



CODE OF PRACTICE

MARCH 2016

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CODE OF PRACTICE FOR THE COUNCIL OF HERITAGE MOTOR CLUBS

INTRODUCTION

The Council of Heritage Motor Clubs (“CHMC”) provides group representation for a large number of Vintage, Veteran and Heritage motor clubs in New South Wales. About 90 clubs, with a total membership exceeding 3300 are affiliated with the Council. In general terms, these members are committed to the preservation, restoration, promotion and display of more than 6000 Heritage motor vehicles.

This Code of Practice was originally prepared in 2005 and revised in 2016. It is anticipated that this Code will assist in addressing the issues involved in Public Liability Insurance and enhance the quality of involvement in heritage motoring activities experienced by participants and spectators.

SCOPE

This Code of Practice:

- ❖ Sets out suggested minimum requirements that are relevant to the health and safety of spectators and participants, and the use of public and private roads and lands by affiliates of the CHMC.
- ❖ Is not intended to conflict with statutory requirements. Where there is conflict or overlap, statutory requirements take precedence. Conversely, compliance with this Code does not negate the necessity for complying with relevant regulations.
- ❖ Excludes competition rules for particular events, consideration of non-heritage motoring related risks, or the care of vehicles by their owners.
- ❖ While not binding or obligatory upon affiliate clubs its implementation is nevertheless advisable
- ❖ Is not intended to replace or over-ride the Constitution, Rules and By-laws of affiliate clubs; when adopted by a club, the Code is intended as supplementary to their provisions.

OBJECTIVES

The objectives of this Code are:

- ❖ To identify good practice in the promotion, display and movement of heritage motor vehicles.
- ❖ To assist in development of a high standard of risk management amongst affiliates.
- ❖ To address issues relating to the safety of club members, participants and spectators.
- ❖ To encourage compliance with relevant legislation.
- ❖ To develop a culture of continuous improvement.

The Code sets out minimum requirements, but it is expected that affiliated clubs will strive to achieve at a level in excess of these requirements.

TECHNICAL REQUIREMENTS

General

These requirements are aimed at enhancing the pleasure to participants, yet minimising risks to persons or property that may be offended, injured or damaged as a consequence of Heritage motoring activities.

Some characteristics of Heritage motors and vehicles are:

- ❖ The value of the vehicle or the importance of its condition may not be apparent to a spectator.
- ❖ Poor visibility for the driver, particularly to the rear.
- ❖ Unobtrusive operation through low mechanical noise levels, and lack of indicative signs such as reversing or indicator lights or alarms, and safety devices such as seat belts.
- ❖ Higher concentration levels required by the driver.
- ❖ Access to and from the vehicle more difficult than modern vehicles.
- ❖ Moving parts are sometimes not protected by shields or guards.

The main risks include:

- ❖ A non-member participant or spectator being unaware of the potential hazards related to moving in or on a Heritage motor vehicle.
- ❖ A participant or spectator being unaware of the hazards related to moving around a Heritage motor vehicle or display.
- ❖ Unfavourable public reaction to the movement of Heritage motor vehicles on public roads.

And the main consequences could be:

- ❖ Unintentional damage to a Heritage motor vehicle.
- ❖ Damage to the property of a non-member participant or spectator.
- ❖ Injury or death to a non-member participant or spectator.
- ❖ Requests from members of the public to withdraw concessions available to Heritage motor vehicles.

Waivers and Risk Acknowledgement

Signed declarations and contractual arrangements (eg waivers, indemnity forms, disclaimers, etc) between a participant and organization can be used to limit the legal liability of the organization in the case of loss or injury experienced by the participant.

Signed declarations can assist in management of risks.

- ❖ Firstly, if participants are properly informed of the risks of an activity, they may modify their behaviour accordingly.
- ❖ By being required to acknowledge the risks of a particular activity or event, the participant cannot claim to have been unaware of those risks.
- ❖ Finally, by including in the declaration the participant's self-assessment of their capability to address risks, claims resulting from a mismatch may have a defence.

