

Amendment Number	Date Published	Date Implemented	Article Number
<b>36062</b>	1 August 2023	1 August 2023	Article 48 and 50

**Note:** Amendments will be **visually highlighted** for a duration of 12 months starting from the implementation of each amendment. Text changes made for grammatical and/or formatting purposes will not be subject to highlighting.

### **NATIONAL SPORTING CODE – PART IV – LICENCES**

**39. Licence Types:** MotorSport NZ shall issue the following types of Licence:

- (1) Competition Licence;
- (2) Driving School Licence;
- (3) Entrant's Licence;
- (4) Instructor's Licence;
- (5) Official's Licence; and
- (6) Venue Licence (pursuant to Part VI of this Code).

**40. Competition and Entrant's Licences:**

- (1) MotorSport NZ shall in Appendix One of this Code, prescribe from time to time the types of Competition Licences (including the types of licences and visas issued by other ASNs) and Entrant's Licences required to take part in any Sanctioned Series, Meeting or Event together with the qualifications, experience and training required of any person to hold any Licence, the process to be followed and the fees to be paid in applying for all such Licences.
- (2) No person may take part in any Meeting, Event or Record Attempt without the Competition Licence required by Appendix One of this Code.

**41. Official's Licences:** MotorSport NZ shall in Appendix One of this Code, prescribe from time to time the types of Official Licences to be issued by MotorSport NZ, which type of Official's Licence is required to organise or officiate at any Sanctioned Series, Meeting or Event together with the qualifications, experience and training required of any person to hold any such Licence together with the duration of all such Licences.

**42. Use of Entrant's Licence:** The Entrant in all Events must hold an Entrant's Licence where the Entrant of a competing vehicle is not a Competitor in that vehicle. The application for an Entrant's Licence must be signed or otherwise electronically acknowledged by an authorised and designated representative of the Entrant in whose name the Licence is to be issued.

**43. Civil Driver's Licence:**

- (1) All competitors must hold a valid civil driver's licence for cars unless they meet the provisions for exemption set out below:
  - (a) Where the competitor is a co-driver of a competing vehicle and acting purely as a Navigator and does not drive the vehicle at any time.
  - (b) When the Meeting or Event is held entirely on private property, or on a MotorSport NZ licenced permanent race venue.
  - (c) Where the Meeting or Event, or the part thereof during which the competitor is to drive, is held on roads closed under the 10th Schedule of the Local Government Act 1974.

**Note:** *Roads closed under the Transport Regulations do not provide an exemption to the civil driver's licence requirements.*

- (2) Where the civil driver's licence of the competitor is removed through disqualification, the following provisions apply:
  - (a) Where the disqualification is through a decision of any Court, the ability to compete is denied for the duration of the Court imposed disqualification.
  - (b) Where the disqualification is through regulatory policies (e.g. civil driver's licence demerit points) the provisions set out in Article 43(1) (a) and (b) only shall apply and competitors shall satisfy the Meeting and Event Officials by the signing of a declaration to the effect. Failure to sign the declaration or the submission of a false declaration shall incur a penalty.

**Note:** *The provisions of Article 43(2)(b) do not apply to roads closed under the 10th Schedule of the Local Government Act 1974.*

**44. Licence Issue – General:**

- (1) MotorSport NZ may issue Licences to citizens of New Zealand or to the citizens of another country in accordance with the International Sporting Code.
- (2) Licences may be issued under an assumed name.
- (3) Licences may not be issued under a name which is calculated to deceive.
- (4) MotorSport NZ may issue a Licence to a foreigner whose country is not represented on the FIA provided that it immediately notifies the FIA of such issue for inclusion in a register of such Licences maintained by the FIA.
- (5) MotorSport NZ shall allot a unique number to each Licence issued.
- (6) MotorSport NZ shall maintain a register of Licences issued to Competitors and Officials.

- 45. Under-16 Applicants and Junior Competitors:** In addition and without prejudice to the provisions of Appendix One as to the types of Competition Licences required to take part in any Sanctioned Series, Meeting or Event together with the qualifications, experience and training required of any person to hold any Licence, MotorSport NZ may require any applicant for a Competition Licence who is under the age of 16 years at the date of application, to provide a statutory declaration from one(1) of the applicant's parents or from the applicant's legal guardian

consenting to such application, in such form as MotorSport NZ may prescribe from time to time.

**46. Validity of Competition Licences:**

- (1) A Competition Licence is not valid when a Competitor is under a sentence of suspension, or disqualification in accordance with this Code.
- (2) An International Entrants or Competition Licence issued by MotorSport NZ shall be valid in all countries represented on the FIA and shall entitle the holder of the Licence to enter or drive in all Meetings or Events organised in accordance with this Code and, subject to the provisions of Article 49 of this Code, in all Events in the International Sporting Calendar.

