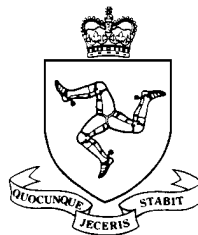


LEGISLATIVE COUNCIL

Y Choonceil Slattyssagh



ORDER PAPER

Claare Obbyr

Douglas
Tuesday 6th May 2008
at 10.15 am

PUBLIC SITTING

1. Questions for Oral Answer –

1. The Hon Member (Mr Turner) to ask a Member of the Department of Home Affairs –
 - (1) Under what brief are the police acting when becoming involved in the issue of ‘prohibited areas’ on motorsport events; and
 - (2) who has the brief come from and how does that brief fit in with the requirements of the Road Races Act, as currently in force?

2. The Hon Member (Mr Turner) to ask a Member of the Department of Tourism and Leisure –

Does the Department have any concerns with the content of a letter issued by the Auto Cycle Union Events Limited informing landowners about TT Course prohibited/restricted areas.

3. The Hon Member (Mr Lowey) to ask a Member of the Department of Trade and Industry –

What monitoring, if any, is being done of the astronomical rise of petrol and diesel prices on the garage forecourts?

2. Administration of Justice Bill

For clauses stage.

– Mr Downie

A list of amendments made by the Keys is attached for information.

The Council may be asked to suspend Standing Orders to take further stages of the above Bills.

**JONATHAN KING
Clerk of the Legislative Council
Cleragh y Chooneil Slattysagh**

Document referred to in Question 2

AUTO CYCLE UNION EVENTS LTD
ACU House, Wood Street, RUGBY.
Warwickshire, CV21 2YX



Telephone: 01788 566 431

Dear Sir / Madam

Isle of Man TT Course Prohibited/ Restricted Areas

The property you own or occupy has been identified as being potentially a high risk area to occupy or spectate from during racing or practising and it is the wish of the race organisers that it is included in the road closure order for the TT/MGP Course as a prohibited or restricted area. The race organisers would wish to obtain your consent for this inclusion.

The Isle of Man Road Races Act 1982 allows the Department of Transport by application from race organisers to restrict, prohibit or regulate access to and over certain sections of land and property adjacent to the course. For the purposes of the TT/MGP Order including the schedule of Restricted and Prohibited Area the following definitions will apply:

RESTRICTED AREA: this area is restricted to race officials and marshals, Police officers in the course of their duty and Gold Media Pass holders and vehicles displaying an official pass or approved by the Clerk of the Course. It is not deemed suitable for the general public which includes owners/occupiers of the land or their guests.

PROHIBITED AREA: this area is prohibited and access is not permitted to anyone, or any vehicle, except to go to the aid of a stricken competitor or to prevent further danger or risk to the competitors or public.

Members of the public who remain in a restricted or prohibited area or leave their vehicle there once the road is closed are not only committing an offence punishable by a fine of up to £ 2,500 and possible imprisonment, but could also cause the race or practice to be stopped.

For your property to be included as a restricted/prohibited area in the schedule to the order please see the enclosed consent form and diagram of the area concerned. If you are content for the inclusion of this area in the order please sign and date both the consent form and the diagram and return it to the undersigned as soon as possible. If you are unsure and would like to speak to an official of ACU Events Ltd (for the TT) please contact the telephone number above. In relation to the Manx Grand Prix, please contact the Manx Motorcycle Club on 644649.

By permitting your property to be included in the Order as a restricted/prohibited area it would then be illegal for anyone to remain in the area designated on the plan during practising and racing other than as defined above – this includes yourself. If you do not wish this restriction/prohibition to be in force then you should discuss with your insurers your responsibilities and potential liabilities in allowing people to remain on your property when it has been identified as a potentially higher risk area by the TT and Manx GP organisers.

Kind regards,

Yours sincerely


Gary Thompson MBE BEM
General Secretary

Company No: 5781002

Registered Office: ACU House, Wood Street, Rugby, CV21 2YX

Document referred to in Question 2

AUTO CYCLE UNION EVENTS LTD

ACU House, Wood Street, RUGBY.
Warwickshire, CV21 2YX



Telephone: 01788 566 431

ISLE OF MAN ROAD RACES ACT 1982

CONSENT OF OWNER OR OCCUPIER

I (full name)

Of

(address)

As owner / occupier* of the land or land forming part of the description, described below and or shown on the annexed plan I HEREBY CONSENT until further notice to the making of an Order under the Road Races Act 1982 prohibiting, restricting or regulating traffic on or access to the said land for the purpose of any practice, parade or races forming part of the Isle of Man Tourist Trophy (T.T.) and the Manx Grand Prix (MGP) motorcycle races.

Signed:..... Dated:

CONSENT REFUSED – Signed:.....

Witnessed:

If signed on behalf of a company state full name, address and official position

Description of Area:

Kirk Michael

the left hand side – Isle of Man Bank, car park and garden area enclosed on 3 sides by stone wall.

Explanatory Note:

Insurance

The Organisers request your support in respect of the area specified above and/or overleaf which if agreed will place the onus of safeguarding the area upon the race organisers.

If you do not wish to consent to this inclusion in the order you are urgently advised to discuss the matter with your Insurers as the Organisers and their Insurers will be unable to accept any liability for any accident or incident arising in any way on this designated area during the above races.

Company No: 5781002

Registered Office: ACU House, Wood Street, Rugby, CV21 2YX

IN THE COUNCIL
ADMINISTRATION OF JUSTICE BILL 2008

Amendments made by the Keys

CLAUSE 1

Page 2 lines 32 and 33 and Page 3 lines 1 to 5 :in paragraph (2) delete the substituted paragraphs (8) and (9).

CLAUSE 3

Page 6: lines 11 to 13 : for paragraph (2)(f) substitute the following paragraph -

“(f) authorise the Judicial Officer to make such award of costs as the Judicial Officer thinks fit, subject to such limit as may be prescribed, at any stage of the proceedings, including after the proceedings have concluded, if a party applies for such an award within 28 days of their conclusion.”.

NEW CLAUSE

That new clause [A] be agreed in principle to go after clause 7 –

“Salaries of certain Crown Appointments

[A.] After section 57 of the 1991 Act, insert the following section –

“**57A.** (1) The salaries of the judges of the High Court and the Attorney General shall be determined by the Governor in Council and shall be charged on, and paid out of, the General Revenues of the Island.

(2) Any salary payable under this section may be increased, but not reduced, by a determination or further determination under this section.”.

and renumber the subsequent clauses accordingly.

CLAUSE 26

Page 21: line 18 : after clause 26 insert the following clause –

Provision with respect to costs in civil legal aid cases

27. After section 5(3) of the Legal Aid Act 1986 [c.23] add the following subsection –

“(4) No rule of law that limits the costs recoverable by a party to proceedings to the amount which that party is liable to pay shall affect the entitlement of a

person receiving legal aid to costs on the same basis as if the person were not receiving legal aid.”;

and renumber the subsequent clauses accordingly.

SCHEDULE 2

Page 31 : before paragraph 1 insert the following paragraph –

“Judgments (Reciprocal Enforcement) (Isle of Man) Act 1968 (c.12)(XXp. 452)

1. After section 4(1) insert the following paragraph –

“(1A) For the avoidance of doubt, for the purposes of subsection (1)(a)(v) of this section it shall be contrary to public policy to enforce a judgment in respect of any action that, had it commenced in the Isle of Man, would have been within the scope of sections 1 to 3 of the Privileges of Tynwald (Publications) Act 1973.”.

and renumber the subsequent paragraphs accordingly.