

INDY CAR GRAND PRIX AND OTHER LEGISLATION AMENDMENT BILL 2003

EXPLANATORY NOTES

Short Title of the Bill

The short title of the Bill is the Indy Car Grand Prix and Other Legislation Amendment Bill 2003.

Objectives of the Bill

The primary objective of the Indy Car Grand Prix and Other Legislation Amendment Bill 2003 (the Bill) is to amend the *Indy Car Grand Prix Act 1990* (the Act) to provide legislation for the conduct of an annual motor racing event on the Gold Coast.

The Bill aims to improve the staging of motor racing events on the Gold Coast by addressing deficiencies in the existing legislation and removing redundant provisions and to reflect current drafting practices.

Policy rational and achievement of objectives

The Act and the *Indy Car Grand Prix Regulation 1990* (the Regulation) provide for the running of a motor racing event on the Gold Coast under a commercial agreement with the Championship Auto Racing Team Inc. (CART), and under the Champ Car series of races. To date there have been twelve Champ Car racing events held on the Gold Coast.

The Act provides for the appointment of the race promoter and outlines the promoter's rights and responsibilities. The declaration of the area and period in which the event is to occur each year is done by Regulation.

The Queensland Government is fully committed to a continuation of the Indy 300 races on the Gold Coast and has agreed in principle to extend the agreement with CART and the racing event for a further five years until 2008. The Bill recognises the growth of the Indy racing event, including

the contribution of the V8 SuperCars series and the other motor racing categories.

The Bill aims to improve the running of the event by clarifying certain powers of the race promoter.

The Bill also aims to address deficiencies in and to modernise the Act by removing obsolete references to now repealed Acts and by utilising modern drafting practices.

Alternative method of achieving the Policy Objectives

The alternative to the Bill is to leave the legislation as it currently stands. By removing event specific terminology in the Act, the Bill recognises the importance and growth of motor racing staged as part of Indy and the benefits of this event to the Gold Coast region and the State of Queensland. The current legislation contains a number of outdated references and does not reflect current drafting practices. In addition, the current legislation is due to expire on 31 December 2003.

Estimated cost of Government implementation

There are no additional costs anticipated for Government in implementation of the amendments proposed in the Bill.

Consistency with Fundamental Legislative Principles

The Bill has been drafted with regard to fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*. In accordance with fundamental legislative principles, the Bill moves the provisions about the appointment of authorised persons, their powers and conduct in the declared area for the race, currently in the Regulation, to the Act. As authorised persons have prescribed statutory powers that may infringe the rights of other people, provisions around their appointment and powers sit more appropriately in the Act.

Consultation undertaken on the Bill

Consultation was undertaken with all Government agencies, the Gold Coast Motor Events Company (GCMEC), which runs the event on behalf

of the event promoter and the Gold Coast City Council. All parties consulted supported the Bill.

NOTES ON PROVISIONS

PART 1—PRELIMINARY

Clause 1 sets out the short title of the amendment Act. The short title of the amendment Act is the *Indy Car Grand Prix and Other Legislation Amendment Act 2003*.

Clause 2 provides for the commencement of the amendment Act. Part 3 (Amendment of Other Acts) commences on assent with the remaining provisions commencing on a date fixed by proclamation.

PART 2—AMENDMENT OF *INDY CAR GRAND PRIX ACT 1990*

Clause 3 provides that Part 2 of the amendment Act amends the *Indy Car Grand Prix Act 1990* (the Act).

Clause 4 amends the long title of the Act to provide that the purpose of the Act is for the appointment of a promoter of and to facilitate the staging of an annual motor racing event on the Gold Coast in Queensland.

Clause 5 amends the short title of the Act to be the “*Gold Coast Motor Racing Events Act 1990*”. This clause is part of a scheme of provisions aimed at establishing an Act to facilitate an annual motor racing event on the Gold Coast, recognising the growth of the motor racing categories supporting the event.

