

# STATES OF JERSEY



## **DRAFT ROAD WORKS AND EVENTS (JERSEY) LAW 2016 (APPOINTED DAY) ACT 201-**

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**Lodged au Greffe on 1st November 2016  
by the Minister for Infrastructure**

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**STATES GREFFE**





Jersey

## **DRAFT ROAD WORKS AND EVENTS (JERSEY) LAW 2016 (APPOINTED DAY) ACT 201-**

### **REPORT**

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The Road Works and Events (Jersey) Law 2016 (“the Law”), sponsored by the Department for Infrastructure (“DfI”) was adopted by the States on 20th January 2016 and registered by the Royal Court on 13th May 2016. The Law has been published as [L.11/2016](#).

The reasons for the implementation of the new Law are set out in detail in the report within [P.152/2015](#) (the draft Law as lodged *au Greffe* for debate by the States). This Appointed Day Act is principally intended to commence the following provisions of the Law –

- **PART 12 – EVENTS:** In combination with Part 13, it replaces the [Entertainment on Public Roads \(Jersey\) Law 1985](#) and the [Motor Vehicle Races \(Jersey\) Law 1946](#) (which are administered by DfI) as the means by which road events are legally enabled (for example: where the road is required as an entertainment arena, or race course). Significantly, it removes the need for an enabling Order to be prepared by Law Draftsmen and signed by the Minister for Infrastructure (along with the preparation of a costly Jersey Gazette notice), each and every time a road event occurs, and provides instead a simple discretionary licence regime. Therefore, on being notified of an event by the promoter (a requirement of the Law), the relevant highway authority can license the event and set any conditions it sees necessary, including with regard to safety arrangements, the placing of material on the road, insurances and publicity. The highway authority’s costs, or those of Police Officers, incurred in support of a licensed event, may be recovered as a debt (for example: in the case of traffic management).

Note: Part 12 of the Law does not affect the role or power of the Bailiff with respect to granting permission for events, whether on the basis of custom or statute.

- **PART 13 – RESTRICTION OF ROAD USE IN RESPECT OF WORKS OR EVENTS:** This Part of the Law creates a simplified, more cost-effective and flexible notice procedure for enacting temporary traffic changes in the interest of holding road events; for example, road closures, the reversal of the permitted direction of travel, the reduction of speed limits, or the suspension of roadside parking, etc. It also replaces Article 67 of the [Road Traffic \(Jersey\) Law 1956](#) with respect to making temporary traffic changes for large off-road events and for road works. The cost of public notices, if not paid directly by the event promoter, can be recovered by the highway authority as a debt.

This Appointed Day Act will enable highway authorities (i.e. DfI and the Parishes) and event promoters to benefit from this more flexible, resource-saving and cost-effective legal framework for enabling road events, etc. from 2017 onwards.

A second and final Appointed Day Act will be brought to the States in 2017 (along with secondary road work legislation) to commence the Law's remaining road work provisions, once supporting administrative arrangements and new codes of practice are finalised (around the middle of 2017).

**Financial and manpower implications**

There are no additional financial or manpower implications for the States arising from the adoption of this Draft Appointed Day Act.

## **Explanatory Note**

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This Act brings into force on 1st January 2017 the provisions in the Road Works and Events (Jersey) Law 2016 (“Law”) relating to events held in or near roads (such as races and parades) and the powers of highway authorities to restrict road use in response to road works and events.

The provisions relating to events are set out in Part 12 of the Law and provisions relating to powers to restrict road use in response to road works and events are set out in Part 13 of the Law. Other provisions are brought into force which are relevant to these provisions including interpretation provisions; appeals; repeal of legislation relating to events and amendments to the Road Traffic (Jersey) Law 1956.





Jersey

## **DRAFT ROAD WORKS AND EVENTS (JERSEY) LAW 2016 (APPOINTED DAY) ACT 201-**

*Made* [date to be inserted]  
*Coming into force* [date to be inserted]

**THE STATES**, in pursuance of Article 71 of the Road Works and Events (Jersey) Law 2016<sup>1</sup>, have made the following Act –

### **1 Commencement of Law**

The following provisions of the Road Works and Events (Jersey) Law 2016<sup>2</sup> shall come into force 1st January 2017 –

- (a) Parts 1, 12 and 13;
- (b) the opening words of Article 61 and paragraphs (k), (l) and (m);
- (c) Articles 62, 63, 64, 65, 66(1), (2) and (3);
- (d) Article 68;
- (e) Article 69 (1) (2), (3) and (4);
- (f) Article 69(5) but only to the extent it gives effect to paragraph 2 of Schedule 2;
- (g) the opening words of Article 70 and paragraphs (b) and (c);
- (h) Article 71;
- (i) paragraph 2 of Schedule 2.

### **2 Citation**

This Act may be cited as the Road Works and Events (Jersey) Law 2016 (Appointed Day) Act 201-.

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- <sup>1</sup> *L.11/2016*  
<sup>2</sup> *L.11/2016*