

1991—No. 478

**SYDNEY CRICKET AND SPORT GROUNDS ACT 1978—  
BY-LAW**

(Relating to Gold Memberships)

NEW SOUTH WALES



*[Published in Gazette No. 121 of 30 August 1991]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Sydney Cricket and Sports Ground Act 1978, has been pleased to make the By-law set forth hereunder.

GEORGE SOURIS  
Minister for Sport, Recreation and Racing.

**Commencement**

1. This By-law commences on 30 August 1991.

**Amendments**

2. The Sydney Cricket Ground By-law 1986 is mended:
  - (a) by omitting clause 20 (3) and by inserting instead. the following subclauses:
    - (3) The Trust may, at its discretion and on payment of the fee determined by the Trust, issue to a Gold Member (other than a Junior Gold Member) 1 Gold Member's Guest Card and 2 Gold Member's Club Cards.
    - (4) A person cannot hold a Gold Member's Guest Card and Club Cards if the person is not a Gold Member.
  - (b) by omitting clause 22 (7);
  - (c) by omitting from clause 27 (2) the words "If a Gold Member who does not hold Guest and Club Cards dies" and by inserting instead the words "If a qualifying Junior Gold Member or other qualifying Gold Member dies who does not hold qualifying Guest and Club Cards";

- (d) by omitting from clause 27 (2A) the words “If a Gold Member who holds Guest and Club Cards dies” and by inserting instead the words “If a qualifying Gold Member dies who holds qualifying Guest and Club Cards”;
- (e) by omitting clause 27 (3)–(5) and by inserting instead the following subclauses:
- (3) A person claiming an entitlement to Gold Membership (or to Gold Membership and Gold Member’s Guest and Club Cards) under this clause must lodge a claim in writing to the Trust within 12 months after the death of the deceased member.
- (4) If a claim is made in accordance with subclause (3), the Trust, upon production of such evidence of entitlement as the Trust in its discretion may require, is to admit the claimant to Gold Membership or Junior Gold Membership (according to the age of the claimant) without payment of an entrance fee, and transfer to the claimant any cards included in the claim, also without payment of an entrance fee.
- (5) A person cannot be admitted to a Gold Membership or Junior Gold Membership under this clause unless the membership arises by virtue of:
- (a) the death of a qualifying member; or
- (b) the transfer of a Gold Member’s Guest and Club Cards which are qualifying cards.
- (6) For the purposes of this clause, a person is a qualifying member if he or she satisfies the two following conditions:
- (a) he or she was admitted to that membership before 30 August 1991;
- (b) he or she was not admitted to that membership under this clause.
- (7) For the purposes of this clause, cards are qualifying cards if they were issued before 30 August 1991, and have never been transferred under this clause.
- (f) by inserting after clause 28 the following clause:
- Surrender of Gold Membership**
- 28A. (1) A Gold Member or Junior Gold Member may apply in writing to the Trust for the acceptance by the Trust of a surrender:
- (a) if the member has a Gold Member’s Guest Card and Club Cards—of the cards alone or of both the membership and the cards; or
- (b) if the member has no such cards—of the membership.

(2) Where the Trust accepts the surrender of a Gold Membership, a Junior Gold Membership or a Gold Member's Guest Card and Club Cards, the Trust may credit to the member the sum which the Trust determines, and the Minister approves, for the time being as the sum payable generally in respect of surrenders under this clause.

(3) The sum referred to in subclause (2) may be substantially different from the entrance fee actually paid in respect of the membership or the cards, or payable at the time of the surrender in respect of similar memberships or cards.

(4) A person whose Gold Membership or Junior Gold Membership:

- (a) lapses under clause 33; and
- (b) is not restored under that clause,

cannot surrender that membership and is not entitled to any credit in respect of it.

(5) The Trust may offset against a sum credited to a member under subclause (2) any amount owing to the Trust by the member (including any annual fee due by the member and not paid).

(6) The Trust is to pay to the member any sum credited under subclause (2), subject to any amount offset under subclause (5).

(g) by omitting clause 33 (4) and by inserting instead the following subclauses:

(4) Gold Membership or Junior Gold Membership lapses if any payment for the membership has not been made before 30 November that falls after 3 years have passed after the payment fell due.

(5) Any other membership lapses if any payment for the membership has not been made before 30 November after the payment fell due.

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#### EXPLANATORY NOTE

The purpose of this By-Law is to provide a framework for a "redemption" scheme for existing Gold Memberships (including Junior Gold Memberships) of the Sydney Cricket Ground, and to revise the conditions attaching to those Memberships.

The By-Law amend the Sydney Cricket Ground By-Law 1986:

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- (a) to enable an original Gold Member to “redeem” (first) any Guest Card and Club Cards held by him or her and (then) his or her Gold Membership (by a process of surrender to, and payment by, the Sydney Cricket and Sports Ground Trust, acceptance of the surrender being at the Trust’s discretion);
  - (b) to ensure that a Gold Member’s membership does not lapse (and can be “redeemed”) until 30 November that falls after 3 years have passed from the time when an unpaid fee fell due;
  - (c) to make Gold Memberships issued from 30 August 1991 uninheritable but maintain the inheritance rights of current Gold Members;
  - (d) to remove the existing entitlement of a Junior Regular Member whose parent is a Gold Member and who turns 18 to become a Cold Member without paying the entrance fee;
  - (e) to make the issue of Gold Members’ Guest Cards and Club Cards a discretion on the part of the Trust rather than a pure entitlement on the part of Gold Members, and to make clear that the issue of those cards can only be to Gold Members;
  - (f) to clarify certain other matters in relation to Gold Membership.
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