

# Sydney Cricket Ground and Sydney Football Stadium By-law 2004

[2004-610]



New South Wales

## Status Information

### Currency of version

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### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Does not include amendments by**
  - [Parliamentary Electorates and Elections Amendment Act 2006 No 68](#) (not commenced)
  - [Miscellaneous Acts Amendment \(Same Sex Relationships\) Act 2008 No 23](#) (not commenced)

### Authorisation

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File last modified 11 June 2008

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New South Wales

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# Sydney Cricket Ground and Sydney Football Stadium By-law 2004



New South Wales

Her 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*.

SANDRA NORI, M.P., Minister for Tourism and Sport and Recreation

## Part 1 Preliminary

### 1 Name of By-law

This By-law is the *Sydney Cricket Ground and Sydney Football Stadium By-law 2004*.

### 2 Commencement

This By-law commences on 1 September 2004.

#### Note—

This By-law consolidates the provisions of the *Sydney Cricket Ground and Sydney Football Stadium By-law 1999* and the *Sydney Cricket and Sports Ground Trust (Elections) By-law 1999*, both of which are repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definitions and notes

(1) 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 double gold member's club card.

**Ground** means such parts of the scheduled lands as are vested or dedicated from time to time under 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, a double gold member's guest card or a life 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.

**membership year** means a period of 12 months commencing on 1 October.

**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.

(2) Notes included in this By-law do not form part of this By-law.

## Part 2 General

### 4 Entry to Ground

- (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 that 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.

- (5) Despite subclause (1), a person who is banned under this Part from entering the Ground must not enter or be admitted to any part of the Ground during the period of the ban.

#### **5 Entry to Members' Reserve**

- (1) A person must not, except with the approval of the Trust, 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.
- (2) In particular, a person whose membership has been cancelled or suspended by the Trust must not enter the Members' Reserve of the Sydney Cricket Ground or of the Sydney Football Stadium unless the period of suspension has expired or the person has been reinstated as a member (as the case may be).

Maximum penalty (subclause (2)): 10 penalty units.

#### **6 Unauthorised possession of membership card or ticket of admission**

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: 10 penalty units.

#### **7 Use of membership card by non-member**

- (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) the person to whom the membership card was issued forfeits all claims and rights to the card and ceases to be a member, and
  - (b) the person's name is to be removed from the roll of members, and
  - (c) if the membership card is in the possession of the Trust—the Trust may retain it.
- (2) The Trust may re-issue the membership card and reinstate the former member on such terms and conditions as the Trust determines.
- (3) This clause does not apply to corporate members.

#### **8 Membership cards and tickets to be produced for inspection**

- (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 a membership card.

## **9 Admission of vehicles**

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.

## **10 Directions relating to booths, bars, stalls and stands**

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.

## **11 Liquor must not be brought onto Ground**

- (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.

- (2) 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) 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.

## **12 Prohibited behaviour within Ground**

- (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 any service, 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: 10 penalty units.

- (2) A person must not do any of the following within the Ground:
- (a) smoke in any part of the Ground other than a part that is designated, by means of signs erected by the Trust, as a part in which smoking is permitted,
  - (b) consume alcohol in any part of the Ground contrary to any sign erected by the Trust,
  - (c) be in possession of any glass bottle or other glass container in any part of the Ground contrary to any sign erected by the Trust,
  - (d) leave any rubbish or litter, except in receptacles provided for that purpose,
  - (e) break, damage, deface, obliterate or cover any structure, machinery, equipment, sign, descriptive plate or label,

- (f) obstruct any employee of or contractor to the Trust in the performance of the employee's or contractor's work,
- (g) 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),
- (h) 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,
- (i) remain on any part of the Ground after having been requested to leave it by a member of the Trust, a police officer or an authorised person,
- (j) enter the Ground while banned under clause 17,
- (k) 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: 10 penalty units.

### **13 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.

### **14 Requirement to give name and address**

- (1) A person who commits an offence under this Part must, if requested to do so by a member of the Trust, a police officer or an authorised person, provide the member, officer or person with his or her name and address.
- (2) A person must not, in complying with subclause (1), give a name or address that is false.
- (3) A person is not guilty of an offence under this clause unless it is established that the person was warned that the contravention concerned is an offence.

