

1994—No. 453

**SYDNEY CRICKET AND SPORTS GROUND ACT 1978—
BY-LAW**

(Sydney Cricket Ground and Sydney Football Stadium By-law 1994)

NEW SOUTH WALES



[Published in Gazette No. 108 of 26 August 1994]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Sydney Cricket and Sports Ground Act 1978, has been pleased to make the By-law set forth hereunder.

C. J. Downy
Minister for Sport, Recreation and Racing.

PART 1—PRELIMINARY

Citation

1. This By-law may be cited as the Sydney Cricket Ground and Sydney Football Stadium By-law 1994.

Commencement

2. This By-law commences on 1 September 1994.

Definitions

3. In this By-law:

“**authorised person**” means a person authorised by the Trust to exercise the function in relation to which the expression is used;

“**club card**” means a regular member’s club card or a gold member’s club card;

“Ground” means such parts of the scheduled lands as are vested or dedicated from time to time pursuant to Part 3 of the Act, and includes the land commonly known as the Sydney Cricket Ground and the Sydney Football Stadium;

“guest card” means a regular member’s guest card or a gold member’s guest card;

“liquor” means liquor within the meaning of the Liquor Act 1982;

“member” means a member of the Sydney Cricket Ground, and includes a member of both the Sydney Cricket Ground and the Sydney Football Stadium;

“Members’ Pavilion” means that part of the Members’ Reserve of the Sydney Cricket Ground known as the Members’ Pavilion;

“membership card” means a membership card duly issued by the Trust;

“scheduled lands” means the land described in Schedule 2 to the Act;

“the Act” means the Sydney Cricket and Sports Ground Act 1978;

“ticket of admission” means a ticket of admission or a guest or club card duly issued by the Trust;

“Trust” means the Sydney Cricket and Sports Ground Trust.

PART 2—GENERAL

Entry to Ground

4. (1) A person must not, except with the approval of the Trust, enter any part of the Ground (including any grandstands or buildings on the Ground) unless the person:

- (a) pays the admission fee (determined by the Trust) for entrance to that part of the Ground; or
- (b) is in lawful possession of a current membership card authorising entry to that part of the Ground and produces it for inspection on demand made by a member of the Trust or an authorised person; or
- (c) is in lawful possession of a ticket of admission authorising entry to that part of the Ground and produces it for inspection on demand made by a member of the Trust or an authorised person.

(2) The Trust may set aside any part of any grandstand for reserved seats and charge an extra admission fee for those seats.

(3) A person who enters any part of the Ground (whether or not on payment of an admission fee), enters that part of the Ground subject to

any conditions of entry determined by the Trust which are exhibited on signs at or near the entrance to that part of the Ground.

(4) A person may be refused entry to any part of the Ground by the Trust, an authorised person or a police officer.

Entry to Members' Reserve

5. A person must not enter the Members' Reserve of the Sydney Cricket Ground or of the Sydney Football Stadium unless the person is in lawful possession of a current membership card or ticket of admission authorising entry to the Reserve and produces it for inspection on demand made by a member of the Trust or an authorised person.

Unauthorised possession of membership card or ticket of admission

6. A person who is in possession of any membership card or ticket of admission to which the person is not entitled must, on demand made by the Trust or an authorised person, surrender the card or ticket to the Trust or authorised person.

Maximum penalty: 1 penalty unit.

Use of membership card by non-member

7. (1) If proof is given to the satisfaction of the Trust that any member has allowed his or her membership card to be used by another person for the purpose of obtaining admission to the Ground, then:

- (a) if the membership card is in the possession of the Trust—the Trust may retain it; and
- (b) the person to whom the membership card was issued forfeits all claims and rights to the card and ceases to be a member; and
- (c) the person's name is to be removed from the roll of members.

(2) The Trust may re-issue the membership card and re-instate the former member on such terms and conditions as the Trust determines.

(3) This clause does not apply to corporate members.

Membership cards and tickets to be produced for inspection

8. (1) A person who is within any part of the Ground must, on demand made by a member of the Trust or an authorised person, produce for inspection a current membership card or ticket of admission entitling the person to be within that part of the Ground.

(2) If the person does not produce the membership card or ticket of admission, or satisfy the member of the Trust or authorised person that it has been lost, the person may be ordered to leave the Ground or the part of the Ground concerned.

(3) A person who fails to comply with an order under subclause (2) may be removed from the Ground or part of the Ground concerned by a member of the Trust or an authorised person.

