

# Australian Grand Prix (Further Amendment) Bill

No.

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*Clause*

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By Authority. Victorian Government Printer

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# LEGISLATIVE ASSEMBLY

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Read 1° 25 October 1995

*(Brought in by Mr McNamara and Mr Gude)*

## A BILL

to amend the **Australian Grand Prix Act 1994** and for other purposes.

### **Australian Grand Prix (Further Amendment) Act 1995**

**The Parliament of Victoria enacts as follows:**

#### **PART 1—PRELIMINARY**

##### **1. *Purposes***

5 The purposes of this Act are to make provisions in relation to the Australian Motorcycle Grand Prix and further provisions in relation to the Formula One Grand Prix.

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Section headings appear in bold italics and are not part of the Act.  
(See **Interpretation of Legislation Act 1984**.)

**2. Commencement**

- (1) Part 1 comes into operation on the day on which this Act receives the Royal Assent.
- (2) Subject to sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.
- (3) If a provision referred to in sub-section (2) does not come into operation within the period of 6 months beginning on and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

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No. 68/1994  
a amended  
by No.  
39/1995.

**3. Principal Act**

In this Act, the **Australian Grand Prix Act 1994** is called the Principal Act.

**PART 2—AMENDMENT OF PRINCIPAL ACT**

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**4. Change of title of Principal Act**

In the title of the Principal Act, for “**Grand**” substitute “**Grands**”.

**5. Purpose of Principal Act**

After section 1 (b) of the Principal Act **insert**—

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“and

- (c) to facilitate the holding of Australian Motorcycle Grand Prix events at the Phillip Island Grand Prix circuit.”.

**6. Definitions**

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- (1) In section 3 (1) of the Principal Act **insert** the following definitions—

“**Australian Motorcycle Grand Prix event**” means a round of the road racing (motorcycle) world championship that takes place in Victoria

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including any race, event or activity promoted by the Corporation in association with that round;

5       “**designated access area**” means an area in respect of which a declaration under section 32A is in force;

      “**Phillip Island Grand Prix circuit**” means the land described in certificates of title volume 9465 folios 934 and 935 and volume 9705 folio 318;

10       “**stratum of land**” means a part of land consisting of a space of any shape above the surface of the land, all the dimensions of which are limited;’.

15       (2) In section 3 (1) of the Principal Act, in the definition of “Albert Park” after “Schedule 1” **insert** “and the land temporarily reserved by Order of the Governor in Council dated 10 October 1995 and published in the Government Gazette dated 12 October 1995, page 2900”.

20       (3) In section 3 (1) of the Principal Act, in the definition of “grand prix insignia”—

      (a) for paragraph (a) **substitute**—

          “(a) a logo or any part of a logo;”;

      (b) after paragraph (b) **insert**—

25           “(ba) a name or title of an Australian Motorcycle Grand Prix event declared under section 42A;”;

      (c) in paragraph (c)—

30           (i) for ‘or “Formula 1”’ **substitute** ‘, “Formula 1”, “Albert Park Circuit”, “Grand Prix Rally”, “What a Great Place for the Race”, “What a Great Place for the Great Race”, “What a Great Race” or “Australian Motorcycle Grand Prix”’;

35           (ii) after “Formula One event” **insert** “or an Australian Motorcycle Grand Prix event”.

      (4) In section 3 (1) of the Principal Act, for the definition of “logo” **substitute**—

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“**logo**” means a design (the copyright of which is vested in the Crown in right of the State) the general design of which—

(a) is set out in Part A or Part B of Schedule 2;  
or

(b) is approved by the Minister by notice published in the Government Gazette—

and which is more particularly depicted and described in the graphic standards manual;’.

**7. Functions and powers of Corporation**

(1) In section 16 (1) of the Principal Act—

(a) after “if the members” **insert** “referred to in paragraph (b)”;

(b) for “last member” **substitute** “last of those members”.

(2) In section 20 of the Principal Act, for paragraph (b) **substitute**—

“(b) to undertake and facilitate the organisation, conduct, management and promotion of Formula One events and Australian Motorcycle Grand Prix events;”.