Maximum penalty (subclauses (1) and (2)): 10 penalty units.

### **15 Removal from scheduled lands**

- (1) A person who contravenes any 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.

### **16 Banning from Ground**

- (1) A person who is removed from a playing field within the Ground, or from any other part of the Ground, as a result of contravening section 24A of the Act is banned from entering the Ground for a period of 12 months commencing on the day the person is so removed.
- (2) A person who is so banned from entering the Ground under subclause (1) and who is found on any part of the Ground during the period of the ban is banned from entering the Ground for life.
- (3) A person who has been banned from entering the Ground under subclause (1) and who is at any subsequent time removed from the Ground as a result of contravening section 24A of the Act is banned from entering the Ground for life.

### **17 Trust may ban persons for 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 any provision of this By-law.
- (2) This clause does not apply to a person who is banned from entering the Ground under clause 16.

## **Part 3 Membership**

### **18 Admission to membership**

- (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.

## **19 Classes of membership**

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

- (a) regular membership,
- (b) gold membership,
- (c) double gold membership,
- (d) corporate membership,
- (e) junior regular membership,
- (f) junior gold membership,
- (g) honorary membership,
- (h) life membership.

- (2) A person cannot be a member of more than one class of membership at any time.

### **Note—**

Members may apply to transfer from one class of membership to another—see clause 34.

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

## **20 Regular membership**

- (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.

## **21 Gold membership**

- (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) A gold member who has transferred to gold membership from regular membership does not retain any of the privileges of regular membership. However, such a 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.

## **22 Double gold membership**

A double gold member has the same entitlements as a gold member and, in addition, is entitled to be issued with 1 gold member's guest card and 2 gold member's club cards.

## **23 Corporate membership**

- (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.

## **24 Junior regular membership**

- (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, gold or double gold membership. 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, gold or double gold member, and
- (b) the appropriate annual subscription fee payable by a regular, gold or double gold member.

## **25 Junior gold membership**

- (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 or double gold membership and is entitled (on payment of any fee determined by the Trust) to be admitted to gold or double gold membership.

## **26 Honorary membership**

- (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.

## **27 Life membership**

- (1) The Trust may (but is not obliged to, either generally or in any particular year) admit as a life member any person nominated in accordance with this clause.
- (2) Any person or State sporting body may, on or before 1 July in any year, nominate for life membership any person who meets the criteria set out in subclause (3), including

a person who has previously been nominated but has not been admitted to life membership.

(3) Nominees must be persons who:

- (a) are Australian citizens, and
- (b) are of good standing in the community, and
- (c) have contributed substantially to the development or operation of the Sydney Cricket Ground or the Sydney Football Stadium or have, whether individually or as part of a team, either:
  - (i) represented the State during their sporting career in a sport that is staged regularly on the scheduled lands and achieved success, at the highest level of available competition, in that sport, or
  - (ii) attained an outstanding achievement in any sport, having regard to the level of international competition involved and the person's overall standing in the sport concerned, and
- (d) in the case of a person referred to in paragraph (c) (i) or (ii), retired from elite competition or attained the outstanding achievement (as the case may be) at least two years before the date of nomination.

(4) The Trust may request any relevant State sporting body to do either or both of the following:

- (a) to indicate whether or not it endorses the nomination of any particular nominee,
- (b) to indicate its order of preference of nominees in the case of two or more nominees from the same area of sport.

(5) A person who is admitted to life membership:

- (a) becomes a life member at the commencement of the membership year immediately following their nomination, and
- (b) is entitled to the privileges for the time being attached to life membership under this By-law or as determined by the Trust.

(6) A life 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.

(7) A life member is entitled to 1 life member's guest card.

## **28 Guest cards**

- (1) The Trust may issue guest cards to regular members, gold members who have transferred from regular membership, double gold members and life 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 double 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) A life 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.
- (5) 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 in accordance with this Part.
- (6) The holder of a guest card who has not been so nominated for the card is entitled to admission under this clause but must, unless the Trust otherwise approves, be accompanied on days designated by the Trust as major match days by the member to whom the card was issued or transferred in accordance with this Part.

