

MAJOR EVENTS (AERIAL ADVERTISING) BILL 2009

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Norman Moore (Leader of the House)**, read a first time.

Second Reading

HON NORMAN MOORE (Mining and Pastoral — Leader of the House) [5.05 pm]: I move —

That the bill be now read a second time.

Over recent times, the increased commerciality of major sporting and entertainment events has seen an amplified incidence of ambush or parasite marketing through the use of aerial advertising. Aerial advertising is utilised by innovative marketers seeking new and high-profile avenues to showcase their particular product to high-volume audiences. These marketing techniques are most often unofficial or non-sanctioned by the event owner and are often in direct competition with an official sponsor of an event. They can include skywriting and aircraft such as blimps, planes, hang-gliders and hot-air balloons carrying advertising slogans other than their normal markings.

The impact of ambush marketing via non-sanctioned aerial advertising practices on event organisers is potentially significant. The sponsorship arrangements at high-profile events are reliant on their exclusivity and contribute to the operational success or otherwise of events. No current legislative or regulatory mechanisms are available to provide protection to event organisers and their sponsors.

Major sporting code bodies, in particular Cricket Australia, have proactively sought legislative protection against aerial advertising across Australia. The state, as an organiser itself of events such as the Red Bull Air Race, is also open to abuse of the commercial sponsorship arrangements it enters into due to the current lack of protection.

There are examples across Australia in which legislation has previously been enacted to protect singular events. This includes the 2000 Sydney Olympic Games and the 2006 Melbourne Commonwealth Games. Since that time, various jurisdictions have further strengthened existing legislation or introduced new protection to assist in combating this practice.

This bill will provide for the regulation, management and control of aerial advertising at major events in Western Australia. This bill will ensure that the rights and privileges of the sponsors of major events in Western Australia will be protected at law, and provide a further incentive to a sponsor to continue to invest in major events and associated activities in this state.

Matters that are covered in the bill include an application process to have an event or series of events covered by the legislation approved by the Minister for Sport and Recreation; the criteria upon which an event can be declared, including size, media coverage and economic benefit; and remedies available to event organisers and government before, during and after significant events for breaches of the act, including financial penalties and civil remedies.

This bill will enable Western Australia to maintain and add to its existing suite of major sporting, arts and other entertainment events. It will remove the potential barrier that event organisers may have considered in locating and conducting an event in Western Australia. I commend the bill to the house.

Debate adjourned, pursuant to standing orders.