(4) Every member must comply with any reasonable requirement made by the Trust or an authorised person for the purpose of establishing the identity of the holder of membership card.

Admission of vehicles

9. The Trust may authorise the admission to the Ground of any vehicle and the driver or controller of the vehicle, on any terms and conditions (including payment of a fee) determined by the Trust.

Directions relating to booths, bars, stalls and stands

10. A person who rents or has a booth, bar, stall or stand on the Ground must comply with any reasonable direction of the Trust, or an authorised person, with respect to that booth, bar, stall or stand.

Liquor must not be brought onto the Ground

11. (1) A person must not, without the approval of the Trust, bring liquor onto any part of the Ground.

(2) This clause does not apply to a person who holds an entitlement to sell liquor on a part of the Ground set aside for that purpose.

Sale or supply of liquor to minors

12. A person must not sell or supply liquor within the Ground to any person under the age of 18 years.

Prohibited behaviour within the Ground

13. (1) A person must not do any of the following within the Ground, except with the approval of the Trust or an authorised person:

- (a) enter any area or building not open to the public;
- (b) make an address or conduct or hold a meeting, match or musical performance or an amusement;

- (c) sell, offer for sale or distribute an article or thing;
- (d) have or operate television, cinematographic or photographic equipment for commercial purposes;
- (e) camp or permanently reside;
- (f) deliberately damage any lawn, playing field or green (except in the course of, and as a normal incident of, a sporting event or training for such an event);
- (g) damage, pick or remove any tree, shrub, plant, vine, flower or other vegetation;
- (h) remove or disturb any rock, soil, sand, stone or similar substance;
- (i) light any fire (except for the purpose of smoking);
- (j) affix any bill or poster on any tree or on any building, fence, seat, table, enclosure or other structure;
- (k) distribute any bill or poster;
- (l) climb in any tree or on any building, or climb or jump over any fence, seat, table, enclosure or other structure;
- (m) have any animal in the person's custody or under the person's control unless the animal is to be or is being exhibited in a show or display;
- (n) erect any house, booth, bar, shed, stall or other structure;
- (o) contravene any condition to which the person's entry was subject.

Maximum penalty: 1 penalty unit.

- (2)** A person must not do any of the following within the Ground:
- (a) leave any rubbish or litter, except in receptacles provided for that purpose;
 - (b) break, damage, deface, obliterate or cover any structure, machinery, equipment, sign, descriptive plate or label;
 - (c) obstruct any employee of or contractor to the Trust in the performance of the employee's or contractor's work;
 - (d) throw or project any stone or other missile (except at a side show or ring display authorised by the Trust or in the course of, and as a normal incident of, a sporting event or training for such a sporting event);
 - (e) do or say anything intending to hinder or interfere with the proper progress or conduct of any cricket or other match, game, sport or event;
 - (f) remain on any part of the Ground after having been requested to leave it by a member of the Trust or an authorised person;

- (g) drive, ride or act contrary to any sign erected by the Trust that regulates the parking, traffic flow and movement of vehicles or animals.

Maximum penalty: 1 penalty unit.

Prohibited entry to playing fields

14. 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: 1 penalty unit.

Removal from Ground

15. (1) A person who contravenes a provision of this Part or who trespasses or causes annoyance or inconvenience on any part of the Ground may be removed from the Ground or the relevant part of the Ground 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.

PART 3—MEMBERSHIP

Admission to membership

16. (1) The Trust may admit any person or organisation (including any body corporate or partnership) as a member.

(2) The Trust may require that a person or organisation be nominated as a member by 2 members (other than honorary members) before being admitted to a particular class of membership.

(3) A person or organisation admitted as a member is, on payment of the fees required under this By-law, entitled to be issued with a membership card.

Classes of membership

17. (1) There are to be the following classes of membership:

- (a) regular membership;
- (b) gold membership;
- (c) corporate membership;
- (d) junior regular membership;
- (e) junior gold membership;
- (f) honorary membership.

(2) The Trust may determine the maximum number of members who may belong to any class of membership.

Regular membership

18. (1) A regular member is entitled to the privileges for the time being attached to regular membership under this By-law or as determined by the Trust.

(2) A regular member is entitled to be admitted to the Members' Reserve of the Sydney Cricket Ground and to such other parts of the scheduled lands as the Trust determines.

(3) A regular member (other than a junior regular member) is entitled, on payment of the fee determined by the Trust, to be issued with 1 regular member's guest card and 2 regular member's club cards.

(4) A regular member who was admitted to membership of the Sydney Cricket Ground before 1 October 1932 is entitled, on payment of the fee determined by the Trust, to 2 regular member's guest cards and 2 regular member's club cards.

