

THE OFFICIAL GAZETTE 23RD OCTOBER, 2006
LEGAL SUPPLEMENT — C

BILL No. 22 of 2006

Monday 23rd October, 2006

PARLIAMENT OFFICE
Public Buildings,
Georgetown,
Guyana.

23rd October, 2006.

The following Bill which will be introduced in the National Assembly is published for general information.

S. E. Isaacs,
Clerk of the National Assembly.



GUYANA

BILL No. 22 of 2006

ICC CRICKET WORLD CUP WEST INDIES 2007 BILL 2006

ARRANGEMENT OF SECTIONS

SECTION

PART I
PRELIMINARY

1. Short title.
2. Interpretation.

PART II
CWC 2007 Special Arrangements

3. Declaration of CWC 2007 venue and match period.
4. CWC 2007 Inc. to control the stadium during match period.
5. Works not to be undertaken without relevant licence/permit.
6. Road closures.
7. Offences relating to road closures.
8. Removal of unattended vehicles.
9. Deliveries within CWC 2007 venues.
10. Sale and distribution of CWC 2007 tickets.
11. Issuance of visas.
12. Work permits.
13. Import and export duties.
14. Exemption from income and other taxes.
15. Exemption from taxes on CWC 2007 tickets.
16. Exemption from foreign exchange restrictions.
17. Weekend banking
18. Sunday trading by general shops.
19. Control of airspace.

PART III
CONDUCT IN CWC 2007 VENUE

20. Entry to and exit from stadium.
21. Unauthorised entry.
22. Reserved areas and reserved seats
23. Members' entitlements during a match period.
24. Conduct within CWC 2007 venue.
25. Prohibited or restricted items in CWC 2007 venue.
26. Surrender of items.
27. Sale of goods or services.
28. Power to photograph etc. certain persons.
29. Requirement to state name and address.

PART V
CONTROL OF ADVERTISING

30. Prohibition of certain advertisements on land, buildings and structures.
31. Prohibition of certain advertisements.
32. Commercial broadcasting, telecasting, recording or filming.
33. Prohibition of certain practices.
34. Promotional use of CWC 2007 tickets.

**PART V
PROTECTION OF CWC 2007 MARKS, INDICIA AND IMAGES**

35. Prohibition of unauthorised use of CWC 2007 mark.
36. Infringement of CWC 2007 mark or mark of IDI, ICC, WICB, CWC 2007 Inc. etc.
37. CWC 2007 indicia and CWC 2007 images.
38. Application of CWC 2007 indicia and images.
39. Licence to use CWC 2007 indicia or CWC 2007 images for commercial purposes.
40. Prohibition of unlicensed use of CWC 2007 indicia or CWC 2007 images.
41. Provision of information.
42. Power of Customs Officers in relation to certain imports.
43. Notice of detention.
44. Release of goods.
45. Power of Commission-General to retain control of goods.
46. Preservation of existing rights.

**PART VI
REMEDIES**

47. Injunctions.
48. Corrective advertisement.
49. Damages.
50. Account of profits.
51. Limitation.
52. Destruction or delivery of goods.
53. Other remedies.

**PART VII
MISCELLANEOUS**

54. Compensation.
55. Offences by bodies corporate.
56. Regulations.
57. Amendment of Schedule.
58. Act to bind the State.
59. Expiry of Act.

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

**A BILL
Intituled**

AN ACT to make provision for the fulfilment of Guyana's commitment to the efficient and effective staging of ICC Cricket World Cup West Indies 2007 and for related purposes.

A.D. 2006 Enacted by the Parliament of Guyana:-

**PART 1
Preliminary**

Short title. 1. This Act may be cited as the ICC Cricket World Cup West Indies 2007 Act 2006.

Interpretation. 2. In this Act, unless the context otherwise requires -
"accredited person" means a person accredited in writing by CWC 2007 Inc. to access specified areas within a CWC 2007 venue;

"advertisement" means any written, illustrated, visual or other descriptive material or oral statement, communication, representation or reference distributed to members of the public or brought to their notice in any manner with the intention to -

(a) promote the sale or leasing of goods or encourage the use of such goods or draw attention to the nature, properties, advantages or uses of goods or to the manner in, conditions on or prices at which goods may be purchased, leased or otherwise acquired; or

(b) promote or encourage the use of any service or draw attention to the nature, properties, advantages or uses of any service or the manner in, conditions on or prices at which any service is rendered or provided;

"aircraft" means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface;

"authorised person" means a person authorised in writing by CWC 2007 Inc., to represent it;

"Commissioner" means the Commissioner of Police;

"Commissioner-General" means Commissioner-General of the Revenue Authority.

"Committee" means Guyana Local Organising Committee-Guyana LOC. Inc. incorporated under the Companies Act 1991.

No. 21 of 1991.

"Customs Officer" means an officer within the meaning of the Customs Act;

Cap. 82:01

"CWC 2007" means the ICC Cricket World Cup West Indies 2007, including a CWC 2007 activity;

"CWC 2007 activity" means a match or a CWC 2007 related function, event or other activity authorised by CWC 2007 Inc.;

"CWC 2007 Inc." means ICC Cricket World Cup West Indies 2007 Inc., a company incorporated in the territory of the British Virgin Islands, or its authorised representatives;

"CWC 2007 logo" means any official logo of CWC 2007;

"CWC 2007 mark" means the CWC 2007 logo, CWC 2007 title, CWC 2007 mascot, any CWC 2007 theme music or anthem, the image or likeness of the CWC 2007 trophy, the ICC mark, any mark belonging to WICB and any other marks (whether in the form of words, logos, devices, indicia, or anything else) developed for or used by or with the consent of IDI in connection with the CWC 2007, and including all registrations or applications to register the same but excluding any such marks to the extent they are owned by an official sponsor, official supplier, official broadcaster or other media or commercial representative appointed by GCC or CWC 2007 Inc. and approved by IDI;

"CWC 2007 mascot" means the official mascot of CWC 2007;

"CWC 2007 official" means a person carrying out functions on behalf of CWC 2007 Inc.;

"CWC 2007 ticket" means a ticket issued by CWC 2007 Inc. permitting entry to a CWC 2007 activity and includes a CWC 2007 Inc. accreditation;

"CWC 2007 title" means ICC Cricket World Cup West Indies 2007 or such other name as may be determined by IDI;

"CWC 2007 venue" means a place declared as such under section 3 for the purpose of CWC 2007;

"dangerous object" means any explosive or incendiary device, substance or material, firearm, gas, material, weapon, glass of any description, or other article, object or instrument which may be used to maim, disfigure or disable or cause bodily harm to or death of, a person or to render a person temporarily paralysed or unconscious or to cause damage to property, or any object that may be used as a missile and such other object as may be prescribed as a dangerous object for the purposes of this Act;

"document" means recorded information regardless of form or medium; "GCC" means Global Cricket Corporation Pte Limited, a company incorporated in Singapore;

"ICC" means the International Cricket Council, a company limited by guarantee and incorporated in the territory of the British Virgin Islands;

"IDI" means ICC Development International Limited, a company incorporated under the laws of the territory of the British Virgin Islands;

"licensed user" means a person in relation to whom a licence under section 39 is in force;

"match" means any of the matches (including warm-up matches) forming part of CWC 2007 and includes any performance or formalities held or conducted in conjunction with the match;

"match period" means a period declared as such by the Minister under section 3 for the purposes of CWC 2007;

"Minister" means the Minister responsible for sport;

"official broadcaster" means a broadcaster appointed by GCC and approved by IDI in relation to CWC 2007;

"official sponsor" means a sponsor appointed by GCC and approved by IDI in relation to CWC 2007;

"official supplier" means a supplier of products or services appointed as the official supplier of such products or services for CWC 2007 by CWC 2007 Inc. or GCC;

"participating team" means an ICC member country team competing in CWC 2007;

"permitted entrant" means –

(a) the holder of a CWC 2007 ticket that entitles the holder to be within specific areas of a CWC 2007 venue;

