

# Sydney Cricket Ground and Sydney Football Stadium By-law 2014

[2014-540]



New South Wales

## Status Information

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### Authorisation

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# Sydney Cricket Ground and Sydney Football Stadium By-law 2014



New South Wales

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# Sydney Cricket Ground and Sydney Football Stadium By-law 2014



New South Wales

## Part 1 Preliminary

### 1 Name of By-law

This By-law is the *Sydney Cricket Ground and Sydney Football Stadium By-law 2014*.

### 2 Commencement

This By-law commences on 1 September 2014 and is required to be published on the NSW legislation website.

**Note—**

This By-law replaces the *Sydney Cricket Ground and Sydney Football Stadium By-law 2009*, which is repealed on 1 September 2014 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definitions

(1) In this By-law:

**Club card** means either of the following:

- (a) a Regular Member's Club card,
- (b) a Double Gold Member's Club card.

**Guest card** means any of the following:

- (a) a Regular Member's Guest card,
- (b) a Double Gold Member's Guest card,
- (c) a Life Member's Guest card.

**liquor** has the same meaning as in the *Liquor Act 2007*.

**membership card** means a membership card duly issued by the Trust.

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

**the Act** means the *Sydney Cricket and Sports Ground Act 1978*.

**ticket of admission** means any of the following:

- (a) a ticket of admission issued by the Trust,
- (b) a Guest card issued by the Trust,
- (c) a Club card issued by the Trust.

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

## **Part 2 Entry to scheduled lands**

### **4 Trust may determine entrance charges**

- (1) The Trust may determine entrance charges for admission to any part of the scheduled lands (including any grandstand or building on those lands).
- (2) The Trust may:
  - (a) set aside any part of any grandstand on the scheduled lands for reserved seats, and
  - (b) determine an extra entrance charge for those seats.

### **5 Entry to scheduled lands**

- (1) A person must not enter any part of the scheduled lands (including any grandstand or building on those lands) unless the person:
  - (a) has paid any entrance charge determined by the Trust for entrance to that part of those lands, or
  - (b) is in lawful possession of a current membership card authorising entry to that part of those lands and produces it for inspection on demand made by a member of the Trust or a person authorised by the Trust to make such a demand, or
  - (c) is in lawful possession of a ticket of admission authorising entry to that part of those lands and produces it for inspection on demand made by a member of the Trust or a person authorised by the Trust to make such a demand, or
  - (d) has the approval of the Trust.

Maximum penalty: 10 penalty units.

- (2) A person who enters any part of the scheduled lands (whether or not on payment of an entrance charge), enters that part of those lands subject to any conditions of entry determined by the Trust that are exhibited on signs at or near the entrance to that part of those lands.



## **6 Persons may be refused entry**

- (1) A person may be refused entry to any part of the scheduled lands by:
  - (a) the Trust, or
  - (b) a person authorised by the Trust to refuse entry, or
  - (c) a police officer.
- (2) A person must not enter or remain on any part of the scheduled lands after having been refused entry under this clause.

Maximum penalty: 10 penalty units.

## **7 Trust may determine that area or building not open to public**

- (1) The Trust may determine that an area or building on the scheduled lands is not open to the public.
- (2) A person must not enter any such area or building, except with the approval of the Trust or of a person authorised by the Trust to give such approval.

Maximum penalty: 10 penalty units.

## **8 Entry to Members' Reserve**

- (1) 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 a person authorised by the Trust to make such a demand or has the approval of the Trust.

Maximum penalty: 10 penalty units.

- (2) A person whose membership has been suspended or cancelled 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: 10 penalty units.

## **Part 3 Possession and consumption of liquor**

### **9 Prohibition on bringing in liquor**

- (1) A person must not bring or attempt to bring liquor onto any part of the scheduled lands without the approval of the Trust.

Maximum penalty: 10 penalty units.

