodusse, uitgesonderd nodusse van uitsonderlike historiese of argitektoniese waarde;

"straatargitektuur" die verband tussen straattoebehore en ander eienskappe op 'n nasionale pad;

"straatnaamadvertensie" 'n paalgemonteerde advertensie wat verlig kan wees en in kombinasie met 'n straatnaamteken vertoon word;

"straattoebehore" openbare fasiliteite en strukture wat nie primêr vir advertering bedoel is nie, en dit sluit in sitbanke, plantbakke, vullishouers op sypaadjies, paalgemonteerde

vullishouers, busskuilings, oorlosies en drinkfonteine op sypaadjies, maar uitgesonderd pad verkeerstekens, verkeersligte, straatligte of enige ander padverwante strukture;

"sypaadjie" 'n sypaadjie van 'n nasionale pad soos in die Nasionale Padverkeerswet omskryf;

"sypaadjieplakkaat of -kennisgewing" 'n tydelike advertensie geheg aan 'n elektriese lamppaal binne 'n padreserwe om openbare en liefdadigheidsgebeurtenisse, funksies, geleenthede, byeenkomste, vergaderings of veldtogte van 'n godsdienstige, opvoedkundige, kulturele, politieke, sosiale, sport- of ontspanningsoord te adverteer, en ook 'n plakkaat wat vir 'n verkiesings- of referendumveldtog vertoon word;

"tersaaklike munisipaliteit" die munisipaliteit in wie se regsgebied 'n advertensie opgerig is of vertoon word, en in die geval van kategorie B- en C-munisipaliteite bedoel in artikel 155(1)(b) en (c) van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996), albei sulke munisipaliteite;

"toerismeteken" 'n padverkeersteken met 'n trapesoïdale vorm en wit op bruin kleur, waarvan die hoofdoel is om toeriste in die laaste fases van hulle reis in te lig en aan hulle leiding te gee;

"toring-, brug- en masadvertensie" 'n reklamebord wat aangebring of gevef is op 'n tooring, brug of mas wat nie primêr vir advertensiedoeleindes gebruik word nie;

"toringstruktuur" 'n struktuur wat vir adverteer gebruik word in 'n parkeergebied van 'n winkelsentrum en by 'n belangrike vervoernodus soos 'n lughawe, spoorwegstasie of bus- of taxistasie;

"verkeersteken" 'n padverkeersteken of -sein bedoel in die Nasionale Padverkeerswet of 'n spoorwegverkeersteken of -sein;

"verlig", met betrekking tot 'n advertensie, dat dit geïnstalleer is met elektriese of ander krag vir die doel om dit te verlig, hetsy aaneenlopend of onderbroke;

"vermaaklikheidsgebied" 'n gebied waarvan die hoofdoel is om as 'n park, sportterrein, braaigebied of vir ander ontspanningsdoeleindes gebruik te word;

"visuele sone" die padreserwe van 'n nasionale pad en enige gebied wat sigbaar is vanaf enige plek op sodanige padreserwe, maar dit sluit nie 'n gebied in nie wat geleë is op 'n afstand van meer as 250 meter van die padreserwegrens van 'n deurpad in 'n stedelike gebied.

"vlag" 'n stuk lap (of soortgelyke materiaal) waarop 'n advertensie vertoon word en wat geheg is aan 'n enkele tou, paal of vlagpaal wat vertikaal uitsteek op so 'n wyse dat die inhoud daarvan normaalweg in windlose toestande nie leesbaar is nie. Vlae sluit uit -

- a) nasionale vlag wat benewens die ontwerp van die vlag of vlagpaal geen advertensie bevat nie, en
- b) vlag wat as deel van 'n optog gedra word;

"voertuig" 'n motorvoertuig soos in die Nasionale Padverkeerswet omskryf;

"voorhof" 'n buiteluggebied wat 'n funksionele deel uitmaak van 'n gebou wat 'n onderneming bevat, en dit kan insluit die gebied van 'n vulstasie waar die pompe geleë is, of 'n terras voor 'n restaurant, omheinings, mure, skerms of soortgelyke strukture, uitgesonderd syaadjiegebiede voor sakepersele wat vir voetgangerverkeer bedoel is;

"voorhofadvertensie" 'n advertensie op die voorhof van 'n sakeperseel, synde 'n advertensie wat in sodanige voorhof vertoon word om die aandag te vestig op kommersiële dienste, goedere te koop of ander dienste beskikbaar op die perseel, maar dit sluit nie 'n kombinasieadvertensie by 'n vulstasie of diensarea langs die pad in nie;

"voorstedelike advertensie" 'n paalgemonteerde liggingsadvertensie by die ingang tot 'n dorp of voorstad met 'n advertensieteken onder die padverkeersteken wat die naam van die dorp of voorstad toon; en

"vry hoogte" die minimum vertikale afstand van die vlak van die grond, pad of oppervlak, na gelang van die geval, tot by die advertensie.

2. Toepassingsbestek van hierdie regulasies

- (1) Hierdie regulasies is ontwerp om advertering op of sigbaar vanaf nasionale paaie te reguleer, binne die bestek van artikel 50 van die Wet, en is van toepassing net op nasionale paaie, soos in die Wet omskryf, met inbegrip van deurpaaie.
- (2) Tensy hierdie regulasies spesifiek bepaal dat die goedkeuring van die Agentskap vir 'n bepaalde advertensie vereis word, word sodanige goedkeuring nie vereis nie, maar al die voorwaardes van hierdie regulasies wat op daardie tipe advertensie van toepassing is, moet nagekom word.

3. Gebiede met betrekking tot kategorieë van advertensies

- (1) Met die doel om die plekke te bepaal waar advertensies vertoon mag word, kan die Agentskap gebiede waar nasionale paaie geleë is, aanwys in ooreenstemming met die kategorieë in regulasie 4 beskryf, behoudens subregulasie (4) van hierdie regulasie.
- (2) Met die doel om die aard, inhoud en grootte van advertensies te bepaal, word hulle ingedeel in die kategorieë in regulasies 16 tot 39 omskryf.

- (3) Die advertensies wat vertoon mag word op of sodat dit sigbaar is vanaf nasionale paaie in die verskillende kategorieë gebiede, word in regulasies 16 tot 39 geregleer, behoudens die algemene bepalings in Deel B.
- (4) Hierdie regulasies is nie op gebiede buite visuele sones van toepassing nie.
- (5) Ondanks hierdie regulasies kan die Agentskap by kennisgewing in die *Staatskoerant* gebiede langs nasionale paaie aanwys, hetsy individueel of ten opsigte van 'n klas of tipe van sodanige paaie, waar die oprigting of vertoon van advertensies nie toegelaat word nie.

4. Aanwysing van gebiede

- (1) Die Agentskap kan, behoudens subregulasie (2) van hierdie regulasie en subregulasies (4) en (5) van regulasie 3 -
 - (a) gebiede buite stedelike gebiede waarin nasionale paaie geleë is, as of natuurgebiede of landelike gebiede aanwys;
 - (b) in stedelike gebiede, na oorleg met tersaaklike munisipaliteite, gebiede waarin nasionale paaie geleë is, aanwys as -
 - (i) stedelike gebiede van maksimum beheer;
 - (ii) stedelike gebiede van gedeeltelike beheer;
 - (iii) stedelike gebiede van minimum beheer;

Met dien verstande dat waar 'n tersaaklike munisipaliteit reeds 'n gebied as een van sodanige kategorieë aangewys het, die Agentskap dit as sodanig moet aanwys.

- (2) Waar 'n nasionale pad binne 'n gebied val wat nie in 'n bepaalde kategorie in subregulasie (1) aangewys is nie, moet die gebied waarin dit val, geag word 'n gebied van maksimum beheer te wees.
- (3) Die Agentskap moet besonderhede van 'n aanwysing ingevolge subregulasie (1), met geskikte kaarte of diagramme, beskikbaar stel vir insae deur die publiek gedurende die Agentskap se kantoorure by die Hoofkantoor en die tersaaklike streekkantoor van die Agentskap.

5. Regulasies nie in sommige munisipale stedelike gebiede van toepassing nie

- (1) Behoudens subregulasie (2) en ingevolge artikel 156, gelees met Deel B van Bylae 5, en Hoofstuk 3 van die Grondwet van die Republiek van Suid-Afrika, Wet 108 van 1996, is hierdie regulasies nie van toepassing nie in 'n stedelike

gebied, uitgesonderd regulasie 6 wat wel van toepassing is, waar die tersaaklike munisipaliteit 'n verordening gepromulgeer het wat -

(a) in wese handel oor die aangeleenthede wat deur hierdie regulasies gedek word; en

(b) op nasionale paaie in daardie gebied van toepassing is,

of in enige stedelike gebied waar die Minister by kennisgewing in die *Staatskoerant* verklaar het dat hierdie Regulasies nie van toepassing is nie.

- (2) Waar hierdie regulasies ingevolge subregulasie (1) nie van toepassing is nie, moet die munisipaliteit by die oorweging van enige aansoek vir 'n advertensie gelyk aan of groter as ses vierkante meter wat op 'n nasionale pad gerig sal wees, sy goedkeuring onderworpe maak daaraan dat die aansoeker ook die goedkeuring van die Agentskap verkry, en die Agentskap moet by die oorweging van so 'n aansoek net padverkeers-, padverkeersteken- en padveiligheidsoorwegings soos in regulasie 6 bedoel, in aanmerking neem.

DEEL B: BEPALINGS VAN TOEPASSING OP ALLE ADVERTENSIES

6. Oorwegings rakende padveiligheid en verkeer

- (1) Ondanks die ander bepalings van hierdie regulasies mag geen advertensie -

(a) 'n gevaar vir persone of eiendom skep nie;

(b) so geplaas word dat dit die aandag van bestuurders van voertuie aftrek, of 'n element bevat wat die aandag van bestuurders van voertuie aftrek, op 'n wyse wat waarskynlik tot onveilige bestuurstoestande sal lei nie;

(c) in so 'n mate verlig word dat dit vir aankomende voetgangers of bestuurders van voertuie ongemak veroorsaak of hulle visie belemmer nie;

(d) aan verkeerstekens gehê word, met verkeerstekens gekombineer word (tensy spesifiek deur die Nasionale Padverkeerswet gemagtig), verkeerstekens verberg, verwarring met verkeerstekens skep, met die funksionering van verkeerstekens inmeng of padveiligheidsgevaar skep nie;

(e) die uitsig van voetgangers of bestuurders belemmer, of pad- of spoorvoertuie en pad-, spoorweg- of sypaadjie-eienskappe soos aansluitings, draaie en veranderings in breedte verberg nie;

- (f) oor voetganger- of fietsverkeersroetes steek nie, tensy die vry hoogte van die advertensie meer as 2,4 meter is;
 - (g) brandtrappe of die roete om brandtrappe te bereik, versper nie;
 - (h) nader as die minimum vry hoogte met betrekking tot oorhoofse kragdrade soos by enige wet voorgeskryf, geplaas word nie;
 - (i) in die nabyheid van 'n verkeersligbeheerde kruising wat die kleure rooi, geel of groen vertoon, opgerig word nie indien sulke kleure 'n padveiligheidsgevaar sal skep;
 - (j) ligbronne hê wat sigbaar is vir voertuie wat in enige rigting reis nie;
 - (k) sonder goedkeuring opgerig word nie waar sodanige goedkeuring by die Wet of hierdie regulasies of enige ander wet vereis word.
- (2) By die oorweging van aansoeke vir goedkeuring van advertensies wat op 'n nasionale pad gerig sal wees, moet die Agentskap evalueer of, volgens padverkeerstekenstandaarde gepubliseer ingevolge toepaslike padverkeerswetgewing, heersende verkeerstoestande en die omgewing langs die pad -
- (a) die grootte van die advertensie, tesame met ander advertensies in die gebied, indien wel, die opvallendheid van padverkeerstekens sal benadeel as gevolg van potensiële visuele oorlading;
 - (b) die grootte van die advertensie, of enige deel daarvan, as gevolg van die kleur, lettergrootte, simbool, logo, grafika of verligting daarvan, sal meebring dat die advertensie die uitwerking sal hê om die aandag van bestuurders van voertuie af te trek van die bestuurstaak en tot onveilige bestuurstoestande sal lei;
 - (c) die aantal padverkeerstekens en advertensies in enige gebied 'n bestuursgevaar skep omdat die aandag van bestuurders van voertuie afgetrek word van die bestuurstaak en tot onveilige bestuurstoestande lei;
 - (d) die kleur, of kombinasie van kleure, vervat in die advertensie ooreenstem met die kleure of kombinasies van kleure wat vir padverkeerstekens gespesifiseer is in die regulasies wat kragtens die Nasionale Padverkeerswet gepromulgeer is;
 - (e) die spoedgrens, en die mate waarin die verkeer daarby hou, die verkeersvolume, die gemiddelde volgfstand en die ongelukgeskiedenis van die pad strenger beheer oor buitelugadvertering vereis;

- (f) die hoeveelheid inligting vervat in die advertensie, gemeet in bisse, binne voorgeskrewe perke is;
 - (g) die advertensie gepas geplaas en georiënteer is;
 - (h) die posisie van die advertensie die sigbaarheid van, die sigafstand tot of die doeltreffendheid van enige padverkeersteken of reeks van sulke tekens negatief sal raak;
 - (i) die advertensie vir 'n padverkeersteken aangesien kan word;
 - (j) die verligting van advertensies waarskynlik bestuurders se aandag sal aftrek van padverkeerstekens wat nie verlig is nie;
 - (k) die posisie van 'n advertensie die vloeï van inligting van padverkeerstekens sal onderbreek na bestuurders wat 'n reeks padverkeerstekens teenkom wat bedoel is om die verkeer te reguleer, te waarsku of te lei, in gevalle waar die toepaslike spoedgrens op die pad hoër as 60 km per uur is;
 - (l) die posisie van enige advertensie bestuurders se aandag potensieel sal aftrek op plekke waar verkeer draai, om draaie beweeg, saamvloei of uiteenbeweeg, of in die gebied van kruisings of wisselaars, of waar bestuurders se ononderbroke aandag aan die bestuurstaak belangrik is vir padveiligheid;
 - (m) die afstand van enige advertensie voor enige padverkeerstekens, 'n advertensie se posisie tussen padverkeerstekens of 'n advertensie se afstand agter enige padverkeersteken sodanig is dat dit 'n bestuurder se aandag van enige padverkeersteken sal aftrek.
- (3) Die Agentskap kan die minimum afstand tussen advertensies vergroot of verdere beperkings plaas op die posisie, grootte en inhoud van enige advertensie as hy dit nodig ag in belang van padveiligheid.
- (4) Geen advertensie wat 'n geraas, klank, rook, reuk of geure uitlaat, word toegelaat nie.

7. Aantreklikheid en welvoeglikheid

Ondanks die ander bepalings van hierdie regulasies mag geen advertensie -

- (a) nadelig wees nie vir die omgewing of vir die aantreklikheid van 'n lewensomgewing vir mense as gevolg van die grootte, kleur, tekstuur, intensiteit van verligting, gehalte of ontwerp van materiaal of om enige ander rede;

- (b) inhoudelik aanstootlik, onbetaamlik of beledigend wees of onbetaamlikheid suggereer of nadelig vir die openbare sedes of strydig met die riglyne of standaarde wat van tyd tot tyd deur die Suid-Afrikaanse Vereniging vir Buitelugadvertensies gestel word, wees nie;
- (c) 'n advertensie wat deur 'n ander persoon besit word en wat voorheen opgerig is en wettig vertoon word, in geheel of gedeeltelik verberg nie.

8. Advertensies moet bondig wees

'n Advertensie wat op of langs 'n nasionale pad geplaas is en vanaf 'n nasionale pad sigbaar is, moet bondig en leesbaar wees en aan die volgende vereistes voldoen:

- (a) Geen advertensie wat 'n enkele boodskap vertoon, mag ses bisse inligting in 'n visuele sone en 10 bisse op 'n ander pad as 'n deurpad oorskry nie.
- (b) Geen kombinasieteken, of enige ander advertensie wat meer as een advertensie of boodskap vertoon, mag meer as ses bisse inligting per onderneming, diens of eiendom, of per individuele advertensie of boodskap wat op 'n kombinasieteken vertoon word, bevat nie.
- (c) Getalle langer as agt syfers word nie toegelaat nie.
- (d) 'n Straatnommer wat 'n bepaalde perseel aandui, moet 'n minimum grootte van 150 millimeter en 'n maksimum grootte van 350 millimeter hê.
- (e) Geen boodskap mag oor meer as een advertensie versprei word nie.

9. Ontwerp en konstruksie

(1) Enige advertensie -

- (a) moet netjies en behoorlik gebou wees volgens algemeen aanvaarde ontwerp- en konstruksiestandaarde;
- (b) mag nie vir die straatargitektuur of karakter van die omringende gebied nadelig wees of 'n negatiewe estetiese invloed daarop hê nie deur die ontwerp van die struktuur of toestel;
- (c) moet 'n netjiese voorkoms hê en bestaan uit duursame materiaal wat geskik is vir die funksie, aard en permanentheid van die advertensie, en materiaal soos weefstof, seil, karton, papier of sintetiese karton mag gebruik word slegs wanneer dit noodsaaklik is vir die aard en funksie van 'n bepaalde advertensie;

- (d) moet 'n netjiese voorkoms hê wat advertensie-inhoud en letterskildery betref, en mag nie slordige handgeskrewe boodskappe bevat nie;
- (e) mag nie die fasades van geboue ontsier met elektriese dienstoebehore en ander bykomstighede nie;
- (f) moet op 'n veilige manier stewig en styf geheg, gestut of geanker wees sodat ongewenste beweging in enige rigting voorkom word;
- (g) moet minstens twee keer sy massa doeltreffend kan vasheg, stut en hou met die byvoeging van enige krag waaraan die advertensie onderwerp kan word, insluitende winddruk;
- (h) waar ook al nodig in ooreenstemming met die aard van die advertensie en wanneer dit aan steenmesselwerk, klipmesselwerk of beton vasgeheg is, moet behoorlik en doeltreffend daaraan geheg wees deur middel van boue wat stewig in sodanige steenmesselwerk, klipmesselwerk of beton ingelaat is of daardeur gaan en aan die ander kant bevestig is;
- (i) mag nie deur wateroplosbare kleefmiddels, kleefband of soortgelyke materiaal vasgeheg word om die advertensie te vertoon nie;
- (j) moet op alle blootgestelde metaaldele geverf of andersins behandel wees om korrosie te voorkom en op alle houtdele behandel wees om verrotting te voorkom;
- (k) moet maatreëls getref hê om die binnedringing van water en die opgaring van water of vog op of in die advertensie of enige deel van die ondersteunende raamwerk, stutte of ander dele te voorkom.

(2) Geen advertensie mag -

- (a) enige venster of opening wat vir die ventilasie van 'n gebou verskaf is, versper of enige trappe of deur of ander uitgang uit 'n gebou versper of die beweging van persone van een deel van 'n dak na 'n ander verhinder nie;
- (b) op enige heining of grensmuur in 'n gebied van maksimum beheer geverf word nie.

10. Glas

- (1) Alle glas wat in 'n advertensie gebruik word, uitgesonderd glasbuis wat in 'n neon- en soortgelyke advertensie gebruik word, moet veiligheidsglas van minstens drie millimeter dik wees.

- (2) Glaspanele wat in 'n advertensie gebruik word, mag nie groter as 0,9 vierkante meter in oppervlakte wees nie, en elke paneel moet stewig in die romp van die advertensie, struktuur of toestel vasgeheg wees, onafhanklik van alle ander panele.

11. Elektries

Elke verligte advertensie en elke advertensie waarin elektrisiteit gebruik word, moet -

- (a) kragkabels en geleibuisse hê wat elektriese geleiers bevat wat so geplaas en vasgeheg is dat dit nie onooglik is nie;
- (b) gemaak wees van materiaal wat nie brandbaar is nie;
- (c) voorsien wees van 'n eksterne skakelaar in 'n toeganklike posisie en op 'n hoogte van minstens drie meter bo die grond waardeur die elektrisiteitstoevoer na die advertensie afgeskakel kan word;
- (d) bedraad en gebou wees in ooreenstemming met en onderworpe aan die bepalings van alle toepaslike wette.

12. Instandhouding

- (1) 'n Advertensie moet -

- (a) geplaas wees op 'n hoogte wat vandalisme ontmoedig;
- (b) op 'n gereelde grondslag versien word;
- (c) in 'n goeie en veilige toestand gehou word.

- (2) Enige persoon wat 'n advertensie vertoon of toelaat dat dit vertoon word, is daarvoor verantwoordelik dat die advertensie in 'n goeie en veilige toestand gehou word en weer geverf word, en is aanspreeklik vir die gevolge van versuim om dit te doen, en moet die advertensie minstens een keer per jaar inspekteer ten einde hom of haar te vergewis van die veiligheid daarvan.

13. Posisie van advertensies

Uitgesonderd waar dit spesifiek by hierdie regulasies gemagtig word, mag 'n advertensie nie -

- (a) enige belemmering van 'n motoris se uitsig op die ryvlak of die aanlope daarvan veroorsaak nie, ongeag die rigting waarin die motoris reis;
- (b) op 'n padeiland of padmediaan geplaas word nie;

- (c) oor 'n nasionale pad gespan word nie;
- (d) binne 'n visuele sone opgerig of daaroor gespan word nie;
- (e) op stedelike straathoeke toegelaat word nie.

