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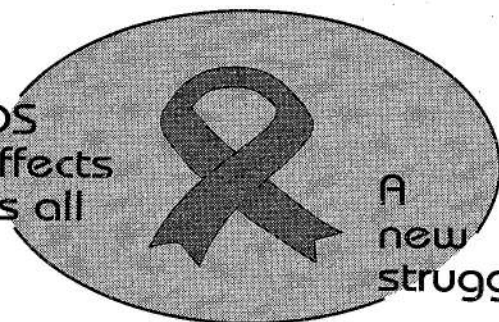
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PRETORIA, 17 DECEMBER  
DECEMBER 1999

**No. 20720**

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

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**GOVERNMENT NOTICE**

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**DEPARTMENT OF TRANSPORT****No. R. 1489****17 December 1999****CALL FOR COMMENTS ON DRAFT REGULATIONS TO BE  
PROMULGATED UNDER THE SOUTH AFRICAN NATIONAL ROADS  
AGENCY LIMITED AND NATIONAL ROADS ACT, 1998 (ACT No. 7 OF 1998)**

The draft regulations set out in the Schedule hereto, which the Minister of Transport proposes to promulgate under section 50, read with section 58, of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998), are hereby published for public information and comment.

Interested parties are invited to lodge written comments by not later than 21 January 2000 with:

Mr G Ackermann  
South African National Roads Agency Limited  
Room 2010 Celtis Plaza  
1085 Schoeman Street  
PRETORIA.

Tel: (012) 426 6010  
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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—

“advertisements painted on walls and roofs” means advertisements painted directly onto the main walls or roof of a building used for commercial, office or entertainment purposes;

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

“advertising trailer” means a trailer on which an advertisement is displayed, whether the trailer is used for the sole purpose of advertising or for transport purposes;

“aerial signs” means advertisements painted on, attached to or produced by aircraft, including captive balloons, kites, unmanned free balloons, moored airships, parasailing crafts, hang gliders, model or radio controlled aircraft, aircraft towed behind vehicles or sailing vessels for the purpose of flight, and 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;



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

“arterial road” means a road which functions as a main carrier of traffic within an urban area;

“banners and flags” includes flags attached to a single flagstaff projecting vertically, horizontally or at an angle from a building or 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;

“bit” means the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos or abbreviations;

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

“canopy” means a structure in the nature of a roof projecting from the facade of a building and cantilevered from that building or anchored otherwise than by columns or posts;

“clear height” means the height of an advertisement measured from the road or ground surface immediately below the advertisement to the lowest point thereof;

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

“custom made billboard” means a billboard between 8 and 81 square metres in area which features special effects such as internal illumination, specialist character cut-outs or three-dimensional presentations;

“EIA” means an environmental impact assessment;

“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’ boards” means advertisements that are temporarily displayed to advertise the fact that land, premises, development or other forms of fixed property are for sale or to let;

“flat signs” means advertisements affixed to an external wall of a building used for commercial, office, industrial or entertainment purposes, excluding a parapet wall, balustrade or railing of a veranda or balcony. They may consist of a panel or sheet or of individual numbers, letters or symbols;

“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 form part of the forecourt, but not sidewalk areas in front of business premises intended for pedestrian circulation;

“forecourt advertisements” means advertisements on forecourts of business premises, being notices, signs and advertisements displayed in such forecourts to draw attention to commercial services, goods for sale or other services available at the premises. Forecourt advertisements do not include combination signs at filling stations and roadside service areas;

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

“functional public signs” means advertisements displayed only for announcement or direction of the functions of municipalities or parastatal bodies that cannot be displayed under any other class of 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 a billboard between 18 and 36 square metres in area which may be paper-posted, signwritten, posted with vinyl or covered, posted or written by a combination of such methods;

“large posters” means self-supporting posters of between 1,5 and 2,2 square metres in area;

“locality-bound” means displayed on a specific erf, premises or building 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;

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

“on-premises business signs” means advertisements aimed at identifying and locating business enterprises and industries, and exclude residential or community signs;

“owner” in relation to a vehicle, means the owner as defined in the Road Traffic Act;

“pavement posters and notices” means temporary advertisements attached to electrical light standards within road reserves to advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational, cultural, political, social, sporting or recreational nature, and include posters displayed for election or referendum campaigns;

“product replicas and three-dimensional signs” are replicas and devices used for advertising that may be free-standing or attached to a building, and include inflatable objects that are not aerial signs;

“project boards” means advertisements displaying the involvement of contractors or consultants in construction projects or advertisements describing the type of development being carried out on a site;

“projecting signs” means advertisements affixed to an external wall of a building used for commercial, office, industrial or entertainment purposes, and project more than 300 millimetres from the surface of the wall at right angles to the street line;

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

(a) identification, direction and warning signs with regard to residences, for

example—

- (i) street numbers and 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;

“road reserve boundary” means the boundary forming the outer edge of the road reserve;

“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 Road Traffic Act;

“roadway” means a roadway as defined in the Road Traffic Act;

“roof sign” means an advertisement fixed to the roof of a building which is less than 15 stories in height and that is used or partly used for commercial, office, industrial or entertainment purposes. Roof signs exclude advertisements fixed to roofs of verandas or balconies, and may include a single line of free-standing, individual, cut-out silhouetted letters, symbols or emblems;

“rural areas” means areas forming a transition between urban areas and relatively 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 signs” means outdoor advertisements for neighbourhood watch, farm watch and similar schemes, and advertisements containing the name, address and telephone number of a security company contracted to protect the premises on which the advertisement is displayed;

“service facility signs” means combination advertisements at filling stations and roadside rest and service areas;

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

“sidewalk” means a sidewalk as defined in the Road Traffic Act;

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

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

“signs incorporated in the fabric of a building” means advertisements incorporated in and forming an integral part of the fabric of a building. They do not include advertisements fixed to or painted on a building;

“sky sign” means an advertisement of between 75 and 300 square metres in area on top of a skyscraper in a metropolitan area. It may include a single line of free-standing, individual, cut-out, silhouetted letters, symbols or emblems;

“small billboards” means billboards other than those contemplated in Regulations 16, 17 and 18, used for advertising in parking areas of shopping centres and at important transport nodes such as airports, railway stations or bus or taxi stations;

“skyscraper” means a building 15 stories high or taller;

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

“street name advertisement” means a pole-mounted, double sided, internally illuminated advertisement displayed in combination with a street name sign;



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

“suburban advertising signs” means pole mounted location advertisements at the entrances to towns or suburbs that carry an advertising sign beneath the road traffic sign bearing the name of the town or suburb;

“super billboard” means an electronic billboard between 40 and 81 square metres in area;

“temporary window sign” means an advertisement which is temporarily painted on or attached to the window glass of a building used for commercial, entertainment, office or industrial purposes, or any temporary sign displayed inside a building, within two metres of a window or external opening, so as to be visible from the outside. Such advertisements include signs advertising non-locality bound products, activities and services, but exclude price tickets on items where the ticket is smaller than 0,01 square metres;

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

“tourism signs” means road traffic signs 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 signs” means advertisements affixed to or painted on towers, bridges and pylons that are not used primarily for advertising purposes;

“tower structures” means structures used for advertising in parking areas of shopping centres and at important transport nodes such as airports, railway stations or bus or taxi stations;

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

“trailer” means a trailer as defined in the Road Traffic Act;

“urban area of maximum control” means an urban area classified under regulation 3(1)(c) as an area of maximum control;

“urban area of minimal control” means an urban area classified under regulation 3(1)(e) as an area of maximum control;

“urban area of partial control” means an urban area classified under regulation 3(1)(d)

as an area of maximum control;

“vehicular signs” means advertisements on self-powered vehicles on land or water;

“veranda” means a structure in the nature of a roof attached to or projecting from the facade of a building and supported along its free edge by columns or posts;

“veranda , balcony, canopy and underawning signs” or “VBCU signs” means advertisements—

- (a) affixed flat onto or painted on a parapet wall, balustrade or railing of a veranda or balcony;
- (b) affixed flat onto or painted on the fascia of a veranda or a beam over columns supporting a veranda;
- (c) affixed flat or painted on the fascia of a roof structure without walls;
- (d) suspended below the roof of a veranda or balcony;
- (e) placed on top of the roof of a veranda;
- (f) affixed to or painted on a pillar, column or post supporting a veranda, balcony or roof structure without walls;
- (g) painted or printed on the fabric of a canopy or blind;

“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.

