



Queensland

Major Events Act 2014

Act No. 60 of 2014



Queensland

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Queensland

Major Events Act 2014

Act No. 60 of 2014

An Act to provide for the holding of major events, the safety of visitors and spectators at major events, to allow visiting health practitioners to provide health care services for major events without becoming registered under State law, to protect the rights of event organisers and sponsors at major events and for related purposes, to amend this Act, the Commonwealth Games Arrangements Act 2011, the Environmental Protection Act 1994, the Police Powers and Responsibilities Act 2000 and the Tobacco and Other Smoking Products Act 1998, and the Acts mentioned in schedule 1, for particular purposes, and to repeal the Motor Racing Events Act 1990 and the Health Practitioners (Special Events Exemption) Act 1998

[Assented to 7 November 2014]

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Major Events Act 2014*.

2 Commencement

This Act commences on 1 January 2015.

3 Main purposes of Act

The main purposes of this Act are—

- (a) to enable the State to hold major events in Queensland; and
- (b) to deliver economic and social benefits for the State of Queensland by attracting major events to Queensland; and
- (c) to facilitate the safe and orderly running of major events; and
- (d) to promote the enjoyment of participants and spectators of major events; and
- (e) to prevent unauthorised commercial activities in relation to major events; and
- (f) to allow visiting health practitioners to be exempted from having to register under State law when practising a health profession for a visitor.

4 Act binds all persons

- (1) This Act binds all persons, including the State and, to the extent the legislative power of the Parliament permits, the Commonwealth and the other States.
- (2) However, the State, the Commonwealth or another State can not be prosecuted for an offence against this Act.

5 Extraterritorial application of Act

This Act applies—

- (a) inside Queensland; and
- (b) outside Queensland to the full extent of the extraterritorial legislative power of the Parliament.

Part 2 Definitions

6 Definitions

The dictionary in schedule 2 defines particular words used in this Act.

7 What is a *major event*

A *major event* is—

- (a) an event prescribed by regulation under section 12(1) as a major event; and
- (b) any activity directly associated with the major event.

Examples of activities directly associated with a major event—

- a test run for the event
- qualifying rounds of a motor race
- a concert held in association with the major event

8 Who is the *major event organiser*

The *major event organiser*, for a major event, is the person prescribed by regulation under section 12(2)(a) as the major event organiser of the major event.

9 What is a *major event area*

- (1) A *major event area*, for a major event, is an area prescribed by regulation under section 12(2)(b), and shown on a map in the regulation, as the area where the major event is to be held.
- (2) The area prescribed by regulation may include—
 - (a) a place to be associated with the major event, including—
 - (i) a public place where the major event is shown on a screen for viewing by the public; and
 - (ii) a place set aside for the media to cover the major event; and
 - (b) infrastructure used for the major event; and
 - (c) a place near a place or infrastructure mentioned in paragraph (a) or (b).

10 What is the *major event period*

- (1) The *major event period*, for a major event, is the period prescribed by regulation under section 12(2)(c) as the period in which a major event takes place.
- (2) The period prescribed by regulation may include—
 - (a) a reasonable period before the major event in order to prepare for the major event; and
 - (b) a reasonable period after the major event in order to restore the major event area to the condition the area was in before the major event took place.

11 What is a *controlled area*

A *controlled area*, for a major event, is an area near a major event area that is prescribed by regulation under section 12(3)(a) and shown on a map included in the regulation.

Part 3 Prescribing major events

12 Prescribing event as major event

- (1) The Governor in Council may, on the recommendation of the Minister given under section 13, prescribe by regulation an event as a major event.
- (2) The regulation must also prescribe the following for the major event—
 - (a) the major event organiser;
 - (b) a major event area;
 - (c) the major event period;
 - (d) the provisions of this Act that apply to—
 - (i) the major event; and
 - (ii) a major event area, and the period when those provisions apply.
- (3) The regulation may prescribe—
 - (a) a controlled area for the major event; and
 - (b) the control period; and
 - (c) the provisions of this Act that apply to a controlled area, and the period when those provisions apply.

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13 Minister's recommendation to Governor to prescribe major event

- (1) If the Minister is considering recommending that the Governor in Council prescribe an event as a major event, the Minister must consult with the following persons—
 - (a) each local government that governs a local government area in which a major event area is to be prescribed;
 - (b) if a regulation is to give an authorised person a power for the major event—the Minister administering the *Police Service Administration Act 1990*;
 - (c) if a regulation is to affect the operation of transport infrastructure within the meaning of the *Transport Infrastructure Act 1994*—the Minister administering that Act;
 - (d) if a regulation is to authorise exemptions to health practitioner requirements under part 5, division 5—the Health Minister;
 - (e) if the major event area is or includes major sports facility land—the Minister administering the *Major Sports Facilities Act 2001*.
- (2) The Minister may also consult with other public authorities before recommending that the Governor in Council prescribe an event as a major event.
- (3) After considering any representations made by those persons, the Minister may recommend that the Governor in Council prescribe the event as a major event under section 12 if the Minister is reasonably satisfied that—
 - (a) the event is a large State, national or international sporting or cultural event; and
 - (b) it is in the public interest for the Governor in Council to prescribe the event.
- (4) When deciding whether to make a recommendation, and without limiting the matters the Minister may consider under subsection (3), the Minister may consider—

- (a) the size of the event; or
- (b) the number of spectators that are likely to attend the event; or
- (c) the likely extent of media coverage of the event; or
- (d) the likely contribution that the event will make to the economy of the State; or
- (e) the likely contribution that the event will make to the State's international reputation as a host of major events.

Part 4 Carrying out works for major event

Division 1 Carrying out works in declared construction area

14 Declaration of declared construction area

- (1) The Minister may, by gazette notice, declare an area that is proposed to be a major event area as a declared construction area.
- (2) If the gazette notice identifies a declared construction area by reference to a map or plan, the map or plan must be displayed on the department's website.

Editor's note—

The department's website is <www.dtesb.qld.gov.au>.

- (3) The Minister must publish the details of the declared construction area and the effect of the declaration in a newspaper circulating—
 - (a) in the declared construction area; and
 - (b) generally in the State.

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- (4) A regulation that prescribes a major event area may include some or all of a declared construction area in the major event area.

15 Constructing works in declared construction area

- (1) A person (an *authorised occupier*) who is authorised in writing by the Minister may enter onto land inside a declared construction area to carry out—
- (a) works on, over or under the land for the major event; and
 - (b) other activities that the Minister or authorised occupier considers necessary for, or incidental to, the works; and
 - (c) maintenance on the works.
- (2) The authorised occupier may exercise those powers only if—
- (a) for public land—the authorised occupier is acting in accordance with the conditions stated in the Minister’s authorisation; or
 - (b) the entity that owns, occupies or controls the land agrees.
- (3) As soon as reasonably practicable after the construction period, the authorised occupier must return the land to—
- (a) the condition the land was in immediately before the works were carried out; or
- Examples—*
- repairing any damage done on, over or under the land caused by the works
 - removing rubbish from the land
- (b) if the major event organiser and the owner, occupier or controller of the land agreed to improvements on the land—the condition the land was in immediately before the works were carried out, with the improvements agreed to by the owner, occupier or controller.
- (4) In this section—

construction period means—

- (a) if the declared construction area does not become a major event area—the period during which the construction is carried out; or
- (b) the major event period.

Division 2 Temporary works and maintenance in major event area

16 Carrying out temporary works and maintenance in major event area

- (1) This section applies if the major event organiser intends to carry out any of the following works on public land inside a major event area—
 - (a) temporary works on, over or under the land for the major event;
Example of temporary works—
 - erecting a grandstand or barricade
 - (b) other activities that the organiser considers necessary for, or incidental to, the temporary works;
 - (c) maintenance on the temporary works.
- (2) The major event organiser may enter onto the public land, during a period prescribed by regulation for this section, to carry out the works only if—
 - (a) the Minister has published a notice in a newspaper circulating in the following areas stating what powers the organiser intends to exercise in the major event area—
 - (i) the major event area;
 - (ii) generally in the State; and
 - (b) either—

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- (i) the organiser is acting in accordance with the conditions decided by the Minister; or
 - (ii) the owner or occupier of the land, or person who ordinarily controls the land, agrees.
- (3) If—
 - (a) a vehicle is left unattended on public land; and
 - (b) the major event organiser needs to move the vehicle to carry out the works under subsection (1);an authorised person may deal with the vehicle in accordance with part 7, division 4, subdivision 2.
- (4) As soon as reasonably practicable after the major event period, the major event organiser must return the land to—
 - (a) the condition the land was in immediately before the temporary works were carried out; or
Examples—
 - repairing any damage done on, over or under the land caused by the temporary works
 - removing all rubbish from the land
 - (b) if the major event organiser and the owner, occupier or controller of the land agreed to improvements on the land—the condition the land was in immediately before the temporary works were carried out, with the improvements agreed to by the owner, occupier or controller.

