

National Sporting Code

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Note: All text changes from the previous issue of this Schedule are highlighted such. Text changes for grammatical and/or formatting reasons are not highlighted.

PART II – Competitions

8. Permits:

- (1) MotorSport NZ shall issue Sanctioning Permits for Series and;
 - (a) All types of Organising Permits (including ClubSport Basic permits), as detailed in Appendix One Schedule E, either to itself or to Member Clubs (to the exclusion of any other person, firm or company), or
 - (b) ClubSport Basic Permits, as detailed in Appendix One Schedule E, to Associate Members.
- (2) MotorSport NZ shall consider and grant or decline all applications for Permits for Series, Meetings and Events solely upon the grounds set out in Article 12 of this Code.
- (3) No person firm or company other than MotorSport NZ or a Member Club or an Associate Member may apply for or be issued with a Permit.
- (4) No Meeting or Event may be held without an Organising Permit.
- (5) No holder of a MotorSport NZ Competition Licence or Officials Licence may compete or participate in or contribute to the organisation of a Meeting or Event for which MotorSport NZ has not issued an Organising Permit.
- (6) No Member Club or Associate Member may conduct a Meeting or Event for which MotorSport NZ has not issued an Organising Permit.
- (7) Any Series may, at the organiser's option, be held without a Sanctioning Permit and nothing in this Code shall be read or construed as requiring the organiser of a Series to apply for a Sanctioning Permit.

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- (8) Without affecting in any way a Competitor's rights of protest, complaint or appeal on any matter arising from the conduct of a Meeting or Event, which is a round of a Series that is not a Sanctioned Series, the Articles, rules or regulations of such a Series shall be unenforceable under this Code.

9. Conduct of Series, Meeting and Events:

- (1) All Meetings and Events are to be conducted in accordance with:
- (i) This Code; and
 - (ii) The Organising Permit issued to the organiser of the Meeting or Event; and,
 - (iii) The Standing Regulations and Supplementary Regulations (if any) applicable to the Meeting or Event; and,
 - (iv) (So far as the same may apply to the conduct of the Meeting or Event) the Articles of any Sanctioned Series, a round of which is to be held at the Meeting or Event.
- (2) All Series are to be conducted in accordance with:
- (i) This Code; and,
 - (ii) (So far as the same may apply to the organisation of the Series) the Organising Permit issued to the organiser of the Meeting or Event at which a round of the Series is to be held; and,
 - (iii) (So far as the same may apply to the organisation of the Series) the Standing Regulations and Supplementary Regulations (if any) applicable to the Meeting or Event at which a round of the Series is to be held; and,
 - (iv) The Sanctioning Permit (if any) issued to the organiser of the Series; and,
 - (v) The Series Articles.
- (3) No demonstration or performance whether involving an automobile or not, shall be permitted at any Series, Meeting or Event unless that demonstration or performance has been specifically permitted in writing by MotorSport NZ prior to the commencement of the Series, Meeting or Event.

Where approval is granted this shall be recorded on;

- (a) The permit issued for the Series, Meeting or Event, or
- (b) An addendum to the permit issued by MotorSport NZ.

10. Licence to Use Commercial Rights Implied by Permit:

- (1) Every Permit issued by MotorSport NZ shall in relation to the Sanctioned Series, Meeting or Event in respect of which the Permit is issued, imply an exclusive, non-assignable licence to the organiser thereof under the Commercial Rights to use the same in New Zealand together with a non-exclusive, non-assignable licence to use such trade marks as are owned or controlled by MotorSport NZ and shall grant to the organiser such further rights and licences as may be necessary or desirable for the organiser to hold itself and the Series, Meeting or Event out as sanctioned or authorised by MotorSport NZ, in each case in such form and style and upon and subject to such terms and conditions as MotorSport NZ may reasonably determine are necessary or desirable to ensure that the conduct of the Series, Meeting or Event is fair and safe.

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- (2) Permits may be issued by MotorSport NZ only to itself or to organisers of Series, Meetings or Events, which are Member Clubs (and in limited circumstances Associate Members). Member Clubs or Associate Members, to whom a Permit has been granted may however, with MotorSport NZ's prior consent (which consent shall be evidenced by the issue of the Permit), grant a sub-licence or sub-licences under the Commercial Rights to any sponsor or sponsors or commercial promoter or promoters of the Series, Meeting or Event, at all times upon and subject to such terms and conditions as MotorSport NZ may reasonably determine are necessary or desirable to ensure that the conduct of the Series, Meeting or Event is fair and safe.