Clubs wishing to use waivers etc. are advised to seek expert legal advice in drafting such documents.

GUIDELINES FOR PARTICULAR ACTIVITIES

USE OF PREMISES

This includes buildings used for meetings and gatherings, and private or public grounds used for activities and displays. It refers to all premises, whether owned by a club, leased, hired, or used at no cost

- ❖ Before commencing any activity, Clubs should ensure so far as practicable that the premises comply with relevant State and Local Government safety regulations.
- ❖ Electrical equipment and cabling should be safe and adequate for the intended purpose and where possible placed away from trafficable areas.
- ❖ Premises should provide adequate lighting, ventilation, heating/cooling, and seating.
- ❖ Adequate parking for vehicles and appropriate access for all participants should be provided.
- ❖ Where it cannot be determined whether premises comply with requirements or regulations, a Risk Assessment should be carried out and documented.
- ❖ Areas designated for public use and areas designated for Heritage motor activities should be checked for obvious hazards, and be appropriate and safe for their intended purpose.
- ❖ Measures should be taken to restrict access to areas designated for activities containing hazards that cannot be protected. Restricting access can be achieved by either signage, barriers or a responsible person stationed close to the hazard.
- ❖ First Aid or Medical facilities should be present and available at each activity. These facilities are to be as close as practicable to the activity areas, and participants are to be made aware of their nature and location.
- ❖ An effective means of communication with emergency services should be established, and participants made aware of the communications link.

MARSHALLING AND DISPERSAL OF VEHICLES

This refers to the assembly of participants prior to an activity, at check or staging points during the activity, and at the conclusion of an activity.

- ❖ Marshalling areas should be large enough to accommodate all of the vehicles expected at any one time, and to permit free movement to designated starting positions or moving off.
- ❖ Areas should be clearly defined, off-road wherever possible, and clear of other traffic or groups of pedestrians.
- ❖ Each vehicle should have an unobstructed path from the area at all times. It is preferable that such path not require any motor vehicle to reverse.
- ❖ Movement of pedestrians and vehicles should be managed with the objective of minimizing incidents. Spectators should not be permitted to move around marshalling areas unless under supervision.

- ❖ The start point of the driving activity should be at the edge of, or outside the area designated for marshalling or rest.
- ❖ The departure point and route from the area should be clearly defined and made known to all participants.
- ❖ The location of the next marshalling, rest or dispersal area, and route and distance to that area should be clearly defined and made known to participants.
- ❖ Participants are to be checked into and out of areas to confirm that all have completed, or are ready to commence, the particular stage of the activity.

INSPECTION OF HERITAGE VEHICLES

This is primarily directed at the annual inspections for roadworthiness, but also applies to any examination of a vehicle by club members.

- ❖ Inspection areas should be clearly defined and separate from the area in which vehicles are awaiting inspection.
- ❖ Only authorised inspectors and the owner of the vehicle being inspected should be permitted in the inspection area.
- ❖ Tools and equipment should be appropriate for the task and used by authorised inspectors only.
- ❖ Activities in the area in which vehicles are awaiting inspection should comply with the provisions of marshalling and dispersal areas.
- ❖ If vehicles are road tested, this should only be carried out after all static examinations have indicated that the vehicle complies with requirements.
- ❖ Road tests should be carried out by the owner/driver and inspectors only. Passengers should not be permitted in a vehicle during a road test

MOVEMENT ON PUBLIC ROADS

This refers to the movement of groups of vehicles during Club runs or rallies, and includes groups of Club members travelling to rallies. The NSW Government has published "Traffic and Transport Management for Special Events" (available from Roads and Maritime Services website), and certain activities on public roads require a special approval process.

- ❖ Movement of Heritage motor vehicles along public roads should be carried out in stages or sections.
- ❖ The length of each stage or section should be determined by the nature of the activity, and the on-road performance of the participating vehicles.
- ❖ The provisions for marshalling and dispersal of vehicles should be employed during road movement activities.
- ❖ Where an activity involves road movement of in excess of 6 vehicles or thereabouts, these should be broken into groups of about 6 vehicles.
- ❖ Vehicles in each group should have similar on-road performance, and should complete all stages of the road movement as a group.

