

Major Sports Facilities (Prescribed Events—North Queensland Stadium) Amendment Regulation 2020

Explanatory notes for Subordinate Legislation 2020 No. 23

made under the

Major Sports Facilities Act 2001

General Outline

Short title

Major Sports Facilities (Prescribed Events—North Queensland Stadium) Amendment Regulation 2020

Authorising law

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

Policy objectives and the reasons for them

The primary objective of the *Major Sports Facilities (Prescribed Events—North Queensland Stadium) Amendment Regulation 2020* (Amendment Regulation) is to include the North Queensland Stadium as an additional major sports facility for Australian Rugby League Commission Limited, Australian Rugby Union Limited and Football Federation Australia Limited (relevant national bodies), as prescribed events in Schedule 3, column 2 of the *Major Sports Facilities Regulation 2014* (MSF Regulation).

The Amendment Regulation will ensure that ticketed events hosted by the relevant national bodies at the North Queensland Stadium can be protected from unauthorised advertising.

Under the MSF Act, there are two processes for designating restricted advertising events at major sports facilities, these are 'declaring an event' or 'prescribing an event'.

The process for a declared event involves the Governor in Council declaring an event and event period through publication in the Queensland Government Gazette which must occur at least 28 days prior to the commencement of the event period. This process has an 8 week lead time which can be impractical when late scheduling or

rescheduling of events is required and can result in events not being protected from unauthorised advertising.

The process of prescribing an event by regulation, streamlines the regulation of advertising for regular venue hirers, as it allows for minor rescheduling of events by event organisers whilst reducing the potential regulatory burden on advertisers that are not event sponsors. Further, it removes the Governor in Council and gazettal requirement and associated lead times.

Prescribed events are ticketed events which are organised, scheduled or endorsed by the bodies listed in schedule 3 of the MSF Regulation and held at the corresponding facilities listed against that body. Section 30D of the MSF Act provides that the period for prescribed events starts at 6am and ends at midnight on the day of the event.

Achievement of policy objectives

The primary policy objective is to include the North Queensland Stadium as an additional major sports facility in Schedule 3 of the MSF Regulation for the relevant national bodies.

It is intended that the prescribed event provisions will apply to ticketed events held by the relevant national bodies at the North Queensland Stadium.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the objectives of the *Major Sports Facilities Act 2001* under Part 4B Advertising, 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 addition of the North Queensland Stadium as a major sports facility will remove the requirement to 'declare events' for ticketed events hosted by the relevant national bodies at the North Queensland Stadium thus reducing the regulatory burden on advertisers that are not event sponsors and removing the Governor in Council and gazettal requirement and associated lead times.

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).