(b) any other person who is, under a general or specific authorisation or accreditation granted by or on behalf of CWC 2007 Inc., entitled to be in the CWC 2007 venue;

"person" means a natural person or a legal person, a firm, a partnership, a corporation, an association, an organisation, a foundation or a trust;

"playing field" means the playing field at which a match is being played or is to be played and includes any area between the playing field and any structure intended to be a barrier between the players and the spectators;

"police officer" means a member of the Guyana Police Force;

"promote" in relation to an event or activity, includes to organise, conduct or give publicity to;

"reserved area" means an area within a CWC 2007 venue to which access is –

(a) limited to persons holding certain types of CWC 2007 tickets or;

(b) otherwise limited;

"Security Directorate" means the body convened by CWC 2007 Inc. in collaboration with the Committee, to be responsible for safety and security in relation to CWC 2007;

"service mark" means a visible sign used or to be used in connection with or in relation to any services for the purpose of distinguishing, in the course of trade or business, the services provided by one person from those provided by another person;

"sign" includes a word (including a personal name) design, letter, numeral, colour, or a combination of colours or the shape of goods or their packaging;

"squad" means the members of a participating team comprising such number of players and officials as determined by IDI;

"stadium" means the whole premises of any stadium, ground or place at which any match or the opening or closing ceremony of CWC 2007 is scheduled to take place;

"tax" includes any tax, fee, levy or, surcharge;

"trade mark" means any sign that is capable of being graphically represented and capable of distinguishing the goods or services of one undertaking from those of another undertaking;

"vehicle" means a conveyance that is designed to be propelled or drawn by any means, whether or not capable of being so propelled or drawn;

"WICB" means the West Indies Cricket Board Inc., a company incorporated in the territory of the British Virgin Islands.

PART II

CWC 2007 SPECIAL ARRANGEMENTS

Declaration
of CWC
2007 venue
and match
period.

3. (1) The Minister, after consultation with the Committee may by notice published in the *Gazette* and in at least one national newspaper in daily circulation in Guyana and subject to such conditions as may be appropriate in the circumstances -

(a) declare any area within the control of the Committee or CWC 2007 Inc. or both that is reasonably required for the staging of a CWC 2007 activity, as a CWC 2007 venue and in that notice stipulate the date -

- (i) with effect from which the area will be regarded as a CWC 2007 venue; and
- (ii) on which the area ceases to be a CWC 2007 venue, which date may not be later than six months after the completion or termination of CWC 2007;

(b) declare a period as a match period.

(2) A notice under subsection (1) shall state the reason for the declaration.

(3) For the purposes of subsection (1) (a), areas reasonably required for the staging of a CWC 2007 activity -

- (a) may include areas that are to be used for a purpose ancillary to the holding of a CWC 2007 activity;
- (b) may compromise two or more non-contiguous areas;
- (c) shall not include -
 - (i) an airport or a seaport;
 - (ii) any area that is a protected area or a reserved area pursuant to any other law;
 - (iii) private property, except with the consent of the owner.

CWC 2007 Inc. to control the stadium during match period.

4. (1) CWC 2007 Inc. shall, for the duration of a match period, have full and unrestricted control of any stadium.

(2) The power given to CWC 2007 Inc. under subsection (1) shall be subject to the rights of any authority responsible for public health, disaster management or national security.

Works not to be undertaken without relevant permit.

5. (1) No person is authorised to undertake works on land that has been acquired or provided for a CWC 2007 activity, except in accordance with a permit for the undertaking of such works.

(2) Where the conditions necessary for the grant of a permit or the undertaking of works have been complied with and –

- (a) the competent authority fails to grant the permit within 2 weeks of receipt of the application; or
- (b) CWC 2007 Inc. or the Committee considers the terms and conditions specified in the permit to be unreasonable, the Minister may, on the request in writing of CWC 2007 Inc. or the Committee, authorise CWC 2007 Inc. or the Committee to undertake the works in question, subject to such terms and conditions as the Minister may determine.

(3) For the purposes of this section, "works" includes road construction or diversion; removal, relocation or planting of trees; installation of services; relocation of parks, buildings or facilities; construction or development of other structures whether of a permanent or temporary nature; demolition works or works altering the topography of Guyana.

Road closures.

6. (1) The Commissioner, may by order published in the *Gazette* and in at least one national newspaper in daily circulation –

- (a) institute measures for the control and regulation of vehicular or pedestrian traffic in relation to a CWC 2007 venue;
- (b) close a road or part of a road for such period as he thinks fit and for any purpose, including ensuring the safety of persons and the protection of property.

(2) The powers of the Commissioner, under subsection (1) (b) may, with the consent of the owner or occupier of a private road, apply to a private road in the same way as it applies to a public road.

(3) It is the duty of the Commissioner to ensure that a road is not closed for a period longer than is necessary to serve the purpose for which the road is closed.

(4) Nothing in this section limits the power of the Commissioner, pursuant to any other law, to –

- (a) institute measures for the control and regulation of vehicular or pedestrian traffic in such places as the Commissioner thinks fit; or
- (b) close a road or part of a road for such period and for any purpose, including ensuring the safety of persons and the protection of property.

(5) For the purposes of this section, "road" includes a footpath and a thoroughfare.

Offences relating to road closures.

7. Where a road is closed under section 6, a person who, without the permission of a police officer –

- (a) enters the road;
- (b) interferes with any sign or barrier indicating the closure of the road;
- (c) being a person already on the road, refuses to leave the road having been directed by a police officer to leave; or
- (d) in the case of a road closed to vehicular traffic -
 - (i) brings a vehicle onto the road; or
 - (ii) being a person in charge of a vehicle situated on the road, refuses to remove the vehicle from the road having been directed by a police officer to remove the vehicle,

commits an offence and is liable on summary conviction to a fine of \$800,000.00.

Removal of unattended vehicles.

8. (1) Where, during a match period an unattended vehicle in a CWC 2007 venue –

- (a) is parked unlawfully;
- (b) constitutes a danger to persons or property; or
- (c) is causing an obstruction, it may be removed by or on behalf of a police officer.

(2) Where a vehicle is removed under subsection (1), the owner of the vehicle is liable for any expenses reasonably incurred in removing the vehicle.

(3) At any time during a match period, a member of the Security Directorate or an authorised person may request a police officer to remove or cause to be removed, any unattended vehicle from

within 2½ km of a CWC 2007 venue if such member or authorised person considers it necessary.

(4) For the purposes of subsection (3), it is not necessary to establish that the vehicle is parked unlawfully.

Deliveries
within CWC
2007 venues.

9. (1) The Commissioner may in relation to any match period issue directions, after prior consultation with the Minister of Home Affairs to –

- (a) regulate or prohibit the making of deliveries within any CWC 2007 venue;
- (b) regulate or prohibit the loading or unloading of vehicles within any CWC 2007 venue;
- (c) impose restrictions, relating to the standing, stopping, parking, loading or unloading of vehicles within a CWC 2007 venue.

(2) A direction by the Commissioner under subsection (1) may apply –

- (a) to vehicles of a specified class or description;
 - (b) on such days only as are specified in the direction;
 - (c) during such periods on those days as are specified in the direction;
- and
- (d) subject to such conditions as are specified in the direction.

(3) A person who contravenes any direction under this section commits an offence and is liable on summary conviction to a fine of \$800,000.00.

(4) Nothing in this section limits the power of the Commissioner to restrict access to or use of any road pursuant to any other law.

Sale and
distribution
of CWC
2007 tickets.

10. (1) CWC 2007 Inc. shall be responsible for the production and distribution of CWC 2007 tickets.

(2) No person shall, without the written authorisation of CWC 2007 Inc. sell any CWC 2007 ticket or an article that is represented to be a ticket for admission to a CWC 2007 activity.