Part 5 Major event provisions

Division 1 When part applies

17 When part applies

A provision of this part that is prescribed by regulation for a major event applies to the major event for—

- (a) the major event period; or
- (b) a shorter period prescribed by regulation.

Division 2 People and vehicles in major event area

Subdivision 1 Crowd and safety powers

18 Entering and exiting major event area

- (1) A person must not enter or exit a major event area except through an entrance or exit designated by the major event organiser.

Maximum penalty—20 penalty units.

- (2) A person must not enter, or remain in, a major event area unless—
- (a) if the major event organiser is charging an entry fee for the period the person remains in the major event area—the person pays the entry fee; or
 - (b) the person is authorised, in writing, by the major event organiser, whether under an occupant's pass or otherwise; or
 - (c) the person is authorised, in writing, by Stadiums Queensland, but only to the extent the major event area is major sports facility land.

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Maximum penalty—20 penalty units.

- (3) A person who appears to be drunk or adversely affected by a drug must not enter a major event area.

Maximum penalty—20 penalty units.

- (4) A person does not contravene subsection (1), (2) or (3) if the person has a reasonable excuse.
- (5) An authorised person may ask a person entering a major event area to consent to all or any of the following—
- (a) the use of an electronic detection device, including a metal detector, on the person or the person's possessions;
 - (b) the authorised person inspecting the person's belongings;
 - (c) the removal of 1 or more outer garments worn by the person as specified by the authorised person and the inspection of the garments by the authorised person;
 - (d) the removal of 1 or more articles from the person's clothing and the inspection of the articles by the authorised person;
 - (e) the inspection of an article in the person's possession by the authorised person;
 - (f) if the person is entering the major event area in a vehicle—
 - (i) inspection of the vehicle, or part of it, by the authorised person; and
 - (ii) the removal of an article from the vehicle and the inspection of the article by the authorised person.
- (6) An authorised person who is a police officer may frisk search a person entering the major event area if the officer—
- (a) asks for and receives the person's consent to be frisk searched; and
 - (b) frisk searches the person under the *Police Powers and Responsibilities Act 2000*, section 624.

-
- (7) A person must not be asked to consent under subsection (5) or (6) unless the authorised person or police officer making the request—
- (a) reasonably considers it necessary to make the request; and
 - (b) tells the person the reason for making the request.
- (8) For subsection (5), an authorised person may touch a garment the person entering the major event area is wearing only if the authorised person is the same gender as the person.
- (9) In this section—
- belongings* see the *State Buildings Protective Security Act 1983*, section 4A.
- frisk search* see the *Police Powers and Responsibilities Act 2000*, schedule 6.
- inspect*, an article, includes handle the article, open it and examine its contents.

19 Occupant's pass

- (1) A person who lives, works or has a business in a major event area may apply to the major event organiser for a pass (an *occupant's pass*) that authorises the person to enter and remain in the major event area during the major event period.
- (2) The application must be in the form approved by the major event organiser.
- (3) The major event organiser must grant the application if the organiser is satisfied the applicant needs access to the major event area during the major event period—
- (a) to enable the applicant to travel to or from the place where the applicant lives, works or has a business; or
 - (b) for the ordinary use and enjoyment of those places.
- (4) An occupant's pass may be granted subject to conditions, including a condition limiting the period for which the pass is valid to the days and times stated on the pass.

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20 Conduct while entering or within major event area

- (1) A person must not possess any of the following while entering or within a major event area—
- (a) a weapon;
 - (b) an explosive;
 - (c) a flare or other distress signal;
 - (d) a laser pointer;
 - (e) an animal, other than—
 - (i) for a person with a disability who relies on a guide, hearing or assistance dog—the guide, hearing or assistance dog; or
 - (ii) for a person who lives in a major event area—the person's pet;
 - (f) another thing prescribed by regulation.

Maximum penalty—20 penalty units.

- (2) Subsection (1) does not apply to a police officer while performing duties as an officer.
- (3) A person must not light any of the following while entering or within a major event area—
- (a) an explosive;
 - (b) a flare or other distress signal.

Maximum penalty—30 penalty units.

- (4) A person must not throw or propel any of the following while entering or within a major event area—
- (a) anything that may injure a person or damage property, including—
 - (i) an explosive; or
 - (ii) a flare or other distress signal;
 - (b) anything that may disrupt the major event.

Maximum penalty—

-
- (a) for paragraph (a)—40 penalty units; or
 - (b) for paragraph (b)—10 penalty units.
- (5) However, subsection (4) does not apply to a person who is—
- (a) a performer or participant at the major event who throws or propels an object that person ordinarily throws or propels as part of the major event; or
 - (b) a spectator at a major event who returns an object mentioned in paragraph (a) in a way not intended to contravene subsection (4).
- (6) A person must not do any of the following in a major event area—
- (a) offer a service for a fee, gain or reward;
 - (b) solicit, or attempt to solicit, money from another person;
 - (c) erect a tent or another temporary structure;
 - (d) erect or affix a decoration or equipment;
 - (e) tout for business;
 - (f) distribute a document;
 - (g) busk;
 - (h) another thing prescribed by regulation.

Maximum penalty—20 penalty units.

- (7) A person does not contravene this section if—
- (a) the person has the written approval of the major event organiser to do or possess the thing in a major event area; or
 - (b) the person has a reasonable excuse.

21 Entering restricted area in major event area

- (1) This section applies to an area (*restricted area*) inside a major event area, other than a playing field or a competition or performance area, if—

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- (a) the major event organiser has limited access to and use of the restricted area to performers or participants in a sporting, cultural or other event that forms part of the major event; or
 - (b) Stadiums Queensland has limited access to and use of the restricted area, to the extent it is major sports facility land, to particular persons.
- (2) A person must not enter the restricted area unless the person—
- (a) is a performer or participant in the major event; or
 - (b) is involved in the preparation or holding of the major event; or
 - (c) is authorised, in writing, to enter the restricted area by—
 - (i) the major event organiser; or
 - (ii) Stadiums Queensland, but only to the extent the major event area is major sports facility land; or
 - (d) has a reasonable excuse.

Maximum penalty—20 penalty units.

22 Entering onto playing field or competition or performance area

- (1) A person must not—
- (a) enter onto a playing field, or a competition or performance area; or
 - (b) obstruct a performer or participant who is participating in the major event.

Maximum penalty—

- (a) for paragraph (a)—40 penalty units; or
 - (b) for paragraph (b)—80 penalty units.
- (2) Subsection (1) does not apply to a person who—
- (a) is a performer or participant in the major event; or

- (b) is involved in the control or management of the sporting, cultural or other event that forms part of the major event; or
- (c) is authorised by the major event organiser to enter onto the playing field or competition or performance area; or
- (d) has a reasonable excuse.

23 Liquor

- (1) A person must not bring liquor into a major event area unless the person is bringing in the liquor—
 - (a) for sale or supply under subsection (2); or
 - (b) for—
 - (i) the person who is permitted to sell or supply liquor in the major event under subsection (2); and
 - (ii) sale or supply under subsection (2); or
 - (c) to supply or consume the liquor under subsection (3).

Maximum penalty—20 penalty units.

- (2) A person must not sell, supply or consume liquor in the major event area other than in—
 - (a) a licensed premises or another place that is authorised to supply liquor under the *Liquor Act 1992*; or
 - (b) a place exempted from complying with the *Liquor Act 1992* under that Act; or
 - (c) an area designated by the major event organiser as a place if liquor can be sold, supplied or consumed at the place under the *Liquor Act 1992*.

