



New South Wales

Sydney Cricket Ground and Sydney Football Stadium Amendment By-law 1997

under the

Sydney Cricket and Sports Ground Act 1978

His Excellency the Governor, with the advice of the Executive Council, has made the following By-law under the *Sydney Cricket and Sports Ground Act 1978*.

GABRIELLE HARRISON, M.P.,
Minister for Sport and Recreation

Explanatory note

The objects of this By-law are as follows:

- (a) to increase the maximum penalty for offences under the Sydney Cricket Ground and Sydney Football Stadium By-law 1994 (*the By-law*) from 1 penalty unit (\$10) to 10 penalty units (\$1,100) (Schedule 1 [1] and [3]),
- (b) to make it an offence to bring or attempt to bring liquor onto the Sydney Cricket Ground or the Sydney Football Stadium (the Ground) without the approval of the Sydney Cricket and Sports Ground Trust (*the Trust*) (Schedule 1 [2], proposed clause 11 (1)),
- (c) to enable the Trust to require a person who brings or attempts to bring liquor onto the Ground contrary to proposed clause 11 (1) to dispose of the liquor concerned in a manner approved by the Trust or to surrender the liquor to the Trust for disposal as an alternative to being refused entry to, or being removed from, the Ground (Schedule 1 [2], proposed clause 11 (1A)),

1997 No 643

Sydney Cricket Ground and Sydney Football Stadium Amendment By-law 1997

Explanatory note

- (d) to make it an offence to enter the Ground while banned from doing so under clause 15A (Banning from Ground) or proposed clause 15B (Trust may ban persons for a specified period) (Schedule 1 [4]),
- (e) to make it an offence to behave in a certain manner within the Ground (eg behave in an offensive or indecent manner or obstruct a person in the performance of the person's work or duties) (Schedule 1 [5]),
- (f) to provide for the removal from the scheduled lands of persons who contravene a provision of Part 2 (General) of the By-law or section 24A (Prohibited entry to playing fields) of the Act or trespass or cause annoyance or inconvenience on the scheduled lands (schedule 1 [6]),
- (g) to enable the Trust to ban from the Ground (for a maximum period of 6 months) persons who contravene a provision of the By-law (Schedule 1 [7]),
- (h) to make further provision with respect to the use of guest and club cards (Schedule 1 [8] and [9]),
- (i) to provide for the suspension (for a maximum period of 6 months) or cancellation of a person's membership if the person persistently contravenes the provisions of the By-law or engages in serious misconduct on the scheduled lands (Schedule 1 [10]),
- (j) to prescribe the offences for which penalty notices ("on-the-spot" fines) may be issued and the penalties for such offences (Schedule 1 [11] and [12]—the *Sydney Cricket and Sports Ground Act 1978* was recently amended by the *Sydney Cricket and Sports Ground Amendment Act 1997* which, among other things, provided for the issue of penalty notices for offences against the Act or the By-law).

This By-law is made under the *Sydney Cricket and Sports Ground Act 1978*, including sections 29 (the general by-law making power) and 30A (Penalty notices).

Sydney Cricket Ground and Sydney Football Stadium Amendment By-law 1997

1 Name of By-law

This By-law is the *Sydney Cricket Ground and Sydney Football Stadium Amendment By-law 1997*.

2 Commencement

This By-law commences on 1 December 1997.

3 Amendment of Sydney Cricket Ground and Sydney Football Stadium By-law 1994

The *Sydney Cricket Ground and Sydney Football Stadium By-law 1994* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this By-law.

1997 No 643

Sydney Cricket Ground and Sydney Football Stadium Amendment By-law 1997

Schedule 1 Amendments

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(Clause 3)

[1] Clause 6 Unauthorised possession of membership card or ticket of admission

Omit “1 penalty unit”.
Insert instead “10 penalty units”.

[2] Clause 11 Liquor must not be brought onto Ground

Omit clause 11 (1). Insert instead:

(1) A person must not bring or attempt to bring liquor onto any part of the Ground without the approval of the Trust.

Maximum penalty: 10 penalty units.

(1A) As an alternative to being refused entry to the Ground, or being removed from the Ground, for a contravention of this clause, a person may be required to dispose of the liquor concerned in a manner approved by the Trust or to surrender the liquor to the Trust for disposal.