(3) For the purposes of subsection (2), “sell” includes –

- (a) sell by wholesale, retail, auction or tender;
- (b) hire;

- (c) barter or exchange;
 - (d) supply for profit;
 - (e) offer for sale or hire, receive for sale or hire, have in possession for sale or hire or expose or exhibit for sale or hire;
 - (f) conduct negotiations for sale or hire;
 - (g) consign or deliver for sale or hire;
 - (h) solicit for sale or hire;
 - (i) donate, transfer or in any way dispose of a ticket for gain or profit;
- and
- (j) cause or permit anything referred to above.

(4) A person who contravenes subsection (2) commits an offence and is liable on summary conviction to a fine of \$1,600,000.00.

Issuance
of visa.

11. Without limiting the generality of section 56, the Minister with responsibility for immigration may make regulations with respect to any visa or class of visa required for entry into or departure from Guyana and any approval or documentation required for that purpose by any person or category of persons.

Work permits.

12. Any permit to work in Guyana in relation to CWC 2007, and any approval or documentation required for that purpose by any -

- (a) member of a squad;
- (b) CWC 2007 official;
- (c) official, staff or adviser of CWC 2007 Inc., WICB, ICC, IDI, or GCC;
- (d) umpire or match referee;
- (e) official broadcaster;
- (f) media workers, accredited by CWC 2007 Inc.;

shall be provided expeditiously by the Chief Immigration Officer.

Import and
export duties.

13. (1) Notwithstanding any provision of any law to the contrary -

- (a) promotional, signage, branding, media, television, press, satellite and other equipment, signage and branding materials to be utilized in relation to

CWC 2007 by an official sponsor, supplier or broadcaster or the media;

- (b) cricket or related equipment for use by a squad in relation to CWC 2007;
- (c) food or ancillary nutritional supplies for use by a squad in relation to CWC 2007; and
- (d) complimentary products (whether consumable, durable or otherwise) of an official sponsor supplied solely for use immediately before, during or after CWC 2007, by-
 - (i) members of a squad;
 - (ii) CWC 2007 officials; or
 - (iii) the staff of CWC 2007 Inc., ICC, IDI and GCC,

shall be exempt from import or export duty, or other impost in accordance with the Customs Act or other enactments relating to the imposition of duties.

Cap. 82:01

(2) For the purposes of subsection (1), "duty" includes any tax chargeable on the importation of goods into, or the exportation of goods out of, Guyana.

Exemption
from income
and other
taxes.

14. (1) Income arising from CWC 2007 earned by-

- (a) CWC 2007 Inc., ICC and its members, IDI, GCC and WICB and its members and their respective advisers not ordinarily resident in Guyana;
- (b) a member of a squad;
- (c) a CWC 2007 official; or
- (d) staff of ICC, IDI or GCC,

shall be exempt from taxes of every description.

(2) For the purposes of subsection (1) "income" includes basic salary, appearance fees, endorsement fees, prize money and man-of-the-match and man-of-the-series awards.

Exemption
from taxes on
CWC 2007
tickets.

15. CWC 2007 tickets shall be exempt from taxes and duties of every description.

Exemption from foreign exchange restrictions.

16. Income arising from CWC 2007 earned by -
- (a) CWC 2007 Inc., ICC, IDI, GCC and WICB and their respective advisers not ordinarily resident in Guyana;
 - (b) a member of a squad;
 - (c) a CWC 2007 official; or
 - (d) staff of ICC, IDI or GCC,

shall be exempt from foreign exchange restrictions.

Weekend banking.

17. Notwithstanding anything to the contrary contained in any other law, a bank may open for business on any public holiday, Saturday or Sunday during a match period.

Sunday trading by general shops.

18. Notwithstanding anything to the contrary contained in any other law, a shop may open for business on any Sunday or public holiday during a match period.

Control of airspace.

19. (1) In this section, "restricted airspace" means airspace that the competent authority, after consultation with CWC 2007 Inc., has declared by notice published in the *Gazette* and in at least one national daily newspaper in circulation in Guyana, to be restricted airspace in relation to a CWC 2007 venue.

(2) No person shall during a match period, or such other period as the competent authority may determine, operate an aircraft within or cause an aircraft to enter, restricted airspace without an air traffic clearance.

(3) The Civil Aviation Authority shall not issue an air traffic clearance for restricted airspace under subsection (1) unless it is of the opinion that the operation of the aircraft within the restricted airspace will not adversely affect the efficient organisation and staging of CWC 2007, or any CWC 2007 activity or any commercial arrangement relating to such activity.

(4) A person who contravenes subsection (2) commits an offence and is liable on summary conviction to a fine of \$3,200,000.

(5) This section does not apply to the operation of -

- (a) a military aircraft or a police aircraft, when operated for military, security or emergency purposes; or

- (b) an aircraft when being operated exclusively for emergency purposes relating to human life or safety, or the protection of property.

**PART III
CONDUCT IN CWC 2007 VENUES**

Entry to and
exit from
stadium.

20. (1) No person shall enter a stadium during a match period unless he is a permitted entrant.

(2) No person shall enter or leave a stadium during a match period except through an entrance or exit designated by CWC 2007 Inc. or as otherwise permitted by CWC 2007 Inc.

(3) A person who contravenes any provision of this section commits an offence and is liable on summary conviction to a fine of \$800,000.00 .

Unauthorised
entry.

21. (1) Unless authorised by CWC 2007 Inc., no person shall, during a match period, enter or be present in or on -

- (a) any part of a playing field;
- (b) any other part of a stadium if it is indicated that entry into that part is not permitted; or
- (c) any part of any other CWC 2007 venue if it is indicated that entry into that part is not permitted.

(2) For the purposes of subsection (1) (b) and (c), an indication that entry is not permitted may be given by the following manner -

- (a) an advertisement;
- (b) a pamphlet;
- (c) conditions attached to a CWC 2007 ticket;
- (d) a direction of a police officer or an authorised person;
- (e) a fence, chain or barrier around the part or across an entrance into the part; or
- (f) a sign erected, at or near an entrance.

(3) A person who contravenes subsection (1) -

- (a) may be ordered by a police officer or an authorised person to leave the CWC 2007 venue, or a part thereof; or
- (b) may be removed from the CWC 2007 venue, or a part thereof, by a police officer where that person refuses to comply with an order under paragraph (a); and

commits an offence and is liable on summary conviction to a fine of \$320,000.00.

Reserved areas
and reserved
seats.

22. (1) CWC 2007 Inc. may for the duration of a match period, set aside -

- (a) any area within a CWC 2007 venue as a reserved area; or
- (b) any seat within a CWC 2007 venue as a reserved seat.

(2) No person shall enter or remain in a reserved area or occupy a reserved seat unless that person is -

- (a) the holder of a CWC 2007 ticket conferring entitlement to do so; or
- (b) otherwise authorised by or on behalf of CWC 2007 Inc.

(3) A police officer or an authorised person who has reasonable grounds to suspect that a person in a reserved area or reserved seat is not entitled to be in the area or seat, may request that person to produce evidence of his entitlement to enter or remain in the reserved area or to occupy the reserved seat.

(4) A person who fails to comply with a request under subsection (3) may be ordered by a police officer or an authorised person to leave the reserved area, reserved seat or the CWC 2007 venue.

(5) A person who refuses to comply with an order under subsection (4) -

- (a) may be removed from the CWC 2007 venue by a police officer; and
- (b) commits an offence and is liable on summary conviction to a fine of \$320,000.00.

Members'
entitlements
during a
match period.

23. (1) This section applies to the members of any organisation, association, club or similar body or persons who have any entitlement in a stadium whether through the exercise of rights or otherwise.

(2) During a match period -

- (a) a member (of any class of membership) referred to in subsection (1), is not entitled to exercise any right, entitlement or privilege of membership;
- (b) the holder of a club card or guest card or similar facility is not entitled to exercise any right or privilege otherwise conferred on the holder; and
- (c) a person otherwise entitled or privileged, is not entitled to exercise any right, entitlement or privilege,

in relation to a stadium, or any part of it, including the right to obtain entry to the stadium or to use any facilities (such as facilities for seating, eating or drinking or for sport or recreation) provided at or in relation to the stadium.