Maximum penalty—20 penalty units.

- (3) A person does not commit an offence under subsection (2) by supplying or consuming liquor in a place the person is living in, or otherwise staying in accommodation in, the major event area.

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24 Evidence of right to be in major event area or part of major event area

An authorised person may ask a person who is inside a major event area to produce—

- (a) a ticket entitling the person to be in the major event area, or the part of the major event area in which the person is; or
- (b) other evidence of the person's right to be in the major event area or part.

Examples of evidence for paragraph (b)—

- an occupant's pass
- another authorisation from the major event organiser

25 Inspecting thing in person's possession inside major event area

An authorised person may ask a person inside a major event area to consent to—

- (a) opening a bag, container or other thing in the possession of the person; or
- (b) allowing the authorised person to inspect the bag, container or other thing.

26 Directing person to leave major event area

- (1) This section applies to a person inside a major event area who—
 - (a) is committing an offence; or
 - (b) appears to be drunk or adversely affected by a drug; or
 - (c) does not consent to any of the matters mentioned in section 18(5) or (6); or
 - (d) does not produce a ticket or other evidence of the person's right to be in all or part of the major event area under section 24; or

- (e) does not consent to the authorised person opening or inspecting a thing under section 25.
- (2) An authorised person may direct the person—
 - (a) to immediately leave the major event area; and
 - (b) not enter the major event area for a period of not longer than 24 hours.
- (3) The person must comply with the direction.
Maximum penalty—20 penalty units.
- (4) If—
 - (a) the person was directed to leave the major event area for a reason mentioned in subsection (1)(a) or (b); and
 - (b) the major event organiser is reasonably satisfied that the nature of the person’s behaviour justifies banning the person from the major event area for a period of more than 24 hours;

the major event organiser may direct the person not to enter the major event area for a period that does not extend past the end of the major event period.
- (5) The person must comply with the direction.
Maximum penalty—60 penalty units.
- (6) If a person fails to comply with a direction under this section, a police officer may use reasonable force to remove the person from the major event area.
- (7) If the person is removed from the major event area under subsection (4), the major event organiser may—
 - (a) take a photograph or other image of the person; and
 - (b) use the photograph or other image only for the purposes of this Act.

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Subdivision 2 Vehicles

27 Bringing vehicles into major event area

A person must not bring a vehicle into a major event area unless—

- (a) the vehicle is—
 - (i) on a road that is open to the public; or
 - (ii) a police or emergency vehicle; or
- (b) the person is authorised, in writing, by the major event organiser; or
- (c) the person is authorised, in writing, by Stadiums Queensland, but only to the extent the major event area is major sports facility land; or
- (d) the person has a reasonable excuse.

Maximum penalty—20 penalty units.

28 Leaving vehicles in major event area

(1) A person must not park or leave a vehicle in a major event area unless—

- (a) the vehicle is in a place authorised for parking or leaving a vehicle; or
- (b) the vehicle is a police or emergency vehicle; or
- (c) the person is authorised, in writing, by the major event organiser; or
- (d) the person is authorised, in writing, by Stadiums Queensland, but only to the extent the major event area is major sports facility land; or
- (e) the person has a reasonable excuse.

Maximum penalty—20 penalty units.

- (2) If a vehicle is left in a major event area in contravention of subsection (1), an authorised person may deal with the vehicle in accordance with part 7, division 4, subdivision 2.

Subdivision 3 Control of airspace

29 Aircraft operating in airspace above major event

- (1) A person must not operate an aircraft, or cause an aircraft to be operated, over or in a restricted area that relates to a major event area during the major event period.

Maximum penalty—2000 penalty units.

- (2) However, subsection (1) does not apply if—
- (a) the flight of the aircraft is permitted by the CASA declaration of the restricted area; or
 - (b) the aircraft is a military aircraft or a police aircraft that is being operated for a military or security purpose; or
 - (c) the aircraft is being operated for an emergency purpose.
- (3) This section applies—
- (a) instead of a provision of the Queensland air navigation regulations to the extent of any inconsistency with those provisions; and
 - (b) to the extent of Parliament’s legislative power.

- (4) In this section—

CASA declaration means the declaration of a restricted area by CASA under the *Airspace Act 2007* (Cwlth).

restricted area means an area declared by CASA to be a restricted area under the *Airspace Act 2007* (Cwlth).

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Division 3 Limits on commercial activity for major event

Subdivision 1 Selling during control period or major event period

30 Selling on road, public land or major event area

- (1) A person must not sell or distribute a thing on a road or public land in a controlled area during the control period, or a major event area during the major event period, unless—
 - (a) the sale or distribution is a type prescribed by regulation; or
 - (b) the person has the written approval of the major event organiser.

Maximum penalty—50 penalty units.

- (2) If an authorised person reasonably suspects that a person is selling or distributing a thing in contravention of subsection (1), the authorised person may direct the person to remove the thing from the controlled area or major event area—
 - (a) immediately; or
 - (b) within another time stated by the authorised person.
- (3) The person must comply with the direction.

Maximum penalty—20 penalty units.

- (4) If the person does not comply with the direction, the authorised person may seize the thing in accordance with part 7, division 4, subdivision 3.

Subdivision 2 Resale of tickets

31 Resale of tickets

- (1) A person must not sell, or offer for sale, a ticket to a major event—
 - (a) in a controlled area or major event area; or
 - (b) at a price greater than 10% above the original sale price of the ticket.

Maximum penalty—20 penalty units.

- (2) However, subsection (1) does not apply if the person has the written approval of the major event organiser.

- (3) In this section—

original sale price, of a ticket, means—

- (a) the sale price of the ticket when it was bought from—
 - (i) the major event organiser; or
 - (ii) an agent authorised by the major event organiser;
and
- (b) a fee or commission charged for the ticket.

Subdivision 3 Marketing and advertising

32 Ambush marketing in major event area

- (1) This section applies to—
 - (a) a major event area during the major event period; and
 - (b) a controlled area during the control period.
- (2) A person must not, unless the person has the written approval of the major event organiser—
 - (a) promote a person, a thing or service; or

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- (b) do something that suggests the person, thing or service is a sponsor or affiliate or has the approval of—
 - (i) the major event; or
 - (ii) an event associated with the major event; or
 - (iii) the major event organiser.

Maximum penalty—100 penalty units.

- (3) If an authorised person reasonably suspects that a person is contravening subsection (2), the authorised person may direct the person to, within a reasonable time—
 - (a) remove a thing that is used in the marketing from the major event area or controlled area; or
 - (b) cover a thing that is used in the marketing.
- (4) The person must comply with the direction.

Maximum penalty—20 penalty units.

- (5) If the person fails to comply with the direction, the authorised person may seize the thing in accordance with part 7, division 4, subdivision 3.

33 Advertising in controlled area or major event area

- (1) This section applies to a property inside a controlled area or major event area during the control period.
- (2) A person must not display, or permit to be displayed, an advertisement on the property, including on the outside of a building or structure on the property.

Maximum penalty—700 penalty units.

- (3) However, subsection (2) does not apply if—
 - (a) the person covers the advertisement during the control period; or
 - (b) the person has the written approval of the major event organiser to display the advertisement; or

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- (c) the advertisement is a type of advertisement prescribed by regulation; or
 - (d) the advertisement—
 - (i) was displayed before the major event period; and
 - (ii) was displayed in the course of the person's ordinary activities; and
 - (iii) does not imply that the advertiser is a sponsor of the major event.
 - (4) An authorised person may enter on the property to cover or remove an advertisement—
 - (a) that contravenes this section; or
 - (b) if subsection (3)(d) applies to the advertisement.
 - (5) However, an authorised person must not enter onto land where a person lives without the person's consent.
 - (6) An authorised person must take reasonable steps to prevent damage happening when covering or removing an advertisement.

34 Advertising on vessel

A person must not, without reasonable excuse, display advertising on a vessel that is—

- (a) inside the major event area; or
- (b) visible from a major event area or controlled area;

unless the person has the written approval of the major event organiser.

Maximum penalty—400 penalty units.

