

# World Youth Day Regulation 2008

[2008-32]



New South Wales

## Status Information

### Currency of version

Repealed version for 1 July 2008 to 31 December 2008 (accessed 17 July 2024 at 19:35)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

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

### Notes—

- **Note**

The Regulation was impliedly repealed by the repeal of the [World Youth Day Act 2006](#) by sec 62 of that Act with effect from 1.1.2009.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 January 2009

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New South Wales

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# World Youth Day Regulation 2008



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *World Youth Day Regulation 2008*.

### 2 Definition

(1) In this Regulation:

**the Act** means the *World Youth Day Act 2006*.

(2) Notes included in this Regulation do not form part of this Regulation.

## Part 2 General

### 2A Prescribed government agencies for the purposes of section 15A of the Act

The Council of the City of Sydney is prescribed for the purposes of section 15A of the Act.

### 3 Prescribed persons and bodies for purposes of directions under section 44C of Act

The following are prescribed for the purposes of section 44C (1) of the Act:

- (a) the AJC,
- (b) the Chairman of the AJC,
- (c) the Committee of the AJC,
- (d) any member of the Committee of the AJC,
- (e) any other person or body who or which is an officer, employee, contractor, delegate or agent of the AJC (or the Committee of the AJC) or who or which is otherwise acting under the authority of the AJC (or the Committee of the AJC).

#### Note—

Section 3 (3) and (4) of the Act operate to update references in this clause to the AJC, the Committee of the AJC and any member of the Committee to include references to AJC Limited, the directors of AJC Limited and any

director or the secretary of AJC Limited, respectively.

#### **4 Sale and distribution of articles in certain public places: section 46 of the Act**

- (1) For the purposes of the definition of ***prescribed article*** in section 46 (10) of the Act, the following classes of articles are prescribed:
  - (a) items of food and drink,
  - (b) religious items (for example, rosary beads, candles, candle holders, prayer tokens and prayer cards),
  - (c) items of apparel, including headwear, (for example, t-shirts, jumpers, jackets, pants, pyjamas, singlets, tank tops, shorts, wet weather jackets, caps, visors and hats),
  - (d) clothing accessories (for example, scarves, bandannas, socks, shoes and thongs),
  - (e) jewellery,
  - (f) giftware (for example, key rings, lapel pins, zipper pulls, magnets, removable tattoos, button badges, wristbands, mobile phone accessories, computer accessories, sunglasses, stickers and photo frames),
  - (g) hardgoods (for example, bottles, mugs, plates, spoons, ceramics and umbrellas),
  - (h) stationery,
  - (i) textiles (for example, beach towels and tea towels),
  - (j) philatelic and numismatic articles (for example, coins, postage stamps, envelopes and first day covers).
- (2) An application for an approval to sell or distribute a prescribed article under section 46 of the Act must:
  - (a) be made in writing, and
  - (b) be accompanied by the application fee determined by the Authority, and
  - (c) contain such information, and be accompanied by such documentation, as to enable the Authority to properly consider and determine the application, and
  - (d) be lodged with the Authority at least 7 days (or such shorter period as the Authority may allow) before the proposed sale or distribution to which it relates is to take place.
- (3) The Authority may require an applicant for an approval to provide further information or documentation before the application is determined.

- (4) The Authority may waive an application fee referred to in subclause (2) (b).
- (5) The Authority may determine an application by granting the application, unconditionally or subject to conditions, or by refusing the application.

**5 Prohibition of certain advertising on buildings and structures: section 46B (8) (b)**

- (1) Advertising material fixed to or placed on a building or structure in an area that is an advertising controlled site (other than an area that is a World Youth Day declared area) is exempted from section 46B of the Act if the material was fixed or placed before the area became an advertising controlled site.
- (2) Advertising material ceases to be so exempt if the Authority serves a notice on a person who is the relevant owner or occupier of, or the holder of a lease or licence relating to, the building or structure to or on which the advertising material is fixed or placed stating that, in the opinion of the Authority, the material is obscene, offensive to the public or otherwise inappropriate in the circumstances.

**6 Prohibition of certain aerial advertising: section 46C**

- (1) The airspaces that are within the unaided sight of Randwick Racecourse and the Barangaroo site are **advertising controlled airspace** for the purposes of section 46C (1) of the Act for the period that begins on 15 July 2008 and ends on 20 July 2008 (inclusive).
- (2) Each World Youth Day venue or facility specified in Column 1 of the Table to this subclause is prescribed for the purposes of section 46C of the Act, but only for the period (or periods) prescribed for each such venue or facility in Column 2 of that Table.