(3) A person referred to in subsection (2) who contravenes this section may be-

- (a) ordered by a police officer or an authorised person to leave the stadium; or
- (b) removed from the stadium by a police officer if that person refuses to comply with an order under paragraph (a).

(4) The owners of the stadium, WICB, CWC 2007 Inc., ICC, IDI, and GCC shall not be liable as a result of the operation of this section -

- (a) for any suit, action or proceeding;
- (b) to pay compensation to a member, a guest or club card holder or any other person referred to under subsection (2); or
- (c) to reimburse any person referred to in paragraph (b), for the whole or a portion of any payment made by such person to obtain certain rights, entitlements or privileges

Conduct within
CWC 2007
venue.

24. (1) A person shall not in any CWC 2007 venue -

- (a) misuse, deface, damage or tamper with any building, vomitory, seat, chair, table, structure, vehicle, craft, truck, pipe, tap, tap-fitting, conduit, electrical equipment, wiring or sign;

- (b) excavate or cause to be excavated any part of a CWC 2007 venue unless authorised by CWC 2007 Inc.;
 - (c) erect any structure, or erect or display any sign, banner or other thing, in contravention of this Act unless authorised by CWC 2007 Inc.;
 - (d) block any stair, step, aisle, gangway, overpass, underpass, pontoon, bridge, entry, exit or other thoroughfare unless authorised by CWC 2007 Inc.;
 - (e) throw any stone, bottle or missile or throw or use any other dangerous object;
 - (f) disrupt, interrupt, or behave in a manner that may disrupt or interrupt, any CWC 2007 activity, or disrupt, or interfere with the comfort of persons at a CWC 2007 activity;
 - (g) operate or use a load hailer, public address system or other broadcast device or any other device that may interfere with electronic or radio communications unless authorised by CWC 2007 Inc.;
 - (h) conduct public surveys or opinion polls, or solicit money, donations or subscriptions from members of the public unless authorized by CWC 2007 Inc.;
 - (i) act or conduct himself in such a way as to -
 - (i) adversely affect the safety of the public within the stadium or other CWC 2007 venue;
 - (ii) interfere with the equipment of any person taking part in a CWC 2007 activity;
 - (iii) otherwise adversely affect the efficient operation and staging of a CWC 2007 activity; or
 - (j) engage in conduct prohibited under section 33.
- (2) Any structure built or any sign, banner or other thing displayed in contravention of this section may be dismantled or removed by a police officer.

(3) Where an authorisation given under this section is revoked, the person concerned shall, as soon as practicable, deliver the item to an authorized person.

(4) An authorised person, on receiving an item under this section shall give receipt to the person from whom it was taken, indicating the nature of the item and the date and time when possession of it was taken by the authorised person.

(5) A person who contravenes subsection (1) -

- (a) may be ordered by an authorised person to leave the CWC 2007 venue; or
- (b) may be removed from the CWC 2007 venue by a police officer if that person refuses to comply with an order under paragraph (a);
- (c) commits an offence and is liable on summary conviction to a fine of \$3,200,000.00.

(6) A police officer may take possession of anything used or capable of being used to contravene this section.

(7) Where possession of an item is taken under subsection (6) on the ground that it is capable of being used to contravene this section, it shall be lodged with CWC 2007 Inc.

(8) An item lodged with CWC 2007 Inc. shall except where the person is charged, be available for collection within forty-eight hours after possession of it was taken at such place as notified to the person from whom it was taken.

(9) For the purposes of this section and section 25, "a person taking part in a CWC 2007 activity" means -

- (a) a member of a squad;
- (b) a person, including an umpire or a match referee, engaged in the control or management of the CWC 2007 activity;
- (c) a member of a class of persons authorised to enter the playing field; or
- (d) any person involved in the production or transmission or both or broadcast (whether by television, radio, internet, or wireless service or otherwise) of a CWC 2007 activity.

Prohibited or restricted items in CWC 2007 venue.

25. (1) No person shall bring into or have in his possession in a CWC 2007 venue, during a match period -

- (a) any dangerous object or weapon or article capable of being used as a weapon;
- (b) any animal (other than a guide dog, if the person is blind, deaf or otherwise suffering from a disability); or
- (c) any article specified in the First Schedule.

First Schedule.

(2) No person shall, without the authorisation of CWC 2007 Inc., bring into or have in his possession in a CWC 2007 venue during a match period, any article -

- (a) which may be used to -
 - (i) erect a structure;
 - (ii) deface or damage any structure within that venue;
 - (iii) adversely affect the safety of the public within that venue;
 - (iv) disrupt or interrupt a CWC 2007 activity;
 - (v) interfere with the comfort of persons within the CWC 2007 venue or their enjoyment of a CWC 2007 activity;
 - (vi) distract, hinder or interfere with a person taking part in a CWC 2007 activity or the equipment of any such person;
 - (vii) engage in conduct prohibited under section 33;
 - (viii) otherwise affect the efficient operation and staging of a CWC 2007 activity;
- (b) specified in the Second Schedule

Second Schedule.

(3) A person who contravenes subsection (1) -

- (a) may be ordered by an authorised person to leave the CWC 2007 venue; or
 - (b) may be removed from the CWC 2007 venue by a police officer, if that person refuses to comply with an order under paragraph (a);
- and

- (c) commits an offence and is liable on summary conviction to a fine of \$3,200,000.00.

Surrender
of items.

26. (1) An authorised person may request a person to surrender any item that -

- (a) is prohibited under section 25 (1) or restricted under section 25 (2) (b) or that may be used in a manner to contravene section 25 (2), which is in his possession at any security point or entrance of a CWC 2007 venue;
- (b) has been brought into a CWC 2007 venue -
- (i) in contravention of section 25 (1) or 25 (2) (b); or
- (ii) that may be used to contravene section 25 (2);

(2) A person who refuses to surrender an item when requested to do so under -

- (a) subsection (1) (a) may be denied entry to the CWC 2007 venue; or
- (b) subsection (1) (b) may be -
- (i) ordered by an authorised person to leave the CWC 2007 venue; or
- (ii) removed from the CWC 2007 venue by a police officer, if that person refuses to comply with an order under sub-paragraph (i).

(3) An authorised person, on receiving an item under this section shall give receipt to the person from whom it was taken, indicating the nature of the item and the date and time when possession of it was taken by the authorized person.

(4) An item referred to in subsection (3) shall, except where the person is charged, be lodged with CWC 2007 Inc. and be available for collection within forty-eight hours after possession of it was taken at such place as notified to the person from whom it was taken.

Sale of
goods or
services.

27. (1) No person shall, without the authorization of CWC 2007 Inc. -

- (a) hawk, sell, promote, offer or display for sale or distribute to members of the public, any goods or services, flyers or pamphlets;
- (b) collect money or orders from members of the public for goods or services,

in a CWC 2007 venue during a match period.

- (2) A person who contravenes subsection (1) -
 - (a) may be ordered by an authorized person to leave the CWC 2007 venue; or
 - (b) may be removed from the CWC 2007 venue by a police officer, if that person refuses to comply with an order under paragraph (a); and
 - (c) commits an offence and is liable on summary conviction to a fine of \$320,000.00.

Power to photograph etc. certain persons.

28. (1) An authorised person who suspects, on reasonable grounds, that a person in a CWC 2007 venue has committed or has been involved in the commission of an offence in contravention of this Part may take a photograph or make another form of image including a closed circuit television recording of that person.

- (2) A photograph or other image taken under subsection (1)-
 - (a) may only be used for the purpose of identification; and
 - (b) except where the person is charged, shall be destroyed within five days of the completion or termination of CWC 2007.

Requirement to state name and address.

29. (1) A police officer who suspects, on reasonable grounds, that a person in a CWC 2007 venue has committed, or has been involved in the commission of, a contravention of this Part may require the person to state his full name and address.