35 Advertising in major event airspace

- (1) A person must not display an advertisement in airspace above, or visible from, a major event area or controlled area by—
 - (a) skywriting; or

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- (b) attaching or displaying an advertisement on a person or on an aircraft; or
 - (c) towing an advertisement behind a person or an aircraft.
- Maximum penalty—700 penalty units.
- (2) However, a person does not commit an offence under subsection (1)—
- (a) if the person has the written approval of the major event organiser; or
 - (b) by displaying an advertisement by markings that are ordinarily displayed on the aircraft.

Subdivision 4 Broadcasting or recording major event

36 Broadcasting or recording of major event

- (1) A person must not broadcast or record a major event unless—
- (a) the person has the written approval of the major event organiser; or
 - (b) the person broadcasts or records the major event—
 - (i) on a personal electronic device; and
 - (ii) for personal use; and
 - (iii) for a purpose other than for profit or gain.

Maximum penalty—400 penalty units.

- (2) In this section—

broadcast means broadcast or transmission made electronically or in any other way.

record means take a photograph or make an audio or visual recording.

Division 4 Roads and traffic

37 Traffic and transport management plan for major event

- (1) The major event organiser must prepare a traffic and transport management plan for a major event.
- (2) The traffic and transport management plan must include details of—
 - (a) temporary road closures for the major event; and
 - (b) major event lanes to be declared for the major event; and
 - (c) if a major event lane is to be declared for the event—the types of vehicles that are to be prescribed under section 39(2)(b)(ii); and
 - (d) how an emergency vehicle will be able to access the major event for an emergency purpose; and
 - (e) any other measures the major event organiser intends to take to manage traffic in or around the major event area.
- (3) When preparing the traffic and transport management plan, the major event organiser must consult with the chief executive (transport).
- (4) The major event organiser may consult with other public authorities when preparing the plan, such as—
 - (a) local governments; or
 - (b) operators of public passenger services under the *Transport Operations (Passenger Transport) Act 1994*; or
 - (c) the Queensland Fire and Emergency Service; or
 - (d) the Queensland Police Service.
- (5) A traffic and transport management plan does not have effect unless the major event organiser has received the written consent of the chief executive (transport) to the plan.

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38 Declaration of major event lane

- (1) This section applies to a marked lane of a road—
 - (a) that—
 - (i) is inside a major event area; or
 - (ii) provides participants in a major event access to a major event area from another place; and
 - (b) that is identified as a proposed major event lane in the traffic and transport management plan for a major event.
- (2) A regulation may declare the lane to be a major event lane for a stated period.
- (3) The regulation must show the major event lane on a map in the regulation.
- (4) The chief executive (transport) must install major event lane signs on a road on which a major event lane has been declared in a way specified in the Manual of Uniform Traffic Control Devices issued by the chief executive (transport) under the Road Use Act.
- (5) The chief executive (transport) must remove the major event lane signs after the declaration ends.
- (6) In this section—

install see the Road Use Act, section 67.

marked lane see the Queensland Road Rules, schedule 5.

39 Using major event lane

- (1) The major event organiser may give a person a permit (a *major event lane permit*) authorising the person to drive in a major event lane.
- (2) A person must not drive a vehicle in a major event lane unless—
 - (a) a major event lane permit is displayed on the vehicle in a way that is clearly visible from outside the vehicle; or
 - (b) the person is driving—

- (i) a police or emergency vehicle; or
- (ii) another type of vehicle prescribed by regulation, such as a bus or taxi.

Maximum penalty—20 penalty units.

- (3) However, a person does not contravene subsection (2) if major event lane signs are not installed on the road under section 38(4).
- (4) An authorised person may require the person in control of a vehicle with a major event lane permit to—
 - (a) give the permit to the authorised person so that the authorised person is able to inspect the permit; and
 - (b) state the person's name and residential address.
- (5) The authorised person may require the person to give evidence of the correctness of the stated name or address if, in the circumstances, it would be reasonable to expect the person to—
 - (a) be in possession of evidence of the correctness of the stated name or address; or
 - (b) otherwise be able to give the evidence.
- (6) An authorised person may stop a vehicle in a major event lane under section 64 to make a requirement under subsection (4).
- (7) A person must comply with a requirement made of the person under subsection (4) or (5).

Maximum penalty—20 penalty units.

- (8) An authorised person may confiscate a major event lane permit if the authorised office reasonably suspects that—
 - (a) the permit is a forgery; or
 - (b) the permit is being used by a person other than the person who was issued the permit.

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40 Power to close a road

- (1) For the purposes of a major event, the major event organiser may close to use by a person or vehicle all or part of a road in the major event area.
- (2) To remove any doubt, it is declared that a road, or part of a road, does not stop being a public place under an Act, or a road for the purposes of the Road Use Act, the *Motor Accident Insurance Act 1994* or another Act, because it is closed to use by a person or vehicle under this section.

Division 5 Visiting health practitioner exemptions for exempt events

41 When division applies

This division applies in relation to any of the following events (an *exempt event*) for the period (the *exemption period*) prescribed by regulation—

- (a) a major event;
- (b) an event prescribed by regulation that is held in a State, if the Governor in Council is reasonably satisfied the event will attract visitors to the State to prepare for the event.

42 Effect of this division

- (1) The purpose of this division is to allow visiting health practitioners to be exempted from having to register under State law when practising a health profession for a visitor for an exempt event during the exemption period.
- (2) This division does not affect the lawful occupation, trade or business of a person in the person's capacity as a health practitioner.

43 Registration exemption notice

- (1) The Health Minister may publish a notice (a *registration exemption notice*) in the gazette for an exempt event.
- (2) The registration exemption notice must state a procedure for a person to give the chief health officer a written notice (an *intention to practise notice*) of a person's intention to practise a health profession for a visitor in the State.
- (3) The procedure may require the person to give information to the chief health officer.
- (4) A registration exemption notice may—
 - (a) authorise a visiting health practitioner to issue prescriptions for a restricted drug, or a controlled drug, in the course of practising a health profession under this Act for a period; or
 - (b) authorise a dispenser to supply a restricted drug or controlled drug under those prescriptions; or
 - (c) authorise a visiting health practitioner to be supplied with an S2 or S3 substance by wholesale for the practitioner to practise a health profession under this Act; or
 - (d) authorise a wholesaler to supply an S2 or S3 substance by wholesale to an authorised visiting health practitioner; or
 - (e) impose conditions on any authorisation in the notice, such as the way a visiting health practitioner is to practise a health profession under this Act.
- (5) However, the Health Minister must not give any of those authorisations unless satisfied that adequate arrangements are in place to ensure a drug will be prescribed for, and supplied to, only persons to whom visiting health practitioners are authorised to practise a health profession under this Act.

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44 Practising health profession for visitor

A visiting health practitioner is authorised to practise a health profession for a visitor who is a member of the class of visitors authorised by the Health Minister under a registration exemption notice—

- (a) during the period that is stated in the registration exemption notice; and
- (b) in accordance with this Act, including any conditions imposed under this Act.

45 Storage of restricted or controlled drugs

A visiting health practitioner must ensure a restricted drug or controlled drug in the visiting health practitioner's possession is kept—

- (a) in a secure place under the visiting health practitioner's personal control; and
- (b) in accordance with written directions given to the practitioner by the chief health officer.

46 Exemptions relating to offences

(1) A visiting health practitioner does not commit an offence under the Health Practitioner Regulation National Law (Queensland), the Drugs Regulation or the Drugs Misuse Act by—

- (a) practising a health profession as authorised under this Act; or
- (b) if a substance is a substance that may be lawfully possessed, supplied or administered by a local health practitioner—possessing, supplying or administering the substance in the course of practising the authorised health profession; or
- (c) prescribing a restricted drug or controlled drug in the course of practising the authorised health profession; or

- (d) holding himself or herself out as being able to practise the authorised health profession; or
 - (e) using a title, reference to a qualification, description, word, letter or symbol that the visiting health practitioner ordinarily uses.
- (2) A visitor does not commit an offence under the Drugs Regulation or the Drugs Misuse Act by doing anything, or possessing a substance, as a result of having a visiting health practitioner practise a health profession under this Act.
- (3) A dispenser does not commit an offence under the Drugs Regulation by dispensing a restricted or controlled drug in accordance with a prescription issued by a visiting health practitioner, if—
- (a) the dispenser reasonably believes the health practitioner is authorised under this Act to issue the prescription; and
 - (b) the dispenser is authorised under this Act to supply the drug.
- (4) A wholesaler does not commit an offence under the Drugs Regulation or the Drugs Misuse Act by supplying an S2 or S3 substance by wholesale to a visiting health practitioner if the wholesaler—
- (a) reasonably believes the visiting health practitioner is authorised under this Act to be supplied with the substance by wholesale; and
 - (b) is authorised under this Act to supply the substance by wholesale; and
 - (c) is complying with the conditions to which the wholesaler's licence is subject under the Drugs Regulation.