“window signs” means advertisements permanently painted on or attached to window glass on a building used for commercial, entertainment, office or industrial purposes or a permanent advertisement displayed within two metres of a window or other external opening through which it is visible from the outside.

## **2. Scheme of these Regulations**

- (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 3, subject to subregulation (4).
- (2) For the purpose of determining the nature, content and size of advertisements, they are divided into the categories defined in Regulations 16 to 50.
- (3) The advertisements which may be displayed so as to be visible from national roads in the various categories of areas, are regulated in Regulations 16 to 50, subject to the general provisions in Part B.

- (4) These Regulations shall not apply to areas situated at a distance of more than 250 metres from road reserve boundaries of freeways in urban areas or to advertising in any area which is not visible from a national road.

### **3. Designation of areas**

- (1) The Agency may, subject to subregulation (2) and Regulation 2(3) and (4), after consultation with relevant municipalities, designate areas in which national roads are situated into the following categories based on the criteria in this Regulation:

- (a) natural areas;
- (b) rural areas;
- (c) urban areas of maximum control;
- (d) urban areas of partial control;
- (e) urban areas of minimal control.

- (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) Details of a designation under subregulation (1), with appropriate maps or diagrams, must be available for inspection by the public during the Agency's office hours at the Head Office and the relevant regional office of the Agency.

- (4) In classifying an urban area in terms of subregulation (1)(c), (d) or (e), the Agency must have regard to the following:

- (a) urban areas of maximum control are areas that are sensitive to visual disturbance and 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, exclusive higher to middle income residential areas of lower density, and visual zones along freeways in urban areas, unless the Agency after obtaining an EIA designates areas along such freeways as urban areas of partial or minimal control;
- (b) urban areas of partial control are areas characterised by a greater degree of integration and complexity of land use which, in the opinion of the Agency, 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, low-income 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;

- (c) urban areas of minimal control are areas which, in the opinion of the Agency, require minimal 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 lower income areas, industrial areas and parks, entertainment districts or complexes and prominent transport nodes excluding nodes of an exceptional historical or architectural value.

#### **4. Municipal by-laws**

Where on a national road a speed limit of 80 kilometres per hour or less has been imposed, any by-law of a relevant municipality which—

- (a) deals with a matter covered by these Regulations; and  
(b) is applicable to such road,

will take precedence over these Regulations to the extent that the by-law is in conflict with these Regulations, if the Agency has concluded an agreement with such municipality to this effect.

### **PART B: PROVISIONS APPLICABLE TO ALL ADVERTISEMENTS**

#### **5. 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) unreasonably obscure, partially or wholly, an advertisement owned by another person that has been erected previously and legally displayed.

#### **6. Safety**

Despite the other provisions of these regulations, no advertisement or advertising

structure 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 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;
- (d) be attached to a traffic sign, combined with a traffic sign (unless specifically authorised by the Road Traffic Act), obscure a traffic sign, create confusion with a traffic sign, interfere with the functioning of a traffic sign or create a road safety hazard;
- (e) obscure a pedestrian's view, or a driver's view, of pedestrians, road or rail vehicles and road, railway or pavement features such as junctions, bends and changes in width;
- (f) project over a pedestrian or cycle circulation route, unless the clear height of the sign exceeds 2,4 metres;
- (g) obstruct a fire escape or the means of egress to a fire escape or obstruct or interfere with any window or an opening required for ventilation purposes;
- (h) exceed the minimum clearance with regard to overhead power lines as prescribed by any law;
- (i) be erected in the vicinity of a signalised intersection which displays the colours red, amber or green if such colours will constitute a road safety hazard. Illuminated advertisements at street corners shall have a clear height of at least six metres if they contain such colours;
- (j) have a light source emanating from a floodlight that is visible to traffic travelling in either direction;
- (k) be erected without approval where such approval is required by the Act or these Regulations or any other law.

#### **7. Advertisements to be concise**

Advertisements positioned along roads and specifically targeting road users must be concise and legible and comply with the following requirements:

- (a) No advertisement displaying a single message may exceed 15 bits of information.
- (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) For the purpose of this Regulation bit values shall be calculated as follows:



Words of up to eight letters, inclusive:	1,0 bit
Numbers of up to four digits, inclusive:	0,5 bit
Numbers of five to eight digits:	1,0 bit
Symbol, logo or abbreviation:	0,5 bit

Street numbers indicating specific premises must have a minimum size of 150 millimetres and a maximum size of 350 millimetres.

No message may be spread across more than one sign.

## 8. Design and construction

### (1) All advertisements must—

- (a) be neatly and properly constructed according to design and construction standards that apply in the municipal area concerned;
- (b) not be detrimental to or have a negative aesthetic impact on the urban design, streetscapes 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 in accordance with the function, nature and permanence of the advertisement, sign or structure, 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 signwriting, 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 and 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 elsewhere than on a billboard, board or any other structure provided for this purpose;
- (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.

## 9. Glass

- (1) All glass used in advertisements, other than glass tubing used in neon and similar advertisements, must be safety glass at least three millimetres thick.
- (2) Glass panels used in advertisements 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.

## 10. 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 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) All advertisements must—
  - (a) be located at a height that discourages vandalism, unless the Agency agrees otherwise in writing;
  - (b) be serviced on a regular basis;
  - (c) be maintained in good repair and in a safe condition and according to standards that are acceptable to the Agency regarding quality of structures, posting and signwriting.

- (2) Any person who displays an advertisement or permits it to be 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 themselves of the safety thereof.

### 13. Position of advertisements

Advertisements shall not, except where specifically authorised by these Regulations—

- (a) be positioned on a road island or road median;
- (b) be suspended across a road;
- (c) be erected within or suspended above a road reserve or within a limited use area outside the road reserve boundary of a freeway;
- (d) be permitted at urban street corners;
- (e) obstruct the view from an adjacent building.

### 14. Illumination

- (1) The luminance level on any advertisement where illumination is permitted 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	400 candela per square metre

- (2) On freeways in urban areas advertisements may not be illuminated unless the freeway is lit by overhead lighting over the full distance within which the advertisement is visible from the freeway.

### 15. Floodlighting

- (1) Floodlighting must be positioned to ensure effective distribution and minimise light wastage or “spill”.
- (2) The light source emanating from floodlights may not be visible to traffic travelling in either direction.

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

### **16. Super billboards**

- (1) No one may erect a super billboard in a visual zone without first obtaining the written approval of the Agency after undertaking an EIA. In deciding whether to grant or refuse such approval, the Agency must have regard to—
  - (a) the EIA, which must include visual, social and traffic safety aspects;
  - (b) road safety considerations;
  - (c) the nature of the proposed messages;
  - (d) other factors specified in the Act or these Regulations or that the Agency regards as relevant.
- (2) Super billboards may be erected only in urban areas of minimal control.
- (3) A super billboard may not exceed 81 square metres in area and 25 metres in height.
- (4) A super billboard must be displayed perpendicular to oncoming traffic.
- (5) No super billboard may be erected closer than five kilometres to another super billboard on the same side of a road.
- (6) A super billboard may not be erected within a radius of 200 metres from any breakpoint in the road shoulder line of the centre of an intersection on an arterial road or within a radius of 100 metres from the centre of an intersection on any other road in such a manner as to be oriented towards the intersection.
- (7) In granting approval for the erection of a super billboard, the Agency may lay down conditions for the design and construction thereof.
- (8) The approval contemplated in subregulation (1) must be granted for a specified period, which may not exceed five years.

