



New South Wales

Motor Sports Events Regulation 2022

under the

Motor Sports Events Act 2022

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Sports Events Act 2022*.

ALISTER HENSKENS, MP
Minister for Sport

Explanatory note

The object of this Regulation is to provide for the following matters under the *Motor Sports Events Act 2022*—

- (a) exempting motor races held on part of the Mount Panorama circuit from requiring a motor race authorisation,
- (b) prescribing certain offences as penalty notice offences,
- (c) providing for the payment of a fee and the indexing of the fee.

This Regulation is made under the *Motor Sports Events Act 2022*, and is therefore a matter not requiring a regulatory impact statement.

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Motor Sports Events Regulation 2022

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Motor Sports Events Act 2022

1 Name of Regulation

This Regulation is the *Motor Sports Events Regulation 2022*.

2 Commencement

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

3 Definitions

In this Regulation—

fee unit—see Schedule 2, section 2.

the Act means the *Motor Sports Events Act 2022*.

Note— The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

4 Authorisation not required for motor race on part of Mount Panorama race circuit

For the Act, section 5(4) a motor race on part of the Mount Panorama race circuit may be conducted without a motor race authorisation if—

- (a) a traffic management plan has been prepared in accordance with the Act, section 24, and
- (b) written approval for the holding of the race has been obtained from the Commissioner of Police under the *Road Transport Act 2013*, section 115.

Schedule 1 Penalty notice offences

1 Application of Schedule

- (1) For the Act, section 68—
 - (a) each offence created by a provision specified in this Schedule is an offence for which a penalty notice may be issued, and
 - (b) the amount payable for the penalty notice is the amount specified opposite the provision.
- (2) If the provision is qualified by words that restrict its operation to limited kinds of offences or to offences committed in limited circumstances, the penalty notice may be issued only for—
 - (a) that limited kind of offence, or
 - (b) an offence committed in those limited circumstances.

Column 1	Column 2
Provision	Penalty
Offences under the Act	
Section 10(3)—	
(a) for an individual	\$4,000
(b) for a corporation	\$8,000
Section 64(1)	\$1,100

Schedule 2 Fees

Part 1 Fee payable—the Act, s 56

Item	Type of fee	Fee (in fee units)
1	To be paid to the government coordinating agency for considering an application for a motor race authorisation for a motor race at the Mount Panorama circuit	30

Part 2 Adjustment of fee for inflation

1 Definitions

In this Part—

CPI number means the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics in the latest published series of that index.

financial year means a period of 12 months commencing on 1 July.

2 Calculation of fee unit for purposes of Regulation

- (1) For the purposes of this Regulation, a **fee unit** is—
 - (a) in the financial year 2022–23—\$100, and
 - (b) in each subsequent financial year—the amount calculated as follows—

$$100 \times \frac{A}{B}$$

where—

A is the CPI number for the March quarter in the financial year immediately preceding the financial year for which the amount is calculated.

B is the CPI number for the March quarter of 2022.

- (2) The amount of a fee unit is to be rounded to the nearest cent (and an amount of 0.5 cent is to be rounded down).
- (3) However, if the amount of a fee unit calculated for any financial year is less than the amount that applied for the previous financial year, then the amount for that previous financial year applies instead.

3 Rounding of fee amounts

The amount of a fee calculated by reference to a fee unit is to be rounded to the nearest dollar (and an amount of 50 cents is to be rounded down).

4 Notice of indexed fees

- (1) As soon as practicable after the CPI number for the March quarter is first published by the Australian Bureau of Statistics, the Secretary is required to—
 - (a) notify the Parliamentary Counsel of the amount of the fee unit for the next financial year so that notice of that amount can be published on the NSW legislation website, and
 - (b) give public notice on an appropriate government website of the actual amounts of the fees applying in each financial year resulting from the application of the amount of a fee unit calculated under this Part.

- (2) This Part operates to change an amount of a fee that is calculated by reference to a fee unit and that change is not dependent on the notification or other notice required by this section.