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47 Forwarding copies of prescriptions

- (1) This section applies to a dispenser who dispenses a restricted or controlled drug in accordance with a prescription given under this Act.
- (2) The dispenser must, within 14 days of dispensing the drug, give a copy of the prescription to the chief health officer.
Maximum penalty—40 penalty units.
- (3) The copy of the prescription must clearly show the type and quantity of the drug to which the prescription relates.

48 Monitoring prescription and supply of particular substances

The chief health officer must monitor—

- (a) the prescription, under this Act, of restricted and controlled drugs by visiting health practitioners; and
- (b) the supply, under this Act, of S2 and S3 substances by wholesalers.

49 Complaints about visiting health practitioners

- (1) This section applies to a visiting health practitioner other than a practitioner who is registered under the Health Practitioner Regulation National Law (Queensland).
- (2) A health service complaint may not be made about a visiting health practitioner under the *Health Ombudsman Act 2013*.

Part 6 Official logos or titles

50 How part applies

This part does not affect or limit a civil right or remedy that exists apart from this part, whether at common law or otherwise.

51 Declaring official logo or official title for major event

- (1) The Minister may declare, by regulation, that—
 - (a) a logo is an official logo for a major event; or
 - (b) a title is an official title for a major event.
- (2) The declaration ends at the end of the major event period.

52 Use of official logo or title

- (1) The major event organiser may give a person a written notice authorising the person to use an official logo or official title.
- (2) The notice must state the following—
 - (a) the official logo or official title that the authorisation applies to;
 - (b) the name of the person authorised to use the official logo or official title;
 - (c) any limit on the right to use the official logo or official title;
 - (d) the duration of the authorisation;
 - (e) the day that the authorisation was given.
- (3) A person must not use an official logo or official title, or a logo or title that is deceptively similar, or substantially identical, to an official logo or official title—
 - (a) for a commercial purpose; or
 - (b) to promote, advertise or market a thing or service; or

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(c) to suggest that the person has a connection with the major event.

Maximum penalty—100 penalty points.

(4) However, subsection (3) does not apply if—

(a) a person uses the official logo or official title in accordance with an authorisation given under this section; or

(b) the use is for, or is incidental to—

(i) giving information, including reporting of news or current affairs; or

(ii) criticising or reviewing something, including in a newspaper, magazine, periodical, broadcast or film; or

(iii) giving professional advice; or

(iv) a research or education purpose.

(5) In this section—

deceptively similar, to an official logo or official title, means so nearly resembling the official logo or official title that it is likely to deceive or cause confusion.

53 Register of official logos and titles and authorisations

(1) The major event organiser must keep a register of—

(a) the official logos and official titles for the major event; and

(b) the organiser's authorisations to use the official logos and official titles granted under section 52.

(2) The major event organiser may make the register available for inspection, free of charge, by the public—

(a) at the organiser's office during the organiser's normal office hours; or

(b) on the organiser's website.

54 Authorised person may seize thing displaying official logo or title

- (1) This section applies if—
 - (a) a person possesses a thing displaying an official logo or official title; and
 - (b) the use of the official logo or official title on the thing is by a person who does not have an authorisation under section 52; and
 - (c) an authorised person reasonably suspects that the person intends to sell the thing.
- (2) An authorised person may seize the thing in accordance with part 7, division 4, subdivision 3.

Part 7 Authorised persons for major events

Division 1 When part applies

55 When part applies

This part applies if a regulation prescribing a major event applies a provision of this Act to a major event that gives an authorised person a power for the event.

Division 2 Appointment

56 Appointment and qualifications

- (1) The major event organiser may, by instrument in writing, appoint any of the following persons as an authorised person for a major event for the major event period—

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- (a) a public service employee;
 - (b) a local government employee;
 - (c) an employee of the major event organiser;
 - (d) other persons prescribed by regulation.
- (2) However, the major event organiser may appoint a person as an authorised person only if—
- (a) the organiser is reasonably satisfied the person is qualified for appointment because the person has the necessary experience, expertise or training; or
 - (b) the person has the experience, expertise or training prescribed by regulation.
- (3) In this section—
- local government employee*** means—
- (a) a local government employee under the *Local Government Act 2009*; or
 - (b) a council employee under the *City of Brisbane Act 2010*.

57 Conditions and limit on powers

- (1) An authorised person holds office on the conditions—
- (a) stated in the authorised person's instrument of appointment; or
 - (b) stated in a signed notice given to the authorised person; or
 - (c) prescribed by regulation.
- (2) The instrument of appointment, signed notice or regulation may limit the authorised person's powers.
- (3) In this section—
- signed notice*** means a notice signed by the major event organiser.

58 When office ends

- (1) The office of a person as an authorised person ends when—
 - (a) the term of office stated in a condition of office ends; or
 - (b) under another condition of office, the office ends; or
 - (c) the major event period ends; or
 - (d) the person’s resignation under section 59 takes effect; or
 - (e) for a police officer—the person ceases to be a police officer.
- (2) However, this section does not limit the ways the office of a person as an authorised person ends.
- (3) In this section—

condition of office means a condition under which the authorised person holds office.

59 Resignation

An authorised person may resign only by giving a signed notice to the major event organiser.

Division 3 Identity cards

60 Issue of identity card

- (1) The major event organiser must issue an identity card to an authorised person, unless the authorised person is a police officer.
- (2) The identity card must—
 - (a) contain a recent photo of the authorised person; and
 - (b) identify the person as an authorised person under this Act; and
 - (c) describe generally the powers of an authorised person under this Act; and

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- (d) state an expiry date for the card; and
 - (e) show the signature of a delegate of the major event organiser.
- (3) This section does not prevent the issue of a single identity card to a person for this Act and other purposes.

61 Production or display of identity card

In exercising a power in relation to a person in the person's presence, an authorised person must—

- (a) produce the authorised person's identity card for the person's inspection before exercising the power; or
- (b) have the identity card displayed so it is clearly visible to the person when exercising the power.

62 Return of identity card

If the office of a person as an authorised person ends, the person must return the person's identity card to the major event organiser within 21 days after the office ends unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

Division 4 Powers of authorised persons

Subdivision 1 Requiring name and address

63 Requiring name and address

- (1) This section applies if an authorised person—
- (a) finds a person committing an offence against this Act; or
 - (b) finds a person in circumstances that lead the authorised person to reasonably suspect the person has just committed an offence against this Act; or

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- (c) has information that leads the authorised person to reasonably suspect a person has just committed an offence against this Act.
 - (2) The authorised person may require the person to—
 - (a) state the person’s name and residential address; and
 - (b) give evidence of the correctness of the stated name or address if, in the circumstances, it would be reasonable to expect the person to—
 - (i) be in possession of evidence of the correctness of the stated name or address; or
 - (ii) otherwise be able to give the evidence.
 - (3) When making the requirement, the authorised person must tell the person that it is an offence not to comply with the requirement.
 - (4) The person must comply with the requirement.
Maximum penalty—5 penalty units.
 - (5) A person may not be convicted of an offence under subsection (4) unless the person is convicted of the offence mentioned in subsection (1).

Subdivision 2 Stopping or moving vehicles

64 Powers for stopping or moving vehicles

- (1) This section applies if the authorised person is to stop a vehicle under section 39(6).
- (2) If the vehicle is moving, the authorised person may signal or otherwise direct the person in control of the vehicle to stop the vehicle.
- (3) When directing the person to stop the vehicle, the authorised person must clearly identify himself or herself as an authorised person exercising the authorised person’s powers.