Clause 6 amends section 2 of the Act (Dictionary) to relocate the dictionary to the schedule to the Act. This amendment is in accordance with modern drafting practice.

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Clause 6 removes references to definitions referring to “Indy”, “CART” or “grand prix”. Clause 6 also inserts a number of definitions relevant to provisions that have been relocated from the Regulation into the Act, such as definitions of “authorised person”, “occupant” and “permitted entrant”.

Clause 7 amends section 3 of the Act (Goods taken to be marked with official grand prix insignia) to replace the term “grand prix” with “motor racing”.

Clause 8 amends the definition of “motor racing event” in section 4 of the Act (Meaning of “motor racing event”) to remove reference to “the official round of the Indy Car World Series race championship, directed, controlled and sanctioned by CART and run under the rules of CART”. Clause 8 provides that a “motor racing event” is a motor car race that takes place in a declared area during a declared period and includes practice and qualifying sessions, parades and demonstrations, other motor race and practice sessions and other activities, events and promotions, whether or not involving motor racing, which are held in conjunction or associated with the race.

Clause 9 amends section 5 of the Act (Expiry of Act) to delay the date of expiry of the Act from 31 December 2003 to 31 December 2010.

Clause 10(1) amends section 12(1) of the Act (Certain Acts and laws not to apply) by substituting the reference to the *Environmental Protection Act 1994* in place of the repealed *Noise Abatement Act 1978*. *Clause 10(2)* amends section 12(4) of the Act so that, apart from requiring compliance with standards prescribed under the *Coastal Protection and Management Act 1995* and the *Integrated Planning Act 1997*, those Acts will not apply to works carried out by the promoter in staging the event. These Acts did not exist in 1990 when the Act was established.

Clause 11 amends section 14 of the Act (Power to remove vehicles left unattended within declared area). *Clause 11(1)* amends section 14(1) to clarify that unattended vehicles can be removed during the declared period and the period required for construction and demobilisation or the race site. *Clause 11* amends section 14(1) of the Act to ensure that the period required for constructing and dismantling works required for the motor racing event is fixed by the Minister by notice published in a local Gold Coast and a State-wide newspaper. This amendment is aimed at addressing confusion over the extent of the powers conferred under section 14.

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Clause 11(2) amends section 14(10) of the Act to substitute the reference to the *Transport Operations (Road Use Management) Act 1995* in place of the repealed *Transport Infrastructure (Roads) Act 1991*.

Clause 12 removes section 23 (Limited rights of medical and paramedical practitioners) from the Act. It is proposed to declare future motor racing events as a “special event” under the *Health Practitioners (Special Events Exemption) Act 1998*. The Special Events Act enables international health practitioners (including medical practitioners, nurses, chiropractors, physiotherapists and osteopaths) to provide health care services in Queensland to visitors participating in, or preparing for, a specified event during a declared period, despite not having registration as a health practitioner in Queensland.

Reliance on the *Health Practitioners (Special Events Exemption) Act 1998* will ensure that the visiting health practitioners are able to administer and prescribe necessary drugs.

Clause 13 renumbers sections 16 to 24 of the Act as sections 43 to 51.

Clause 14 renumbers Part 3 (Miscellaneous) of the Act as Part 7.

Clauses 13 and 14 aim to make the Act more readable by having consecutive numbering, with the insertion of the new Parts 3 to 6.

Clause 15 amends the Act to insert a new Part 3 (Authorised persons), Part 4 (Access to declared area), Part 5 (Conduct in declared area) and Part 6 (Powers of authorised persons), including sections 16 to 42.

Modern drafting practice requires that the appointment of a person with statutory powers, which may infringe on the rights of other people (such as authorised persons) should be done through primary legislation rather than regulation. The appointment of authorised persons and the codification of their powers are currently prescribed under the Regulation. As these are matters more appropriately dealt with under the Act, these provisions are being inserted into the Act. Similarly, a number of provisions about access to and conduct in the declared area, which are intrinsically linked to the exercise of the powers of authorised persons are also being inserted into the Act.

