



MOTORSPORT NEW ZEALAND (INC)

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

- Mr Martin Fine (Chair)
- Mr Shayne Harris
- Mr Wayne Christie

MOTORSPORT NEW ZEALAND (INC) under the powers set out in Article 118 and 119 of the National Sporting Code, having considered matters brought to its attention convened a hearing before a sub-committee appointed by the Executive.

ON THE GROUNDS set out in Article 119 of the National Sporting Code namely:

- (1) 119(a)(ii)
That it appears from the Steward's report or otherwise that the conduct of a promotion or part thereof, or the conduct of any participant therein, or the eligibility of any competing vehicles requires investigation having regard to the interests of motorsport generally and the administration thereof by MotorSport NZ.
- (2) 119(a)(v)
That it appears any Official, Promoter, Organiser or any other person or Organisation has committed any breach of this Code, its Appendices and Schedules, or International Sporting Code:
- (3) 119(a)(vi)
That it appears any Official, Promoter, Organiser or any person or organisation has been guilty of any act or omission prejudicial to the interest of MotorSport NZ or any competition or of motorsport generally.

FURTHER INFORMATION

The Sub Committees was tasked to investigate the organisation of the event and determine whether the member club had carried out its obligations under the code in relation to permitting and whether by those actions it may have jeopardised the positions of any officials and competitors. The Sub Committee was also asked to consider the wider implications of any such actions to the Sport as a whole.

HEARING PROCEDURE

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

DECISION

The President of the Club attended with the Vice President in support.

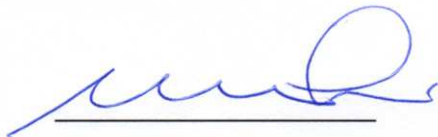
The parties accepted the jurisdiction of the Sub-Committee and the Club indicated that it did not wish to refute any of the matters raised by the Notice.

Accordingly the Panel ruled that the matters set out in the Notice of Hearing were accepted by consent and the Club accepted that it had acted in breach of Art 92(1) of the National Sporting Code.

RULING

1. The Club will pay the outstanding levies as agreed and offered in the letter of the President to MotorSport New Zealand Inc.
2. The Club is fined \$6,000 as set out in Schedule P 6.2 MC 1 (noting the maximum penalty per the Schedule does not apply to a hearing before a sub-committee).
3. \$5,000 of the fine is suspended for a period of 2 years from the date of this decision and will be released if the Club complies with its obligations under the National Sporting Code and the Constitution of MotorSport New Zealand Inc during that period.
4. There is no order for costs.
5. The decision when reported will refer to a member club, but will not specifically refer to the named party.

SIGNED ON BEHALF OF THE SUB-COMMITTEE:



MARTIN FINE
CHAIRMAN

DECISION DELIVERED VERBALLY AT 9.15 AM ON SUNDAY 13 SEPTEMBER 2009.

WRITTEN DECISION FORWARDED BY EMAIL ON 14 SEPTEMBER 2009.

RIGHT OF APPEAL:

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