

LONDON OLYMPICS BILL – RESTRICTIONS ON THE USE OF OLYMPIC WORDS

Several misleading ideas have appeared in recent media reports about the Government's proposals to restrict ambush marketing around the 2012 Olympics.

This factsheet counters some of these myths and explains what the London Olympics Bill will actually do.

Myth:

- Only official sponsors can use words like 'games' and 'gold'

Fact:

The Bill stops businesses unfairly cashing in on the London Olympics by wrongly implying that they have some form of association with the Games.

But the Bill does not prevent the mere use of words like 'games' and 'gold'. Instead it creates the London Olympics association right, which means the London Organising Committee for the Olympic Games (LOCOG) can authorise certain persons – most likely official sponsors and commercial partners - to associate themselves with the Games.

The Bill sets out a list of words, including 'games' and 'gold', which when used in certain combinations by unauthorised persons may be used by the LOCOG as evidence of infringement of the association right. This measure is based on the model which Sydney developed before the 2000 Games.

Our legislation fulfils the requirements of the International Olympic Committee to prevent ambush marketing and thereby protect their sponsors, who are vital to the economic well-being of the Games. London committed itself to fulfilling the IOC's requirements during the bidding process.

But we want to adopt a proportionate, common sense approach. We are concerned only to prevent instances of unfair association with the Games. So, for example, factual references to London and to the Olympics will still be perfectly legal.

Myth:

- Using words like 'games' and 'gold' will attract fines of £20,000

Fact:

People will not be fined simply because they have used words like 'games' or 'gold'. However, if individuals or organisations use words like 'games' and 'gold' in combination to seek to create an unauthorised association with the Games, the LOCOG would be able to take civil action against them.

It will have to be decided on a case by case basis whether infringement has occurred. As this would be a civil law suit, where infringement had occurred fines would not be levied. Instead it would be for the judge to determine the level of damages to be paid, if appropriate.

Myth:

- You won't be able to say 'Come to London in 2012'

Fact:

The Bill prevents unauthorised association with the Games but it does not put a blanket ban on expressions such as 'Come to London in 2012'. While such expressions may be used to create an association with the Olympics, there will be many cases in which there is clearly no link to the Games.

It will have to be decided on a case by case basis whether infringement has occurred, but the intention of the bill is to adopt a common sense approach. So, for example, factual references to London and to the Olympics will still be perfectly legal.

Myth:

- Legislation like this is unprecedented

Fact:

The IOC require that we take all necessary steps to prevent ambush marketing. Sydney put very similar legislation in place before it hosted the 2000 Games. The words in the Bill which, when used in combination, are seen as likely to have created an association with the Games, are based on the Sydney legislation.

Myth:

- Small businesses won't be able to benefit from the Games

Fact:

All kinds of businesses, large and small will be needed to deliver the London 2012 Games. There will be many opportunities for small firms to benefit from the Games, for example in construction and tourism.

Myth:

- The restrictions in the Bill will cost the taxpayer more money.

Fact:

The restrictions on association with the Games are designed to protect the public purse. If there was no legislation in place and sponsors could see their position abused by commercial rivals, less money would be raised and the cost would inevitably fall on taxpayers in host countries.

Myth:

- The Secretary of State will be able to extend the list of protected words at a moment's notice.

Fact:

If the Secretary of State wants to change the lists of words which are seen as likely to create an association with the London Olympics, he or she will have to make an order and there will have to be a debate in each House of Parliament.