STATUTORY INSTRUMENTS

1976 No. 2019 (S. 166)

ROAD TRAFFIC

The Motor Vehicles (Competitions and Trials) (Scotland) Regulations 1976

Made - - - -	*24th November* 1976
Laid before Parliament	*8th December* 1976
Coming into Operation	*1st January* 1977

In exercise of the powers conferred on me by section 15(2) of the Road Traffic Act 1972(a), and of all other powers enabling me in that behalf, and after consultation with such representative organisations as I thought fit in accordance with section 199(2) of the said Act I hereby make the following regulations:—

Commencement, citation and extent

1.—(1) These regulations shall come into operation on 1st January 1977 and may be cited as the Motor Vehicles (Competitions and Trials) (Scotland) Regulations 1976.

(2) These regulations shall apply only in Scotland.

Interpretation

2.—(1) In these regulations, unless the contrary intention appears, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"control point" means a place other than at the start or finish of an event where the route being followed by the competitors or the times being kept by them are checked;

"cross-border event" means an event involving the use of motor vehicles on public highways in Scotland and also in England or England and Wales;

"event" means a competition or trial (other than a race or trial of speed) involving the use of motor vehicles on a public highway;

"motorway" means a special road which (save as otherwise provided by or under regulations made or having effect as if made under section 13 of the Road Traffic Regulation Act 1967(b)) can only be used by traffic of Class I or II of the classes of traffic set out in Schedule II to the Special Roads Act 1949(c) as amended by the Special Roads (Classes of Traffic) (Scotland) Order 1971(d);

"night event" means an event a part or the whole of which is intended to take place between the hours of 10 pm and 7 am;

"overall average speed on the public highway" in relation to a vehicle driven by a competitor in an event means the average speed calculated by reference to the interval between the time when the competitor commenced to drive that vehicle on the public highway in the event and the time when he

(a) 1972 c. 20.
(b) 1967 c. 76.
(c) 1949 c. 32.
(d) S.I. 1971/1211 (1971 II, p. 3536).

finished so to drive and the total distance travelled on the public highway, but there shall be excluded from such interval any period during which the vehicle driven by the competitor was off the public highway or at a rest halt between such times;

"performance test" means a test in which merit is attached to a competitor's skill in manoeuvring or controlling the vehicle, including maintaining the forward motion of the vehicle in adverse conditions;

"problem" means a problem given to a competitor the setting or solution of which is necessary to enable or assist him to complete the event, or which he is required by the rules of the event to set or solve, and in this context "problem" shall include any instructions given to a competitor to collect information or an object and "solution" shall be construed accordingly;

"problem solving event" means an event in which the competitors are required by the rules of the event to travel the route by a fixed time and are given before that time the task of setting or solving a number of set problems, whether the problems are required to be set or solved before or after that time, and in which there is an average of more than one set problem for each 3 miles of route;

"promoter" means the person who is primarily responsible for the organisation or arrangement of the event;

"Regulations of 1969" means The Motor Vehicles (Competitions and Trials) Regulations 1969**(a)** as amended by The Motor Vehicles (Competitions and Trials) (Amendment) Regulations 1974**(b)** and The Motor Vehicles (Competitions and Trials) (Amendment) Regulations 1976**(c)**;

"requirement" in relation to the rules of an event includes a requirement or an instruction to a competitor in the event compliance with which carries merit in the event or non-compliance with which carries demerit in the event, and cognate expressions shall be construed accordingly;

"rest halt" means a place specified in the rules of the event as a place where the competitors are required to stop during the course of the event, or may stop during the course of the event without incurring a penalty or demerit in the event, in either case for the purpose of obtaining rest or refreshment;

"route" in relation to an event means a route which the rules of the event require or are likely to cause the competitors taking part in the event to travel;

"rules" in relation to an event includes any instruction given by or on behalf of the promoter of the event to a competitor in the event;

"specified event" means an event specified in Schedule 3 to these regulations;

"standard conditions" has the meaning assigned to it in regulation 8(1) of these regulations;

"time limit event" means an event in which the competitors are required by the rules of the event to travel the route of the event by a fixed time such that they will be caused to maintain an overall speed on the public highway exceeding 10 miles per hour;

"time schedule event" means an event in which individual competitors or groups of competitors are required by the rules of the event to arrive at or depart from control points at or between specific times or to arrive at the finish of the event at or between specific times.