### **17. Custom-made billboards**

- (1) No one may erect a custom-made billboard in a visual zone without first obtaining the written approval of the Agency, and, where the billboard exceeds 36 square metres in area, after undertaking an EIA. In deciding whether to grant or refuse such approval, the Agency must have regard to—

- (a) the EIA, which must include visual, social and traffic safety aspects;
  - (b) road safety considerations;
  - (c) letter sizes and length of messages;
  - (d) other factors specified in the Act or these Regulations or that the Agency regards as relevant.
- (2) Custom-made billboards may be erected only in urban areas of minimal control.
- (3) A custom-made billboard may not exceed 81 square metres in area and 12 metres in height. The clear height of such a billboard shall be not less than 2,4 metres.
- (4) Custom-made billboards must be spaced as follows:

On roads 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 large billboard, product replica or three dimensional sign when in view of each other or of such large billboard, product replica or three dimensional sign and on the same side of the road
On roads where a speed limit of between 60 and 80 km/hour has been imposed	At least 200 metres apart and at least 200 metres from any large billboard, product replica or three dimensional sign when in view of each other or of such large billboard, product replica or three dimensional sign and on the same side of the road
On roads where a speed limit of less than 60 km/hour has been imposed	At least 120 metres apart and at least 120 metres from any large billboard, product replica or three dimensional sign when in view of each other or of such large billboard, product replica or three dimensional sign and on the same side of the road

- (5) A custom-made billboard must be displayed at an angle between 0 and 30 degrees from the perpendicular in respect of oncoming traffic. In the case of two boards joined together, the advertisement must be displayed with the axis of symmetry perpendicular to the direction of oncoming traffic.
- (6) Subject to Regulation 14, custom-made billboards may be illuminated internally or externally, but may not be animated. Illumination may not exceed the following:

Less than 0,5 square metres	1000 candela per square metre
Between 0,5 and 2 square metres	800 candela per square metre
Between 2 and 10 square metres	600 candela per square metre
More than 10 square metres	400 candela per square metre



- (7) A custom-made billboard may not be erected within a radius of 100 metres from the centre of an intersection on an arterial road or within a radius of 50 metres from the centre of an intersection on any other road. A maximum of two such billboards shall be permitted per intersection.
- (8) In granting approval for the erection of a custom-made billboard, the Agency may lay down conditions for the design and construction of the base thereof.
- (9) The approval contemplated in subregulation (1) must be granted for a specified period, which may not exceed five years.

#### 18. Large billboards

- (1) No one may erect a large billboard in a visual zone 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) road safety considerations;
  - (b) letters sizes and length of messages;
  - (c) other factors specified in the Act or these Regulations or that the Agency regards as relevant.
- (2) Large billboards may be erected only in urban areas of minimal control.
- (3) A large billboard may not exceed 36 square metres in area and 12 metres in height. The clear height of such a billboard shall be not less than 2,4 metres.
- (4) Large billboards along roads must be spaced as follows:

On roads 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 custom made billboard, product replica or three dimensional sign when in view of each other or of such custom made billboard, product replica or three dimensional sign and on the same side of the road
On roads where a speed limit of between 60 and 80 km/hour has been imposed	At least 200 metres apart and at least 200 metres from any custom made billboard or product replica when in view of each other or of such custom made billboard, product replica or three dimensional sign and on the same side of the road
Speed limit: less than 60 km/hour	At least 120 metres apart and at least 120 metres from any custom made billboard or product replica when in view of each other or of such custom made billboard, product replica or three dimensional sign and on the same side of the road

- (5) A large billboard must be displayed perpendicular to or at an angle of 30 degrees to the direction of oncoming traffic. In the case of two boards joined together, the advertisement must be displayed with the axis of symmetry perpendicular to the direction of oncoming traffic.
- (6) Large billboards may be illuminated internally or externally, but only if this will not cause a road safety hazard. However, they may not be animated. Illumination of a large billboard may not exceed the following:

Less than 0,5 square metres	1000 candela per square metre
Between 0,5 and 2 square metres	800 candela per square metre
Between 2 and 10 square metres	600 candela per square metre
More than 10 square metres	400 candela per square metre

- (7) A large billboard may not be erected within a radius of 100 metres from the centre of an intersection on an arterial road or within a radius of 50 metres from the centre of an intersection on any other road. A maximum of two such billboards shall be permitted per intersection.
- (8) In granting approval for the erection of a large billboard, the Agency may lay down conditions for the design and construction of the base thereof.
- (9) The approval contemplated in subregulation (1) must be granted for a specified period, which may not exceed five years.

## 19. Small billboards and tower structures

- (1) Small billboards and tower structures may be used only for non-locality bound and general advertising, but may refer indirectly to products and services provided at the same location upon which the advertisement is erected.
- (2) Small billboards may not exceed six square metres in area and 3,5m in height, and must have a clear height of not less than 1,5m. They 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.
- (3) No one may erect a small billboard or tower structure in a visual zone in areas other than urban areas of partial and minimal control. No one may do so 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 following:

- (4) Signs must be "internally oriented" and not be aimed at road users outside the shopping centre or transport node.
- (5) Tower structures must be of a high visual standard and harmonize with buildings and streetscapes.
- (6) The Agency may determine conditions for the base of tower structures.
- (7) The approval contemplated in subregulation (3) must be granted for a specified period, which may not exceed five years.

## **20. Large posters and advertising on street furniture**

- (1) Large posters shall not be allowed in natural and rural areas and may not be used for the primary purpose of directing or guiding travellers. They shall also not be allowed along freeways. They may not be closer than 1800 millimetres from the edge of a roadway and not less than 300mm from the edge of a cycle path. They may not be closer than 120m apart.
- (2) Large posters and advertising on street furniture may not exceed 2,2 square metres in area, except that where they face in more than one direction the total area shall not exceed 4,4 square metres. Poster structures and street furniture carrying advertisements 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) Large posters and advertising on street furniture may not be illuminated or animated in urban areas of maximum control, but may be in urban areas of partial or minimal control.
- (4) Pole mounted posters are allowed only where they will not have a negative visual impact on the streetscape and the character of the area.

## **21. Banners and flags**

- (1) Banners or flags 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) Banners and flags are not permitted in natural areas.
- (3) No one may display a banner or flag in a visual zone in a rural area or an urban area of maximum or partial control without first obtaining the written approval of the Agency.
- (4) Not more than two banners or flags shall be permitted in rural areas and urban areas of maximum control, and not more than 10 in urban areas of partial or minimal control, per event, enterprise or function.
- (5) No banner or flag may be larger than five square metres in rural areas or urban areas of maximum control and six square metres in urban areas of partial or minimal control. Total area of the advertisement per event, function or enterprise may not exceed seven square metres in rural areas and urban areas of maximum control and 12 square metres in urban areas of partial and minimal control.
- (6) No character or symbol on a flag or banner may be more than 0,75 metres in height.
- (7) Banners or flags 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 or on such other site as the Agency may allow in writing. They may not be suspended across a road except as part of an urban streetscaping project.
- (8) Banners attached to buildings in urban areas of maximum control must blend with such buildings.
- (9) Banners and flags used for streetscaping must form a harmonious and well-designed part of the total streetscape.
- (10) Banners and flags may not be illuminated or animated.
- (11) Banners and flags may not be attached so as to interfere with or constitute a danger to passing pedestrian or vehicular traffic.
- (12) Banners and flags may not be displayed for more than two weeks before the date of the function or event advertised and may not remain in position for more than three days after the conclusion of such function or event.

**22. Suburban advertising signs**

- (1) Suburban advertising signs in visual zones shall be permitted only in urban areas, but not on freeways.
- (2) No one may erect a suburban advertising sign in a visual zone without first obtaining the written approval of the Agency.
- (3) Suburban advertising signs must be rectangular, and in size must be not more than 0,4 metres by the equal length of the suburb name sign. They must be less conspicuous than the suburb name sign.
- (4) Where the relevant road traffic sign is on a road island or median, it may not be used to carry a suburban advertising sign.
- (5) Suburban advertising signs may not bear colours that may cause confusion with road traffic signs and they may not be illuminated or animated.

**23. 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) Estate agents' boards are permissible in all areas. Not more than one such board per estate agent may be erected on any erf. Not more than three agents may display their boards simultaneously on the same erf.
- (3) Estate agents' boards may only be single boards 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 control	2,8 square metres for single boards or 3,2 square metres for two joined boards

- (5) Estate agents' boards must be placed or fixed to the building concerned or attached to the boundary fence of the property concerned but not on a road reserve fence, or displayed within the boundaries of premises. They may not project at any



point more than 1,3 metres from the wall of a building or structure to which they are attached.