Gold membership

19. (1) A gold member is entitled to the privileges for the time being attached to gold membership under this By-law or as determined by the Trust.

(2) A gold member is entitled to be admitted to the Members' Reserve of the Sydney Cricket Ground, the Members' Reserve of the Sydney Football Stadium and to such other parts of the scheduled lands as the Trust determines.

(3) The Trust may, on payment of the fee determined by the Trust, issue to a gold member (other than a junior gold member) 1 gold member's guest card and 2 gold member's club cards.

(4) A person is not entitled to be issued with a gold member's guest card or club cards unless the person is a gold member.

Corporate membership

20. (1) A corporate member is entitled to the privileges for the time being attached to corporate membership under this By-law or as determined by the Trust.

(2) A person who, with the authority of the corporate member, holds the corporate member's membership card, is entitled to be admitted to the Members' Reserve of the Sydney Cricket Ground, the Members' Reserve of the Sydney Football Stadium and to such other parts of the scheduled lands as the Trust determines.

(3) An organisation may, with the written approval of the Trust, assign its corporate membership to another organisation.

Junior regular membership

21. (1) Any person over the age of 10 years but under the age of 18 years may be admitted as a junior regular member by the Trust.

(2) A junior regular member is entitled to the privileges for the time being attached to junior regular membership under this By-law or as determined by the Trust.

(3) A junior regular member is entitled to be admitted to the Members' Reserve of the Sydney Cricket Ground.

(4) A junior regular member is not entitled to be issued with guest or club cards.

(5) An application for junior regular membership must be accompanied by proof to the satisfaction of the Trust that the applicant is over the age of 10 years and under the age of 18 years.

(6) A junior regular member may, on attaining the age of 18 years, apply to be admitted to regular or gold membership.

(7) The Trust may grant the application, on payment of:

- (a) a fee representing the difference between the entrance fee payable by a junior regular member and that payable by a regular or gold member; and
- (b) the appropriate annual subscription fee payable by a regular or gold member.

Junior gold membership

22. (1) Any person under the age of 18 years may be admitted as a junior gold member by the Trust.

(2) A junior gold member is entitled to the privileges for the time being attached to junior gold membership under this By-law or as determined by the Trust.

(3) A junior gold member is entitled to be admitted to the Members' Reserve of the Sydney Cricket Ground, the Members' Reserve of the Sydney Football Stadium and to such other parts of the scheduled lands as the Trust determines.

(4) A junior gold member is not entitled to be issued with guest or club cards, except with the approval of the Trust and on payment of any fee determined by the Trust.

(5) An application for junior gold membership must be accompanied by proof to the satisfaction of the Trust that the applicant is under the age of 18 years.

(6) A junior gold member may, on attaining the age of 18 years, apply for gold membership and is entitled (on payment of any fee determined by the Trust) to be admitted to gold membership.

Honorary membership

23. (1) The Trust may admit any person holding an official position, any distinguished person or any other person approved by the Trust as an honorary member for a period not exceeding 12 months.

(2) An honorary member is not required to pay an entrance fee or annual subscription fee.

(3) The Trust may renew any honorary membership for a further period not exceeding 12 months.

(4) An honorary member is entitled to the privileges for the time being attached to honorary membership under this By-law or as determined by the Trust.

Guest cards

24. (1) The Trust may issue guest cards to regular members and gold members.

(2) A regular member's guest card entitles the holder, on production of the card, to admission to 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 guest card entitles the holder, on production of the card, to admission to 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 guest card who is a male of the age of 18 years or over 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, to be entitled to admission under this clause.

Club cards

25. (1) The Trust may issue club cards to regular members and gold members.

(2) A regular member's club card entitles the holder, on production of the card:

- (a) 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; and
- (b) to be so admitted at such times or during such fixtures as the Trust determines.

(3) A gold member's club card entitles the holder, on production of the card:

- (a) 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; and
- (b) to be so admitted at such times or during such fixtures as the Trust determines.

(4) The holder of a club card 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, to be entitled to admission under this clause.

Transfer of regular membership to spouse on death of member

26. (1) The spouse of a deceased regular member may apply to the Trust to be admitted as a regular member.

(2) The application is to be in writing and must be made within 12 months after the death of the regular member.

(3) The Trust may grant the application and may waive the payment of the entrance fee.

