



## COVERSHEET

<b>Minister</b>	Hon Phil Twyford	<b>Portfolio</b>	Economic Development
<b>Title of Cabinet paper</b>	Major Events Management (Olympic Games and Commonwealth Games Emblems and Words) Order 2019	<b>Date to be published</b>	7 October 2019

<b>List of documents that have been proactively released</b>		
<b>Date</b>	<b>Title</b>	<b>Author</b>
20 August 2019	Major Events Management (Olympic Games and Commonwealth Games Emblems and Words) Order 2019	Office of the Minister for Economic Development
20 August 2019	Minute of Decision: LEG-19-MIN-0111	Cabinet Office

### **Information redacted**

**YES / NO** (please select)

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IN CONFIDENCE

Office of the Minister for Economic Development  
Chair, Cabinet Legislation Committee

## **MAJOR EVENTS MANAGEMENT (OLYMPIC GAMES AND COMMONWEALTH GAMES EMBLEMS AND WORDS) ORDER 2019**

### **Proposal**

1. This paper seeks approval to submit the Major Events Management (Olympic Games and Commonwealth Games Emblems and Words) Order 2019 (“the Order”) to the Executive Council.
2. The Order amends the Schedule to the Major Events Management Act 2007 (“the Act”) as follows:
  - (a) Adds new emblems and words to reflect the upcoming Olympic Games and Commonwealth Games;
  - (b) Removes emblems and words for events that have passed and are no longer used;
  - (c) Adds the additional expression, ““Earn the Fern””.

### **Policy**

3. The Act protects major event organisers and sponsors from ambush marketing. Section 28 of the Act provides permanent protection and control over the use of certain emblems and words relating to Olympic Games and Commonwealth Games set out in the Schedule to the Act.
4. Section 80 of the Act provides that the Governor-General may, from time to time, amend the Schedule by Order in Council.
5. The New Zealand Olympic Committee Incorporated (“NZOC”) has requested that amendments be made to the Schedule to reflect upcoming Olympic Games and Commonwealth Games events and remove emblems and words associated with past Olympic Games and Commonwealth Games events.
6. The following is a summary of the proposed amendments to the Schedule:
  - removal of one emblem from Part 1 of the Schedule that is no longer used;
  - addition of two new emblems to Part 1 of the Schedule;
  - addition of “Commonwealth Games Federation”, “Commonwealth Youth Games”, “Youth Olympic Games” to Clause 1 of Part 2 of the Schedule;

- replacement of Part 3 of the Schedule with a new Part 3 removing words relating to those Games that have previously been held and adding words relating to the following Games that are yet to be held, including:
  - 2020 Winter Youth Olympic Games in Lausanne in Switzerland;
  - 2022 Summer Youth Olympic Games in Dakar, Senegal;
  - 2022 Commonwealth Games in Birmingham, United Kingdom;
  - 2022 Winter Olympic Games in Beijing, China
  - 2024 Olympic Games in Paris, France; and
  - 2028 Olympic Games in Los Angeles, United States
- addition of “Earn the Fern” to the expression in Clause 3, Part 3 of the Schedule.

7. These amendments are entirely routine, and do not require any new policy decisions.
8. The Schedule was previously amended to enact changes of a similar nature in 2012 and 2016.

#### **Timing and 28-day rule**

9. The Order is proposed to come into effect on 1 October 2019. A waiver of the 28-day rule is not required

#### **Compliance**

10. The Order complies with or has no implications for:
  - (a) the principles of the Treaty of Waitangi;
  - (b) the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
  - (c) the principles and guidelines set out in the Privacy Act 1993;
  - (d) relevant international standards and obligations;
  - (e) the Legislation Guidelines (2018 edition), which are maintained by the Legislation Design and Advisory Committee.
11. No statutory prerequisites exist for making this Order.

#### **Regulations Review Committee**

12. There does not appear to be any grounds for the Regulations Review Committee to draw the disallowable instrument or regulations to the attention of the House of Representatives under Standing Order 319.

## **Certification by Parliamentary Counsel**

13. The Order has been certified by the Parliamentary Counsel Office (PCO) as being in order for submission to Cabinet.

## **Impact Analysis**

14. The Regulatory Quality Team at the Treasury has determined that the regulatory decisions sought in this paper are exempt from the requirement to provide a Regulatory Impact Assessment as they have no or minor impacts on businesses, individuals or not for profit entities.

## **Publicity**

15. No publicity is proposed.

## **Proactive release**

16. I propose to proactively release this paper in full with no redactions.

## **Consultation**

17. Officials from the Ministry of Business, Innovation and Employment have consulted with the New Zealand Customs Service, the Ministry for Culture and Heritage, the Treasury and Sport New Zealand.
18. The availability of the intellectual property of the emblems and words proposed to be added to the Schedule has been verified by the Intellectual Property Policy group within the Ministry of Business, Innovation and Employment.

## **Recommendations**

I recommend that the Cabinet Legislation Committee:

1. Agree to make amendments to the Schedule of the Major Events Management Act 2007 to reflect upcoming Olympic Games and Commonwealth Games events and remove emblems and words associated with past Olympic Games and Commonwealth Games events to protect, control and prevent unauthorised use of those emblems and words relating to those events;
2. Note the proposed amendments are entirely routine in nature and do not require any new policy decisions, and that the Treasury has agreed a Regulatory Impact Statement is not required;
3. Note that the attached Major Events Management (Olympic Games and Commonwealth Games Emblems and Words) Order 2019 will give effect to the decision referred to in Recommendation 1;
4. Authorise submission of the Major Events Management (Olympic Games and Commonwealth Games Emblems and Words) Order 2019 to the Executive Council;

5. Agree that the Major Events Management (Olympic Games and Commonwealth Games Emblems and Words) Order 2019 comes into force on 1 October 2019.

Authorised for lodgement

Hon Phil Twyford  
Minister for Economic Development

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PROACTIVELY RELEASED