Parts 3 to 6 will be proclaimed to commence on the same date as the Regulation is amended to remove the provisions from the Regulation that have been inserted into the Act by the Bill.

Part 3 Authorised persons

Section 16 provides for the appointment of authorised persons similarly to section 4 of the Regulation. Section 16(1) enables the promoter to appoint authorised persons. Section 16(1) clarifies that police officers may be appointed as authorised persons.

Section 16(2) requires the promoter to be satisfied that the person to be appointed as an authorised person is qualified for appointment because the person has the necessary expertise or experience.

Section 16(3) provides that for the purpose of the *Police Powers and Responsibilities Act 2000* authorised persons are public officials. This provision enables the Police Commissioner to approve the appointment, by the promoter, of a police officer as an authorised person.

Section 17 provides for the conditions of appointment of an authorised person and how the powers of an authorised person may be limited. Section 17(1) provides that the authorised person holds office on the conditions stated in an instrument of appointment, signed notice or regulation. Section 17(2) enables the promoter to limit the authorised person's powers through either the instrument of appointment, signed notice or regulation.

Section 17(3) ensures that the conditions imposed on authorised persons who are police officers do not affect their powers under the *Police Powers and Responsibilities Act 2000* or any other law of the State. This would include police powers established under the common law.

Section 17(4) defines "signed notice" as a notice signed by the promoter.

Section 18(1) requires the promoter to issue an identity card to an authorised person, similarly to section 4(1)(b) of the Regulation. Section 18(2) requires that the identity card contain a recent photo of the authorised person, a copy of their signature, identify the person as an authorised person and state the expiry date for the card. Section 18(3) enables the promoter to issue an identity card to a person for other purposes, for example, to identify a member of the official medical team.

Section 19(1) requires an authorised person, when exercising powers under the Act in relation to a person, to produce their identity card for inspection before exercising the power or to have the identity card displayed so it is clearly visible when exercising the power. Section 19(2) provides that if it is not practicable to comply with section 19(1) when exercising their powers, the authorised person must produce the identity card for inspection at the first reasonable opportunity.

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Section 20 provides when an authorised person ceases to hold office. This provision, which does not exist under the current Regulation, is included to comply with modern drafting practice. Section 20(1) provides that an authorised person ceases to hold office if their term of office stated as a condition of office ends, they cease to hold office under another condition of office or their resignation under section 21 takes effect. Section 20(2) provides that section 20(1) does not limit the ways the authorised person may cease to hold office. Section 20(3) clarifies that “condition of office” means a condition on which the authorised person holds office.

Section 21 provides that an authorised person may resign by signed notice given to the promoter.

Section 22 ensures that identity cards are returned to the promoter. Section 22 makes it an offence for a person to fail to return their identity card to the promoter within 21 days of ceasing to hold office as an authorised person, unless they have a reasonable excuse. Section 22 prescribes a maximum penalty of 20 penalty units (\$1500) for failure to comply with this section.

Part 4 Access to declared area

Section 23(1) enables the promoter to designate an area as a restricted area by placing a sign marked “restricted area”. Section 23(1) makes it an offence for a person, other than a permitted person to enter or remain in the restricted area during the declared period. Section 23 prescribes a maximum penalty of 20 penalty units (\$1500) for failure to comply with this section.

“Permitted person” is defined in section 2 of the Act as the promoter or a person who is authorised in writing by the promoter to enter and remain in a restricted area.

Section 24(1) makes it an offence for a person, other than a permitted entrant to enter or remain in the declared area during the declared period. Section 24(1) prescribes a maximum penalty of 20 penalty units (\$1500) for failure to comply with this section.

“Permitted entrant” is defined in section 2 of the Act to mean a person who is admitted to the declared area through payment of an entry fee or under a ticket or authority of the promoter, the promoter or an agent or employee of the promoter or a person who is a holder of an occupant’s pass. An occupant’s pass may be issued under section 28 to an occupant of

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the declared area, that is a person whose place of business, residence or employment is in the declared area.