Entitlement to gold membership on death of certain members

27. (1) This clause applies if a gold member or junior gold member dies and that member:

- (a) was admitted to gold membership before 30 August 1991; and
- (b) was not admitted to that membership pursuant to an entitlement under this clause.

(2) If the deceased member did not hold qualifying guest and club cards and left a will, the person entitled to be admitted to gold membership is:

- (a) the person specifically nominated in the will as being entitled to the membership; or
- (b) if there is a single beneficiary under the will and paragraph (a) does not apply—that beneficiary; or
- (c) if there are 2 or more beneficiaries under the will and paragraph (a) does not apply—the beneficiary nominated by the deceased member's legal personal representative.

(3) If the deceased member held qualifying guest and club cards and left a will, the following applies:

- (a) if the will specifically nominates a person as being entitled to the membership and the guest and club cards—that person is entitled to be admitted to gold membership and to a transfer of the cards;
- (b) if the will specifically nominates one person as being entitled to the membership and another person as being entitled to gold membership (by virtue of the deceased member holding guest and club cards)—both persons are entitled to be admitted to gold membership;
- (c) if there is a single beneficiary under the will and paragraphs (a) and (b) do not apply—that beneficiary is entitled to be admitted to gold membership and to a transfer of the cards;
- (d) if there are 2 or more beneficiaries under the will and paragraphs (a) and (b) do not apply—the legal personal representative of the deceased member may nominate:
 - (i) 1 beneficiary, who is entitled to be admitted to gold membership and to a transfer of the cards; or
 - (ii) 2 beneficiaries, both of whom are entitled to be admitted to gold membership.

(4) If the deceased member did not leave a will, the spouse of the deceased member (if any) is entitled to be admitted to gold membership and to a transfer of any qualifying cards.

(5) For the purposes of this clause, a “qualifying card” is a guest or club card issued before 30 August 1991 which has never been transferred pursuant to an entitlement under this clause.

Application for admission to gold membership or junior gold membership or transfer of cards on death of member

28. (1) A person claiming an entitlement to gold membership, or to a transfer of a gold member’s guest and club cards, under clause 27 must lodge a claim in writing to the Trust within 12 months after the death of the member concerned.

(2) The Trust must, on receipt of the claim and on production of such evidence of entitlement as the Trust may require, admit the claimant to gold membership or junior gold membership (if the claimant is under 18 years of age) and transfer to the claimant any cards included in the claim.

(3) If the claimant is under 18 years of age, the Trust may decline to transfer to the claimant any guest or club cards included in the claim.

(4) A person who, after the death of a member, is admitted to gold membership or junior gold membership, or receives a transfer of guest or club cards, under this clause is not required to pay any entrance fee in respect of that membership or those cards or any annual subscription fee for a membership year if the annual subscription fee for that membership year was paid by the deceased member.

Transfer between classes of membership

29. (1) A member may apply in writing to the Trust before 1 October in any year for a transfer from one class of membership to another.

(2) The application must be accompanied by the annual subscription fee payable in respect of the membership to which the member seeks to be transferred together with any entrance fee payable in respect of that class of membership.

(3) The Trust may credit, against the entrance fee paid in respect of the class of membership to which the member seeks to be transferred, the amount of the entrance fee paid in respect of the class of membership from which the member is seeking a transfer.

(4) The Trust may grant or refuse the application.

Surrender of gold membership or junior gold membership

30. (1) A gold member or junior gold member may apply in writing to the Trust for the acceptance by the Trust of a surrender:

- (a) of the membership and guest and club cards held by the member;
or
- (b) of the guest and club cards held by the member; or
- (c) if the member has no guest or club cards—of the membership.

(2) If the Trust accepts the surrender of a gold membership, a junior gold membership or a gold member's or junior gold member's guest and club cards, the Trust may credit to the member the sum which the Trust determines, and the Minister approves, for the time being as the sum payable generally in respect of such a surrender.

(3) The sum credited may be substantially different from the entrance fee paid in respect of the membership or the cards, or payable at the time of the surrender in respect of similar memberships or cards.

(4) The Trust must pay to the member the sum credited, less any amount owing to the Trust by the member (such as any annual fee due but not paid).

(5) A person whose gold membership or junior gold membership lapses under clause 38 and is not restored, cannot surrender that membership and is not entitled to any credit in respect of it.

Reciprocal arrangements

31. (1) The Trust may enter into reciprocal arrangements with clubs, associations, grounds or other bodies, whether within Australia or elsewhere, under which:

- (a) members will be provided with membership or entry privileges in relation to the relevant club, association, ground or other body;
and
- (b) members of the relevant club, association, ground or other body will be provided with membership or entry privileges in relation to the Ground.