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Examples—

- 1 If the authorised person is in a moving vehicle, he or she may use a loud hailer to identify himself or herself as an authorised person exercising powers.
 - 2 If the authorised person is standing at the side of the road, he or she may use a sign to identify himself or herself as an authorised person exercising powers.
- (4) If the vehicle is stopped, the authorised person may direct the person in control of the vehicle—
- (a) not to move the vehicle until the authorised person has exercised the authorised person's powers; or
 - (b) to move the vehicle to, and keep the vehicle at, a stated reasonable place to allow the authorised person to exercise the powers; or
 - (c) to get out of the vehicle.
- (5) When giving a direction to the person to move the vehicle, the authorised person must warn the person that failing to comply with the direction is an offence.
- (6) The person in control of the vehicle must comply with a direction under subsection (4).

Maximum penalty—20 penalty units.

- (7) If a person fails to comply with a direction under subsection (4)(c), a police officer may use reasonable force to remove the person from the vehicle.
- (8) A person does not commit an offence against subsection (6) in relation to a direction under subsection (4) if the person is not warned that failing to comply with the direction is an offence.

65 Power to move or remove vehicles left in major event area

- (1) This section applies if—
- (a) a vehicle is to be moved under section 16(3); or
 - (b) a vehicle is left in a major event area in contravention of section 28.

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- (2) An authorised person may take steps that are reasonable and necessary to—
 - (a) move the vehicle; or
 - (b) remove and securely store the vehicle; or
 - (c) remove the vehicle from a major event area.
 - (3) The major event organiser must, within 14 days after moving or removing the vehicle, give the registered operator of the vehicle a written notice that states—
 - (a) the vehicle has been moved or removed; and
 - (b) how the vehicle may be recovered; and
 - (c) if the organiser considers, on reasonable grounds, the vehicle has been abandoned—
 - (i) the vehicle is considered to be abandoned property; and
 - (ii) the vehicle may be sold if the vehicle is not recovered within 2 months.
 - (4) If the registered operator can not be identified or located within the 14 days, the notice may be given by publishing the notice in a newspaper circulating generally in the State.
 - (5) However, the major event organiser need not give the notice if—
 - (a) the vehicle has insufficient value to justify giving the notice; or
 - (b) it is otherwise impracticable to give the notice.
 - (6) To enable the major event organiser to give a notice under subsection (3) to the registered operator of a vehicle, the chief executive (transport) is authorised to disclose the following information to the major event organiser—
 - (a) the name and address of the registered operator;
 - (b) if a telephone number for the registered operator is contained in the registered vehicles register—the telephone number.

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66 Moving expenses

- (1) This section applies to the following persons—
 - (a) if a vehicle is moved under section 65 by a police officer—the commissioner of the police service;
 - (b) if the vehicle is moved under section 65 by another authorised person—the major event organiser.
- (2) The person may recover the reasonable expenses (the *moving expenses*) of moving the vehicle, securely storing the vehicle, and publishing any newspaper notice for the vehicle, from—
 - (a) the person who was in charge of the vehicle immediately before the vehicle was moved; or
 - (b) if the person in charge can not be identified—the registered operator of the vehicle, unless the vehicle was being used without the registered operator’s consent.
- (3) If the moving expenses are paid, the major event organiser must release the vehicle to the registered operator of the vehicle or in accordance with the registered operator’s written directions.

67 Disposing of vehicle

- (1) This section applies if the major event organiser considers, on reasonable grounds, a vehicle has been abandoned in a major event area because—
 - (a) the moving expenses are not paid within 2 months after a notice is given under section 65; or
 - (b) if the major event organiser decides not to give a notice under section 65—at least 2 months have passed since the decision.
- (2) The major event organiser may dispose of the vehicle—
 - (a) by selling the vehicle; or
 - (b) if the proceeds of sale are not likely to cover the reasonable expenses that would be incurred by the major

event organiser in selling the vehicle—in the way the major event organiser considers appropriate.

- (3) If the vehicle is sold, the sale proceeds must be used to make payments in the following order—
 - (a) the expenses (the *sale expenses*) reasonably incurred by the major event organiser in selling the vehicle;
 - (b) the moving expenses;
 - (c) any balance to the registered operator of the vehicle.
- (4) If the sale proceeds are less than the sale and moving expenses, the difference between the proceeds and the expenses—
 - (a) is a debt payable to the major event organiser by the person who is liable for the moving expenses; and
 - (b) may be recovered as a debt by action against the person in a court of competent jurisdiction.
- (5) If the vehicle is not sold, the moving expenses and the expenses reasonably incurred by the major event organiser in disposing of the vehicle—
 - (a) are a debt payable to the major event organiser by the person who is liable for the moving expenses; and
 - (b) may be recovered as a debt by action against the person in a court of competent jurisdiction.
- (6) The major event organiser may waive part or all of the expenses mentioned in this section.

Subdivision 3 Seizing evidence and other things

68 Receipt for seized thing

- (1) This section applies if an authorised person seizes anything under section 30, 32 or 54 unless—

[s 69]

- (a) the authorised person reasonably believes there is no-one apparently in possession of the thing or the thing has been abandoned; or
 - (b) because of the condition, nature and value of the thing, it would be unreasonable to require the authorised person to comply with this section.
- (2) The authorised person must, as soon as practicable after seizing the thing, give an owner or person in control of the thing before the thing was seized a receipt for the thing that generally describes the thing and its condition.
- (3) However, if an owner or person from whom the thing is seized is not present when the thing is seized, the receipt may be given by leaving the receipt in a conspicuous position and in a reasonably secure way at the place at which the thing is seized.
- (4) The receipt may relate to more than 1 seized thing.

69 Keeping seized thing pending return or forfeiture

- (1) The authorised person must give the seized thing to the major event organiser as soon as practicable after the seizure.
- (2) The major event organiser must keep the seized thing until the thing is—
- (a) returned to its owner under section 71; or
 - (b) forfeited to the State under section 72 or 73.

70 Access to seized thing

- (1) Until a seized thing is returned or forfeited, the major event organiser must allow an owner of the thing to inspect the thing, free of charge—
- (a) at any reasonable time; and
 - (b) from time to time.
- (2) However, subsection (1) does not apply if it is impracticable or would be unreasonable to allow the inspection.

71 Return of seized thing and compensation

- (1) This section applies if—
 - (a) a seized thing has some intrinsic value; and
 - (b) it is lawful for the owner to possess the thing.
- (2) The major event organiser must return the seized thing to an owner—
 - (a) generally—at the end of 6 months after the seizure; or
 - (b) if a proceeding for an offence involving the thing is started within the 6 months—at the end of the proceeding and any appeal from the proceeding.
- (3) However, if the thing was seized as evidence, the authorised person must return the seized thing to an owner as soon as practicable after the authorised person is satisfied the thing is no longer necessary to retain the thing as evidence.
- (4) If a seized thing has been destroyed, the major event organiser must pay, to the thing's owner, compensation—
 - (a) equal to the market value of the thing when the thing was seized; and
 - (b) for any other loss or damage incurred by the owner as a result of the seizure.
- (5) This section does not affect a lien or other security over the seized thing.
- (6) In this section—

destroyed, for a seized thing, includes damaged to the extent that the thing is no longer fit for its designed use.

72 Forfeiture of seized thing by chief executive decision

- (1) The chief executive may decide a seized thing is forfeited to the State if—
 - (a) the thing has no intrinsic value; or
 - (b) it is not lawful for the owner to possess the thing; or

[s 73]

- (c) the major event organiser reasonably believes it is necessary to keep the thing to prevent the thing being used to commit the offence for which the thing was seized; or
 - (d) the major event organiser, after making reasonable inquiries, can not find an owner; or
 - (e) the major event organiser, after making reasonable efforts, can not return the thing to an owner.
- (2) However, the chief executive is not required to—
- (a) make inquiries if it would be unreasonable to make inquiries to find an owner; or
 - (b) make efforts if it would be unreasonable to make efforts to return the thing to an owner.

Example for paragraph (b)—

The owner of the thing has migrated to another country.

- (3) In deciding—
- (a) whether it is reasonable to make inquiries or efforts; and
 - (b) if inquiries or efforts are made—what inquiries or efforts, including the period over which they are made, are reasonable;
- the thing's condition, nature and value must be considered.
- (4) If the chief executive decides a thing is forfeited to the State, the thing becomes the property of the State.

