



MOTORSPORT NEW ZEALAND (INC)

NOTICE OF DECISION OF THE JUDICIAL COMMITTEE APPOINTED BY THE BOARD, NAMELY:

- Mr Wayne Scott (Chair)
- Mr Barry Higham
- Mr Wayne Christie

THE PARTIES

Mr Hayden Johnston, (Competitor Licence 007529) – Competitor
Mr Gordon Legge (Competitor Licence 062920) – Competitor
Mr Kel McBeath – North Island Endurance Series

Representing MotorSport NZ: Mr Brian Budd

Mr Budd advised that Mr Legge had confirmed that he would not participate in the formal hearing, and that he would accept the decision of the Committee.

MOTORSPORT NEW ZEALAND (INC) under the powers set out in Articles 118 to 120 of the National Sporting Code, having considered matters brought to its attention, convened a hearing before the Judicial Committee appointed by the Board.

THE PURPOSE OF THE HEARING

The hearing was convened to determine various issues in respect of Results of Round 3 of the North Island Endurance Series held at Pukekohe Park on 25 July 2015, namely

It had been brought to the attention of MSNZ by the North Island Endurance Series that cars 75 and 473 had been incorrectly recorded in the results of the 3 hour race as finishers, when they had failed to complete 75% race distance as required under NSC, Schedule Z, Article 15.3 to be classified as a finisher.

HEARING

The Hearing was held by telephone conference on 7 October 2015 commencing at 2.00pm, and was conducted in accordance with National Sporting Code (NSC) Article 120.

It is noted that each party was invited to formally make a submission in writing by 14 September 2015.

The Chairman opened the hearing and advised of the process that would be followed.

Mr Budd introduced the MSNZ submission, and explained the background to the initiation of the hearing, which is set out in the Purpose of the Hearing above.

Mr McBeath advised that the failure to take account of Sch Z 15.3 was a mistake which wasn't picked up on the day, and he unreservedly apologised for the error and its effects.

Mr Johnston stated that it was disappointing to be called to the podium and presented with an award, to then face it being overturned through this inquiry. He and his team had assumed that the appropriate checks with the rules would have been made.

In summing up Mr Budd stated it was clear that competitor 75 and 473 had not completed 75% of the relevant distance, and so they should not have been included in the results by the timekeepers.

FINDING

The Committee finds:

1. That competitors 75 and 473 in the Pukekohe Round of the North Island Endurance Series three hour race held on 25 July 2015 did not meet the requirements of a finisher as prescribed by Schedule Z Article 15.3
2. That competitors 75 and 473 accordingly should not have been classified as finishers in the event.

RULING

The Judicial Committee Rules.

1. That the results of the Pukekohe Round of the North Island Endurance Series three hour race held on 25 July 2015 be amended to record competitors 75 and 473 as non-finishers
2. That costs lie where they fall.

Wayne Scott
Chairman

On behalf of the Committee.

RIGHT OF APPEAL

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