11. Application For and Types of Permits:

- (1) MotorSport NZ shall in Appendix One, prescribe from time to time the types of Permits to be issued and to whom and by such deadlines application is to be made and the application and any other fees payable when making application for a Permit (which fees shall be payable whether or not MotorSport NZ exercising its power under Article 12 subsequently issues the Permit applied for or not).
- (2) The type of Permit required for a particular Series, Meeting or Event shall in each case, be determined by MotorSport NZ.
- (3) MotorSport NZ may at any time issue to itself a Permit of any kind.
- (4) The provisions of this Article 11 shall not apply to Permits for International Series, International Meetings, or International Events, applications for and all matters in connection with which (including the Commercial Rights), are within the control of the FIA pursuant to the International Sporting Code.
- (5) MotorSport NZ shall in Appendix One, prescribe from time to time the fees payable to MotorSport NZ by organisers of International Meetings and International Events for MotorSport NZ making application to the FIA for a Permit for such Meetings or Events, which fees may, in MotorSport NZ's discretion be refunded in whole or part in the event the FIA declines the application.
- (6) Without prejudice to the organiser's obligations to comply with Part VI of this Code, the organiser of any Meeting or Race Event to be held on any new venue (being a venue which has not been used for any Meeting or Event before) must have the venue inspected by such person as may be nominated by MotorSport NZ before applying for a Permit.
- (7) MotorSport NZ shall in Appendix One of this Code, prescribe from time to time the forms upon which applications for Permits are to be made and the supporting material and information to accompany such applications.
- (8) Nothing in this Code shall be read or construed as restricting MotorSport NZ or any Member Club from organising a Sanctioned Series comprising Races, Rallies and ClubSport Events (or any combination thereof) and only one(1) Sanctioning Permit shall be required for any such Sanctioned Series.

12. Issue of Permit:

- (1) Without prejudice to MotorSport NZ's right to decline an application pursuant to paragraph (2) or (3) of this Article, each application for a Permit shall be considered by MotorSport NZ taking into account:
 - (a) The conformity of the proposed Series, Meeting or Event with this Code and with the Standing Articles or Standing Regulations applicable to the Series, Meeting or Event; and
 - (b) Such other matters as may be relevant to ensure that the conduct of the Series, Meeting or Event is fair and safe.

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- (2) Any application for a Permit from a Member Club or Associate Member, which is more than three(3) months in arrears in payment of any levy, fee or penalty of any kind due and owing to MotorSport NZ, may at MotorSport NZ's option be declined.
- (3) Any application for a permit from a Member Club or Associate Member, that conflicts in dates with International Meetings or Events, MotorSport New Zealand Championship Meetings or Events, or the MotorSport New Zealand Annual General Council Meeting, may at MotorSport NZ's option be declined.
13. **Postponement or Cancellation of Meeting or an Event:** Unless prior approval has been given by MotorSport NZ, no Meeting or Event may be postponed or cancelled unless provision for doing so has been made in the Supplementary Regulations, or unless it is cancelled by the Stewards of the Event for reasons of force majeure or safety.
14. **Cancellation of a MotorSport NZ Championship Round:** Without prejudice to Article 13 of this Code, any organiser proposing to cancel a Meeting or Event at which a round of a MotorSport NZ championship is to be held must advise MotorSport NZ not less than 30 days prior to the date of the Meeting or Event and provide all relevant information in relation to its proposal to cancel the Meeting or Event. In cancelling the Meeting or Event, the organiser grants to MotorSport NZ an option to organise a Meeting or Event in replacement thereof.
15. **Insurance:** Issue of a Permit in respect of a Meeting or Event provides the organiser with cover under MotorSport NZ's Public Liability Insurance Policy in force from time to time. . Any competitor(s) whose actions have caused a claim against this Public Liability Insurance policy may be required to pay the excess on request by the Meeting or Event Organiser, or by MotorSport NZ.
16. **Knowledge and Respect of Rules:** Every person, firm, corporation Member Club or Associate Member associated with a Sanctioned Series, Meeting or an Event, whether as organiser, Official or Competitor and whether a Licence holder or not, shall be deemed to be acquainted with and bound by this Code, the Articles of the Series, the Standing Regulations and the Supplementary Regulations of the Meeting or Event (if any), and shall submit to all penalties which may be lawfully imposed as a result or consequence of any breach thereof.
17. **Supplementary Regulations:** The organisers of all International and National status Meetings and Events, and all Street Sprints and Races on temporary venues (regardless of status) must, in accordance with the requirements and procedures set out in the Appendices of this Code applicable to the Meeting or Event, issue and publish their own Supplementary Regulations (being regulations which are supplementary to the Standing Regulations prescribed by MotorSport NZ).

