



# Clean zones

Rugby World Cup 2011 (RWC 2011) kicks off on 9 September and with economists predicting it will generate over \$540 million in additional gross domestic product, businesses throughout New Zealand stand to benefit.

**Y**ou don't have to be based in host cities to reap the rewards as the majority of the expected 85,000 overseas fans have indicated they are planning side trips around the country. Around 50,000 New Zealanders will also be travelling out of town for the games.

Even if businesses have not been appointed as official sponsors, suppliers or licensees, they can still capture a slice of the action – whether by dressing up their premises, running sales or promotions, or (with the usual Council permission) expanding facilities to cater for extra patronage.

However, businesses need to be aware of the protections put in place to guard against unauthorised commercial exploitation of RWC 2011.

## Protection

If you run an existing business, the restrictions will not affect your ability to honestly continue 'business as usual' activities – such as continuing to use your usual signage and advertising – as long as you do not attempt to suggest an association with the tournament.

The reason for the protection is simple. Staging RWC 2011 is a massive undertaking which

requires the significant financial and promotional support of the tournament's official sponsors – especially as the International Rugby Board re-invests the surplus it makes from the tournament into the global development of grassroots rugby.

In return, sponsors get exclusive rights of association. *But* those rights are worth little without protection from businesses seeking commercial gain from the tournament's high profile through unauthorised association or intrusion – known as 'ambush marketing'.

As a consequence, and in order to meet the hosting requirements for the tournament, protections against ambush marketing have been put in place – primarily through the Major Events Management Act (MEMA) – in designated areas around stadiums (known as 'clean zones') and along the main thoroughfares leading to stadiums ('clean transport routes').

These clean areas will only be activated around a venue on match day and the day before – with the exceptions of the opening match and the quarter-finals when they will be active from two days prior until the day after each match. Around Eden

Park, the clean period will run from the quarterfinals until the day after the final.

## What is restricted?

Any advertising, anywhere and at any time that suggests an association with RWC 2011, especially where MEMA-protected tournament emblems

includes advertising placed on private property. Anyone who accepts money or other consideration for the placement of unauthorised advertising or other promotional activity is in breach of the restrictions – as are the people who pay for, commission or authorise it.

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and words (or those deceptively similar) are used. An association is not avoided by using words such as 'unofficial' or 'unauthorised'.

Generally, other than honest everyday activities carried out by existing businesses, unauthorised advertising and temporary commercial activities – such as street trading – are prohibited in clean zones.

Some specific restrictions include:

- Advertising in clean zones, or [a space] that can be seen from within clean zones, if it is not part of an existing business' usual signage. This

- Placing advertising along clean transport routes.
- Distributing pamphlets, flyers or free give-aways within clean zones, regardless of whether or not the material suggests an association with RWC 2011.
- Businesses within clean zones selling products or services different to those they usually do (e.g. a car yard selling food).
- Street trading within clean zones, unless conducted by official RWC 2011 licensees. This will restrict, for example, bars or cafés that might

want to expand into public spaces.

- Vehicles carrying advertising or branding (or clearly associated with a product or service in other ways) that are parked in, or driven through, clean zones along clean transport routes or on streets visible from within clean zones – unless they are going about their usual business.
- Running temporary commercial activities on private property close to stadiums (e.g. setting up a stall selling T-shirts, food and drink, etc.).

As well as the restrictions put in place by the MEMA, Councils are also likely to be taking an enhanced interest in unauthorised activities around their cities, particularly around match venues.

Many of the above activities are either prohibited or controlled under Council bylaws, district plan rules or the Resource Management Act so it should not be assumed that an activity is 'safe' simply because it is taking place outside a clean zone or clean transport route.

Enforcement Officers, appointed by the Ministry of Economic Development, will have the power to seize or cover any object – such as an unauthorised advertising sign – and the ability to apply for a search warrant to enter private property to do so. Breaching the MEMA can be a criminal offence with fines of up to \$150,000 for serious offences.

If you are unsure whether your planned activities might be in breach of any restrictions, you should speak to your Council and/or take legal advice. ■

□ Detailed maps of each of the RWC 2011 clean zones and clean transport routes, along with further information on the MEMA, can be found at: <http://asp-uk.secure-zone.net/v2/index.jsp?id=582/619/1623&lng=en>

Eden Park



Photography by Charlie McKay

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