

STATUTORY INSTRUMENTS

**1986 No. 1887 (N.I. 17)**

**The Road Races (Northern Ireland) Order 1986 <sup>F1</sup>**

- - - - - 5th November 1986

**F1** functions transf. by SR 1999/481

**Title and commencement**

1. This Order may be cited as the Road Races (Northern Ireland) Order 1986 and shall come into operation on the expiration of two months from the day on which it is made.

**Interpretation**

2.—(1) The Interpretation Act (Northern Ireland) 1954 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—

“the Department” means the Department of the Environment;

“hill climbing competition” means any test or trial of speed to ascertain the time taken by competing motor cars in the ascent of a length of road not exceeding 5 kilometres, where—

(a) the average gradient of that length of road measured between its starting and finishing points is at least 5 per cent., and

(b) the minimum gradient of a part of that length of road is at least 10 per cent.;

“marshal” means a person authorised in writing by the promoters to assist in connection with the proper conduct of a motor race;

“motor car” includes motor cycle;

“motor race” means any motor race which, by virtue of an order made under this Order, is held on roads with motor cars and includes—

(a) any practice or trial authorised by the relevant order as preliminary to any race, and

(b) subject to Article 3(9), any hill-climbing competition;

“promoter” means any person promoting or intending to promote a motor race;

“road” has the meaning assigned to it by Article 2(2) of the Roads (Northern Ireland) Order<sup>F2</sup> 1993] and includes a trunk road, but not a special road;

“specified road” means a road specified in an order made under Article 3(1).

**F2** 1993 NI 15

## General provisions with respect to motor races

### Orders authorising motor races

3.—(1) Subject to the following provisions of this Article, the Department may, upon the application of any promoter, by order declare that any road specified in the order may be used for or in connection with motor races during the whole or any part of any days so specified.

[<sup>F3</sup>(1A) An order under this Article may, in addition, specify the whole or part of not more than two other days for the purposes of paragraph (1E) (“contingency days”).

(1B) A contingency day must be one of the two days falling immediately before or immediately after a day specified under paragraph (1).

(1C) An order may not specify the whole or part of a Sunday as a contingency day unless the Department is satisfied that the terms of the order are such as to minimise as far as reasonably practicable any disruption to the activities of the local community on that day

(1D) An order authorising the use of the roads specified in the Schedule to the Road Races (North West 200) Order (Northern Ireland) 2013 may not specify as a contingency day—

- (a) the whole of a Sunday; or
- (b) any part of a Sunday beginning before 1.30 pm or ending after 6 pm.

(1E) Where an order—

- (a) has been made under this Article, and
- (b) contains provision under paragraph (1A),

the Department may, on an application made by the promoter in accordance with paragraph (1F), direct that the order shall have effect as if so much of a contingency day as is specified under paragraph (1A) were substituted for so much of a day specified in the order under paragraph (1); and where such a direction is given the order shall have effect in accordance with the direction.

(1F) An application or direction under paragraph (1E) must be in writing and may be made or given by any form of electronic communication; and an application for a direction under that paragraph in relation to a contingency day must be made not later than 24 hours before whichever is the earlier of—

- (a) the beginning of the contingency day; or
- (b) the beginning of the day specified in the order under paragraph (1) for which the contingency day is to be substituted.

(1G) If two contingency days are specified in an order under this Article, a direction under paragraph (1E) may be given in relation to those days either at the same time or at different times.]

(2) Subject to paragraph (9), the Department shall not make an order under this Article in any year, unless it receives an application for such an order and grants that application not later than 31st March in that year.

(3) Subject to paragraph (9), the Department shall not make more than 10 orders under this Article (including orders made under this Article as modified by the Schedule) in any calendar year.

(4) Notwithstanding anything in paragraphs (1) to (3) a road shall not be used for or in connection with motor races on more than three days in any calendar year.

(5) Before making an order under this Article the Department shall consult the Chief Constable.

(6) An order under this Article may contain such provisions as the Department considers appropriate for securing the proper conduct of the motor race and for purposes incidental thereto.

(7) Without prejudice to the generality of paragraph (6), an order under this Article—

- (a) shall include provisions—

- (i) requiring the promoter to secure such insurances and indemnities against such risks, liabilities, injuries or damage as may be specified in the order,
  - (ii) suspending the right of way over any specified road,
  - (iii) prohibiting, restricting or regulating traffic on any specified road; and
- (b) may include provisions prohibiting, restricting or regulating traffic on any road other than a specified road, if it appears to the Department that such prohibition, restriction or regulation will facilitate the control of traffic and spectators at any motor race.
- (8) The Department shall secure that such public notice of the provisions of an order made under this Article is given as the Department considers appropriate to bring the effect of the order to the attention of the public.

