

Queensland



Subordinate Legislation 2003 No. 95

Gold Coast Motor Racing Events Act 1990

**GOLD COAST MOTOR RACING EVENTS
REGULATION 2003**

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PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Gold Coast Motor Racing Events Regulation 2003*.

PART 2—CONDUCT IN DECLARED AREA

2 No smoking area

(1) The promoter may designate a part of the declared area as a no smoking area during the declared period if the promoter is satisfied smoking in the part of the area would be unsafe.

(2) If the promoter designates an area as a no smoking area, the promoter must display in the area, or at or near the entrance to the area, a no smoking sign that complies with the requirements for a no smoking sign under the *Tobacco and Other Smoking Products Act 1998*.¹

(3) A person must not smoke in a no smoking area.

Maximum penalty for subsection (3)—20 penalty units.

(4) In this section—

“**smoke**” see *Tobacco and Other Smoking Products Act 1998*, section 26Q.²

1 See the *Tobacco and Other Smoking Products Regulation 1998*, section 13, for the requirements for a no smoking sign under the *Tobacco and Other Smoking Products Act 1998*.

2 Under the *Tobacco and Other Smoking Products Act 1998*—

“**smoke**” means smoke, hold or otherwise have control over an ignited smoking product. [See section 26Q.]

“**smoking product**” means a tobacco product, herbal cigarette or loose smoking blend. [See the schedule. Note the terms “tobacco product”, “herbal cigarette” and “loose smoking blend” are also defined in the schedule.]

3 No public entertainment without permission

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

Maximum penalty—20 penalty units.

(2) Subsection (1) does not apply to a person conducting public entertainment on premises in the declared area if the owner or occupier of the premises—

- (a) carries on a business on the premises; and
- (b) ordinarily allows public entertainment to be conducted on the premises in the course of carrying on the business.

4 No selling without permission

(1) A person must not sell anything in the declared area during the declared period without the permission of the promoter.

Maximum penalty—20 penalty units.

(2) Subsection (1) does not apply to an occupant of the declared area selling things from premises in the declared area if—

- (a) the occupant ordinarily sells things of the same type from the premises; and
- (b) the occupant was selling things of the same type from the premises immediately before the declared period started.

5 No damage to plants without permission

(1) A person must not damage a plant in the declared area during the declared period without the permission of the owner of the plant.

Maximum penalty—20 penalty units.

(2) In this section—

“**damage**”, in relation to a plant, includes pick a flower from the plant and uproot the plant.

6 No lighting fires without permission

A person must not light a fire in the declared area during the declared period without the permission of the promoter.

Maximum penalty—20 penalty units.

7 Other prohibited conduct

A person must not do any of the following in the declared area during the declared period—

- (a) climb or remain on—
 - (i) the roof of a building or structure without the permission of the owner or occupier of the building or structure; or
 - (ii) a bush, shrub or tree on public land; or
 - (iii) a fence or wall on public land;
- (b) use a seat or other structure under the control of the promoter for a purpose other than the purpose for which the seat or other structure was intended;
- (c) block an aisle, passage or step of a grandstand;
- (d) deposit litter other than in a receptacle provided for the purpose;
- (e) throw a bottle, stone or other object;
- (f) discharge a firearm unless the person is a police officer acting in that capacity;
- (g) be disorderly or create a disturbance on public land.

Examples for paragraph (g)—

1. Using indecent or obscene language or threatening or insulting words.
2. Behaving in an abusive, indecent, insulting, riotous or threatening manner.

Maximum penalty—20 penalty units.

8 Compliance with traffic requirements

(1) This section applies to a road in the declared area that has ceased, under section 6(2)³ of the Act, to be a road.

(2) However, this section does not apply to the motor racing circuit between 7 am and 7 pm on any day during the declared period.

(3) A person in charge of a motor vehicle on the road must comply with the following—

- (a) an indication given by an official traffic sign installed under the *Transport Operations (Road Use Management) Act 1995*, chapter 5, part 2;⁴
- (b) a direction or requirement indicated on a sign displayed by the promoter;
- (c) a direction or requirement given by an authorised person.

Maximum penalty—20 penalty units.

(4) In this section—

“**indication**” see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.⁵

“**motor vehicle**” means any type of transport that moves on wheels and is propelled by a motor that forms part of the vehicle.

“**official traffic sign**” see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.⁶

3 Section 6 (Promoter to have care, control etc. of declared area) of the Act

4 *Transport Operations (Road Use Management) Act 1995*, chapter 5 (Road use), part 2 (Official traffic signs)

5 Under the *Transport Operations (Road Use Management) Act 1995*, schedule 4 (Dictionary)—

“**indication**” given by an official traffic sign includes—

- (a) a direction on an official traffic sign; and
- (b) a direction, indication or requirement that, under a regulation, is prescribed as being given or imposed, because of an official traffic sign.

6 Under the *Transport Operations (Road Use Management) Act 1995*, schedule 4 (Dictionary)—

“**official traffic sign**” means a sign, marking, light or device placed or erected to regulate, warn or guide traffic.

PART 3—FEES

9 Filming etc. from outside declared area—Act, s 47

For section 47(2) of the Act, the prescribed amount of fee is \$275 000.

PART 4—DECLARATION OF PARTICULAR MATTERS FOR 2003

10 Declared area for 2003—Act, schedule, definition “declared area”

The declared area for 2003 is the area marked as the ‘declared area’ on the map available for inspection, between 9.00 a.m. and 4.00 p.m. on business days, at—

- (a) the registered office of Gold Coast Events Co Pty Ltd at level 5, Forestry House, 160 Mary Street, Brisbane; and
- (b) the office of Gold Coast Motor Events Co at level 5, 64 Marine Parade, Southport.

11 Declared period for 2003—Act, schedule, definition “declared period”

The declared period for 2003 is the period starting at midday on Wednesday 22 October 2003 and ending at midday on Monday 27 October 2003.

12 Official title for 2003—Act, schedule, definition “official title”

The official title for the motor racing event for 2003 is ‘2003 Lexmark Indy 300’.

13 Promoter for 2003—Act, schedule, definition “promoter”

The following persons are the promoter for 2003—

- Gold Coast Events Co Pty Ltd ACN 010 949 649
- Igli Holdings Pty Ltd ACN 004 014 233

- International Management Group of America Pty Ltd
ACN 001 788 343
- Papandrea Pty Ltd ACN 011 028 596
- Raxmont Pty Ltd ACN 011 053 044
- Southcoast Tyre Services Pty Ltd ACN 009 795 126
- Truffle Pty Ltd ACN 011 011 368.

PART 5—REPEAL PROVISION

14 Repeal of regulation

The *Indy Car Grand Prix Regulation 1990* is repealed.

15 Expiry of pt 5

This part expires the day after it commences.

ENDNOTES

1. Made by the Governor in Council on 29 May 2003.
2. Notified in the gazette on 30 May 2003.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Innovation and Information Economy, Sport and Recreation.