(2) A person who resides in New South Wales is not entitled to membership or entry privileges under this clause.

Lost membership cards

32. (1) A member who loses a membership card, guest or club card may apply in writing to the Trust for a replacement card.

(2) The application is to be accompanied by a statutory declaration explaining how the card was lost.

(3) The Trust may, on receipt of the application and on payment of the fee (if any) determined by the Trust to be payable for the replacement of a card, issue a duplicate card to the member.

Parts of Ground available to members

33. (1) A person is not, by virtue of being a member or the holder of a guest or club card, entitled to enter any part of the Ground set aside for the public.

(2) The Trust may from time to time vary the boundaries of the Members' Reserve of the Sydney Cricket Ground and of the Sydney Football Stadium.

Entry to Members' Pavilion

34. A person under the age of 18 years (including a junior gold member or junior regular member) must not, except with the approval of the Trust, enter the Members' Pavilion.

Trust may vary or waive membership requirements

35. The Trust may vary or waive any membership requirement or fee payable in respect of membership generally or in respect of a particular class of membership for such reasons as appear to the Trust to be appropriate in the circumstances.

PART 4—MEMBERSHIP FEES

Fees determined by the Trust

36. (1) The Trust may determine the amount of any entrance fee, annual subscription fee or other fee payable in respect of any class of membership.

(2) The Trust is to ensure a list of those fees is published from time to time and made available to members.

New members to pay fees within certain period

37. (1) A new member must pay the entrance fee and annual subscription fee within 14 days after admission to membership, or the admission is void.

(2) Subclause (1) does not apply if the delay in payment of the fee is justified to the satisfaction of the Trust.

Payment of annual subscription fee

38. (1) A membership year is a year commencing on 1 October.

(2) The annual subscription fee for each membership year in respect of each class of membership is payable in advance on or before 1 October.

(3) A member is not entitled to exercise any of the privileges of membership during a membership year unless the member has paid the annual subscription fee for the relevant year.

(4) Gold membership or junior gold membership lapses if any membership fee has not been paid before 30 November in the year that falls 3 years after the payment. became due.

(5) Any other membership lapses if any membership fee has not been made before 30 November in the year in which the payment became due.

(6) If membership has lapsed through non-payment of the annual Subscription fee, the Trust may, if satisfied the delay in payment was justified, restore the person concerned to membership on such conditions as the Trust determines.

Absentee list

39. (1) Any member who is or will be absent from New South Wales for the whole of the year for which an annual subscription fee is payable may, on application in writing to the Trust, be placed on a list called the "Absentee List" for a period not exceeding 3 years.

(2) While the member is absent and remains on the Absentee List he or she is exempt from payment of an annual subscription fee.

(3) The member must, within one month after returning to New South Wales, pay the annual subscription fee for the current year, otherwise membership lapses.

(4) This clause does not apply to corporate members.

PART 3—MISCELLANEOUS

Repeal

40. (1) The Sydney Cricket Ground and Sydney Football Stadium By-law 1986 is repealed.

(2) Any act, matter or thing that, immediately before the repeal of the repealed By-law, had effect under that By-law is taken to have effect under this By-law.

Transfer of membership or cards under repealed By-law

41. (1) A person who was admitted to gold membership or junior gold membership under clause 27 of the repealed By-law is taken to have been admitted to membership pursuant to an entitlement under clause 27 of this By-law.

(2) A guest or club card which was transferred under clause 27 of the repealed By-law is taken to have been transferred pursuant to an entitlement under clause 27 of this By-law.

(3) In this clause, “repealed By-law” means the Sydney Cricket Ground and Sydney Football Stadium By-law 1986, as in force immediately before its repeal.

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EXPLANATORY NOTE

The object of this By-law is to repeal and remake, with minor changes only, the provisions of the Sydney Cricket Ground and Sydney Football Stadium By-law 1986 under the Sydney Cricket and Sports Ground Act 1978.

The By-law sets out:

- the general conditions of entry to the Sydney Cricket Ground and the Sydney Football Stadium, including behaviour which is prohibited and other behaviour which justifies a person being removed from the Ground
- the types of membership which can be granted by the Sydney Cricket and Sports Ground Trust, the conditions and entitlements relating to membership and provisions relating to the transfer of membership
- provisions relating to the determination of membership fees by the Trust and the payment of those fees.

This By-law is made under section 29 (the general By-law making power) of the Sydney Cricket and Sports Ground Act 1978.

This By-law is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989.