- (6) Estate agents' boards must be removed not later than 14 days after conclusion of a contract of sale or lease for the property in question.

#### **24. Signs for sale of goods or livestock**

- (1) Only one sign for sale of goods or livestock per sale shall be allowed.
- (2) The size of such signs may not exceed two square metres in natural and rural areas and urban areas of maximum and partial control, and 2,8 square metres in urban areas of minimal control. No part of the sign shall be higher than three metres above the ground.
- (3) Such signs 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 not on a road reserve fence.
- (4) No illumination or animation of such a sign shall be allowed.
- (5) Such a sign may be erected no earlier than one day before the sale in question and must be removed not later than one day after the sale in question. Signs of a permanent nature shall not be allowed.
- (6) This Regulation shall not prevent the display of tourism signs indicating temporary events that are otherwise permissible.

#### **25. Pavement posters and notices**

- (1) Pavement posters and notices may be displayed only in urban areas of partial and minimal control.
- (2) No one may erect a pavement poster or notice without first obtaining the written approval of the relevant municipality.
- (3) Pavement posters and notices may be displayed only on electric light standards or other structures which are provided for the express purpose of pasting or affixing the poster or notice. They may not be attached or affixed to power line standards, road traffic signs and signals, walls, columns and posts of verandas or balconies, electricity boxes, trees or bridges.
- (4) Pavement posters and notices may not cover municipal markings or painted

stripes on lampposts.

- (5) Pavement posters and notices may not be illuminated or animated.
- (6) Pavement posters and notices must be fixed by means of suitable cords acceptable to the relevant Municipality. Metal clamps or wire may not be used.
- (7) Steel or aluminium ladders may not be placed against standards while affixing pavement posters and notices.
- (8) No one may advertise commercial products, services or events by means of pavement notices or posters. They may be displayed only by charities, educational institutions, sporting bodies, cultural organisations and similar institutions, bodies or organisations.
- (9) Only one pavement notice or poster may be displayed per post or standard, except that in the case of election or referendum campaigns, they shall be limited to three posters per post or standard.
- (10) The name of the institution, body or organisation, the date of the function or event and the venue thereof must appear on each pavement notice or poster in letters not smaller than 50 millimetres in height.
- (11) Pavement posters and notices may not exceed 0,55 square metres in area and must be at least two metres below any light fixture.
- (12) Pavement posters and notices, except for election or referendum posters, may not be erected more than 14 days before the relevant event and must be removed not later than seven days thereafter. Parliamentary, provincial or municipal election or referendum posters 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) Pavement posters and notices, except for election or referendum posters, must bear an official stamp or sticker from the relevant municipality and may not be displayed without such a stamp or sticker.

## **26. Project boards**

- (1) Project boards 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 natural areas no one may erect a project board without first obtaining the written approval of the Agency.
- (3) Only one advertisement per contractor or consultant shall be permitted per street front of a site, but in natural areas only one advertisement per consultant or contractor per project shall be allowed. In all cases, only one advertisement describing the type of development shall be allowed.
- (4) Project boards shall not exceed 1,5 square metres in area per consultant or contractor, whether the project is a combined or individual one. Combined boards may not exceed nine square metres in total area. 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.
- (5) Advertisements describing a type of development may not exceed three metres in height. They may not exceed 4,5 square metres in area in areas of maximum control and six square metres in other areas.
- (6) Project boards may be erected on road reserves, but not on freeways, and only if there is insufficient space on the development site. However, boards concerning road construction may be positioned in any road reserve.
- (7) Project boards may not be illuminated or animated.
- (8) Project boards may be displayed only while the relevant works are actually taking place on the site.

## **27. Temporary window signs**

- (1) Temporary window signs may be displayed only on or in relation to ground floor windows or openings.
- (2) The total area of all such signs painted on or attached to the windows or openings

of a building shall not exceed 10% of the total ground floor window area of the building in a natural area or an urban area of maximum control, 25% in a rural area and an urban area of partial control, and 50% in an urban area of minimal control.

- (3) In a natural area or an urban area of maximum control, no internally illuminated advertisements inside a building may be visible from outside the building.

## **28. Street name advertisements**

- (1) Street name advertisements shall be permitted only in urban areas of partial and minimal control on roads other than freeways.
- (2) No one may erect a street name advertisement without first obtaining the written approval of the relevant municipality.
- (3) 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.
- (4) 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.
- (5) Street name advertisements may be erected only at intersections with not more than four illuminated signs per intersection. They may be erected on road reserves and road medians.
- (6) Illumination on street name advertisements must be static and the degree of illumination intensity must be equal for both parts of the advertisement. The advertisement may not be animated and may not flash. Street names must be in black letters on a white background.
- (7) Any street name on the advertising space of a street name advertisement must be smaller and less conspicuous than the street name on the actual street name panel, and the layout must be such that there is no confusion with the street name on the street name panel.

## **29. Security signs**

- (1) Security signs 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) Security signs may not exceed 0,35 square metres in area, except farm signs, which may exceed that area but not exceed 1,5 metres in area. Such signs may not be more than three metres above ground level.
- (3) In urban areas in visual zones only one security sign per street boundary of the premises may be erected. It must be firmly affixed to the building, boundary wall, fence or gate on the street frontage or within the boundaries of the erf.
- (4) Security signs on farms or agricultural holdings must be displayed at the intersection of a public road and private access road or at the entrance to the property. Only one sign per farm or holding shall be allowed. The signs may be erected within road reserves other than freeways but not on road islands or medians.
- (5) Security signs may not be illuminated or animated.

### **30. Product replicas and three-dimensional signs**

- (1) Product replicas and three-dimensional signs are allowed only in urban areas of partial and minimal control and then only in shopping centres or other commercial areas or in entertainment or industrial areas. In the case of urban areas of partial control they shall be allowed only if the prior written approval of the Agency has been obtained.
- (2) Individual product replicas and three-dimensional signs shall not exceed a vertical dimension of 1,5 metres and a diameter of one metre in urban areas of partial control, and a vertical dimension of two metres and a diameter of 1,3 metres in urban areas of minimal control. The highest point of a free-standing sign above ground level shall not exceed three metres in urban areas of partial control and four metres in urban areas of minimal control.
- (3) Product replicas and three-dimensional signs shall be limited to one sign per erf.
- (4) Product replicas and three-dimensional signs attached to buildings shall not be displayed above the bottom edge of the second floor window and not extend above the level of the underside of the eaves or gutters of the building. No sign may be in front of or obstruct the view from a window or other external opening of a building. This subregulation shall not, however, apply to entertainment areas.
- (5) Product replicas and three-dimensional signs aimed at road users must be spaced at the following minimum distances when in view of each other or of any large



billboard or custom made billboard and on the same side of a road:

On roads where a speed limit of more than 80 km/hour has been imposed	At least 250 metres from any other product replica, three dimensional sign, large billboard or custom made billboard
On roads where a speed limit of between 60 and 80 km/hour has been imposed	At least 200 metres from any other product replica, three dimensional sign, large billboard or custom made billboard
On roads where a speed limit of less than 60 km/hour has been imposed	At least 120 metres from any other product replica, three dimensional sign, large billboard or custom made billboard

- (6) Product replicas may not dominate prominent architectural features of buildings, except for buildings in entertainment areas.

### 31. Sky signs

- (1) Sky signs may be erected only in urban areas of partial and minimal control that may be regarded as metropolitan areas..
- (2) No one may erect a sky sign in a visual zone without first obtaining the written approval of the Agency and after undertaking a visual and traffic safety impact assessment, which includes a visual impact assessment. Proposed sky signs must be designed by a structural engineer. In deciding whether to grant or refuse such approval, the Agency must have regard to—
- (a) the visual and traffic safety impact assessment;
  - (b) road safety considerations;
  - (c) letter sizes and length of messages;
  - (d) a certificate from the relevant structural engineer certifying that that engineer designed the advertisement;
  - (e) other factors specified in the Act or these Regulations or that the Agency regards as relevant.
- (3) Sky signs may not exceed 300 square metres in area.
- (4) Not more than five sky signs may be erected in any one central business district (CBD). The number of advertisements shall depend on the outcome of the relevant impact assessments, taking into account factors such as the size and nature of the CBD and surrounding areas, the lifestyle of the local communities and the nature of the skyscraper on which the advertisement is to be erected.