14. Verligting en elektroniese advertensies

- (1) Verligting van 'n advertensie word toegelaat slegs as dit nie tot onveilige bestuurstoestande aanleiding gee nie en waar dit spesifiek nie verbied word nie.
- (2) Die luminansievlak van enige advertensie waar verligting toegelaat word, en waar die toepaslike spoedgrens op die nasionale pad hoër as 60 km per uur is, mag nie die volgende oorskry nie:

Verligte gebied	Maksimum luminansie
Minder as 0,5 vierkante meter	1 000 kandela per vierkante meter
0,5 tot 2,0 vierkante meter	800 kandela per vierkante meter
2,0 tot 10 vierkante meter	600 kandela per vierkante meter
10 of meer vierkante meter in visuele sones	350 kandela per vierkante meter
10 of meer vierkante meter in ander gebiede	400 kandela per vierkante meter

- (3) In 'n visuele sone mag 'n advertensie nie verlig word nie tensy die deurpad, of ander nasionale pad indien die spoedgrens wat daarop van toepassing is hoër as 80 km per uur is, deur oorhoofse verligting verlig word oor die volle afstand waarin die advertensie vanaf die deurpad of sodanige nasionale pad sigbaar is en die bron van die verligting verberg is van aankomende verkeer.
- (4) 'n Veranderlike of geanimeerde boodskap mag nie die volgende raamveranderingsperke oorskry nie:

Spoedgrens 60 km per uur of minder	Volle video
Spoedgrens hoër as 60 km per uur	Een enkele volledige raam wat elke 30 sekondes verander as 'n maksimum

- (5) 'n Elektroniese advertensie mag nie die uitsig van 'n bestuurder of voetganger belemmer nie of in die regstreekse siglyn van 'n verkeerslig wees nie.
- (6) 'n Elektroniese advertensie mag nie subliminale flitse bevat nie.
- (7) Lig wat nie vir verligting bedoel is nie, mag gebruik word slegs as die omgewingsplanne van die tersaaklike munisipaliteit daarvoor voorsiening maak.

- (8) Geen persoon mag lig wat nie vir verligting bedoel is nie, in 'n visuele sone of in 'n natuurgebied of in 'n stedelike gebied van maksimum beheer vertoon nie as dit van 'n nasionale pad af sigbaar sal wees.
- (9) Geen persoon mag lig wat nie vir verligting bedoel is nie, in 'n landelike gebied van ekonomiese aktiwiteit wat vanaf 'n nasionale pad sigbaar is, of in 'n stedelike gebied van gedeeltelike of minimum beheer wat vanaf 'n nasionale pad sigbaar is, vertoon nie sonder die skriftelike goedkeuring van die Agentskap.
- (10) Geen ligstraal mag op so 'n wyse beweeg of gerig word dat dit die aandag van bestuurders van voertuie aftrek van die bestuurstaak nie.
- (11) Geen ligbron of ligstraal wat nie vir verligting bedoel is nie, mag so geplaas of gemik word dat dit regstreeks op of na 'n nasionale pad skyn nie.

15. Spreiverligting

- (1) Behoudens regulasie 14 moet 'n ligbron vir 'n advertensie so geplaas word dat dit doeltreffende verspreiding verseker en vermorsing van lig tot die minimum beperk.
- (2) Enige ligbron vir 'n advertensie mag nie sigbaar wees nie vir verkeer wat in enige rigting beweeg.

DEEL C: Tipes ADVERTENSIES EN REGULERING EN BEHEER VAN DIE OPRIGTING EN VERTOON DAARVAN

16. Elektroniese reklameborde

- (1) Geen persoon mag 'n elektroniese reklamebord in 'n visuele sone en op 'n nasionale pad gerig oprig nie sonder dat die skriftelike goedkeuring van die Agentskap vooraf verkry is. By die besluit om sodanige goedkeuring te verleen of te weier, moet die Agentskap ag slaan op -
 - (a) die aangeleenthede in regulasie 6 uiteengesit;
 - (b) of omgewingsplanne van die tersaaklike munisipaliteit daarvoor voorsiening maak;
 - (c) estetiese en ekologiese aspekte;
 - (d) die aard van die voorgestelde boodskappe;
 - (e) ander faktore wat in die Wet of hierdie regulasies bepaal word of wat die Agentskap as tersaaklik beskou.

- (2) 'n Groot elektroniese reklamebord moet loodreg op aankomende verkeer vertoon word.
- (3) Geen groot elektroniese reklamebord mag nader as vyf kilometer aan 'n ander groot elektroniese reklamebord aan dieselfde kant van 'n nasionale pad opgerig word nie, tensy die omgewingsplanne van die tersaaklike munisipaliteit daarvoor voorsiening maak.
- (4) 'n Elektroniese reklamebord mag nie binne 'n straal van 50 meter van die middelpunt van 'n kruising op 'n nasionale pad aangebring word nie waar die spoedgrens op die nasionale pad minder as of gelyk aan 60 kilometer per uur is, of binne 'n straal van 100 meter van die middelpunt van 'n kruising of van 'n wisselpadgeer by 'n wisselaar op 'n nasionale pad waar die spoedgrens hoër as 60 kilometer per uur is maar nie hoër as 100 kilometer per uur is nie, of binne 'n straal van 200 meter van die middelpunt van enige kruising of van enige wisselpadgeer by 'n wisselaar op enige gedeelte van 'n deurpad waar die spoedgrens hoër as 100 kilometer per uur is.
- (5) Die goedkeuring in subregulasie (1) bedoel, moet vir 'n bepaalde tyd verleen word.
- (6) Geen elektroniese reklamebord 18 vierkante meter of kleiner in advertensieoppervlakte mag nader as 1,5 kilometer aan 'n ander elektroniese reklamebord of groot elektroniese reklamebord op 'n nasionale pad opgerig word nie, tensy die omgewingsplanne van die tersaaklike munisipaliteit daarvoor voorsiening maak.
- (7) Geen persoon mag 'n elektroniese reklamebord of 'n groot elektroniese reklamebord in 'n visuele sone oprig nie in 'n ander gebied as 'n stedelike gebied van gedeeltelike of minimum beheer.

17. Groot reklameborde

- (1) Geen persoon mag 'n groot reklamebord in 'n visuele sone of gerig op 'n nasionale pad oprig nie sonder dat die skriftelike goedkeuring van die Agentskap vooraf verkry is. By die besluit om sodanige goedkeuring te verleen of te weier, moet die Agentskap ag slaan op -
 - (a) die aangeleenthede in hierdie regulasies uiteengesit;
 - (b) of omgewingsplanne van die tersaaklike munisipaliteit daarvoor voorsiening maak;
 - (c) estetiese en ekologies aspekte;

- (d) ander faktore wat in die Wet of hierdie regulasies bepaal word of wat die Agentskap as tersaaklik beskou.
- (2) Die vry hoogte van 'n groot reklamebord is minstens 2,4 meter.
- (3) Groot reklameborde moet soos volg gespasieer word:

Op 'n nasionale pad waar 'n spoedgrens van meer as 80 km/uur gestel is	Minstens 250 meter uit mekaar en minstens 250 meter van enige produkreplika of driedimensionele advertensie as dit binne sig van mekaar of van sodanige produkreplika of driedimensionele advertensie en aan dieselfde kant van die nasionale pad is, en minstens 200 meter van enige padverkeersteken.
Op 'n nasionale pad waar 'n spoedgrens van meer as 60 en tot 80 km/uur gestel is	Minstens 200 meter uit mekaar en minstens 200 meter van enige produkreplika of driedimensionele advertensie as dit binne sig van mekaar of van sodanige produkreplika of driedimensionele advertensie en aan dieselfde kant van die nasionale pad is, en minstens 100 meter van enige padverkeersteken.
Op 'n nasionale pad waar 'n spoedgrens van 60 km/uur of minder gestel is	Minstens 120 meter uit mekaar en minstens 120 meter van enige produkreplika of driedimensionele advertensie as dit binne sig van mekaar of van sodanige produkreplika of driedimensionele advertensie en aan dieselfde kant van die nasionale pad is, en minstens 50 meter van enige padverkeersteken.

- (4) 'n Groot reklamebord mag nie binne 'n straal van 50 meter van die middelpunt van 'n kruising op 'n nasionale pad aangebring word nie waar die spoedgrens op die nasionale pad minder as of gelyk aan 60 kilometer per uur is, of binne 'n straal van 100 meter van die middelpunt van 'n kruising of van 'n wisselpadgeer by 'n wisselaar op 'n nasionale pad waar die spoedgrens hoër as 60 kilometer per uur is maar nie hoër as 100 kilometer per uur is nie, of binne 'n straal van 200 m van die middelpunt van enige kruising of van enige wisselpadgeer by 'n wisselaar op enige gedeelte van 'n deurpad waar die spoedgrens hoër as 100 kilometer per uur is.
- (5) Die goedkeuring in subregulasie (1) bedoel, moet vir 'n bepaalde tyd verleen word.
- (6) Geen persoon mag 'n groot reklamebord in 'n visuele sone oprig nie in 'n ander gebied as 'n stedelike gebied van gedeeltelike of minimum beheer.

18. Klein reklameborde en toringstrukture

- (1) Klein reklameborde mag nie groter as 18 vierkante meter in advertensieoppervlakte en hoër as 10 m wees nie en moet 'n vry hoogte van minstens 2,4 m hê. Toringstrukture kan paalgemonteerde eenhede van hoogstens vier panele wees. Geen paneel of bord op 'n toringstruktuur mag groter as 4,5 vierkante meter wees nie. Die vry hoogte van 'n toringstruktuur moet minstens 2,4 m wees, en die maksimum hoogte is vyf meter.
- (2) Geen persoon mag 'n klein reklamebord of toringstruktuur in 'n visuele sone in 'n ander gebied as 'n stedelike gebied van gedeeltelike en minimum beheer oprig nie.
- (3) Geen persoon mag 'n klein reklamebord of toringstruktuur oprig nie op of sigbaar vanaf 'n nasionale pad, sonder dat die skriftelike goedkeuring van die Agentskap vooraf verkry is. By die besluit om sodanige goedkeuring te verleen of te weier, moet die Agentskap ag slaan op -
 - (a) die aangeleenthede in hierdie regulasie uiteengesit;
 - (b) estetiese en ekologies aspekte;
 - (c) die oorweging dat toringgemonteerde advertensies "intern georiënteer" moet wees en nie op padgebruikers buite die winkelsentrum of vervoernodus gemik moet wees nie;
 - (d) die oorweging dat toringstrukture van 'n hoë visuele standaard moet wees en met geboue en straatargitektuur moet harmonieer;
 - (e) ander faktore wat in die Wet of hierdie regulasies bepaal word of wat die Agentskap as tersaaklik beskou.
- (4) Die goedkeuring in subregulasie (3) bedoel, moet vir 'n bepaalde tyd verleen word.

19. Groot plakkate en ander advertering op straattoebehore

- (1) 'n Groot plakkaat, uitgesonderd op 'n bus- of taxiskuiling wat plakkate bevat -
 - (a) word nie in 'n natuurgebied en 'n landelike gebied toegelaat nie;
 - (b) mag nie gebruik word vir die primêre doel om aanwysings en leiding aan reisigers te verskaf nie;
 - (c) word nie op of langs 'n deurpad toegelaat nie;
 - (d) mag nie nader as 1 800 millimeter van die kant van 'n pad en nader as 300 millimeter van die kant van 'n fietspad wees nie;

- (e) mag nie nader as 120 m aan 'n ander groot plakkaat wees nie;
 - (f) mag nie so geplaas word dat dit die beweging van voetgangers op 'n nasionale pad belemmer nie.
- (2) Die grootte van 'n groot plakkaat en ander advertensie op straattoebehore wat in enige rigting gerig is, mag nie groter as 2,2 vierkante meter in advertensieoppervlakte wees nie. Straattoebehore wat 'n advertensie dra, mag nie hoër as drie meter wees nie, behalwe dat 'n maksimum hoogte van vier meter toegelaat word waar die struktuur as 'n visuele fokuspunt dien en van 'n hoë visuele gehalte is.
 - (3) 'n Groot plakkaat en advertensie op straattoebehore mag nie verlig of geanimeer word nie in 'n stedelike gebied van maksimum beheer, maar kan verlig maar nie geanimeer word nie word in 'n stedelike gebied van gedeeltelike of minimum beheer.
 - (4) 'n Groot plakkaat wat op straattoebehore adverteer, kan op die padreserwe vertoon word, maar nie op 'n padmediaan of eiland nie.
 - (5) Geen persoon mag 'n groot plakkaat oprig of adverteer op straattoebehore sonder om eers die skriftelike goedkeuring van die tersaaklike munisipaliteit te verkry nie.

20. Vlae

- (1) 'n Vlag mag gebruik word slegs vir -
 - a) plekgebonde advertering van funksies of geleenthede wat gehou word vir godsdienstige, opvoedkundige, sosiale, welsyns-, dierewelsyns-, sport-, burgerlike of kulturele doeleindes of funksies of geleenthede wat verband hou met munisipale, provinsiale of parlementêre verkiesings of referendums;
 - b) plekgebonde advertensies wat die naam, korporatiewe simbool en aard van ondernemings vertoon;
 - c) straatargitektuur van stedelike gebiede soos voetgangerlane en ingange;
 - (d) nie-plekgebonde advertensies van veldtogte wat deur die staat gesteun word.
- (2) 'n Banier of vlag word nie in 'n natuurgebied toegelaat nie.
- (3) Geen persoon mag 'n banier of vlag mag groter as vyf vierkante meter wees nie in 'n landelike gebied of 'n stedelike gebied van maksimum beheer en ses vierkante

meter in 'n stedelike gebied van gedeeltelike of minimum beheer sonder om die goedkeuring van die Agentskap te verkry nie.

- (4) 'n Vlag moet geheg word aan of gespan gestut word deur pale of ander stutte op die terrein of teen die gebou waar die funksie of geleentheid gehou gaan word of waar die onderneming geleë is.
- (5) 'n Vlag mag nie op so 'n wyse vasgeheg word dat dit met verbybewegende voetgangers of verkeer inmeng of 'n gevaar vir hulle skep nie.

21. Voorstedelike advertensies

- (1) 'n Voorstedelike advertensie word toegelaat slegs in 'n stedelike gebied waar die toepaslike spoedgrens op die onderhawige pad nie meer as 80 km per uur is nie, maar nie op of langs 'n deurpad nie.
- (2) Behoudens subregulasie (1) mag geen persoon 'n voorstedelike advertensie wat op 'n nasionale pad gerig is, oprig nie sonder dat die skriftelike goedkeuring van die tersaaklike munisipaliteit vooraf verkry is.
- (3) 'n Voorstedelike advertensie moet reghoekig wees en mag nie hoër as 0,4 meter en breër as die naamteken van die voorstad wees nie. Dit moet minder opvallend as die naamteken van die voorstad wees.
- (4) 'n Voorstedelike advertensie mag nie kleure bevat wat verwarring met padverkeerstekens kan veroorsaak nie en mag nie verlig of geanimeer word nie.
- (5) Voorstedelike advertensies moet voldoen aan die vereistes van die GL2-teken vir die voorstedelike naam soos in die Nasionale Padverkeerswet voorgeskryf.

22. Eiendomsagente se borde

- (1) 'n Eiendomsagent se bord mag nie ander inligting bevat nie as die woorde "te koop", "te huur" of "verkoop" en die naam, logo en telefoonnommer van die verkoops- of verhuringsagent.
- (2) 'n Eiendomsagent se bord is toelaatbaar in enige gebied, maar nie meer as een sodanige bord per eiendomsagent mag op enige erf opgerig word nie en nie meer as drie agente mag hulle borde gelyktydig op dieselfde erf vertoon nie.
- (3) 'n Eiendomsagent se bord mag net 'n enkele bord of twee duplikaatborde wees wat aan mekaar geheg is.
- (4) Die maksimum grootte van 'n eiendomsagent se bord is -

Natuurgebiede en landelike gebiede	2,0 vierkante meter vir enkelborde of altesaam 2,3 vierkante meter vir twee borde wat aan mekaar geheg is
Stedelike gebiede van maksimum of gedeeltelike beheer	0,55 vierkante meter vir enkelborde of altesaam 0,65 vierkante meter vir twee borde wat aan mekaar geheg is
Stedelike gebiede van minimum beheer	2,8 vierkante meter vir enkelborde of altesaam 3,2 vierkante meter vir twee borde wat aan mekaar geheg is

- (5) 'n Eiendomsagent se bord moet aan die grensheing van die betrokke eiendom vasgeheg word of moet binne die grense van die perseel vertoon word.
- (6) 'n Eiendomsagent se bord moet verwyder word nie later nie as 14 dae na die sluiting van 'n kontrak vir die verkoop of verhuring van die onderhawige eiendom.
- (7) Hoogstens 10 rigtingborde wat die ligging van 'n eiendom aandui (bekend as "roetespoortekens") word per erf toegelaat, indien die tersaaklike munisipaliteit dit toelaat, maar nie op of langs deurpaaie nie, en sulke borde mag nie meer as rigtingpyle en die naam en logo van die eiendomsagent toon nie.
- (8) 'n Eiendomsagent se bord mag nie op die padreserwe of padreserwegrens van deurpaaie vertoon word nie.
- (9) Die grootte van 'n eiendomsagent se roetespoortekens mag nie meer as 0,65 vierkante meter en hoër as drie meter wees nie.
- (10) Geen verligting of animasie van 'n eiendomsagent se bord word toegelaat nie.

23. Advertensies vir die verkoop van goedere of lewende hawe

- (1) Slegs een advertensie wat op 'n nasionale pad gerig is, vir die verkoop van goedere of lewende hawe word per verkoping toegelaat.
- (2) Die grootte van so 'n advertensie mag nie meer as twee vierkante meter in 'n natuurgebied of 'n landelike gebied of 'n stedelike gebied van maksimum of gedeeltelike beheer wees nie, en 2,8 vierkante meter in 'n stedelike gebied van minimum beheer, en geen deel van die advertensie mag hoër as drie meter bo die grond wees nie.
- (3) So 'n advertensie mag vertoon word slegs op die perseel of eiendom waar die geadverteerde veiling gaan plaasvind, of moet aan die grensheining van so 'n eiendom of perseel vasgeheg wees.
- (4) Geen verligting of animasie van so 'n advertensie word toegelaat nie.

(5) So 'n advertensie mag nie vroeër as een dag voor die onderhawige verkoping opgerig word nie en moet nie later nie as een dag na die verkoping verwyder word, en advertensies van 'n permanente aard word nie toegelaat nie.

(6) Advertensies vir die verkoop van goedere of lewende hawe mag nie op die padreserwe of padreserwegrens van deurpaaie vertoon word nie.

24. Sypaadjieplakkate en -kennisgewings

(1) 'n Sypaadjieplakkaat of -kennisgewing mag net in 'n stedelike gebied van gedeeltelike of minimum beheer vertoon word.

(2) Geen persoon mag 'n sypaadjieplakkaat of -kennisgewing oprig nie sonder dat die skriftelike goedkeuring van die tersaaklike munisipaliteit vooraf verkry is.

(3) 'n Sypaadjieplakkaat of -kennisgewing mag vertoon word net op 'n elektriese lamppaal of ander struktuur wat verskaf word vir die uitdruklike doel om die plakkaat of kennisgewing op te plak of aan te bring, en mag nie aan 'n padverkeersteken of aan 'n verkeersein, muur, kolom of pilaar van 'n veranda of balkon, elektrisiteitskas, boom of brug aangebring word nie.

(4) 'n Sypaadjieplakkaat of -kennisgewing mag nie munisipale merke of gevefde strepe op lamppale bedek nie.

(5) 'n Sypaadjieplakkaat of -kennisgewing mag nie verlig of geanimeer word nie.

(6) 'n Sypaadjieplakkaat of -kennisgewing moet vasgeheg word deur middel van geskikte toue wat vir die tersaaklike munisipaliteit aanvaarbaar is, en metaalklampe of draad mag nie gebruik word nie.

(7) Geen persoon mag kommersiële produkte, dienste of geleenthede deur middel van 'n sypaadjieplakkaat of -kennisgewing adverteer nie.

(8) Net een sypaadjieplakkaat of -kennisgewing mag per paal of lamppaal vertoon word, behalwe dat daar in die geval van verkiesings- of referendumveldtogte hoogstens drie plakkate per paal of lamppaal vertoon mag word.

(9) Die naam van die instelling, liggaam of organisasie, die datum van die funksie of geleentheid en die plek daarvan moet op elke sypaadjieplakkaat of -kennisgewing verskyn in letters wat nie kleiner as 50 millimeter hoog is nie.

(10) 'n Sypaadjieplakkaat of -kennisgewing mag nie groter as 0,55 vierkante meter wees nie en moet minstens twee meter onder enige ligtoebehore wees.

- (11) 'n Sypaadjieplakkaat of -kennisgewing, uitgesonderd vir 'n verkiesings- of referendumplakkaat, mag nie langer as 14 dae voor die betrokke geleentheid opgerig word nie en moet nie later nie as sewe dae daarna verwyder word.
- (12) 'n Plakkaat vir 'n parlementêre, provinsiale of munisipale verkiesing of referendum mag nie opgerig word nie voor die datum waarop die kennisgewing of proklamasie waarin die verkiesing of referendum aangekondig word in die *Staatskoerant* of die provinsiale koerant gepubliseer word, en moet nie later nie as 14 dae na die datum van die verkiesing of referendum verwyder word.
- (13) 'n Sypaadjieplakkaat of -kennisgewing, uitgesonderd vir 'n verkiesings- of referendumplakkaat, moet 'n amptelike seël of plakker van die tersaaklike munisipaliteit hê wat die vervaldatum prominent vertoon, en mag nie sonder so 'n seël of plakker vertoon word nie.
- (14) 'n Sypaadjieplakkaat en -kennisgewing mag nie op die padreserwe of padreserwegrens van 'n snelweg vertoon word nie.

25. Projekborde

- (1) 'n Projekbord moet deur die betrokke ontwikkelaar of werkgewer goedgekeur word en mag net die volgende vertoon:
 - (a) 'n Beskrywing van die gebou of struktuur wat opgerig word of ander werk of aktiwiteit wat verrig word;
 - (b) die name en die maatskappysimbole of -logo's van die kontrakteurs of konsultante;
 - (c) die vertakkings van hulle bedryf of professie;
 - (d) 'n beskrywing van die ontwikkeling wat gedoen word;
 - (e) waar toepaslik, besonderhede van die tipe akkommodasie wat verskaf word, vloerruimte beskikbaar en die naam, adres en telefoonnommer van die ontwikkelaar of die agent van die ontwikkelaar.
- (2) Net een gekombineerde projekbord wat kontrakteurs en konsultante vermeld, word per straatfront van 'n perseel toegelaat.
- (3) 'n Projekbord mag nie groter as 1,5 vierkante meter in advertensie-oppervlakte per konsultant of kontrakteur wees nie en mag nie 'n totale oppervlakte van 9 vierkante meter oorskry nie.

