



Decision of a Sub Committee appointed by the Executive Committee under Article 118 of the National Sporting Code, namely;

- **Campbell Robertson (Chair)**
- **Raymond Bennett**
- **Dale Crossley**

In the Matter of:

An investigation into the actions of Mr Rueben Amer (Competition Licence # 24171) prior to a publicly advertised drifting competition on the weekend of 19th and 20th January 2013 when his competition car was filmed "drifting" on a public road and the footage was posted to a publicly accessible website.

Hearing Authority:

Article 92 (2)

Any members of MotorSport New Zealand or its affiliates who at any time other than during the conduct of a meeting or events acts or omits to act in any way prejudicial to MotorSport NZ or automobile sport in general or brings MotorSport NZ or automobile sport generally into disrepute shall be disciplined and penalised by a panel established under Part X of the Code.

Background:

The Executive Committee required the Sub Committee to inquire into the circumstances relating to the driving behaviour filmed prior to an event in Tauranga in January 2013 and posted to a publicly accessible website showing the car drifting on an apparently open public road.

Hearing Details:

The hearing took place by telephone conference on Wednesday 12 June 2013 commencing at 7:00pm. The participants were the Sub Committee, Mr Amer and Mr Bill Bawn representing MotorSport NZ.

Hearing:

The hearing was conducted in accordance with the National Sporting Code Article 120.

The Sub Committee had been provided with a copy of the video from the website, and an email from Mr Amer providing his comments on the incident.

Mr Bawn outlined the details of the alleged incident and how that breached the Sporting Code.

Mr Amer responded, not disputing the allegations, and stated that the car in the video was his, that he was present at the time and that his girlfriend had taken the video. He was extremely contrite and embarrassed and stated that he had spoken with others since the incident about the foolishness of testing vehicles on public roads. He made no attempt to deny that the road was open to the public, or that he was trying to blame any other party despite it not being him driving the vehicle.

Finding:

The Sub Committee has reached the following findings;

1. Mr Amer admitted that the car had been used on the public road to test a changed differential ratio and gearbox combination, and
2. Mr Amer was not the driver of the car when it was videoed, and
3. The driver of the car is not a MotorSport NZ competition Licence holder, and
4. The driver had Mr Amer's permission to be driving the car, and
5. Mr Amer acknowledges that the road was open to the public when the car was videoed, and
6. Mr Amer accepts that he must be held responsible for the actions of the car and its driver, and
7. The car is a purpose built competition car that can be clearly identified by a member of the public as such.

Summary of Findings:

Taking account of all the findings, the Sub Committee CONCLUDES;

1. That from the evidence presented Mr Amer's competition car was used inappropriately on a public road that was not closed to the public, and
2. That Mr Amer accepts responsibility for the incident and was extremely contrite and clearly embarrassed by the incident, being extremely helpful throughout the hearing process, accepting his responsibility very early in the correspondence.

Decision:

Taking into account all the facts put before the Sub Committee, it DETERMINES that;

1. Mr Amer's Competition Licence #24171 is suspended for a period of 4 months from the date of the decision, i.e. until 12 October 2013.

Right of Appeal:

The parties are reminded of the right of appeal to the National Court of Appeal in accordance with Part XI of the National Sporting Code.

This decision was given verbally at 8:10pm 12 June 2013.



Campbell Robertson
Chairman



Raymond Bennett
Member



Dale Crossley
Member