## **29 Club cards**

- (1) The Trust may issue club cards to regular members, gold members who have transferred from regular membership and double gold members.
- (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 double 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, unless the Trust otherwise approves, be accompanied by the member to whom the card was issued or transferred in accordance with this Part.



### **30 Limitation on entitlements**

Despite the other provisions of this Part, a person is not, by virtue of being a member or the holder of a guest or club card, entitled to be admitted to any part of the scheduled lands during the staging of:

- (a) any non-sporting event (for example, a concert), or
- (b) any sporting event other than football or cricket, or
- (c) any football or cricket event of major international significance that is not staged regularly on the scheduled lands (for example, a football or cricket match staged for the purposes of a World Cup tournament).

### **31 Transfer of regular membership to spouse on death of member**

- (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.

### **32 Entitlement to gold membership, double gold membership or junior gold membership on death of certain members**

- (1) This clause applies if a gold member, double gold member or junior gold member dies and that member was not admitted to that membership:
  - (a) under an entitlement under this clause, or
  - (b) by way of a transfer under clause 35.
- (2) If the deceased member did not hold guest and club cards and left a will, the person entitled to be admitted to gold membership or junior gold membership (in accordance with the class of membership held by the deceased member) 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 guest and club cards (whether as a gold member who transferred from regular membership, as a double gold member or as a junior gold

member) and left a will, the following applies:

- (a) if the will specifically nominates a person as being entitled to the membership—that person is entitled to be admitted to gold membership as if the person were a former regular member, to double gold membership or to junior gold membership (in accordance with the class of membership held by the deceased member) 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 the 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 as if the beneficiary were a former regular member, to double gold membership or to junior gold membership (in accordance with the class of membership held by the deceased member) 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 as if the beneficiary were a former regular member, to double gold membership or to junior gold membership (in accordance with the class of membership held by the deceased member) and to a transfer of the cards, or
  - (ii) 2 beneficiaries, both of whom are entitled to be admitted to gold membership as if the beneficiaries were former regular members.
- (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, gold membership as if the spouse were a former regular member, double gold membership or junior gold membership (in accordance with the class of membership held by the deceased member) and to a transfer of any cards.
- (5) However, a person above the age of 18 years who would otherwise be entitled under this clause to be admitted to junior gold membership is entitled, instead, to be admitted to gold membership.

### **33 Application for admission to membership or transfer of cards on death of member**

- (1) A person claiming, under clause 32, an entitlement to membership consequent on the death of a member 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 the relevant class of membership (but, in the case of a claim of entitlement to junior gold membership, only if the claimant is under 18 years of age) and transfer to the claimant any cards to which the claimant is entitled under clause 32.

- (3) However, if the claimant is under 18 years of age, the Trust may decline to transfer to the claimant any guest or club cards to which the claimant is so entitled.
- (4) A person who, in consequence of the death of a member, is admitted to membership (whether with or without 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.

#### **34 Transfer between classes of membership**

- (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.

#### **35 Transfer of gold, double gold or junior gold membership to family**

- (1) A gold member, double gold member or junior gold member may apply in writing to the Trust to transfer the member's membership to a close relative of the member.
- (2) The Trust may grant the application or may decline to do so.
- (3) If the application is granted, the transfer does not take effect until the administration fee determined by the Trust in respect of the relevant category of transfer is paid.
- (4) On such a transfer, any application under clause 36 for the acceptance by the Trust of surrender of the membership (and, if applicable, of the guest and club cards held by the member) is taken to have been withdrawn.
- (5) In this clause, **close relative** means any person whom the Trust accepts as having a close relationship with the member concerned and may be a person other than a blood relative or a relative by marriage (for example, a de facto spouse or a godchild).

