

Queensland



Indy Car Grand Prix Act 1990

INDY CAR GRAND PRIX REGULATION 1990

**Reprinted as in force on 25 September 1998
(includes amendments up to SL No. 265 of 1998)**

Reprint No. 1A

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Information about this reprint

This regulation is reprinted as at 25 September 1998. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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INDY CAR GRAND PRIX REGULATION 1990

[as amended by all amendments that commenced on or before 25 September 1998]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Indy Car Grand Prix Regulation 1990*.

Commencement

2. This regulation takes effect on the day this regulation is published in the gazette.

Interpretation

3. In this regulation—

“**approved entrance**” means an entrance to the declared area approved by the promoter.

“**approved exit**” means an exit from the declared area approved by the promoter.

“**authorised person**” means a person who is appointed as an authorised person under section 4.

“**emergency vehicle**” means—

- (a) an ambulance; or
- (b) a police vehicle; or
- (c) a fire-engine; or
- (d) a tow truck; or
- (e) a mobile crane;

and includes any helicopter or other vehicle authorised by the promoter

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to be used as an emergency vehicle.

“grand prix circuit” means that part of the declared area on which a motor racing event is conducted.

“occupant” means a person whose place of business, employment or residence is in the declared area.

“occupant’s pass” means a pass or other document issued to an occupant to enable that person to enter and re-enter the declared area.

“permitted entrant” means a person who is—

- (a) admitted to the declared area on the production of a ticket or the payment of an admission fee; or
- (b) an agent or employee of the promoter; or
- (c) an occupant;

and includes any other person who is admitted to the declared area under an authority issued by the promoter.

“permitted person” means a person who is authorised by the promoter, in writing, to enter and remain in a restricted area.

“racing car” means a vehicle which is entered in a motor racing event held on the grand prix circuit.

“restricted area” means any part of the declared area designated by markings and by signs bearing the words “RESTRICTED AREA” to which access by persons other than permitted persons is prohibited.

“the Act” means the *Indy Car Grand Prix Act 1990*.

“ticket” includes any pass or other document issued by the promoter entitling a person to enter the declared area, but does not include an occupant’s pass.

PART 2—AUTHORISED PERSONS

Appointment of authorised persons

4.(1) The general manager of the promoter—

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- (a) may appoint any number of persons as authorised persons for the purposes of this regulation; and
- (b) must issue an identity card to each authorised person appointed under this subsection.

(2) An authorised person appointed under subsection (1) must produce the identity card referred to in subsection (1)(b) on the demand of any person.

(3) The commissioner of the police service may appoint any number of police officers as authorised persons for the purposes of this regulation.

(4) An authorised person may use such force as is reasonably necessary for the effective exercise of the authorised person's powers, authorities, functions and duties.

Powers etc. of authorised persons

5.(1) An authorised person may—

- (a) prevent any person—
 - (i) who is not entitled to enter the declared area from entering that area;
 - (ii) from entering the declared area otherwise than through an approved entrance;
 - (iii) from leaving the declared area otherwise than through an approved exit; or
- (b) remove from the declared area any person—
 - (i) who has unlawfully entered that area; or
 - (ii) who fails to produce satisfactory evidence of the person's entitlement to be in that area; or
 - (iii) who is found committing an offence against this regulation; or
 - (iv) who the authorised person reasonably suspects has committed an offence against this regulation; or
- (c) prevent any person who is not a permitted person from entering a restricted area; or

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- (d) remove from a restricted area any person who is not a permitted person; or
- (e) confiscate any imitation ticket or imitation occupant's pass; or
- (f) request any person in the declared area to produce satisfactory evidence of the person's entitlement to be in that area; or
- (g) require any person who—
 - (i) is found committing an offence against this regulation; or
 - (ii) the authorised person reasonably suspects has committed an offence against this regulation;to state his or her full name and address and to produce satisfactory evidence of the correctness of that name and address.

