

LEGISLATIVE COUNCIL

AUSTRALIAN GRANDS PRIX AMENDMENT BILL 2025

(Amendments and New Clauses to be proposed in Committee by GAYLE TIERNEY)

1. Clause 6, page 4, line 14, omit "information." and insert "information; and".
2. Clause 6, page 4, after line 14 insert—
 - "(e) unless section 27CA applies, be made within one month after a declaration under section 27 of a declared area is made."
3. Clause 6, page 5, after line 17 insert—

"27CA Minister may direct Corporation to make public access area declaration

 - (1) If the Corporation does not make a public access area declaration within one month after a declaration under section 27 of a declared area is made, the Minister may—
 - (a) request that the Corporation provide the reasons no public access area declaration was made; and
 - (b) direct the Corporation to make a public access area declaration.
 - (2) Before giving a direction under subsection (1)(b), the Minister must have regard to—
 - (a) the operational requirements of the Formula One event in respect of which the declared area will be in force; and
 - (b) safety considerations related to the event."
4. Clause 22, line 23, omit "In section 27(b)" and insert "(1) In section 27(b)".
5. Clause 22, after line 24 insert—
 - '(2) At the end of section 27 of the Principal Act **insert**—
 - "(2) Before making a declaration under subsection (1)(b), the Ministers must have regard to—
 - (a) the operational requirements of the Formula One event in respect of which the declared area will be in force; and
 - (b) safety considerations related to the event.".'

NEW CLAUSES

6. Insert the following new clauses to follow clause 25—

'25A Division 1 of Part 3 heading inserted

Before section 26 of the Principal Act, **insert** the following Division heading—

"Division 1—General".

25B New Division 2 of Part 3 inserted

At the end of Part 3 of the Principal Act **insert**—

"Division 2—Annual compensation scheme

42AA Definitions for this Division

In this Division—

annual compensation scheme means a scheme approved under section 42AAC(3);

direct loss method has the meaning given in section 42AAI;

eligible Albert Park tenant means an entity that holds a lease, licence or other agreement in the declared area for a race period in respect of a year where the lease, licence or other agreement was entered into before 1 January 2026;

fixed amount method has the meaning given in section 42AAH.

42AAB Corporation to make compensation payments to eligible Albert Park tenants

The Corporation must pay compensation to eligible Albert Park tenants in accordance with the annual compensation scheme.

42AAC Annual compensation scheme

- (1) Each year, the Corporation must develop a draft annual compensation scheme for the purpose of payments under section 42AAB.
- (2) Not later than 3 months after the end of the race period in relation to a year, the Corporation must prepare and submit the draft annual compensation scheme to the Minister for approval.
- (3) The Minister may approve the draft annual compensation scheme if satisfied it is appropriate to do so, having regard to—
 - (a) the business plan under section 25; and
 - (b) in the case of any fixed amount method, the overall approach to assessing and calculating amounts.

42AAD Eligibility for compensation under the annual compensation scheme

- (1) An eligible Albert Park tenant is eligible for compensation under the annual compensation scheme if the eligible Albert Park tenant has suffered direct losses or expenses as a result of a race period for a year being a period not exceeding 21 days.
- (2) An entity is not eligible for compensation under the annual compensation scheme if a lease, licence or other agreement in the declared area to which the entity is a party is entered into on or after 1 January 2026.

- (3) An eligible Albert Park tenant may be eligible for compensation under the annual compensation scheme even if the tenant has closed the business or other operation conducted pursuant to a lease, licence or other agreement in the declared area for a race period in respect of a year during that race period.

42AAE Compensation under section 30(5) not affected

Nothing in this Division affects the operation of section 30(5) in relation to an eligible Albert Park tenant.

42AAF Corporation may request information

For the purposes of developing and administering the annual compensation scheme in accordance with this Division, the Corporation may request an eligible Albert Park tenant to provide any information necessary for the Corporation to make a proper assessment of the compensation payable to that tenant, including specifying a time for the provision of that information.

42AAG Compensation to be by fixed amount method or direct losses method

- (1) The Corporation must offer an eligible Albert Park tenant compensation from the annual compensation scheme by a fixed amount method based on a formula developed by the Corporation for calculating a fixed amount of compensation approved by the Minister in the annual compensation scheme approval.
- (2) If the eligible Albert Park tenant offered compensation under subsection (1) elects not to accept the compensation by the fixed amount method, the tenant must—
- (a) advise the Corporation that the tenant seeks compensation by the direct losses method for direct losses incurred due to the period of the race period in respect of a year being a period not exceeding 21 days; and
 - (b) provide in support independently audited financial statements.

42AAH What does the Corporation consider for fixed amount method of compensation?

The Corporation must consider the following when an eligible Albert Park tenant chooses compensation by the fixed amount method—

- (a) the duration of the race period in respect of the year, being the race period minus 7 days and not exceeding a maximum of 14 days;
- (b) the number of days the eligible Albert Park tenant was directly affected by the period referred to in paragraph (a);
- (c) estimated losses by the eligible Albert Park tenant as a direct result of the period referred to in paragraph (a);
- (d) whether the eligible Albert Park tenant is entitled to compensation under section 30(5) or any other payment or remuneration under an arrangement entered into between the Corporation and the tenant;

(e) any other matter the Corporation considers relevant.

42AAI What does the Corporation consider for direct losses method of compensation?

- (1) The Corporation must consider the following when an eligible Albert Park tenant chooses compensation by the direct losses method—
 - (a) the duration of the race period declared for the year, being the race period minus 7 days and not exceeding a maximum of 14 days;
 - (b) the number of days the eligible Albert Park tenant was directly affected by the period referred to in paragraph (a);
 - (c) actual quantifiable losses incurred by the eligible Albert Park tenant as a direct result of the period referred to in paragraph (a) which—
 - (i) must be supported by independently audited financial statements; and
 - (ii) may benchmark direct losses by consideration of losses or profits in a comparison period in the previous year to the current year which are the same days in that previous year as the days for the race period in relation to the current year for which the compensation is sought;

Example

The race period for 2026 is 1 to 21 April 2026. The race period in relation to the year 2025 is 1 to 21 March 2025. The comparison period for losses or profits for the 2026 race period is 1 to 21 April 2025.

 - (d) whether the eligible Albert Park tenant is entitled to compensation under section 30(5) or any other payment or remuneration under an arrangement entered into between the Corporation and the tenant;
 - (e) any other matter the Corporation considers relevant.
- (2) The Corporation may negotiate an amount of compensation with an eligible Albert Park tenant not exceeding the amount of direct loss claimed by the tenant.".'.