[<sup>F4</sup>(8A) The Department shall also secure that such public notice is given of the effect of any direction under paragraph (1E) as the Department considers appropriate for bringing the effect of the direction to the attention of the public.]

(9) Paragraphs (2) and (3) do not apply to an order made under this Article in respect of a motor race—

- (a) which is a hill-climbing competition; or
- (b) in which the only motor cars taking part are four-wheeled motor cars, the unladen weight of each of which does not exceed 153 kilograms.

(10) For the purpose of paragraph (9)(b), the unladen weight of a motor car shall be taken to be the weight of the motor car—

- (a) including any body or seating and all parts (the heavier being taken where alternative bodies or parts are used) which are necessary to or ordinarily used with the motor car when racing, but
- (b) excluding the weight of fuel used for the purpose of the supply of power for the propulsion of the motor car and loose tools and loose equipment.

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| <b>F3</b> | Art. 3(1A)-(1G) inserted (18.1.2014) by <a href="#">Road Races (Amendment) Act (Northern Ireland) 2014 (c. 1), s. 1(2)(4)(a)</a> |
| <b>F4</b> | Art. 3(8A) inserted (18.1.2014) by <a href="#">Road Races (Amendment) Act (Northern Ireland) 2014 (c. 1), s. 1(3)(4)(a)</a>      |

### **Control of traffic**

4.—(1) The Chief Constable may give such directions as he thinks fit respecting the control, during the continuance of any race and at such time before and after the race as he may direct, of vehicular and other traffic of every description proceeding to and from the race.

(2) Directions given under paragraph (1) shall have effect notwithstanding anything in any enactment.

(3) Paragraph (8) of Article 3 (public notice) shall apply in relation to such directions in the same manner as it applies in relation to orders made under that Article.

### **Suspension of enactments relating to road traffic, etc.**

5. No provision of any enactment (other than this Order)—

- (a) prohibiting, restricting or regulating traffic;
- (b) restricting the speed of vehicles;

- (c) regulating the manner of driving vehicles;
- (d) regulating the construction, use, maintenance or lighting of vehicles;
- (e) requiring a policy of insurance or security to be in force in relation to the use of any vehicle;
- (f) relating to the duty chargeable on, and the licensing and registration of, vehicles;
- (g) requiring the driver of a vehicle to hold a licence authorising him to drive the vehicle;
- (h) imposing any penalty for the infringement of any provision referred to in paragraphs (a) to (g);

shall apply to any vehicle, or to the driver thereof, while actually engaged (whether as a competitor or as a marshal) in a motor race authorised by an order made under this Order, except insofar as such provision may be incorporated in the order.

### **Enforcement**

6.—(1) Any person who—

- (a) intentionally obstructs or interferes with the conduct of any motor race authorised under this Order;
- (b) intentionally obstructs any constable acting in the course of his duty as such, any marshal or any other person exercising any functions conferred on him by an order made under Article 3, or any person concerned in the management of any such motor race in connection with securing the safety of the public or of any person competing therein;
- (c) without lawful authority enters or is found or remains on any specified road;
- (d) is the keeper of any animal, or is the person having charge or control of any vehicle, found without lawful authority on any specified road;
- (e) otherwise contravenes any provision of an order made under Article 3;

shall be guilty of an offence and liable on summary conviction to a fine of level 3 on the standard scale.

(2) In paragraph (1)(d) “keeper” has the meaning assigned to it by Article 2(2) of the Animals (Northern Ireland) Order 1976.

(3) A constable or marshal may, with such assistance as may be reasonably necessary, remove—

- (a) any person obstructing or interfering with the conduct of any motor race authorised by an order made under Article 3, or found without lawful authority on a specified road; or
- (b) any animal or vehicle found on a specified road.

(4) A constable shall not be liable in respect of anything done by him under sub-paragraph (b) of paragraph (3) in good faith and without negligence, and no action shall lie at the suit of the owner of the animal or vehicle against the Police Authority for Northern Ireland in respect of anything so done by a constable.

(5) In paragraph (4) references to a constable shall include references to—

- (a) a marshal acting on the authority of a constable, and
- (b) any other person so acting.

### **Expenses**

7.—(1) Subject to paragraph (2), any expenses incurred by the Department under this Order shall be defrayed by the promoters.

(2) The Department may, as a condition precedent to the making of an order under this Order, require the promoters to deposit or give security for such sum as in opinion of the Department is sufficient to defray such expenses.

### Special provisions with respect to the Dundrod Circuit

#### **Application of this Order to the Dundrod Circuit**

**8.—**(1) This Order shall apply to the Dundrod Circuit subject to the special provisions which are set out in the Schedule.