[3] Clause 13 Prohibited behaviour within Ground

Omit “1 penalty unit” wherever occurring.
Insert instead “10 penalty units”.

[4] Clause 13 (2) (f1)

Insert after clause 13 (2) (f):

(f1) enter the Ground while banned under clause 15A or 15B,

[5] Clause 13A

Insert after clause 13:

13A Personal conduct within Ground

A person must not do any of the following within the Ground:

- (a) use indecent, obscene, insulting or threatening language,
- (b) behave in an offensive or indecent manner,
- (c) by disorderly conduct cause serious alarm or affront to a person,
- (d) obstruct a person in the performance of that person's work or duties,
- (e) fail to comply with a reasonable request or direction made or given by a member of the Trust, a police officer or an authorised person for the purpose of securing good order and management and enjoyment of the Ground.

Maximum penalty: 10 penalty units.

[6] Clause 15

Omit the clause. Insert instead:

15 Removal from scheduled lands

- (1) A person who contravenes a provision of this Part or section 24A (Prohibited entry to playing fields) of the Act or who trespasses or causes annoyance or inconvenience on any part of the scheduled lands may be removed from the scheduled lands or any relevant part of the scheduled lands by a member of the Trust, a police officer or an authorised person.
- (2) A member of the Trust or an authorised person acting in accordance with this clause may use such force as is reasonable in the circumstances for the purpose of discharging his or her duty under this clause.

1997 No 643

Sydney Cricket Ground and Sydney Football Stadium Amendment By-law 1997

Schedule 1 Amendments

[7] Clause 15B

Insert after clause 15A:

15B Trust may ban persons for a specified period

- (1) The Trust may ban a person from entering the Ground for such period (not exceeding 6 months) as the Trust determines if the person contravenes a provision of this By-law.
- (2) This clause does not apply to a person who is banned from entering the Ground under clause 15A.

[8] Clause 24 Guest cards

Omit clause 24 (4). Insert instead:

- (4) The holder of a guest card is entitled to admission under this clause if the holder has been nominated to the Trust as the signatory for the card by the member to whom the card was issued or transferred pursuant to an entitlement under clause 27.
- (5) The holder of a guest card who has not been so nominated for the card is entitled to admission under this clause but must, except with the approval of the Trust, be accompanied on days designated by the Trust as major match days by the member to whom the card was issued or transferred pursuant to an entitlement under clause 27.

[9] Clause 25 Club cards

Omit clause 25 (2), (3) and (4). Insert instead:

- (2) A regular member's club card entitles the holder, on production of the card, to admission to such parts of the Members' Reserve of the Sydney Cricket Ground, and to such other parts of the scheduled lands, as the Trust determines.

- (3) A gold member's club card entitles the holder, on production of the card, to admission to such parts of the Members' Reserve of the Sydney Cricket Ground and of the Sydney Football Stadium, and to such other parts of the scheduled lands, as the Trust determines.
- (4) The holder of a club card is entitled to admission under this clause only on days designated by the Trust as minor match days and must, except with the approval of the Trust, be accompanied by the member to whom the card was issued or transferred pursuant to an entitlement under clause 27.

[10] Clause 35A

Insert after clause 35:

35A Suspension or cancellation of membership for misbehaviour

- (1) An allegation may be made by any person to the Trust that a member has:
 - (a) persistently contravened the provisions of this By-law, or
 - (b) engaged in serious misconduct on the scheduled lands.
- (2) The Trust may dismiss any such allegation, or it may decide that the allegation is to be heard and determined by a Disciplinary Committee of the Trust. A Disciplinary Committee is to consist of at least 3, but not more than 5, Trust members.
- (3) If the Trust decides that the allegation is to be heard and determined by a Disciplinary Committee, the Trust must give the member against whom the allegation is made written notice of the allegation at least 14 days before the date set for the meeting to hear and determine the matter. The member is to be given the opportunity to make submissions at the meeting.

1997 No 643

Sydney Cricket Ground and Sydney Football Stadium Amendment By-law 1997

Schedule 1 Amendments

(4) The Disciplinary Committee may, if it finds the allegation against the member to be proven:

- (a) suspend the person's membership for a period not exceeding 6 months, or
- (b) cancel the person's membership.

