

Special Edition - Developments relating to the FIFA World Cup

On 17 May 2010, the Minister of Trade and Industry published two notices relating to the FIFA World Cup and, in particular, to marketing in relation to the tournament.

The first notice, in terms of the Consumer Affairs (Unfair Business Practices) Act, makes it unlawful, without the written authority of FIFA:

- to sell or dispose of any FIFA World Cup tickets for commercial purposes; or
- to use or advertise any FIFA World Cup ticket for advertising, sales or promotional purposes, as a sweepstake prize or as part of a hospitality or travel package.

These provisions will affect businesses intending to entertain clients or use World Cup tickets for promotional purposes or as incentive prizes for employees.

Application may be made to the Office of Consumer Protection for exemption from the provisions of the notice.

The Minister of Trade and Industry has also published, for public comment, an interim notice in terms of the Merchandise Marks Act. If promulgated into law, the notice will have the effect of prohibiting the use of the names, devices, logos, pictures and drawings of certain stadia at which FIFA World Cup matches are to be played, in connection with any trade, business profession, occupation or event, or with any trade mark or trade description applied to goods, unless the authority of the Metro or Municipality in which the stadium is situated has been obtained.

The affected stadia are the Moses Mabhida Stadium (Durban), Nelson Mandela Bay Stadium (Port Elizabeth), Peter Mokaba Stadium (Polokwane), Mbombela Stadium (Nelspruit), Soccer City Stadium (Johannesburg) and Green Point Stadium (Cape Town).

The public has been invited to submit comments to the dti within 30 days after the publication of the notice.

We will continue to monitor developments and keep you advised. For more information do not hesitate to contact the Restaurant Association of South Africa on

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