(a) S.I. 1969/414 (1969 I, p. 1167). **(b)** S.I. 1974/1674 (1974 III, p. 6073).
(c) S.I. 1976/1657 (1976 III, p. 4189).

(2) Any reference in these regulations to any enactment or instrument shall be construed, unless the context otherwise requires, as a reference to that enactment or instrument as amended, re-enacted or replaced by any subsequent enactment or instrument.

(3) The Interpretation Act 1889**(a)** shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act these regulations were an Act of Parliament.

Transitional Provisions

3.—(1) An event to be held after the coming into force of these regulations which was authorised under the Regulations of 1969 by the Royal Automobile Club before the coming into force of these regulations shall be treated as authorised in accordance with these regulations.

(2) Where an application for the authorisation of an event to be held after the coming into force of these regulations was made to the Royal Automobile Club before the coming into force of these regulations but the authorisation was not granted before the coming into force of these regulations, the Royal Automobile Club may authorise such event in accordance with the Regulations of 1969 as though the same had not been revoked.

(3) An event which is authorised or treated as authorised under the Regulations of 1969 shall be held in accordance with the conditions applying thereto specified under those regulations as though the same had not been revoked, and regulation 8 of these regulations shall not apply in relation to such an event.

Authorisation of Certain Events

4. Any event of one of the following descriptions, that is to say:—

(*a*) an event in which the total number of vehicles driven by the competitors does not exceed 12, being an event no part of which takes place within 8 days of any part of any other event in which the total number of vehicles driven by the competitors does not exceed 12 and where either the other event has the same promoter or the promoters of both events are members of the same club in connection with which the events are promoted;

(*b*) an event in which no merit is attached to completing the event with the lowest mileage and in which, as respects such part of the event as is held on a public highway, there are no performance tests and no route and competitors are not timed or required to visit the same places except that they may be required to finish at the same place by a specified time;

(*c*) an event in which, as respects such part of the event as is held on a public highway, merit attaches to a competitor's performance only in relation to good road behaviour and compliance with the Highway Code;

(*d*) an event in which all the competitors are members of the armed forces of the Crown and which is designed solely for the purposes of their service training;

is hereby authorised.

(a) 1889 c. 63.

Authorisation of Other Events

5.—(1) Events not authorised by the last preceding regulation may be authorised by the Royal Scottish Automobile Club in accordance with these regulations and having regard to the following considerations:—

(*a*) whether in all the circumstances it is likely that the conditions, subject to which the event if authorised would require to be held, will be observed,

(*b*) the extent to which the holding of the event might prejudicially affect the safety, amenity or convenience of members of the public,

(*c*) the number of and the intervals between the events which have recently been held or are due to be held on or adjacent to the route of the proposed event on the public highway or in the locality where the proposed event is planned to take place, and

(*d*) the nature and suitability of the route of the proposed event on the public highway and the class or description of vehicles taking part in the event.

(2) An authorisation of an event given by the Royal Scottish Automobile Club under paragraph (1) of this regulation may be varied or revoked by the Royal Scottish Automobile Club at any time before the event is held or begins.

(3) Before authorising a cross-border event the Royal Scottish Automobile Club shall consult with the Royal Automobile Club.

Application for authorisation

6.—(1) Applications for authorisation of an event shall be made to the Royal Scottish Automobile Club and shall contain the particulars specified in Schedule 1 to these regulations and shall be accompanied by the appropriate fee as set out in regulation 7.

(2) Applications for such authorisation shall be made not less than two months before the date on which the event is proposed to be held, or if it is to be held on more than one date, the date on which the event is to begin, and except in the case of a specified event, shall not be made more than 6 months before such date.

