

SPEEDWAY RACING (PUBLIC SAFETY) ACT.

Act No. 69, 1957.

Elizabeth II, An Act to make provision for the control of
No. 69, 1957. speedway racing, tests and trials between
motor vehicles; to amend the Metropolitan
Traffic Act, 1900, and the Motor Traffic
Act, 1909, as amended by subsequent Acts,
in certain respects; and for purposes
connected therewith. [Assented to, 9th
December, 1957.]

BE it enacted by the Queen's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
the same, as follows:—

Short title **1.** (1) This Act may be cited as the "Speedway
and com- Racing (Public Safety) Act, 1957".
mencement.

(2)

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(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette. No. 69, 1957.

2. In this Act unless the context or subject matter otherwise indicates or requires— Definitions.

“Meeting for speedway racing” means meeting at which racing between motor vehicles is held or carried on and includes meeting at which events, not actually races, in which motor vehicles compete singly or otherwise, but in which speed is the determining factor, are held or conducted.

“Motor vehicle” means any motor car, motor carriage, motor cycle or other vehicle propelled wholly or partly by any volatile spirit, steam, gas, oil or electricity, or by any means other than human or animal power.

“Prescribed” means prescribed by this Act or the regulations.

“Speedway” means any ground, land, park, race-course, oval, recreation reserve, sports ground, or place whether enclosed or unenclosed on which meetings for speedway racing are held, and includes any land or building used in connection therewith, but does not include a public street within the meaning of the Motor Traffic Act, 1909, as amended by subsequent Acts.

3. (1) No meeting for speedway racing shall after the expiration of three months from the commencement of this Act be held on any speedway unless such speedway is licensed under this Act. Licenses for speedways.

(2) A license issued under this Act in respect of any speedway may authorise the holding of meetings for speedway racing on such speedway at which all types of motor vehicles, or such type or types of motor vehicles as may be specified in such license, may compete.

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Conditions
of
licenses.

4. Licenses under this Act may be issued by the Minister subject to such terms and conditions as may be specified therein. Such terms and conditions may include such of the terms and conditions as may be prescribed, and such other terms and conditions, as the Minister may determine.

Term of
licenses.

5. Subject to the provisions of this Act any such license shall remain in force for a period of one year, or such lesser period specified in the license, from the date of its issue, and may from time to time be renewed for a period not exceeding one year.

Variation,
suspension,
cancellation
and issue
of licenses.

6. (1) The Minister may, for good cause, suspend for such period as he thinks fit, vary during the currency thereof the terms and conditions attaching to, or cancel a license issued under this Act.

(2) Without prejudice to the generality of the foregoing provisions of this Act the Minister may suspend for such period as he thinks fit, vary during the currency thereof the terms and conditions attaching to, or cancel a license issued under this Act, or refuse to issue a license under this Act if it appears to him that—

- (a) proper and adequate protections have not been taken or have ceased to be taken in or upon a speedway for the safety of the public or competitors resorting thereto or using the speedway or being in the proximity of the speedway;
- (b) the length of the circumference of the speedway, or the width of the speedway, or the curve or curves of the speedway, or the grade of the speedway, or the surface of the speedway, is such as to constitute a danger to the public or the competitors resorting thereto or using the speedway or being in the proximity of the speedway;

(c)

- (c) the speedway is generally unsuitable for the holding of meetings for speedway racing; No. 69, 1957.
- (d) the power, or type, or construction, or number of the motor vehicles competing or to compete at any meeting for speedway racing on the speedway is such as would constitute a danger to the public or the competitors resorting thereto or using the speedway or being in the proximity of the speedway;
- (e) the accommodation for the public is situated too close to the portion of the speedway upon which speedway racing or events is or are to be held.

7. (1) If any meeting for speedway racing is held in contravention of section three of this Act or the terms and conditions attaching to a license issued under this Act the person holding, promoting or organising such meeting shall be liable for a first offence to a penalty not exceeding one hundred pounds and for a second or subsequent offence to a penalty not exceeding two hundred pounds. Offences.

