

Commonwealth Games Arrangements Amendment Regulation (No. 1) 2015

Explanatory notes for SL 2015 No. 10

made under the

Commonwealth Games Arrangements Act 2011

General Outline

Short title

Commonwealth Games Arrangements Amendment Regulation (No. 1) 2015

Authorising law

Section 80 and the definition of protected reference in schedule 4 of the *Commonwealth Games Arrangements Act 2011*.

Policy objectives and the reasons for them

The *Commonwealth Games Arrangements Act 2011* (the Act) prohibits the unauthorised use of certain images and references for commercial or promotional purposes, and prohibits conduct falsely inferring an association with the Gold Coast 2018 Commonwealth Games.

The *Commonwealth Games Arrangements Regulation 2013* (the Regulation) brings a number of Games references and images under the protection of the Act. They require the enhanced remedies provided in the Act to enable speedy and cost-effective enforcement, particularly close to and during the Games when existing Australian intellectual property laws will not be sufficient.

At the time the Regulation was first drafted, the term “Legacy 2018” was included as a protected Games reference. There is no longer a requirement to protect the term “Legacy 2018” under the Regulation.

Achievement of policy objectives

The policy objective will be achieved by omitting “Legacy 2018” from Schedule 4 of the Regulation.

Consistency with policy objectives of authorising law

The Regulation is consistent with the policy objectives of the authorising law as described above.

Inconsistency with policy objectives of other legislation

There is no inconsistency with the policy objectives of other legislation.

Benefits and costs of implementation

The costs of implementing this regulation are negligible.

Consistency with fundamental legislative principles

This amendment regulation is consistent with fundamental legislative principles.

Consultation

The Gold Coast 2018 Commonwealth Games Corporation was consulted and supports the amendment regulation.