(2) An authorised person may, during a declared period—

- (a) remove from a reserved area, a reserved seat or a seat in a reserved block of seats any person who does not hold a ticket entitling that person to be in that reserved area, seat or block of seats; or
- (b) remove from the declared area any animal or bird brought into that area during the declared period in breach of this regulation; or
- (c) require any person who is about to enter the declared area to produce for inspection by an authorised person any basket or other receptacle that the person intends to take into the declared area; or
- (d) confiscate—
 - (i) any printed matter distributed in the declared area in breach of this regulation; or
 - (ii) any materials capable of being used for the erection of a structure and brought into the declared area in breach of this regulation; or
 - (iii) any alcoholic beverage found in the possession of a person who is about to enter the declared area if the bringing of the beverage into the declared area by that person would be a breach of this regulation; or

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- (iv) any alcoholic beverage found in the possession of a person in a part of the declared area where the consumption of alcoholic beverages is not permitted; or
- (v) any icebox, can or bottle brought into the declared area in breach of this regulation; or
- (e) dismantle any structure erected within the declared area in breach of this regulation; or
- (f) remove and confiscate any advertisement, banner, bill, paper, placard, poster or print which has been placed, posted or stuck on any building or structure within the declared area in breach of this regulation.

(3) A person who fails to comply with a lawful requirement of an authorised person commits an offence against this regulation.

(4) A person must not hinder, interfere with or obstruct an authorised person who is engaged in the exercise or performance of any of the powers, authorities, functions or duties of an authorised person.

PART 3—ACCESS TO THE DECLARED AREA

Restricted areas

6. A person must not enter an area which is a restricted area or remain in that area unless the person is a permitted person.

Permitted entrants

7.(1) A person who is not a permitted entrant must not enter the declared area during the declared period.

(2) A permitted entrant is to enter or leave the declared area only through an approved entrance or exit.

Exclusion of persons removed

8.(1) A person, other than an occupant, who is lawfully removed from the declared area must not again enter or attempt to enter that area on the day on which that person is removed.

(2) An occupant who is lawfully removed from the declared area must not enter or attempt to enter that area between the hours of 10 a.m. and 5 p.m. on the day on which the person is removed.

Access to grand prix circuit

9.(1) A person who is not—

- (a) the driver of a racing car; or
- (b) the driver of or an authorised passenger in—
 - (i) a vehicle used to service, load or carry a racing car; or
 - (ii) an emergency vehicle; or
 - (iii) a vehicle authorised by the promoter to enter the grand prix circuit; or
- (c) authorised by the promoter to enter the grand prix circuit;

must not enter onto the grand prix circuit during the declared period.

(2) During any time when the grand prix circuit is not being used for the purpose of a motor racing event an occupant may enter on that circuit with the consent of the promoter.

(3) The promoter must not withhold that consent unreasonably.

Vehicles and vessels

10. A person must not drive or bring a vehicle or vessel into the declared area during the declared period without the permission of the promoter.

Occupant's pass

11.(1) An occupant may apply to the promoter for an occupant's pass.

(2) An application for an occupant's pass is to be made in the form

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determined by the promoter and is to be lodged with the promoter before the commencement of the declared period.

(3) The promoter may issue an occupant's pass to each applicant who satisfies the promoter that access to the declared area is necessary—

- (a) for the ordinary use and enjoyment of the applicant's place of residence or business; or
- (b) to enable the applicant to travel to or from the applicant's place of residence or business; or
- (c) to enable the applicant to travel to or from the applicant's place of employment for the purpose of engaging in employment.

(4) An occupant's pass may be issued subject to conditions, including conditions limiting the period for which the pass is valid to any specified day or days or during specified hours on specified days or both.

(5) An occupant's pass is not transferable.

(6) A person to whom an occupant's pass is issued must not—

- (a) offer or attempt to sell the occupant's pass; or
- (b) lend the occupant's pass to any person; or
- (c) sell the occupant's pass.

(7) A person must not sell or attempt to sell anything which is or could reasonably be taken to be an imitation of an occupant's pass.

PART 4—TICKETS

Entry by ticket

12.(1) A person who is not the holder of a ticket issued by the promoter must not enter the declared area at any time during the declared period when entry to the declared area may only be gained upon presentation of a ticket.

(2) Subject to this regulation and any terms and conditions printed on the ticket, a ticket issued by the promoter entitles the holder of the ticket to enter the declared area during the declared period and to remain in that area

between the hours and on the day for which the ticket is valid.

(3) A ticket bearing the words “non-transferable” does not entitle a person other than the person to whom the ticket is issued to enter the declared area.

(4) For the purposes of subsection (1), an occupant’s pass is to be taken to be a ticket.