- ❖ An interval of 60 to 100 metres should be maintained between each vehicle in a group.
- ❖ An interval of a few minutes should be provided between each group of vehicles, but this interval should be increased if there is a likelihood of a group catching up with that ahead of it.
- ❖ Where a vehicle needs roadside attention or service, only the other vehicles in the group should stop to either provide emergency assistance, or remain with the disabled vehicle until expert help or recovery is arranged.
- ❖ Where possible, communications should be established and maintained between groups of participants.
- ❖ In general, Heritage motor vehicles should remain in the left lane of multi-lane roads, to provide other road users with opportunities to overtake groups.

STATIC DISPLAYS

This refers to static displays at Agricultural shows; swap meets; fetes and fairs and the like; and invitations to display.

- ❖ Static displays should be manned by designated members at all times.
- ❖ The display area should be clearly defined, and public access limited or restricted. This can be achieved by signage, barriers, and/or members stationed close by.
- ❖ When manoeuvring vehicles into display positions, guides should be used and spectators should be clear of the area.
- ❖ Vehicles and display exhibits should be positioned to permit unobstructed movement by spectators, and clear observation by members supervising the display.
- ❖ Spectators should be kept clear of exhibits that are working or running.

PARADES AND PROCESSIONS

- ❖ Clubs should avoid participating in processions and parades unless the club has control over its members' participation.
- ❖ When invited to participate in processions or parades, it is preferred that a club take responsibility for all aspects of its participation in the activity, and to conduct the Heritage motor vehicle involvement as a "stand alone" exercise within the overall activity.
- ❖ All aspects of a Club's participation in a procession should be clarified with other groups involved.
- ❖ The member in charge of a Club's participation should carry out a thorough check of the route of the procession, including assembly and dispersal areas, and access between those areas.
- ❖ Measures should be taken to ensure that spectators are kept at a safe distance from vehicles in the parade.
- ❖ Alternative or "escape" routes should be identified and checked for use should they be required if an incident or emergency occurs.

ROADS AND MARITIME SERVICES' LOG BOOK TRIAL

This applies to clubs opting into the Trial commencing 1 October 2015 for two years.

- ❖ Registered heritage vehicle operators should comply with all the conditions of the Trial and are advised to check with their Comprehensive or Third Party Property Damage insurer for any limitations on use of their vehicle under the Trial.
- ❖ Except for approved Club outings or events which are in addition to the provisions of the Trial heritage vehicles should not leave the premises where they are usually garaged even for maintenance or testing unless an entry has first been made in the vehicle's log book.

ACTIVITIES OF A TESTING OR COMPETITIVE NATURE

This includes gymkhana activities and events intended to calibrate instruments or measure performance.

- ❖ The areas for testing, calibration or competition should be clearly defined.
- ❖ The test area should preferably not be a public road. If a road is to be used, refer to "Traffic and Transport Management for Special Events" (see above under Movement on Public Roads).
- ❖ Only the vehicle/s being tested calibrated or competing, and officials involved in observing the test or competition should be permitted in the defined area at any time.
- ❖ Marshals should be placed at the perimeter of the test area to prevent entry of persons or vehicles not involved in the test.
- ❖ The provisions for marshalling and dispersal of vehicles should be employed for those participants awaiting testing, calibration or competition.

CARRIAGE OF THIRD PARTY PASSENGERS

Third party passengers are those who are not Club members or voluntary workers. This includes goodwill activities (weddings, debutante balls, transport of infirm or disabled people etc).

- ❖ Before agreeing to provide a service, Clubs should ensure that third parties are fully briefed on the practical limitations of the vehicles to be used.
- ❖ Particular emphasis should be made of the access difficulties associated with tourers with narrow door openings, or roadsters with dickie seats, if these are to be used.
- ❖ Vehicles should be clean, with particular attention given to the removal of excess lubricant around door locks and hinges.
- ❖ Drivers should be encouraged to be smartly dressed in a period to match the era of the vehicle or occasion if appropriate.
- ❖ Drivers or assistants should open and close doors, assist passengers to enter and alight, and politely advise of any special requirements whilst in the vehicle.