- (4) 'n Projekbord kan op 'n padreserwe opgerig word, maar nie op 'n deurpad nie, en slegs as daar nie genoeg ruimte op die ontwikkelingsterrein is nie, maar 'n bord wat oor padkonstruksie handel, kan in enige padreserwe geplaas word.
- (5) 'n Projekbord mag nie verlig of geanimeer word nie.
- (6) 'n Projekbord mag vertoon word slegs terwyl die betrokke werk werklik op die terrein plaasvind.

26. Straatnaamadvertensies

- (1) 'n Straatnaamadvertensie word net in 'n stedelike gebied op 'n ander pad as 'n deurpad toegelaat.
- (2) 'n Straatnaamadvertensie wat nie die straatnaam bevat nie, word nie toegelaat nie.
- (3) Geen persoon mag 'n straatnaamadvertensie oprig nie sonder dat die skriftelike goedkeuring van die tersaaklike munisipaliteit vooraf verkry is.
- (4) Die advertensie- en straatnaamgedeeltes van 'n straatnaamadvertensie moet albei reghoekig wees. Die straatnaamgedeelte moet onder die advertensiegedeelte wees maar nie nader as 200 millimeter daaraan nie en nie nader as 2,1 meter bo die grond nie. Die advertensiegedeelte van die advertensie mag nie groter as 1,64 vierkante meter in advertensie-oppervlakte wees nie.
- (5) Indien dit verlig word, moet die verligte gedeelte van die advertensie bo die vlak van standaard paalgemonteerde verkeersligte wees en mag dit nie oor die padoppervlak strek nie.
- (6) 'n Straatnaamadvertensie mag net by 'n kruising opgerig word en mag op 'n padreserwe of padmediaan opgerig word.
- (7) Verligting op 'n straatnaamadvertensie moet staties wees en die mate van verligting van die advertensiegedeelte kan aan dié van die straatnaamgedeelte gelyk wees maar mag dit nie oorskry nie. Die advertensie mag nie geanimeer word nie en mag nie flits nie. Die kleur van die straatnaam en die agtergrond moet deur die tersaaklike munisipaliteit bepaal word.
- (8) Enige straatnaam op die advertensiegedeelte van 'n straatnaamadvertensie moet kleiner en minder opvallend wees as die eintlike straatnaam op die straatnaampaneel, en die uitleg moet sodanig wees dat daar geen verwarring met die straatnaam op die straatnaampaneel is nie.
- (9) Net twee straatnaamadvertensies per kruising word toegelaat, en sulke advertensies mag nie aan dieselfde kant van enige nasionale pad geplaas word nie.

- (10) Die straatnaamadvertensie moet voldoen aan die vereistes vir die GL1-teken vir die straatnaam soos in die Nasionale Padverkeerswet voorgeskryf.

27. Sekuriteitsadvertensies

- (1) 'n Sekuriteitsadvertensie moet net verwys na die bestaan en werking van 'n kommersiële sekuriteitsdiens, inbraakalarmstelsel, buurtwag, plaaswag of soortgelyke stelsel of skema.
- (2) 'n Sekuriteitsadvertensie mag nie groter as 0,35 vierkante meter in advertensie-opervlakte wees nie, uitgesonderd 'n plaasadvertensie, wat nie groter as 1,5 vierkante meter in advertensie-opervlakte mag wees nie. Al sulke advertensies mag nie 'n hoogte van meer as drie meter bo grondvlak oorskry nie.
- (3) In 'n stedelike gebied in 'n visuele sone mag net een sekuriteitsadvertensie per straatgrens van die perseel opgerig word, en dit moet stewig vasgeheg word aan die gebou, grensmuur, heining of hek aan die straatfront of binne die grense van die erf.
- (4) 'n Sekuriteitsadvertensie op 'n plaas moet vertoon word by die kruising van 'n nasionale pad en 'n private toegangspad of by die ingang na die eiendom. Net een advertensie per plaas of kleinhoeve word toegelaat. Die advertensie kan binne 'n padreserwe opgerig word maar nie in die geval van 'n deurpad nie en ook nie op 'n padeiland of padmediaan nie.
- (5) 'n Sekuriteitsadvertensie mag nie verlig of geanimeer word nie.

28. Produkreplikas en driedimensionele advertensies

- (1) 'n Produkreplika of driedimensionele advertensie word toegelaat net in 'n stedelike gebied van gedeeltelike of minimum beheer en dan net in 'n winkelsentrum of ander kommersiële gebied of in 'n vermaaklikheids- of nywerheidsgebied. Dit word toegelaat slegs indien die skriftelike goedkeuring van die Agentskap vooraf verkry is.
- (2) Die hoogste punt van 'n losstaande produkreplika of driedimensionele advertensie bo die grondvlak mag nie meer as drie meter wees nie in 'n stedelike gebied van gedeeltelike beheer en vier meter in 'n stedelike gebied van minimum beheer.
- (3) 'n Produkreplika of driedimensionele advertensie gemik op padgebruikers moet op die volgende minimum afstande gespasieer word wanneer dit in sig van 'n ander sodanige replika of advertensie of van enige groot reklamebord en aan dieselfde kant van 'n nasionale pad is:

Op 'n nasionale pad waar 'n spoedgrens van meer as 80 km/uur gestel is	Minstens 250 meter van enige ander produkreplika, driedimensionele advertensie of groot reklamebord
Op 'n nasionale pad waar 'n spoedgrens van meer as 60 en tot 80 km/uur gestel is	Minstens 200 meter van enige ander produkreplika, driedimensionele advertensie of groot reklamebord
Op 'n nasionale pad waar 'n spoedgrens van 60 km/uur of minder gestel is	Minstens 120 meter van enige ander produkreplika, driedimensionele advertensie of groot reklamebord

29. Advertensies onder 'n balkon of sonskerm

- (1) 'n Advertensie onder 'n balkon of sonskerm mag opgerig word slegs op 'n perseel wat vir kommersiële, kantoor-, nywerheids- of vermaaklikheidsdoeleindes gebruik word.
- (2) In die geval van 'n advertensie bedoel in paragraaf (a), (b) of (c) van die omskrywing van "advertensie onder 'n balkon of sonskerm" -
 - (a) mag geen advertensie op enige punt meer as 100 millimeter uitsteek bo die oppervlak waaraan dit geheg is nie;
 - (b) mag geen advertensie 'n vertikale afmeting van 750 millimeter en 'n horisontale afmeting van 2 400 millimeter oorskry nie;
 - (c) mag geen advertensie bo of onder of verby enige punt van 'n borsweringmuur, balustrade, reling, balk of fassie uitsteek nie;
 - (d) word nie meer as een advertensie per fasade per onderneming toegelaat nie, tensy die fasade langer as 20 m is, waar meer as een advertensie toegelaat word indien dit met tussenruimtes van minstens 6 m gespasieer is en die totale horisontale advertensielengte nie meer as 4 000 mm is nie.
- (3) In die geval van 'n advertensie in paragraaf (d) van die omskrywing van "advertensie onder 'n balkon of sonskerm" bedoel -
 - (a) moet die advertensie op die ondersteunende pilaar, kolom of paal gevef of plat daarop aangebring word;
 - (b) mag 'n advertensie wat uitstaan, net aan 'n kolom, pilaar of paal aangebring word wat 'n dak oor brandstofpompe by 'n vulstasie of diensarea langs die pad dra, en mag dit nie een vierkante meter per teken of twee vierkante meter in totale oppervlakte oorskry nie;

- (c) mag 'n advertensie wat plat op 'n ondersteunende pilaar, kolom of paal aangebring is, nie meer as 50 mm van die oppervlak waarop dit aangebring is, uitsteek nie;
 - (d) mag geen advertensie verby enige punt van die kolom, pilaar of paal uitsteek nie;
 - (e) moet 'n advertensie wat plat op 'n nie-reghoekige steunstruktuur aangebring is, gevorm word om te pas by die vorm van sodanige struktuur;
 - (f) word net een advertensie per kolom, pilaar of paal toegelaat;
 - (g) mag geen plakkaat of aanplakbiljet teen 'n ondersteunende pilaar, kolom of paal geplak word nie.
- (4) 'n Advertensie onder 'n balkon of sonskerm mag bokant 'n sygaardjie of padreserwe gehang word.
- (5) Geen verligte advertensie of advertensie wat ontwerp is om lig te weerkaats, mag aan 'n geskuinste of geronde hoek van 'n balkon by 'n straatkruising geheg word of daarop vertoon word nie, tensy die onderkant van die advertensie minstens ses meter bo die straat onmiddellik onder die advertensie is.

30. Voorhofadvertensies

- (1) 'n Voorhofadvertensie mag net in 'n stedelike gebied vertoon word. In enige ander gebied mag dit net in 'n sentrum van ekonomiese aktiwiteit vertoon word.
- (2) 'n Individuele losstaande voorhofadvertensie mag nie groter as 1,7 vierkante meter in advertensie-oppervlakte wees nie vir 'n enkelkantadvertensie en 3,4 vierkante meter vir 'n dubbelkantadvertensie.
- (3) Die totale advertensie-oppervlakte van alle losstaande voorhofadvertensies mag nie meer as 5,0 vierkante meter op elke voorhoffront wees nie, behalwe in die geval van vulstasies en diensareas langs die pad, waar dit hoogstens 8,0 vierkante meter mag wees. In die geval van vulstasies en diensareas langs die pad word bykomende nie-losstaande advertensies met 'n maksimum oppervlakte van 0,15 vierkante meter per advertensie toegelaat indien dit aan brandstofpompe, muntoutomate en ander nie-advertensiestrukture geheg is.
- (4) 'n Voorhofadvertensie moet losstaande wees, behalwe in die geval van 'n advertensie wat aan 'n brandstofpomp, muntoutomaat of ander nie-advertensiestrukture in 'n vulstasie of diensarea langs die pad geheg is.
- (5) 'n Voorhofadvertensie mag nie in 'n padreserwe vertoon word nie en mag nie voetgangerverkeer belemmer nie.

- (6) 'n Voorhofadvertensie mag nie geanimeer word nie.

31. Residensiële of gemeenskapsadvertensies

- (1) 'n Residensiële of gemeenskapsadvertensie mag plat op 'n hek of muur aangebring of daarop gevef word, of op 'n paalgemonteerde advertensie of 'n advertensie met ondersteunende strukture wat 'n visuele struktuur rondom die tekenpaneel vorm.
- (2) 'n Aanwysings- of waarskuwingsteken mag nie altesaam meer as 0,5 vierkante meter advertensie-oppervlakte per perseel wees nie, uitgesonderd waar daar meer as een ingang tot dieselfde perseel aan verskillende padfronte is, waar 'n totale tekenoppervlakte van 1,0 vierkante meter en 0,5 vierkante meter advertensie-oppervlakte per front toegelaat word.
- (3) In die geval van 'n advertensie wat die naam en aard van 'n onderneming of woonplek of die naam van 'n eienaar of praktisyn toon, word een advertensie per perseel toegelaat wat hoogstens 1,5 vierkante meter in advertensie-oppervlakte per perseel mag wees, maar waar daar meer as een ingang tot dieselfde perseel aan verskillende padfronte is, kan twee advertensies met 'n totale tekenoppervlakte van 1,5 vierkante meter advertensie-oppervlakte elk vertoon word, elk aan 'n ander front.
- (4) Ondanks subregulasies (2) en (3), waar die advertensie 'n ander soliede ondersteunende struktuur as 'n raamwerk het, is die maksimum oppervlakte per advertensie 3,0 vierkante meter.
- (5) Waar meer as een onderneming of eiendom betrokke is, moet 'n kombinasieadvertensie verskaf word met hoogstens 1,0 vierkante meter per perseel of per eiendom.
- (6) Die hoogste punt van 'n losstaande advertensie mag nie hoër as 3,0 meter bo grondvlak wees nie, behalwe in die geval van 'n kombinasieteken, waar die hoogste punt van die teken nie hoër as 4,0 meter bo grondvlak mag wees nie.
- (7) In die geval van 'n residensiële of gemeenskapsadvertensie mag 'n naam of logo van 'n borg van die advertensie nie vertoon word nie, behalwe op die naam van 'n plaas of kleinhoewe. Die borgadvertensie mag nie groter as een derde van die totale advertensie-oppervlakte wees nie.
- (8) 'n Residensiële of gemeenskapsadvertensie mag vertoon word net op die perseel waarop dit betrekking het, of teen die grensmuur, heining of hek van sodanige perseel.
- (9) Die naamteken van 'n plaas of kleinhoewe moet langs die ingang van die toegangspad daarheen vertoon word of moet aan die hek by die ingang van

sodanige toegangspad aangebring word. Waar meer as twee plase of kleinhoewes 'n ongenommerde of private toegangspad deel, moet 'n rigtingpadverkeersteken gebruik word om die toegangspad aan te dui.

- (10) 'n Losstaande residensiële of gemeenskapsadvertensie word toegelaat slegs waar dit nie esteties of prakties aanvaarbaar is om 'n teken aan 'n gebou of grensmuur, heining of hek aan te bring nie, en mag nie in 'n padreserwe opgerig word nie.
- (11) 'n Residensiële of gemeenskapsadvertensie mag nie geanimeer word nie en kan slegs in 'n stedelike gebied verlig word. Dit moet harmonieer met die geboue en ander strukture op die perseel wat materiaal, kleur, tekstuur, vorm, styl en karakter betref.

32. Besigheidsadvertensies op die terrein

- (1) 'n Besigheidsadvertensie op die terrein moet plekgebonde wees en mag inligting verskaf slegs van die naam en aard van die onderneming, die aard van die goedere wat verkoop of die dienste wat gelewer word en die naam van die eienaar(s) of praktisyn(s), en kan as 'n losstaande advertensie opgerig word.
- (2) 'n Besigheidsadvertensie op die terrein mag nie vertoon word nie tensy -
 - (a) die gebou wat die onderneming huisves, met betrekking tot die pad voor die gebou so geleë is dat verbygaande voetgangers of motoriste dit moeilik kan vind om advertensies wat aan die gebou geheg is, raak te sien;
 - (b) dit nie struktureel moontlik of visueel doenlik is om geskikte advertensies aan 'n gebou aan te bring nie;
 - (c) die advertensies nodig is om die ingang tot besigheidpersele of die private toegangspad na 'n besigheid aan te dui;
 - (d) daar geen toerismepadverkeerstekens is wat die behoefte aan sodanige advertensies verminder nie.
- (3) Geen persoon mag 'n besigheidsadvertensie op die terrein wat op 'n nasionale pad gerig is, oprig of vertoon nie tensy die skriftelike goedkeuring van die Agentskap vooraf verkry is. By 'n besluit of sodanige goedkeuring verleen of geweier moet word, moet die Agentskap ag slaan op die wyse en tipe van verligting van die advertensie, indien van toepassing, en die oorweging dat -
 - (a) die vermenigvuldiging van advertensies voorkom moet word en dat kombinasieadvertensies bevorder moet word;
 - (b) die ontwerp van kombinasieadvertensies moet harmonieer met die argitektuur van winkelsentrums of ander geboue en strukture;

- (c) boodskappe op individuele panele van kombinasieadvertensies bondig en leesbaar moet wees;
 - (d) advertensies by toegangspaaie na plase en kleinhoewes gekoördineer moet word met residensiële en gemeenskapsadvertensies om kombinasieadvertensies te vorm;
 - (e) kombinasieadvertensies harmonieus moet wees wat vorm, lettertipes en kleur betref.
- (4) Net een besigheidsadvertensie op die terrein word per onderneming toegelaat, tensy daar meer as een ingang aan verskillende padfronte is, waar twee toegelaat word, een per front.
 - (5) 'n Besigheidsadvertensie op die terrein in stedelike gebiede van maksimum beheer word beperk tot 'n grootte van hoogstens 6 vierkante meter en 'n hoogte van 7 m. In 'n stedelike gebied van gedeeltelike of minimum beheer word die advertensie beperk tot 'n grootte van hoogstens 12 vierkante meter en 'n hoogte van 10 meter.
 - (6) In die geval van 'n besigheidsadvertensie op die terrein mag die naam of logo van die borg van die advertensie vertoon word maar mag dit nie meer as een derde van die totale oppervlakte van die advertensie beslaan nie.
 - (7) 'n Besigheidsadvertensie op die terrein mag nie letters, syfers of simbole of soortgelyke eienskappe bevat wat hoër as 0,35 m is nie in 'n natuurgebied of 'n landelike gebied en 'n stedelike gebied van maksimum beheer, en 0,75 m in 'n stedelike gebied van gedeeltelike of minimum beheer.
 - (8) 'n Besigheidsadvertensie op die terrein mag nie nader as vyf meter van die padreserwegrens wees nie.
 - (9) 'n Besigheidsadvertensie op die terrein mag verlig word, behoudens regulasie 14, maar mag nie geanimeer word nie.
 - (10) 'n Besigheidsadvertensie op die terrein mag net verwys na die naam en aard van die besigheid op die perseel, die handelsnaam en aard van goedere te koop of wat geproduseer word of die aard van die diens wat gelewer word en die naam van die persoon(persone) of maatskappy(e) wat die besigheid besit of die goedere of dienste lewer.

33. Toring-, brug- en masadvertensies

- (1) Geen persoon mag 'n toring-, brug- en masadvertensie in 'n visuele sone in 'n natuurgebied of 'n landelike gebied of in 'n stedelike gebied van maksimum beheer of oor 'n deurpad in enige gebied oprig of vertoon nie. Geen persoon mag

so 'n advertensie in 'n stedelike gebied van gedeeltelike of minimum beheer oprig of vertoon nie sonder dat die skriftelike goedkeuring van die Agentskap vooraf verkry is, wat die aangeleenthede in regulasie 40(16) uiteengesit, moet oorweeg en of daar in die omgewingsplanne van die tersaaklike munisipaliteit vir sodanige advertensies voorsiening gemaak word.

- (2) Die maksimum advertensie-oppervlakte van toring-, brug- en masadvertensies per struktuur mag nie 36 vierkante meter oorskry nie.
- (3) Die vry hoogte van 'n masadvertensie mag nie minder as 2,4 m wees nie.
- (4) Geen persoon mag 'n toring-, brug- of masadvertensie wat verlig word of geanimeer is, oprig of vertoon nie, behalwe in 'n stedelike gebied van minimum of gedeeltelike beheer, behoudens regulasie 14, en dan slegs indien -
 - (a) dit nie 'n veiligheidsgevaar skep nie;
 - (b) dit nie oormatige versteuring veroorsaak nie; en
 - (c) die bron van die verligting verberg is van aankomende verkeer.
- (5) Geen persoon mag 'n advertensie aan 'n mas vasheg nie tensy die mas onafhanklik gestut word sonder hulp van ankers, ankertoue, dwarsarms of ander houtoestelle, en behoorlik bevestig is aan 'n toereikende fondament in die grond.

34. Konstruksierreinadvertensies

- (1) Geen persoon mag 'n konstruksierreinadvertensie oprig of vertoon nie sonder dat die skriftelike goedkeuring van die Agentskap vooraf verkry is, tensy die advertensie nie groter as 6,0 vierkante meter is nie.
- (2) Konstruksierreinadvertensies mag slegs vir die duur van die betrokke konstruksiewerk opgerig word.
- (3) Konstruksierreinadvertensies mag nie 'n vertikale afmeting van 3,0 meter en 'n totale advertensie-oppervlakte van 18 vierkante meter te bowe gaan nie.
- (4) Konstruksierreinadvertensies word nie langs of op deurpaaie toegelaat nie.
- (5) Konstruksierreinadvertensies kan verlig word maar mag nie geanimeer word nie.

35. Advertensies vir geborgde padverkeersprojekte

- (1) Die Agentskap kan voorstelle vir geborgde padverkeersprojekte na goeddunke voorwaardelik of onvoorwaardelik goedkeur of verwerp.

- (2) Die Agentskap moet wanneer hy dit oorweeg of voorstelle vir geborgde padverkeersprojekte goedgekeur of verwerp moet word, oorweging skenk aan -
- a) die omgewingsplanne van die tersaaklike munisipaliteit of munisipaliteite;
 - b) die voordele wat behaal kan word ten opsigte van die verskaffing van paddienste, die bevordering van padveiligheid, die bestuur en bewaring van padomgewings of die verkryging van bykomende fondse vir nasionale paaie;
 - c) padveiligheid.
- (3) Die Agentskap kan advertensies vir geborgde padverkeersprojekte goedkeur -
- a) in natuurgebiede en landelike gebiede en stedelike gebiede van maksimum beheer, mits die advertensie-oppervlakte van enige advertensie nie groter as 0,5 vierkante meter is nie;
 - b) wat gedek word deur regulasies 16 tot 19, 26, 28, 33 en 36 in stedelike gebiede van gedeeltelike en minimum beheer.
- (4) Benewens enige ander toelaatbare inhoud ingevolge hierdie regulasies kan 'n advertensie vir 'n geborgde padverkeersprojek ook die naam van, of besonderhede van die projek en die naam, boodskap of logo van die borg bevat.
- (5) Geen advertensie vir 'n geborgde padverkeersprojek mag met 'n padverkeersteken gekombineer of daaraan geheg word nie.
- (6) Geen padverkeersteken, of simbool wat in enige padverkeersteken gebruik word, mag in 'n advertensie vir 'n geborgde padverkeersprojek gebruik word nie.
- (7) 'n Advertensie vir 'n geborgde padverkeersprojekte kan in 'n padreserwe vertoon word, maar nie op 'n padeiland nie.
- (8) 'n Advertensie vir 'n geborgde padverkeersprojekte mag nie geanimeer wees nie.

36. Diensfasiliteitadvertensies

- (1) 'n Diensfasiliteitadvertensie mag slegs na die naam of logo van 'n besigheid wat 'n diens lewer en die tipe diens wat gelewer word, verwys.
- (2) 'n Diensfasiliteitadvertensie moet plekgebonde wees en mag opgerig of vertoon word slegs in diensfasiliteite aanliggend aan en regstreeks toeganklik vanaf 'n nasionale pad waarop die advertensie gerig is. Net een sodanige advertensie per rigting van verkeersvloeï word toegelaat.

