



2011 CHAPTER 23

PART 4

GRAFFITI AND OTHER DEFACEMENT

Advertisements

Unlawful display of advertisements

38.—(1) Article 84 of the [Planning \(Northern Ireland\) Order 1991 \(NI 11\)](#) (enforcement of advertisement control) shall be amended in accordance with subsections (2) and (3).

(2) In paragraph (3) for “that it was displayed without his knowledge or consent” substitute “either of the matters specified in paragraph (4)”.

(3) After that paragraph insert—

“(4) The matters are that—

- (a) the advertisement was displayed without his knowledge; or
- (b) he took all reasonable steps to prevent the display or, after the advertisement had been displayed, to secure its removal.”.

(4) Article 87 of the [Roads \(Northern Ireland\) Order 1993 \(NI 15\)](#) (control of advertisements, etc.) is amended in accordance with subsections (5) and (6).

(5) In paragraph (9) for “that it was displayed without his knowledge or consent” substitute “either of the matters specified in paragraph (9A)”.

(6) After that paragraph insert—

“(9A) The matters are that—

- (a) the advertisement was displayed without his knowledge; or

(b) he took all reasonable steps to prevent the display or, after the advertisement had been displayed, to secure its removal.”

(7) This section does not have effect in relation to an offence committed, or alleged to have been committed, before the commencement of this section.