

## **Explanatory Memorandum**

### **Major Events (Aerial Advertising) Bill 2009**

#### **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 to be 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 body corporate: offences

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