

# Australian Grand Prix (Further Amendment) Bill

## EXPLANATORY MEMORANDUM

*Clause 1* sets out the purpose of the Act.

*Clause 2* sets out the commencement provisions of the Act.

*Clause 3* provides that the **Australian Grand Prix Act 1994** is the Principal Act.

*Clause 4* changes the name of the Principal Act to the **Australian Grands Prix Act 1994**.

*Clause 5* amends section 1 (*b*) of the Principal Act to include as a purpose of the Act, facilitating the holding of Australian Motorcycle Grand Prix events at the Phillip Island Grand Prix circuit.

*Clause 6* amends section 3 (1) of the Principal Act to include definitions of “Australian Motorcycle Grand Prix event”, “designated access area”, “Phillip Island Grand Prix circuit” and “stratum of land” and to alter the definitions of “Albert Park”, “grand prix insignia” and “logo”.

*Clause 7*—

- (i) amends section 16 (1) of the Principal Act to provide that when a resolution of the Australian Grand Prix Corporation is made without a meeting, the resolution is deemed to have been made when the last member of a majority of members who favour the resolution has signed a document containing a statement that they are in favour of the resolution;
- (ii) amends section 20 (*b*) of the Principal Act to clarify that the Australian Grand Prix Corporation has the function to undertake and facilitate the organisation, conduct, management and promotion of Formula One events and Australian Motorcycle Grand Prix events;
- (iii) amends section 21 of the Principal Act to clarify that the Australian Grand Prix Corporation has the power to—
  - \* conduct works in a designated access area and at the Phillip Island Grand Prix circuit
  - \* establish sporting facilities and sporting services
  - \* establish supporting facilities, services and activities in connection with the holding of a Formula One event or an Australian Motorcycle Grand Prix event
  - \* promote Melbourne and Victoria as tourist destinations
  - \* charge and collect fees for admission to a designated access area during the race period
  - \* control admission to a designated access area during the race period
  - \* charge and collect fees for admission to, and control admission to, the Phillip Island Grand Prix circuit for Australian Motorcycle Grand Prix events

- \* publish or produce various goods relating to an Australian Motorcycle Grand Prix event
- \* grant advertising, sponsorship, broadcasting or televising rights in connection with an Australian Motorcycle Grand Prix event
- \* enter into leases
- \* acquire, or dispose of, real or personal property.

*Clause 8* inserts new sections 32A and 32B into the Principal Act.

Section 32A provides that the Minister administering the **Road Safety Act 1986**, the Minister administering the **Crown Land (Reserves) Act 1978** and the Minister administering the Principal Act may jointly declare designated access areas being part or all of specified land areas on a plan lodged with the Central Plan Office for periods specified in the section. The section also provides for the Australian Grand Prix Corporation to enter and carry out works in designated access areas, to fence or cordon off part or all of these areas and to lawfully occupy such fenced or cordoned off areas.

Section 32B provides that, within the declared area or designated access area, if the Corporation or the Committee of Management places a notice on or near a fence or cordon that contains a statement to the effect that the area is fenced or cordoned off by the Corporation or the Committee of Management, the area is, for the purposes of this Act, fenced or cordoned off by the Corporation or the Committee of Management.

*Clause 9* amends section 33 of the Principal Act to enable the Australian Grand Prix Corporation to close any road, or part of a road, within a designated access area during the race period. The section is also amended to enable the Corporation, with the consent of the Minister administering the **Road Safety Act 1986** and the Minister administering the Principal Act, to temporarily close any road, or part of a road, in a designated access area outside the race period, if in the opinion of the Ministers it is necessary for the purpose of the Corporation carrying out its functions or exercising its powers. The Corporation must give prior notice of temporary road closures to the Minister administering the **Crown Land (Reserves) Act 1978**.

*Clause 10* amends section 34 of the Principal Act to require the Australian Grand Prix Corporation to restore each designated access area to a condition reasonably comparable to its condition immediately before it became a designated access area.

*Clause 11* amends section 37 of the Principal Act to empower the Australian Grand Prix Corporation to remove vehicles left unattended within designated access areas.

*Clause 12* inserts a new "Part 3A—Australian Motorcycle Grand Prix Events" into the Principal Act.

Section 42A of this Part provides that the Minister, on the recommendation of the Australian Grand Prix Corporation, may by notice in the Government Gazette declare the name or title of an Australian Motorcycle Grand Prix event or the name or title of a race, event or activity forming part of the event.

Section 42B provides that the Australian Grand Prix Corporation may control and charge for the recording, television and filming rights in respect to the Australian Motorcycle Grand Prix event.

Clause 13—

- (i) amends section 44 (6) of the Principal Act to enable the Minister to declare that an offence under section 44 (2) may not apply to the supply of goods marked with grand prix insignia or the use of grand prix insignia for the purpose of promoting the supply of goods or services, if the Minister is satisfied they are not related to the Australian Motorcycle Grand Prix event;
- (ii) amends section 48 of the Principal Act to exempt works carried out in designated access areas from certain laws specified in the section;
- (iii) amends section 51 of the Principal Act to enable regulations to be made by Governor in Council for or with respect to—
  - \* the control, management and use of a designated access area during the race period
  - \* the prohibition or regulation of any activity in a designated access area during the race period
  - \* the exclusion or expulsion from a designated access area of persons during the race period found contravening the regulations
  - \* the prohibition or regulation of the driving or parking or leaving of parked vehicles within a designated access area during the race period
  - \* the prohibition or regulation of any activity in a designated access area which is fenced or cordoned off in accordance with section 32A;
- (iv) amends section 51 of the Principal Act to enable regulations to be made by the Governor in Council for or with respect to the regulation of the conduct, during a specified period from the declared area or a designated access area, of persons within such an area for the purpose of the safe and orderly carrying out of works, provision of services or the undertaking of activities;
- (v) amends section 51 of the Principal Act to enable regulations to be made by the Governor in Council for or with respect to the exclusion or expulsion, during a specified period from the declared area or a designated access area, of persons within such an area who 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.

Clause 14 repeals Part 5 of the Principal Act being a spent Part which previously amended other Acts.

Clause 15 is a statute law revision which inserts the word “in” in section 31 of the Principal Act.

Clause 16 is a consequential amendment to the **Liquor Control Act 1987**, necessary due the change of the name of the Principal Act.