The Supplementary Regulations must at all times contain the relevant statements and information set out in the Appendices of this Code applicable to the Meeting or Event.

18. **Amendment to Supplementary Regulations and Sanctioned Series Articles:**

- (1) Without prejudice to paragraph (2) of this Article, no organiser of a Meeting or Event may amend the Supplementary Regulations (if any) after the date listed for the opening of entries unless all Entrants in the Meeting or Event agree in writing to such amendment and:
- (a) In the case of all amendments (except modifications to the initial itinerary of an Event route) intended to be made before the commencement of the Meeting or Event, the Permit Issuing Authority approves the amendment; and
- (b) In the case of all amendments intended to be made after the commencement of the Meeting or Event, the Stewards approve the amendment.

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- (2) Notwithstanding the provisions of paragraph (1) of this Article, the Supplementary Regulations of a Meeting or Event may be amended for reasons of safety or force majeure or to give practical effect to or correct any manifest error in or omission from the Supplementary Regulations as follows:
- (a) Up until the commencement of the Meeting or Event, by the Permit Issuing Authority; and
 - (b) After the commencement of the Meeting or Event, by the Stewards.
- (3) No amendment to the Supplementary Regulations of a Meeting or Event shall be valid unless made by way of Official Bulletin according to the procedures set out in the definition of "Official Bulletin" in Article 2 of this Code.
- (4) No organiser of a Sanctioned Series may amend the Articles of the Series after the date listed for the opening of entries in the Series unless MotorSport NZ deems such amendment is in the best interests of the sport.

Following any such amendment, the organiser shall notify in writing all Sanctioned Series entrants of the fact that MotorSport NZ has approved the amendment.

19. **Duration of Meetings and Events:** Every Meeting and Event commences at the beginning of administrative checking or scrutineering (if any; remote safety audits will be deemed to be part of the Event), whichever is the earlier, includes practice or reconnaissance, and ends at the later of:

- (a) The conclusion of post-Meeting or post-Event scrutineering; or,
- (b) Expiry of the time for lodging protests and appeals; or,
- (c) The conclusion of any hearings; or,
- (d) The conclusion of official prize giving.

20. **Information to be contained in the Programme:** An official programme is discretionary, and is for public information only. The following is recommended to be contained in the official programme (if any) of a Meeting or an Event:

- (a) A statement that the Meeting or Event will be held under this Code, the Standing Regulations and an Organising Permit issued by MotorSport NZ and that it is authorised and sanctioned by MotorSport NZ;
- (b) The name of the organising Member Club or Associate Member;
- (c) The venue, date and timetable of the Meeting or Event;
- (d) A brief description of the Meeting or Event;
- (e) The names of the Entrants and the Drivers with the numbers of their competing vehicles together with all details of groups and classes of competing vehicles.

21. Entries:

- (1) The submission of an entry form to a Sanctioned Series, Meeting or Event to the organiser thereof shall be deemed to be an offer by the intending Entrant to the organiser which the organiser may, in its discretion, accept or decline, subject however to the organiser or where specifically provided for the identified electronic address of the organiser, observing and complying with the terms and conditions of its invitation to enter, the Standing Regulations, its Supplementary Regulations (if any), or Series Articles, and without prejudice to the organiser's obligations at law and in equity. If the organiser of the Meeting or Event publishes no deadline for the closing of entries or late entries, the Entrant may submit entries in person on the day of the Meeting or Event. If a deadline for the closing of entries or late entries is published by the organiser, entries must be submitted by delivering or posting the official entry form signed by the Entrant and Owner to the published address of the organiser or by transmitting the same by facsimile to the published facsimile number of the organiser, in each case, prior to such deadlines provided that an entry made by facsimile or electronically shall be deemed to have been made at the time and date it is actually received.
- (2) Upon acceptance of the entry by the organising committee, a contract between the Entrant and organiser shall come into existence whereby the Entrant agrees to take part in the Sanctioned Series, Meeting or Event for which they have entered and the organiser agrees to fulfil in respect of the Entrant, all the conditions of the entry subject however to force majeure.
- (3) No Competitor may organise or participate in any boycott of any kind in relation to any Meeting or Event.
- (4) Without prejudice to any of the organiser's available rights or remedies, any Competitor whose entry in any Meeting or Event has been accepted and who or which then fails to take part in that Meeting or Event, shall be in breach of this Code unless such failure to take part is due to force majeure.
- (5) Any Driver who has signed the Entrant's entry form (and who thereby shall be deemed to have agreed to drive in the Meeting or Event in which the entry is made), then fails to drive in that Meeting or Event and drives in another Meeting or Event on the same day at another venue, shall be in breach of this Code.
- (6) Subject to paragraph (7) of this Article, the organiser of an Event which is a round of a Sanctioned Series must not knowingly, accept an entry from, or allow any Competitor or competing vehicle to compete in the Event, if such Competitor or competing vehicle is not eligible for and entered in the Sanctioned Series.
- (7) The restriction set out in paragraph (6) of this Article shall not apply to organisers of Events who have made entry in the Event also open to other Competitors and competing vehicles who or which the organiser does not require to be eligible for and entered in the Sanctioned Series.

