

MOTORSPORT NEW ZEALAND

INQUIRY UNDER PART X OF THE NATIONAL SPORTING CODE

NOTICE OF FINDING FROM THE PANEL APPOINTED BY MOTORSPORT NEW ZEALAND, NAMELY:

- Martin Fine (Chair)
- Raymond Bennett
- Terry Carkeek

Dated 25 May 2026

BACKGROUND

A Request for Inquiry was submitted under Part X of the National Sporting Code by Pat Norris in relation to the decision of MotorSport New Zealand to refuse amendments to his Certificate of Description (COD) to permit the use of Electric Power Assist (EPA) steering in his vehicle, competing under Schedule RH of Appendix Six, Part Eight.

Mr Norris contends that the EPA steering unit fitted to his vehicle is a period-correct component manufactured and available within the relevant period, and that the Technical Manager's interpretation of Schedule RH is inconsistent with the written rules. He further submits that a change in interpretation by successive administrators has created disparity within Class 4 of the New Zealand Rally Championship, and that he was advised of the refusal of his request for deregulation too close to the commencement of the 2026 Otago Rally.

In assessing the Request for Inquiry, the Inquiry Review Panel identified a conflict between the Certificate of Description rules and the requirements of Schedule RH and noted that Schedule RH expressly contemplates MotorSport New Zealand allowing variations where original componentry is no longer available and the alternative component performs the same mechanical function without providing a performance advantage. The Panel also noted that there is currently no formal process within the National Sporting Code to query decisions relating to Certificates of Description.

The Inquiry Panel was directed to consider;

1. Whether the Certificate of Description for Mr Norris's vehicle should be amended to permit the Electric Power Assist Steering unit, having regard to the requirements of Schedule RH, including the discretion available to MotorSport New Zealand to allow

variations where original componentry is no longer available and the alternative performs the same mechanical function without performance advantage.

2. Whether the interpretation applied by the Technical Manager is consistent with the written rules, and to provide a determination on the correct interpretation of the apparent conflict between the Certificate of Description rules and Schedule RH.
3. Whether, in light of that interpretation, Mr Norris's vehicle is eligible for Category 4 of the New Zealand Rally Championship, and whether his categorisation at the Otago Rally 2026 should be retrospectively revised and the results republished.
4. The absence of any formal process within the National Sporting Code for querying decisions relating to Certificates of Description, and what recommendations should be made for establishing such a process.

DETERMINATION

This is the decision of an inquiry panel set up under Part X of the Motorsport New Zealand Sporting Code.

The applicant is Mr. Pat Norris a long time rally competitor.

Pat has been a competitor in the New Zealand Rally Championship for many years. He is now approaching 70 years old and over the years he has competed in a variety of cars but in recent time has been active in historic rallying. Three years ago he decided to build a Toyota AE86 rally car based on the Group A spec for New Zealand cars of the time. The car was to reproduce a competition vehicle of the 1984 era.

Pat is no stranger to the building of motorsport cars, and has built many cars over the years and, as commented by the New Zealand Motor Sport Technical Manager, his cars have always been top notch. So, when he decided to embark on this project he did his research very thoroughly and was experienced in the process.

He was aware of Schedule RH which is the Historic Schedule for rally cars of that era.

Pat is a purist and an enthusiast for historic rallying. He had no desire to build anything other than a car compliant with the requirement of Schedule RH.

Throughout the process he was in contact with the technical department and from time to time entered into discussions with them about aspects of the build. Throughout the process he abided by the directions of the technical department in terms of compliance issues.

When asked to modify or replace any parts he did so willingly. Pat did not want to build a Schedule A car. During our hearing he made it clear that he had no interest in competing in

anything other than a car compliant with Class 4 of the New Zealand Rally Championship articles.

By the end of 2025 Pat and MSNZ had reached an impasse in relation to Pat's desire to use an EPA unit in the car. In his view the regulations provided the opportunity for him to run that equipment. His desire was also influenced to some extent by the fact that he had suffered a shoulder injury and so the EPA would assist him in driving the car.