- (2) As an alternative to being refused entry to the scheduled lands, or being removed from those lands, for a contravention of this clause, a person may be required to:
  - (a) dispose of the liquor concerned in a manner approved by the Trust, or
  - (b) surrender the liquor to the Trust, or a person authorised by 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 scheduled lands set aside for that purpose.

#### **10 Prohibition on consumption of liquor unlawfully brought in**

A person must not, while on the scheduled lands, consume any liquor brought onto those lands in contravention of clause 9 (1).

Maximum penalty: 10 penalty units.

#### **11 Prohibition on consumption of liquor in certain areas**

A person must not consume liquor in any part of the scheduled lands except a part that is designated, by means of signs erected by the Trust, as a part in which the consumption of liquor is permitted.

Maximum penalty: 10 penalty units.

### **Part 4 Prohibited behaviour**

#### **12 Protection of natural features**

A person must not do any of the following on the scheduled lands, except with the approval of the Trust or of a person authorised by the Trust to give such approval:

- (a) 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),
- (b) damage, pick or remove any tree, shrub, plant, vine, flower or other vegetation,
- (c) affix any poster on any tree,
- (d) climb in any tree,
- (e) remove or disturb any rock, soil, sand, stone or similar substance,
- (f) light any fire.

Maximum penalty: 10 penalty units.

#### **13 Protection of structures**

- (1) A person must not do any of the following on the scheduled lands, except with the approval of the Trust or of a person authorised by the Trust to give such approval:

- (a) climb on any building,
- (b) affix any poster on any building, fence, seat, table, enclosure or other structure,
- (c) climb or jump over any fence, seat, table, enclosure or other structure.

Maximum penalty: 10 penalty units.

- (2) A person must not break, damage, deface, obliterate or cover any structure, machinery, equipment, sign, descriptive plate or label on the scheduled lands.

Maximum penalty: 10 penalty units.

#### **14 Prohibition on bringing in animals**

- (1) A person must not have any animal in the person's custody or under the person's control on the scheduled lands unless:

- (a) the animal is to be or is being exhibited in a show or display, or
- (b) the animal is an assistance animal (within the meaning of the *Disability Discrimination Act 1992* of the Commonwealth) that is in a harness, or
- (c) the person has the approval of the Trust or a person authorised by the Trust to give such approval.

Maximum penalty: 10 penalty units.

- (2) A person must not ride an animal on the scheduled lands contrary to any sign erected by the Trust that regulates the movement of animals.

Maximum penalty: 10 penalty units.

#### **15 Prohibition on littering**

A person must not leave any rubbish or litter on the scheduled lands, except in a bin or other receptacle provided for that purpose.

Maximum penalty: 10 penalty units.

#### **16 Prohibition on possessing glass in certain areas**

A person must not possess a glass bottle or other glass container in any part of the scheduled lands except a part that is designated, by means of signs erected by the Trust, as a part in which possessing a glass bottle or other glass container is permitted.

Maximum penalty: 10 penalty units.

#### **17 Prohibition on throwing or projecting certain objects**

A person must not throw or project any stone or other missile on the scheduled lands

except:

- (a) at a side show or ring display authorised by the Trust, or
- (b) as a normal incident of a sporting event or training for such a sporting event.

Maximum penalty: 10 penalty units.

### **18 Prohibition on smoking**

A person must not smoke in any part of the scheduled lands except a part that is designated, by means of signs erected by the Trust, as a part in which smoking is permitted.

Maximum penalty: 10 penalty units.

### **19 Offensive and indecent conduct**

A person must not do any of the following on the scheduled lands:

- (a) use indecent, obscene, insulting or threatening language,
- (b) use indecent, obscene, insulting or threatening terms in any correspondence, telephone call, email, text message or social media content directed to an employee of the Trust,
- (c) behave in an offensive or indecent manner,
- (d) by disorderly conduct cause serious alarm or affront to a person,
- (e) do or say anything intended to hinder or interfere with the proper progress or conduct of any cricket, football or other match, game, sport or event.

Maximum penalty: 10 penalty units.

