

Major Sports Facilities (Prescribed Events—Cricket Australia) Amendment Regulation 2019

Explanatory notes for Subordinate Legislation 2019 No. 101

made under the

Major Sports Facilities Act 2001

General Outline

Short title

Major Sports Facilities (Prescribed Events—Cricket Australia) Amendment Regulation 2019

Authorising law

Sections 30D and 33 of the *Major Sports Facilities Act 2001*.

Policy objectives and the reasons for them

The primary objective of the Major Sports Facilities (Prescribed Events—Cricket Australia) Amendment Regulation 2019 (Amendment Regulation) is to include Carrara Stadium as a prescribed major sports facility for Cricket Australia in Schedule 3 of the Major Sports Facilities Regulation 2014.

The Amendment Regulation will ensure that all matches held by Cricket Australia at Carrara Stadium, where entry tickets are sold, including the Cricket Big Bash League events, can be protected from unauthorised advertising.

In 2016, section 30D of the *Major Sports Facilities Act 2001* (MSF Act) was amended to provide for an additional, alternative process for designating restricted advertising events at Major Sports Facilities. The additional process of prescribing an event, streamlines the regulation of advertising for regular venue hirers. Following the 2016 amendment, the restrictions on advertising under the MSF Act apply to a declared event or a prescribed event. The declaration process for a declared restricted advertising event under the MSF Act requires a lead time of over eight weeks — comprising of the statutory 28 day notification period, Governor in Council approval and processing by the department responsible for administering the MSF Act. This lead time can be impractical on occasions when late scheduling or rescheduling of events is unavoidable, for example, to due weather or unforeseeable events. This sometimes led to certain events being unprotected from unauthorised advertising.

The prescribed event process allows for minor rescheduling of events by event organisers whilst reducing the potential regulatory burden on advertisers that are not event sponsors.

Prescribed events are ticketed events organised, scheduled or endorsed by the body listed in Schedule 3 at the corresponding major sports facility prescribed in Schedule 3 against that body. Section 30D of the MSF Act provides that the restricted advertising period for a prescribed event starts at 6am and ends at midnight on the day that a prescribed event is held at the facility.

Achievement of policy objectives

The primary policy objective is achieved by including Carrara Stadium as an additional major sports facility for Cricket Australia ACN 006 089 130, which will enable the prescribed event provisions to apply to all matches held by Cricket Australia at Carrara Stadium where tickets are sold, including Cricket Big Bash League events.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the main objectives of the *Major Sports Facilities Act 2001*, which is to ensure that events held at Major Sports Facilities can be protected from unauthorised advertising.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Major Sports Facilities (Prescribed Events—Cricket Australia) Amendment Regulation 2019 seeks to include Carrara Stadium as a major sports facility for Cricket Australia in Schedule 3 of the MSF Regulation. The addition of this major sports facility will alleviate the need to seek Governor in Council approval for all matches held by Cricket Australia at Carrara Stadium, where tickets are sold, thus reducing the administrative burden associated with the declaration process.

There are no significant costs associated with the Amendment Regulation.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

Stadiums Queensland, the Queensland Government statutory body responsible for managing the state's Major Sports Facilities, was consulted and supports the amendment.

In accordance with the Queensland Government Guide to Better Regulation, the Office of Best Practice Regulation was not consulted in relation to the amendment regulation. The department applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category G – Regulatory proposals that are of a machinery nature).

No changes to the Amendment Regulation were required as a result of the consultation.