



New South Wales

# Motor Sports (World Rally Championship) Regulation 2009

under the

Motor Sports (World Rally Championship) Act 2009

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Sports (World Rally Championship) Act 2009*.

IAN MACDONALD, MLC  
Minister for State Development

## Explanatory note

Section 17 (2) (c) of the *Motor Sports (World Rally Championship) Act 2009* provides that, subject to the regulations, the *Roads Act 1993* and instruments made under that Act do not apply in relation to the conduct of a rally event or the area in which it is conducted during a declared rally period (as those terms are defined within that Act).

The object of this Regulation is to provide that the *Roads Act 1993* and instruments made under that Act do apply in relation to such rally events and areas, but subject to certain modifications that facilitate the conduct of those events.

Specifically, the modifications:

- (a) enable a roads authority to regulate traffic on a public road for the conduct of a rally event and the carrying out of any related works or activities (modifications to section 115 of the *Roads Act 1993*), and
- (b) facilitate the carrying out of works on public roads for rally events (modifications to section 138 of the *Roads Act 1993* and clause 11 of the *Roads Regulation 2008*), and
- (c) provide that an offence relating to protection of roads does not apply in relation to a road temporarily closed for a stage of a rally event (modification to clause 12 of the *Roads Regulation 2008*).

This Regulation is made under the *Motor Sports (World Rally Championship) Act 2009*, including sections 17 and 24 (the general regulation-making power).

## **2009 No 407**

Motor Sports (World Rally Championship) Regulation 2009

Explanatory note

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This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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## 2009 No 407

Clause 1 Motor Sports (World Rally Championship) Regulation 2009

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# Motor Sports (World Rally Championship) Regulation 2009

under the

Motor Sports (World Rally Championship) Act 2009

### 1 Name of Regulation

This Regulation is the *Motor Sports (World Rally Championship) Regulation 2009*.

### 2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

### 3 Definition

In this Regulation, *the Act* means the *Motor Sports (World Rally Championship) Act 2009*.

### 4 Certain provisions of roads legislation apply to rally events and areas: section 17

(1) For the purposes of section 17 of the Act, the provisions of the *Roads Act 1993* and the instruments made under that Act apply, during a declared rally period, in relation to the conduct of a rally event or the area in which it is conducted, but subject to the following modifications:

(a) section 115 (2) of the *Roads Act 1993* is modified by inserting the following paragraph after paragraph (f) of that subsection:

(f1) for the purpose of enabling a public road to be used for the conduct of a rally event (within the meaning of the *Motor Sports (World Rally Championship) Act 2009*) or the carrying out of any related works or activities (including the reinstatement of land as referred to in that Act), or

(b) section 115 (3) of the *Roads Act 1993* is modified by inserting the following at the end of that subsection:

However, this subsection does not apply in relation to the conduct of a rally event (within the meaning of the *Motor Sports (World Rally Championship) Act 2009*) or the carrying out of any related works or

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activities (including the reinstatement of land as referred to in that Act).

- (c) section 138 (1) of the *Roads Act 1993* is modified by inserting “or for the purpose of enabling a public road to be used for the conduct of a rally event (within the meaning of the *Motor Sports (World Rally Championship) Act 2009*) or the carrying out of any related works or activities (including the reinstatement of land as referred to in that Act)” after “appropriate roads authority”,
  - (d) clause 11 (2) of the *Roads Regulation 2008* is modified by inserting the following paragraph after paragraph (c) of that subsection:
    - (c1) the doing of anything on a road for the purpose of enabling the road to be used for the conduct of a rally event (within the meaning of the *Motor Sports (World Rally Championship) Act 2009*) or the carrying out of any related works or activities (including the reinstatement of land as referred to in that Act), or
  - (e) clause 12 of the *Roads Regulation 2008* is modified by inserting the following subclause at the end of that clause:
    - (2) Subclause (1) (a) does not apply in relation to a road temporarily closed for the purpose of enabling participants in a rally event (within the meaning of the *Motor Sports (World Rally Championship) Act 2009*) to use the road during a stage of the rally event.
- (2) Accordingly, functions referred to in section 115 (2) of the *Roads Act 1993* are conferred on roads authorities (within the meaning of that Act) by subclause (1).