- (3) Geen persoon mag 'n diensfasiliteitadvertensie oprig of vertoon nie sonder dat die skriftelike goedkeuring van die Agentskap vooraf verkry is. 'n Aansoeker vir sodanige goedkeuring moet saam met die aansoek 'n liggingsplan, gedetailleerde tekeninge van die advertensie en 'n sertifikaat uitgereik deur 'n ingenieur wat verifieer dat dit deur sodanige ingenieur ontwerp is, voorlê.
- (4) Geen diensfasiliteitadvertensie mag die volgende afmetings oorskry nie:

Natuurgebiede en stedelike deurpaaie	10 m hoog en 3 m breed
Ander stedelike gebiede	7 m hoog en 2 m breed
Landelike gebiede	20 m hoog en 6 m breed

- (5) Die Agentskap kan, in die goedkeuring in subregulasie (3) bedoel, vereistes stel vir die plasing van die advertensie.
- (6) 'n Diensfasiliteitadvertensie mag nie geanimeer word nie, en verligting word toegelaat slegs terwyl die betrokke dienste gelewer word.
- (7) Geen advertensie word in 'n diensarea langs die pad toegelaat nie, behalwe 'n diensfasiliteitadvertensie wat kragtens hierdie regulasie toegelaat word, tensy dit gebruik word vir interne aanwysing en oriëntasie en gemik is op motoriste binne die fasiliteit.
- (8) Geen persoon mag sonder die goedkeuring van die Agentskap 'n diensfasiliteitadvertensie in 'n padreserwe oprig nie.
- (9) Geen persoon mag 'n diensfasiliteitadvertensie in die padmediaan of op 'n padeiland oprig nie.

37. Baniere

- (1) 'n Banier mag gebruik word slegs vir -
- (a) plekgebonde advertering van funksies of geleenthede wat gehou word vir godsdienstige, opvoedkundige, sosiale, welsyns-, dierewelsyns-, sport-, burgerlike of kulturele doeleindes of funksies of geleenthede wat verband hou met munisipale, provinsiale of parlementêre verkiesings of referendums;
 - (b) plekgebonde advertensies wat die naam, korporatiewe simbool en aard van ondernemings vertoon;
 - (c) straatargitektuur van stedelike gebiede soos voetgangerlane en ingange.
- (2) 'n Banier word nie in 'n natuurgebied toegelaat nie.

- (3) Geen persoon mag 'n banier in 'n natuurgebied of 'n landelike gebied of 'n stedelike gebied van maksimum of gedeeltelike beheer vertoon nie sonder dat die skriftelike goedkeuring van die Agentskap vooraf verkry is.
- (4) Geen banier mag groter as vyf vierkante meter wees nie in 'n landelike gebied of 'n stedelike gebied van maksimum beheer en ses vierkante meter in 'n stedelike gebied van gedeeltelike of minimum beheer.
- (5) Die totale oppervlakte van die advertensie per geleentheid, funksie of onderneming mag nie meer wees nie as tien vierkante meter in 'n landelike gebied en 'n stedelike gebied van maksimum beheer en 15 vierkante meter in 'n stedelike gebied van gedeeltelike of minimum beheer.
- (6) 'n Banier moet geheg word aan of gestut word tussen pale of ander stutte op die terrein of teen die gebou waar die funksie of geleentheid gehou gaan word of waar die onderneming geleë is.
- (7) 'n Banier mag nie op so 'n wyse vasgeheg word dat dit met verbybewegende voetgangers of verkeer inmeng of 'n gevaar vir hulle skep nie.

38. Ontwikkelingsadvertensies

- (1) 'n Ontwikkelingsadvertensiebord moet deur die betrokke ontwikkelaar of werkgever goedgekeur word en mag net -
 - a) 'n beskrywing van die gebou of struktuur wat opgerig word of ander werk of aktiwiteit wat verrig word, vertoon;
 - b) 'n beskrywing van die ontwikkeling wat uitgevoer word, vertoon;
 - c) waar van toepassing, besonderhede van die tipe akkommodasie wat verskaf word, vloerruimte beskikbaar en die naam, adres en telefoonnommer van die ontwikkelaar of die agent van die ontwikkelaar vertoon.
- (2) Net een advertensie wat die tipe ontwikkeling beskryf, word toegelaat. Geen persoon mag so 'n advertensie oprig sonder om vooraf die skriftelike goedkeuring van die Agentskap te verkry nie.
- (3) 'n Advertensie wat 'n tipe ontwikkeling beskryf, mag nie drie meter in hoogte oorskry nie. Dit mag nie 6,0 vierkante meter in advertensie-oppervlakte oorskry nie in 'n gebied van maksimum beheer en 12 vierkante meter in enige ander gebied.
- (4) Ontwikkelingsadvertensies mag verlig word maar mag nie geanimeer word nie.

- (5) 'n Ontwikkelingsadvertensie kan vertoon word slegs terwyl die betrokke werk werklik op die terrein plaasvind.

39. Lugadvertensies

- (1) Geen persoon mag 'n lugadvertensie in 'n natuurgebied of 'n landelike gebied vertoon nie. In 'n stedelike gebied mag niemand dit in 'n visuele sone sonder die skriftelike goedkeuring van die Agentskap doen nie.
- (2) 'n Lugadvertensie mag nie verlig of geanimeer word nie, behalwe dat 'n lugskip verlig mag word.
- (3) Met uitsondering van 'n geankerde lugskip mag 'n lugadvertensie slegs gedurende ure van daglig vertoon word.

DEEL D: ALGEMENE BEPALINGS

40. Goedkeuring deur Agentskap

- (1) Enige aansoek vir goedkeuring wat ingevolge hierdie regulasies vereis word, moet gedoen word deur die aansoekvorm in Aanhangsel A voorgeskryf in te vul en die ingevulde vorm in te dien saam met die toepaslike gelde wat van tyd tot tyd deur die Agentskap bepaal word.
- (2) Die Agentskap kan weier om 'n aansoek te oorweeg waar die tersaaklike vorm nie behoorlik ingevul is nie of die tersaaklike gelde nie betaal is nie.
- (3) 'n Aansoek ingevolge subregulasie (1) moet onderteken word deur die eienaar van die voorgestelde struktuur of toestel waarop die advertensie vertoon sal word en deur die eienaar van die grond waarop dit opgerig of vertoon staan te word, of deur die agent van sodanige persone wat skriftelik gemagtig is, en moet vergesel gaan van enige bykomende inligting of dokumente wat die Agentskap verlang.
- (4) Die Agentskap kan, ten opsigte van padveiligheidsoorwegings en voordat hy goedkeuring verleen, van die aansoeker vereis om lettergroottes en die lengte van die voorgestelde boodskap voor te lê, en kan die voorwaarde stel dat die boodskap nie sonder die vooraf verkreeë goedkeuring van die Agentskap verander mag word nie.
- (5) Die Agentskap moet, wanneer hy goedkeuring verleen vir enige advertensie of struktuur waarop 'n advertensie vertoon gaan word in 'n stedelike gebied, sy goedkeuring daaraan onderworpe maak dat die aansoeker ook die goedkeuring van die tersaaklike munisipaliteit moet verkry.

- (6) Die Agentskap kan weier om 'n aansoek vir goedkeuring te oorweeg tensy of totdat 'n strategiese omgewingsbestuursplan deur die tersaaklike munisipaliteit opgestel is en beskikbaar is.
- (7) Die Agentskap kan goedkeuring verleen onderworpe aan voorwaardes, wat nagekom moet word deur die eienaar van die advertensie, die eienaar van die struktuur waarop 'n advertensie vertoon gaan word, die persoon of persone wat dit oprig of vertoon, die eienaar van die grond waarop dit vertoon of opgerig word en enige okkupeerder of ander persoon in beheer van sodanige grond.
- (8) Die Agentskap kan deur 'n openbare kennisgewing aansoeke vra vir goedkeuring om nie-plekgebonde advertensies op of sigbaar vanaf 'n bepaalde nasionale pad of gedeelte daarvan op te rig, binne 'n tydperk in die kennisgewing vermeld, en kan alle aansoeke wat ten opsigte van sodanige pad of gedeelte ontvang is, agterweë hou totdat daardie tydperk verstryk.
- (9) Waar die Agentskap goedkeuring verleen het vir die oprigting of vertoon van 'n advertensie, mag die advertensie nie verskuif of heropgerig word nie en mag geen verandering aan die elektriese bedradingstelsel daarvan aangebring word nie, uitgesonderd vir doeleindes van opknapping of instandhouding, sonder dat die verdere skriftelike goedkeuring van die Agentskap eers verkry is.
- (10) Die Agentskap moet elke advertensie wat deur hom goedgekeur is, registreer en 'n registrasienommer daaraan toeken, wat in 'n duidelik sigbare posisie op die advertensie vertoon moet word deur die eienaar van die advertensie, en indien die Agentskap dit gelas, op meer as een plek op die advertensie, op 'n wyse aldus gelas en op 'n wyse wat sal verseker dat die nommer nie verwyder of verberg word nie. Die naam en adres van die adverteerder moet ook op die advertensie verskyn op die wyse wat die Agentskap gelas, in letters wat ooreenstem met die groottes wat die Agentskap gelas.
- (11) Goedkeurings wat ingevolge hierdie regulasies verleen is, kan hernu word na verstryking van die tydperk waarvoor die goedkeuring verleen is, deur -
 - (a) by die Agentskap aansoek te doen vir sodanige hernuwing op die vorm wat die Agentskap verskaf; en
 - (b) die ingevulde vorm met die hernuwingsgeld deur die Agentskap bepaal (wat 'n inspeksiegeld kan insluit), in te dien.
- (12) Die Agentskap kan 'n aansoek vir hernuwing van 'n goedkeuring wat nie aan subregulasie (11) voldoen nie, verwerp.
- (13) Waar 'n aansoek aldus verval het, kan daar weer aansoek gedoen word in ooreenstemming met subregulasies (1), (2) en (3).

- (14) Die eienaar van die grond waarop 'n advertensie opgerig is of vertoon word ingevolge 'n goedkeuring wat kragtens hierdie regulasie verkry is, moet gewaarmerkte afskrifte van alle dokumentasie rakende die aansoek en die goedkeuring deur die Agentskap uitgereik en enige hernuwing daarvan behou so lank die advertensie opgerig is of vertoon word, en moet dit op versoek toon aan enige persoon wat deur die Agentskap gemagtig is. Die eienaar van die advertensie, as dit nie ook die eienaar van die grond is nie, moet die eienaar van die grond voorsien van gewaarmerkte afskrifte van alle tersaaklike dokumentasie.
- (15) Goedkeurings wat deur die Agentskap ingevolge die Wet of hierdie regulasies verleen is, is bykomend by instemming of goedkeuring wat by enige ander wet vereis word, en nie ter vervanging daarvan nie.
- (16) Waar hierdie regulasies bepaal dat die goedkeuring van die Agentskap vereis word vir die oprigting of vertoon van 'n advertensie, in afwesigheid van ander spesifieke maatstawwe, moet die Agentskap waar toepaslik in elke geval oorweging skenk aan -
- (a) die aangeleenthede in regulasie 6 uiteengesit, en padveiligheidsoorwegings is die belangrikste en oorheersende faktor;
 - (b) enige ander aangeleenthede in hierdie regulasies uiteengesit;
 - (c) omgewingsoorwegings, wat estetiese, ekologiese en verkeersveiligheidsaspekte moet insluit;
 - (d) die visuele inhoud van die advertensie, met betrekking tot lettergroottes en lengte van boodskappe, kleure, impak, ens.;
 - (e) of die advertensie voldoen aan die Wet en hierdie regulasies en aan die vereistes en standaarde van die Agentskap;
 - (f) vereistes en riglyne gepubliseer deur die Gesagsliggaam vir Reklamestandaarde van Suid-Afrika of soortgelyke regulerende liggame wat deur die bedryf ingestel is.
- (17) Die Agentskap kan enige goedkeuring wat kragtens hierdie regulasie verleen is, intrek waar die tersaaklike advertensie nie aan hierdie regulasies voldoen nie of ophou om daaraan te voldoen, of waar 'n voorwaarde wat in sodanige goedkeuring gestel is, nie nagekom word nie.
- (18) Die Agentskap kan gelde bepaal as deel van die aansoekgelde, wat in trust gehou sal word vir die tydperk van die goedkeuring, en kan sodanige bedrag gebruik om enige uitgawes te bestry wat hy aangaan as gevolg van die nie-nakoming van die voorwaardes van die goedkeuring en hierdie regulasies. Indien dit nie aldus gebruik word nie, moet die Agentskap die bedrag, of wat daarvan oorbly, aan die

houer van die goedkeuring terugbetaal by beëindiging van die tydperk van die goedkeuring.

41. Oorgangsbepalings

- (1) Behoudens artikel 50 van die Wet moet enige advertensie wat op die datum van inwerkingtreding van hierdie regulasies opgerig of vertoon is en wat by hierdie regulasies verbied word en wat nie 'n advertensie is waarvoor die Agentskap goedkeuring kan verleen nie, verwyder word binne 90 dae na sodanige datum van inwerkingtreding.
- (2) Waar 'n advertensie op die datum van inwerkingtreding van hierdie regulasies opgerig of vertoon is, wat ingevolge hierdie regulasies nie sonder die goedkeuring van die Agentskap of 'n ander owerheid aldus opgerig of vertoon mag word nie, moet die eienaar van die advertensie binne 90 dae na sodanige datum van inwerkingtreding by die Agentskap of die ander owerheid, na gelang van die geval, aansoek doen vir sodanige goedkeuring, by versuim waarvan die advertensie onverwyld verwyder moet word. Geen sodanige aansoek mag gedoen word nie ten opsigte van 'n advertensie in subregulasie (1) bedoel.
- (3) Indien goedkeuring vir 'n advertensie in subregulasie (2) bedoel geweier is, moet die eienaar dit binne 30 dae na ontvangs van 'n kennisgewing van sodanige weiering verwyder. Waar sodanige kennisgewing per geregistreerde pos gepos is, word die eienaar geag dit te ontvang het agt dae nadat dit gepos is.

42. Kort titel

Hierdie regulasies heet die Regulasies op Advertering Op of Sigbaar Vanaf Nasionale Paaie, 2000.

**AANHANGSEL A: AANSOEKVORM VIR GOEDKEURING VAN 'N
ADVERTENSIE****DIE WET OP DIE SUID-AFRIKAANSE NASIONALE PADAGENTSAP
BEPERK EN OP NASIONALE PAAIE, 1998 (WET NO. 7 VAN 1998)****AANSOEK VIR GOEDKEURING VAN 'N ADVERTENSIE INGEVOLGE DIE
REGULASIES OP ADVERTERING OP OF SIGBAAR VANAF NASIONALE
PAAIE, 2000**

- (1) Hierdie aansoek moet vergesel gaan van aansoekgelde wat die Agentskap van tyd tot tyd bepaal.
- (2) Die Agentskap kan weier om die aansoek te oorweeg indien hierdie vorm nie behoorlik ingevul of die aansoekgeld nie betaal is nie.
- (3) Aansoeke moet gerig word aan die adres of adresse wat van tyd tot tyd in die Staatskoerant gepubliseer word.
- (4) 'n Afsonderlike aansoek moet vir elke advertensie ingedien word. 'n Aansoekgeld moet vir elke sodanige aansoek betaal word.

Inligting wat die advertensie identifiseer

Kantoor waar ingedien:

Roetenommer: Seksienommer: Afstand in kilometer:

Advertensie is geleë aan die kant van die pad waarop verkeer in rigting
(N, O, W, S) beweeg.

Besonderhede van advertensie

Beskrywing van eiendom waarop die advertensie geleë sal wees:
.....

Verwysingsnommer van regulasie ingevolge waarvan die goedkeuring verlang word:
.....

Beskrywing van kategorie advertensie:

Volledige beskrywing van goedkeuring verlang:

Agent van aansoeker (indien van toepassing)

Naam van verteenwoordiger van agent:

Identifikasienommer van verteenwoordiger:

Naam van agent of maatskappy, korporasie of ander regspersoon:

Voornaam van agent:

Identiteitsnommer / Registrasienommer / ander identifikasienommer van agent:

Straatadres en kode:

Posadres en kode:

Telefoonnummer(s):

Faksnummer:

E-posadres:

Handtekening van verteenwoordiger van agent

Datum:

Aansoeker (eienaar van advertensiestruktuur)

Naam van verteenwoordiger van aansoeker:

Identifikasienommer van verteenwoordiger:

Naam van aansoeker of maatskappy, korporasie of ander regspersoon:

Voornaam van aansoeker:

Identiteitsnommer / Registrasienommer / ander identifikasienommer van aansoeker:

Handelsnaam (indien van toepassing):

Tipe besigheid:

Straatadres en kode:

Posadres en kode:

Telefoonnommer(s):

Faksnommer:

E-posadres:

Handtekening van verteenwoordiger van aansoeker:

Datum:

Grondeienaar (indien nie dieselfde as aansoeker nie)

Naam van verteenwoordiger van grondeienaar:

Identifikasienommer van verteenwoordiger:

Naam van grondeienaar of maatskappy, korporasie of ander regs persoon:

Voorname van grondeienaar:

Identiteitsnommer / Registrasienommer / ander identifikasienommer van aansoeker:

Straatadres en kode:

Posadres en kode:

Telefoonnommer(s):

Faksnommer:

E-posadres:

Handtekening van verteenwoordiger van grondeienaar:

Datum:

Plaaslike owerheid of munisipaliteit

Naam van verteenwoordiger van plaaslike owerheid of munisipaliteit:

Identifikasienommer van verteenwoordiger:

Naam van plaaslike owerheid of munisipaliteit:

Posadres en kode:

Telefoonnommer(s):

Faksnommer:

E-posadres:

Naam van plaaslike verordening wat oor advertensies handel:

Gebiedsbeskrywing deur plaaslike owerheid (nie toegelaat nie, natuurgebied, landelike gebied, stedelike gebied van maksimum beheer, stedelike gebied van gedeeltelike beheer of stedelike gebied van minimum beheer):

.....

Opmerking - Brief van goedkeuring deur die plaaslike owerheid of munisipaliteit moet ingedien word wanneer die Agentskap dit versoek.

Advertensiestruktuur

Gedetailleerde inligting rakende die grootte, hoogte, breedte en vry hoogte van die advertensie, asook van oppervlaktes wat verlig of geanimeer gaan word.

Sketsplan van terrein

'n Sketsplan van die terrein waarop die advertensie opgerig of vertoon gaan word: geteken volgens 'n skaal van ongeveer 1:500 en vir 'n afstand van minstens 100 m stroomop en stroomaf van die advertensie, wat alle natuurkenmerke en ook geboue en strukture toon wat sigafstand, paaie en strate, die nasionale padreserwegrens, straatname, roete- en seksienommers, kilometerafstande langs die nasionale pad kan beïnvloed, alle bestaande advertensies in die gebied, padverkeerstekens en verkeerseine, die benaderde omvang van die visuele sone, en die dimensionele posisie van die advertensie waarvoor aansoek gedoen word.

Elevasieplan of foto's

Elevasies van die voorgestelde advertensie op 'n skaal van minstens 1:500, of foto's van 'n grootte nie kleiner nie as 200 x 250 mm, geneem van punte op die padreserwe van waar die advertensie sigbaar sal wees, op afstande van 50 meter langs die mees linkerhandse laan van die deurpad oor 'n afstand van 500 meter stroomop van die advertensie, met die voorgestelde advertensie daarop gesuperponeer. Elevasieplanne of foto's word net vir groot en klein elektroniese reklameborde, groot en klein reklameborde, toringstrukture, produkreplikas en driedimensionele advertensies, advertensies onder 'n balkon of sonskerm, voorhofadvertensies, toring- en masadvertensies en lugadvertensies vereis. Besonderhede van die posisie van waar 'n elevasieplan verskaf word of 'n foto geneem is, die afstand van die advertensie, die posisie van die advertensie en sy struktuur met betrekking tot sy omgewing en die nasionale pad moet verskaf word, asook enige ander inligting wat later deur die Agentskap vereis word.

Bykomende inligting wat op versoek verstrekkend moet word

Indien nodig, sal die Agentskap die aansoeker versoek om die enige van of al die volgende bykomende inligting voor te lê:

Uitlegplan

'n Uitlegplan, geteken op 'n skaal van minstens 1:2 000 en wat 'n afstand van minstens 500 m stroomop en stroomaf toon van die voorgestelde terrein van die advertensie waarvoor aansoek gedoen word. Hierdie plan moet al die inligting wat vir die terreinsketsplan vereis word, die posisies van waar elevasies of foto's verskaf word, horisontale draaiposisies, padgradiënte, spoedbeperkings, straat- en padlamppale akkuraat toon, asook enige ander inligting wat die Agentskap vereis wat 'n gedetailleerde evaluasie van enige faktor wat padveiligheid kan beïnvloed, moontlik sal maak.

Sulke uitlegplanne kan opgestel word deur gebruik te maak van 1:2 000 opmetingstekeninge wat van die Agentskap verkry kan word wanneer dit beskikbaar is.

Sertifikaat van elektriese ingenieur

Wanneer elektrisiteit gebruik word, moet 'n elektriese sertifikaat geteken deur 'n gelisensieerde elektriese ingenieur of deur 'n inspekteur behoorlik gemagtig deur 'n munisipaliteit ingedien word, wat verklaar dat die advertensie aan die vereistes van hierdie regulasies asook enige ander regulasies en vereistes rakende die gebruik van elektrisiteit sal voldoen. Die sertifikaat moet ook die ingenieur se naam, registrasienommer, posadres, telefoonnummer, faksnummer en e-posadres toon.

Sertifikaat van strukturele ingenieur

Indien die Agentskap dit vereis, moet bykomende tekeninge, berekeninge en ander inligting en 'n sertifikaat deur 'n ingenieur wat besonderhede tot die Agentskap se tevredenheid verstrek, ingedien word om hom in staat te stel om die toereikendheid van die voorgestelde metodes van hegting, bevestiging of bestutting van die advertensie te bepaal, om alle laste en kragte waaraan die advertensie blootgestel kan word te weerstaan en die toereikendheid van die veiligheidsmarge teen onklaarraking om te voldoen aan die bepalings van die nasionale bouregulasies bedoel in artikel 17 van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet No. 103 van 1977). Die sertifikaat moet ook die ingenieur se naam, registrasienommer, posadres, telefoonnommer, faksnommer en e-posadres toon.