- (5) A sky sign may not project in front of the main wall of the building on which it is erected so as to extend beyond the roof thereof in any direction. It may not obstruct the view from any other building.
- (6) The approval contemplated in subregulation (3) must be granted for a specified period, which may not exceed five years.
- (7) The contents of a sky sign may not be changed without the prior written approval of the Agency, based on an additional impact assessment.

### 32. Roof signs

- (1) Subject to section 50(2) of the Act, no one may erect a roof sign in a visual zone without first obtaining the written approval of the Agency.
- (2) Roof signs must be locality bound.
- (3) Roof signs may not be fixed so that the bottom of the sign is more than 120 millimetres above the nearest portion of the roof beneath it.
- (4) Roof signs must be constructed in a straight line or a "V-construction", where the two sides forming the sides of the "V" must be of equal length and the distance between the sides at the open end may not exceed the length of the sides.
- (5) Roof signs may not exceed the following sizes:

Height of sign above ground	Maximum area of sign
Less than 6 metres	2 square metres
Between 6 and 9 metres	4 square metres
Between nine and 12 metres	8 square metres
Between 12 and 18 metres	12 square metres
More than 18 metres	18 square metres

- (6) In the case of a V-construction, the areas in subregulation (6) shall apply separately to the two vertical faces of the sides of the V.
- (7) Roof signs may not exceed 300 millimetres in thickness, except in the case of a V-construction sign.
- (8) Only one roof sign shall be allowed per building.

- (9) A roof sign may not project in front of the main wall of the building on which it is erected so as to extend beyond the roof thereof in any direction. In urban areas of partial and maximum control, roof signs must be placed below the ridges of pitched roofs so as not to form part of the skyline of the building.

### 33. Flat signs

- (1) A flat sign may not project at any point for more than 300 millimetres from the surface of the main wall of the building.
- (2) Subject to section 50(2) of the Act, in natural and rural areas, flat signs may only be affixed to buildings in centres of economic activity that are used for commercial, office, industrial or entertainment purposes, and larger accommodation facilities. Flat signs exclude residential and community signs contemplated in Regulation 40, and may not be affixed to buildings used for residential purposes, or for community services or institutions, small enterprises and professional practices in residential premises, or small-scale residential-oriented accommodation.
- (3) In urban areas of maximum control, natural areas and rural areas, only locality bound flat signs are permitted.
- (4) No one may erect a flat sign without first obtaining the prior written approval of the Agency. In deciding whether to grant or refuse such approval, the Agency must have regard to—
- (a) in the case of non-locality bound advertisements, the size of the specific side wall and factors such as the character of the building and the streetscape as a whole;
  - (b) in the case of a sign in excess of 36 square metres, an EIA, which must include visual, social and traffic safety aspects.
- (5) Locality bound flat signs shall not exceed 20% of a specific ground floor facade in areas of maximum control and 30% in areas of partial and minimal control. In the case of shopping centres, wall units on which flat signs are displayed shall not exceed 30% of a specific facade, excluding office levels.
- (6) Non-locality bound flat signs shall not exceed 72 square metres in area.
- (7) The maximum projection of any part of a flat sign over a footway or ground level shall be 75 millimetres where the sign is less than 2,4 metres above the ground level immediately below the sign, and 300 millimetres where the sign is more than 2,4 metres above such ground level.

- (8) In areas of maximum control, not more than one flat sign per enterprise shall be allowed, and not more than two flat signs per enterprise in other areas.
- (9) Not more than one non-locality bound flat sign shall be allowed per wall.

#### **34. Projecting signs**

- (1) Projecting signs are permitted in all areas, but only at centres of economic activity, and, subject to subregulation (2), only on buildings used for commercial, office, industrial or entertainment purposes and accommodation facilities.
- (2) Projecting signs do not include residential and community signs contemplated in Regulation 40, and, subject to section 50(2) of the Act, are not permitted on small enterprises and practices on residential premises or small-scale residential-oriented accommodation.
- (3) Projecting signs shall be locality bound except in entertainment areas.
- (4) No one may erect a projecting sign in a natural or a rural area or an urban area of maximum control, or in any area above first-floor level or below the edge of visible second-floor windows, 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 following:
  - (a) In urban areas of minimal and partial control, such signs are allowed freely below the lower edge of visible second floor windows, according to the character of the area.
  - (b) Signs above the lower edge of visible second-floor windows in areas other than entertainment areas, are limited to financial institutions, larger department stores, larger hotels, larger industries, government institutions and shopping centres.
  - (c) Structural drawings must be submitted for all signs with a clear height of more than six metres.
- (5) Projecting signs must be fixed at a clear height of not less than 2,4 metres and may not exceed 300 millimetres in thickness.
- (6) The maximum size and dimensions of projecting signs shall be as follows:

**Areas of maximum control:**

	Clear height below 6 metres	Clear height 6 metres or more
Maximum size	1,2 metres	4,0 metres
Maximum horizontal dimension	1,0 metres	1,5 metres
Maximum vertical dimension	1,5 metres	3,0 metres

**Other areas:**

	Clear height below 6 metres	Clear height 6 metres or more
Maximum size	2,4 metres	8,0 metres
Maximum horizontal dimension	1,5 metres	2,0 metres
Maximum vertical dimension	3,0 metres	5,0 metres

- (7) Only one projecting sign shall be allowed per facade per enterprise.
- (8) Projecting signs must be fixed at right angles to the street line and may not extend beyond the top of the wall to which they are affixed, or above the level of the top of a parapet wall, or above the level of the underside of the eaves of the building, from which they project.
- (9) Projecting signs may be suspended above sidewalks and road reserves, but a sign with a clear height of less than six metres may not project at any point more than 1800 millimetres from the surface of the wall to which it is affixed, or more than one half of the width of the sidewalk immediately below the sign, whichever is the smaller.
- (10) The top and bottom of a projecting sign must be in the same vertical plane.
- (11) Supports of a projecting sign must be neatly constructed as an integral part of the design of the advertisement or otherwise concealed from view.

**35. Veranda , balcony, canopy and underawning signs**

- (1) Subject to section 50(2) of the Act, VBCU signs may be erected only on premises



- or buildings used for commercial, office, industrial or entertainment purposes.
- (2) No one may erect a VBCU sign in a natural or a rural area or an urban area of maximum control without first obtaining the written approval of the Agency.
- (3) In the case of a sign contemplated in paragraph (a), (b) or (c) of the definition of “veranda, balcony, canopy or underawning signs”—
- (a) no sign may project at any point more than 100 millimetres from the surface to which it is affixed;
  - (b) no sign may exceed a vertical dimension of 750 mm and a horizontal dimension of 2400 mm;
  - (c) no sign may extend above or below or beyond any extremity of a parapet wall, balustrade, railing, beam or fascia;
  - (d) not more than one sign per facade per enterprise shall be allowed, unless the facade exceeds 20 m in length, where more than one sign is allowed if the signs are spaced at a minimum of 6m intervals and the total horizontal sign length does not exceed 4000 mm.
- (4) Signs on balconies may not be displayed above the lower edge of a visible second-floor window.
- (5) In the case of a sign contemplated in paragraph (d) of the definition of the definition of “veranda, balcony, canopy or underawning signs”—
- (a) it must be affixed at right angles to the street line;
  - (b) it must be affixed at a minimum clear height of 2400 mm;
  - (c) it may not have a horizontal dimension exceeding 2000 mm;
  - (d) it may not have an area exceeding one square metre on each face, and two square metres in total
  - (e) not more than one sign per enterprise and per facade shall be allowed, unless the facade exceeds 20 m in length, where more than one sign is allowed if the signs are spaced at a minimum of 6m intervals.
- (6) In the case of a sign contemplated in paragraph (e) of the definition of “veranda, balcony, canopy or underawning signs”—
- (a) signs may be placed on top of veranda roofs only where the veranda does not have an appropriate parapet wall, balustrade, railing, fascia or beam;
  - (b) signs on adjacent buildings must be aligned with each other to form a straight line;
  - (c) signs must be set parallel to the end of a veranda that faces the street, or as near to the street as the configuration of the veranda roof will permit;

