



MOTORSPORT NEW ZEALAND (INC)

NOTICE OF DECISION OF A MATTER BEFORE A SUB-COMMITTEE APPOINTED BY THE EXECUTIVE COMMITTEE, NAMELY:

- Mr Martin Fine (Chair)
- Mr Raymond Bennett
- Mr Paul Te Punga

MOTORSPORT NEW ZEALAND (INC) under the powers set out in Article 118 and 119(a)(vi) of the National Sporting Code, having considered matters brought to its attention held an inquiry before a Sub-Committee appointed by the Executive.

ON THE GROUNDS set out in Article 92(2) of the National Sporting Code namely:

...any Member of a Member Club, ...or any holder of a licence issued by MotorSport NZ, who... at any time other than during the conduct of a Meeting or Event acts in a way prejudicial to MotorSport NZ or automobile sport generally or brings MotorSport NZ or automobile sport generally into disrepute, shall be disciplined and penalised by a panel established under Part X of this code.

The matter concerned a licence holder who was alleged to have driven his dedicated motorsport vehicle on public roads at night without lights and at excessive speed. When police attempted to stop him, he failed to stop and attempted to evade the Police. He was subsequently located and arrested, and the vehicle impounded.

He was then charged and appeared in the Wellington District Court where he was convicted of failing to stop for red/blue flashing lights (aggravated) and for driving in a dangerous manner.

He was disqualified from driving for 11 months and fined \$2600.00.

The matter was then referred to MotorSport NZ by the NZ Police.

HEARING PROCEDURE

The Hearing was conducted in accordance with National Sporting Code (NSC) Article 120.

DECISION

All Parties requested attended and accepted the jurisdiction of the Sub-Committee to hold the hearing.


FINDINGS

1. The actions of the competitor/licence holder had the effect of bringing the Sport into disrepute.
2. The matter was serious and could impact seriously on the reputation of members and licence holders generally.
3. The actions amounted to a breach of Art 92(2) of the National Sporting Code.

RULING

1. The competitor's competition licence is suspended for a period of 16 months from the date of the hearing (effectively an 18 month suspension from the date of the offence).
2. There is an order for costs of \$400.00 against the competitor.

SIGNED ON BEHALF OF THE SUB-COMMITTEE:

A handwritten signature in black ink, appearing to read 'M. Fine', is written over a horizontal line.

MARTIN FINE
CHAIRMAN

WRITTEN DECISION FORWARDED BY EMAIL ON 19 AUGUST 2014.

RIGHT OF APPEAL:

ATTENTION IS DRAWN TO THE RIGHT OF APPEAL IN ACCORDANCE WITH THE PROVISIONS OF THE NATIONAL SPORTING CODE.