### **20 Prohibition on commercial and other activities**

A person must not do any of the following on the scheduled lands, except with the approval of the Trust or a person authorised by the Trust to give such approval:

- (a) make an address or conduct or hold a meeting, match or musical performance or an amusement,
- (b) sell, offer for sale or distribute any service, article or thing,
- (c) have or operate television, cinematographic or photographic equipment for commercial purposes,
- (d) distribute any bill or poster.

Maximum penalty: 10 penalty units.

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

A person who rents or has a booth, bar, stall or stand on the scheduled lands must comply with any reasonable direction of the Trust, or a person authorised by the Trust to give a direction, with respect to that booth, bar, stall or stand.

Maximum penalty: 10 penalty units.

## **22 Camping or residing**

A person must not camp or permanently reside on the scheduled lands, except with the approval of the Trust or a person authorised by the Trust to give such approval.

Maximum penalty: 10 penalty units.

## **23 Discharging fireworks**

A person must not discharge fireworks (including lighting any flares) on the scheduled lands, except with the approval of the Trust or a person authorised by the Trust to give such approval:

Maximum penalty: 10 penalty units.

## **24 Erecting structures**

A person must not erect any house, booth, bar, shed, stall or other structure on the scheduled lands, except with the approval of the Trust or a person authorised by the Trust to give such approval.

Maximum penalty: 10 penalty units.

## **25 Obstruction of employees or contractor**

A person must not obstruct any employee of or contractor to the Trust in the performance of the employee's or contractor's work on the scheduled lands.

Maximum penalty: 10 penalty units.

## **Part 5 Entry and use of vehicles**

### **26 Entrance charges for vehicles**

- (1) The Trust may determine entrance charges for admission of vehicles to any part of the scheduled lands.
- (2) A person must not enter the scheduled lands as the driver or controller of a vehicle unless the person has paid any entrance charge payable for admission of the vehicle.

Maximum penalty: 10 penalty units.

## **27 Admission of vehicles**

- (1) The Trust may authorise the admission to the scheduled lands of any vehicle and the driver or controller of the vehicle on any terms and conditions determined by the Trust.
- (2) A person must not drive or control a vehicle on the scheduled lands in breach of any such terms or conditions.

Maximum penalty: 10 penalty units.

## **28 Driving, riding or parking of vehicles**

A person must not drive, ride, park or act contrary to any sign erected by the Trust that regulates the parking, traffic flow and movement of vehicles on the scheduled lands.

Maximum penalty: 10 penalty units.

## **Part 6 Removal and banning of persons**

### **29 Removal or banning of person who unlawfully enters playing field**

- (1) A person who contravenes any provision of section 24A (Prohibited entry to playing fields) of the Act may be removed from the scheduled lands or any part of those lands by a member of the Trust, a person authorised by the Trust to refuse entry or a police officer.
- (2) A member of the Trust or an authorised person acting in accordance with subclause (1) may use such force as is reasonable in the circumstances for the purpose of discharging his or her duty under that subclause.
- (3) A person who is removed from a playing field on the scheduled lands, or from any other part of the scheduled lands, as a result of contravening section 24A of the Act is banned from entering those lands for a period not exceeding 24 months commencing on the day the person is so removed.
- (4) A person who is banned from entering the scheduled lands under subclause (3) and who is found on any part of those lands during the period of the ban is banned from entering those lands for life.
- (5) A person who has been banned from entering the scheduled lands under subclause (3) and who is at any subsequent time removed from those lands as a result of contravening section 24A of the Act is banned from entering the scheduled lands for life.
- (6) A person who is banned under this clause from entering the scheduled lands must not be admitted to any part of those lands during the period of the ban.
- (7) A person who is banned under this clause from entering the scheduled lands must not

enter any part of those lands during the period of the ban.

Maximum penalty: 10 penalty units.