(3) In section 21 (1) of the Principal Act—

(a) in paragraph (a), after “Albert Park” **insert** “, in a designated access area or, in accordance with arrangements entered into between the Corporation and the owners of the Phillip Island Grand Prix circuit, at the circuit”;

(b) after paragraph (a) **insert**—

“(aa) may, subject to this Act, establish sporting facilities and sporting services;

(ab) may, subject to this Act, establish supporting facilities, services and activities in connection with the holding of a Formula One event or an Australian Motorcycle Grand Prix event;

(ac) may promote Melbourne and Victoria as tourist destinations;”;

(c) in paragraphs (c) and (d), after “that year” **insert** “or to a designated access area”;

(d) after paragraph (d) **insert**—

“(da) may charge and collect fees for admission to, and control admission to, the Phillip Island Grand Prix circuit for Australian Motorcycle Grand Prix events, in accordance with arrangements entered into between the Corporation and the owners of the circuit;”;

(e) in paragraph (e), after “Formula One event” **insert** “, an Australian Motorcycle Grand Prix event”;

(f) in paragraph (i), for “in connection with Formula One events promoted by the Corporation” **substitute**—

“in connection with—

(i) Formula One events promoted by the Corporation; or

(ii) Australian Motorcycle Grand Prix events;”;

(g) after paragraph (l) **insert**—

“(la) may enter into leases;

(lb) may acquire, or dispose of, real or personal property;”.

### **8. New sections 32A and 32B inserted**

After section 32 of the Principal Act **insert**—

#### **“32A. Designated access areas**

(1) The Minister administering the **Road Safety Act 1986**, the Minister administering the **Crown Land (Reserves) Act 1978** and the Minister administering this Act acting jointly, by

- notice published in the Government Gazette—
- (a) may declare that an area, being part or all of—
- (i) the land situated within 1.5 metres east of the Queens Road boundary of Albert Park between the points marked A and B on the plan numbered LEGL./95-128 and lodged in the Central Plan Office; or 5
- (ii) the land coloured yellow on that plan— 10
- is a designated access area for the period specified, in accordance with sub-section (2), in the declaration; 15
- (b) may declare that an area, being part or all of the land coloured green, or a stratum of the land hatched and coloured green, on that plan is a designated access area for the period specified, in accordance with sub-section (3), in the declaration; 20
- (c) may revoke or vary a declaration made under this section. 25
- (2) The period specified in a declaration under sub-section (1) (a) must not exceed a period of 17 weeks and—
- (a) must not begin more than 12 weeks before the start of a race period in respect of a year; and 30
- (b) must not end more than 4 weeks after the end of that race period.
- (3) The period specified in a declaration under sub-section (1) (b) must not exceed a period of 4 weeks and— 35



(a) must not begin more than 2 weeks before the start of a race period in respect of a year; and

(b) must not end more than 1 week after the end of that race period.

(4) The Corporation, its servants or agents and any person authorised by it, for the purpose of exercising its powers in respect of designated access areas, but subject to and in accordance with this Act, may enter, carry out works in and use any part of a designated access area.

(5) The Corporation may fence or cordon off the whole or any part of a designated access area—

(a) for the whole or any part of the race period for a year; and

(b) at any other time for such period as is necessary for or incidental to the exercising of its powers in respect of the area.

(6) Land comprising or included in an area fenced or cordoned off under sub-section (5) is, while so fenced or cordoned off, deemed to be in the lawful occupation of the Corporation but not so as to entitle the Corporation to enter any building that, but for this sub-section, is not in its occupation.

**32B. *Areas fenced or cordoned off***

If the Corporation or the Committee of Management places a notice on or near a fence or cordon marking an area in the declared area or a designated access area that contains a statement to the effect that the area is fenced or cordoned off by authority of the Corporation or the

Committee of Management (as the case may be) the area is, for the purposes of this Act, fenced or cordoned off by the Corporation or the Committee of Management (as the case may be).”.

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### **9. Roads**

(1) In section 33 (1) of the Principal Act, after “in respect of a year” **insert** “, or within a designated access area,”.

(2) After section 33 (3) of the Principal Act **insert**—

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“(4) The Corporation may temporarily close any road or part of a road in a designated access area—

(a) with the consent of the Minister administering the **Road Safety Act 1986** and the Minister administering this Act; and

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(b) if, in the opinion of those Ministers, it is necessary to do so for the purpose of carrying out the Corporation’s functions or exercising its powers; and

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(c) after having informing the Minister administering the **Crown Land (Reserves) Act 1978** of its intention to do so.”.

