

Manual Amendment

These amendments have been authorised to the text of MotorSport Manual Edition 35. It is recommended that in addition to retaining a copy of this amendment that all parties modify the actual text in their Manual according to the following:

Appendix One, Schedule D – Drugs and Alcohol

Amendments to Schedule D in Manual 35:

1. Amend Part One Article 1.2 as stated in the schedule below.
 2. Amend Part One Article 2 as stated in the schedule below.
 3. Amend Part One Article 5 as stated in the schedule below.
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1. Item One:

Part One - Drugs

1. General:

(...)

- 1.2 MotorSport NZ has entered into agreement with the Sports Tribunal of New Zealand (Sports Tribunal) and Drug Free Sport New Zealand (DFSNZ) to abide by Drug Free Sport NZ's Sports Anti-Doping Rules (SADR) and to adopt and implement the provisions of the World Anti-Doping Code (WADA), including the establishment of a MotorSport NZ Anti-Doping Tribunal.

Note: *The Sports Anti-Doping Rules can be found on the DFSNZ website www.drugfreesport.org.nz*

Reason:

To adopt the Sports Tribunal as the disciplinary body for anti-doping violations.

2. Item Two:

2. **Sports Tribunal of New Zealand (Sports Tribunal):** The Sports Tribunal is recognised by MotorSport NZ under the Sports Anti-Doping Rules as the arbiter of any hearing arising as a result of an alleged violation involving a substance detailed in the WADA list. Any such hearing shall be conducted by, and according to, the Sports Tribunal's procedures and regulations. Any alleged violations involving substances that do not appear in the WADA list shall be heard by the MotorSport NZ Anti-Doping Tribunal.

2.1 **MotorSport NZ Anti Doping Tribunal:** An Anti Doping Tribunal shall:

- (1) Be appointed by MotorSport New Zealand, and shall have the equivalent rights and powers of a Judicial Committee under Article 11.4 of the MotorSport NZ Constitution in respect to anti doping rule violations.

- (2) Be governed by and respect the provisions of the SADR and WADA code.
- (3) Consist of a minimum of three(3) members, being a Chairman and at least two(2) others, at least one(1) of whom should be legally qualified. Any appointed member shall have had no prior involvement with the case to be heard.
- (4) Conduct any hearing according to the provisions of Article 120 of the National Sporting Code.

Reason:

To adopt the Sports Tribunal as the disciplinary body for anti-doping violations.

3. Item Three:

5. **Positive Test Result:** Where a positive test result is confirmed by Drug Free Sport NZ, the competitor or official shall immediately be informed by MotorSport NZ and placed under provisional suspension, pending a Sports Tribunal or Anti-Doping Tribunal hearing.

Note: *A provisional suspension due to a positive test result is specifically exempted from the provisions of Article 93(1) of the National Sporting Code.*

Reason:

To adopt the Sports Tribunal as the disciplinary body for anti-doping violations.

This amendment is issued for MotorSport New Zealand Inc by the Administration.



B. Budd
General Manager

