



MOTORSPORT NEW ZEALAND (INC)

NOTICE OF DECISION OF THE JUDICIAL COMMITTEE APPOINTED BY THE BOARD

- Mr Martin Fine (Chair)
- Mr Barry Higham
- Mrs Janet Phipps

IN THE MATTER OF:

Applicant

Respondent

MotorSport NZ: Mr Brian Budd

THE BOARD of **MOTORSPORT NEW ZEALAND (INC)** under the powers set out in Articles 118 to 123 of the National Sporting Code convened a hearing before the Judicial Committee appointed by the Board to consider the actions of the respondent and whether, if established, those actions constituted a breach of Art 123(2)(a)(vi) of the National Sporting Code for which a penalty should be inflicted.

THE HEARING

All parties appeared at the hearing.

The Committee heard from MotorSport New Zealand as to the procedures that had been followed, the matters alleged and the evidence of the Applicant.

The Respondent did not dispute any of the facts as presented.

Having heard the evidence the Committee advised the Parties that it was of the view that the allegations had been made out and asked for submissions in relation penalty.

Having heard those submissions the Committee retired to consider its findings and the determination of any penalty.

THE FINDINGS

On the basis of the facts alleged, which were not disputed by the Respondent, the Committee found:

- (1) It was satisfied that the Respondent was guilty of any act or omission prejudicial to the interest of MotorSport NZ, or any competition or of motorsport generally, or that brings MotorSport NZ or motorsport under the authority of MotorSport into disrepute pursuant to Art 123(2)(a)(vi) of the National Sporting Code.

PENALTY

- (1) The Respondents competition licence is suspended until 30 April 2018.
- (2) Should a similar matter come to the attention of MotorSport NZ at any time in the future then consideration should be given to cancelling the Respondents Competition Licence on a permanent basis.

- (3) The Respondent should pay costs of \$750.
- (4) Publication of this matter should be restricted to finding and penalty, names and details to be withheld.

Signed on behalf of the Judicial Committee:

Martin Fine
CHAIRMAN

Written decision forwarded by email on 24 October 2017.

RIGHT OF APPEAL:

Attention is drawn to the right of appeal in accordance with the provisions of the National Sporting Code.