

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

### Overview of Bill

The object of this Bill is to prohibit unauthorised entry to the playing fields of certain sporting venues. The maximum penalty for the offence is 50 penalty units (currently \$5,500). A penalty notice may be issued in respect of the offence.

Upon removal from the venue for a contravention, a person is banned from the venue for 12 months. A person removed from a venue for committing a further contravention at the venue or entering the venue while banned is banned for life from the venue. A person banned during a Rugby World Cup match is banned from all Rugby World Cup matches in the State.

### Outline of provisions

#### Part 1 Preliminary

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on assent.

**Clause 3** contains interpretation provisions, including definitions of terms used in the proposed Act. In particular it provides that:

**designated sporting venue** means the following sporting venues:

- (a) Central Coast Express Advocate Stadium (formerly known as Graham Park),
- (b) WIN Stadium (being the stadium under the management of the Wollongong Sportsground Trust),
- (c) a sporting venue prescribed by the regulations.

#### Part 2 Pitch invasions at sporting venues

**Clause 4** makes it an offence to enter or remain on the playing field of a designated sporting venue during a match held with the authorisation of the venue director unless the person doing so:

- (a) is a participant, or
- (b) is engaged in the control or management of the match, or
- (c) is an authorised officer, or
- (d) has been authorised to enter the playing field.

The maximum penalty is 50 penalty units (currently \$5,500).

**Clause 5** provides that a person who is removed from a designated sporting venue for a contravention of clause 4 is banned for 12 months from entering the venue.

**Clause 6** provides that a person is banned for life from entering a designated sporting venue if the person is removed from the venue:

- (a) for a contravention of clause 4 having previously been banned under this Part from entering the venue, or
- (b) for a contravention of clause 8.

**Clause 7** provides that a person who is banned under this Part, clause 17 of the *Sydney Cricket Ground and Sydney Football Stadium By-law 1999* or clause 16 of the *Sydney Olympic Park Regulation 2001* as a result of a contravention of a law at a Rugby World Cup match is also banned from entering all Rugby World Cup matches in the State.

**Clause 8** makes it an offence, with a maximum penalty of 50 penalty units (currently \$5,500), for a person who is banned from entering a sporting venue under this Part to enter the sporting venue while the ban is in force.

**Clause 9** provides that a person who contravenes any provision of this Part at a sporting venue may be removed from the venue by an authorised officer who, in doing so, may use such force as is reasonable in the circumstances.

**Clause 10** provides that an authorised officer at a sporting venue who suspects on reasonable grounds that a person has been involved in the contravention of a provision of this Part at the venue may require the person to state his or her full

name and residential address. It is an offence with a maximum penalty of 20 penalty units (currently \$2,200) for the person to fail without reasonable excuse to comply, or to furnish information that the person knows to be false or misleading in a material particular.

**Clause 11** provides that an authorised officer at a sporting venue who suspects on reasonable grounds that a person at the venue has been involved in the contravention of a provision of this Part at the venue may take a photograph or make another form of image of the person.

### **Part 3 Miscellaneous**

**Clause 12** provides for a police officer to serve a penalty notice on a person if it appears to the officer that the person has committed an offence against a provision of Part 2.

**Clause 13** provides for penalty notice amounts of \$500 for offences under the proposed Act.

**Clause 14** provides for proceedings for offences under the proposed Act to be dealt with summarily before a Local Court.

**Clause 15** provides a general regulation-making power.

**Clause 16** is a formal provision giving effect to Schedule 1 (Savings and transitional provisions).

**Clause 17** is a formal provision giving effect to the consequential amendment set out in Schedule 2.

### **Schedule 1 Savings and transitional provisions**

**Schedule 1** provides a power to make regulations of a savings or transitional nature consequent on the enactment of the proposed Act.

### **Schedule 2 Amendment of Fines Act 1996**

**Schedule 2** contains a consequential amendment to the *Fines Act 1996*.