



New South Wales

Sydney Cricket and Sports Ground Amendment Act 1997 No 93

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Sydney Cricket and Sports Ground Act 1978 No 72	2
4 Amendment of Justices Act 1902 No 27	2
5 Amendment of Sydney Cricket Ground and Sydney Football Stadium By-law 1994	2

Schedules

1 Amendment of Sydney Cricket and Sports Ground Act 1978	3
2 Amendment of Justices Act 1902	6
3 Amendment of Sydney Cricket Ground and Sydney Football Stadium By-law 1994	7



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Sydney Cricket and Sports Ground Amendment Act 1997 No 93

Act No 93, 1997

An Act to amend the *Sydney Cricket and Sports Ground Act 1978* to increase penalties for offences and to provide for the issue of penalty notices; to amend the *Justices Act 1902*; and for other purposes. [Assented to 4 November 1997]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Sydney Cricket and Sports Ground Amendment Act 1997*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Sydney Cricket and Sports Ground Act 1978 No 72

The *Sydney Cricket and Sports Ground Act 1978* is amended as set out in Schedule 1.

4 Amendment of Justices Act 1902 No 27

The *Justices Act 1902* is amended as set out in Schedule 2.

5 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 3.

Schedule 1 Amendment of Sydney Cricket and Sports Ground Act 1978

(Section 3)

[1] Section 24A

Insert before section 25:

24A Prohibited entry to playing fields

- (1) A person must not enter or remain on a playing field within the Ground unless the person:
- (a) is participating in a cricket match, football match, game, sport or event held with the permission of the Trust, or
 - (b) is engaged in the control or management of any such cricket match, football match, game, sport or event, or
 - (c) has, or is a member of a class of persons that has, been given permission by the Trust to go on the playing field.

Maximum penalty: 50 penalty units.

- (2) In this section, *the Ground* means such parts of the scheduled lands as are vested or dedicated from time to time pursuant to Part 3, and includes the land commonly known as the Sydney Cricket Ground and the Sydney Football Stadium.

[2] Section 29 By-laws

Omit “1 penalty unit” from section 29 (3).
Insert instead “10 penalty units”.

[3] Section 29 (4)

Insert “, and any amount paid under section 30A (Penalty notices) as the penalty prescribed under that section for an alleged offence,” after “by-law”.

[4] Section 30A

Insert after section 30:

30A Penalty notices

- (1) An authorised officer may serve a penalty notice on a person if it appears to the officer that the person has committed an offence against this Act or the by-laws, being an offence prescribed by the by-laws as a penalty notice offence.
- (2) A penalty notice is a notice to the effect that, if the person served does not wish to have the matter determined by a court, the person may pay, within the time and to the person specified in the notice, the amount of penalty prescribed by the by-laws for the offence if dealt with under this section.
- (3) A penalty notice may be served personally or by post.
- (4) If the amount of penalty prescribed for an alleged offence is paid under this section, no person is liable to any further proceedings for the alleged offence.
- (5) Payment under this section is not to be regarded as an admission of liability for the purpose of, and does not in any way affect or prejudice, any civil claim, action or proceeding arising out of the same occurrence.
- (6) The by-laws may:
 - (a) prescribe an offence for the purposes of this section by specifying the offence or by referring to the provision creating the offence, and
 - (b) prescribe the amount of penalty payable for the offence if dealt with under this section, and
 - (c) prescribe different amounts of penalties for different offences or classes of offences.
- (7) The amount of a penalty prescribed under this section for an offence is not to exceed the maximum amount of penalty that could be imposed for the offence by a court.

- (8) This section does not limit the operation of any other provision of, or made under, this or any other Act relating to proceedings that may be taken in respect of offences.
- (9) In this section, *authorised officer* means a person authorised by the Trust for the purposes of this section, a police officer or any other person of a class prescribed by the by-laws.

Schedule 2 Amendment of Justices Act 1902

(Section 4)

Section 100I interpretation

Insert in alphabetical order in paragraph (a) of the definition of *penalty notice* in section 100I (

Sydney Cricket and Sports Ground Act 1978, section 30A,

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

(Section 5)

[1] Clause 14 Prohibited entry to playing fields

Omit the clause.

[2] Clause 15 Removal from ground

Insert “or section 24A (Prohibited entry to playing fields) of the Act” after “this Part” in clause 15 (1).

[3] Clause 15A Banning from ground

Omit “clause 14” wherever occurring.
Insert instead “section 24A of the Act”.

[4] Clause 15A (4)

Insert after clause 15A (3):

- (4) A person who has been removed under this Part as a result of contravening clause 14 (as in force before the commencement of section 24A of the Act) is for the purposes of this clause taken to have been so removed as a result of contravening that section.

[Minister’s second reading speech made in—
Legislative Assembly on 18 September 1997
Legislative Council on 21 October 1997]