- 22. Entry Form:** MotorSport NZ shall in the Appendices of this Code, from time to time prescribe standard entry forms to be used by Member Clubs and Associate Members organising Meetings and Events. Each entry form must be signed by the Entrant and Owner when submitted and by each Driver before the commencement of the Meeting or Event.

Where entry forms are received in electronic form, the required signatories will sign an "Event documentation signature sheet" prior to participation in the event. Where the Entrant, Owner and Driver are the same person, one(1) signature is acceptable.

23. Receipt of Entries:

- (1) The organiser of any Meeting or Event may publish the Supplementary Regulations (if any) as soon as the Permit in respect of the Meeting or Event is issued by MotorSport NZ and may receive entries up to the specified first closing date in its invitation to enter or Supplementary Regulations. At the absolute discretion of the organiser entries may be received after the first closing date upon payment of additional late entry fee provided that no entries are accepted after the end of Event or Meeting documentation period.

The invitation to enter or the Supplementary Regulations may provide that the date for nomination of drivers may be later than the closing date of entries, provided that such time shall not be later than the end of Event or Meeting documentation period.

- (2) If an entry fee is stated in the organiser's invitation to enter or Supplementary Regulations (if any), then any entry lodged which is not accompanied by such fee within three(3) Working Days of the entry being lodged, shall be of no effect. If the organiser wishes to accept certain entries without fee, this must be stated in the invitation to enter or Supplementary Regulations (if any).

24. Entry Containing a False Statement: It shall be a breach of this Code to submit an entry which contains a false, misleading or deceptive statement and any such entry shall be of no effect.

25. Refusal of Entry:

- (1) Subject at all times to any obligations owed by the organiser of a Sanctioned Series, Meeting or Event:

- (a) At law or in equity; or
- (b) Arising out of the Series' Articles; or
- (c) Arising out of the organiser's invitation to enter (if any); or
- (d) Arising out of the Standing Regulations; or
- (e) Arising out of the organiser's Supplementary Regulations (if any);

Nothing in this Code shall be read or construed so as to oblige the organiser to accept any entry in the Sanctioned Series, Meeting or Event or (if refusing any entry) to give its reasons for doing so, subject however to the organiser complying with paragraphs (2) and (3) of this Article.

- (2) Any organiser who declines an entry to a Meeting or Event entry which:
- (a) Must be made no later than five(5) Working Days before the date of the Meeting or Event, must notify the intended Entrant that the entry is declined not later than two(2) Working Days after receipt of the intended Entrant's entry form and in any event, not later than three(3) Working Days before the Meeting or Event;
 - (b) May be made on the day of the Meeting or Event, must notify the intended Entrant to this effect not later than one(1) hour after receipt of the entry form.
- (3) Any organiser of a Sanctioned Series declining any entry thereto, must notify the intended Entrant to this effect no later than three(3) Working Days before the round of the Series next following the date of receipt of the intended Entrant's entry form.

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26. Conditional Entries:

- (1) The Supplementary Regulations (if any) of any Meeting or Event may provide that entries can be accepted upon certain conditions including (where there is a limitation as to the number of starters) that a vacancy among the other entries must first arise. Conditional acceptance of an entry must be notified to the Entrant by the organiser no later than two(2) days after the closing of entries.
- (2) Should the number of entries received exceed the maximum number specified in the organiser's invitation to enter or Supplementary Regulations (if any), those to be accepted shall be selected either as provided in the invitation to enter or Supplementary Regulations or according to the order in which they were received. Those entries declined may nevertheless be accepted as reserves.