<b>Column 1</b>	<b>Column 2</b>
Sydney Olympic Park	15-18 July 2008 (inclusive)
The Domain	15-18 July 2008 (inclusive)
Royal Botanic Gardens	15-18 July 2008 (inclusive)
Sydney Opera House	15-18 July 2008 (inclusive)
Centennial Park	15-20 July 2008 (inclusive)
Darling Harbour (within the meaning of Part 3 of the <i>Sydney Harbour Foreshore Authority Regulation 2006</i> )	15-18 July 2008 (inclusive)
Sydney Harbour Bridge	14-19 July 2008 (inclusive)
Central Railway Station	14-20 July 2008 (inclusive)
Hyde Park	15-18 July 2008 (inclusive)

Saint Mary's Roman Catholic Cathedral	17-20 July 2008 (inclusive)
Sydney Harbour east of the line between Ballast Point and Balls Head (including Darling Harbour, Blackwattle Bay and Johnston Bay) and west of the line between Bradleys Head and Point Piper	14 July 2008 and 17-19 July 2008 (inclusive)
Pilgrim Walking Route as shown on the map entitled " <i>World Youth Day—Pilgrimage walking route</i> " prepared by the Authority and dated 29 May 2008 and deposited in the office of the Authority	19 July 2008

**Note—**

A copy of the map is available on the Authority's website ([www.wydca.nsw.gov.au](http://www.wydca.nsw.gov.au)).

## **7 Control of conduct within World Youth Day declared areas**

- (1) An authorised person may direct a person within a World Youth Day declared area to cease engaging in conduct that:
  - (a) is a risk to the safety of the person or others, or
  - (b) causes annoyance or inconvenience to participants in a World Youth Day event, or
  - (c) obstructs a World Youth Day event.
- (2) A person must not, without reasonable excuse, fail to comply with a direction given to the person under subclause (1).

Maximum penalty: 50 penalty units.
- (3) A person is not guilty of an offence under this clause unless it is established that the authorised person warned the person that a failure to comply with the direction is an offence.
- (4) In this clause, **authorised person** means:
  - (a) a police officer, or
  - (b) a member of an SES unit (within the meaning of the [State Emergency Service Act 1989](#)) or a member of the NSW Rural Fire Service, but only if the member is authorised by the Authority in writing for the purposes of this clause.

**Editorial note—**

On 15 July 2008, the Federal Court in *Evans v State of New South Wales*[2008] FCAFC 130 declared that "cl 7 (1) (b) is invalid to the extent to which it is applied to conduct which causes annoyance to participants in World

Youth Day events”.

## **8 Request to undergo search as condition of entry to World Youth Day declared areas**

- (1) For the purpose of promoting safety and security within a World Youth Day declared area, a person’s entry to the World Youth Day declared area (or any part of the area) is subject to the condition that the person must comply with such of the following requests as may be made of the person:
  - (a) a request by a search officer that the person undergo a search conducted by electronic means (such as by passing an electronic detection device over or in close proximity to the person or by the person passing through a detection device),
  - (b) a request by a search officer that the person allow a search of articles in the person’s possession and identify articles in the person’s possession,
  - (c) a request by a search officer that the person remove his or her overcoat, coat or jacket or similar article of clothing and any gloves, shoes and hat (or other headwear), and allow an examination of those items,
  - (d) if the person enters in a vehicle or vessel—a request by a search officer that the person open the vehicle or vessel, or part of it, for inspection and allow the vehicle, vessel or part to be searched.
- (2) A search officer may exclude a person who refuses such a request from entry to the World Youth Day declared area or part of the area concerned. Reasonable force may be used to effect the person’s exclusion.
- (3) In this clause, **search officer** means:
  - (a) a police officer, or
  - (b) a member of an SES unit (within the meaning of the [State Emergency Service Act 1989](#)) or a member of the NSW Rural Fire Service, but only where the member is assisting one or more police officers at a point of entry to a World Youth Day declared area or part of such an area.

## **Part 3 Miscellaneous**

### **9 Rangers: section 54**

Persons who are employees of local councils are prescribed for the purposes of section 54 (1) of the Act.

### **10 Penalty notices: section 55**

For the purposes of section 55 of the Act:

- (a) each offence arising under 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 relation to the offence in Column 2 of Schedule 1.

## Schedule 1 Penalty notice offences

(Clause 10)

<b>Column 1</b>	<b>Column 2</b>
<b>Offence</b>	<b>Penalty</b>
<b><i>World Youth Day Act 2006</i></b>	
Section 21 (1)	\$300
Section 27	\$300
Section 45 (2)	\$2,000
Section 46 (3) or (5)	\$1,000
<b><i>World Youth Day Regulation 2008</i></b>	
Clause 7 (2)	\$300