



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

- **Graeme Robertson (Chair)**
- **Janet Phipps**
- **Campbell Robertson**

In the Matter of

An investigation into the actions of Aden Omnet (Competition Licence 24228) when doing 'drifts' following a non-competition 'cruise event' in Tauranga/Mt Maunganui area on 6 January 2013.

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 event 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 penalized 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 Mr Omnet's driving behaviour following the NZ Performance Car Summer Tour as it appears that his car was observed 'drifting' on roads open to the public.

Hearing details

The hearing took place on Sunday 17 February 2013 in Hamilton (Hamilton Airport Motel, Hamilton Airport) commencing at 1.00pm. The participants being the Subcommittee members, Aden Omnet, Bill Bawn (MotorSport NZ)

Hearing

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

The Sub Committee had been provided with a photo of Mr Omnet's car drifting on a public road and an email from Mr Omnet outlining the broad details of the incident.

Mr Bawn outlined the details of the complaint and alleged actions.

Statements were also heard from Aden Omnet, Nathan Timko. A statement from Phillip Sanders was tabled,

Finding

The Subcommittee have reached the following findings :

1. Mr Omnet admitted that his car had been used to check a fuel or ignition problem found earlier in the day.
2. Mr Omnet was not the driver of the car at the time
3. Phillip Sanders, a friend of Mr Omnet, was driving the car. He is not a MSNZ competition licence holder.
4. Mr Sanders had permission from Mr Omnet to drive the car.
5. When the photo was taken Mr Sanders stated that he had accelerated and lost traction.
6. Insufficient evidence was provided to prove the car was 'drifting'.
7. Mr Omnet accepts that he must be held responsible for the actions of his car and its driver.
8. The car is a purpose built competition vehicle that is not road registered or warranted. It has not been issued with an LVVTA / MSNZ Authority Card. The vehicle is sign written and can be clearly identified as a motorsport competition vehicle.

Summary of findings

Taking account of all the findings the Sub Committee CONCLUDES:

1. That from the evidence presented Mr Omnet's car was used inappropriately on a public road, and
2. That Mr Omnet accepts responsibility and was clearly embarrassed by the incident, and
3. That the use of vehicle plate ATYRE is not in conformity with Land Transport Authority requirements.

Decision

Taking account of all the factors put before the Sub Committee it DETERMINES that:

1. Mr Omnet's competition licence, #24229, is suspended for a period of six months from the date of this decision, eg: 17 August 2013, and
2. Costs are awarded against Mr Omnet for the air fare incurred by Mr Bawn to attend this hearing.

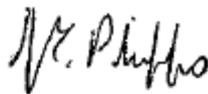
Right of Appeal

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 1215hrs



Graeme Robertson
Chairman



Janet Phipps
Member



Campbell Robertson
Member