### **36 Surrender of gold membership, double gold membership or junior gold membership**

- (1) A gold member, double 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 does not hold any guest or club cards—of the membership.
- (2) The Trust may accept the surrender or may decline to do so.
- (3) If the Trust accepts the surrender of a membership or guest and club cards (or both) under this clause, the Trust may credit to the member the sum that the Trust determines, and the Minister approves, for the time being as the sum payable generally in respect of such a surrender.
- (4) The sum credited may be substantially different from the entrance fee paid in respect of the membership or the cards or the entrance fee payable at the time of the surrender in respect of similar memberships or cards.
- (5) 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).
- (6) A person whose membership has lapsed under Part 4 and has not been restored cannot surrender that membership and is not entitled to any credit in respect of it.

### **37 Reciprocal arrangements**

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

- (a) members may 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 may be provided with membership or entry privileges in relation to the Ground.

### **38 Lost membership cards**

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

### **39 Parts of Ground available to members**

- (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.

### **40 Entry to Members' Pavilion**

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.

### **41 Trust may vary or waive membership requirements**

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.

### **42 Suspension or cancellation of membership for misbehaviour**

- (1) An allegation may be made by any person to the Trust that a member or a member's guest:
  - (a) has contravened any provision of this By-law, or
  - (b) has persistently contravened the provisions of this By-law, or
  - (c) has engaged in serious misconduct (which may include a contravention of section 24A of the Act) on the scheduled lands.
- (2) An allegation of the type referred to in subclause (1) (a) is to be dealt with as follows:
  - (a) the Trust may dismiss any such allegation or it may decide to suspend the person's membership for a period not exceeding 6 months,
  - (b) if the Trust decides to suspend the person's membership:
    - (i) the Trust is to notify the person in writing of its decision as soon as is practicable after making its decision, and
    - (ii) on receiving such notification, the person has 7 days within which to notify the Trust in writing that the person wishes to appeal against the decision,
  - (c) the Trust is to conduct an appeal within 7 days of receiving a written notification of appeal, and in such manner as the Trust determines.
- (3) An allegation of the type referred to in subclause (1) (b) or (c) is to be dealt with as

follows:

- (a) 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 consisting of at least 3, but not more than 5, Trust members,
  - (b) if the Trust decides that the allegation is to be heard and determined by a Disciplinary Committee:
    - (i) the Trust is to 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, and
    - (ii) the member is to be given the opportunity to make submissions at the meeting,
  - (c) the Disciplinary Committee may, if it finds the allegation against the member to be proven:
    - (i) suspend the person's membership for a period not exceeding 6 months, or
    - (ii) cancel the person's membership.
- (4) A decision of the Trust or Disciplinary Committee to suspend or cancel a person's membership under this clause 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 reinstated 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, double gold or junior 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 relevant 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.

## **Part 4 Membership fees**

### **43 Fees determined by the Trust**

- (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.

### **44 New members to pay fees within certain period**

- (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.

### **45 Payment of annual subscription fee**

- (1) The annual subscription fee for each membership year in respect of each class of membership is payable in advance on or before 1 October.
- (2) 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.
- (3) Gold membership, double gold membership and junior gold membership lapses if the relevant membership fee has not been paid before 30 November in the year that falls 3 years after the payment became due.
- (4) Any other membership lapses if the relevant membership fee has not been paid before 30 November in the year in which the payment became due (unless an application for deferral of membership is pending or has been granted under this Part).
- (5) 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.
- (6) In subclause (5), **annual subscription fee** includes a fee required by clause 48 (1).

### **46 Absentee list**

- (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.

#### **47 Application for deferral of membership**

- (1) A regular member, gold member or double gold member may apply to the Trust, on the grounds of the member's financial hardship or medical condition, for deferral of the member's membership for a period of one membership year.
- (2) Any such application:
  - (a) must be made in writing no later than 30 November in the membership year to which it relates, and
  - (b) must specify the grounds on which it is made.
- (3) The Trust is to grant an application made under this clause if satisfied that the circumstances of the case warrant the deferral.
- (4) More than one application may be made under this clause.
- (5) Despite subclause (3), the Trust must not grant an application for deferral for a fourth consecutive membership year.
- (6) A member whose membership is deferred is not entitled to any of the privileges of membership during the period of the deferral.