“Declared area” for the racing event is defined in section 2 of the Act to mean the area declared under the Regulation to be the declared area for the year. The “declared period” for the racing event is defined in section 2 of the Act to mean the period of not more than five days declared under the Regulation to be the declared period for the year.

Section 24(2) provides that a permitted entrant must not enter the declared area other than through an approved entrance or leave the declared area other than through an approved exit. Section 24(2) prescribes a maximum penalty of 20 penalty units (\$1500) for failure to comply with this section.

“Approved entrance” is defined in section 2 of the Act to mean an entrance to the declared area approved by the promoter. “Approved exit” is defined in section 2 of the Act to mean an exit from the declared area approved by the promoter.

Section 24(3) clarifies that section 24 does not apply to a person who is authorised under other legislation to enter the declared area, for example a police officer, health or liquor licensing inspector and fire service or ambulance officer.

Section 25 provides for the exclusion of persons lawfully removed from the declared area, either by an authorised person under section 39 (Powers of authorised persons), or under another Act, for example, the *Police Powers and Responsibilities Act 2000*.

Section 25(1) provides that a person lawfully removed from the declared area must not enter or attempt to enter the area on the same day they are removed. Section 25(1) prescribes a maximum penalty of 20 penalty units (\$1500) for failure to comply with this section.

Section 25(1) does not apply to an occupant of the declared area. Section 25(2) provides that if a person who holds an occupant’s pass is lawfully removed from the declared area they must not enter or attempt to enter the declared area between 10am and 5pm on the same day they are removed. Section 25(2) prescribes a maximum penalty of 20 penalty units (\$1500) for failure to comply with this section.

Section 26 prescribes who may enter the motor racing circuit. Section 26(1) provides that only the following people may enter the motor racing circuit during the declared period:

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- the driver of a racing car;
- the driver or passenger authorised by the promoter of another vehicle such as service or emergency vehicles and vehicles authorised by the promoter to enter the circuit; and
- other people authorised by the promoter to enter the motor racing circuit.

“Motor racing circuit” is defined by section 2 of the Act to mean that part of the declared area on which the motor racing event takes place.

“Emergency vehicle” is defined in section 2 of the Act to include an ambulance, fire engine, police vehicle or other vehicle authorised by the promoter for use as an emergency vehicle, such as a helicopter, tow truck or mobile crane.

Section 26(1) prescribes a maximum penalty of 20 penalty units (\$1500) for failure to comply with this section.

Section 26(2) provides that the holder of an occupant’s pass must not enter the motor racing circuit at any time the motor racing event is taking place, or if the motor racing event is not taking place but the promoter has reasonably closed off the motor racing circuit. Section 26(2) prescribes a maximum penalty of 20 penalty units (\$1500) for failure to comply with this section.

Section 27(1) makes it an offence for a person to drive or bring a vehicle or vessel into the declared area for the declared period without the consent of the promoter. Section 27(1) prescribes a maximum penalty of 20 penalty units (\$1500) for failure to comply with this section.

Section 27(2) provides that section 27(1) does not apply to a person authorised under another Act to be in the declared area during the declared period, for example a police officer, health or liquor licensing inspector and fire service or ambulance officer.

Section 28 enables the promoter to issue an occupier's pass to a person whose place of residence, business or employment is in the declared area. The occupant’s pass enables the occupant access to the declared area during the declared period.

Section 28(1) provides that an occupant may apply to the promoter for an occupant’s pass. Contrary to section 11 of the Regulation, which this provision will replace, the application does not have to be made prior to the date of commencement of the declared period. This will advantage people who, for example, were absent prior to the declared period, have moved

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into their residence during the declared period or have only commenced employment in the declared area during the declared period.

Pursuant to section 28(2) the application must be in writing, in the form approved by the promoter.