Bykomende inligting oor inhoud van advertensie

Indien nodig, sal die Agentskap die aansoeker versoek om 'n tekening of foto op 'n geskikte skaal van die advertensie in te dien, wat alle besonderhede van die inhoud van die advertensie toon, insluitende woorde, syfers, simbole, kleure, grafika, verligting en animasie.

Die Agentskap kan die aansoeker ook versoek om 'n elektroniese foto van die opgerigte advertensie in te dien wat die advertensiestruktuur asook die inhoud van die advertensie toon.

Brief van goedkeuring deur plaaslike owerheid of munisipaliteit

'n Brief van goedkeuring van die struktuur en inhoud van die advertensie deur die plaaslike owerheid of munisipaliteit moet ingedien word wanneer die Agentskap dit versoek.

Ander inligting

Die Agentskap kan u versoek om bykomende inligting of dokumente in te dien.

No. R. 1403

22 December 2000

**THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND
NATIONAL ROADS ACT, 1998 (ACT NO. 7 OF 1998)**

**DETERMINATION OF ADDRESSES AND FEES: APPLICATIONS
UNDER REGULATION 40 OF THE REGULATIONS ON ADVERTISING ON
OR VISIBLE FROM NATIONAL ROADS, 2000**

In accordance with the Regulations on Advertising on or visible from National Roads, promulgated under section 50 of the South African National Roads Agency Limited and National Roads Act, 1998 (Act no. 7 of 1998), it is hereby made known that ;

- a) applications for consent to erect outdoor advertising facing National Roads should be submitted at the following addresses;

- (i) For advertisements in the Eastern Cape Province;

Arcus Gibb (Pty) Ltd
Valley Road
PORT ELIZABETH
6001

Tel 041 582 1680
Fax 041 582 1693

- (ii) For advertisements in the Northern, North West, Gauteng and Mpumalanga Provinces;

Innovative Traffic Solutions
79 Watermeyer Street
Val de Grace
Pretoria
0184

Tel 012 804 5623
Fax 012 804 1147

(iii) For advertisements in KwaZulu Natal and the Free State Provinces;

Arcus Gibb (Pty) Ltd
1st Floor
22 Church Road
WESTVILLE
3630

Tel 031 266 5226
Fax 031 266 3310

(iv) For advertisements in the Western Cape and Northern Cape Provinces;

Ekcon Engineers and Project Managers
12 Victoria Road
BELLVILLE
7535

Tel 021 949 7660
Fax 021 949 7664

- b) applications shall be accompanied by a non-refundable application fee of R2000.00 (two thousand Rand) for each site being applied for.
- c) a fee of R100.00 (One hundred Rand) per square metre of area of advertisement shall be payable, on demand, before consent to erect an advertisement is given by the Agency.
- d) an application fee of R1000.00 (one thousand Rand) shall be payable to the Agency upon submission of each proposed change of advertisement face.

No. R. 1403

22 Desember 2000

**DIE WET OP DIE SUID-AFRIKAANSE NASIONALE PADAGENTSKAP
BEPERK EN OP NASIONALE PAAIE, 1998 (WET NO. 7 VAN 1998)**

**BEPALING VAN ADRESSE EN GELDE: AANSOEKE INGEVOLGE
REGULASIE 40 VAN DIE REGULASIES OP ADVERTERING OP OF SIGBAAR
VANAF NASIONALE PAAIE, 2000**

Ingevolge die Regulasies op Advertering Op of Sigbaar Vanaf Nasionale Paaie, afgekondig ingevolge artikel 50 van die Wet op die Suid-Afrikaanse Nasionale Padagentskap Beperk en op Nasionale Paaie, 1998 (Wet No. 7 van 1998), word daar hierby bekend gemaak dat -

a) aansoeke vir toestemming om buitemuurse advertensies teenoor nasionale paaie op te rig, aan die volgende adresse voorgelê moet word:

(i) Vir advertensies in die provinsie Oos-Kaap:

Arcus Gibb (Edms) Bpk
Valleyweg
PORT ELIZABETH
6001

Tel: 041 582 1680
Faks: 041 582 1693

(ii) Vir advertensies in die Noordelike Provinsie en die provinsies Noordwes, Gauteng en Mpumalanga:

Innovative Traffic Solutions
Watermeyerstraat 79
Val de Grace
Pretoria
0184

Tel: 012 804 5623
Faks: 012 804 1147

(iii) Vir advertensies in die provinsies KwaZulu-Natal en die Vrystaat:

Arcus Gibb (Edms) Bpk
1ste vloer
Kerkstraat 22
WESTVILLE
3630

Tel: 031 266 5226
Faks: 031 266 3310

(iv) Vir advertensies in die provinsies Wes-Kaap en Noord-Kaap:

Ekcon Ingenieurs en Projekbestuurders
Victoriaweg 12
BELLVILLE
7535

Tel: 021 949 7660
Faks: 021 949 7664

- b) aansoeke vergesel moet gaan van 'n nie-terugbetaalbare aansoekgeld van R2000,00 (twee duisend rand) vir elke perseel waarvoor aansoek gedoen word;
- c) 'n bedrag van R100,00 (een honderd rand) per vierkante meter van advertensie-oppervlakte op versoek betaalbaar is voordat die Agentskap toestemming sal verleen om 'n advertensie op te rig;
- d) 'n aansoekgeld van R1000,00 (een duisend rand) aan die Agentskap betaalbaar is by voorlegging van elke voorgestelde verandering van advertensievoorkant.

No. R. 1404

22 December 2000

**THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND
NATIONAL ROADS ACT, 1998 (ACT NO. 7 OF 1998)**

**EXPLANATORY NOTICE; REGULATIONS PUBLISHED FOR
INFORMATION AND INTENDED ONLY TO INDICATE THE
DIFFERENCES BETWEEN THE REGULATIONS WHICH WERE
PUBLISHED IN GOVERNMENT GAZETTE NUMBER 21352 ON 13 JULY
2000 AND SUBSEQUENTLY REPEALED, AND THE NEW REGULATIONS
ON ADVERTISING ON OR VISIBLE FROM NATIONAL ROADS,
PROMULGATED IN TERMS OF SECTION 50, READ WITH SECTION 58
OF THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND
NATIONAL ROADS ACT, 1998 (ACT NO. 7 OF 1998)**

For the purposes of this notice;

"[]" Words in bold type in square brackets indicate omission from existing enactments.

" " Words underlined with a solid line indicate insertions in existing enactments."

SCHEDULE

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PART A: INTRODUCTORY PROVISIONS

1. Definitions

In these regulations, a meaning that has been assigned to a word or expression in the

Act shall bear that meaning and, unless the context indicates otherwise—

“advertisement for sale of goods or livestock” means an advertisement announcing such a sale on land or premises not normally used for commercial purposes and may include an advertisement announcing auctions of household goods on residential properties, or livestock or game on farms;

“advertisement for sponsored road traffic projects” means an advertisement relating to the sponsoring of a specific project aimed at the provision of road services, the promotion of road safety or the management and conservation of roadside environments;

“advertising structure” means any physical structure erected to display an advertisement;

“advertiser” means the person or organisation whose product or service is being advertised, or whose name or image is mentioned or promoted in an advertisement;

“aerial advertisement” means an advertisement painted on, attached to or produced by an aircraft, including a captive balloon, kite, unmanned free balloon, moored airship, parasailing craft, hang glider, model or radio controlled aircraft, an aircraft towed behind a vehicle or sailing vessel for the purpose of flight, and an aircraft towing banners or producing smoke signals;

“animated” means that the visibility or message of an advertisement is enhanced by means of moving units, flashing lights or similar devices, or that an advertisement contains a variable message;

“area of advertisement” means the area in square metres of the smallest rectangle that will encompass the extreme limits of the advertisement or combined advertisement, together with any material or colour forming an integral part of the background of the advertisement or used to differentiate the advertisement from the structure or building against which it is placed;

“areas of maximum control” means natural areas, rural areas and urban areas of maximum control;

“balcony or under awning advertisement” means an advertisement—

- (a) affixed flat onto or painted on a parapet wall, balustrade or railing;
- (b) affixed flat onto or painted on a fascia;
- (c) affixed flat or painted on the fascia of a roof structure without walls;
- (d) affixed to or painted on a pillar, column or post supporting a roof structure without walls;
- (e) painted or printed on the fabric of a blind;

[“banners and flags” includes flags attached to a single flagstaff projecting

vertically, horizontally or at an angle from street furniture, and excludes—

- (a) national flags that do not carry any advertisement or subject matter additional to the design of the flag or flagstaff, and
- (b) banners and flags carried as part of a procession;]

"banner" means a piece of cloth (or similar material) upon which an advertisement is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaffs projecting vertically, horizontally or at an angle, or attached to buildings or to special structures, but excludes banners carried as part of a procession;

"billboard" means any advertisement supported by a free-standing structure or affixed to an external wall of a building, or painted to an external wall or roof of a building used for commercial, office, industrial or entertainment purposes, also known as a "custom-made billboards" or "spectaculars" which may be paper-posted, sign written, posted with vinyl or covered, posted or written by a combination of such methods and may feature special effects such as internal illumination, specialist character cut-outs or three-dimensional presentations and may include variable messages. The main function of a billboard is to display advertisements;

"bit" means the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos, graphics or abbreviations. For the purposes of these regulations bit values shall be calculated as follows:

Words of up to eight letters, inclusive	1,0 bit
Words of more than eight letters	2,0 bit
Numbers of up to four digits, inclusive:	0,5 bit
Numbers of five to eight digits:	1,0 bit
Symbol or abbreviation:	0,5 bit
Large logos and graphics	2,0 bit

"candela" means a unit of luminance as determined from time to time by the International Commission on Illumination;

"centre of economic activity" means an enterprise or a group of enterprises outside of urban areas and which may include farm stalls, service facilities, accommodation facilities, food services, industries and cottage industries, as well as shops and other commercial facilities;

"clear height" means the minimum vertical distance from the ground, road or surface level, as the case may be, to the **[lowest point of an]** advertisement;

"combination advertisement" means an advertisement comprising a number of smaller, individual advertisements, usually displaying different products or services, placed next to each other on a single structure specially designed to accommodate

more than one advertisement;

“construction site advertisement” means an advertisement affixed flat against or on top of a fence or wall forming the boundary of a construction site;

“development advertisement” means an advertisement describing (including a pictorial representation of) the type of development being carried out on a construction site;

“electronic billboard” means a billboard which has an electronically controlled, illuminated display surface which allows all or a portion of the advertisement to be changed, animated or illuminated in different ways;

“engineer” means an engineer registered in terms of the Engineering Profession of South Africa Act, 1990 (Act No. 114 of 1990);

“entertainment area” means an area the main purpose of which is to be used as a park, sports field, barbecue area or for other recreational purposes;

“erf” means an erf, stand, lot, plot, agricultural holding or similar land entity registered in a deeds registry;

“estate agents’ board” means an advertisement that are temporarily displayed to advertise the fact that land, premises, development or other forms of fixed property are for sale or to let;

“flag” means a piece of cloth (or similar material) upon which an advertisement is displayed and which is attached to a single rope, pole or flagstaff projecting vertically in such a way that its contents are normally not readable in windless conditions. Flags exclude:

- a) national flags that do not carry any advertisement in addition to the design of the flag or flagstaff, and
- b) flags carried as part of a procession;

“forecourt” means an outdoor area forming a functional part of a building housing an enterprise, and may include the area of a filling station where the pumps are situated, or a terrace in front of a restaurant, enclosing fences, walls, screens or similar structures, excluding sidewalk areas in front of business premises intended for pedestrian circulation;

“forecourt advertisement” means an advertisement on a forecourt of business premises, being an advertisement displayed in such forecourt to draw attention to commercial services, goods for sale or other services available at the premises, but does not include a combination advertisement at a filling station or roadside service area;

“freeway” means a national road that has been designated as a freeway by an appropriate road traffic sign in terms of the National Road Traffic Act;

“functional public advertisement” means an advertisement displayed only for announcement or direction of the functions of municipalities or parastatal bodies that cannot be displayed under any other class of advertisement;

“gore” means the area immediately beyond the divergence of two roadways, bounded by the edges of those roadways;

“height” means the maximum vertical distance from the ground, road surface, or surface level to the top of the advertisement;

“illuminated” in relation to an advertisement means that it has been installed with electrical or other power for the purpose of illuminating it, either continuously or intermittently;

“large billboard” means any billboard [an advertisement] larger than 18 square metres in area of advertisement. [also known as a “custom-made billboard” or “spectacular” which may be paper-posted, sign written, posted with vinyl or covered, posted or written by a combination of such methods and may feature special effects such as internal illumination, specialist character cut-outs or three-dimensional presentations and may include variable or animated messages;]

“large electronic billboard” means an advertisement that is an electronic billboard larger than 18 square metres in area of advertisement;

“large poster” means an advertisement that is a self-supporting poster of between 1,5 and 2,2 square metres in area of advertisement;

“light not intended for illumination” means a flashing, flickering or continuous light source, beam of light or a number of such sources or beams, aimed or moved in such a manner as to attract attention, without being primarily for the purpose of illuminating an area or object;

“locality-bound” means an advertisement displayed on a specific erf or premises and referring to an activity, product, service or attraction located, rendered or provided on that erf or those premises or inside that building;

“m” means metre;

“mm” means millimetre;

“National Road Traffic Act” means the National Road Traffic Act, 1996 (Act 93 of 1996);

“natural area” means an area of the rural or non-urban environment which is in an unspoilt natural state or is of high scenic value, and includes, but is not limited to, national parks, game reserves, nature reserves, marine reserves, wilderness areas, areas of extensive agriculture and scenic areas;

“on-premises business advertisement” means an advertisement aimed at identifying and locating business enterprises and industries, and excludes a residential or community advertisement;

“owner” in relation to an advertisement means the person who owns the advertising structure, or will own the structure once it has been erected, or any person who has a right to or share in the ownership of the advertising structure.

“poster” is any placard announcing or attracting public attention to any meeting, event, function, activity or undertaking or to the candidature of any person nominated for election to parliament, local government or any similar body or to a referendum, or any placard advertising any product or service or announcing the sale of any goods, livestock or property;

“product replica or three-dimensional advertisement” is a replica or device used for advertising that may be free-standing or attached to a structure, and includes an inflatable object that is not an aerial advertisement;

“project board” means an advertisement displaying the involvement of a contractor or consultant in a construction project **[or an advertisement describing the type of development being carried out on a site];**

“relevant municipality” means the municipality in whose area of jurisdiction an advertisement is erected or displayed, and in the case of Category B and C municipalities contemplated in section 155(1)(b) and (c) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), both such municipalities;

“residential or community advertisements” includes a variety of small notices and advertisements displayed on premises used for residential-orientated purposes and for community services, and include advertisements in urban areas and also on places of residence in natural and rural areas, but are limited to—

- (a) identification, direction and warning signs with regard to residences, for example—
 - (i) names of houses, flat complexes, farms and smallholdings;
 - (ii) signs such as “beware of the dog”, “no parking” and “close the gate”;
 - (iii) signs indicating the nature of or main activity on farms and smallholdings;

- (b) signs showing the name or nature of the business, practice or enterprise or the owners or practitioners on small businesses, enterprises and practices in urban residential premises and buildings constructed or used for community purposes or premises on urban, but not rural, smallholdings;
- (c) signs showing the name and nature of the facility or of the proprietor or partners, on small scale accommodation facilities;
- (d) signs showing the name and nature of the institution, the names of practitioners and nature and extent of services on community services and institutions, such as religious, cultural, educational and recreational institutions and medical institutions related to those purposes;

"road island" means an area demarcated on a roadway by means of painted lines, stones, kerbs or by other means with the intention of preventing vehicles from standing or being operated in that area;

"road median" means the area separating traffic lanes on a roadway;

"road reserve" means the full width of a national road, and includes roadways, shoulders and sidewalks and the air space above such roadways, shoulders and sidewalks and all other areas within the road reserve boundary;

"road reserve boundary" means the proclaimed boundary forming the outer edge of the road reserve;

"roadside service area" means an area with direct access from a national road in which facilities and services such as petrol and diesel sales, restaurants, fast food outlets, toilets, playgrounds and picnic spots may be provided for motorists;

["Road Traffic Act" means the Road Traffic Act, 1989 (Act No. 29 of 1989);]

"road traffic sign" means a road traffic sign as defined in the National Road Traffic Act;

"roadway" means a roadway as defined in the National Road Traffic Act as it relates to a national road;

"rural area" means an area forming a transition between urban areas and unspoilt natural areas and includes intensive agriculture, subsistence agriculture and peri-urban smallholdings of a predominantly rural nature and with relatively low population densities;

"security advertisement" means an outdoor advertisement for neighbourhood watch, farm watch and similar schemes, and an advertisement containing the name, address and telephone number of a security company contracted to protect the premises on which the advertisement is displayed;

“service facility advertisement” means an **[combination]** advertisement at a filling station or roadside rest and service area;

“shoulder” means the shoulder of a national road as defined in the National Road Traffic Act;

“sidewalk” means a sidewalk of a national road as defined in the National Road Traffic Act;

“sidewalk poster or notice” means a temporary advertisement attached to an electrical light standard within a road reserve to advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational, cultural, political, social, sporting or recreational nature, and includes a poster displayed for an election or referendum campaign;

“small billboard” means a billboard **[an advertisement]** that is a billboard smaller than 18 square metres in area of advertisement;

“street furniture” means public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, sidewalk litter bins, pole mounted bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road traffic signs, traffic lights, street lights or any other road-related structures;

“street name advertisement” means a pole-mounted advertisement that may be illuminated, that is displayed in combination with a street name sign;

“streetscaping” or “streetscape” means the coherence between street furniture and other features on a national road;

“suburban advertisement” means a pole mounted location advertisement at the entrance to a town or suburb that carries an advertising sign beneath the road traffic sign bearing the name of the town or suburb;

“the Act” means the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998);

“tourism sign” means a road traffic sign having a trapezoidal shape and white on brown colour, the main objective of which is to inform and guide tourists in the final stages of their journeys;

“tower, bridge and pylon advertisement” means **[an advertisement]** a billboard affixed to or painted on a tower, bridge or pylon that is not used primarily for advertising purposes;

“tower structure” means a structure used for advertising in a parking area of a shopping centre and at an important transport node such as an airport, railway station or bus or taxi station;

"traffic sign" means a road traffic sign or signal contemplated in the National Road Traffic Act or a rail traffic sign or signal;

"urban areas of maximum control", subject to regulation 4(1)(b), include, but are not limited to, natural open spaces and urban conservation areas, interface of natural landscape with built-up areas, bodies of water, rivers, ridges, forests, open recreational areas, characteristic vistas, heritage sites or buildings, special tourist areas, skylines, residential areas of lower density, and visual zones along freeways in urban areas, unless the Agency after obtaining a strategic environmental assessment designates areas along such freeways as urban areas of partial or minimum control;

"urban areas of [minimal] minimum control", subject to regulation 4(1)(b), are areas which require [minimal] minimum control such as areas of concentrated economic activity where business is the main focus, commercial districts, central shopping centres, central office precincts, commercial enclaves and shopping centres in industrial areas and industrial parks, entertainment districts or complexes and prominent transport nodes excluding nodes of an exceptional historical or architectural value.

"urban areas of partial control", subject to regulation 4(1)(b), are areas characterised by a greater degree of integration and complexity of land use which require a lesser degree of control, such as high density mixed residential areas, medium density areas in transition and residential areas where office and commercial encroachment has taken place and low density suburbs, small commercial enclaves in residential areas, suburban shopping centres and office parks, ribbon development along main streets, educational institutions, sports fields or stadia, commercialised squares, government enclaves and smallholdings of an urban nature with a higher population density than rural smallholdings;

"vehicle" means a motor vehicle as defined in the National Road Traffic Act;

"visual zone" means the road reserve of a national road and any area that is visible from any spot on such road reserve, but does not include an area situated at a distance of more than 250 metres from the road reserve boundary of a freeway in an urban area.

2. Scope of these regulations

- (1) These regulations are designed to regulate advertising on or visible from national roads, within the scope of section 50 of the Act, and apply only to national roads, as defined in the Act, including freeways.
- (2) Unless these regulations provide specifically that the approval of the Agency is required for a particular advertisement, such approval is not required, but all of the conditions of these regulations applicable to that type of advertisement must be complied with.

3. Areas in relation to categories of advertisements

- (1) For the purpose of determining the places where advertisements may be displayed, the Agency may designate areas in which national roads are situated in accordance with the categories described in regulation 4, subject to sub-regulation (4) of this regulation.
- (2) For the purpose of determining the nature, content and size of advertisements, they are divided into the categories defined in regulations 16 to 39.
- (3) The advertisements which may be displayed on or so as to be visible from national roads in the various categories of areas, are regulated in regulations 16 to 39, subject to the general provisions in Part B.
- (4) These regulations shall not apply to areas outside of visual zones.
- (5) Despite these regulations, the Agency may, by notice in the *Government Gazette*, designate areas along national roads, either individually or in respect of a class or type of such roads, where the erection or display of advertisements shall not be permitted.

4. Designation of areas

- (1) The Agency may, subject to sub-regulation (2) of this regulation and sub-regulations (4) and (5) of regulation 3—
 - (a) designate areas outside of urban areas in which national roads are situated as either natural areas or rural areas;
 - (b) in urban areas, in consultation with relevant municipalities, designate areas in which national roads are situated as—
 - (i) urban areas of maximum control;
 - (ii) urban areas of partial control;
 - (iii) urban areas of **[minimal]** minimum control,

provided that where a relevant municipality has already designated an area as one of such categories, the Agency must designate it as such.

- (2) Where a national road falls within an area which has not been designated into a particular category under sub-regulation (1), the area in which it falls shall be deemed to be an area of maximum control.
- (3) The Agency must make details of a designation under sub-regulation (1), with appropriate maps or diagrams, available for inspection by the public during the Agency's office hours at the Head Office and the relevant regional office of the Agency.