#### **48 Deferral of membership: fees**

- (1) If a member's application for deferral of membership is granted, the member is to pay a fee equivalent to 40% (or such other percentage as the Trust may determine in respect of any particular membership year) of the annual subscription fee that would have been payable by the member had the application been refused.
- (2) If a member's application for deferral of membership is refused, the member is to pay the member's annual subscription fee.
- (3) A fee payable under this clause is to be paid within 30 days after the date on which the Trust notifies the member in writing of the granting or refusal (as the case may be) of the application for deferral of membership. If the fee is not paid by that date, the member's membership lapses.



## **Part 5 Elections of members to be appointed to the Trust**

### **49 Definitions**

In this Part:

**election** means an election, under section 6 (2) of the Act, of persons to be appointed as members of the Trust.

**member of the Sydney Cricket Ground** means a member of the Sydney Cricket Ground other than a junior member, a junior gold member or an honorary member.

### **50 Conduct of election**

An election is to be carried out in accordance with this Part.

### **51 Returning Officer**

- (1) The Trust is, by instrument in writing, to appoint a person as Returning Officer for the purposes of this Part.
- (2) The person occupying the office of Electoral Commissioner for New South Wales or his or her delegate may, if he or she consents, be appointed as Returning Officer.

### **52 Notification of polling day and invitation of nominations**

- (1) The Returning Officer, on advice from the Trust, is to notify an election by causing to be published in the Gazette and in at least 1 newspaper published and circulating generally throughout New South Wales a notification that:
  - (a) fixes the polling day for the election, and
  - (b) invites nominations from members of the Sydney Cricket Ground to fill the vacancies for elected members of the Trust, and
  - (c) fixes a time and date for the close of nominations for that election, being a date:
    - (i) at least 21 days after the date of publication of the notification, and
    - (ii) at least 30 days before the polling day for the election.
- (2) The notification of an election must be published at least 60 days before the polling day for the election to which it relates.
- (3) The Returning Officer may, by means of another notification of the same kind, fix a later time and date for the close of nominations than those fixed by a previous notification in relation to the election.

### **53 Nominations**

- (1) A nomination must be in writing and set out the following particulars:

- (a) the full name of the candidate nominated,
  - (b) the residential address of the candidate,
  - (c) the date of birth of the candidate,
  - (d) the membership card number of the candidate,
  - (e) an endorsement of that candidate's consent to his or her nomination,
  - (f) the full names, residential addresses, membership card numbers and signatures of at least 6 nominators, being members of the Sydney Cricket Ground, not including the candidate.
- (2) A candidate may withdraw his or her nomination for an election by notification in writing delivered to the Returning Officer at any time before the close of nominations for the election.
- (3) A member of the Sydney Cricket Ground may nominate not more than 2 candidates.

#### **54 Candidate information sheet**

- (1) A candidate may, at any time before the close of nominations, submit to the Returning Officer a statutory declaration in the form of the Eighth Schedule to the [Oaths Act 1900](#) that includes the matter specified in Schedule 1 and contains information intended for inclusion in a candidate information sheet.
- (2) If, by the close of nominations, there is a greater number of persons nominated as candidates than is required for election, the Returning Officer is to draw up a candidate information sheet consisting of the information in the statutory declarations submitted by candidates under subclause (1).
- (3) If the Returning Officer considers that the information contained in a candidate's statutory declaration:
  - (a) is not appropriate for inclusion in a candidate information sheet, or
  - (b) is misleading in any material particular, or
  - (c) is of a length greater than that specified in Schedule 1,the Returning Officer may, in drawing up the candidate information sheet under subclause (2), omit the information, omit or rectify the particular or reduce the length of the information, as appropriate.

#### **55 No canvassing display**

A person must not post up, exhibit or distribute on any scheduled lands any material in support of the candidature of any person at an election.

Maximum penalty: 1 penalty unit.