The decision of the Committee takes effect immediately or at such later date as may be specified.

(5) If a person's membership is suspended under this clause, the person ceases to be a member for the duration of the suspension. However the requirement to pay the annual subscription fee or other fee that is otherwise payable as a member continues to apply in respect of the suspension period.

(6) If a person's membership is cancelled under this clause:

- (a) the person's name is to be removed from the roll of members, and
- (b) the person is not to be re-instated as a member except by resolution of the Trust and except on such terms and conditions as the Trust determines.

(7) If a person's gold membership is cancelled under this clause, the Trust is to refund to the person such proportion of the entrance fee paid in respect of the gold membership as the Trust determines.

(8) This clause applies in respect of a corporate membership if the allegation concerned is made against a person who holds the corporate member's membership card with the authority of the corporate member.

(9) This clause has effect despite any other provision of this By-law.

[11] Clauses 39A and 39B

Insert before clause 40:

39A Penalty notices: section 30A

For the purposes of section 30A of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 1 is prescribed as a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 3 of that Schedule.

39B Short description of offences

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 1 is:
 - (a) the expression specified in Column 2 of that Schedule, or
 - (b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.
- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 1, the prescribed expression for the offence is taken to relate to the offence created by the provision as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used, and any such document continues to have effect as if that expression had not been amended or repealed.
- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

[12] Schedule 1

Insert after Part 5:

Schedule 1 Penalty notice offences

(Clauses 39A and 39B)

Column 1	Column 2	Column 3
Clause 6	unauthorised possession of membership card/ticket of admission	\$75
Clause 13 (1)	bring/attempt to bring liquor onto Ground	\$110
Clause 13 (1) (a)	enter area/building not open to public	\$75
Clause 13 (1) (b)	make address/conduct/hold meeting/match/musical performance/amusement	\$100
Clause 13 (1) (c)	sell/offer for sale/distribute article/thing	\$110
Clause 13 (1) (d)	commercial use of television/film photographic equipment	\$100
Clause 13 (1) (e)	camp/permanently reside within Ground	\$75
Clause 13 (1) (f)	deliberately damage lawn/playing field green	\$75
Clause 13 (1) (g)	damage/pick/remove tree/shrub/plant/vine/flower/vegetation	\$75
Clause 13 (1) (h)	remove/disturb rock/soil/sand/stone/substance	\$75
Clause 13 (1) (i)	light fire	\$75
Clause 13 (1) (j)	affix bill/poster on tree/building/fence/seat/table/enclosure/structure	\$50
Clause 13 (1) (k)	distribute bill/poster	\$100
Clause 13 (1) (l)	climb tree/building/climb/jump fence/seat/table/enclosure/structure	\$75
Clause 13 (1) (m)	have custody/control of animal within Ground	\$50
Clause 13 (1) (n)	erect house/booth/bar/shed/stall/structure within Ground	\$75
Clause 13 (1) (o)	contravene condition of entry	\$75

1997 No 643

Sydney Cricket Ground and Sydney Football Stadium Amendment By-law 1997

Amendments

Schedule 1

Column 1	Column 2	Column 3
Clause 13 (2) (a)	leave rubbish/litter within Ground	\$50
Clause 13 (2) (b)	break/damage/deface/obliterate/cover structure/machinery/equipment/sign/descriptive plate/label	\$75
Clause 13 (2) (c)	obstruct employee/contractor	\$100
Clause 13 (2) (d)	throw/project stone/missile	\$110
Clause 13 (2) (e)	do/say anything to hinder/interfere with match/game/sport/event	\$110
Clause 13 (2) (f)	not comply with request to leave Ground	\$110
Clause 13 (2) (g)	drive/ride/act contrary to sign	\$75
Clause 13A (a)	use indecent/obscene/insulting/threatening language	\$110
Clause 13A (b)	behave in offensive/indecent manner	\$110
Clause 13A (c)	disorderly conduct causing serious alarm/affront	\$110
Clause 13A (d)	obstruct person working	\$110
Clause 13A (e)	not comply with request/direction of Trust member/police officer/authorised person	\$110