Reserved seats

13.(1) The promoter may set aside, within the declared area, areas, seats and blocks of seats as reserved areas, seats and blocks of seats and may issue to any person a ticket entitling that person to—

- (a) enter and remain in a reserved area; or
- (b) occupy a reserved seat; or
- (c) occupy a seat in a reserved block of seats.

(2) Reserved areas, seats and blocks of seats must be clearly distinguished from other areas, seats and blocks of seats.

(3) A person who is not the holder of a ticket entitling the person to enter and remain in a reserved area or occupy a reserved seat or a seat in a reserved block of seats must not enter and remain in a reserved area or occupy a reserved seat or a seat in a reserved block of seats, as the case may be.

Offences relating to tickets

14. A person must not—

- (a) sell or offer to sell a ticket at a price greater than the price fixed by the promoter for that ticket; or
- (b) sell or attempt to sell a ticket which is or could reasonably be taken to be an imitation of a ticket issued by the promoter; or
- (c) contravene or fail to comply with the terms and conditions which apply to the person’s ticket.

PART 5—CONDUCT IN THE DECLARED AREA

Smoking

15.(1) The promoter may designate as a no smoking area any part of the declared area in which, in the opinion of the promoter, the smoking of cigarettes or other tobacco products would be unsafe.

(2) A no smoking area is to be clearly indicated by signs or other markings and by the words “NO SMOKING”.

(3) A person must not smoke a cigarette or other tobacco product in a no smoking area.

Entertainment

16.(1) A person must not conduct any public entertainment in the declared area during the declared period without the consent of the promoter.

(2) Subsection (1) does not apply to any public entertainment conducted at premises in the declared area if the owner or occupier of the premises ordinarily causes or permits public entertainment to be conducted at those premises in the course of conducting a business from those premises.

Damage to property

17.(1) A person must not damage, deface or destroy any property within the declared area without the consent of the owner of that property.

(2) A person must not place, post or stick any placard, poster, bill, banner, advertisement, print or paper on any building, fence or other structure within the declared area during the declared period without the consent of the promoter.

Distribution of printed matter

18. A person must not distribute any printed matter within the declared area during the declared period between the hours of 7 a.m. and 7 p.m. on any day without the consent of the promoter.

Structures

19. A person must not—

- (a) bring into the declared area during the declared period any materials capable of being used for the erection of a structure; or
- (b) erect any structure within the declared area during the declared period;

without the consent of the promoter.

Animals and birds

20.(1) A person must not bring any animal or bird into the declared area during the declared period without the consent of the promoter.

(2) Subsection (1) does not apply to an occupant who resides in the declared area.

Sale of goods etc.

21.(1) A person must not sell any goods or other thing in the declared area during the declared period without the permission of the promoter.

(2) Subsection (1) does not apply to the sale of any goods or other things by an occupant from premises within the declared area if that occupant ordinarily sells goods or other things of the type in question from those premises and did so immediately prior to the commencement of the declared period.

Prohibited behaviour

22. A person must not—

- (a) climb or remain on—
 - (i) the roof of any building or other structure (other than a grandstand) without the permission of the owner or lawful occupier thereof; or
 - (ii) any tree, bush or shrub on public land; or
 - (iii) any fence or wall on public land; or

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- (b) misuse any seat or structure under the control of the promoter; or
- (c) block any aisle, gangway, passage, stair, or step of a grandstand; or
- (d) deposit litter otherwise than in a receptacle provided for that purpose; or
- (e) throw any stone, bottle or other object; or
- (f) discharge a firearm; or
- (g) use indecent or obscene language or threatening or insulting words on public land; or
- (h) behave in an abusive, indecent, insulting, riotous or threatening manner on public land; or
- (i) defecate or urinate in any place other than a building or structure provided for that purpose;

while in the declared area during the declared period.

Alcohol

23.(1) A person must not bring any alcoholic beverage into the declared area during the declared period.

(2) Subsection (1) does not apply to a person—

- (a) who holds a licence issued under the *Liquor Act 1992* authorising the sale of alcoholic beverages from premises within the declared area; or
- (b) who is a servant or agent of a person referred to in paragraph (a) while acting in the ordinary course of the servant's or agent's employment, or
- (c) who occupies a residence in the declared area, in so far as the person brings any alcoholic beverage into the declared area for consumption in that residence.