#### **56 Close of nominations and taking of poll**

- (1) If, after the close of nominations, there is not a greater number of persons nominated than is required for election the Returning Officer is to declare those persons duly elected.
- (2) If, after the close of nominations, the number of persons nominated is greater than the number required for election, a poll is to be taken.
- (3) If a poll is necessary, the Secretary or his or her delegate is to certify a copy of the roll of all members of the Sydney Cricket Ground and provide that copy to the Returning Officer.
- (4) The copy of the roll is to be available for inspection by members of the Sydney Cricket Ground on request.
- (5) If any candidate dies after the date for the close of nominations and before polling day the election is taken to have wholly failed and the Returning Officer is to proceed to notify a fresh election in accordance with clause 52.
- (6) If a candidate dies on polling day and the candidate:
  - (a) is not elected—the candidate’s preferences are to be distributed in the usual way, or
  - (b) is elected—the candidate who obtained the next highest number of votes is to be declared elected in place of the deceased candidate (and, if the election was for the purpose of electing 2 candidates and the deceased candidate scored the highest number of votes, the candidate who scored the third highest number of votes is to be declared elected in place of the candidate who scored the second highest number of votes).

#### **57 Ballot and issuing of ballot-papers**

- (1) If a poll is to be taken, the Returning Officer must:
  - (a) hold a ballot, in the manner prescribed for the purposes of section 82A of the *Parliamentary Electorates and Elections Act 1912*, to determine the order in which the candidates’ names are to be entered on the ballot-paper, and
  - (b) cause ballot-papers to be printed in the manner required by section 83 of the *Parliamentary Electorates and Elections Act 1912*.
- (2) The ballot-papers are to include directions as to the completing and returning of the ballot-papers. In entering the names of candidates on the ballot-papers, it is sufficient, in respect of given names after the first given name, to show initials only.

- (3) The Returning Officer must, at least 20 days before the date fixed for a poll, post to the last address known to the Returning Officer of each member of the Sydney Cricket Ground a ballot-paper printed in accordance with this clause and initialled by the Returning Officer, together with an envelope addressed to the Returning Officer.
- (4) An envelope provided under subclause (3) must contain on the rear flap spaces for the insertion of a voter's name, address, signature and membership card number.
- (5) The Returning Officer may, on written application made to the Returning Officer, and if satisfied that a ballot-paper has been lost or destroyed, supply a duplicate ballot-paper to the person to whom the lost or destroyed ballot-paper was issued.

### **58 Voting and return of ballot-papers**

- (1) A member of the Sydney Cricket Ground who has been forwarded a ballot-paper and an envelope under clause 57 and who wishes to vote may complete the ballot-paper in accordance with the directions printed on the ballot-paper and send or deliver to the Returning Officer the ballot-paper enclosed and sealed in the envelope addressed to the Returning Officer.
- (2) The voting rights of a corporate member of the Sydney Cricket Ground may be exercised by a person authorised by the corporate member to vote on its behalf. If a corporate member holds more than one corporate membership, the corporate member is entitled to one vote for each such membership held, and the voting rights attached to each vote, if they are to be exercised, are to be exercised by a different person so authorised by the corporate member.
- (3) A duly completed ballot-paper deposited in a sealed ballot-box provided for the purpose at the office of the Trust is taken to have been sent or delivered to the Returning Officer.

### **59 Inspection of envelopes**

- (1) The Returning Officer must, as soon as practicable after receiving an envelope purporting to contain a ballot-paper, examine the envelope for the purpose of deciding whether to accept or reject the envelope.
- (2) The Returning Officer must reject an envelope purporting to contain a ballot-paper issued in respect of an election if:
  - (a) the envelope does not have legibly marked on its rear flap the name, address, signature and membership card number that appear to the Returning Officer to be those of a member of the Sydney Cricket Ground, or
  - (b) the envelope is not sealed, or
  - (c) the envelope is not received by the Returning Officer at or before the time stated on ballot-papers issued in respect of the election as the time at or before which

the envelope must be so received, or

- (d) the envelope was forwarded by mail without the correct postage having been paid.