(2) A person who fails, without reasonable cause to comply with a requirement under subsection (1) or who, in purported compliance with such a requirement, furnishes information that the person knows to be false or misleading in a material particular -

- (a) may be ordered by a police officer to leave the CWC 2007 venue; or
- (b) may be removed from the CWC 2007 venue by a police officer, if that person refuses to comply with an order under paragraph (a); and

(c) commits an offence and is liable on summary conviction to a fine of \$160,000.00

(3) A person is not guilty of an offence under subsection (2) (c) unless it is established that the police officer warned the person that the failure to comply with the requirement constitutes an offence.

PART IV CONTROL OF ADVERTISING

Prohibition of certain advertisements on land, buildings and structures.

30. (1) A person who is the owner or occupier of, or the holder of a lease or licence relating to, land, a building or a structure on land within a CWC 2007 venue shall not cause or permit any advertisement or advertising material to be displayed or fixed to or placed on, or to remain on, the land, building or structure except as authorised in writing by CWC 2007 Inc.

(2) CWC 2007 Inc. or an authorised person may erase or remove any advertisement or advertising material fixed or placed on any land, building or structure in contravention of subsection (1).

(3) In exercising powers under subsection (2), CWC 2007 Inc. shall take such steps as are necessary to ensure that as little damage as possible is caused.

Prohibition of certain advertisements.

31: (1) No person shall publish or display any advertisement that relates to or is connected with CWC 2007 which is false or misleading or cause such advertisement to be published or displayed.

(2) A person who contravenes or fails to comply with subsection (1) commits an offence and is liable on conviction -

(a) in the case of a first conviction, to a fine of \$3,200,000.00; or

(b) in the case of a second or subsequent conviction, to a fine of \$4,800,000.00.

Commercial broadcasting, telecasting, recording or filming.

32. (1) No person shall, other than for personal use, broadcast, narrowcast, telecast, transmit, record, publish, disseminate, reproduce or circulate by any means (including, without limitation, utilising television, radio, satellite, the internet or any wireless service), any audio, video, photograph, text or data or any other information relating to a CWC 2007 activity or any part of such activity, without the approval of CWC 2007 Inc. -

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of \$3,200,000.00.

(3) An application for approval under this section shall be made to CWC 2007 Inc. in such form and manner as may be determined by CWC 2007 Inc.

(4) Any approval granted under subsection (3) shall be subject to such conditions as CWC 2007 Inc. thinks fit.

(5) A police officer may take possession of any item that is used in contravention of this section if -

(a) the police officer has directed the person concerned to stop the use of the article; and

(b) the person continues to use the article in contravention of this section.

(6) A person who uses any article in contravention of this section may be -

(a) ordered by an authorised person to leave the CWC 2007 venue; or

(b) removed from the CWC 2007 venue by a police officer, if that person refuses to comply with an order under paragraph (a).

(7) The broadcasting, telecasting, recording or filming of any information relating to a CWC 2007 activity for the purpose of provision of information or for the purpose of criticism or review is not alone sufficient to amount to a contravention of subsection (1).

(8) In subsection (7), a reference to -

(a) "the provision of information" includes a reference to the reporting of news and the presentation of current affairs; and

(b) "criticism" or "review" includes a reference to criticism or review -

(i) in a newspaper, magazine or similar periodical;

(ii) in a broadcast; or

(iii) in a cinematograph film.

Prohibition
of certain
practices.

33. (1) Except with the written authorisation of CWC 2007 Inc.,
IDI or GCC, a person shall not wilfully broadcast, display, make,

publish or televise any advertisement, communication, statement, mark or image or cause or authorise any advertisement, communication, statement, mark or image to be broadcast, displayed, made, published or televised or carry on, cause or authorize any other activity which-

- (a) relates to or is connected with CWC 2007;
- (b) implies or suggests a contractual or other connection or association of that person with CWC 2007 or a person officially associated with or involved in CWC 2007; and
- (c) is intended to -
 - (i) associate that person with CWC 2007 or exploit the publicity or goodwill of CWC 2007, in order for that person to gain a benefit of any kind;
 - (ii) diminish the status of an official sponsor, official supplier, official broadcaster or other licensee with regard to CWC 2007; or
 - (iii) imply that the person is an official sponsor, official supplier, official broadcaster or other licensee with regard to CWC 2007.

(2) No person shall, in relation to CWC 2007, use or cause to be used, a mark, image or statement or brand in a manner calculated to achieve publicity for that mark, image or statement or the brand with which that mark, image or statement is associated and thereby deriving any special promotional benefit from CWC 2007 without the prior authority of CWC 2007 Inc. or IDI.

(3) For the purpose of subsection (2), the use of a mark, image or statement includes -

- (a) any visual representation of the mark, image or statement upon or in relation to goods or in relation to the rendering of services;
- (b) any audible representation of the mark, image or statement in relation to goods or the rendering of services; or
- (c) the use of the mark, image or statement in promotional activities, which in any way, directly or indirectly, is or is intended to be brought into association with, imply a connection with or allude to CWC 2007.

(4) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of \$3,200,000.00.

Promotional use of CWC 2007 tickets.

34. (1) No person shall use a CWC 2007 ticket in relation to any form of commercial activity or as prizes in any lottery, competition, game or promotion without the prior written approval of CWC 2007 Inc.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of \$1,600,000.00.

PART V

PROTECTION OF CWC 2007 MARKS, INDICIA AND IMAGES

Prohibition of unauthorized use of CWC 2007 mark.

35. (1) No person shall use a CWC 2007 mark without the written authorization of the owner of that CWC 2007 mark.

(2) Registration by IDI of a CWC 2007 mark or any other mark shall vest in

(3) IDI from the date of registration until December 31, 2008 -

(a) the right to its exclusive use in connection with the goods or services for which they are registered; and

(b) the exclusive right to prevent any other person from using any such mark without the authority of IDI

(4) Subsection (2) (b) extends to the use of an identical or confusingly similar mark in connection with goods or services where the use -

(a) has caused or is likely to cause confusion; or

(b) takes unfair advantage of, or is detrimental to, the distinctive character or the repute of a CWC 2007 mark.

Infringement of CWC 2007 mark or mark of IDI, ICC, WICB, CWC 2007 Inc., etc.

36. (1) This section applies to goods that are counterfeit or that otherwise infringe a CWC 2007 mark or any other mark of IDI, the ICC, WICB, CWC 2007 Inc.

(2) A person who, with intent to gain for himself or another, or with intent to cause loss to another, and without the consent of the

proprietor of the mark in question, buys or sells or imports or exports any goods to which this section applies commits an offence and is liable on summary conviction to -

- (a) in the case of a first conviction, to a fine of \$1,600,000.00; and
 - (b) in the case of a second or subsequent conviction, to a fine of \$3,200,000.00
- Cap. 90:01 (3) The Trade Marks Act shall apply in the determination of whether or not a mark has been infringed.

CWC 2007
indicia and
CWC 2007
images.

Third Schedule.

37. (1) For the purposes of this Part -

"CWC 2007 indicia" means any item in Part I of the Third Schedule or a combination of an item listed in Section A with an item listed in Section B of Part II of the Third Schedule, and, where appropriate, includes a CWC 2007 mark;

"CWC 2007 images" means any visual or aural representation or a combination of both that, to a reasonable person, in the circumstances of the presentation, would suggest a connection with CWC 2007 including the picture (whether photographic or otherwise), likeness or image of any squad member, squad or part thereof and, where appropriate, includes a CWC 2007 mark;

"Covering" includes packaging, frame, wrapper, container, stopper, lid or cap; and

"label" includes a band or ticket.

(2) CWC 2007 indicia that are represented in a language other than English are to be taken to be CWC 2007 indicia.

(3) Indicia or images so closely resembling CWC 2007 indicia or CWC 2007 images as are likely to be mistaken, by a reasonable person, for such indicia or images shall be regarded as CWC 2007 indicia or CWC 2007 images, as the case may be.

Application
of CWC
2007 indicia
and images.