Pat argued that under Schedule RH steering components were free and after extensive research he obtained a unit which he believed was manufactured in 1986 which he selected for use in the car.

The view of the technical department was that the use of an EPA was not provided for under the regulations.

Despite much correspondence backwards and forwards, the parties could not reach any compromise. As the date of the first round of the Rally Championship was coming up Pat sought then a derogation from Motorsport New Zealand on medical grounds, to allow him to run the car in the first round of the 2026 Rally Championship. Despite providing reasonable notice of his request, the determination was not issued until he was on his way to that event. He was advised that the derogation had not been allowed and that the car was ineligible for Class 4 and could only compete in Class 6.

He competed in the event in Class 6 which is effectively an all comers class and finished the event in last position in that category. Had he been allowed to compete in Class 4 his position would have been 2nd overall in that class.

Immediately following the event Pat wrote to Motorsport New Zealand seeking an Inquiry under Part X of the Sporting Code to review the decision of Motorsport New Zealand not to allow the issue of the amendment to his COD with the EPA and seeking a review of the process by which the derogation requested had been declined so close to the event. He maintains that had he known, with enough notice, he would not have travelled to compete at the rally in Class 6.

His request also detailed areas where in his view he had been unfairly prejudiced and unfairly treated.

The matter was heard on 22 May 2026.

The inquiry panel is aware that the next round of the Rally Championship is in approximately 1 week's time, and so undertook to provide a decision in relation to the categorisation of the

car to give him time to determine whether to contest the next round of the Championship or not.

The inquiry was held and attended by the panel, Mr. Norris, the MSNZ Technical Manager and CEO of Motorsport New Zealand Mike Hartley.

Having reviewed the extensive material provided and allowing both sides of the argument the opportunity to be heard and to question each other the inquiry panel reserved its decision which it now provides.

FINDINGS

1. There seems to be no dispute that Schedule RH is problematic. Its drafting is at odds with aspects of the wider Schedule K which covers all aspects of the Historic motorsport, and the provisions that detail the requirements of issuing COD's.
2. By the time Pat and MSNZ reached their impasse there were already moves afoot to re-work Schedule RH. The Panel has reviewed correspondence that evidences the fact that work has commenced to redraft the schedule. As a consequence it comes as no surprise to the Panel that it appears the attitude of the Technical Department and the Historic Commission to these applications has hardened over time.
3. In the Panels view it cannot be discounted that the decision made with respect to Pat's car, at the time it was made, was influenced by the backdrop of a rewrite of the rules with a view to addressing some of the anomalies created over previous years and previous decisions and therefore the reluctance of the Technical Department was because of the perceived need to tighten up the requirements. But the horse has already bolted. There are cars with COD's that require significant amendment. And that will be a work in progress. Pat's situation is, unfortunately, collateral damage, which highlights the problem with the decision made.
4. Unfortunately, the approach adopted is flawed. Any application must be assessed and determined based of the rules as they are in force at the time, and in interpreting those rules the competitor should expect the rules to be interpreted in as fair, large and liberal way as the wording provides and natural justice requires. The determination should be made taking into account determinations made and concessions granted in other applications under the same rules.

5. The Panel questions why the COD was ever issued as the section in the COD dealing with steering was not notated.
6. In the panels view Pat's application for an extension to his COD for his car was ill fated. The winds of change were already blowing strong and he faced more of head wind than he would have had if he had applied at an earlier time. Given the fact that the rules have not been amended during the period, this change of inflection is unfortunate and ultimately unfair.
7. The extension of COD was in respect of the EPA. In all other respects the cars was compliant. A COD was issued while this matter was still outstanding.
8. In Pat's submission the part was allowed, because in the Schedule RH Steering is designated as "free" and the part used was in substitution for hydraulic power steering which was allowed, and the part was in period.
9. The Technical Department argue that "free" must be read as subject to the requirement that the parts were available and used on that make and model of car in the period.
10. While the technical department is probably right in this view, the plain words of the Schedule do not support that requirement. Simply, it is not what the Schedule actually says and it is not what has been done with previous cars and applications.
11. In addition, even if that were the correct position, previous applications had been treated with more latitude and the discretion to allow modifications based on the inability to source original parts should have been considered.
12. That discretion provides:

"MotorSport NZ may at its sole discretion allow variation(s) to Schedule RH where it can be established that the original component is no longer available and that the alternative component has the same mechanical function and does not provide any weight or other performance advantage (beyond reliability) over the original. All such exemptions shall be listed on the vehicle's COD form."
13. In our view this discretion could have been applied on the basis that the hydraulic pumps are now hard to source and the alternate component has the same mechanical function.

Performance advantage in this instance would have been marginal given the weight of the subject car and, given the fact that this discretion had been exercised previously.

14. In our view there is a danger that the decision was influenced by the fact that the rules in the Schedule were already in review and because of that an unconscious bias was brought into the decision.
15. The other factor which was not considered was a medical derogation which could have been applied in the circumstances given the level of compliance in all other matters of the subject car. Such a derogation has been granted previously, and it could have been provided here on strict or time limited basis.

DECISION

In the Panel's view the following steps are required as a matter of urgency.

1. The COD for the subject car should be re-assessed based on the current wording of Schedule RH giving those words the fair large and liberal interpretation that is required, including the discretion.
2. The COD should be issued for the car with the EPA included but flagged either on a compliance basis or alternatively pursuant to a medical dispensation granted under the broader concessions provided in the Schedule which runs with the car only so long as it is owned by the applicant.
3. The date represented by the car may need to be adjusted to 1986.
4. Given impending changes to Schedule RH, the COD should be time limited for review/grandfathering as set out in 5 below. It is also noted that the applicants evidence indicated that this will be his last season. Accordingly, it may be appropriate that it be for that period with a review thereafter.
5. The introduction of a new Schedule RH should be accompanied by a review of all COD's issued under the previous Schedule. New rules should prompt new guidelines to ensure that all current CODs with compliance issues under the new rules have grandfathering rules applied to them as appropriate.
6. The Panels view is that the applicant has been treated unfairly and his rights compromised in the circumstances. In the absence of a change to the rules in the Schedule the admitted harder line being taken on these applications was not appropriate. Accordingly, the classification of Round 1 of the Championship (Otago round) should be amended to reintroduce the competitor's car to Class 4 and the results amended accordingly.

7. We would also comment that the treatment and notification of the outcome of his application for derogation was not addressed or treated with the urgency or respect it required.
8. The Panel recommends that when the new Schedule is drafted it should be referred to the Rules Integrity Committee and selected Historic Rally competitors/car builders so that it we can be assured that the new Schedule is fit for purpose from the start.
9. The committee also recommends that the Sport puts in place a constant review process for COD's (rolling compliance audits) at events to ensure on going compliance.
10. In answer to the questions posed to the Panel by the Notice of Hearing:

Should the COD be amended:

Yes, either on the basis that a reassessment of the plain wording of the Schedule allows for the modification, or by applying the discretion allowed within the Schedule based on previous determinations.

Was the interpretation applied consistent with the rules:

What was evident in the process was an unconscious bias influenced by a changing view of the requirements for the Schedule and impending amendment. This resulted in an admitted harder line, which in the absence of a rule change was neither fair nor justified.

Is the applicants car eligible and should the results for the first round be changed:

See 6 above.

Review process

The process that currently exists works, but it needs some guidelines dealing with procedural fairness and consistent treatment. See also 9 above.

For completeness it should be noted that this matter was conducted as an Inquiry under Part X. As such the Panel has no power to make judicial decisions in relation to any of these matters. Given the recommendations are all within the administration of the Motorsport office, we believe they can be actioned accordingly.

Dated this 24th day of May 2026



Martin Fine
Chair