### **30 Removal of other persons from scheduled lands**

- (1) The following persons may be removed from the scheduled lands or any part of those lands by a member of the Trust, a police officer or a person authorised by the Trust to remove persons:
  - (a) a person who contravenes any provision of this By-law,
  - (b) a person who trespasses on any part of those lands,
  - (c) a person who causes inconvenience to any person on any part of those lands.
- (2) A member of the Trust, a police officer 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.

### **31 Trust may ban certain persons for specified period**

- (1) The Trust may ban a person from entering the scheduled lands for such period (not exceeding 24 months) as the Trust determines if the person contravenes any provision of this By-law.
- (2) Without limiting subclause (1), the Trust may ban a person from entering the scheduled lands during any period that the person:
  - (a) is banned, under the *Sporting Venues (Invasions) Act 2003*, from a designated sporting venue within the meaning of that Act, or
  - (b) is banned, under the *Sydney Olympic Park Authority Regulation 2012*, from entering a sportsground within the meaning of that Regulation.
- (3) A person who is banned under this clause from entering the scheduled lands must not be admitted to any part of those lands during the period of the ban.
- (4) A person who is banned under this clause from entering the scheduled lands must not enter any part of those lands during the period of the ban.

Maximum penalty: 10 penalty units.

- (5) This clause does not apply to a person who is banned from entering the scheduled lands under clause 29.

## Part 7 Powers of officials

### 32 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 a person authorised to make such a demand, surrender the card or ticket to the Trust or authorised person.

Maximum penalty: 10 penalty units.

### 33 Membership cards and tickets to be produced for inspection

(1) An authorised person may demand that any person in any part of the scheduled lands produce for inspection:

(a) a current membership card entitling the person to be within that part of those lands, or

(b) a ticket of admission entitling the person to be within that part of those lands.

(2) A person to whom such a demand is made must comply with the demand.

Maximum penalty: 10 penalty units.

(3) If the person does not produce the membership card or ticket of admission, or satisfy the authorised person that it has been lost, the person may be ordered to leave the scheduled lands or the part of those lands concerned.

(4) A person who fails to comply with an order under subclause (3) may be removed from the scheduled lands or the part of those lands concerned by an authorised person.

(5) A person must not remain on any part of the scheduled lands after having been ordered to leave it by an authorised person or a police officer.

Maximum penalty: 10 penalty units.

(6) Every Member of the Sydney Cricket Ground must comply with any reasonable requirement made by an authorised person for the purpose of establishing the identity of the holder of a membership card.

(7) In this clause:

**authorised person** means any of the following:

(a) the Trust,

(b) a member of the Trust,

(c) a person authorised by the Trust under this clause.



### **34 Requirement to obey directions of authorised persons and others**

A person must not, on the scheduled lands, fail to comply with a reasonable request or direction made or given by any of the following for the purpose of securing good order and management and enjoyment of the scheduled lands:

- (a) a member of the Trust,
- (b) a police officer,
- (c) a person authorised by the Trust to make such a request or direction.

Maximum penalty: 10 penalty units.

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

- (1) An authorised person who suspects on reasonable grounds that a person on the scheduled lands has committed an offence against this By-law may require the person to state his or her full name and residential address.
- (2) A person must not:
  - (a) fail without reasonable cause to comply with a requirement under this clause, or
  - (b) in purported compliance with such a requirement, furnish information that the person knows to be false or misleading in a material particular.

Maximum penalty: 10 penalty units.

- (3) A person is not guilty of an offence under subclause (2) unless it is established that the authorised person warned the person that the contravention concerned is an offence.
- (4) In this clause:

***authorised person*** means any of the following:

- (a) a member of the Trust,
- (b) a police officer,
- (c) a person authorised by the Trust under this clause to make a request or direction or exercise functions under this By-law.

### **36 Obstruction of person with official functions**

A person must not on the scheduled lands obstruct or hinder another person in the exercise of that other person's functions under the Act or this By-law.

Maximum penalty: 10 penalty units.