- (d) signs may not extend beyond the extremities of the veranda roof or project beyond the rear of a veranda roof gutter;
  - (e) signs may not cover or obstruct the view from a window;
  - (f) only one sign per enterprise and per facade shall be allowed;
  - (g) signs may not exceed an area of one square metre.
- (7) In the case of a sign contemplated in paragraph (f) of the definition of “veranda, balcony, canopy or underawning signs”—
- (a) the sign must be painted on or affixed flat onto the supporting column, pillar or post;
  - (b) a projecting sign 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) a sign affixed flat onto a supporting column, pillar or post may not project more than 50mm from the surface to which it is affixed;
  - (d) no sign may extend beyond any extremity of the column, pillar or post;
  - (e) a sign affixed flat onto a non-rectangular supporting structure must be curved to fit the form of such a structure;
  - (f) only one sign per column, pillar or post is allowed;
  - (g) no poster or placard may be pasted onto a supporting column, pillar or post.
- (8) In the case of a sign contemplated in paragraph (g) of the definition of “veranda, balcony, canopy or underawning signs”—
- (a) the sign must form an integral part of the canopy or blind, without dominating the structure thereof;
  - (b) a canopy must complement the architecture and visual appearance of, and not dominate, the building to which it is affixed.
- (9) VBCU signs may be suspended above sidewalks and road reserves.
- (10) No illuminated advertisement or advertisement designed to reflect light may be attached to or displayed on a splayed or rounded corner of a veranda, canopy or balcony at a street intersection, unless the bottom of the advertisement is at least six metres above the street immediately below it.

### **36. Advertisements painted on walls and roofs**

- (1) Subject to section 50(2)(a) of the Act, advertisements painted on walls and roofs are allowed only in urban areas of partial and minimal control. No one may erect

such an advertisement 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 following—

- (a) as regards the size of the advertisement, the size of the wall concerned and on the character and appearance of the building and the streetscape;
  - (b) other factors specified in the Act or these Regulations or that the Agency regards as relevant.
- (2) An advertisement painted onto the facade or roof of a building may not exceed 20% of the ground floor facade of the enterprise to which the sign pertains.
  - (3) Advertisements painted onto side or back walls not being the facade of a building, may not exceed 36 square metres in area.
  - (4) Not more than one such advertisement per enterprise shall be allowed with not more than one non-locality bound advertisement per wall.
  - (5) Non-locality bound advertisements may be displayed only on a back or side wall not being a facade, while locality-bound advertisements are permissible on facade walls, roofs, side walls and back walls.
  - (6) Advertisements painted onto the facade of a building are allowed only below the lower edge of a visible second-floor window.
  - (7) Advertisements painted onto walls and roofs may not be illuminated.

### **37. Window signs**

- (1) Window signs are permitted in all urban areas, but in natural and rural areas only in centres of economic activity.
- (2) The total area of all permanent window signs may not exceed—
  - (a) ten percent of the total ground floor window area of an enterprise in natural areas and urban areas of maximum control;
  - (b) twenty-five percent in rural areas and urban areas of partial control, and
  - (c) fifty percent in urban areas of minimal control.
- (3) Window signs are not permitted above ground floor level.
- (4) In urban areas of maximum control the colours of window signs must, in the opinion of the Agency, be in harmony with the rest of the building and the

streetscape.

- (5) In natural areas and urban areas of maximum control, internally illuminated advertisements inside a building may not be visible from outside the building.

### **38. Signs incorporated in the fabric of a building**

No one may erect or display a sign incorporated in the fabric of a building in a visual zone which contains information other than that contemplated in section 50(2)(a) of the Act where—

- (a) the building or any of its external faces is used principally for the display of advertisements; and
- (b) the advertisement is not in balance with the scale of the building and visually and architecturally integrated into the building; and
- (c) the sign is not displayed so as to be detrimental to or have a negative aesthetic impact on the urban design, streetscape or character of the environs.

### **39. Forecourt advertisements**

- (1) Forecourt advertisements may be displayed only in urban areas, and in other areas, only in centres of economic activity.
- (2) Individual, free standing forecourt advertisements may not exceed 1,64 square metres in area for single sided advertisements and 3,28 square metres for double-sided advertisements.
- (3) The total area of all free-standing forecourt advertisements may not exceed five square metres on each forecourt frontage, except in the case of filling stations and roadside service areas, where it may not exceed eight 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) Forecourt advertisements must be free-standing, except for advertisements attached to fuel pumps, vending machines and other non-advertising structures in filling stations and roadside service areas.
- (5) Forecourt advertisements may not be displayed in road reserves and may not interfere with pedestrian circulation.
- (6) Forecourt advertisements must be aimed at pedestrians, not at motorists.



- (7) Forecourt advertisements may not be animated.

**40. Residential and community signs**

- (1) Residential and community signs may be advertisements affixed flat or painted on buildings, gates or walls, and pole mounted advertisements or advertisements with supporting structures forming a visual structure around the sign panel.
- (2) Direction and warning signs may not exceed 0,5 square metres in total area per premises, except where there is more than one entrance to the same premises on different road frontages, where a total sign area of one square metre and 0,5 square metres per frontage is permitted.
- (3) In the case of advertisements showing the name and nature of enterprises and places 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 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 subregulations (2) and (3), where the advertisement has a solid supporting structure, the maximum area per advertisement may be three square metres if the lettering or sign panel does not occupy more than 50% of the total sign area.
- (5) Where more than one enterprise or property is involved, a combination sign must be provided with not more than one square metre per premises or per property.
- (6) In the case of street numbers, one advertisement per road frontage is allowed with a minimum letter size of 150mm and a maximum of 350 mm.
- (7) The highest point of a free standing advertisement may not exceed three metres above ground level, except for a combination sign, where the highest point of the sign shall not exceed four metres above ground level.
- (8) In the case of a residential or community sign, the name or logo of the sponsor of the sign may not be displayed except on the name of a farm or smallholding.
- (9) Residential or community signs may be displayed only on the premises to which they refer, or on the boundary wall, fence or gate of such premises.
- (10) Farm or smallholding name signs 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 or smallholding 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 signs will not be allowed where a road traffic sign is displayed at the entrance concerned.

- (11) A free standing residential or community sign is allowed only where it is not visually or practically acceptable to attach a sign to a building or boundary wall, fence or gate. Such a sign may not be erected in a road reserve.
- (12) Residential or community signs may not be animated, and may be illuminated only in urban areas. They must harmonise with the buildings and other structures on the premises as to materials, colour, texture, form, style and character.

#### **41. On-premises business signs**

- (1) On-premises business signs must be locality based and may provide information only on 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).
- (2) On-premises business signs 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 signs affixed to the building;
  - (b) it is not structurally possible or visually feasible to affix appropriate signs to a building;
  - (c) the sign is needed to locate the entrance to business premises or the private access road to a business;
  - (d) a free-standing combination sign may prevent a proliferation of signs;
  - (e) there are no tourism signs reducing the need for such signs.
- (3) No one may erect or display an on-premises business sign in a visual zone without first obtaining the written approval of the Agency. In deciding whether to grant or refuse such approval, the Agency must have regard to plans submitted for supporting structures, which may be requested by the Agency, the manner and type of illumination of the sign, if applicable, and the consideration that—
  - (a) a proliferation of signs must be prevented and that combination signs must be promoted.
  - (b) the design of combination signs must harmonise with the architecture of shopping centres or other buildings or structures;
  - (c) messages on individual panels of combination signs must be concise and legible;