(3) Applications shall not be authorised unless the applicant also submits notification agreeing to the event from the Chief Constable of any police area in which the route of the event on the public highway lies, whether partially or wholly, and certifies that the Regional Council or Islands Council in whose area any part of the event is to take place, has been notified of the event.

Fees

7. The fee to be submitted with an application under regulation 6 shall be a basic fee of £17.50 for the first 50 miles or part thereof increased by £10·00 for each subsequent 50 miles or part thereof of the length of the event on the public highway; provided that if the event is not authorised, or is subsequently cancelled, the fee shall be reduced to £5.00.

Other conditions

8.—(1) An event, other than an event authorised by regulation 4 of these regulations, shall be held subject to such of the conditions specified in column 1 of Schedule 2 to these regulations (in these regulations referred to as "the standard conditions") as apply to the event in question in accordance with column 2 of that Schedule.

(2) In the case of any specified event, there may be substituted for any of the standard conditions such conditions as the Royal Scottish Automobile Club, with the written approval of the Secretary of State thereto, consider are appropriate.

(3) In the case of any event, if the Royal Scottish Automobile Club consider that any standard condition is inappropriate there shall be substituted such condition as the Royal Scottish Automobile Club, with the written approval thereto of the Secretary of State, consider is appropriate.

Measurement of distance

10. The length of the route, or any part thereof, of an event and the distance from such route of any point shall for the purposes of these regulations be calculated by reference to the most recent edition of the quarter-inch Ordnance Survey Map of the area concerned or its metric equivalent.

Bruce Millan,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.

24th November 1976.

Regulation 6

SCHEDULE I

PARTICULARS TO BE GIVEN IN THE APPLICATION FOR AUTHORISATION

(1) Name of promoter of the event.

(2) Name of the event.

(3) Full name and address of applicant and day time telephone number (if any).

(4) Date(s) of event.

(5) Maximum number of competing vehicles.

(6) Interval at which competitors will be dispatched from starting points.

(7) Type of competing vehicles.

(8) Mileage of the route of the event on the public highway.

(9) Indication of the number of each current quarter-inch Ordnance Survey Sheet or its metric equivalent traversed by the route of the event on the public highway.

(10) Whether the event is to be a (i) time schedule event, (ii) time limit event, (iii) problem solving event.

(11) Whether the event is to be a Specified Event under Schedule 3 of the regulations.

(12) Exact description (in words) of the location of each starting and finishing point, and state whether it is on the public highway.

(13) Whether the rules of the event require or are likely to cause any competitor to traverse any length of public highway (other than a motorway) more than once, and if so, the reasons why this is necessary.

(14) Current quarter-inch Ordnance Survey Sheet(s) or its metric equivalent showing the route of the event omitting any part of the route which is not on the public highway. Each sheet or set of sheets should show:—

(i) the location of any starting and finishing points;

(ii) the times when the first competitor is expected to leave any starting point and arrive at any finishing point (use the 24 hour clock for all times);

(iii) the time and date when the first competitor is expected to arrive at any point where the route enters or leaves a map;

(iv) (with the letter "C") the location of any control point on a public highway and of any other point on such highway at which the rules of the event require or are likely to cause competitors to stop for any purpose or to slow down for a purpose of solving a problem;

(v) (with the letter "R") the location of each rest halt and also the length of time it is expected to be open;

(vi) (with a cross (X)) any point where the route leaves or rejoins the public highway and also the time when the first competitor is expected to reach any such point. If the route leaves and rejoins the public highway at the same point, show both the time when the first competitor is expected to leave the public highway and the time when he is expected to rejoin it at that point;

(vii) (with arrows marked "F" or "B") lengths of any public highway which are footpaths or bridleways forming part of the route.

Declaration

I declare that the event if authorised will be held in accordance with such of the standard conditions contained in the Motor Vehicles (Competitions and Trials) (Scotland) Regulations 1976 as apply to the event.

Signature of Applicant.....

Date.....