Section 28(3) provides that the promoter must grant the occupant's pass if satisfied the person requires access to the declared area during the declared period for the ordinary use and enjoyment of their place of residence or business or to enable travel to or from their place of residence, business or employment.

Section 28(4) enables the promoter to impose conditions on the occupant's pass, including limiting the periods for which a pass is valid to the days and times stated on the pass.

Section 29(1) enables the promoter to issue a ticket and charge a fee for entry into the declared area for the declared period. Section 29(2) states that the holder of a ticket is entitled to enter the declared area during the declared period on the dates and times stated on the ticket.

Section 30 prescribes how a person may deal with the occupant's pass or ticket. Section 30(1) provides that an occupant's pass or ticket is not transferable. Section 30(2) makes it an offence, for which a penalty of 20 penalty (\$1500) units may be imposed to lend, give, sell or to offer or attempt to sell an occupant's pass or ticket. Section 30(3) makes it an offence, for which a maximum penalty of 20 penalty (\$1500) units may be imposed, to sell or attempt to sell an imitation of an occupant's pass or ticket.

Section 31 enables the promoter to reserve areas, seats or blocks of seats. Section 31(1) enables the promoter to set aside areas, seats or blocks of seats within the declared area as reserved areas, seats or blocks of seats. Section 31(2) enables the promoter to issue a "reserved ticket" entitling a person to enter and remain in a reserved area and to occupy a reserved seat or a seat in a reserved block of seats.

Section 31(3) requires the promoter to clearly mark the reserved areas, seats or blocks of seats so they can be distinguished from other areas, seats or blocks of seats.

Section 31(4) makes it an offence, for which a maximum penalty of 20 penalty (\$1500) units may be imposed, to enter and remain in a reserved area or to occupy a reserved seat without a reserved ticket.

Part 5 Conduct in declared area

Section 32 ensures that people entering the declared area are fully informed about the activities and items prohibited in that area. Section 32(1) requires the promoter, prior to commencement of the declared period, to erect a sign at the entrance to the declared area notifying persons about the activities that are prohibited in the declared area during the declared period and the items that may be confiscated if taken into the declared area during the declared period under Part 5 of the Act.

Section 32 ensures that that if a sign required under subsection (1) is not erected by the promoter outside an approved entrance that a person uses to enter the declared area, it is taken that the person has the consent of the promoter to carry out the activity in, or to take the items into, the declared area during the declared period. This provision only relates to the activities and items prohibited under Part 5 of the Act concerning conduct in the declared area.

Section 33(1) makes it an offence for a person to place a placard, poster, advertisement or other thing on a building, fence or other structure in the declared area during the declared period without the consent of the promoter. The provision imposes a maximum penalty of 20 penalty (\$1500) units for the offence.

Section 33(2) defines place to include paste, stick, nail or, in any other way, position.

Section 34 makes it an offence, for which a maximum penalty of 20 penalty (\$1500) units may be imposed, for a person to distribute printed matter in the declared area between 7am and 7pm on any day during the declared period without the consent of the promoter.

Section 35 aims to prevent the erection of structures in the declared area without the consent of the promoter. The provision, currently in the Regulation (s.19) addresses concerns about the safety of such structures, the potential obstructions to the view of some event patrons and hotel guests, and the fact that a person may be able to secure a grandstand view without having paid for an event ticket.

Section 35(1) states that the provision applies during the declared period and the period immediately before the declared period, fixed by the Minister under section 14(1)(b) of the Act, for the purpose of construction of the race site. Section 35(2) makes it an offence, during the abovementioned period, to either bring into the declared area material that

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could be used to erect a structure, or to erect, in the declared area, a structure that could be used to view the motor racing event.

With the aim of increasing the deterrent to erection of unauthorised structures, section 35 increases the maximum penalty for breach of this provision from the current penalty of 20 penalty units (\$1500) to 70 penalty units (\$5,250).