5. Regulations not applicable in some municipal urban areas

- (1) Subject to sub-regulation (2) and in **[the spirit]** terms of section 156, read with Part B of Schedule 5, and Chapter 3 of the Constitution of the Republic of South Africa Act 108 of 1996, these regulations shall not apply in an urban area where the relevant municipality has promulgated a by-law—
- (a) dealing substantially with the matters covered by these regulations, and
 - (b) that is applicable to national roads in that area,

or in any urban area **[where the relevant municipality and the Agency have so and notice of such agreement, with a description of the area, has been agreed, published]** which the Minister has declared these Regulations not applicable by notice in the *Government Gazette*.

- (2) Where in terms of sub-regulation (1) these regulations do not apply, the municipality, when considering any application for an advertisement larger than six square metres which will face a national road, must make its approval conditional upon the applicant also obtaining the approval of the Agency, and the Agency in considering such an application must consider only road traffic, road traffic sign and safety considerations.

PART B: PROVISIONS APPLICABLE TO ALL ADVERTISEMENTS

6. Road safety and traffic considerations

- (1) Despite the other provisions of these regulations, no advertisement may—
- (a) constitute a danger to persons or property;
 - (b) be so placed as to distract, or contain an element which distracts, the attention of drivers of vehicles in a manner likely to lead to unsafe driving conditions;
 - (c) be illuminated to the extent that it causes discomfort to or inhibits the vision of approaching pedestrians or drivers of vehicles;
 - (d) be attached to road traffic signs, combined with road traffic signs (unless specifically authorised by the National Road Traffic Act), obscure road traffic signs, create confusion with road traffic signs, interfere with the functioning of road traffic signs or create road safety hazards;
 - (e) obscure the view of pedestrians or drivers, or obscure road or rail vehicles and road, railway or sidewalk features such as junctions, bends and changes in width;
 - (f) project over pedestrian or cycle circulation routes, unless the clear height of the advertisement exceeds 2,4 metres;
 - (g) obstruct fire escapes or the means of egress to fire escapes;

- (h) be placed closer than the minimum clearance with regard to overhead power lines as prescribed by any law;
 - (i) be erected in the vicinity of a signalised intersections which display the colours red, yellow or green if such colours will constitute a road safety hazard;
 - (j) have light sources that are visible to vehicles travelling in either direction;
 - (k) be erected without approval where such approval is required by the Act or these regulations or any other law.
- (2) In considering applications for approval for advertisements that will face a national road, the Agency must evaluate whether, according to road traffic sign standards published under applicable road traffic legislation, prevailing traffic conditions and the roadside environment—
- (a) the size of the advertisement, together with other advertisements in the area, if any, will affect the conspicuousness of road traffic signs by virtue of potential visual clutter;
 - (b) the size of the advertisement, or any portion thereof by way of its colour, letter size, symbol, logo, graphics or illumination, will result in the advertisement having a distracting effect on the attention of drivers of vehicles to the task of driving and lead to unsafe driving conditions;
 - (c) the number of road traffic signs and advertisements in any area constitute a driving hazard, due to the attention of drivers of vehicles being deviated from the task of driving and leading to unsafe driving conditions;
 - (d) the colour, or combination of colours, contained in the advertisement correspond with the colours or combinations of colours specified for road traffic signs in the regulations promulgated under the National Road Traffic Act;
 - (e) the speed limit, and the measure of the traffic's adherence thereto, the traffic volume, the average following headway and accident history of the road demand more stringent control of outdoor advertising;
 - (f) the amount of information contained in the advertisement, measured in bits, is within prescribed limits;
 - (g) the advertisement is suitably positioned and orientated;
 - (h) the position of the advertisement will negatively affect the visibility of, sight distance to or efficiency of any road traffic sign, or series of such signs;
 - (i) the advertisement could be mistaken to represent a road traffic sign;
 - (j) the illumination of advertisements is likely to distract drivers' attention from road traffic signs which are not illuminated;
 - (k) the position of an advertisement would disrupt the flow of information from road traffic signs to drivers who encounter a series of road traffic signs intended for traffic regulation, warning or guidance, in cases where the applicable speed limit on the road exceeds 60 km per hour;
 - (l) the position of any advertisement would potentially distract drivers'

attention at places where traffic turns, negotiates curves, merges or diverges, or in the area of intersections or interchanges, or where drivers' uninterrupted attention to the driving task is important for road safety;

- (m) the distance of any advertisement before any road traffic sign, an advertisement's position in between road traffic signs or an advertisement's distance behind any road traffic sign is of such a nature as to distract a driver's attention from any road traffic sign.

- (3) The Agency may increase the minimum spacing between advertisements, or place further restrictions on the position, size and content of any advertisement it considers necessary, in the interests of road safety.
- (4) No advertisement will be allowed that emits a noise, sound, smoke, smell or odour.

7. Amenity and decency

Despite the other provisions of these regulations, no advertisement may—

- (a) be detrimental to the environment or to the amenity of a human living environment by reason of size, colour, texture, intensity of illumination, quality of design or materials or for any other reason;
- (b) be in its content objectionable, indecent, offensive or suggestive of indecency or prejudicial to public morals or be in conflict with the guidelines or standards laid down from time to time by the South African Outdoor Advertising Association;
- (c) obscure, partially or wholly, an advertisement owned by another person that has been erected previously and legally displayed.

8. Advertisement to be concise

An advertisement positioned on or next to a national road and visible from a national road must be concise and legible and comply with the following requirements:

- (a) No advertisement displaying a single message may exceed six bits of information in a visual zone and 10 bits on a road other than a freeway;
- (b) No combination sign, or any other advertisement displaying more than one advertisement or message, may contain more than six bits of information per enterprise, service or property, or per individual advertisement or message displayed on a combination sign;
- (c) Numbers longer than eight digits are not allowed;
- (d) A street number indicating specific premises must have a minimum size of 150 millimetres and a maximum size of 350 millimetres;
- (e) No message may be spread across more than one advertisement.

9. Design and construction

(1) Any advertisement must—

- (a) be neatly and properly constructed according to generally accepted design and construction standards;
- (b) not be detrimental to or have a negative aesthetic impact on the streetscape or character of the surrounding area by way of the design of the structure or device;
- (c) have a neat appearance and consist of durable materials suited to the function, nature and permanence of the advertisement, and materials such as cloth, canvas, cardboard, paper or synthetic cardboard may be used only when essential to the nature and function of a particular advertisement;
- (d) have a neat appearance in terms of advertisement content and sign writing, and may not contain untidy handwritten messages;
- (e) not deface building facades with electrical services provisions and other accessories;
- (f) be rigidly and securely attached, supported or anchored in a safe manner so that unwanted movement in any direction is prevented;
- (g) be capable of effectively securing, supporting and maintaining not less than twice its mass with the addition of any force to which the advertisement may be subjected, including wind pressure;
- (h) wherever necessary in accordance with the nature of the advertisement and when attached to brickwork, masonry or concrete, be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry or concrete or passing through the same and secured on the opposite side;
- (i) not be secured by water soluble adhesive, adhesive tape or similar material to display the advertisement;
- (j) have all exposed metalwork painted or otherwise treated to prevent corrosion and all timber treated to prevent decay;
- (k) have measures taken to prevent entry of water into and the accumulation of water or moisture on or in the advertisement or any part of its supporting framework, brackets or other members.

(2) No advertisement may—

- (a) obstruct any window or opening provided for the ventilation of a building or obstruct any stairway or doorway or other means of exit from a building or prevent the movement of persons from one part of a roof to another part;
- (b) be painted on any fence or boundary wall in an area of maximum control.

10. Glass

- (1) All glass used in an advertisement, other than glass tubing used in a neon and similar advertisement, must be safety glass at least three millimetres thick.
- (2) Glass panels used in an advertisement must not exceed 0,9 square metres in area, each panel being securely fixed in the body of the advertisement, structure or device independently of all other panels.

11. Electrical

Every illuminated advertisement and every advertisement in which electricity is used, must—

- (a) have power cables and conduit containing electrical conductors positioned and fixed so that they are not unsightly;
- (b) be constructed of material that is not combustible;
- (c) be provided with an external switch in an accessible position and at a height of at least three metres from the ground whereby the electricity supply to the advertisement may be switched off;
- (d) be wired and constructed in accordance with and subject to the provisions of all applicable laws.

12. Maintenance

- (1) An advertisement must—
 - (a) be located at a height that discourages vandalism;
 - (b) be serviced on a regular basis;
 - (c) be maintained in good repair and in a safe condition.
- (2) Any person who displays an advertisement or permits it to be displayed shall be responsible for the maintenance in a safe and proper condition of the advertisement and the repainting thereof, and be liable for the consequences of not doing so, and must undertake at least one annual inspection of the advertisement with a view to satisfying himself or herself of the safety thereof.

13. Position of advertisements

An advertisement shall not, except where specifically authorised by these regulations—

- (a) cause any obstruction to a motorist's view of the roadway or its approaches, regardless of the direction the motorist is travelling;
- (b) be positioned on a road island or road median;
- (c) be suspended across a national road;

- (d) be erected within or suspended above a visual zone;
- (e) be permitted at urban street corners.

14. Illumination and electronic advertisement

- (1) Illumination is permitted on an advertisement only if it does not lead to unsafe driving conditions and where it is specifically not prohibited.
- (2) The luminance level on any advertisement where illumination is permitted, and where the applicable speed limit on the national road is higher than 60 km per hour, shall not exceed the following:

Illuminated area	Maximum luminance
Less than 0,5 square metres	1000 candela per square metre
0,5 to 2,0 square metres	800 candela per square metre
2,0 to 10 square metres	600 candela per square metre
10 or more square metres in visual zones	350 candela per square metre
10 or more square metres in other areas	400 candela per square metre

- (3) In a visual zone an advertisement may not be illuminated unless the freeway, or other national road if the speed limit applicable thereto exceeds 80 km per hour, is lit by overhead lighting over the full distance within which the advertisement is visible from the freeway or such national road and the source of the illumination is concealed from oncoming traffic.
- (4) A variable or animated message shall not exceed the following frame update limits:

Speed limit 60 km per hour or less	Full video
Speed limit more than 60 km per hour	One single complete frame that changes every 30 seconds as a maximum

- (5) An electronic advertisement may not inhibit the view of a driver or pedestrian or be in the direct line of sight of a traffic light.
- (6) An electronic advertisement may not have subliminal flashes.
- (7) Light not intended for illumination may only be utilised if it is allowed for in the environmental plans of the relevant municipality.
- (8) No person may display light not meant for illumination in a visual zone, or in a natural area, or in an urban area of maximum control if it will be visible from a national road.
- (9) No person may display light not meant for illumination in a rural area of economic activity visible from a national road, or in an urban area of partial or

minimum control visible from a national road, without the written approval of the Agency.

- (10) No light beam may be moved or directed in such a manner as to distract the attention of drivers of vehicles from the task of driving.
- (11) No light source or beam of light not meant for illumination may be positioned or aimed so as to shine directly onto, or at, a national road.

15. Floodlighting

- (1) Subject to regulation 14, a light source for an advertisement must be positioned to ensure effective distribution and minimise light wastage or "spill".
- (2) Any light source for an advertisement must not be visible to traffic travelling in either direction.

PART C: TYPES OF ADVERTISEMENTS AND REGULATION OF THEIR ERECTION OR DISPLAY

16. [Large] Electronic billboards

- (1) No person may erect [a large] an electronic billboard in a visual zone and facing a national road without first obtaining the written approval of the Agency. In deciding whether to grant or refuse such approval, the Agency must have regard to—
 - (a) the matters set out in regulation 6;
 - (b) whether it is allowed for in environmental plans of the relevant municipality;
 - (c) aesthetic and ecological aspects;
 - (d) the nature of the proposed messages;
 - (e) other factors specified in the Act or these regulations or that the Agency regards as relevant.
- (2) A large electronic billboard must be displayed perpendicular to oncoming traffic.
- (3) No large electronic billboard may be erected closer than five kilometres to another large electronic billboard on the same side of a national road, unless this is allowed for in the environmental plans of the relevant municipality. [allows for this.]
- (4) [A large] An electronic billboard may not be erected within a radius of 50 metres from the centre of an intersection on a national road where the speed limit on the national road is less than or equal to 60 kilometres per hour, or

within a radius of 100 metres from the centre of an intersection or from a ramp gore at an interchange on a national road where the speed limit exceeds 60 kilometres per hour but does not exceed 100 kilometres per hour, or within a radius of 200m from the centre of any intersection or from any ramp gore at an interchange on any portion of a freeway where the speed limit exceeds 100 kilometres per hour.

- (5) The approval contemplated in sub-regulation (1) must be granted for a specified period.
- (6) No electronic billboard 18 square metres or smaller in area of advertisement, may be erected closer than 1,5 kilometres to another electronic billboard or large electronic billboard on a national road, unless this is allowed for in the environmental plans of the relevant municipality.
- (7) No one may erect an electronic billboard or large electronic billboard in a visual zone in an area other than an urban area of partial or minimum control.

17. Large billboards

- (1) No person may erect a large billboard [that exceeds 36 square metres in area] in a visual zone, or facing a national road [where the applicable speed limit exceeds 80 km per hour,] without first obtaining the written approval of the Agency. In deciding whether to grant or refuse such approval, the Agency must have regard to—
 - (a) the matters set out in these [regulation 6] regulations;
 - (b) whether it is allowed for in environmental plans of the relevant municipality;
 - (c) aesthetic and ecological aspects;
 - (d) other factors specified in the Act or these regulations or that the Agency regards as relevant.
- (2) The clear height of a large billboard shall be not less than 2,4 metres.
- (3) Large billboards must be spaced as follows:

On a national road where a speed limit of more than 80 km/hour has been imposed	At least 250 metres apart and at least 250 metres from any product replica or three dimensional advertisement when in view of each other or of such product replica or three dimensional advertisement and on the same side of the national road, and at least 200m from any road <u>traffic sign</u> .
On a national road where a speed limit of more than 60 and up to 80 km/hour has been imposed	At least 200 metres apart and at least 200 metres from any product replica or three dimensional advertisement when in view of each other or of such product replica or three dimensional advertisement and on the same side of the national road, and at least 100m from any road <u>traffic sign</u> .
On a national road where a speed limit of 60 km/hour or less has been imposed	At least 120 metres apart and at least 120 metres from any product replica or three dimensional advertisement when in view of each other or of such product replica or three dimensional advertisement and on the same side of the national road, and at least 50m from any road <u>traffic sign</u> .

- (4) A large billboard may not be erected within a radius of 50 metres from the centre of an intersection on a national road where the speed limit on the national road is less than or equal to 60 kilometres per hour, or within a radius of 100 metres from the centre of an intersection or from a ramp gore at an interchange on a national road where the speed limit exceeds 60 kilometres per hour but does not exceed 100 kilometres per hour, or within a radius of 200m from the centre of any intersection or from any ramp gore at an interchange on any portion of a freeway where the speed limit exceeds 100 kilometres per hour.
- (5) The approval contemplated in sub-regulation (1) must be granted for a specified period.
- (6) No person may erect a large billboard in a visual zone in an area other than an urban area of partial or minimum control.

18. Small billboards and tower structures

- (1) Small billboards may not exceed 18 square metres in area of advertisement and [3,5m] 10m in height, and must have a clear height of not less than [1,5m.] 2,4m. [They] Tower structures may be pole-mounted units of not more than four panels. No panel or board on a tower structure may exceed 4,5 square metres. The clear height of a tower structure may not be less than 2,4m, while the maximum height shall not exceed five metres.
- (2) No person may erect a small billboard or tower structure in a visual zone in an

area other than an urban area of partial and **[minimal] minimum** control.

- (3) No one may erect a small billboard or tower structure on or visible from a national road, **[where the applicable speed limit exceeds 80 km per hour,]** without first obtaining the written approval of the Agency. In deciding whether to grant or refuse such approval, the Agency must have regard to—
- (a) the matters set out in these regulations [6];
 - (b) aesthetic and ecological aspects;
 - (c) the consideration that tower mounted advertisements must be “internally oriented” and not be aimed at road users outside the shopping centre or transport node;
 - (d) the consideration that tower structures must be of a high visual standard and harmonize with buildings and streetscapes;
 - (e) other factors specified in the Act or these regulations or that the Agency regards as relevant.
- (4) The approval contemplated in sub-regulation (3) must be granted for a specified period.

19. Large posters and other advertising on street furniture

- (1) A large poster, other than a bus or taxi shelter incorporating posters **[that are 1,2 x 1,8 metres in size or smaller]** —
- (a) is not allowed in a natural and rural area;
 - (b) may not be used for the primary purpose of directing or guiding travellers;
 - (c) is not allowed on or next to a freeway;
 - (d) may not be closer than 1800 millimetres from the edge of a roadway and not less than 300 mm from the edge of a cycle path; and
 - (e) may not be closer than 120m to another large poster;
 - (f) may not be placed so as to obstruct pedestrian movement on a national road.
- (2) The **[side]** size of a large poster and other advertising on street furniture facing in any one direction may not exceed 2,2 square metres in area of advertisement. **[A poster structure and]** Street furniture carrying an advertisement shall not exceed three metres in height, except that a maximum height of four metres will be allowed where the structure serves as a visual focal point and is of a high visual quality.
- (3) A large poster and advertising on street furniture shall not be illuminated or animated in an urban area of maximum control, but may be illuminated but not **[or]** animated in an urban area of partial or **[minimal] minimum** control.

- (4) A large poster advertising on street furniture may be displayed on the road reserve, but not on a road median or island.
- (5) No person may erect a large poster or advertise on street furniture without first obtaining the written approval of the relevant municipality.

[20. Banners and flags

- (1) A banner or flag may be used only for—
 - (a) locality-bound advertising of functions or events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or cultural purposes or functions or events relating to municipal, provincial or parliamentary elections or referenda;
 - (b) locality-bound displaying of the name, corporate symbol and nature of enterprises;
 - (c) streetscaping urban areas such as pedestrian malls and gateways.
- (2) A banner or flag is not permitted in a natural area.
- (3) No one may display a banner or flag in a rural area or an urban area of maximum or partial control without first obtaining the written approval of the Agency.
- (4) No banner or flag may be larger than five square metres in a rural area or urban area of maximum control and six square metres in an urban area of partial or minimal control. The total area of the advertisement per event, function or enterprise may not exceed ten square metres in a rural area and an urban area of maximum control and 15 square metres in an urban area of partial and minimal control.
- (5) A banner or flag must be attached to or supported between poles or other supports on the site or against the building where the function or event is to be held or where the enterprise is located.
- (6) A banner or flag may not be attached in such a manner as to interfere with or constitute a danger to passing pedestrians or traffic.]

20. Flags

- (1) A flag may be used only for—
 - a) locality-bound advertising of functions or events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or

- cultural purposes or functions or events relating to municipal, provincial or parliamentary elections or referenda;
 - b) locality-bound advertisements displaying of the name, corporate symbol and nature of enterprises;
 - c) streetscaping urban areas such as pedestrian malls and gateways,
 - d) non-locality bound advertisements of campaigns supported by government.
- (2) A flag is not permitted in a natural area.
- (3) No-one may display a flag larger than five square metres in a rural area or urban area of maximum control and six square metres in an urban area of partial or minimum control without obtaining the approval of the Agency.
- (4) A flag must be attached to or supported by poles or other supports on the site, or against the building where the function or event is to be held, or where the enterprise is located.
- (5) A flag may not be attached in such a manner as to interfere with or constitute a danger to passing pedestrians or traffic.
- (6) A large poster advertising on street furniture may be displayed on the road reserve, but not on a road median or island.

21. Suburban advertisements

- (1) A suburban advertisement shall be permitted only in an urban area where the applicable speed limit on the road in question does not exceed 80 km per hour, but not on or next to a freeway.
- (2) Subject to sub-regulation (1), no person may erect a suburban advertisement facing a national road without first obtaining the written approval of the [Agency] relevant municipality.
- (3) A suburban advertisement must be rectangular, and must be not more than 0,4 metres in height and not wider than the suburb name sign. It must be less conspicuous than the suburb name sign.
- (4) A suburban advertisement may not bear colours that may cause confusion with road traffic signs and may not be illuminated or animated.
- (5) Suburban advertisements must comply with the requirements of the suburb name GL2 sign as prescribed in the National Road Traffic Act.

22. Estate agents' boards

- (1) An estate agents' board may not contain information other than the words "for sale", "to let" or "sold" and the name, logo, and telephone number of the selling or letting agent.
- (2) An estate agents' board is permissible in any area, but not more than one such board per estate agent may be erected on any erf and not more than three agents may display their boards simultaneously on the same erf.
- (3) An estate agents' board may only be a single board or two duplicate boards joined together.
- (4) The maximum size of an estate agent's board shall be—

Natural and rural areas;;	2,0 square metres for single boards or 2,3 square metres in total for two joined boards
Urban areas of maximum or partial control	0,55 square metres for single boards or a total area of 0,65 square metres for two joined boards
Urban areas of [minimal] minimum control	2,8 square metres for single boards or 3,2 square metres for two joined boards

- (5) An estate agents' board must be attached to the boundary fence of the property concerned or displayed within the boundaries of premises, but not on a fence along a road reserve boundary.
- (6) An estate agents' board must be removed not later than 14 days after conclusion of a contract of sale or lease for the property in question.
- (7) Not more than 10 direction boards indicating the position of a property (known as "trail blazer boards"), are permitted per erf, if allowed by the relevant municipality, but not on or along freeways, and such boards may not show more than direction arrows and the name and logo of the estate agent
- (8) Estate agents' boards may not be displayed on the road reserve, or road reserve boundaries of freeways
- (9) The size of estate agents' trailblazer boards may not exceed 0,65 square metres and a height of three metres.
- (10) No illumination or animation of estate agents' boards is allowed.

23. Advertisements for sale of goods or livestock

- (1) Only one advertisement for sale of goods or livestock per sale shall be allowed facing a national road.

- (2) The size of such an advertisement may not exceed two square metres in a natural or rural area or an urban area of maximum or partial control, and 2,8 square metres in an urban area of **[minimal] minimum** control, and no part of the advertisement shall be higher than three metres above the ground.
- (3) Such an advertisement may be displayed only on the premises or property where the advertised sale is to take place, or be attached to the boundary fence of such a property or premises, **[but may not be attached to a road reserve fence or wall on a freeway.]**
- (4) No illumination or animation of such an advertisement shall be allowed.
- (5) Such an advertisement may be erected no earlier than one day before the sale in question and must be removed not later than one day after such sale, and advertisements of a permanent nature are not allowed.
- (6) Advertisements for the sale of goods or livestock may not be displayed on the road reserve or road reserve boundary of freeways.