(3) A person must not consume any alcoholic beverage in the declared area during the declared period except—

- (a) in premises where the sale and consumption of alcoholic beverages is authorised by a licence issued under the *Liquor*

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Act 1992; or

- (b) in a residence; or
- (c) in a part of the declared area designated by the promoter as a refreshment area.

(4) A refreshment area—

- (a) is to be designated by signs bearing the words “Refreshment Area”; and
- (b) is to have within its area and at every exit from the area signs bearing the words “No alcoholic beverage is to be removed from this area or consumed outside this area”.

Iceboxes etc.

24.(1) A person must not bring into the declared area during the declared period any icebox, can or bottle without the consent of the promoter.

(2) The promoter’s consent to the bringing into the declared area of any icebox, can or bottle is not required if the icebox, can or bottle is brought into the declared area by an occupant who resides in the declared area for use or consumption in the occupant’s residence.

Injury to flowers etc.

25. A person must not pick any flower or injure or uproot any tree, shrub, flower or other plant within the declared area during the declared period that does not belong to that person.

Fires

26. A person must not light any fire within the declared area during the declared period without the consent of the promoter.

PART 6—TRAFFIC

Application of part

27. This part—

- (a) applies to land within the declared area which, pursuant to section 6(2) of the Act, is not road; but
- (b) does not apply to the grand prix circuit between 7 a.m. and 7 p.m. on any day.

Speed limits

28. A person must not drive a motor vehicle on land to which this part applies at a speed of more than 60 km per hour.

Directions to be followed

29. A person who drives a motor vehicle into the declared area must comply with—

- (a) any directions relating to the parking, standing, stopping of or giving way to motor vehicles indicated by—
 - (i) an official traffic sign installed pursuant to the *Traffic Act 1949*; or
 - (ii) a sign installed by the promoter; and
- (b) any other directions or requirements given by an authorised person or notified by the promoter by signs prominently displayed within the declared area.

PART 7—MISCELLANEOUS

General offence provision

30.(1) A person who contravenes or fails to comply with a provision of

this regulation commits an offence against this regulation.

(2) A person who—

- (a) fails to do that which that person is directed to do; or
- (b) does that which that person is forbidden to do;

by a person acting under the authority of this regulation commits an offence against this regulation.

(3) A person who commits an offence against this regulation is liable to a penalty of 20 penalty units.

Confiscated property

31.(1) Within 3 months of the end of the declared period the owner of anything confiscated by an authorised person may apply to the promoter for the return of that thing.

(2) Anything which is not claimed by a person from whom it was confiscated—

- (a) must, if the name and address of the owner of the thing is known to the promoter, be returned to the owner; and
- (b) may, if the name and address of the owner of the thing is not known to the promoter, be disposed of by the promoter in such manner as the promoter thinks fit at any time after the expiry of the period referred to in subsection (1).

Fees for filming etc. from outside declared area

32. For the purposes of section 20 of the Act the prescribed amount of a fee is \$250 000.

PART 8—DECLARATION OF CERTAIN MATTERS FOR 1998

Promoter—Act, s 2(1), definition “promoter”

33. The following persons are the promoter for 1998—

- Gold Coast Events Co Pty Ltd (A.C.N. 010 949 649)
- Southcoast Tyre Services Pty Limited (A.C.N. 009 795 126)
- Papandrea Pty Limited (A.C.N. 011 028 596)
- Igli Holdings Pty Limited (A.C.N. 004 014 233)
- Raxmont Pty Limited (A.C.N. 011 053 044)
- Truffle Pty Limited (A.C.N. 011 011 368).

Declared period—Act, s 2(1), definition “declared period”

34. The declared period for 1998 is the period starting at midday on Wednesday 14 October 1998 and ending at midday on Monday 19 October 1998.

Official title—Act, s 2(1), definition “official title”

35. The official title for the motor racing event to take place within the declared area for 1998 is ‘Gold Coast Indy’.

Declared area—Act, s 2(1), definition “declared area”

36.(1) The declared area for 1998 is the area indicated as the ‘declared area’ on the map held by the department for the purpose.

(2) Copies of the map are available for inspection, between 9.00 a.m. and 4.00 p.m. on business days, at—

- (a) the department’s head office at level 26, 111 George Street, Brisbane; and
- (b) the office of Gold Coast Motor Events Co at level 5, 64 Main Parade, Southport.