- (d) signs at access roads to farms and smallholdings must be co-ordinated with residential and community signs to form combination signs;
  - (e) combination signs must be harmonious in terms of form, letter types and colour.
- (4) Only one on-premises business sign shall be allowed per enterprise, unless there is more than one entrance on different road frontages, where two signs will be allowed, one per frontage.
- (5) On-premises business signs affixed to non-advertising structures may not occupy more than 50% of such structure and may not extend above or beyond any extremity of such structure.
- (6) On-premises business signs in natural and rural areas and urban areas of maximum control shall be limited to the following areas:
- (a) Signs at farm stalls and access roads to smallholdings may not exceed two square metres, but where a self-standing structure is used, the maximum area may be four square metres, subject to subregulation (5).
  - (b) Where a sign contemplated in paragraph (a) is incorporated in a combination sign at an access road, the area of the sign may not exceed 1,5 square metres.
  - (c) All other signs may not exceed 4,5 square metres, subject to subregulation (5), but where a self-standing structure is used, the area may not exceed nine square metres, subject to subregulation (5).
  - (d) Where a sign contemplated in paragraph (c) is incorporated in a combination sign at an access road, the area of the sign may not exceed three square metres.
- (7) On-premises business signs in urban areas of partial and minimal control are limited to the following sizes:
- (a) No sign may exceed six square metres in area, subject to subregulation (5), but where a self-standing structure is used, the maximum area may be 12 square metres, subject to subregulation (5).
  - (b) Where a sign contemplated in paragraph (a) is incorporated in a combination sign, the area of the sign may not exceed 4,5 square metres per sign panel.
- (8) In natural and rural areas and urban areas of maximum control, on-premises business signs at farm stalls and farm access roads may not exceed three metres in height above ground level in the case of a single, free-standing sign, and four metres in the case of a combination sign. In urban areas of partial and minimal

control, all such signs may not exceed four metres in height in the case of single, free standing signs, and 10 metres in the case of combination signs.

- (9) In the case of an on-premises business sign, the name or logo of the sponsor of the sign may not occupy more than one third of the total area of the sign and must refer to products and services available on the specific premises or at the specific enterprise.
- (10) On-premises business signs may not have letters, figures or symbols or similar features that exceed 0,35m in height in natural and rural areas and urban areas of maximum control, and 0,75m in urban areas of partial or minimal control.
- (11) Signs indicating roadside enterprises that have direct access to a national road may not be closer than five metres from the road reserve boundary.
- (12) On-premises business signs may not be animated.
- (13) On-premises business signs 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.

#### **42. Tower, bridge and pylon signs**

- (1) No one may erect or display a tower, bridge or pylon sign 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 a sign in any area without first obtaining the written approval of the Agency, which must, before granting such approval, obtain the approval of the relevant municipality.
- (2) Not more than two signs per tower, bridge or pylon may be erected and the maximum area of such signs per structure shall not exceed 36 square metres.
- (3) In the case of pylons, the pylon, excluding the sign, must be 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 12m. No protruding part of a pylon sign may be less than 2,4m above the highest point of the existing ground level immediately below the pylon or sign.
- (4) No sign may extend beyond the top of a tower or above, below or beyond any extremity of a bridge or may project more than 300mm from the main wall of a tower or bridge structure. No sign may be affixed to any structural column of a bridge.

- (5) Tower, bridge and pylon signs may not be illuminated or animated except in urban areas of minimal control, and then only if they are not a safety hazard or cause undue disturbance.
- (6) Signs may not be attached to pylons 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.

#### **43. Construction site signs**

- (1) Construction site signs may not be affixed to or displayed on walls of buildings.
- (2) Construction site signs may be erected only for the duration of the relevant construction works.
- (3) No one may erect or display a construction site sign in a natural or rural area, or an urban area of maximum control. No one may erect or display such a sign 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 following:
  - (a) The sign must conceal an unsightly condition arising out of a lawful use of the property for construction.
  - (b) The sign must make a positive contribution to the environment and streetscape.
  - (c) The sign must be a visual unity with walls and fences and, where possible, with project boards.
- (4) Construction site signs may not exceed a vertical dimension of three metres and a total area of 18 square metres.
- (5) Construction site signs on the top of fences or walls must be positioned to rest directly thereon. Signs affixed to a wall or fence may not project more than 100mm from the front thereof.
- (6) Construction site signs may not be painted or pasted directly onto walls or fences, and must be enclosed with definite panels which are uniform in size and level.

#### **44. Signs for sponsored road traffic projects**

- (1) Signs for sponsored road traffic projects may refer only to the name of the project and the name or logo of the sponsor.
- (2) Signs for sponsored road traffic projects may not exceed 4,5 square metres in area.

- (3) Signs for sponsored road traffic projects may be displayed in road reserves, but not on road islands or medians. Signs on the same side of a road must be at least 500m apart.
- (4) Signs for sponsored road traffic projects may not be animated.

#### 45. Service facility signs

- (1) Service facility signs may refer only to the name or logo of a business providing a service, and the type of service provided.
- (2) Service facility signs 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 sign is directed. Only one such sign per direction of traffic flow will be allowed.
- (3) No one may erect or display a service facility sign 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 sign and a certificate issued by a structural engineer verifying that the sign was designed by such engineer.
- (4) Each service facility sign-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 sign, with only one enterprise allowed to advertise per panel. No combination sign 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 subregulation (3), stipulate requirements for the positioning of the sign.
- (7) Service facility signs may not be animated, and illumination is allowed only while the services concerned are being provided.



- (8) No sign shall be allowed in a roadside service area except a service facility sign permitted under this Regulation, or a tourism sign permitted under Regulation 46, unless used for internal direction and orientated and aimed at motorists within the facility.

#### **46. Tourism signs**

- (1) Tourism signs must be designed in accordance with Schedule 3 of the Road Traffic Regulations prescribed in terms of the Road Traffic Act.
- (2) No one may erect or display a tourism sign in a visual zone without obtaining the written approval of the Agency. 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.
- (3) Tourism signs must comply with other relevant laws as to design, colour etc.

#### **47. Functional public signs**

- (1) Functional public signs may not be used in any way for commercial or competitive advertising.
- (2) Functional public signs may not exceed 0,55 square metres in area, but larger signs may be allowed with the prior written consent of the relevant municipality.
- (3) Functional public signs may be displayed in road reserves, but not on freeways.

#### **48. Aerial signs**

- (1) No one may display an aerial sign in a natural area. In other areas, no one may do so without obtaining the written approval of the Agency.
- (2) No captive balloon, craft for parasailing, kite, hang glider, model or radio controlled aircraft or any aircraft towed behind a vehicle or vessel for the purpose of flight, may be flown—
- (a) at a height of more than 45 m from the surface;
  - (b) closer than five nautical miles from the aerodrome reference point of an

- aerodrome;
- (c) above a public road, as defined in the Road Traffic Act;

except with the written permission of the South African Civil Aviation Authority established by section 2 of the South African Civil Aviation Authority Act, 1998 (Act No. 40 of 1998).

- (3) Where an aerial sign is towed behind an aircraft, the aircraft may not take off or land on a national road.
- (4) A sign on a captive balloon or other captive craft may not be displayed within the visual zone of a freeway.
- (5) Aerial signs may not be illuminated or animated, except that airships may be illuminated when moored.
- (6) With the exception of moored airships, aerial signs may be displayed only in daylight hours.
- (7) No captive or unmanned balloon may be flown without the prior, specific written consent of the South African Civil Aviation Authority referred to in subregulation (2), granted with the permission of all relevant municipalities.

#### **49. Vehicular signs**

- (1) No vehicle may be used for the sole purpose of advertising, except trailers allowed by Regulation 50.
- (2) Vehicular signs may not be animated and may not be illuminated except for internally illuminated signs indicating that taxis are for hire, and retroflective signs with the colours red to the back, yellow to the side and white to the front of a vehicle.

#### **50. Advertising trailers**

- (1) Trailers bearing advertisements (referred to herein as advertising trailers) may be parked only in urban areas of partial and minimal control and on sites designated by the relevant municipality in advance, and must be properly secured at both ends to withstand strong winds.
- (2) No one may park an advertising trailer in a visual zone without first obtaining the written approval of the Agency. Where such approval is granted, the Agency must issue an identifying disc to the applicant with the written consent.

- (3) No advertising trailer may be towed for the primary purpose of advertising. Such a trailer may be towed only to and from a specific site and may not be towed between the hours 0700 and 1800.
- (4) Advertising trailers may not display any advertisement while being towed on a freeway.
- (5) Signs on advertising trailers may not exceed a vertical dimension of three metres and a horizontal dimension of six metres.
- (6) No advertising trailer may be parked in a road reserve.
- (7) Advertising on trailers may not be animated and may not be illuminated except for retroflective signs with the colours red to the back, yellow to the side and white to the front of the trailer.
- (8) The name and telephone number of the owner of the trailer and the identifying disc referred to in subregulation (2) must be displayed on all advertising trailers in a place that is clearly visible.

