



S100 Marshals Association
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IMPORTANT INFORMATION FOR ALL S100 MARSHALS: PLEASE READ

THE NEW ROAD RACES ACT 2016, EFFECTIVE FROM 31 DECEMBER 2016

THE ACT

This is an Act to make fresh provision about road races. The Act seeks to make clear the responsibility of the Race Organiser. The legislation also empowers the Organiser to appoint Marshals rather than the Chief Constable. The safe conduct of the racing event is the responsibility of the Race Organiser and the Clerk of the Course has been given the powers required to achieve a safe event.

MARSHALS APPOINTMENTS

The Organiser must ensure that before the race commences, the Marshal has received appropriate training and is competent to discharge the functions of a Marshal.

We ask all of our Marshals to attend any training events organised by the Race Organiser, OR, to ask for training in anything the Marshal is unsure of.

THE REGISTRATION & IDENTITY CARD: Must be carried and displayed at all times when on duty.

To implement the Act in line with our events. The Southern 100 Marshals Association will issue a Marshals Registration and Identification card, applicable only for S100 events. This card will be accredited by the ACU and will be valid for three years with an expiry date. On the card will be a recent photograph of the Marshal, the Marshals full name and, an individual registration number. The signature of the Chief Marshal identifying the person as a Marshal. The card will also carry a caveat stating that when performing the functions of a Marshal under Section 10 of the Road Races Act. The registration and identification card alone will not suffice and this card must be presented with a Warrant Card which will be issued for each individual S100 event i.e. Pre TT and Post TT, Southern 100.

THE WARRANT CARD: Must be carried and displayed at all times when on duty.

By virtue of Section 9 of the Road Races Act 2016, the Clerk of the Course will appoint the Marshal. The Warrant Card will state the Marshals full name and Warrant Number. The event title and dates including any emergency days. The Warrant Card will also have a caveat

stating that when performing the functions of a Marshal under Section 10 of the road races act. The Warrant Card must be shown and displayed with the Registration and Identity Card.

Please note! The Organiser may revoke a Marshals appointment at any time, and must do so if the Government or the Chief Constable requests its revocation.

All Marshals will be required to send a Passport size photograph with a completed signing on form to us as soon as possible to allow us time to produce the accreditations before sign on nights.

We regret that for the moment we cannot accept photographic images until the correct equipment has been availed.

In the interim, and in particular for Marshals who sign on late and therefore not obtaining or in possession of a Marshals Registration and Identity Card; other relevant photographic identification in the form of a Passport or Driving Licence, must be carried whilst on duty.

MARSHALS POWERS AND FUNCTIONS: A summary of the Act

The Functions of a Marshal are: -

- To marshal the race for which the Marshal is appointed
- To administer and enforce the racing authorisation in any directions given to the Marshal by the Organiser by whom the Marshal was appointed

For the purpose of carrying out the above functions, marshalling the race includes taking reasonable steps to: -

- Secure the safety of competitors, officials, spectators and the public.
- Prevent any person, animal or vehicle from obstructing or otherwise hindering the conduct of the race.

A Marshal, in performing the above functions, may: -

- Remove, or cause to be removed, any vehicle, person or animal from any land, road or position.
- Detain a person for so long as is necessary to secure the person's safety or public safety until he/she can be delivered into the custody of a Constable.
- Remove a person from any road, land or position and thereafter detain that person so long as is necessary to secure the person's safety or public safety until he/she can be delivered into the custody of a Constable.
- Require any person to stop doing anything which, in the Marshals opinion, puts the safety of competitors, officials, spectators or the public at risk.
- Stop or otherwise control traffic.
- Erect, maintain or remove apparatus to close a road or otherwise control traffic.
- In exercising the powers conferred by this section the Marshal may, if necessary, use reasonable force and assistance.
- Any person assisting a Marshal in the exercise of the marshal's powers and in the performance of the marshal's functions has the same powers and immunities as the marshal and is subject to the same liabilities as the marshal.

Before exercising any of the foregoing, the Marshal must:
WARN the person that the Marshal considers the person's conduct constitutes an offence;
and
INFORM the person of the Marshals power under Section 10 of the Road Races Act.

PRODUCTION OF MARSHALS CREDENTIALS

When performing the functions of a Marshal under Section 10, a Marshal must, if it is reasonable and safe to do so, produce a Warrant Card with relevant photographic identification for inspection upon request, OR, have your credentials displayed so that they are clearly visible.

What we suggest:

In reality, the Marshal is not expected to do anything that is too dissimilar from the duties he/she has been used to performing in the past. It's all about common sense. The new Act covers functions such as detention and forced removal. This is obviously only intended for extreme circumstances, for example, a person not in a fit state to realise the immediate danger he/she is putting themselves in or, the competitors. Someone who is drunk, or a person with mental health issues.

Remember: A Marshal can decide not to get involved with an extreme intervention.

Also remember: A Marshal can contact RACE CONTROL on 824499 for help and advice.

MARSHALS LIABILITIES AND IMMUNITIES

If a Marshal believes the he/she is acting in a bona fide way i.e. performing the duties and instruction that they have been assigned by the Organiser, then he/she is immune from prosecution. If, however, they are not acting in line with the instructions given by the Organiser then they may be liable for prosecution. Either way, nothing limits the Organiser's vicarious liability.

FINALLY

We suggest that Marshals always confront and make any intervention in pairs, this way you always have a witness with you.

STICK TOGETHER, WORK TOGETHER: IF IN DOUBT, ASK FOR ADVICE OR HELP.