

## **Explanatory Memorandum**

### **Major Events (Aerial Advertising) Bill 2008**

#### **Overview**

This Bill will provide for the regulation, management and control of aerial advertising at major events in Western Australia.

It will:

- Ensure that the rights and privileges of the sponsors of a major event will be protected at law; and
- Provide a further incentive to a sponsor/s to continue to invest in major events and associated activities in this State.

#### **Contents**

##### **Part 1 – Preliminary**

**Clause 1** - The short title.

**Clause 2** - Details the commencement of Act

**Clause 3** - Terms used in the Act.

##### **Part 2 – Event order**

**Clause 4** - Details the application process for event order or variation to an event order.

**Clause 5** - Details the criteria for an event deemed to be eligible for coverage by the Act and what the event order must specify.

**Clause 6** - Details the process of a notice of decision to be given.

**Clause 7** - Details the review process available through the State Administrative Tribunal.

**Clause 8** - Details matters pertaining to variations to orders.

**Clause 9** - States when an order takes effect.

**Clause 10** - Details an application fee refund process.

**Clause 11** - Details what constitutes an offence to display aerial advertising.

##### **Part Three – Civil remedies**

**Clause 12** - Details on what basis an injunction may be sought by the Minister for Sport and Recreation and/or the event organiser and the process involved in the application for an injunction.

**Clause 13** - Deals with the power to rescind or vary injunctions.

**Clause 14** - Details the terms on which an action for damages may be taken and the process by which this action can be dealt with.

**Part Four – Miscellaneous**

**Clause 15** - Details the process to bring proceedings under the Act.

**Clause 16** - Details the liability of certain officers of a body corporate.

**Clause 17** – Provides a facility for the Governor to make regulations.