**47. Nationality of a Competitor:** Competition Licence holders may only hold one(1) licence issued by an ASN at one time. In the event of a Competitor wishing to change his or her country of residence, MotorSport NZ may, in its discretion permit such Competitor to cancel his or her MotorSport NZ Licence during the currency of such Licence in order to obtain another licence from an ASN provided however that MotorSport NZ will not issue a new Licence to any such Competitor until after the end of the next calendar year.

**48. Production of Licences:** All Entrants, Competitors or Officials at a Meeting or an Event must, if requested by an Official of the Meeting or Event or by an Official of the **Championship or Accredited Series** of which the Meeting or Event is a round or by MotorSport NZ, produce their Licence. **If a physical licence card is presented, then this must be countersigned in ink by the holder.**

Any Competitor who for any reason is unable to produce **their** licence when requested, shall:

- (1) where the licence is proved to be valid in the MotorSport Online system, **may** have the penalty as prescribed in Appendix One Schedule P applied, or
- (2) where the licence is proved not to be valid in the MotorSport Online system, or the MotorSport Online system is unable to be accessed, forthwith complete and deliver to the Official or MotorSport NZ (whoever may have requested production of the licence) an application for a replacement licence together with the applicable fee for the licence grade required, plus a priority fee of 50% (which fee less the 50% priority fee, shall be refunded by MotorSport NZ upon subsequent production of the Competitor's original licence).

**49. Using a Licence in a Foreign Country:**

- (1) MotorSport NZ shall provide such permission's, visas and consents as may be permitted by the FIA to allow holders of Competition and Entrant's Licences to compete in Series, Meetings and Events outside New Zealand and MotorSport NZ shall in Appendix One of this Code, from time to time prescribe requirements and procedures for the making of application for such permission's, visas and consents.
- (2) No holder of a Competition Licence or Entrant's Licence may compete in a Series, Meeting or Event outside New Zealand without the prior approval of MotorSport NZ, application for which must be made to MotorSport NZ in accordance with the requirements prescribed by MotorSport NZ in Appendix One of this Code.

**50. Replacement of Competition Licence:** Any Competitor **requiring a physical licence** may obtain **this** at any time by making application to MotorSport NZ and upon payment of the appropriate fee set out in Appendix One of this Code.

**51. Expiry Date of Licence:**

- (1) All Competition Licences other than International grade Competition Licences shall expire on each anniversary of the initial date of issue thereof unless the Licence has lapsed for more than one(1) year, in which case a new Licence must be applied for.
- (2) All International Grade Competition Licences shall expire on the 31st December of each year.

**52. Renewal of Licence:**

- (1) All Competition Licences may be renewed at any time up to one(1) month prior to their expiry date.
- (2) A new Competition Licence shall be issued in the same grade and the same class as it was previously held, provided it was held in that class not more than two(2) years prior to the date of the new application.

**53. Disqualification or Suspension of Licence:** Any Licence Holder or Member of MotorSport New Zealand or its affiliated clubs that brings the Sport into disrepute in any way may, in addition to any other applicable penalty under this Code, have their Licence disqualified or suspended. Without limiting the preceding part of this provision, MotorSport NZ may conclude that such a person brings the Sport into disrepute if in respect of any Meeting, Event, Record Attempt or any other motorsport activity in respect of which a permit has not been issued in accordance with this Code they:

- (1) enter, drive, officiate, organise, or in any other way take part, in circumstances that give the impression, expressly or impliedly, that their activity or the activity was in any way authorised or endorsed by, or run under the authority of, MotorSport NZ or the FIA; or
- (2) wear MotorSport NZ or FIA official's clothing, use MotorSport NZ or FIA equipment, or specific MotorSport NZ practices and procedures that are the property of MotorSport NZ, while fulfilling any official role (without express authority from MotorSport NZ).

**54. Refusal to Issue or Renew a Licence:** MotorSport NZ may refuse to issue or renew a Licence upon grounds that are justified in the circumstances.

**55. Driving School Licence and Instructor's Licence:**

- (1) MotorSport NZ shall in Appendix One of this Code, prescribe from time to time the qualifications, experience and training required of any person, firm or corporation to hold a Driving School Licence and for any person to hold an Instructor's Licence, the process to be used and the fees to be paid in applying for such Licences.
- (2) MotorSport NZ shall in Appendix One of this Code, prescribe from time to time the syllabus of courses which the holder of a Driving School Licence may conduct in order for any person to obtain a Competition licence or any Official's Licence from MotorSport NZ.
- (3) The issue of a Driving School Licence shall imply a non-exclusive, non-assignable licence to the holder thereof for the duration of the 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 holder to hold itself out as licensed and 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 stipulate.