24. Sidewalk posters and notices

- (1) A sidewalk poster or notice may be displayed only in an urban area of partial or **[minimal] minimum** control.
- (2) No person may erect a sidewalk poster or notice without first obtaining the written approval of the relevant municipality.
- (3) A sidewalk poster or notice may be displayed only on an electric light standard or other structure which is provided for the express purpose of pasting or affixing the poster or notice, and may not be attached or affixed to a road traffic sign or a signal, wall, column or post of a veranda or balcony, electricity box, tree or bridge.
- (4) A sidewalk poster or notice may not cover municipal markings or painted stripes on lampposts.
- (5) A sidewalk poster or notice may not be illuminated or animated.
- (6) A sidewalk poster or notice must be fixed by means of suitable cords acceptable to the relevant municipality, and metal clamps or wire may not be used.
- (7) No person may advertise commercial products, services or events by means of a sidewalk poster or notice.
- (8) Only one sidewalk notice or poster may be displayed per post or standard,

except that in the case of election or referendum campaigns, not more than three posters per post or standard shall be allowed.

- (9) The name of the institution, body or organisation, the date of the function or event and the venue thereof must appear on each sidewalk notice or poster in letters not smaller than 50 millimetres in height.
- (10) A sidewalk poster or notice may not exceed 0,55 square metres in area of advertisement and must be at least two metres below any light fixture.
- (11) A sidewalk poster or notice, except for an election or referendum poster, may not be erected more than 14 days before the relevant event and must be removed not later than seven days thereafter.
- (12) A parliamentary, provincial or municipal election or referendum poster may not be erected before the date on which the notice or proclamation in the *Government Gazette* or provincial gazette announcing the election or referendum is published and must be removed not later than 14 days after the date of the election or referendum.
- (13) A sidewalk poster or notice, except for an election or referendum poster, must bear an official stamp or sticker from the relevant municipality which displays the expiry date prominently, and may not be displayed without such a stamp or sticker.
- (14) Sidewalk posters and notices may not be displayed on the road reserve or road reserve boundaries of freeways.

25. Project boards

- (1) A project board must be approved by the relevant developer or employer, and may display only—
 - (a) a description of the building or structure being erected or other work or activity being carried out;
 - (b) the names and the company symbols or logos of the contractors or consultants;
 - (c) the branches of their industry or profession;
 - (d) a description of the development being carried out;
 - (e) where relevant, details of the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or the agent of the developer.

[(2) In a natural area—

- (a) no person may erect a project board without first obtaining the written approval of the Agency;**
- (b) only one advertisement per consultant or contractor per project shall be allowed.**

(3) Only one advertisement describing the type of development shall be allowed.]

(2) Only one [advertisement per contractor or consultant] combined project board listing contractors and consultants shall be [permitted] allowed per street front of a site.

(3) A project board shall not exceed 1,5 square metres in area of advertisement per consultant or contractor, and may not exceed a total area of 9 square metres, [in the case of a combined board, may not advertise more than six contractors or consultants. Where more than one consultant or contractor is involved, a combined board must be erected, unless a board has already been erected when the consultant or contractor was appointed.]

[(6) An advertisement describing a type of development may not exceed three metres in height. It may not exceed 4,5 square metres in area in an area of maximum control and six square metres in another area.]

(4) A project board may be erected on a road reserve, but not on a freeway, and only if there is insufficient space on the development site, but a board concerning road construction may be positioned in any road reserve.

(5) A project board may not be illuminated or animated.

(6) A project board may be displayed only while the relevant works are actually taking place on the site.

26. Street name advertisements

(1) A street name advertisement shall be permitted only in an urban area on a road other than a freeway.

(2) A street name advertisement which omits the street name shall not be permitted.

(3) No one may erect a street name advertisement without first obtaining the written approval of the relevant municipality.

- (4) The advertising and street name sections of a street name advertisement must both be rectangular in shape. The street name section must be below the advertising section but not closer than 200 millimetres to it and not closer than 2,1 metres to the ground. The advertising section of the advertisement may not exceed 1,64 square metres in area.
- (5) Where illuminated, the illuminated portion of the advertisement must be above the level of standard pole-mounted traffic lights and may not extend over the road surface.
- (6) A street name advertisement may be erected only at an intersection and may be erected on a road reserve or road median.
- (7) Illumination on a street name advertisement must be static and the degree of illumination of the advertising section may equal, but may not exceed, the street name section. The advertisement may not be animated and may not flash. The colour of the street name and background must be determined by the relevant municipality..
- (8) Any street name on the advertising space of a street name advertisement must be smaller and less conspicuous than the actual street name on the street name panel, and the layout must be such that there is no confusion with the street name on the street name panel.
- (9) Only two street name advertisements will be permitted per intersection, and such advertisements may not be placed on the same side of any of a national road.
- (10) The street name advertisement shall comply with the requirements for the street name GL1 sign as prescribed in the National Road Traffic Act.

27. Security advertisements

- (1) A security advertisement must refer only to the existence and operation of a commercial security service, burglar alarm system, neighbourhood watch, farm watch or similar system or scheme.
- (2) A security advertisement may not exceed 0,35 square metres in area of advertisement, except a farm advertisement, which may exceed that area but not exceed 1,5 metres in area of advertisement. All such advertisements may not be more than three metres above ground level.
- (3) In an urban area in a visual zone only one security advertisement per street boundary of the premises may be erected and must be firmly affixed to the building, boundary wall, fence or gate on the street frontage or within the boundaries of the erf.
- (4) A security advertisement on a farm must be displayed at the intersection of a

national road and private access road or at the entrance to the property. Only one advertisement per farm or holding shall be allowed. The advertisement may be erected within a road reserve other than a freeway, but not on a road island or median.

- (5) A security advertisement may not be illuminated or animated.

28. Product replicas and three-dimensional advertisements

- (1) A product replica or three-dimensional advertisement is allowed only in an urban area of partial or **[minimal]** minimum control and then only in a shopping centre or other commercial area or in an entertainment or industrial area. It shall be allowed only if the prior written approval of the Agency has been obtained.
- (2) The highest point of a free-standing product replica or three-dimensional advertisement above ground level shall not exceed three metres in an urban area of partial control and four metres in an urban area of **[minimal]** minimum control.
- (3) A product replica or three-dimensional advertisement aimed at road users must be spaced at the following minimum distances when in view of another such replica or advertisement or of any large billboard and on the same side of a national road:

On a national road where a speed limit of more than 80 km/hour has been imposed	At least 250 metres from any other product replica, three dimensional advertisement or large billboard
On a national road where a speed limit of more than 60 and up to 80 km/hour has been imposed	At least 200 metres from any other product replica, three dimensional advertisement or large billboard
On a national road where a speed limit of 60 km/hour or less has been imposed	At least 120 metres from any other product replica, three dimensional advertisement or large billboard

29. Balcony or under awning advertisements

- (1) A balcony or under awning advertisement may be erected only on premises used for commercial, office, industrial or entertainment purposes.
- (2) In the case of an advertisement contemplated in paragraph (a), (b) or (c) of the definition of "balcony or under awning advertisement"—
- (a) no advertisement may project at any point more than 100 millimetres

- from the surface to which it is affixed;
- (b) no advertisement may exceed a vertical dimension of 750 mm and a horizontal dimension of 2400 mm;
 - (c) no advertisement may extend above or below or beyond any extremity of a parapet wall, balustrade, railing, beam or fascia;
 - (d) not more than one advertisement per facade per enterprise shall be allowed, unless the facade exceeds 20m in length, where more than one advertisement is allowed if they are spaced at a minimum of 6m intervals and the total horizontal advertisement length does not exceed 4000 mm.
- (3) In the case of an advertisement contemplated in paragraph (d) of the definition of "balcony or under awning advertisement"—
- (a) the advertisement must be painted on or affixed flat onto the supporting column, pillar or post;
 - (b) a projecting advertisement may be affixed only to a column, pillar or post supporting a roof over fuel pumps at a filling station or roadside service area, and may not exceed one square metre per sign face or two square metres in total area of advertisement;
 - (c) an advertisement affixed flat onto a supporting column, pillar or post may not project more than 50 mm from the surface to which it is affixed;
 - (d) no advertisement may extend beyond any extremity of the column, pillar or post;
 - (e) an advertisement affixed flat onto a non-rectangular supporting structure must be curved to fit the form of such a structure;
 - (f) only one advertisement per column, pillar or post is allowed;
 - (g) no poster or placard may be pasted onto a supporting column, pillar or post.
- (4) A balcony or under awning advertisement may be suspended above a sidewalk or road reserve.
- (5) No illuminated advertisement or advertisement designed to reflect light may be attached to or displayed on a splayed or rounded corner of a balcony at a street intersection, unless the bottom of the advertisement is at least six metres above the street immediately below it.

30. Forecourt advertisements

- (1) A forecourt advertisement may be displayed only in an urban area. In any other area, it may only be displayed in a centre of economic activity.
- (2) An individual, free standing forecourt advertisement may not exceed 1,7 square metres in area of advertisement for single sided advertisement and 3,4 square metres for a double-sided advertisement.

- (3) The total area of advertisement of all free-standing forecourt advertisements may not exceed 5,0 square metres on each forecourt frontage, except in the case of filling stations and roadside service areas, where it may not exceed 8,0 square metres. In the case of filling stations and roadside service areas, additional non-free standing advertisements with a maximum area of 0,15 square metres per advertisement shall be allowed if attached to fuel pumps, vending machines and other non-advertising structures.
- (4) A forecourt advertisement must be free-standing, except for an advertisement attached to a fuel pump, vending machine or other non-advertising structure in a filling station or roadside service area.
- (5) A forecourt advertisement may not be displayed in a road reserve and may not interfere with pedestrian circulation.
- (6) A forecourt advertisement may not be animated.

31. Residential or community advertisements

- (1) A residential or community advertisement may be affixed flat or painted on a gate or wall, or on a pole mounted advertisement or an advertisement with supporting structures forming a visual structure around the sign panel.
- (2) A direction or warning sign may not exceed 0,5 square metres in total area of advertisement per premises, except where there is more than one entrance to the same premises on different road frontages, where a total sign area of 1,0 square metre and 0,5 square metres per frontage is permitted.
- (3) In the case of an advertisement showing the name and nature of an enterprise or place of residence or the name of a proprietor or practitioner, one advertisement per premises is allowed, that may not exceed 1,5 square metres in area of advertisement per premises, but where there is more than one entrance to the same premises on different road frontages, two advertisements with a total sign area of 1,5 square metres each may be displayed, each on a different frontage.
- (4) Despite sub-regulations (2) and (3), where the advertisement has a solid supporting structure other than a framework, the maximum area per advertisement may be 3,0 square metres.
- (5) Where more than one enterprise or property is involved, a combination advertisement must be provided with not more than 1,0 square metre per premises or per property.
- (6) The highest point of a free standing advertisement may not exceed 3,0 metres above ground level, except for a combination sign, where the highest point of the sign shall not exceed 4,0 metres above ground level.

- (7) In the case of a residential or community advertisement, a name or logo of a sponsor of the advertisement may not be displayed except on the name of a farm or smallholding. The sponsor advertisement may not exceed more than one-third of the total advertisement area
- (8) A residential or community advertisement may be displayed only on the premises to which it refers, or on the boundary wall, fence or gate of such premises.
- (9) A farm or smallholding name sign must be displayed next to the entrance of the access road thereto or affixed to the gate at the entrance of such access road. Where more than **[one farm]** two farms or smallholdings share an unnumbered or private access road, a **[collective board or combination sign must be erected in place of separate signs, except that separate signs indicating only property numbers shall be allowed. However, such a sign will not be allowed where a road traffic sign is displayed at the entrance concerned.]** direction road traffic sign must be used to indicate the access road.
- (10) A free standing residential or community advertisement is allowed only where it is not aesthetically or practically acceptable to attach a sign to a building or boundary wall, fence or gate, and may not be erected in a road reserve.
- (11) A residential or community advertisement may not be animated, and may be illuminated only in an urban area. It must harmonise with the buildings and other structures on the premises as to materials, colour, texture, form, style and character.

32. On-premises business advertisements

- (1) An on-premises business advertisement must be locality bound and may provide information only of the name and nature of the enterprise, the nature of goods sold or services provided and the name of the proprietor(s) or practitioner(s), and may be erected as a free-standing advertisement.
- (2) An on-premises business advertisement may not be displayed unless—
 - (a) the building housing the enterprise is situated in relation to the road which it faces such that passing pedestrians or motorists may have difficulty noticing advertisements affixed to the building;
 - (b) it is not structurally possible or visually feasible to affix appropriate advertisements to a building;
 - (c) the advertisement is needed to locate the entrance to business premises or the private access road to a business;
 - (d) there are no tourism road traffic signs reducing the need for such advertisements.

- (3) No one may erect or display an on-premises business advertisement facing a national road without first obtaining the written approval of the Agency. In deciding whether to grant or refuse such approval, the Agency must have regard to the manner and type of illumination of the advertisement, if applicable, and the consideration that—
- (a) a proliferation of advertisements must be prevented and that combination advertisements must be promoted.
 - (b) the design of combination advertisements must harmonise with the architecture of shopping centres or other buildings or structures;
 - (c) messages on individual panels of combination advertisements must be concise and legible;
 - (d) advertisements at access roads to farms and smallholdings must be co-ordinated with residential and community advertisements to form combination advertisements;
 - (e) combination advertisements must be harmonious in terms of form, letter types and colour.
- (4) Only one on-premises business advertisement shall be allowed per enterprise, unless there is more than one entrance on different road frontages, where two will be allowed, one per frontage.
- [(5) On-premises business advertisements affixed to non-advertising structures may not occupy more than 50% of the vertical area of such structure and may not extend above or beyond any extremity of such structure.**
- (6) **An on-premises business advertisement in a natural or rural area or urban area of maximum control shall be limited to the following areas:**
- (a) **An advertisement at a farm stall or access road to a smallholding may not exceed 2,0 square metres, but where a self-standing structure is used, the maximum area may be 4,0 square metres, subject to sub-regulation (5);**
 - (b) **Where an advertisement contemplated in paragraph (a) is incorporated in a combination advertisement at an access road, the area of any one advertisement may not exceed 1,5 square metres;**
 - (c) **All other advertisements may not exceed 4,5 square metres, subject to sub-regulation (5), but where a self-standing structure is used, the area of the advertisement may not exceed 9,0 square metres, subject to sub-regulation (5);**
 - (d) **Where an advertisement contemplated in paragraph (c) is incorporated in a combination advertisement at an access road, the area of the advertisement forming a portion of the combination advertisement may not exceed 3,0 square metres.**
- (7) **An on-premises business advertisement in an urban area of partial and**

minimal control is limited to the following sizes:-

- (a) No advertisement may exceed 6,0 square metres in area, subject to sub-regulation (5), but where a self-standing structure is used, the maximum area may be 12,0 square metres, subject to sub-regulation (5).
 - (b) Where an advertisement contemplated in paragraph (a) is incorporated in a combination advertisement, the area of the advertisement forming a portion of the combination advertisement may not exceed 4,5 square metres per panel.
- (8) In a natural or rural area and an urban area of maximum control, an on-premises business advertisement at a farm stall or farm access road may not exceed 3,0 metres in height above ground level in the case of a single, free-standing advertisement, and 4,0 metres in the case of a combination advertisement. In an urban area of partial or minimal control, all such advertisements may not exceed 4,0 metres in height in the case of single, free standing advertisement, and 10 metres in the case of combination advertisement.]
- (5) An on-premises business advertisement in areas of maximum control shall be limited to a size not exceeding 6 square metres and a height of 7m. In an urban area of partial or minimum control, the advertisement will be limited to a size not exceeding 12 square metres and a height of 10m.
- (6) In the case of an on-premises business advertisement [situated at a farm or smallholding access], the name or logo of the sponsor of the advertisement may be displayed, but may not occupy more than one third of the total area of the advertisement.
- (7) An on-premises business advertisement may not have letters, figures or symbols or similar features that exceed 0,35m in height in a natural or rural area and an urban area of maximum control, and 0,75m in an urban area of partial or [minimal] minimum control.
- (8) An on-premises business advertisement [indicating a roadside enterprise that has direct access to a national road,] may not be closer than five metres from the road reserve boundary.
- (9) An on-premises business advertisement may be illuminated, subject to regulation 14, but may not be animated.
- (10) An on-premises business advertisement may refer only to the name and nature of the business on the premises, the brand name and nature of goods for sale or produced or the nature of the service provided and the name of the person(s) or firm(s) who own the business or provide the goods or services.

33. Tower, bridge and pylon advertisements

- (1) No person may erect or display a tower, bridge or pylon advertisement in a visual zone in a natural or rural area, or an urban area of maximum control, or over a freeway in any area. No one may erect or display such an advertisement in an urban area of partial or **[minimal]** minimum control without first obtaining the written approval of the Agency, which must consider the matters set out in regulation 40(16) and whether such advertisements are allowed for in the environmental plans of the relevant municipality.
- (2) **[Not more than two advertisements per tower, bridge or pylon may be erected and]** the maximum area of advertisement of tower bridge and pylon **[such]** advertisements per structure shall not exceed 36 square metres.
- (3) **[Advertisements may not be affixed or painted on pylons unless the pylon, excluding the advertisement, is such that the entire assembly can be wholly contained within a notional, vertical, cylindrical figure with a diameter of six metres and a height of 12,0m. No protruding part]** The clear height of a pylon advertisement may not be less than 2,4m. **[above the highest point of the existing ground level immediately below the pylon or advertisement].**
- (4) No person may erect or display a tower, bridge or pylon advertisement that is illuminated or animated except in an urban area of **[minimal]** minimum or partial control, subject to regulation 14, and then only if—
 - (a) it is not a safety hazard;
 - (b) it does not cause undue disturbance; and
 - (c) the source of the illumination is concealed from oncoming traffic.
- (5) No person may attach an advertisement to a pylon unless the pylon is independently supported without the aid of guys, stays, brackets or other restraining devices, and is properly secured to an adequate foundation in the ground.

34. Construction site advertisements

- (1) No person may erect or display a construction site advertisement without first obtaining the written approval of the Agency, unless the advertisement does not exceed 6,0 square metres in size.
- (2) Construction site advertisements may be erected only for the duration of the relevant construction works.
- (3) Construction site advertisements may not exceed a vertical dimension of 3,0 metres and a total area of advertisement of 18 square metres.

- (4) Construction site advertisements will not be allowed along or on freeways.
- (5) Construction site advertisements may be illuminated but not animated.
- (6) Construction site advertisements may not exceed a vertical dimension of 3,0 metres and a total area of 18 square metres.

35. Advertisements for sponsored road traffic projects

- [(1) An advertisement may not be combined with or attached to a road traffic sign.
 - (2) No road traffic sign, or symbol used in any road traffic sign, may be used in an advertisement.
 - (3) An advertisement for sponsored road traffic projects may be displayed in a road reserve, but not on a road island.
 - (3) An advertisement for sponsored road traffic projects may not be animated.]
-

- (1) The Agency may approve conditionally or unconditionally, or reject proposals for sponsored road traffic projects at its discretion.
- (2) The Agency, when considering whether to approve or reject proposals for sponsored road traffic projects, must consider -
 - a) the environmental plans of the relevant municipality or municipalities;
 - b) the benefits to be gained in respect of road services provision, the promotion of road safety, the management and conserving of road environments, or the obtaining of additional funds for national roads;
 - c) road safety.
- (3) The Agency may approve advertisements for sponsored road traffic projects -
 - a) in natural and rural areas and urban areas of maximum control, provided that the area of advertisement of any advertisement does not exceed 0,5 square metres;
 - b) covered by regulations 16 to 19, 26, 28, 33 and 36 in urban areas of partial and minimum control.
- (4) In addition to any other permissible contents in terms of these regulations, an

advertisement for a sponsored road traffic project may also contain the name of, or details of the project and the name, message or logo of the sponsor.

- (5) No advertisement for a sponsored a road traffic project may be combined with or be attached to a road traffic sign.
- (6) No road traffic sign, or symbol used in any road traffic sign, may be used in an advertisement for a sponsored road traffic project.
- (7) An advertisement for a sponsored road traffic project may be displayed in a road reserve, but not on a road island.
- (8) An advertisement for a sponsored road traffic project may not be animated.

36. Service facility advertisements

- (1) A service facility advertisement may refer only to the name or logo of a business providing a service, and the type of service provided.
- (2) A service facility advertisement must be locality-bound and may be erected or displayed only in service facilities adjacent to and directly accessible from a national road at which the advertisement is directed. Only one such advertisement per direction of traffic flow will be allowed.
- (3) No one may erect or display a service facility advertisement without first obtaining the written approval of the Agency. An applicant for such approval must submit with the application a location plan, detailed drawings of the advertisement and a certificate issued by an engineer verifying that it was designed by such engineer.
- (4) **[Each] No service facility advertisement [-panel] may [not] exceed the following dimensions:**

Natural areas and urban freeways	6 square metres
Other urban areas	4,5 square metres
Rural areas	18 square metres

- [(5) Not more than eight panels shall be allowed per service facility advertisement, with only one enterprise allowed to advertise per panel. No combination advertisement may exceed the following dimensions:]**

Natural areas and urban freeways	10m in height and 3m in width
Other urban areas	7m in height and 2m in width
Rural areas	20m in height and 6m in width

- (6) The Agency may, in the approval referred to in sub-regulation (3), stipulate requirements for the positioning of the advertisement.
- (7) A service facility advertisement may not be animated, and illumination is allowed only while the services concerned are being provided.
- (8) No advertisement shall be allowed in a roadside service area except a service facility advertisement permitted under this regulation, or a tourism advertisement permitted under regulation 37, unless used for internal direction and orientated and aimed at motorists within the facility.
- (9) No person may erect a service facility advertisement in the road median or on an island.