38. (1) For the purposes of this Act, CWC 2007 indicia or CWC 2007 images are applied to goods or services if such indicia or images are -

- (a) in the case of goods -
 - (i) woven in, impressed on, worked into, or affixed or annexed to the goods; or
 - (ii) applied to any covering, document, label, reel or thing in or with which the goods are, or are intended to be dealt with or provided in the course of trade or the promotion of trade;
 - (b) or in the case of goods or services -
 - (i) used on a signboard or in an advertisement (including a television or radio advertisement) that promotes the goods or services; or
 - (ii) used in an invoice, price list, catalogue, brochure, business letter, business paper, any other commercial document or any promotional material that relates to the goods or services.
- (2) For the purposes of subsection (1), an advertisement promotes goods or services if -
- (a) it promotes a particular person who provides goods or services; and
 - (b) a reasonable person would conclude that it was designed to enhance the commercial image of the person referred to in paragraph (a).
- (3) If -
- (a) goods are imported into Guyana for the purpose of sale or distribution by a person; and
 - (b) when imported, the goods have applied to them any CWC 2007 indicia or CWC 2007 images,
- that person shall be taken to have applied the indicia or images to the goods.

Licence to use CWC 2007 indicia or CWC 2007 images for commercial purposes.

39. (1) CWC 2007 Inc. or IDI may license a person to use all or anyone or more of CWC 2007 indicia or CWC 2007 images for commercial purposes in such circumstances as may be determined by CWC 2007 Inc. or IDI.

(2) A licensed user may only use for commercial purposes the CWC 2007 indicia or CWC 2007 images that he is licensed to use and may only use such indicia or images in accordance with the licence.

Prohibition of
unlicensed use
of CWC 2007
indicia or CWC
2007 images.
Third Schedule.

40. (1) No person, other than CWC 2007 Inc., IDI or a licensed user, shall use -

- (a) any CWC 2007 indicia listed in Part I of the Third Schedule; or
- (b) any other CWC 2007 indicia or any CWC 2007 images for commercial purposes.

(2) CWC 2007 indicia or CWC 2007 images are used by a person for commercial purposes if that person causes such indicia or images -

- (a) to be applied to his goods or services for advertising or promotional purposes or in a manner that is likely to enhance the demand for the goods or services; and
- (b) to a reasonable person, the application would suggest that that person is or was a sponsor of a CWC 2007 activity, or is or was associated or connected with CWC 2007 or a CWC 2007 activity.

(3) Where goods or services which have applied to them CWC indicia or CWC 2007 images are used for commercial purposes by a person other than CWC 2007 Inc, IDI or a licensed user, any person who -

- (a) supplies, or offers to supply, such goods or services;
- (b) exposes such goods for supply; or
- (c) keeps such goods for supply, whether or not by him,

shall be taken to have used the CWC 2007 indicia or images for commercial purposes.

Provision of
information.

41. (1) The use of a CWC 2007 mark, CWC 2007 indicia or CWC 2007 images for the purposes of, or in connection with, the provision of information or for the purposes of criticism or review is not by itself sufficient to -

- (a) amount to a contravention of section 35; or

(b) suggest a sponsorship, or the provision of other support, for the purposes of section 40 (2) (b).

(2) In subsection (1) a reference to -

(a) "the provision of information" includes a reference to the reporting of news and the presentation of current affairs; and

(b) "criticism" or "review" includes a reference to criticism or review -

(i) in a newspaper, magazine or similar periodical;

(ii) in a broadcast; or

(iii) in a cinematograph film.

Power of
Customs
Officers in
relation to
certain imports.

42. (1) Where goods have applied to them any CWC 2007 mark, CWC 2007 indicia or CWC 2007 images which the importer is not authorised or licensed under this Act, to use for commercial purposes, a customs officer may detain the goods for further investigation.

(2) Goods detained under this section shall be kept in such secure place as directed by the Commissioner-General.

Notice of
detention.

43. (1) Where goods have been detained under section 42, the Commissioner-General shall notify CWC 2007 Inc. or IDI of the detention.

(2) CWC 2007 Inc., or IDI or a licensed user may, within 21 days of the receipt of the notice make an application for an injunction under section 47 and give written notice of such application to the Commissioner-General.

Release of
goods.

44. (1) The Commissioner-General shall release goods detained under section 42 -

(a) unless within the period mentioned in section 43 (2), CWC 2007 Inc., IDI or a licensed user has -

(i) made an application for an injunction under section 47 in relation to the goods; and

(ii) given to the Commissioner-General written notice of the application.

(b) Where CWC 2007 Inc., IDI or, if applicable, the licensed user, has, by written notice to the Commissioner-General consented to the release of the goods.

(2) Except where the Commissioner-General has been notified in accordance with subsection (1) that an application has been made in relation to the goods, the Commissioner-General may, in his own determination, release the seized goods before the expiration of the period mentioned in section 43 (2) if the Commissioner-General, having regard to information that has come to his knowledge after the goods were detained, does not have reasonable grounds for believing that section 35 or 40 would be contravened by the importation of the goods.

Power of
Commissioner-
General to retain
control of goods.

45. Nothing in this Part compels the Commissioner-General to dispose of any detained goods where the Commissioner-General is required or allowed to retain control of the goods under any other law.

Preservation
of existing
rights.

46. (1) The provisions of this Act relating to CWC 2007 indicia or CWC 2007 images, shall not affect rights conferred by law on a person in relation to -

(a) a trademark that is registered under the Trade Marks Act;

Cap. 90:01

(b) a design that is registered under the Patent and Designs Act,

Cap. 90:01

which was so registered immediately before the commencement of this Act in relation to the indicia or image.

(2) Nothing in this Act affects the use of the indicia or image by a person who, immediately before the commencement of this Act, was entitled to prevent another person from using the indicia or image or similar indicia or image, for the purpose of passing off.

(3) This Act does not apply to the use of a business name in connection with a business if -

(a) the name is registered in relation to the business under the Business Names (Registration) Act;

Cap. 90:05

(b) the name was so registered before the commencement of this Act in relation to the business.

(4) This Act does not apply in relation to the use of the name of an incorporated company if -

- (a) the company was in existence before the commencement of this Act;
- (b) the company uses the name in connection with a business carried on by the company; and
- (c) the company used the name in connection with the business before the commencement of this Act.

PART VI REMEDIES

Injunctions.

47. (1) Where a person has engaged, is engaging, or is proposing to engage in conduct in contravention of sections 10, 27, Part IV or V, the High Court may, on application by CWC 2007 Inc., IDI or a licensed user, grant an injunction -

- (a) restraining the person from engaging in the conduct; and
- (b) if, in the Court's opinion, it is desirable to do so, requiring the person to take such action as the Court sees fit including, in the case of a sign, the erasure or removal of the sign.

(2) The Court may grant an interim injunction pending the determination of an application under subsection (1).

(3) Nothing in this Part limits or shall be construed as limiting any rights or remedies available under the Trade Marks Act.

Cap. 90:01

Corrective advertisement.

48. Where, on an application under section 47 the High Court is satisfied that a person has engaged in conduct constituting a contravention of section 35 or 40, the Court may make an order requiring the person -

- (a) by such means (including a broadcast or Internet publication) as the Court thinks fit;
- (b) at the person's own expense; and
- (c) at the times specified in the order,

to publish advertisements in accordance with the order:

Damages. 49. Where CWC 2007 Inc., IDI or a licensed user suffers loss or damage as a result of anything done in contravention of section 35 or 40, the amount of the loss or damage may be recovered by action in the High Court.

Account of profits. 50. Where, on the application of CWC 2007 Inc., IDI or a licensed user, the Court is satisfied that a person has engaged in conduct in contravention of section 35 or 40, the High Court may make an order granting relief based on an account of profits.

Limitation. 51. CWC 2007 Inc., IDI or a licensed user is not entitled, in respect of the same contravention of section 35 or 40, to both -

- (a) the recovery of loss or damages under section 49; and
- (b) damages based on an account of profits under section 50.

