
Full title of law or regulation	This is a commentary on the issue of outdoor advertising and some of the autonomous regions concerned. The law referenced in the text below - Law No. 5/2002, of 27 June, on Drug Addiction and other Addictive Disorders - is here (SP): http://boe.es/boe/dias/2002/07/24/pdfs/A27225-27244.pdf
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Title of relevant section	N/A
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Madrid	<p>In spite of the General Advertising Law (a State law), the Community of Madrid assumed regulatory competence in the matter through its Statute of Autonomy.</p> <p>Therefore, with regard to the alcohol advertising disseminated in the Community of Madrid, Law No. 5/2002, of 27 June, on Drug Addiction and other Addictive Disorders shall be taken into account. It establishes a general prohibition of alcoholic beverages advertising in places where its sale and consumption are prohibited, with the <i>exception</i> of outdoor advertising of alcohol from the fermentation of grapes, apples or cereals and whose strength does not exceed 20°.</p> <p>In addition, in the Community of Madrid in April 2005, an Agreement for the promotion of self-regulation of the alcoholic beverages advertising activity was approved, in the framework of Law 5/2002, of 27 June, on Drug Addiction and other Addictive Disorders. The agreement, which was modified on 13 February 2013, self-regulates the advertising activity of alcoholic beverages with more than 20°, within the scope of the Community of Madrid.</p> <p>With regard to outdoor advertising, said Agreement establishes an exception to what is indicated in Law No. 5/2002 in relation to the external supports out of the thoroughfare, allowing such advertising with a with a number of size limitations and distance to educational centres.</p>
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Some other examples	<p>The regulations applicable in the Canary Islands, Cantabria and Madrid prohibit sale and consumption in the streets, so in these autonomous communities advertising on thoroughfares of alcoholic beverages over 20% ABV would not be allowed. Something similar would occur in the communities of Catalonia and Extremadura where, under their autonomous regulations, advertising of alcoholic beverages of more than 23% ABV "<i>in public places</i>" or "<i>in the streets</i>" would be prohibited.</p> <p>Unlike the Communities of the Basque Country and La Rioja - which prohibit advertising "<i>capable of attracting (...) the attention of persons who live in or travel through areas of general use or in open spaces</i>". In the aforementioned communities, the prohibition refers in particular to advertising "in public places" or "in the streets" and not to advertising "visible from the public road". Therefore, it is possible to interpret that in such autonomous communities the prohibition expressly extends to advertising located in public places; permitted, therefore, would be outdoor advertising of alcoholic beverages located, clearly and unequivocally, in private space (which excludes, for example, partitions or tarpaulins, which partially wrap or cover buildings), although such advertising could be visible from the thoroughfare.</p>
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