(2) In paragraph (1) the expression “the Dundrod Circuit” has the meaning given in the Schedule.

*Article 9 — Revocations*

SCHEDULE

Article 8

Special Provisions with respect to the Dundrod Circuit  
*Meaning of expressions used in this Schedule*

1.—(1) In this schedule and in the preceding provisions of this Order as modified by this Schedule—

“the Dundrod Circuit”

- (a) means the race-course, approximately 11.302 kilometres in length, in the local government district of Lisburn, which is delineated by means of an unbroken red line on the map or plan annexed to the Scheme, and
- (b) includes such portion not exceeding 229 metres in length as may be designated in an order made under Article 3 (as modified by paragraph 3) of any road opening off the race-course over which the Department thinks it expedient to suspend the right of way for the safety of the public;

“the race area” means an area within a perimeter consisting of straight lines connecting road junctions surrounding the Dundrod Circuit and distant from it not less than 805 metres nor more than 4 kilometres;

“the scheme” means any scheme approved under section 26 of the Development of Tourist Traffic Act (Northern Ireland) 1948 and having effect for the time being in relation to the Dundrod Circuit; 1948 c. 4 (N.I.)

“spectator badge” means such badge or ticket as the promoters of any race may be authorised by any order made under Article 3 (as modified by paragraph 3) to provide in respect of persons and to place on sale;

“vehicle badge” means any such badge, disc or ticket as the promoters of any race may be authorised by any order made under Article 3 (as modified by paragraph 3) to provide in respect of vehicles and to place on sale.

(2) In application of this Order to the Dundrod Circuit the definition of “specified road” in Article 2(2) shall be omitted and any other reference to a specified road shall be construed as a reference to the Dundrod Circuit.

*Orders, etc. respecting the Dundrod Circuit*

2. Articles 3 and 4 shall have effect in relation to the Dundrod Circuit subject to the modifications set out in paragraphs 3 and 4.

3.—(1) In paragraph (1) of Article 3, after the word “days” insert the words “ (not exceeding three in number) ”.

(2) Paragraph (4) of that Article shall be omitted.

(3) After paragraph (7) of that Article there shall be inserted the following paragraphs—

“(7A) Without prejudice to the generality of paragraph (6) an order under this Article may—

- (a) authorise the promoters of any race to provide and place on sale spectator badges and vehicle badges;

- (b) fix a price or prices for a spectator badge and vehicle badge not exceeding in respect of each person or, as the case may be, each vehicle such amount as may be prescribed by regulations made by the Department subject to negative resolution; and
- (c) provide that no person or vehicle shall be permitted to enter the race area during the days or parts of days specified in the order other than—
  - (i) a person or vehicle exempted by that order or otherwise in pursuance of this Order;
  - (ii) a person by or in respect of whom a spectator badge is produced to a constable or marshal;
  - (iii) a vehicle displaying a vehicle badge, or a vehicle the driver or person in charge of which produces a vehicle badge to a constable or marshal;

(7B) Where an order under this Article imposes requirements by virtue of paragraph (7A), it shall provide, so far as practicable, for the exemption from those requirements of—

- (a) persons residing in the race area;
- (b) vehicles usually kept in the race area; and
- (c) persons or vehicles entering or leaving the race area for purposes unconnected with the motor races in respect of which the order is made.”

4.—(1) At the end of paragraph (1) of Article 4 add the words “ and within the race area ”.

(2) After paragraph (2) of that Article insert the following paragraph—

“(2A) Where an order has been made under Article 3 (as modified by paragraph 3), the Department may, after consultation with the Chief Constable, specify the roads or other approaches which shall, or shall not, be permitted to be used for entry into the race area, and the points on the roads or approaches permitted to be so used at which—

- (a) the driver or person in charge of any vehicle, other than a vehicle exempted from the requirements of the order, will be required to display or produce a vehicle badge, and
- (b) any other person, other than a person exempted from the requirements of the order, will be required to produce a spectator badge,

before entering the race area.”

(3) In paragraph (3) of that Article after the word “directions” insert the words “ and in relation to any matter specified under paragraph (2A). ”

#### Application of proceeds of sale of badges

5. Where motor races have been held by virtue of an order made under Article 3 (as modified by paragraph 3), the promoter, where he is a person other than Lisburn Borough Council, shall submit to such audit as may be required by that Council the accounts relating to the provision and sale of vehicle and spectator badges and shall pay to that Council the proceeds of such sale.

**Changes to legislation:**

There are currently no known outstanding effects for the The Road Races (Northern Ireland) Order 1986.