SOCIAL ACTIVITIES NOT DIRECTLY INVOLVING HERITAGE MOTOR VEHICLES

This includes seasonal parties, annual dinners, entertainment activities and group tours.

- ❖ The provisions for Use of Premises should be employed if relevant to these activities.
- ❖ The requirements for responsible preparation of food and service of alcohol should be met.
- ❖ All participants should be made aware of emergency evacuation procedures.
- ❖ Potential hazards resulting from entertainment activities should be identified and appropriate management plans prepared.
- ❖ The number of persons participating should be determined before the activity commences, and all accounted for at the conclusion, or during emergency evacuation.
- ❖ Contractors providing services should be appropriately and currently insured.

SWAP MEETS

The provisions for Use of Premises should be employed.

- ❖ Display site stall holders should be required to accept responsibility for incidents arising from the layout or functioning of their sites.
- ❖ Particular attention should be given to the safety, condition and location of temporary electrical connections.
- ❖ The relevant provisions for Marshalling and Dispersal of Vehicles should be employed in parking areas.
- ❖ Contractors providing services and commercial exhibitors should be appropriately and currently insured.
- ❖ Food stalls should meet statutory requirements.
- ❖ Individual display areas should be clearly defined, and public access limited or restricted. This can be achieved by signage, barriers, and/or stallholders stationed adjacent.
- ❖ Spectators should be excluded from displays that are working or running.

OPERATIONAL RESPONSIBILITIES

- ❖ Members and volunteers involved in Heritage motor activities should carry out their duties competently and manage interactions between people and vehicles in a manner that minimizes the likelihood of accidents.
- ❖ The member in charge of an activity should conduct a briefing for participants to endeavour to ensure that they are aware of safety, emergency and operating procedures for the activity being undertaken.
- ❖ Clubs should be responsible for the on-going training of members and volunteers in safety, emergency and operating procedures.
- ❖ Participants should be informed of their responsibilities in relation to operating rules and procedures, maintaining their own safety, ensuring the safety of spectators, and affording utmost courtesy to spectators and other road users.

- ❖ All incidents or near misses involving injury, property damage, or loss of control of a Heritage motor vehicle should be brought to the attention of the member in charge of the activity and recorded in an incident report.
- ❖ Clubs should have procedures that address the issue of a participant failing to comply with a reasonable direction that is intended to prevent possible injuries or accidents.

RISK MANAGER

- ❖ Ideally a Risk Manager should be appointed for each Heritage motoring activity.
- ❖ Risks likely to be associated with conduct of the activity should be evaluated prior to the activity commencing, and appropriate measures should be taken to minimise the risks identified.
- ❖ The Risk Manager may operate within the framework of recognized checklists or pro-forma developed to identify, prioritise, treat, or report potential risks.
- ❖ The Risk Manager should conduct a debrief at the conclusion of the activity to identify problems, their resolution, and areas for improvement for future activities of a similar nature.

RISK MANAGEMENT

There are five components to Risk Management:

- ❖ **Risk identification:** Thinking about what risks may exist or may develop in the future.
- ❖ **Risk assessment:** Assessing how often a risky incident may occur, and how serious the consequences of that particular incident may be.
- ❖ **Design of a risk elimination or reduction plan:** Working out what can be done to minimise or eliminate the incident or its consequences.
- ❖ **Implementation of the plan:** Providing practical means of dealing with issues that have been identified.
- ❖ **Evaluation and modification of the plan:** Constant evaluation and updating to take account of developing trends and experiences.

SAMPLE INCIDENT REPORT

INCIDENT REPORT

CHMC CLUB

.....

CLUB ACTIVITY AT TIME OF INCIDENT

.....

Date of Incident Approximate Time

What happened? (Description of incident)

Reported By:(Name)

.....(Signed)

Received(Date).....(signed)

(Club Secretary)

Subsequent Action (if any) By

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