Regulation 8

SCHEDULE 2

STANDARD CONDITIONS

1. Standard conditions	2. Application
1. Each event shall be held in accordance with the particulars of the event given in the application for authorisation of the event, except that an event may be held subject to such modifications of the particulars— (*a*) as may have been agreed with or required by the Royal Scottish Automobile Club, and (*b*) as may be necessary to permit the event to take place in a case where part of the route of the event is closed or becomes impassable after the event is authorised.	All events.
2. The total number of vehicles driven by competitors in any night event shall not exceed 120 and the total number of such vehicles in any other event shall not exceed 180.	All events except specified events.
3. The competitors shall be required by the rules of the event to observe a time-table such that:— (i) the interval between the times of departure from the start of the event of the first and last competitors, (ii) the interval between the time of arrival of the first competitor at and the time of departure of the last competitor from any control point on a public highway, other than a control point at which there is provided a rest halt, (iii) the interval between the times at which the first and last competitors may be expected to pass any point on the route on a public highway, other than a point on a motorway, and (iv) the interval between the times of arrival of the first and last competitors at the finish of the event, shall not exceed a period calculated on the number of vehicles expressed as minutes plus 1 hour.	All time schedule events, except events in which all the vehicles driven by competitors were registered under the Roads Act 1920(a) before the 1st January 1930.
4. No person at a starting point or finishing point of an event or control point, other than a control point at which there is provided a rest halt, shall check or record for the purpose of the event the times being kept by the competitors after the period calculated in respect of the event in accordance with paragraph 3 from the time when the first competitor departed from that point, in the case of a starting point or arrived at that point, in the case of any other point.	All time schedule events, except events in which all the vehicles driven by competitors were registered under the Roads Act 1920 before the 1st January 1930.

(a) 1920 c. 72.

Schedule 2—*continued*

1. Standard conditions	2. Application
5. No competitor shall be dispatched from a starting point of an event at an interval less than one minute from the dispatch of the previous competitor.	All time schedule events, time limit events and problem solving events.
6. The rules of an event shall not require or be such as are likely to cause any length of public highway (other than a motorway) to be traversed more than once by a vehicle driven by a competitor during the course of the event, except for the purpose of access to and from private land.	All events.
7. No starting point or finishing point of an event shall be on a public highway.	All events.
8. The rules of an event shall not require, or be such as are likely to cause, a competitor to stop or to slow down for the purpose of setting or solving a problem, a vehicle he is driving in the event on a public highway within 500 yards of any occupied dwelling, unless an adult occupant of the dwelling has given his consent in writing.	All events
9. No point on a public highway at which the times being kept by competitors in an event are checked or recorded for the purpose of the event shall be situated less than two miles measured along the route of the event from any other point at which such times are so checked or recorded.	All time schedule events.
10. The rules of an event shall be such that no greater merit accrues to a competitor for visiting certain control points rather than others or for reaching one finishing point rather than another.	All events.
11. The rules of an event shall be such that once a competitor has been penalised for arriving at or departing from a control point along the route of the event after the time at or by which he was required by the rule to arrive at or depart from that point, the times at or by which he is required to arrive at or depart from subsequent control points along the route and to arrive at the finish of the event are adjusted so that he will not incur further penalties for failing to make up the time by which he was late and for which he has incurred a penalty.	All time schedule events.

Schedule 2—*continued*

1. Standard conditions	2. Application
12. A person who is acting as an official of an event shall not set up or place on the carriageway or footway of any public highway any equipment to be used in connection with the event, nor shall he park any vehicle he is using on the carriageway of any public highway forming part of the route of the event, except at a place provided for the parking of vehicles.	All events.
13. Where the route of an event contains roads across which there are gates or cattle grids:— (*a*) the promoter of the event shall before the event takes place notify the occupiers of the land, other than land which is fenced off from the road adjoining either side of the road between the gates, cattle grids, or a gate and a cattle grid of the holding of the event, (*b*) competitors shall not be required to leave their vehicles in order to open or close a gate, and (*c*) a person shall be posted at each gate until the last competitor has passed through the gateway for the purpose of ensuring that cattle do not pass through the gateway and closing the gate after the last competitor has passed through the gateway: Provided that where the interested occupiers consent in writing a person may be posted for the above purpose in respect of more than one gate. In this proviso the expression "interested occupiers" in relation to a gate means the occupiers of the land adjoining such lengths of road on either side of the gate as extend to another gate or a cattle grid across the road, other than land which is fenced off from the road.	All events.
14. The average speed, calculated by reference to the distance travelled by a vehicle being driven by a competitor on the public highway and the time during which it is being so driven, which the competitors in an event are required by the rules of the event or may reasonably be expected having regard to the rules of the event to maintain over a part or the whole of the route of the event on the public highway shall— (*a*) be such as is not likely to cause competitors to exceed any speed limit imposed by or under any enactment in respect of any vehicle or on any public highway which forms part of the route of the event or drive at a speed which might be dangerous having regard to the nature of the route, and (*b*) without prejudice to the foregoing, not exceed—	All events.