#### **PART D: GENERAL PROVISIONS**

##### **51. Approval by Agency**

- (1) Any application for approval required by these Regulations must be made by completing the form designed by the Agency for the purpose 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 subregulation (1) must be signed by the owner of the proposed advertisement 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 sign superimposed thereon approximately to scale;
- (c) where required by these Regulations, an engineer's certificate and/or an EIA;
  - (d) if required by the Agency, an electrical certificate signed by a licensed electrical engineer or by an inspector duly authorised by a municipality;
  - (e) 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);
  - (f) any additional information requested by the Agency.
- (4) (a) Despite the other provisions of these Regulations, the Agency may invite applications for approval to erect 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.
- (b) An invitation under paragraph (a) may include an invitation for tenders to pay a levy, fee or rent for approval to erect the advertisement in terms of section 26(g) of the Act.
- (5) 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.
- (6) 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 sign, and, if so directed by the Agency, in more than one place on the sign, in a manner so directed. The name and address of the person erecting the advertisement must also appear on the advertisement in the manner directed by the Agency, in letters that conform with the sizes stipulated by the Agency.
- (7) Approvals granted in terms of these Regulations must be renewed annually on the

anniversary date on which the original 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).
- (8) The Agency may reject an application for renewal of an approval that does not comply with sub-regulation (7).
- (9) Where application for renewal is not made by the date contemplated in subregulation (7), the approval in question shall lapse. Where an approval has so lapsed, application may be made afresh on compliance with sub-regulations (1), (2) and (3).
- (10) The owner of the land on which an advertisement is erected or displayed in terms of an approval obtained under this Regulation, must retain 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.
- (11) 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.
- (12) 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) environmental considerations, which must include visual, social and traffic safety aspects;
  - (b) road safety considerations;
  - (c) the visual content of the advertisement, with regard to letter sizes and length of messages, colours, impact etc.;
  - (d) whether the advertisement makes a positive contribution to the environment and streetscape or landscape;
  - (e) whether the advertisement is a visual unity with walls, fences, buildings and other structures;
  - (f) whether the advertisement complies with the Act and these Regulations and with the requirements and standards of the Agency;
  - (g) requirements and guidelines published by the South African Advertising Standards Authority or similar regulatory bodies established by the industry.



**52. Environmental impact assessments**

- (1) All EIAs required by these Regulations shall be obtained at the expense of the person applying for the approval in respect of which the EIA is required.
- (2) EIAs required by these Regulations must comply with the requirements (if any) set by the Environment Conservation Act, 1989 (Act No. 73 of 1989), and the Regulations made under that Act, and must be prepared by persons who are suitably qualified in terms of qualifications (if any) set by such Act or regulations.
- (3) The Agency may reject any EIA that does not comply with the requirements of these Regulations.

**53. Prohibitions and offences**

- (1) Anyone who—
  - (a) contravenes or fails to comply with any provision of these Regulations or a condition imposed by the Agency in terms of these Regulations;
  - (b) knowingly makes a false statement in the course of an application in terms of these Regulations;

shall be guilty of an offence and liable on conviction to the penalties stipulated in section 58(2) of the Act and, in the case of a continuing offence, shall be liable to an additional fine not exceeding R500,00 for every day during the continuation of the offence.

- (2) Where an activity is prohibited, or a duty is imposed, by these Regulations, the prohibition or duty shall apply to all of the following:
  - (a) any person who erected or displayed the advertisement in question;
  - (b) the owner of the land on which such advertisement is displayed or erected, and
  - (c) any occupier or other person in charge of such land or in whom the control of such land is vested.

Any such person may be prosecuted and convicted of an offence of contravening or failing to comply with these Regulations, or a condition imposed by the Agency in terms thereof, unless such person can prove that he or she was not aware and could not reasonably have been aware of the existence of the advertisement in question.

**54. 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 in terms of these Regulations, 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 under subregulation (1).
- (3) If approval for an advertisement contemplated in subregulation (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.

**55. Short title**

These Regulations shall be known as the Regulations on Advertising On or Visible From National Roads, 1999.

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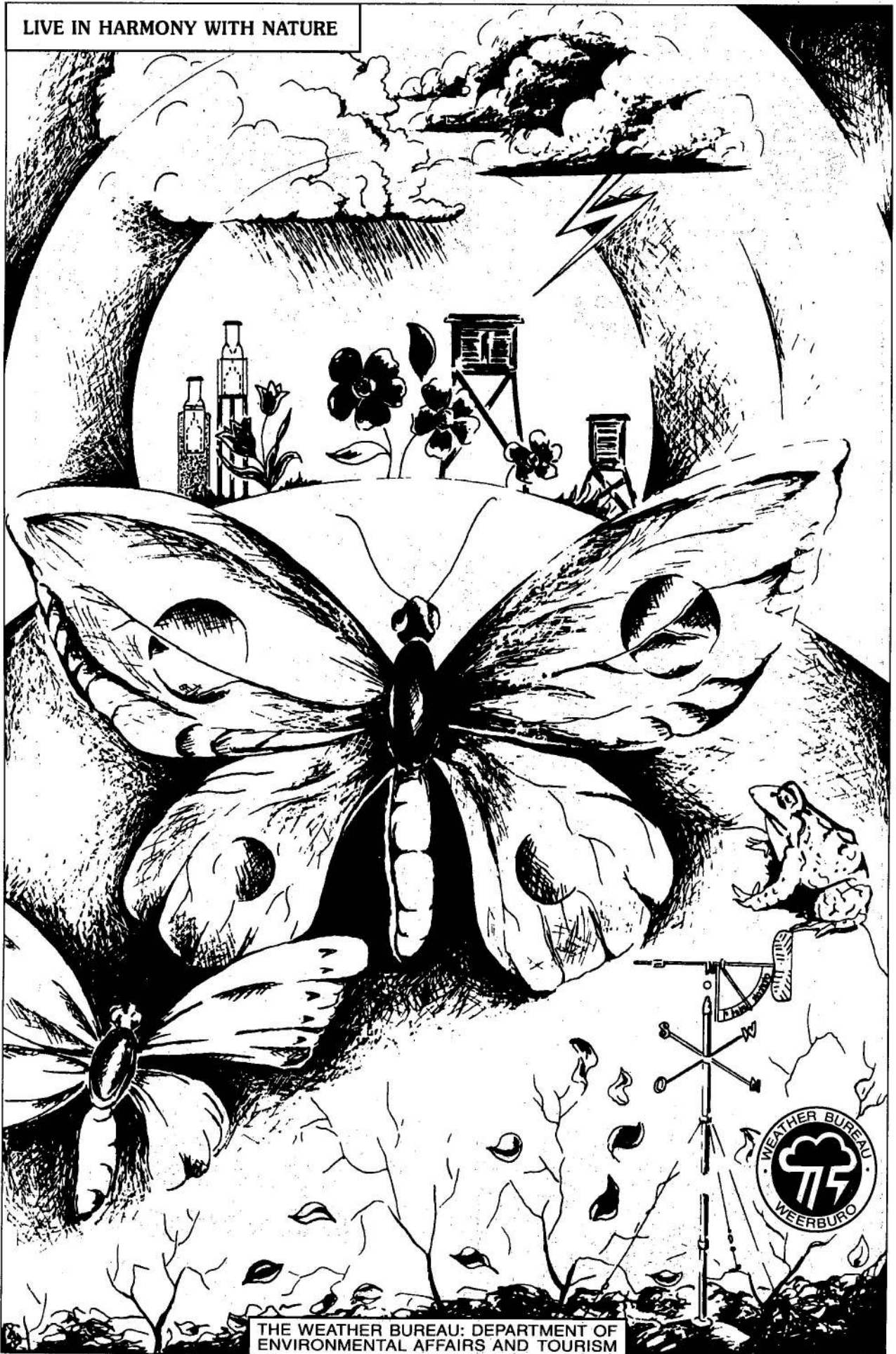
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