



Isle of Man

Ellan Vannin

AT 14 of 1982

ROAD RACES ACT 1982



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**Isle of Man***Ellan Vannin*

ROAD RACES ACT 1982

Received Royal Assent: 7 December 1982
Passed: 14 December 1982
Commenced: 1 January 1983

AN ACT to consolidate with amendments the Road Races Acts 1951 and 1975, and related enactments.

GENERAL NOTE: The maximum fines in this Act are as increased by the *Fines Act 1986* and by the *Criminal Justice (Penalties, Etc.) Act 1993* s 1.

1 Orders authorising road races

[1975/11/1]

- (1) The Department may, on the application of the promoter, by order (in this Act called a ‘road race order’) authorise the use of any road for a race or races with such vehicles, on such days, during such times and subject to such conditions as may be specified in the order.¹
- (2) A road race order shall not, except as provided by subsections (3) and (3A), authorise the use of any road for a race on a Sunday.²
- (3) A road race order may authorise the use of a road for races —
 - (a) on one Sunday only, for the Isle of Man Tourist Trophy motorcycle races; and
 - (b) on one Sunday only, for the Manx Grand Prix motorcycle races; between the hours of 1.30 p.m. and 6 p.m. in the event of the postponement of any race from the preceding week, if the road is authorised, by that or another road race order, to be used for a race or races on a weekday in the preceding week and on a weekday in the following week.³
- (3A) Where a road race order authorises the use of a road forming part of the Billown Circuit for a motorcycle race or races on the Saturday immediately following the Isle of Man Tourist Trophy motorcycle races, that or another road race order may authorise the use of that road for a motorcycle race or races on the following day between the hours of 1.30

p.m. and 6 p.m. in the event of the postponement of the first-mentioned race or races (or any of them) from that Saturday.⁴

- (4) The Department shall give such public notice of the provisions of any road race order as it considers appropriate in order to bring the effect of the order to the attention of the public.⁵

2 Provisions which may be included in a road race order

- (1) A road race order may contain provisions for all or any of the following purposes: —
- (a) suspending the right of way over any road closed by the order;
 - (b) prohibiting, restricting or regulating traffic on any road closed by the order;
 - (c) incorporating any such provision as is mentioned in section 6;
 - (d) prohibiting, restricting or regulating traffic on any other road specified in the order, if it appears to the Department that such prohibition, restriction or regulation is necessary for the holding of, or will facilitate the control of spectators at, any race;⁶
 - (e) subject to the consent of the lessee (if any), prohibiting, restricting or regulating traffic on or access to any part of the foreshore specified in the order;⁷
 - (f) subject to the consent of the owner and the occupier, prohibiting, restricting or regulating traffic on or access to any place to which the public has a right of access or to which the public is normally permitted to resort;
 - (g) subject to the consent of the owner and the occupier, prohibiting, restricting or regulating traffic on or access to any place specified in the order, other than a road or foreshore mentioned in paragraph (d) or (e), if it appears to the Department that such prohibition, restriction or regulation is necessary to secure the safety of the public or of any person competing in a race authorised by the order;⁸
 - (h) subject to the *Control of Advertising Act 1981*, authorising the erection and maintenance on any road or other public place of stands, barriers, bridges, decorations or other apparatus;
 - (i) authorising the promoter, or any other person with whose consent any such provision as is mentioned in paragraph (e) or (f) is included in the order, —
 - (i) to permit persons or vehicles to enter any road, foreshore or other place to which any such provision as is mentioned in paragraph (d), (e) or (f) applies, subject to such conditions (including conditions as to payment for

- admission) as such promoter or other person may stipulate or may be specified in the order; and
- (ii) to make charges for the use by spectators of any stand, enclosure or similar facility;
 - (j) making such incidental, consequential or supplemental provision as appears to the Department to be necessary or appropriate for the purposes of the order or the proper conduct of any race.⁹
- (2) A road race order shall specify the days on which, and the times during which, any such provision as is mentioned in subsection (1) is to have effect.
 - (3) A road race order shall contain provision requiring the promoter to secure such insurances and indemnities against such risks, liabilities, injuries or damage as may be specified in the order.

3 Appointment of marshals

The Chief Constable may appoint marshals for the enforcement of the provisions of this Act and any road race order, and any marshal when on duty at any race shall be deemed to be a constable and to have all the same powers and privileges, and to be subject to the same liabilities, as a constable.

4 Exemption for certain persons

- (1) No provision contained in a road race order by virtue of section 2(1)(d), (e) or (f) shall prohibit the access on foot by any person to his home or place of business or render him liable to pay any charge for such access.
- (2) The Department may issue a permit to any person who satisfies the Department that it is necessary for him for business or medical reasons to have access to a road or place to which any provision contained in a road race order by virtue of section 2(1)(d), (f) or (g) applies.¹⁰
- (3) On production of a permit issued under subsection (2) to a constable or marshal, a person to whom the permit has been issued may have access on foot to the road or place specified in the permit, subject to such conditions as may be specified therein, and shall not be liable to pay any charge for such access.

5 Contravention of road race order

- (1) Any person who —
 - (a) intentionally obstructs or interferes with the conduct of any race authorised by a road race order;
 - (b) intentionally obstructs any constable or marshal acting in the course of his duty as such, any person exercising any functions conferred on him by such order, or any person concerned in the

management of any such 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 road closed by such order, or any road, foreshore or place to which any such provision as is mentioned in section 2(1) (d), (e), (f) or (g) applies;
- (d) is the keeper of any animal, or is the owner or person having charge or control of any vehicle, found on any road closed by such order; or
- (e) otherwise contravenes any provision of such order;

shall be guilty of an offence and liable on summary conviction to a fine not exceeding £2,500.