Destruction or delivery of goods. 52. (1) Where, on the application of CWC 2007 Inc., IDI or a licensed user, the High Court is satisfied that a person has contravened section 35 or 40 in relation to goods, the Court may order that the goods be -

- (a) destroyed;
- (b) delivered up to CWC 2007 Inc., IDI or to the licensed user, as the case may be; or
- (c) otherwise dealt with in such manner as the Court thinks fit.

(2) A Court may make an order under this section whether or not an injunction is granted under section 47.

(3) Where the Court makes an order under this section, the person against whom the order is granted shall bear the expenses occasioned by the making of the order.

Other remedies. 53. (1) The remedies provided under this Part are in addition to any remedy provided by any law -

- (a) that confers any rights or powers on CWC 2007 Inc., IDI or a licensed user in relation to conduct of a kind that constitutes a contravention of section 35 or 40;

- (b) relating to engaging in conduct that is misleading or deceptive and, in particular, relating to representations-
- (i) that goods or services have sponsorship or approval that they do not have; or
 - (ii) that a corporation has a sponsorship, approval or affiliation that it does not have.
- (2) The reference in subsection (1) to particular representations does not preclude the application of any law to conduct of a kind that constitutes a contravention of section 35 or 40.
- (3) The Court may make any order the effect of which would be to deprive an offender of any economic gain from the goods in relation to which the contravention occurred.

PART VII MISCELLANEOUS

- Compensation. 54. (1) Where by virtue of any provision of this Act, any right of a person under any written law is infringed, that person is entitled to such compensation as assessed by the Court.
- (2) In determining claims for compensation for the infringement of any right under this Act, the Court may take into consideration -
- (a) in the case of infringement of property rights, the market value of the property on the date of the infringement;
 - (b) any damage sustained by the person at the time of awarding compensation;
 - (c) the damage (if any) sustained by the person at the time of awarding compensation by reason of the infringement affecting his other rights or his earnings;
 - (d) if in the consequence of the infringement he is compelled to change his residence or place of business, the reasonable expenses incidental to the change.

(3) The Court in assessing compensation to be paid under subsection (1), shall not take into consideration -

- (a) the degree of urgency or necessity which has led to the infringement;
- (b) any disinclination of the person to consent to the infringement; or
- (c) any damage sustained by the person which, if caused by a private person, would not render the private person liable to an action.

(4) In determining claims for compensation, the Court shall have power to consider and award to the person in respect of compensation for the infringement, in addition to the matters specified in subsection (2), any sum not exceeding such percent of the market value of the property at the time of awarding compensation as the Court thinks fit.

Offences
by bodies
corporate.

55. (1) Where a body corporate commits an offence against this Act, each person who is a director of the body corporate or an officer concerned in the management of the body corporate is taken to have committed the offence to the same extent as the body corporate unless the court is satisfied that -

- (a) the commission of the offence occurred without the person's knowledge;
- (b) the person was not in a position to influence the conduct of the body corporate in relation to the offence; or
- (c) the person used all due diligence to prevent the commission of the offence by the body corporate.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the act and omissions of a member in connection with the member's functions of management as if the member were an officer of the body corporate.

(3) Proceedings may be brought against a person and an order or finding of guilt may be made in respect of the person by virtue of subsection (1) whether or not the body corporate has been or is being proceeded against or an order or finding of guilt has been or will be made in respect of the body corporate.

(4) This section does not affect the liability of a body corporate in relation to an offence committed against this Act or any other Act.

Regulations.

56. (1) The Minister responsible for sport may make regulations prescribing matters -

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Without limiting the generality of subsection (1), the regulations may provide for -

- (a) the organisation, management and control of CWC 2007 activity and the carrying out of works or activities or providing services for the safe and orderly conduct of such activity;
- (b) the control, management and use of a CWC 2007 venue and the carrying out of works or activities or providing services in, on or near a CWC 2007 venue for the safe and orderly management and use of the CWC 2007 venue;
- (c) the prohibition or regulation of entry into a CWC 2007 venue or part of such venue;
- (d) the prohibition or regulation of the conduct or activities of persons for the purpose of the safe and orderly conduct of CWC 2007 activity or the safe and orderly use of a CWC 2007 venue.

Amendment of Schedule.

57. The Minister responsible for sports may by order amend any of the Schedules to this Act.

Act to bind the State.

58. This Act binds the State.

Expiry of Act.

59. This Act expires on 30 June 2007.

FIRST SCHEDULE

sec. 25

Prohibited Items

1. Alcohol.
2. Dangerous weapons and imitation weapons.
3. Firearms and imitation firearms.
4. Explosive.
5. Knives.
6. Fireworks.
7. Flares.
8. Incendiary devices.
9. Illegal drugs or narcotics.
10. Mace or pepper spray.
11. Glass bottles.
12. Cans or tins.
13. Gas cylinders (including portable barbeque equipment).
14. Megaphones.
15. Compressed air or gas operated horns.
16. Flag poles.

SECOND SCHEDULE

sec. 25

Restricted Items

1. Umbrellas
 - Permitted, only small collapsible personal umbrellas.
2. Animals
 - Permitted, only guide-dogs.
3. Bands and musical instruments
 - Permitted, only with written permission from the appropriate Local Organising Committee.
4. Cooler boxes
 - Permitted, provided they are not larger than 12" x 12" x 12."
 - Must be soft and collapsible.
5. Glass containers
 - Permitted, only if they contain perfume, prescription medication or insect repellent.
6. Aerosol cans
 - Permitted, only if they contain deodorant, prescription medication or insect repellent.
7. Alcohol beverages.
8. Balls, frisbees and similar items.
9. Baseball bats.
10. Bicycles.
11. Scooters.
12. Skates or skateboards.
13. Chairs.
14. Non-alcoholic beverages.
15. Branded drinks.
16. Branded snacks.
17. Banner or flags which could restrict the view of, or in the opinion of CWC 2007 Inc., would be offensive to other spectators.
18. Bands and musical instruments.
19. Radios Permitted, if they are small transistor radios used with ear or head phones.
20. Lunch boxes Permitted, if they are soft plastic lunch bags not larger than (24" x 12").

Any other object, item or substance that may be deemed in the discretion of CWC 2007 Inc. to be offensive, disruptive, dangerous or likely to infringe the rights, safety or security of any person.

THIRD SCHEDULE

sec. 37

CWC. 2007 Indicia

Part I

- Cricket World Cup
- World Cup Cricket
- CWC
- CWC West Indies

Part II

<u>Section A</u>	<u>Section B</u>
Windies	Cricket World Cup
West Indies	World Cup Cricket
Caribbean	World Cup
Antigua and Barbuda	CWC
Antigua	CWC West Indies
Barbuda	2007
Barbados	Two thousand and seven
Grenada	07
Guyana	MMVII
Jamaica	
St. Kitts and Nevis	
St. Kitts	
Nevis	
Saint Lucia	
St Vincent and the Grenadines	
St Vincent	
The Grenadines	
Trinidad and Tobago	
Trinidad	
Tobago	
Sir Vivian Richards Stadium	
Kensington Oval	
Kensington	
Queen's Park	

Section A	Section B
Providence Stadium	
Providence	
Sabina Park	
Sabina	
Warner Park	
Beausejour Stadium	
Beausejour	
Queen's Park Oval	
ARG	
Antigua Recreation Ground	
Arno's Vale	
Bourda	
Bourda Oval	
Brian Lara Stadium	
Three W's	
Three W's Oval	
Trelawny Stadium	

EXPLANATORY MEMORANDUM

The Bill provides the legal structure for the efficient staging of ICC Cricket World Cup West Indies 2007.

Clause 1 sets out the name (also called the Short title) of the Act.

Clause 2 defines certain words and expressions used. For example, it defines who is an authorised person and, a permitted entrant. It also defines CWC 2007 venue and CWC 2007 activity.