## **Part 8 Membership**

### **Division 1 Admission to membership**

#### **37 Admission to membership**

- (1) The Trust may admit any person or organisation (including any body corporate or partnership) as a Member of the Sydney Cricket Ground.
- (2) The Trust may require that a person or organisation be nominated as a Member of the Sydney Cricket Ground by 2 Members of the Sydney Cricket Ground (other than Honorary Members) before being admitted to a particular class of membership.
- (3) A person or organisation admitted as a Member of the Sydney Cricket Ground is, on payment of the membership fees required under this By-law, entitled to be issued with a membership card.

#### **38 Classes of membership**

- (1) There are to be the following classes of membership:
  - (a) Regular Membership,
  - (b) SCG XI Membership,
  - (c) SCG Playing Membership,
  - (d) Gold Membership,
  - (e) Double Gold Membership,
  - (f) Platinum Membership,
  - (g) Junior Regular Membership,
  - (h) Junior Gold Membership,
  - (i) Honorary Membership,
  - (j) 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 60.

- (3) The Trust may determine the maximum number of Members of the Sydney Cricket Ground who may belong to any class of membership.

## **Division 2 Entitlements of Members of the Sydney Cricket Ground**

### **39 Regular Membership**

- (1) A Regular Member of the Sydney Cricket Ground is entitled to the privileges for the time being attached to Regular Membership:
  - (a) under this By-law, or
  - (b) as determined by the Trust.
- (2) A Regular Member of the Sydney Cricket Ground is entitled to be admitted to:
  - (a) the Members' Reserve of the Sydney Cricket Ground, and
  - (b) such other parts of the scheduled lands as the Trust determines.
- (3) A Regular Member of the Sydney Cricket Ground (other than a Junior Regular Member) is entitled, on payment of the fee determined by the Trust, to be issued with:
  - (a) 1 Regular Member's Guest card, and
  - (b) 2 Regular Member's Club cards.
- (4) A Regular Member of the Sydney Cricket Ground 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:
  - (a) 2 Regular Member's Guest cards, and
  - (b) 2 Regular Member's Club cards.

### **40 SCG XI Membership**

- (1) An SCG XI Member is entitled to the privileges for the time being attached to SCG XI Membership:
  - (a) under this By-law, or
  - (b) as determined by the Trust.
- (2) An SCG XI Member must be a registered member of the Sydney Cricket Club.

### **41 SCG Playing Membership**

An SCG Playing Member is entitled to the privileges for the time being attached to SCG Playing Membership:

- (a) under this By-law, or
- (b) as determined by the Trust.

## **42 Gold Membership**

- (1) A Gold Member is entitled to the privileges for the time being attached to Gold Membership:
  - (a) under this By-law, or
  - (b) as determined by the Trust.
- (2) A Gold Member is entitled to be admitted to:
  - (a) the Members' Reserve of the Sydney Cricket Ground, and
  - (b) the Members' Reserve of the Sydney Football Stadium, and
  - (c) 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:
  - (a) 1 Regular Member's Guest card, and
  - (b) 2 Regular Member's Club cards.

## **43 Double Gold Membership**

A Double Gold Member:

- (a) has the same entitlements as a Gold Member, and
- (b) in addition to those entitlements, is entitled to be issued with 1 Gold Member's Guest card and 2 Gold Member's Club cards.

## **44 Platinum Membership**

- (1) A Platinum Member is entitled to the privileges for the time being attached to Platinum Membership:
  - (a) under this By-law, or
  - (b) as determined by the Trust.
- (2) An individual who is a Platinum Member is entitled to be admitted to:
  - (a) the Members' Reserve of the Sydney Cricket Ground, and
  - (b) the Members' Reserve of the Sydney Football Stadium, and
  - (c) such other parts of the scheduled lands as the Trust determines.
- (3) A Platinum Member is entitled, on payment of the fee determined by the Trust, to be

issued with 4, 5 or 6 Platinum Membership cards.