Period during which certain medical and paramedical practitioners may practise—Act, s 23(1)

37. The period starting at midday on Wednesday 14 October 1998 and ending at midnight on Sunday 25 October 1998 is declared for section 23 of the Act.

ENDNOTES**1 Index to endnotes**

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 25 September 1998. Future amendments of the Indy Car Grand Prix Regulation 1990 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	prev	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to SL No. 295 of 1997	5 September 1997

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Obsolete and redundant provisions	1
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6 List of legislation

Indy Car Grand Prix Regulation 1990

made by Governor in Council on 25 October 1990
pubd gaz 27 October 1990 pp 983–96
commenced 27 October 1990 (see s 2)
exp 25 October 2000 (see SIA s 54)

as amended by—

Indy Car Grand Prix Amendment Regulation (No. 1) 1993 SL No. 49

notfd gaz 5 March 1993 pp 901–2
commenced on date of notification

Indy Car Grand Prix Amendment Regulation (No. 1) 1994 SL No. 72

notfd gaz 4 March 1994 pp 872–4
commenced on date of notification

Indy Car Grand Prix Amendment Regulation (No. 1) 1995 SL No. 17

notfd gaz 3 February 1995 pp 414–5
commenced on date of notification

Indy Car Grand Prix Amendment Regulation (No. 1) 1996 SL No. 37

notfd gaz 1 March 1996 pp 998–9
commenced on date of notification

Indy Car Grand Prix Amendment Regulation (No. 2) 1996 SL No. 47

notfd gaz 15 March 1996 pp 1178–9
commenced on date of notification

Indy Car Grand Prix Amendment Regulation (No. 1) 1997 SL No. 45

notfd gaz 7 March 1997 pp 909–10
commenced on date of notification

Indy Car Grand Prix Amendment Regulation (No. 2) 1997 SL No. 71

notfd gaz 27 March 1997 pp 1333–6
commenced on date of notification

Indy Car Grand Prix Amendment Regulation (No. 3) 1997 SL No. 295

notfd gaz 5 September 1997 pp 63–4
commenced on date of notification

Indy Car Grand Prix Amendment Regulation (No. 1) 1998 SL No. 249

notfd gaz 11 September 1998 pp 145–7
commenced on date of notification

Indy Car Grand Prix Amendment Regulation (No. 2) 1998 SL No. 265

notfd gaz 25 September 1998 pp 327–9
commenced on date of notification

7 List of annotations

Appointment of authorised persons

s 4 amd 1997 No. 295 s 3

Expiation of traffic offences

s 7.2 om 1997 No. 295 s 5

Numbering and renumbering of regulation

s 7.5 prev s 7.5 ins 1993 SL No. 49 s 3
sub 1994 SL No. 72 s 3; 1995 SL No. 17 s 3; 1996 SL No. 37 s 3
amd 1996 SL No. 47 s 3
om 1997 SL No. 45 s 3
pres s 7.5 ins 1997 No. 295 s 6
om R1 (see RA s 40)

Repeal of orders in council

s 7.6 ins 1993 SL No. 49 s 3
om 1994 SL No. 72 s 4

Alcohol

s 23 amd 1997 SL No. 29 s 4

PART 8—DECLARATION OF CERTAIN MATTERS FOR 1998

pt hdg ins 1997 SL No. 45 s 4
sub 1998 SL No. 249 s 3

Promoter—Act, s 2(1), definition “promoter”

s 33 ins 1997 SL No. 45 s 4
sub 1998 SL No. 249 s 3

Declared period—Act, s 2(1), definition “declared period”

s 34 ins 1997 SL No. 45 s 4
sub 1998 SL No. 249 s 3

Official title—Act, s 2(1), definition “official title”

s 35 ins 1997 SL No. 45 s 4
sub 1998 SL No. 249 s 3

Declared area—Act, s 2(1), definition “declared area”

s 36 prev s 36 ins 1997 SL No. 45 s 4
om 1998 SL No. 249 s 3
pres s 36 ins 1998 SL No. 265 s 3

Period during which certain medical and paramedical practitioners may practise—Act, s 23(1)

s 37 prev s 37 ins 1997 SL No. 71 s 3
om 1998 SL No. 249 s 3
pres s 37 ins 1998 SL No. 265 s 3

8 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS (Reprint No. 1)
 under the Reprints Act 1992 s 43 as required by the Indy Car Grand Prix
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