Section 36(1) makes it an offence, for which a maximum penalty of 20 penalty (\$1500) units may be imposed, for a person to bring an animal or bird into the declared area during the declared period without the consent of the promoter. To disrupt the lives of residents in the declared area as little as possible, section 36(2) provides that the section 36(1) does not apply to an occupant whose place of residence is in the declared area. Section 36(2) also ensures that a blind or deaf person is not prevented from bringing a guide dog into the declared area during the declared period.

Section 37(1) makes it an offence, for which a maximum penalty of 20 penalty (\$1500) units may be imposed, for a person to bring an alcoholic beverage into the declared area during the declared period. Section 37(2) provides that section 37(1) does not apply to a person, or employee or agent of a person, licensed under the *Liquor Act 1992* to sell alcohol from premises in the declared area during the declared period or to an occupant of the declared area who brings alcohol into the declared area for consumption in the occupant's place of residence.

Section 37(3) restricts the consumption of alcohol in the declared area to premises from which the sale of alcohol is authorised under the *Liquor Act 1992*, in a residence or in a part of the declared area designated by signs marked 'refreshment area'. The provision imposes a maximum penalty of 20 penalty (\$1500) units for breach of this provision.

Section 37(4) requires the promoter to place signs designating the refreshment areas. The provision also requires signs to be placed within a refreshment area and at every exit from a refreshment area, notifying patrons that alcohol may not be removed from or consumed outside the area.

Section 38(1) provides that the object of this provision is to empower the promoter to ensure the safety of persons and property within the declared area by stopping anything being brought into the area that might, or might be used to, endanger persons or property.

Section 38(2) provides that without limiting section 36 (No animals or birds) or 37 (No alcoholic beverages), the promoter may, on the sign

erected at the entrance to the declared area under section 32, state that a person may not bring into the declared area during the declared period an item stated on the sign (a “prohibited object”).

Section 38(3) makes it an offence, for which a maximum penalty of 20 penalty (\$1500) units may be imposed, for a person to bring an prohibited object into the declared area during the declared period without the consent of the promoter.

Part 6 Powers of authorised persons

Section 39 prescribes the powers of an authorised person, during the declared period, which are necessary for the performance of their function to enforce compliance with provisions of the Act in regard to access to and conduct in the declared area. Under section 39(1) an authorised person has the following powers.

- (1) The authorised person may prevent another person from:
 - entering the declared area unless they are a permitted entrant;
 - entering the declared area other than through an approved entrance;
 - leaving the declared area other than through an approved exit; or
 - entering a restricted area unless they are a permitted person.
- (2) The authorised person may require:
 - a person entering the declared area to produce for inspection any container the person intends taking into the declared area;
 - a person in the declared area to produce evidence, satisfactory to the authorised person, that the person is a permitted entrant; or
 - a person found or suspected of committing an offence under the Act to state their full name and address and to produce satisfactory evidence of the correctness of their name and address.
- (3) The authorised person may remove from the declared area a person who:
 - is not a permitted entrant and has entered the area in contravention of section 24;
 - fails to produce evidence satisfactory that the person is a permitted entrant; or

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- the authorised person finds or reasonably suspects of committing an offence against this Act on that day.
- (4) The authorised person may remove:
- from the declared area, any animal or bird brought into the area in contravention of section 36;
 - from a restricted area, any person who is not a permitted person; or
 - from a reserved area, a reserved seat or a seat in a reserved block of seats, a person who does not hold a reserved ticket.
- (5) The authorised person may remove and confiscate any advertisement, banner, bill, paper, placard, poster or print placed on any building or structure in contravention of section 33.
- (6) The authorised person may confiscate:
- a document that is an imitation of, or could be taken to be, an occupant's pass or ticket;
 - any printed matter distributed in the declared area in contravention of section 34;
 - any material that could be used to erect a structure, brought into the declared area in contravention of section 35;
 - any alcoholic beverage found in the possession of a person entering the declared area if bringing the beverage into the declared area would be in contravention of section 37(1);
 - 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 under section 37(3); or
 - any prohibited item brought into the declared area in contravention of section 38.
- (7) To dismantle any structure erected in the declared area in contravention of section 35.

