

# **Advertising on Roads and Ribbon Development Act 21 of 1940 (ARRDA)**

## **South African National Roads Agency Limited and National Roads Act 7 of 1998 and the Regulations on Advertising on or Visible from National Roads (SANRALNRA)**

### **South African Manual for Outdoor Advertising Control (SAMOAC)**

**Topic: Advertising and Marketing**

---

#### **IN A CALABASH**

##### **Introduction**

**The billboard laws were enacted to regulate and control the manufacture, erection and display of billboards in public places. The billboard laws dictate how these boards are to be manufactured, erected and displayed. The billboard laws in turn should be read together with the relevant by-laws applicable in the area where the advertising boards are to be located and erected.**

##### **Objectives of the Act**

The billboard laws, read together with the relevant by-laws, regulate the display of advertisements at places visible from public roads.

---

##### **Application of the Act and its implication to Tourism**

The Advertising Boards Acts apply to all persons and/or entities who display advertising boards on or near a public road, including billboards, posters and aerial displays, such as blimps.

Compliance by an entity can be delegated to a department such as the marketing or advertising department, procurement, corporate affairs or, in the case of a small business, the owner of the business or a manager.

Many service providers within the Tourism Industry will advertise their products using billboards, posters and even aerial displays and they must ensure that their advertising complies with the applicable Boards Acts.

---

## **Summary of the provisions of the Act**

Before any advertising billboard is erected and displayed on a public road or which is visible from a public road, the person erecting the board must obtain an authorisation to erect and display that board from the municipality where the board is located.

All advertising boards must be manufactured strictly in compliance with the specifications laid down and housed under the billboard laws, read together with the relevant by-laws.

Furthermore, the erection, stability and display of the advertising boards must comply with any applicable health and safety and environmental laws and standards.

The requirements of the Advertising Boards Acts must be reflected in agreements where the entity uses a service provider to implement and give effect to the design, erection and display of advertising boards or where it owns or leases land on which advertising sites are situated where such boards are visible, are on or are next to public roads. All contracts with advertisers, advertising agencies and the like need to provide that the advertiser will ensure that all permits required for advertising boards and structures have been obtained, are in place and are valid.

All permits have to be reviewed and renewed annually by payment of the relevant fee.



### **WHAT HAPPENS IF YOU DO NOT COMPLY?**

Non-compliance with the billboard acts is a criminal offence which could lead to fine of up to R200 or to imprisonment for a period of up to six months or to both.

#### **Other risks**

In addition, an entity found to be displaying any illegal or unlawful and non-complying billboard could be sued for damages, should the board harm, kill or injure anyone or harm or damage any property.

It might also be ordered that it has to be taken down and the board removed at the entity's own expense. This will result in loss of boards and advertising revenue if taken down.

Finally, an entity may suffer irreparable harm to its reputation should a board be found to be illegal and it causes harm to a person, damage to property or pollution of the environment.



### RECOMMENDED ACTIONS OR CONTROLS WHICH SHOULD BE IMPLEMENTED BY THE TARGET AUDIENCE TO ENSURE COMPLIANCE WITH THE ACT

In order to demonstrate compliance with these Acts, it is important to ensure that the following measures are taken:

- Obtain a permit and/or authorisation to display billboard; and
- Renew permits and pay fees annually.

### FURTHER INFORMATION

#### **Regulators**

Provincial MEC

SANRAL

Local municipality

#### **Websites**

[www.info.gov.za](http://www.info.gov.za)

[www.nra.co.za](http://www.nra.co.za)

[www.environment.gov.za](http://www.environment.gov.za)