73 Court may order forfeiture of seized thing to the State

- (1) This section applies if a court convicts a person of an offence against section 30, 32 or 52.
- (2) When imposing a sentence on the person for the offence, or granting an injunction or making an order, the court may also order a seized thing to be forfeited to the State if—
- (a) the person is the owner of the thing; and

-
- (b) the item was the subject of the contravention of section 30, 32 or 52.
 - (3) The court may also make any order that the court considers appropriate to enforce the forfeiture.

74 How property may be dealt with

- (1) This section applies if, under section 72 or 73, a thing becomes the property of the State.
- (2) The chief executive may deal with the thing as the chief executive considers appropriate (including, for example, by destroying it or giving it away).
- (3) The chief executive must not deal with the thing in a way that could prejudice the outcome of an appeal against the forfeiture under this division.
- (4) If the chief executive sells the thing, the chief executive may, after deducting the costs of the sale, return the proceeds of the sale to the former owner of the thing.

Subdivision 4 Notice of powers of authorised persons in major event areas

75 Signs to be erected at major event area describing powers of authorised persons

- (1) The major event organiser for a major event must erect a sign at each public entrance to a major event area for the major event describing the powers authorised persons may exercise under this Act in the major event area.

- (2) In this section—

public entrance, to a major event area, means an entrance designated by the major event organiser for the major event as an entrance members of the public may use to enter the major event area.

[s 76]

Division 5 Offences

76 Impersonating authorised person

A person must not impersonate an authorised person.

Maximum penalty—60 penalty units.

77 Obstructing authorised person

A person must not obstruct an authorised person from carrying out his or her duties under this Act.

Maximum penalty—20 penalty units.

Part 8 Application of Acts to declared construction areas and major events

78 Application of other Acts to activities or works for major event

- (1) This section applies to—
 - (a) an activity, including the use of land, that is engaged in to promote or stage a major event; or
 - (b) works carried out by—
 - (i) an authorised occupier in a declared construction area for a major event; or
 - (ii) a major event organiser in a major event area for a major event.
- (2) The following Acts do not apply to the activity or works—
 - (a) the *City of Brisbane Act 2010*;
 - (b) the *Coastal Protection and Management Act 1995*;

-
- (c) the *Economic Development Act 2012*;
 - (d) the *Local Government Act 2009*;
 - (e) the *Land Act 1994*, chapter 3, part 1;
 - (f) the *Sustainable Planning Act 2009*.
- (3) If any of the activity or works are building work under the *Building Act 1975*, the authorised occupier or major event organiser must obtain a compliance certificate, under that Act, that states the building work complies with the following building assessment provisions—
- (a) the Building Code of Australia under the *Building Act 1975*, section 12;
 - (b) the fire safety standard under the *Building Act 1975*, section 217(1);
 - (c) the Queensland Development Code under the *Building Act 1975*, section 13;
 - (d) any other building assessment provision prescribed by regulation.
- (4) For subsection (3), if there is an inconsistency between the Building Code of Australia and a part of the Queensland Development Code, the part prevails to the extent of the inconsistency.

79 Application of laws to light, noise etc.

- (1) The *Environmental Protection Act 1994* does not apply in relation to any light or noise from—
- (a) a declared construction area by an authorised occupier during the period the area is a declared construction area; or
 - (b) a major event area during the major event period.
- (2) An activity carried on by, or with the approval of, the major event organiser inside a major event area during the major event period does not constitute a nuisance.

[s 80]

80 Application of laws to roads

- (1) This section applies if—
 - (a) a major event is a motor racing event; and
 - (b) a regulation declares that all or part of a road in a major event area for the major event ceases to be a road for the major event period.
- (2) The following do not apply to the road or part—
 - (a) the Road Use Act, other than sections 79, 79AA to 79G, 80, 81 and 82;
 - (b) the Heavy Vehicle National Law (Queensland).
- (3) However, if the major event organiser opens land on which all or part of the road was situated before the declaration to ordinary pedestrian and vehicular traffic as a road during particular times, the land while so open, is a road.

Part 9 Miscellaneous

81 Summary offences

An offence against this Act is a summary offence.

82 Directing major event organiser to do thing for major event

- (1) The Minister may give the major event organiser for a major event a written direction to do, or refrain from doing, anything necessary for the running of the major event.
- (2) The major event organiser must comply with the direction.

83 Compensation not payable in respect of major event-related matters

- (1) Compensation is not payable by or for the State for an act or omission—
 - (a) that is a major event-related matter or that arises, directly or indirectly, from a major event-related matter; and
 - (b) for which the State or a State employee would otherwise be civilly liable.
- (2) Subsection (1)—
 - (a) applies only in relation to acts done or omitted to be done in good faith and without negligence; and
 - (b) does not apply to acts or omissions that cause personal injury to a person or the death of a person.
- (3) Subsection (1) does not affect—
 - (a) the civil liability of the State for an act or omission to perform an act as part of, or otherwise in connection with, a State employee's role as an authorised person; or
 - (b) compensation payable under any indemnity given, or other agreement made, by the major event organiser or the State that expressly relates to a major event-related matter.
- (4) In this section—

major event-related matter means—

 - (a) the conduct or holding of any major event; or
 - (b) works conducted or other things done under an authorisation given under this Act; or
 - (c) the administration or purported administration of this Act; or
 - (d) the exercise or purported exercise of functions under this Act.

[s 84]

84 Regulation-making power

- (1) The Governor in Council may make regulations under this Act.
- (2) A regulation may provide for—
 - (a) the care, control management and use of a major event area; or
 - (b) regulating activities or the behaviour of persons in a major event area; or
 - (c) a maximum penalty of 20 penalty units for contravention of the regulation.

Part 10 Repeals

85 Repeals

The following Acts are repealed—

- Motor Racing Events Act 1990, No. 60
- Health Practitioners (Special Events Exemption) Act 1998, No. 40.

Part 11 Transitional provisions

86 Reference to repealed Act

- (1) A reference to a repealed Act, or a provision of a repealed Act, in a document is, if the context allows, taken from the commencement of this section to be a reference to this Act or to the corresponding provision (if any) of this Act.
- (2) In this section—

repealed Act means—

- (a) the repealed *Motor Racing Events Act 1990*; or
- (b) the repealed *Health Practitioners (Special Events Exemption) Act 1998*; or
- (c) the *Police Powers and Responsibilities Act 2000*, chapter 19, part 2.

87 Regulation or special event notice made under Health Practitioners (Special Events Exemption) Act 1998

- (1) This section applies if, immediately before the commencement of this section, a regulation was in force that declares a sporting, cultural or other event to be a special event under the repealed *Health Practitioners (Special Events Exemption) Act 1998*.
- (2) The special event is taken to be prescribed as an exempt event under this Act until the end of the exemption period prescribed by the regulation.
- (3) A special event notice that, immediately before the commencement of this section, was in force under the repealed *Health Practitioners (Special Events Exemption) Act 1998*, is taken to be a registration exemption notice made under this Act.

Part 12 Amendment of Acts

Division 1 Amendment of this Act

88 Amendment of long title

Long title, from ‘, to amend this Act’—
omit.

[s 89]

89 Amendment of s 6 (Definitions)

Section 6, ‘schedule 2’—

omit, insert—

schedule 1

90 Renumbering of sch 2 (Dictionary)

Schedule 2—

renumber as schedule 1.

**Division 2 Amendment of Commonwealth
Games Arrangements Act 2011**

91 Act amended

This division amends the *Commonwealth Games Arrangements Act 2011*.

92 Replacement of s 54 (Exception for use of business or company name)

Section 54—

omit, insert—

54 Corporations legislation displacement provisions

Sections 51 and 52 are declared to be Corporations legislation displacement provisions for the purposes of the Corporations Act, section 5G generally.

Division 3 Amendment of Environmental Protection Act 1994

93 Act amended

This division amends the *Environmental Protection Act 1994*.

94 Amendment of sch 1 (Exclusions relating to environmental nuisance or environmental harm)

Schedule 1, part 1, section 3—

insert—

Note—

Also see the *Major Events Act 2014*, section 79 for an exemption from this Act for light and noise.