Section 39(2) requires that a confiscation is invalid if the authorised person fails to give a voucher under section 39(2) to a person from whom the item is confiscated.

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Section 40 enables an authorised person to use the force that is reasonably necessary to perform the authorised person's functions or to exercise the authorised person's powers under this Act.

Clause 16 inserts section 41 (Offences relating to authorised persons) and section 42 (Return of confiscated items) into Part 7 of the Act, as renumbered.

Section 41(1) makes it an offence, for which a maximum penalty of 20 penalty (\$1500) units may be imposed, for a person to obstruct an authorised person in the performance of the authorised person's functions or the exercise of the authorised person's powers under the Act. Section 41(2) makes it an offence, for which a maximum penalty of 20 penalty (\$1500) units may be imposed, for a person to pretend to be an authorised person. Section 41(3) defines "obstruct" to mean hinder, resist and attempt to obstruct.

Section 42 prescribes how the promoter is to deal with confiscated items. Section 42(1) provides that, within three months after the end of the declared period, a person from whom an item has been confiscated may apply to the promoter for the return of the item.

Section 42(2) prescribes the process for applying for confiscated items. Under the provision a person must present to the promoter the voucher given under section 39, give their name and address and upon receipt of the item sign an acknowledgement of receipt.

Section 42(3) enables the promoter to dispose of a confiscated item if that item has not been claimed within three months of the end of the declared period. If the disposal is by selling the item, the promoter may retain the proceeds of the sale.

Clause 17 amends section 45 of the Act, as renumbered (Promoter's special property in official grand prix insignia) to replace the term "grand prix" with "motor racing".

Clause 18(1) amends section 46 of the Act, as renumbered (Seizure and forfeiture of goods) to replace the term "grand prix" with "motor racing". *Clause 18(2)* amends a cross reference in section 46(2) of the Act, which changed as a result of the renumbering of the Act.

Clause 19 amends section 51 of the Act, as renumbered (Regulation making power). Section 51, as renumbered, currently enables the Governor in Council to make regulations about matters mentioned in the Schedule to the Act. This is contrary to modern drafting practice.

Clause 19 inserts a new section 51(1) that provides that the Governor in Council may make regulations under the Act. Clause 19 inserts a new section 51(2) that lists the matters for which a regulation may be made, including:

- access to the declared area and conditions about the access;
- regulation of the behaviour of persons in the declared area;
- fees payable under this Act, including fees for entry to the declared area or part of the declared area; and
- the provision of a maximum penalty of 20 penalty units for a contravention of a provision of the regulation.

Clause 20 omits the schedule (Subject matter for regulation), which is no longer necessary because the matters about which a regulation may be made will be prescribed in section 51, as renumbered. *Clause 20* inserts the new schedule heading for the dictionary that is inserted into the schedule by clause 6 of the Bill.

PART 3—AMENDMENT OF OTHER ACTS

Part 3 of the Bill makes minor miscellaneous amendments to the *Mt Gravatt Showgrounds Act 1988* and the *Royal National Agricultural and Industrial Association of Queensland Act 1971*.

Clause 21 provides that the schedule to the Bill amends the Acts it mentions.

SCHEDULE—OTHER AMENDMENTS

The land held by trust under the *Mt Gravatt Showgrounds Act 1988* for use as showgrounds no longer has a designated public road on it. The Schedule amends the *Mt Gravatt Showgrounds Act 1988* to reflect changes to the titles of land administered under the Act by removing references to land dedicated for public use as road.

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The Schedule also amends the *Royal National Agricultural and Industrial Association of Queensland Act 1971* to omit a section and headings that are now redundant and to amend another heading to reflect modern drafting practices.