- (2) Any person obstructing or interfering with the conduct of any race authorised by a road race order, or found without lawful authority —
 - (a) on a road closed by such an order; or
 - (b) on any road, foreshore or place to which any such provision as is mentioned in section 2(1)(d), (e), (f) or (g) applies;

or any animal or vehicle found on a road closed by such order, may be removed by a constable or marshal with such assistance as may be reasonably necessary.

- (3) In proceedings for an offence under subsection (1)(a), (b) or (c), it shall be for the person accused to prove that he did not act intentionally, or that he acted with lawful authority, as the case may be, and in proceedings for an offence under subsection 1 (c) or (d) proof that the person accused was not negligent or did not know of the contravention shall be no defence.

6 Suspension of enactments relating to road traffic etc

No provision of any enactment (other than this Act) —

- (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 in a race authorised by a road race order, save insofar as such provision may be incorporated in the order.

7 Orders suspending other enactments

- (1) The Department may by order make provision for all or any of the following purposes: —
 - (a) suspending the provisions of any enactment —
 - (i) relating to the duty chargeable on, and the licensing and registration of, vehicles; or
 - (ii) requiring the driver or rider of a vehicle to hold a licence authorising him to drive the vehicle;for any period specified in the order, not exceeding 4 weeks before and one week after the day of any race authorised by a road race order;
 - (b) making special provision during such period instead of any provision so suspended;
 - (c) prohibiting, restricting or regulating traffic on any road on the Sunday preceding the day of any such race;
 - (d) prohibiting, restricting or regulating motorcycle traffic on any road in a town district on the Sunday following the day of any such race.¹¹
- (2) Any person contravening any such provision as is mentioned in subsection (1)(b), (c) or (d) shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.
- (3) Section 1(4) applies to an order under this section as it applies to a road race order.

8 Financial provisions

- (1) A fee, of such amount as the Department, with the approval of the Treasury, may determine, shall be payable by the promoter on an application for a road race order in relation to any race.¹²
- (2) Any expenses reasonably incurred by the Department in connection with any race on a road closed by a road race order shall be defrayed by the promoter.¹³
- (3) The Department may, as a condition of making a road race order, require the promoter to deposit or give security for such sums as appear to the Department to be necessary to defray, in whole or in part, any such expenses as are referred to in subsection (2).¹⁴

- (4) All sums received by the Department under this section shall be paid into the general revenue of the Island.¹⁵

9 Interpretation

- (1) In this Act —

“**the Board**” [Repealed]¹⁶

“**the Department**” means the Department of Infrastructure;¹⁷

“**the Harbour Board**” [Repealed]¹⁸

“**keeper**”, in relation to an animal, has the meaning assigned to it by section 6 of the *Animals Act 1981*;

“**marshal**” means a person appointed as a marshal under section 3;

“**promoter**”, in relation to a race, means the person or body of persons promoting or organising the race;

“**race**” includes trial of speed, and any practice, trial, heat, parade, or display preliminary to or in connection with any race;

“**road**” means any highway and any other road to which the public has access;

“**road race order**” means an order under section 1;

“**town district**” has the same meaning as in the *Local Government Consolidation Act 1916*;

“**traffic**” includes any class of traffic;

“**weekday**” means any day other than a Sunday.

- (2) References in this Act to a road closed by a road race order shall be construed as references to a road authorised by the order to be used for a race during such period as may be specified therein.

10 Amendment of enactments

- (1) The enactments specified In Schedule I are amended in accordance with that Schedule.
- (2) [Repealed]¹⁹

11 Short title and commencement

- (1) This Act may be cited as the Road Races Act 1982.
- (2) This Act shall come into operation on the 1st January 1983.

SCHEDULE 1

AMENDMENT OF ENACTMENTS

Section 10(1)

[Sch 1 amended by Road Traffic Act 1985 Sch 9 and by Highways Act 1986 Sch 9, and amends the following Act —

Control of Advertising Act 1981 q.v.]

SCHEDULE 2²⁰

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement

Table of Renumbered Provisions

Original	Current

Table of Endnote References

¹ Subs (1) amended by Statute Law Revision Act 1986 Sch 2 and by GC190/86.

² Subs (2) amended by Road Races (Amendment) Act 1994 s 1.

³ Subs (3) amended by Road Races (Amendment) Act 1987 s 1.

⁴ Subs (3A) inserted by Road Races (Amendment) Act 1994 s 1.

⁵ Subs (4) amended by GC190/86.

⁶ Para (d) substituted by Road Races (Amendment) Act 1987 s 2.

⁷ Para (e) amended by GC190/86.

⁸ Para (g) amended by GC190/86.

⁹ Para (j) amended by GC190/86.

¹⁰ Subs (2) amended by GC190/86.

¹¹ Subs (1) amended by GC190/86.

¹² Subs (1) amended by Treasury Act 1985 Sch 2 and by GC190/86.

¹³ Subs (2) amended by GC190/86.

¹⁴ Subs (3) amended by GC190/86.

¹⁵ Subs (4) amended by GC190/86.

¹⁶ Definition of 'the Board' repealed by GC190/86.

¹⁷ Definition of 'the Department' inserted by GC190/86 and amended by SD155/10 Sch 5.

¹⁸ Definition of 'the Harbour Board' repealed by GC190/86.

¹⁹ Subs (2) repealed by Statute Law Revision Act 1992 Sch 2.

²⁰ Sch 2 repealed by Statute Law Revision Act 1992 Sch 2.