



New South Wales

Motor Racing (Sydney and Newcastle) Amendment (Newcastle 500) Regulation 2018

under the

Motor Racing (Sydney and Newcastle) Act 2008

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Racing (Sydney and Newcastle) Act 2008*.

ADAM MARSHALL, MP
Minister for Tourism and Major Events

Explanatory note

The object of this Regulation is to further provide for the conduct of the Newcastle 500 motor race, including by:

- (a) providing that Destination NSW, the race promoter and security officers appointed by the race promoter may exercise certain enforcement functions currently exercised by police officers and authorised persons appointed by Destination NSW, including functions relating to ticketing, search powers, crowd and vehicle management and the giving of directions to persons at the event, and
- (b) enabling the race promoter to appoint security officers who hold a licence under the *Security Industry Act 1997* to exercise certain functions at the event, and
- (c) enabling Destination NSW and the race promoter to designate official traffic controllers to regulate vehicles at the event, and
- (d) prohibiting a person from displaying any advertising on the person's clothing during the event.

This Regulation is made under the *Motor Racing (Sydney and Newcastle) Act 2008*, including section 43 (the general regulation-making power).

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Motor Racing (Sydney and Newcastle) Act 2008

1 Name of Regulation

This Regulation is the *Motor Racing (Sydney and Newcastle) Amendment (Newcastle 500) Regulation 2018*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Motor Racing (Sydney and Newcastle) Regulation 2017

[1] Clause 6 Definitions

Insert in alphabetical order in clause 6 (1):

authorised security officer means a person who is appointed by the race promoter as an authorised security officer to exercise functions under this Part and who holds a class 1 licence under the *Security Industry Act 1997* that authorises the person to exercise those functions.

official traffic controller means a person designated by Destination NSW or the race promoter as an official traffic controller for the purposes of clauses 34 and 35.

ticket collector means a person authorised by Destination NSW or the race promoter to inspect and collect tickets and inspect entry passes.

[2] Clause 6 (1), definitions of “declared racing area”, “motor racing period” and “race promoter”

Omit the definitions.

[3] Clause 6 (1), definition of “relevant authority”

Insert “, an authorised security officer” after “race promoter”.

[4] Clause 8 Permitted entry to ticketed area

Omit clause 8 (6) (not including the penalty). Insert instead:

- (6) A relevant authority may direct a person who is in a ticketed area to produce the person’s ticket for inspection by the relevant authority.
- (7) A relevant authority may direct a person who contravenes this clause to leave the ticketed area.
- (8) A person must immediately leave a ticketed area when directed to do so under subclause (7).
- (9) In this clause:
ticket includes a pass issued by or under the authority of Destination NSW or the race promoter authorising re-entry to the ticketed area after exiting the ticketed area.

[5] Clause 11 Request to undergo search as condition of entry

Omit “an authorised person” from clause 11 (1). Insert instead “a relevant authority”.

[6] Clause 13 Reserved areas and reserved seating

Omit “An authorised person” wherever occurring in clause 13 (5) and (6).

Insert instead “A relevant authority”.

[7] Clause 13 (5)

Omit “the authorised person”. Insert instead “the relevant authority”.

[8] Clause 14 Offences relating to sale and possession of tickets

Insert “or ticket collector” after “relevant authority” wherever occurring in clause 14 (2).

- [9] Clause 15 Motor racing circuit**
Insert “or directed” after “authorised” in clause 15 (3) (c).
- [10] Clause 16 Restricted areas**
Omit “if, in the opinion of Destination NSW or the race promoter, it would be unsafe to allow persons generally to enter that part of the declared racing area” from clause 16 (1).
- [11] Clause 19 Authorised person may remove persons from declared racing area**
Insert after clause 19 (3):
(4) A person who has been removed from the declared racing area or any part of the declared racing area must, on request by an authorised person, surrender the person’s ticket, entry pass or other authorisation that entitled the person to enter the declared racing area.
Maximum penalty: 10 penalty units.
- [12] Clause 21 Personal conduct**
Omit “an authorised person” wherever occurring in clause 21 (1) (1) and (2).
Insert instead “a relevant authority”.
- [13] Clause 22 Commercial and other activities**
Insert after 22 (1) (d):
(d1) display an advertisement for a product or service on any clothing worn by the person with the intention of advertising that product or service,
- [14] Clause 22 (2)**
Omit “a relevant authority”. Insert instead “an authorised person”.
- [15] Clause 22 (2)**
Omit “the relevant authority” wherever occurring. Insert instead “the authorised person”.
- [16] Clause 25 Crowd management**
Omit “authorised person” from clause 25 (1) (c) (ii). Insert instead “relevant authority”.
- [17] Clause 25 (2)**
Omit “Destination NSW or the race promoter”. Insert instead “A relevant authority”.
- [18] Clause 25 (3)**
Omit the subclause.
- [19] Clause 27 Bringing liquor into declared racing area**
Omit “an authorised person” wherever occurring in clause 27 (2).
Insert instead “a relevant authority”.
- [20] Clause 28 Drinking liquor in ticketed area**
Omit “an authorised person” from clause 28 (4). Insert instead “a relevant authority”.
- [21] Clause 34 Entry of vehicles into restricted vehicle areas**
Omit “Destination NSW or the race promoter” wherever occurring in clause 34 (1) and (2).
Insert instead “a relevant authority or official traffic controller”.

[22] Clause 34 (3) and (4)

Insert after clause 34 (2):

- (3) A person who enters a restricted vehicle area by means of a vehicle must produce the written authorisation given to the person under subclause (1) on request by a relevant authority or official traffic controller.
Maximum penalty: 10 penalty units.
- (4) Despite subclause (1), any person may drive a vehicle in, or bring a vehicle into, a restricted vehicle area during the motor racing period without written authorisation if there are no barriers or fencing in place at the entrance to the restricted vehicle area at the time of the entry. Subclause (2) does not apply to the entry.

[23] Clause 35 Parking and driving

Omit clause 35 (1). Insert instead:

- (1) The parking and driving of vehicles in any part of the declared racing area may be regulated by a relevant authority or official traffic controller by means of notices or barriers or the giving of directions.

[24] Clause 35 (3)

Insert “, an official traffic controller” after “race promoter”.