Schedule 2—*continued*

1. Standard conditions	2. Application
(i) in the case of vehicles of a class or description for which no speed limit is specified in Schedule 5 to the Road Traffic Regulation Act 1967, 50 miles per hour in so far as the route consists of a motorway, and 30 miles per hour in all other cases; (ii) in the case of goods vehicles and large passenger vehicles, 50 miles per hour in so far as the route consists of a motorway, and 25 miles per hour in all other cases; (iii) in the case of a vehicle constructed solely for the carriage of passengers and their effects, being a motor car adapted to carry not more than seven passengers exclusive of the driver, which is towing a caravan, in so far as the route does not consist of a motorway, 25 miles per hour. In this condition "goods vehicle" means a vehicle of the description of vehicles to which paragraph 2(1) of Schedule 5 to the Road Traffic Regulation Act 1967 applies, and "large passenger vehicle" means a vehicle of the description of vehicles to which paragraph 1(1) and (2) of that Schedule applies.	
15. The rules of an event shall be such as to require each competitor to take a rest period at intervals not exceeding each 200 miles which he drives whether continuously or not. The rest period shall not be less than one hour and may be taken as a passenger in a vehicle taking part in the event.	All events.
16. The promoter of an event shall require each competitor driving in the event as a condition of entry to declare that there will be in force in relation to the user of the vehicle which he intends to drive during the event such a policy of insurance or such a security in respect of third party risks as complies with the requirements of Part VI of the Road Traffic Act 1972.	All events.
17. The promoter of an event shall record the name and address of each competitor driving a vehicle in the event and the registered number and make of each such vehicle, and he shall send this information to the Royal Scottish Automobile Club if so requested.	All events.

Regulation 2

SCHEDULE 3

SPECIFIED EVENTS

Country in which event held	Title of Event	Promoter
Great Britain.	British Caravan Road Rally.	Caravan Club Ltd.
	International Rally of Great Britain.	Royal Automobile Club.
England (excluding Monmouthshire) and Scotland.	Scoot to Scotland and Edinburgh Run.	Motor Cycling Club Ltd.
Scotland.	International Scottish Rally.	Royal Scottish Automobile Club.
	Scottish Six Days' Reliability Trial	Edinburgh & District Motor Club Ltd.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations replace the Motor Vehicles (Competitions and Trials) Regulations 1969 as amended by the Motor Vehicles (Competitions and Trials) (Amendment) Regulations 1974 which, by virtue of the Motor Vehicles (Competitions and Trials) (Amendment) Regulations 1976, cease to apply to Scotland with effect from 1 January 1977, and introduce a separate system of rally control in Scotland from that date.

The main provisions are:-

1. Regulation 4 authorises events which satisfy certain specified conditions.
2. Other events are to be authorised by the Royal Scottish Automobile Club which is required to consult the Royal Automobile Club before authorising events taking place partly in Scotland and partly in England or England and Wales (Regulation 5).
3. The information and particulars to be given in the application for authorisation of an event are prescribed in Regulation 6 and Schedule 1.
4. Regulation 7 relates to the fee to be submitted with an application for authorisation of an event.
5. The standard conditions subject to which events, other than those authorised by Regulation 4, are to be held, are specified in Regulation 8 and Schedule 2, and can be varied, if necessary, by the Royal Scottish Automobile Club with the approval of the Secretary of State.

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