### **10. Designated access area to be restored to reasonable condition**

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After section 34 (3) of the Principal Act **insert**—

“(4) Each designated access area must, as soon as practicable after the end of a race period, be restored by the Corporation to a condition reasonably comparable to its condition immediately before it became a designated access area.”.

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11. *Section 37 substituted*

For section 37 of the Principal Act substitute—

***“37. Corporation may remove vehicles left unattended***

5 If a vehicle is left unattended—

(a) within the declared area in respect of a year during the race period for that year; or

(b) in a designated access area—

10 the Corporation may remove the vehicle to a convenient place, keep the vehicle in that place and return the vehicle to its owner on payment of a fee not exceeding the prescribed fee.”.

15 12. *New Part 3A inserted*

After Part 3 of the Principal Act insert—

**“PART 3A—AUSTRALIAN MOTORCYCLE GRAND PRIX EVENTS**

20 ***42A. Minister may declare name or title of event, race or activity***

The Minister, on the recommendation of the Corporation, may, by notice published in the Government Gazette, declare, in respect of an Australian Motorcycle Grand Prix event—

(a) the name or title of the event;

(b) the name or title of a race, event or activity forming part of the event.

**42B. Corporation may control and charge for filming etc.**

- (1) During the holding of an Australian Motorcycle Grand Prix event, a person must not, without the consent of the Corporation, make, for profit or gain or for a purpose which includes profit or gain, at or from a place within or outside the Phillip Island Grand Prix circuit any sound recording or television or other recording of moving pictures of the event or any part of the event. 5 10
- (2) The Corporation may charge a fee for giving its consent under sub-section (1).
- (3) If a person makes a recording referred to in sub-section (1) without the consent of the Corporation, the Corporation may recover, as a debt due to the Corporation, by proceedings in a court of competent jurisdiction, the fee that would have been payable for the Corporation's consent under sub-section (2).". 15 20

**13. Further amendment of Principal Act**

In the Principal Act—

- (a) in section 44 (6), after "Formula One event" **insert** "or to an Australian Motorcycle Grand Prix event"; 25
- (b) in section 48 (1), after "for a year" **insert** "or in a designated access area";
- (c) in section 48 (2), after "for a year" **insert** "or in a designated access area"; 30
- (d) in section 51 (1) (a), after "that year" **insert** "or of a designated access area";
- (e) in section 51 (1) (b), after "that year" **insert** "or in a designated access area"; 35
- (f) in section 51 (1) (c), after "that year" **insert** "or from a designated access area";

(g) after section 51 (1) (c) **insert**—

“(ca) for the purpose of the safe and orderly carrying out of works, provision of services or undertaking of activities in the declared area in respect of a year or in a designated access area, the regulation of the conduct of persons within that declared area or designated access area, during a specified period not exceeding 17 weeks and—

(i) beginning not more than 12 weeks before the race period in respect of that year; and

(ii) ending not more than 4 weeks after that race period;

(cb) the exclusion or expulsion, during a specified period not exceeding 17 weeks and—

(i) beginning not more than 12 weeks before the race period in respect of a year; and

(ii) ending not more than 4 weeks after that race period—

from the declared area in respect of that year or from a designated access area of persons who, within the area, obstruct, hinder or endanger the carrying out of works, the provision of services or any other activity undertaken by or on behalf of the Corporation under this Act;”.

(h) in section 51 (1) (d), after “that year” **insert** “or within a designated access area”;

(i) in section 51 (1) (e), after “section 32” **insert** “or 32A”.

#### **14. Repeal of Part 5**

Part 5 of the Principal Act is **repealed**.

**15. Statute law revision**

In section 31 (1) of the Principal Act, after “works” insert “in”.

**PART 3—CONSEQUENTIAL AMENDMENT**

**16. Consequential amendment of *Liquor Control Act 1987***

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In section 105D of the **Liquor Control Act 1987**, in the definitions of “declared area” and “race period” for “**Grand**” substitute “**Grands**”.

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