

Major Events (Summernats 38) Declaration 2025

Disallowable instrument DI2025-309

made under the

Major Events Act 2014, section 6 (Major event - declaration)

EXPLANATORY STATEMENT

Division 2.1 of the *Major Events Act 2014* (the Act) permits the Executive to declare that an event is major event if satisfied—

- (a) that the event is a major event at an international, national, State or Territory level; and
- (b) it is in the public interest to do so; and
- (c) on reasonable grounds it is necessary and appropriate to do so.

The Executive is satisfied the events listed in the instrument meet these criteria.

The Summernats 38 car festival will run from 8 to 11 January 2026 at Exhibition Park in Canberra (EPIC). It is one of the largest events in the ACT and welcomes significant numbers and a majority of visitors from interstate to the ACT.

Summernats 37 in 2025 attracted 138,000 spectators over 4 days, with interstate visitors comprising 76 per cent of spectators and 79 per cent of entrants. It also had a significant positive economic impact, with Summernats 37 resulting in direct expenditure of over \$46.6 million in the ACT.

Summernats 38 requires high degree of professional management and coordination between the organisers, ACT Government and ACT Policing. It will also attract national media attention.

This declaration applies the provisions of the *Major Events Act 2014* (the Act) to Summernats 38. This notice is a disallowable instrument.

The effect of this declaration is to enliven powers and offences under the Act, Part 3 (Crowd Management) for police officers. Crowd management in Part 3 of the Act includes offences in relation to the possession of prohibited items and interference with the events. Part 3 also provides crowd management powers including the power to search personal property, to conduct scanning searches and frisk searches.

While a major event declaration enlivens extraordinary powers for police officers, these additional crowd control powers will provide for the safe conduct of the event in 2026, considering the significant numbers of spectators and entrants. Extraordinary powers enlivened under a major event declaration are strictly time-bound and limited to the event venue.

The powers enlivened for a major events declaration and the reduced threshold for the exercise of powers engages and limits rights under the *Human Rights Act 2004* (ACT; HR Act), including the right to privacy under s 12, right to liberty and security of the person under s 18, and right to freedom of expression under s 16. Section 28 of the HR Act provides that rights may be subject to reasonable limits that can be demonstrably justified in a free and open democratic society.

The powers enlivened under a major events declaration have proportionate limitations on the duration and scope of their application to provide for the safe and secure conduct of Summernats 38. The powers are only sought for the event venue, and the power of detention by police officers is a power of last resort to protect the community and event. Strict liability offences enacted apply only to conduct that may threaten safety or security at an event.

The limitations on individual human rights allow for effective risk management to prevent potential incidents or harm to attendees. The major event declaration follows deteriorating safety and crowd control incidents in 2023 and 2024 that supported additional crowd control powers for the safe and efficient hosting of the event in future years.

Alcohol and petrol have been excluded from the meaning of prohibited items in s12(1)(a) of the Act, as alcohol will be sold by authorised licenced vendors during the event and petrol will be available for refuelling within the event venue.

The powers enlivened under this declaration have appropriate limitations on the duration and scope of their application to provide for the safe and secure conduct of Summernats 38.

Summernats was previously hosted with a major event declaration in 2025. This supported organisers to run a safe and secure event for spectators and entrants.

A major events declaration does not restrict peaceful assembly or gatherings, and the restrictions in the *Major Events Act 2014* do not apply to public protests.