## **60 Counting of ballot-papers and appointment of scrutineer**

- (1) On the day fixed for the poll, the Returning Officer must:
  - (a) open all the envelopes received (except any envelope rejected under clause 59) and extract the ballot-papers and, without unfolding them, place the ballot-papers in a ballot-box, and
  - (b) mix the ballot-papers and draw the ballot-papers at random, and
  - (c) unfold those ballot-papers and count, in accordance with clause 61, the votes recorded on the ballot-papers.
- (2) The Returning Officer is to determine the formality or informality of a ballot-paper in accordance with the provisions of sections 122 and 122A of the *Parliamentary Electorates and Elections Act 1912*.
- (3) A ballot-paper is also informal:
  - (a) in an election for the purpose of electing 2 candidates—if it does not have votes for 2 or more candidates indicated on it, or
  - (b) in an election for the purpose of electing 1 candidate—if it does not have a vote for 1 or more candidates indicated on it.
- (4) The determination by the Returning Officer of the formality or informality of a ballot-paper or vote is final.
- (5) Each candidate may appoint, in writing, a scrutineer to represent that candidate. The scrutineer may be present during the examination, opening and counting of votes by the Returning Officer.

## **61 Multi-preferential system**

- (1) Ballot-papers are to be counted by the Returning Officer:
  - (a) in an election for the purpose of electing 2 candidates—according to a multi-preferential system in which preferences 1 and 2 are regarded as primary votes and the remaining recorded preferences are regarded as secondary votes, or
  - (b) in an election for the purpose of electing 1 candidate—according to an optional preferential system.
- (2) All preferences recorded on the ballot-papers are fully transferable.

- (3) A determination by the Returning Officer relating to the manner in which an election is to be conducted is final.

## **62 Election not invalid despite certain omissions**

An election is not invalid merely because:

- (a) a person whose name is on the roll referred to in clause 56 did not receive a ballot-paper, or
- (b) the Returning Officer did not receive a ballot-paper sent to the Returning Officer.

## **63 Advice of election result**

The Returning Officer is to advise the Secretary and the Minister of the result of the election within 7 days after the polling day.

## **Part 6 Miscellaneous**

### **64 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 2 is prescribed as a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 2 of that Schedule.

### **65 Savings**

Any act, matter or thing that, immediately before the repeal of the *Sydney Cricket Ground and Sydney Football Stadium By-law 1999* or the *Sydney Cricket and Sports Ground Trust (Elections) By-law 1999*, had effect under either of those By-laws is taken to have effect under this By-law.

## **Schedule 1 Matter to be included in statutory declaration in support of candidature for election to Sydney Cricket and Sports Ground Trust**

(Clause 54 (1))

- 1 Candidate's date of birth.
- 2 Name of candidate's employer (or, if self-employed, present position).
- 3 Trade, academic or professional qualifications held by the candidate.
- 4 Organisations of which the candidate is a member.
- 5 Offices (other than employment) held by the candidate.

6 Information relevant to the candidate's candidature *[not more than 4 type-written lines]*.

## **Schedule 2 Penalty notice offences**

(Clause 64)

<b>Column 1</b>	<b>Column 2</b>
Clause 5 (2)	\$110
Clause 6	\$110
Clause 11 (1)	\$220
Clause 12 (1) (a)	\$110
Clause 12 (1) (b)	\$160
Clause 12 (1) (c)	\$220
Clause 12 (1) (d)	\$160
Clause 12 (1) (e)	\$110
Clause 12 (1) (f)	\$110
Clause 12 (1) (g)	\$110
Clause 12 (1) (h)	\$110
Clause 12 (1) (i)	\$110
Clause 12 (1) (j)	\$110
Clause 12 (1) (k)	\$160
Clause 12 (1) (l)	\$110
Clause 12 (1) (m)	\$110
Clause 12 (1) (n)	\$110
Clause 12 (1) (o)	\$110
Clause 12 (2) (a)	\$110
Clause 12 (2) (b)	\$110
Clause 12 (2) (c)	\$110
Clause 12 (2) (d)	\$110
Clause 12 (2) (e)	\$110
Clause 12 (2) (f)	\$160
Clause 12 (2) (g)	\$220
Clause 12 (2) (h)	\$220

Clause 12 (2) (i)	\$220
Clause 12 (2) (j)	\$220
Clause 12 (2) (k)	\$110
Clause 13 (a)	\$220
Clause 13 (b)	\$220
Clause 13 (c)	\$220
Clause 13 (d)	\$220
Clause 13 (e)	\$220
Clause 14 (1)	\$220
Clause 14 (2)	\$220