PART II

Clause 3 enables the Minister responsible for Sport to declare premises and land to be CWC 2007 venues or places ancillary to such venues and to declare periods of time to be match periods for the purposes of the Act.

Clause 4 provides that the control of CWC 2007 venues during the match period will rest with CWC 2007 Inc., subject only to the rights of certain persons, e.g. - a public health officer.

Clause 5 provides that works shall not be undertaken on land acquired for a CWC 2007 activity without the requisite permission which shall not be unreasonably withheld.

Clause 6 addresses the regulation of traffic for the purpose of CWC 2007.

Clause 7 makes it an offence to enter a road closed by order, to fail to leave the closed road when directed to do so or to interfere with a sign or barrier indicating the closure of the road.

Clause 8 empowers the police, at the owners' expense, to remove unattended vehicles from within a CWC 2007 venue.

Clause 9 empowers the Commissioner to regulate deliveries within a CWC 2007 venue.

Section A	Section B
Providence Stadium	
Providence	
Sabina Park	
Sabina	
Warner Park	
Beausejour Stadium	
Beausejour	
Queen's Park Oval	
ARG	
Antigua Recreation Ground	
Arno's Vale	
Bourda	
Bourda Oval	
Brian Lara Stadium	
Three W's	
Three W's Oval	
Trelawny Stadium	

EXPLANATORY MEMORANDUM

The Bill provides the legal structure for the efficient staging of ICC Cricket World Cup West Indies 2007.

Clause 1 sets out the name (also called the Short title) of the Act.

Clause 2 defines certain words and expressions used. For example, it defines who is an authorised person and, a permitted entrant. It also defines CWC 2007 venue and CWC 2007 activity.

PART II

Clause 3 enables the Minister responsible for Sport to declare premises and land to be CWC 2007 venues or places ancillary to such venues and to declare periods of time to be match periods for the purposes of the Act.

Clause 4 provides that the control of CWC 2007 venues during the match period will rest with CWC 2007 Inc., subject only to the rights of certain persons, e.g. - a public health officer.

Clause 5 provides that works shall not be undertaken on land acquired for a CWC 2007 activity without the requisite permission which shall not be unreasonably withheld.

Clause 6 addresses the regulation of traffic for the purpose of CWC 2007.

Clause 7 makes it an offence to enter a road closed by order, to fail to leave the closed road when directed to do so or to interfere with a sign or barrier indicating the closure of the road.

Clause 8 empowers the police, at the owners' expense, to remove unattended vehicles from within a CWC 2007 venue.

Clause 9 empowers the Commissioner to regulate deliveries within a CWC 2007 venue.

Clause 10 makes CWC 2007 Inc. responsible for the sale and distribution of tickets. It is an offence to sell or supply a ticket for admission to a CWC 2007 activity without the approval of CWC 2007 Inc.

Clauses 11 and 12 deal with visa requirements and the issuance of work permits, respectively. Clause 11 empowers the Minister with responsibility for immigration to make regulations for visas in relation to CWC 2007. Clause 12 provides that applications for permission to work in Guyana in relation to CWC 2007 shall be dealt with expeditiously by the Chief Immigration Officer.

Clause 13 seeks to give effect to the obligation of the host State to exempt from import or export duties or other impost certain goods.

Clauses 14 and 15 deal with waiver of income taxes, taxes on other benefits e.g. man of the match awards and waiver of taxes on the sale of tickets.

Clause 16 exempts the income of certain persons connected with CWC 2007 from foreign exchange restrictions.

Clause 17 seeks to enable weekend banking during a match period.

Clause 19 seeks to control airspace. The Civil Aviation Authority is empowered to issue an air traffic clearance for a person to operate an aircraft in a restricted airspace where the operation of the aircraft within that airspace will not adversely affect the efficient organization and staging of CWC 2007.

PART III

Clause 20 prohibits the unauthorized entry into and exit from a stadium.

Clause 21 prohibits entry on the playing field and such other areas within the stadium as may be indicated.

Clause 22 regulates the provision and use of reserved areas and reserved seats.

Clause 23 seeks to suspend during match periods the rights of members over stadia that are normally available.

Clause 24 regulates conduct within CWC 2007 venues.

Clause 25 restricts items that may be brought into the CWC 2007 venues during match periods.

Clause 26 provides for the surrender of restricted or prohibited items.

Clause 27 regulates the sale of goods and services in CWC 2007 venues during match periods.

Clause 28 empowers an authorized person to photograph suspected offenders.

The photographs shall be destroyed within five days of the completion of CWC 2007.

Clause 29 empowers a police officer to demand the name and address of suspected offenders.

PART IV

Clause 30 prohibits certain advertisements on buildings and other structures in a CWC 2007 venue. The power to obliterate or remove unauthorized advertising material in a CWC 2007 venue is vested in CWC Inc.

Clause 31 prohibits certain advertisements. The provision basically seeks to prohibit false and misleading advertisements which relates to CWC 2007.

Clause 32 regulates commercial broadcasting, telecasting, recording or filming relating to CWC 2007 activities.

Under Clause 33, except with the written authorization of CWC 2007 Inc. /IDI or G.C.C., a person shall not willfully broadcast, display or televise any advertisement, communication, statement, mark or image or authorise any other activity, which for instance relates to or is connected with CWC 2007.

Clause 34 seeks to prohibit the use of a CWC 2007 ticket in any form of commercial activity as prizes in any competition or game without the written approval of CWC 2007 Inc.

PART V

Clause 35 prohibits the unauthorized use of the CWC 2007 mark etc. and clause 36 the infringement of the mark.

Clause 37 seeks to set out the CWC 2007 indicia and images that are not to be used without authorization. The Third Schedule contains the list.

Clause 38 defines the actions that constitute application of CWC 2007 indicia and images to goods and service. It includes the application of the indicia and images to the goods as well as the application to advertisements to promote goods or service.

Clause 39 enables CWC 2007 Inc. to license the use of CWC 2007 marks.

Clause 41 provides that use of a CWC 2007 mark, indicia or images for the purpose of or in connection with the provision of information or for the purposes of criticism or review is not of itself an infringement.

Clause 42 empowers an officer of the Revenue Authority to detain goods which infringe the controls instituted to protect CWC 2007 marks.

Clause 43 obliges the Director-General of the Revenue Authority to notify CWC 2007 Inc. of the detention and upon receipt of the notice, twenty-one days are allowed within which CWC 2007 may apply for an injunction respecting the importation.

Clause 44 authorises the Director General of the Revenue Authority to release the goods in question where no application for an injunction has been made within the specified time or where the release has been consented to.

Clause 46 confirms that existing intellectual property legislation, Trade Marks, Patents and Designs is not affected by the provisions of the Act.

PART VI

Clause 47 allows a court to grant injunctions against conduct that contravenes the provisions respecting the sale of CWC 2007 tickets, sale of goods, advertising and the prohibition of CWC marks, indicia and images. An injunction may be granted on the application of the CWC 2007 Inc. /IDI or a licensed user.

Clause 48 provides that a court may order a person to publish corrective advertisements if it is satisfied that the person has contravened the provisions respecting the use of the marks, indicia or images.

Clause 49 allows for damages¹ to be awarded for infringement of intellectual property rights under the Act.

Clause 50 allows a Court to grant relief by way of an account of profits if it is satisfied that a person has infringed intellectual property rights (CWC 2007 Inc.).

Clause 51 provides that the same party (CWC 2007 Inc.) for the same contravention cannot be granted the recovery of any loss or damages under clause 49 and damages based in profits under section 50.

Clause 53 provides that remedies provided under the Act are additional to any that may be available under other law.

PART VII

Clause 54 provides that where any right of a person is infringed, that person is, on the application to the High Court, entitled to compensation for the infringement.

Clause 55 makes provision for the commission of offences by corporations.

Clause 56 seeks to empower the Minister to make regulations for the purposes of the Act.

Clause 58 provides that the Act binds the State.

Clause 59 provides for the expiry of the Act on 30th June 2007.


Minister of Culture, Youth and Sports