- (4) A person who, with the authority of a Platinum Member, holds one of the Platinum Member's membership cards, is entitled to be admitted to:
  - (a) the Members' Reserve of the Sydney Cricket Ground, and
  - (b) the Members' Reserve of the Sydney Football Stadium, and
  - (c) such other parts of the scheduled lands as the Trust determines.
- (5) A Platinum Member is entitled, with the written approval of the Trust, to assign the Member's Platinum Membership as follows:
  - (a) if the Platinum Member is an individual—to any person whom the Trust accepts as having a close relationship with the Member, who may be a person other than a blood relative or a relative by marriage (for example, a de facto partner or godchild),
  - (b) if the Platinum Member is an organisation—to another person or organisation.
- (6) For an assignment of membership under subclause (5), the Trust may:
  - (a) require an administration fee, as determined by the Trust, to be paid, and
  - (b) impose such terms and conditions as the Trust determines.

#### **45 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:
  - (a) under this By-law, or
  - (b) 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.

#### **46 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:
  - (a) under this By-law, or
  - (b) as determined by the Trust.
- (3) A Junior Gold Member is entitled to be admitted to:
  - (a) the Members' Reserve of the Sydney Cricket Ground, and
  - (b) the Members' Reserve of the Sydney Football Stadium, and
  - (c) 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.

#### **47 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.

#### **48 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 scheduled lands 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 2 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 2 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 the person's 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.

#### **49 Guest cards**

(1) The Trust may issue Guest cards to any of the following:

- (a) Regular Members,
- (b) Gold Members who have transferred from Regular Membership,
- (c) Double Gold Members,
- (d) Life Members.

(2) A Regular Member's Guest card entitles the holder, on production of the card, to admission to:

- (a) the Members' Reserve of the Sydney Cricket Ground, and
- (b) 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:

- (a) the Members' Reserve of the Sydney Cricket Ground, and
- (b) the Members' Reserve of the Sydney Football Stadium, and
- (c) 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:

- (a) the Members' Reserve of the Sydney Cricket Ground, and
- (b) the Members' Reserve of the Sydney Football Stadium, and
- (c) 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 by the Member to whom the card was issued or transferred in



accordance with this Part on days designated by the Trust as major match days.

## **50 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:
  - (a) such parts of the Members' Reserve of the Sydney Cricket Ground as the Trust determines, and
  - (b) 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:
  - (a) such parts of the Members' Reserve of the Sydney Cricket Ground as the Trust determines, and
  - (b) such parts of the Members' Reserve of the Sydney Football Stadium as the Trust determines, and
  - (c) 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.

## **51 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).

## **Division 3 Parts of grounds available to Members**

### **52 Parts of grounds 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 scheduled lands 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.

### **53 Entry to Members' Pavilion**

A person under the age of 18 years (including a Junior Gold Member, Junior Regular Member or Platinum Member) must not, except with the approval of the Trust, enter that part of the Members' Reserve of the Sydney Cricket Ground known as the Members' Pavilion.

## **Division 4 Membership cards**

### **54 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.

### **55 Use of membership card by non-Member**

- (1) If proof is given to the satisfaction of the Trust that any Member of the Sydney Cricket Ground has allowed his or her membership card to be used by another person for the purpose of obtaining admission to the scheduled lands:
  - (a) the person to whom the membership card was issued forfeits all claims and rights to the card and ceases to be a Member of the Sydney Cricket Ground, and
  - (b) the person's name is to be removed from the roll of Members of the Sydney Cricket Ground, and
  - (c) if the membership card is in the possession of the Trust—the Trust may retain the card.
- (2) The Trust may re-issue the membership card and reinstate the former Member of the Sydney Cricket Ground on such terms and conditions as the Trust determines.
- (3) This clause does not apply to Platinum Members.

## **Division 5 Transfer of membership on death of Member**

### **56 Transfer of Regular Membership to spouse or de facto partner on death of Member**

- (1) The spouse or de facto partner 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.

### **57 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 61.
- (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 deceased Member’s legal personal representative may nominate:
  - (i) one 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 or de facto partner of the deceased Member (if any) is entitled to be admitted to Gold Membership, Gold Membership as if the spouse or de facto partner 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.