(2) Any person taking part as a competitor at any meeting for speedway racing held in contravention of section three of this Act or the terms and conditions attaching to a license issued under this Act shall be liable for a first offence to a penalty not exceeding ten pounds and for a second or subsequent offence to a penalty not exceeding twenty pounds.

8. All proceedings for offences against this Act or the regulations shall be disposed of summarily before a stipendiary magistrate or two justices in petty sessions. Proceedings for offences.

9. (1) The Governor may make regulations inconsistent with this Act for or with respect to— Regulations.

- (a) the form and manner of applying for and granting, and the fees for licenses under this Act and renewals thereof;

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- (b) the transfer of such licenses;
- (c) the requirements and conditions to be observed in respect of track construction, safety fences, fire precautions, amenities and such other matters in connection with speedways as the Governor may consider necessary for the health, safety and convenience of the public or competitors resorting to or using such speedways or being in the proximity thereof;
- (d) the prohibition of the holding of meetings for speedway racing on specified days or during specified hours on specified days;
- (e) all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Any regulation under this Act may be made to apply or to have operation throughout the whole or any part of the State, may be of general or specially limited application according to time, place, or circumstances, and may be general or restricted to any specified class or subject matter.

(3) Any such regulation may authorise any matter or thing to be from time to time determined, applied or regulated by the Minister or by any person specified therein, either generally or for any class of cases or in any particular case.

(4) The regulations may prescribe penalties not exceeding in any case fifty pounds for any contravention or breach thereof.

(5) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations;
- (c)

- (c) be laid before both Houses of Parliament No. 69, 1957.
 within fourteen sitting days after publication
 if Parliament is in session, and, if not, then
 within fourteen sitting days after the commence-
 ment of the next session.

If either House of Parliament passes a resolution of
 which notice has been given within fifteen sitting days
 after the regulations have been laid before such House
 disallowing any regulation or part thereof, such
 regulation or part shall thereupon cease to have effect.

10. (1) (a) The Metropolitan Traffic Act, 1900, as Amendment
of Act
No. 8, 1900.
Sec. 13A.
(Races,
attempts on
speed
records,
etc.)
 amended by subsequent Acts, is amended by omitting
 from subparagraph (iii) of paragraph (a) of subsection
 one of section 13A the words "for a distance exceeding
 one mile" and by inserting in lieu thereof the following
 word and new subparagraph:—

"or

- (iv) any competitive trial designed to test the skill
 of any vehicle driver or rider or the reliability
 or mechanical condition of any vehicle upon a
 public street,".

(b) The Metropolitan Traffic Act, 1900, as
 amended by subsequent Acts and by this Act, may be
 cited as the Metropolitan Traffic Act, 1900-1957.

(2) (a) The Motor Traffic Act, 1909, as amended Amendment
of Act
No. 5, 1909.
 by subsequent Acts, is amended—

- (i) by omitting subsection eight of section 4A and by Sec. 4A.
(Speed
limits.)
 inserting in lieu thereof the following sub-
 section:—

(8) The provisions of subsection one of this
 section shall not apply to the driver of a motor
 vehicle which is taking part in a race, an attempt
 to break a motor vehicle speed record, a trial
 of speed or any competitive trial as referred
 to in paragraph (a) of subsection one of section
 4B of this Act in accordance with an approval
 given and any conditions imposed by the
 Commissioner of Police pursuant to the said
 section 4B. (ii)

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Sec. 4B.
(Races,
attempts
on speed
records,
etc.)

- (ii) by omitting from subparagraph (iii) of paragraph (a) of subsection one of section 4B the words "for a distance exceeding one mile" and by inserting in lieu thereof the following word and new subparagraph:—

“or

- (iv) any competitive trial designed to test the skill of any motor vehicle driver or the reliability or mechanical condition of any motor vehicle upon a public street,”;

- (iii) by inserting in subsection two of the same section after the word “vehicle” where secondly occurring the words “or in any competitive trial designed to test the skill of any motor vehicle driver or the reliability or mechanical condition of any motor vehicle upon a public street”.

(b) The Motor Traffic Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Motor Traffic Act, 1909-1957.
