STATUTORY INSTRUMENTS

1990 No. 2294

The Horses (Protective Headgear for Young Riders) (Northern Ireland) Order 1990

Title and commencement

1.—(1) This Order may be cited as the Horses (Protective Headgear for Young Riders) (Northern Ireland) Order 1990.

(2) This Order shall come into operation on such day as the Head of the Department of the Environment may by order appoint.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**1**) shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

"horse" includes pony, mule, donkey or other equine animal;

"regulations" means regulations under Article 4; and

"road" does not include a footpath or bridleway but, subject to that, has the meaning given in Article 2(2) of the Road Traffic (Northern Ireland) Order 1981(**2**) .

(3) For the purposes of the definition of "road" in paragraph (2)—

(a) "footpath" means a way—

(i) over which the public have a right of way on foot only; and

(ii) which is not associated with a carriageway; and

(b) "bridleway" means a way over which the public have the following, but no other, rights of way; a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the way.

Causing or permitting child under 14 to ride on road without protective headgear

3.—(1) Except as provided by regulations, it is an offence for any person to whom this paragraph applies to cause or permit a child under the age of 14 years to ride a horse on a road unless the child is wearing protective headgear, of such description as may be specified in regulations, in such manner as may be so specified.

(2) Paragraph (1) applies to the following persons—

(a) any person who for the purposes of Part II of the Children and Young Persons Act (Northern Ireland) 1968(**3**) has custody, charge or care of the child;

(b) any owner of the horse;

(**1**) 1954 c. 33 (N.I.)
(**2**) 1981 NI 1
(**3**) 1968 c. 34 (N.I.)

(c) any person other than its owner who has custody of or is in possession of the horse immediately before the child rides it; and

(d) where the child is employed, his employer and any other person to whose orders the child is subject in the course of his employment.

(3) A person guilty of an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 1 on the standard scale.

Regulations

4.—(1) The Department of the Environment may by regulations made subject to negative resolution—

(a) provide that Article 3 shall not apply in relation to children of any prescribed description, or in relation to the riding of horses in such circumstances as may be prescribed;

(b) prescribe for the purposes of that Article (by reference to shape, construction or any other quality) the descriptions of protective headgear to be worn by children of any prescribed description in prescribed circumstances; and

(c) prescribe for those purposes the manner in which such headgear is to be worn.

(2) Before making any regulations under this Article the Department shall consult such representative organisations as it thinks fit.

G. I. de Deney
Clerk of the Privy Council