#### **58 Entitlement to Platinum Membership on death of Member**

- (1) If a Platinum Member dies leaving a will, the person entitled to be admitted to Platinum Membership in place of the deceased Member is:
  - (a) if a person is specifically nominated in the will as being entitled to the membership—that person, 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.
- (2) If the deceased Member did not leave a will, the spouse or de facto partner of the deceased Member (if any) is entitled to be admitted to Platinum Membership.

#### **59 Application for admission to membership or transfer of cards on death of Member**

- (1) A person claiming, under clause 57, an entitlement to membership consequent on the

death of a Member must lodge a claim in writing with 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:
  - (a) 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
  - (b) transfer to the claimant any cards to which the claimant is entitled under clause 57.
- (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.

## **Division 6 Other transfers of membership**

### **60 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.

### **61 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 any person whom the Trust accepts as having a close relationship with the Member, who may be a person other than a blood relative or a relative by marriage (for example, a de facto partner or godchild).
- (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 74 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.

## **Division 7 Suspension or cancellation of membership**

### **62 Making of allegations of misbehaviour against Members**

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 of the *Sydney Cricket Ground and Sydney Football Stadium By-law 2009*, or
- (b) has persistently contravened the provisions of this By-law or of the *Sydney Cricket Ground and Sydney Football Stadium By-law 2009*, or
- (c) has engaged in serious misconduct (which may include a contravention of section 24A of the Act) on the scheduled lands.

### **63 Handling of allegation that a Member or Guest has contravened any provision of this or previous By-law**

- (1) An allegation that a Member, or a Member's Guest, has contravened any provision of this By-law or of the *Sydney Cricket Ground and Sydney Football Stadium By-law 2009* 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 12 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 after receiving a written notification of appeal, and in such manner as the Trust determines.
- (2) A decision of the Trust to suspend a person's membership under this clause takes effect on:
  - (a) the day that is 7 days after the person received notification of the decision (unless paragraph (b) applies), or

- (b) if the person lodges an appeal against the decision within that 7-day period and the appeal is not successful—the day on which the person is notified, in writing, of the outcome of the appeal or such later day as may be specified in that notification.

**64 Handling of allegation that a Member or Guest has persistently contravened any provision of this or previous By-law or engaged in serious misconduct**

An allegation that a Member, or a Member's Guest, has persistently contravened any provision of this By-law or of the *Sydney Cricket Ground and Sydney Football Stadium By-law 2009*, or has engaged in serious misconduct on the scheduled lands 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 proved:
  - (i) suspend the person's membership for a period not exceeding 12 months, or
  - (ii) cancel the person's membership.

**65 Effect of suspension or cancellation**

- (1) A decision of the Disciplinary Committee to suspend or cancel a person's membership under this Division takes effect on the day on which the person is notified, in writing, of the decision, or on such later date as may be specified in that notification.
- (2) If a person's membership is suspended under this Division, 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.
- (3) If a person's membership is cancelled under this Division:
  - (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.

- (4) If a person's Gold, Double Gold or Junior Gold Membership is cancelled under this Division, 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.

#### **66 Application of Division to Platinum Members**

This Division applies in respect of the Platinum Membership of a particular person if the allegation concerned is:

- (a) made against the person, or
- (b) made against a person who holds one of the person's Platinum Member's membership cards with the authority of the person.

#### **67 Application of Division**

This Division has effect despite any other provision of this By-law.

### **Division 8 Membership fees**

#### **68 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.

#### **69 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.

#### **70 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, Junior Gold Membership and Platinum Membership lapse if the relevant annual subscription 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 annual subscription 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 73 (1).

#### **71 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 Platinum Members.

#### **72 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 (4), 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.

### **73 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.

## **Division 9 General**

### **74 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 Division 8 and has not been restored cannot surrender that membership and is not entitled to any credit in respect of it.