Division 4 Amendment of Police Powers and Responsibilities Act 2000

95 Act amended

This division amends the *Police Powers and Responsibilities Act 2000*.

96 Amendment of s 34 (Definitions for pt 3)

Section 34, definition *event*, paragraph (a)—

omit, insert—

(a) a major event; or

97 Amendment of s 53BB (What is an *out-of-control event*)

Section 53BB(2)(b)—

omit, insert—

(b) a major event;

[s 98]

98 Omission of ch 19, pt 2 (Preserving safety for special events)

Chapter 19, part 2—

omit.

99 Amendment of s 629 (Removal of clothing for search)

Section 629(2)—

omit.

100 Amendment of sch 1 (Acts not affected by this Act)

Schedule 1—

insert—

Major Events Act 2014

101 Amendment of sch 6 (Dictionary)

- (1) Schedule 6, definitions *authorised person*, *personal property*, *prohibited item*, *restricted area*, *special event* and *special event site*—

omit.

- (2) Schedule 6—

insert—

authorised person, for chapter 12, see section 280.

major event see the *Major Events Act 2014*, section 7.

- (3) Schedule 6, definition *electronic screening*, ‘or 567’—

omit.

- (4) Schedule 6, definition *enforcement act*, paragraph (a)(i)—

omit.

- (5) Schedule 6, definition *enforcement act*, paragraphs (a)(ii) and (iii)—
renumber as paragraphs (a)(i) and (ii).
- (6) Schedule 6, definition *entrant*, ‘, a special event site’—
omit.

Division 5 Amendment of Tobacco and Other Smoking Products Act 1998

102 Act amended

This division amends the *Tobacco and Other Smoking Products Act 1998*.

Note—

See also the amendments in schedule 1.

103 Replacement of pt 2C, div 2, hdg (Major sports facilities)

Part 2C, division 2, heading—

omit, insert—

Division 2 Major event facilities

104 Replacement of s 26ZD (Meaning of *major sports facility*)

Section 26ZD—

omit, insert—

26ZD Meaning of *major event facility*

A major event facility is—

- (a) a facility declared to be a major sports facility under the *Major Sports Facilities Act 2001*; or
- (b) if a major event area is prescribed by regulation for a major event under the *Major*

[s 105]

Events Act 2014—the major event area for the period the area is a major event area under the *Major Events Act 2014*.

Division 6 Minor and consequential amendments

105 Minor and consequential amendments

Schedule 1 amends the Acts it mentions.

Schedule 1 Minor and consequential amendments

section 105

City of Brisbane Act 2010

1 Section 246(6)(b)—

omit, insert—

- (b) an activity that—
 - (i) is for a major event under the *Major Events Act 2014*; and
 - (ii) is being carried on by, or with the approval of, the major event organiser for the major event.

Local Government Act 2009

1 Section 264(4)(b)—

omit, insert—

- (b) an activity that—
 - (i) is for a major event under the *Major Events Act 2014*; and
 - (ii) is being carried on by, or with the approval of, the major event organiser for the major event.

Tobacco and Other Smoking Products Act 1998

1 Sections 26ZE, 26ZF(b) and 26ZG(1), ‘major sports facility’—

omit, insert—

major event facility

2 Schedule, definition *major sport facility*—

omit, insert—

major event facility, for part 2C, division 2, see section 26ZD.

Schedule 2 Dictionary

section 6

aircraft see the *Civil Aviation Act 1988* (Cwlth), section 3.

authorised occupier see section 15(1).

authorised person means—

- (a) a police officer; or
- (b) a person who holds an appointment under section 56.

building assessment provision see the *Building Act 1975*, section 30(1).

bus see the *Transport Operations (Passenger Transport) Act 1994*, schedule 3.

chief executive (transport) means the chief executive of the department in which the Road Use Act is administered.

chief health officer see the *Hospital and Health Boards Act 2011*, schedule 2.

civil liability see the *Public Service Act 2008*, section 26C.

controlled area, for a major event, see section 11.

controlled drug see the *Drugs Regulation*, appendix 9.

control period means the period prescribed by regulation for a major event under section 12(3)(b).

declared construction area means an area declared under section 14.

dispenser see the *Drugs Regulation*, appendix 9.

Drugs Misuse Act means the *Drugs Misuse Act 1986*.

Drugs Regulation means the *Health (Drugs and Poisons) Regulation 1996*.

emergency purpose means a purpose—

- (a) to preserve human life, health or safety; or

(b) to protect property.

emergency vehicle see the Queensland Road Rules, schedule 5.

exempt event see section 41.

exemption period see section 41.

explosive see the *Explosives Act 1999*, schedule 2.

guide, hearing or assistance dog means a guide dog, a hearing dog or an assistance dog under the *Guide, Hearing and Assistance Dogs Act 2009*.

Health Minister means the Minister administering the Health Practitioner Regulation National Law (Queensland).

health practitioner see the Health Practitioner Regulation National Law (Queensland), section 5.

health profession see the Health Practitioner Regulation National Law (Queensland), section 5.

intention to practise notice see section 43(2).

liquor see the *Liquor Act 1992*, section 4B.

local government area includes the City of Brisbane.

major event see section 7.

major event area, for a major event, see section 9.

major event lane means a lane declared to be a major event lane under section 38.

major event lane permit see section 39(1).

major event lane sign means a sign in the form prescribed by regulation indicating that a lane on a road is a major event lane.

major event organiser, for a major event, see section 8.

major event period, for a major event, see section 10.

major sports facility land means facility land under the *Major Sports Facilities Act 2001*.

moving expenses see section 66(2).

occupant's pass see section 19(1).

official logo means a logo declared by the Minister to be an official logo for a major event under section 51(1).

official title means a title declared by the Minister to be an official title for a major event under section 51(1).

prescription see the Drugs Regulation, appendix 9.

public land means land, other than major sports facility land, that is owned, managed or used by—

- (a) the State; or
- (b) a statutory body under the *Statutory Bodies Financial Arrangements Act 1982*.

Queensland air navigation regulations means the regulations made under the *Air Navigation Act 1920* (Cwlth) or the *Civil Aviation Act 1988* (Cwlth) that apply to air navigation in Queensland because of the *Air Navigation Act 1937*.

reasonably believes means believes on grounds that are reasonable in the circumstances.

reasonably suspects means suspects on grounds that are reasonable in the circumstances.

registered operator of a vehicle has the meaning given under the Road Use Act.

registered vehicles register has the meaning given under the Road Use Act.

registration exemption notice see section 43(1).

restricted drug see the Drugs Regulation, appendix 9.

road see the Road Use Act, schedule 4.

Road Use Act means the *Transport Operations (Road Use Management) Act 1995*.

S2 or S3, for a substance, means a substance classified S2 or S3 under the Drugs Regulation.

seized thing means a thing seized under section 30, 32 or 54.

State employee see the *Public Service Act 2008*, section 26B.

supply, for a drug or other substance, means sell or offer to sell the drug or other substance on prescription.

taxi see the *Transport Operations (Passenger Transport) Act 1994*, schedule 3.

traffic and transport management plan see section 37.

vehicle means—

- (a) any type of transport that moves on wheels, other than a train, tram, pram, stroller, motorised wheelchair, wheelchair or other mobility aid; or
- (b) a vessel.

vessel means a ship, boat, punt, ferry, air cushion vehicle or other vessel designed for navigation on water.

visiting health practitioner means an individual who—

- (a) is a resident of another country; and
- (b) is appointed, employed, contracted or otherwise engaged by a person who is officially participating in, or preparing for, an exempt event to provide health care services to a visitor; and
- (c) gives the Health Minister an intention to practise notice under the procedure stated in the registration exemption notice for the exempt event.

visitor means a person who—

- (a) is a resident of another country who is in the State to officially participate in, or prepare for, a exempt event; or
- (b) is a resident of Australia who—
 - (i) is in the State for a purpose mentioned in paragraph (a); and
 - (ii) is a member of a group the majority of the members of which are persons mentioned in paragraph (a) who are in the State for the same purpose.

weapon see the *Weapons Act 1990*, schedule 2.

wholesaler, for the supply of an S2 or S3 substance, means a person who, under the Drugs Regulation, is licensed to supply the substance by wholesale.

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