[37. Tourism Signs

- (1) No person may erect or display a tourism sign unless it is approved by the Agency.
- (2) A tourism sign may be erected only in a road reserve and must be designed in accordance with Schedule 3 of the Road Traffic Regulations prescribed in terms of the Road Traffic Act.
- (3) In deciding whether to grant or refuse such approval, the Agency must have regard to the following:
 - (a) Tourism signs should be promoted to alleviate the need for other less appropriate or less acceptable sign types, to achieve a less complex and more functional system of information transfer;
 - (b) The standard and quality of tourist facilities and services should be considered.
- (4) If approved, a tourism sign must be erected by the Agency, unless the Agency authorises another person in writing to erect it.
- (5) Regulation 23 shall not prevent the display of tourism signs indicating temporary events that are otherwise permissible.]

37. Banners

- (1) A banner may be used only for—
 - a) locality-bound advertising of functions or events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or

- cultural purposes or functions or events relating to municipal, provincial or parliamentary elections or referenda;
- b) locality-bound advertisement displaying of the name, corporate symbol and nature of enterprises;
- c) streetscaping urban areas such as pedestrian malls and gateways.
- (2) A banner is not permitted in a natural area.
- (3) No one may display a banner in a natural or rural area or an urban area of maximum or partial control without first obtaining the written approval of the Agency.
- (4) No banner may be larger than five square metres in a rural or urban area of maximum control and six square metres in an urban area of partial or minimum control.
- (5) The total area of the advertisement per event, -function or enterprise may not exceed ten square metres in a rural area or an urban area of maximum control and 15 square metres in an urban area of partial and minimum control.
- (6) A banner must be attached to or supported between poles or other supports on the site or against the building where the function or event is to be held or where the enterprise is located.
- (7) A banner may not be attached in such a manner as to interfere with or constitute a danger to passing pedestrians or traffic.

[38. Functional public advertisements]

- (1) **No person may erect or display a functional public advertisement for commercial or competitive advertising.**
- (2) **A functional public advertisement may not exceed 0,55 square metres in area, but a larger advertisement may be allowed with the prior written consent of the relevant municipality.**
- (3) **A functional public advertisement may be displayed in a road reserve, but not on a freeway.]**

38. Development Advertisements

- (1) A development advertisement board must be approved by the relevant developer or employer, and may display only—

- a) a description of the building or structure being erected or other work or activity being carried out;
 - b) a description of the development being carried out;
 - c) where relevant, details of the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or the agent of the developer.
- (2) Only one advertisement describing the type of development shall be allowed. No person may erect such an advertisement without first obtaining the written approval of the Agency.
 - (3) An advertisement describing a type of development may not exceed three metres in height. It may not exceed 6.0 square metres in area of advertisement in an area of maximum control and 12 square metres in any other area.
 - (4) Development advertisements may be illuminated but not animated.
 - (5) A development advertisement may be displayed only while the relevant works are actually taking place on the site.

39. Aerial advertisements

- (1) No persons may display an aerial advertisement in a natural or a rural area. In an urban area, no one may do so in a visual zone [In a rural area, an aerial advertisement may not be displayed where the applicable speed limit on the road concerned exceeds 80 km per hour,] without the written approval of the Agency. [having been obtained.]
- [(2)] [Where an aerial advertisement is towed behind an aircraft, the aircraft may not take off or land on a national road.]
- (2) An aerial advertisement may not be illuminated or animated, except that an airship may be illuminated.
- (3) With the exception of a moored airship, an aerial advertisement may be displayed only in daylight hours.

PART D: GENERAL PROVISIONS

40. Approval by Agency

- (1) Any application for approval required by these regulations must be made by completing the application form prescribed in Annexure A and lodging the completed form with the application fee determined by the Agency from time to time.

- (2) The Agency may refuse to consider an application where the relevant form has not been completed properly or the relevant fee has not been paid.
- (3) An application in terms of sub-regulation (1) must be signed by the owner of the proposed [advertisement] advertising structure or devise upon which the advertisement will be displayed and by the owner of the land on which it is to be erected or displayed, or by the agent of such persons authorised in writing, and must be accompanied by [—
 - (a) a block plan of the site on which the advertisement is to be erected or displayed, drawn to a scale of not less than 1:500, showing all buildings on the site and the dimensional position of the advertisement in relation to the boundaries of the site and the location of the streets abutting the site;
 - (b) elevations to a scale of not less than 1:500 showing the position of the proposed advertisement and its relationship to any architectural or natural features, as well as any existing advertisements on the site within 250 metres, in all directions, of the proposed advertisement, alternatively photographs showing both traffic directions of not less than 200 x 250 mm with the proposed advertisement superimposed thereon approximately to scale;
 - (c) if required by the Agency, an electrical certificate signed by a licensed electrical engineer or by an inspector duly authorised by a municipality stating that the wiring of the advertisement will be done according to generally accepted standards;
 - (d) if required by the Agency, additional drawings, calculations and other information and a certificate by an engineer giving details to the Agency's satisfaction to enable it to establish the adequacy of the proposed means of securing, fixing or supporting the advertisement, to resist all loads and forces to which the advertisement may be exposed and the sufficiency of the margin of safety against failure to comply with the provisions of the national building regulations contemplated in section 17 of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977);
 - (e) any additional information or documents requested by the Agency.
- (4) The Agency may, in respect of road safety considerations and before granting approval, require the applicant to submit letter sizes and length of the proposed message, and may impose the condition that the message may not be changed without the prior approval of the Agency.
- (5) The Agency, when granting approval for any advertisement or structure upon which an advertisement is to be displayed in an urban area, must make its approval conditional on the applicant also obtaining the approval of the relevant municipality.

- (6) The Agency may refuse to consider an application for approval unless or until a strategic environmental management plan has been prepared by the relevant municipality, and is available.
- (7) The Agency may grant approval subject to conditions, which must be complied with by the owner of the advertisement, the owner of the structure upon which an advertisement is to be displayed, the person or persons who erect or display it, the owner of the land on which it is displayed or erected and any occupier or other person in charge of such land.
- (8) The Agency may invite applications for approval to erect non locality-bound advertisements on or visible from a particular national road or portion thereof, by public notice within a period specified in the notice, and hold all applications received in respect of such road or portion in abeyance until expiry of that period.
- (9) Where the Agency has granted approval for the erection or display of an advertisement, the advertisement may not be moved or re-erected nor shall any alteration be made to the electric wiring system thereof, except for the purpose of renovation or maintenance, without first obtaining the further written approval of the Agency.
- (10) The Agency must register every advertisement approved by it and allocate to it a registration number, which must be displayed on the advertisement in a clearly visible position by the owner of the advertisement, and, if so directed by the Agency, in more than one place on the advertisement, in a manner so directed and in a manner which will ensure that the number is not removed or obscured. The name and address of the advertiser must also appear on the advertisement in the manner directed by the Agency, in letters that conform with the sizes stipulated by the Agency.
- (11) Approvals granted in terms of these regulations may be renewed after expiry of the period for which the approval was granted by—
 - (a) making application for such renewal to the Agency on the form provided by the Agency, and;
 - (b) lodging the completed form with the renewal fee determined by the Agency (which may include an inspection fee).
- (12) The Agency may reject an application for renewal of an approval that does not comply with sub-regulation (11).
- (13) Where an approval has so lapsed, application may be made afresh on compliance with sub-regulations (1), (2) and (3).
- (14) The owner of the land on which an advertisement is erected or displayed in terms of an approval obtained under this regulation, must retain certified copies

of all documentation relating to the application and the approval issued by the Agency and any renewal thereof for as long as the advertisement is erected or displayed, and must present it to any person authorised by the Agency on request. The owner of the advertisement, if not also the owner of the land, must provide the owner of the land with certified copies of all relevant documentation.

- (15) Approvals granted by the Agency in terms of the Act or these regulations shall be additional to, and not in substitution of, consent or approval required by any other law.
- (16) Where these regulations provide that the approval of the Agency will be required for the erection or display of an advertisement, in the absence of other specific criteria provided, the Agency must consider, where applicable in each case—
 - (a) the matters set out in regulation 6, road safety considerations being the most important and overriding factor;
 - (b) the matters set out in these regulations [7];
 - (c) environmental considerations, which must include aesthetic, ecological and traffic safety aspects;
 - (d) the visual content of the advertisement, with regard to letter sizes and length of messages, colours, impact etc.;
 - (e) whether the advertisement complies with the Act and these regulations and with the requirements and standards of the Agency;
 - (f) requirements and guidelines published by the South African Advertising Standards Authority or similar regulatory bodies established by the industry.
- (17) The Agency may withdraw any approval given under this regulation where the relevant advertisement does not or ceases to comply with these regulations, or a condition imposed in such approval has not been complied with.
- (18) The Agency may set a fee as portion of the application fee which will be held in trust for the period of the approval and may use this amount to defray any expenses it may incur as a result of the conditions of the approval, and these regulations, not being complied with. If not so used, the Agency must return the amount, or what is left thereof, to the holder of the approval on termination of the period of the approval.

41. Transitional provisions

- (1) Subject to section 50 of the Act, any advertisement that was erected or displayed on the date of commencement of these regulations that is prohibited by these regulations, and is not an advertisement for which the Agency may grant approval, must be removed within 90 days of such date of commencement.

- (2) Where an advertisement has been erected or displayed on the date of commencement of these regulations, which, in terms of these regulations, may not be so erected or displayed without the approval of the Agency or another authority, the owner of the advertisement must apply to the Agency or the other authority, as the case may be, for such approval, within 90 days of such date of commencement, failing which the advertisement must be removed forthwith. No such application may be made in respect of an advertisement contemplated in sub-regulation (1).
- (3) If approval for an advertisement contemplated in sub-regulation (2) has been refused, the owner must remove it within 30 days of receipt of notification of such refusal. Where such a notification has been posted by registered post, the owner will be deemed to have received it eight days after posting thereof.

42. Short title

These regulations shall be known as the Regulations on Advertising On or Visible From National Roads, 2000.

ANNEXURE A: APPLICATION FORM FOR APPROVAL OF AN ADVERTISEMENT**THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED
AND NATIONAL ROADS ACT, 1998 (ACT NO. 7 OF 1998)****[APPLICATION FOR APPROVAL OF AN ADVERTISEMENT IN TERMS OF
THE REGULATIONS ON ADVERTISING ON OR VISIBLE FROM
NATIONAL ROADS, 2000**

- [Note: 1. This application must be accompanied by an application fee in the amount determined by the Agency from time to time.
2. The Agency may refuse to consider the application if this form has not been completed properly or if the application fee has not been paid.]

Surname of applicant/name of company, corporation or other juristic person

First names (not more than 3)

Identity/registration number/other identification number of applicant

Trade name (if applicable)

Type of business

Postal address and code

Street address (if different from postal address)

Telephone number(s)

Fax no. (if any)

E-Mail address (if any)

Representative (if any): If someone is representing you, supply his or her name, address and telephone no.
.....
.....

Full description of approval required

Reference number of regulation in terms of which the approval is required

Description of property on which advertisement will be situated

Description of advertisement

Signed at on

.....
Signature of owner of proposed advertisement

.....
Signature of owner of land on which the advertisement will be erected or displayed or the agent of such owner

[Note: This application must be accompanied by the following (see regulation 40(3) of the Regulations):

- (a) a block plan of the site on which the advertisement is to be erected or displayed, drawn to a scale of not less than 1:500, showing all buildings on the site and the dimensional position of the advertisement in relation to the boundaries of the site and the location of the streets abutting the site;
- (b) elevations to a scale of not less than 1:500 showing the position of the proposed advertisement and its relationship to any architectural or natural features, as well as any existing advertisements on the site within 250 metres, in all directions, of the proposed advertisement, alternatively photographs showing both traffic directions of not less than 200 x 250 mm with the proposed advertisement superimposed thereon approximately to scale.

If required by the Agency, you will be requested to submit the following (see regulation 40(3) of the Regulations):

- (c) an electrical certificate signed by a licensed electrical engineer or by an inspector duly authorised by a municipality stating that the wiring of the advertisement will be done according to generally accepted standards;
- (d) additional drawings, calculations and other information and a certificate by an engineer giving details to the Agency's satisfaction to enable it to establish the adequacy of the proposed means of securing, fixing or supporting the advertisement, to resist all loads and forces to which the advertisement may be exposed and the sufficiency of the margin of safety against failure to comply with the provisions of the national building regulations contemplated in section 17 of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977);
- (e) any additional information or documents requested by the Agency.]

**ANNEXURE A: APPLICATION FORM FOR APPROVAL OF AN ADVERTISEMENT
THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL
ROADS ACT, 1998 (ACT NO. 7 OF 1998)
APPLICATION FOR APPROVAL OF AN ADVERTISEMENT IN TERMS OF THE
REGULATIONS ON ADVERTISING ON OR VISIBLE FROM NATIONAL ROADS,
2000**

- (1) This application must be accompanied by an application fee in the amount determined by the Agency from time to time.
- (2) The Agency may refuse to consider the application if this form has not been completed properly or if the application fee has not been paid.
- (3) Applications must be submitted to the address, or addresses published in the Gazette from time to time.
- (4) A separate application must be submitted for each advertisement. An application fee must be paid for each such application.

Advertisement identifying information

Region Office to which submitted.....
 Route number Section number Kilometre distance
 Advertisement is located on the side of road on which traffic is travelling in direction (N,E,S,W)

Advertisement details

Description of property on which advertisement will be situated.....
 Reference number of regulation in terms of which the approval is required.....
 Advertisement category description
 Full description of approval required

Agent of applicant (if applicable)

Name of representative of agent
 Identification number of representative
 Name of agent or company, corporation or other juristic person
 First names of agent
 Identity/registration number/other identification number of agent

Street address and code
Postal address and code
Telephone no (s)
Fax no
E-Mail address

Signature of representative of agent Date

Applicant (owner of advertisement structure)

Name of representative of applicant
Identification number of representative
Name of applicant or company, corporation or other juristic person
First names of applicant
Identity/registration number/other identification number of applicant
Trade name (if applicable).....
Type of business
Street address and code
Postal address and code
Telephone no (s)
Fax no
E-Mail address

Signature of representative of applicant..... Date

Land owner (if different from applicant)

Name of representative of land owner
Identification number of representative
Name of land owner or company, corporation or other juristic person
First names of land owner
Identity/registration number/other identification number of applicant
Street address and code
Postal address and code
Telephone no (s)
Fax no
E-Mail address

Signature of representative of land owner..... Date

Local authority or municipality

Name of representative of local authority or municipality
Identification number of representative
Name of local authority or municipality
Postal address and code
Telephone no (s)
Fax no
E-Mail address
Name of local by-law dealing with advertisement
Area designation by local authority (not allowed, natural, rural, urban area of maximum control, urban area of partial control or urban area of minimum control)

Note – letter of approval by local authority or municipality to be submitted when requested by the Agency.

Advertisement structure

Detailed information regarding the size, height, width and clearance height of the advertisement as well as areas to be illuminated or animated.

Site plan

A plan of the site on which the advertisement is to be erected or displayed, drawn to a scale of 1:500 and, for a distance not less than 100m upstream and downstream of the advertisement, showing all natural and constructed features, buildings and structures, roads and streets, intersections, merges and diverges, weaving areas, road reserve and erf boundaries, street names, route and section numbers, kilometre distances along road, all advertisements in the area, road traffic signs and traffic signals, the extent of the visual zone, the dimensional position of the advertisement applied for, illumination as well as any other information required by the Agency.

Layout plan

A layout plan, drawn to a scale of 1:1000 and, for a distance not less than 500m upstream and downstream, showing all the information required for the site plan, as well as all points on the road reserve from which the advertisement would be visible, positions from which elevations or photographs are provided, horizontal curve positions, road gradients, speed limits, street and road lighting, sight distances that have been negatively effected by the advertisement, shoulder sight distances, potential hazardous locations along the road as well as any other information required by the Agency.

Elevation plan or photographs

Elevations to a scale of not less than 1:500, or photographs of a size not less than 200 x 250 mm, taken from points on the road reserve from which the advertisement will be visible, at 50 metre intervals along the centreline of the roadway over a distance 500 metres upstream of the intersection, showing the proposed advertisement thereon superimposed. Only required for large electronic billboards, large billboards, small billboards and tower structures, product replicas and three-dimensional advertisements, balcony and under-awning advertisements, forecourt advertisements, tower and pylon advertisements and aerial advertisements. The elevations or photographs must show position from which elevation or photograph has been taken, distance to advertisement, the advertisement and its structure in relationship to surroundings and the national road as well as any other information required by the Agency.

Additional information to be submitted when requested

When required, the Agency will request the applicant to submit the following additional information:

Electrical engineer's certificate

When electricity is used, an electrical certificate signed by a licensed electrical engineer or by an inspector duly authorised by a municipality must be submitted stating that the advertisement will comply with the requirements of these regulations as well as any other regulations and requirements related to the use of electricity. The certificate must also show the engineer's name, registration number, postal address, telephone no, fax no and e-mail address.

Structural engineer's certificate

If required by the Agency, additional drawings, calculations and other information and a certificate by an engineer giving details to the Agency's satisfaction to enable it to establish the adequacy of the proposed means of securing, fixing or supporting the advertisement, to resist all loads and forces to which the advertisement may be exposed and the sufficiency of the margin of safety against failure to comply with the provisions of the national building regulations contemplated in section 17 of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977). The certificate must also show the engineer's name, registration number, postal address, telephone no, fax no and e-mail address.

Additional information on advertisement contents

When required, the Agency will request the applicant to submit a drawing or photograph at a suitable scale of the advertisement, showing all details of the contents of the advertisement, including words, numbers, symbols, colours, graphics, illumination and animation

The Agency may also require the applicant to submit an electronic photograph of the erected advertisement, showing the advertisement structure as well as the contents of the advertisement.

Letter of approval by local authority or municipality

A letter approval the advertisement structure and contents from the local authority or municipality must be submitted when requested by the Agency.

Other information

The Agency may request you to submit additional information or documents.

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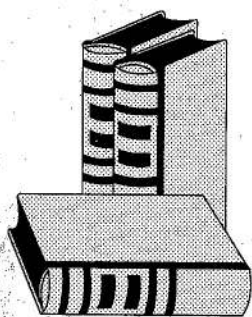
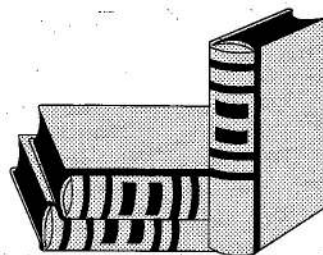
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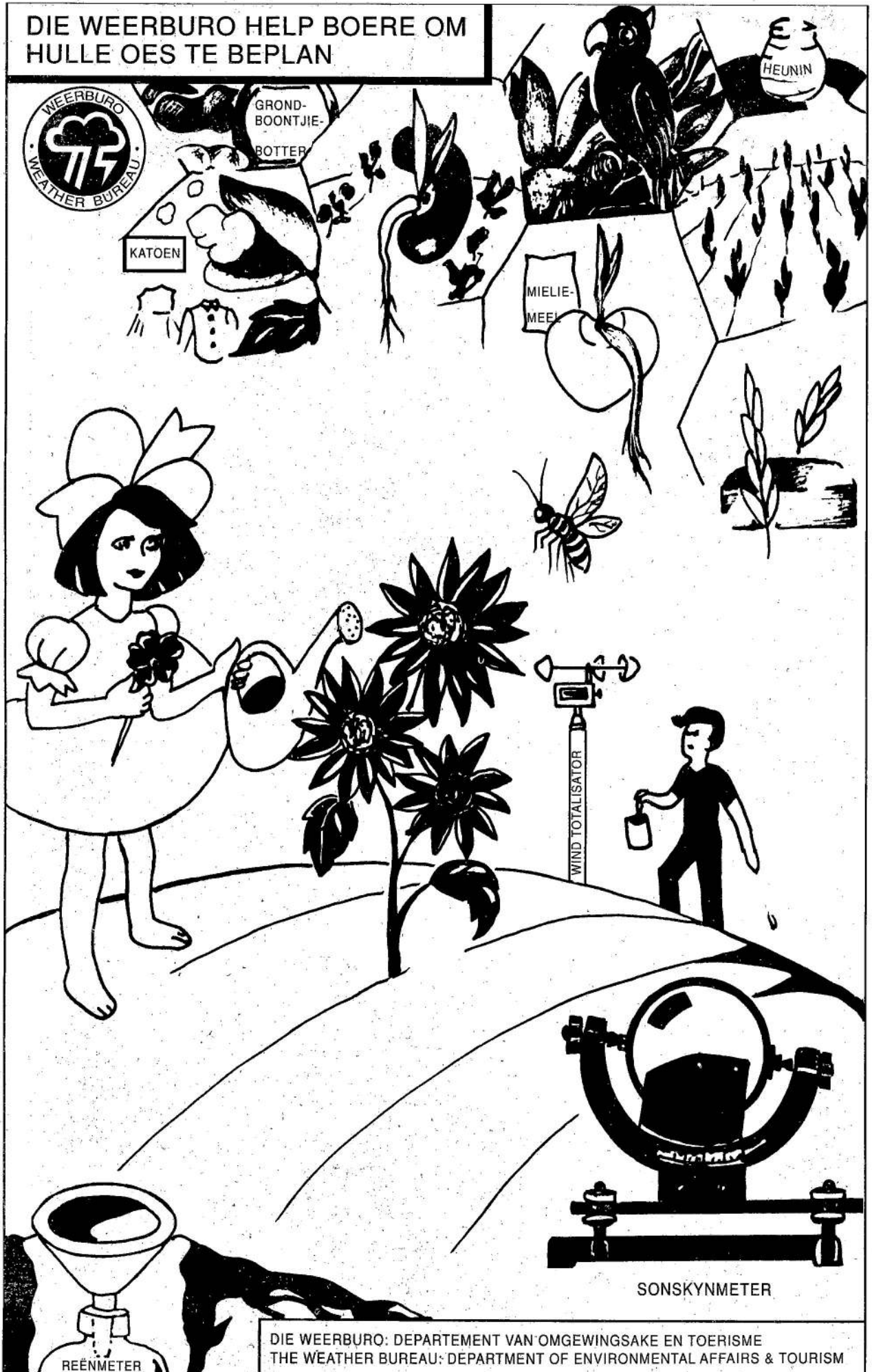
Waar is die meeste weerkundige inligting in die hele Suid-Afrika beskikbaar?

LEEF IN HARMONIE MET DIE NATUUR



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