27. **Closing of Entries:** The date and time for the final receipt of entries must be clearly stated in the organiser's invitation to enter or Supplementary Regulations (if any).

28. **Publishing of Entries:** The organiser must not enter on the official programme (if any) or publish as entered the name of any Entrant or Driver in respect of whom the organiser has not received a duly completed entry form.

29. Disputes Regarding Entries:

- (1) Once an entry has been accepted, any dispute between the Entrant, Owner or Driver (on the one hand) and the organiser (on the other hand) regarding an entry arising prior to the commencement of the Meeting or Event shall be adjudged by MotorSport NZ.
- (2) In no case may a Driver or competing vehicle who or which has been found to have been incorrectly entered compete in a Meeting or an Event before any protest or appeal has been adjudged or dealt with.

30. Results:

- (1) The organiser of a Meeting or Event must publish and distribute a complete set of the results of the Event (whether such results are final or not) as follows:
 - (a) In the case of Events which are a round of a MotorSport NZ Championship:
 - (i) To MotorSport NZ by telephone, email or facsimile no later than the first Working Day following the Event; and,
 - (ii) To each Competitor in the Event, by making them available for collection at the Event venue within a reasonable time after the conclusion of the Event, or (at the organiser's option) by placing them on the MotorSport NZ web site, emailing or mailing them to each Entrant within 14 days of the Event; and,
 - (b) In the case of National status Events which are not a round of a MotorSport NZ Championship, to each Competitor in the Event by making them available for collection at the Event venue within a reasonable time after the conclusion of the Event, and (at the organisers option) by placing them on the organiser's website (or such other website as detailed in the Event Supplementary Regulations), or emailing or mailing them to each Entrant within 21 days of the Event;
 - (c) In the case of Events in respect of which MotorSport NZ has given specific directions as to the publication and distribution of results, in accordance with such directions;
 - (d) In the case of all other Events, to such Competitors as may request them, and (at the organisers option) by placing them on the organiser's website (or such other website as detailed in the Event Supplementary Regulations (if any)).

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- (2) The organiser of a Sanctioned Series must publish and distribute a complete set of points, results in the Series (whether such results are final or not) to MotorSport NZ and to each Entrant in the Series via the MotorSport NZ web site and (at the organisers option) by placing them on the organiser's website (or such other website as detailed in the Event Supplementary Regulations), or by email or mail within three(3) Working Days of the conclusion of each round of the Series.

31. Publication of Results:

- (1) When published, all results are to be timed, dated and signed by the Clerk of the Course, or Assistant Clerk of the Course, or in their absence, the Stewards.
- (2) Without prejudice and in addition to the Competitor's right to protest set out in Part IX of this Code, any Competitor in the Event who believes there is an arithmetical error in or omission from the results of the Event may within 30minutes of the publication of the provisional results of an Event, request the Clerk of the Course in writing (on such form as the Clerk of the Course shall provide for the purpose) to check the results of the Event. The Clerk of the Course must check, if necessary amend the results and notify the Competitor as to the outcome of such checking.
- (3) Notwithstanding any other provision of this Code, all results of an Event which are published shall be subject to the hearing of any inquiries, complaints, protests or appeals concerning the conduct of the Event and of any technical inspections of any competing vehicle in the Event, and shall become final when the hearings or inspections have been concluded and the results of such hearings or inspections are published.
- (4) Should an organiser, in the Supplementary Regulations or other official document of a Meeting or an Event, announce an intention to publish the results at a certain time and place, such time shall be determined as the publication time. Should the organiser then be unable to publish the results at that time for any reason, the organiser must publish at that time and place a statement as to its revised intention to publish the results.
- (5) The expression "publication of results" shall mean the official release of the results of any Meeting or Event by the organiser thereof.

32. Starts: Each Event shall start the moment that the starting signal is given. In the case of timed Event, timing must commence (in the case of standing start Events) when the signal to start is given or (in the case of rolling start Events) when the first competing vehicle crosses the start line.

33. Types of Start: All Events must start by way of either:

- (a) A standing start; or
- (b) A rolling start.

34. Crossing a Control Line: Where employed, the automatic timing system of an event shall be the primary method of determination as to when a competing vehicle has crossed a control line. The time shall be taken at the moment when the timing system is activated by the competing vehicle. Where an automatic timing system is not used, or fails, during an event, the time shall be taken when the leading edge of the vehicle passes over that line.

Note: *The appointment of a Judge of Fact Finish in accordance with Article 86(1)(b) is strongly recommended.*