### **75 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 Sydney Cricket Ground.

#### **76 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.

### **Part 9 Elections of members of the Trust by Members of the Sydney Cricket Ground**

#### **77 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 Regular Member, a Junior Gold Member or an Honorary Member.

#### **78 Conduct of election**

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

#### **79 Returning Officer**

- (1) The Trust is, by instrument in writing, to appoint a person as Returning Officer for the purposes of this Part.
- (2) Until the commencement of Schedule 15 to the *Parliamentary Electorates and Elections Amendment Act 2006*, 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.
- (3) After the commencement of Schedule 15 to the *Parliamentary Electorates and Elections Amendment Act 2006*, an accredited election service provider (referred to in Part 6A of the *Parliamentary Electorates and Elections Act 1912* as inserted by Schedule 15 to the *Parliamentary Electorates and Elections Amendment Act 2006*) may be appointed under subclause (1).

#### **80 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 one 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.

## **81 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.

## **82 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 contains information intended for inclusion in a candidate

information sheet and includes the following:

- (a) the candidate's date of birth,
  - (b) the name of the candidate's employer (or, if self-employed, the candidate's present position),
  - (c) any trade, academic or professional qualifications held by the candidate,
  - (d) any organisations of which the candidate is a Member,
  - (e) any offices (other than employment) held by the candidate,
  - (f) additional information relevant to the candidate's candidature (being no more than 4 type-written lines).
- (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 subclause (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.

### **83 No display of material supporting candidates**

A candidate or other 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.

### **84 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 80.
- (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).

#### **85 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 completion and return 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.

## **86 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 85 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) If a Platinum Member of the Sydney Cricket Ground is an organisation, the voting rights of that Member may be exercised by a person authorised by the Platinum Member to vote on the Member's behalf.
- (3) If a Platinum Member of the Sydney Cricket Ground is an organisation and holds one or more than one Platinum Membership, the Platinum 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 Platinum Member.
- (4) 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.

## **87 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.

## **88 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 87) 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 89, 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.

## **89 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.



## 90 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 84 did not receive a ballot-paper, or
- (b) the Returning Officer did not receive a ballot-paper sent to the Returning Officer.

## 91 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 10 Miscellaneous

### 92 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 1 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.

### 93 Savings

Any act, matter or thing that, immediately before the repeal of the *Sydney Cricket Ground and Sydney Football Stadium By-law 2009*, had effect under that By-law is taken to have effect under this By-law.

## Schedule 1 Penalty notice offences

(Clause 92)

Column 1	Column 2
Clause 5 (1)	\$165
Clause 6 (2)	\$330
Clause 7 (2)	\$165
Clause 8 (1)	\$165
Clause 8 (2)	\$165
Clause 9 (1)	\$330
Clause 10	\$330
Clause 11	\$165

Clause 12 (a)	\$165
Clause 12 (b)	\$165
Clause 12 (c)	\$165
Clause 12 (d)	\$165
Clause 12 (e)	\$165
Clause 12 (f)	\$330
Clause 13 (1) (a)	\$165
Clause 13 (1) (b)	\$165
Clause 13 (1) (c)	\$165
Clause 13 (2)	\$165
Clause 14 (1)	\$165
Clause 14 (2)	\$165
Clause 15	\$165
Clause 16	\$165
Clause 17	\$330
Clause 18	\$165
Clause 19 (a)	\$330
Clause 19 (b)	\$330
Clause 19 (c)	\$330
Clause 19 (d)	\$330
Clause 19 (e)	\$330
Clause 20 (a)	\$240
Clause 20 (b)	\$330
Clause 20 (c)	\$240
Clause 20 (d)	\$240
Clause 21	\$240
Clause 22	\$165
Clause 23	\$330
Clause 24	\$165
Clause 25	\$240
Clause 26 (2)	\$165

Clause 27 (2)	\$165
Clause 28	\$165
Clause 29 (7)	\$330
Clause 31 (4)	\$330
Clause 32	\$165
Clause 33 (5)	\$330
Clause 34	\$330
Clause 35 (2)	\$330
Clause 36	\$240