

KartSport New Zealand Inquiry

Held at

**The Hotel Grand Chancellor
Auckland.**

1 May 2011

Into

**Rotax Max Challenge
Round 3**

KartSport Bay of Plenty

26-27 March 2011

KartSport New Zealand Inquiry into:

Rotax Max Challenge Round 3, KartSport Bay of Plenty, 26-27 March 2011

Inquiry Panel.

L Hickey (Chairman)
G Moore
C Richardson

The Terms of Reference for the Inquiry were as follows:

1. To review all aspects related to Form of Complaints #409828 (B Hart), #409095 (S Grocock), #409829 (G Claxton), #409098 (D Kinsman) and #409099 (L Moore) including the eligibility of the chassis concerned, the respective hearings and decisions of the event Stewards Panel.
2. Having considered Items 1 determine whether there have been any breaches of KartSport New Zealand Regulations, Codes, Rules and/or Specifications.
3. To consider all relevant matters related to Rule K1. (d).

The Inquiry first looked at item one of the terms of reference and found that KartSport New Zealand Technical Officers had acted within the terms of the KartSport Manual and were correct in asking for the Forms of Complaint for the non compliance of the frames in question.

It was found that when the Forms of Complaint were referred to the Hearing Panel they struggled with the interpretation of K1. (d) of the KartSport Manual and debated the issue for some time.

It was found that the Hearing Panel failed in their duty to follow the terms of the KartSport Manual B6.

B6 INTERPRETATION OF REGULATIONS, CODES, RULES AND SPECIFICATIONS.

Misunderstanding or misinterpretation of any of the Regulations, Codes, Rule, and Specifications does not invalidate them. The correct interpretation when required will be made as follows.

Regulations: National President, Executive

Codes: National President, Executive

Rules: National Steward or available on written request from the Executive

Specifications: National Technical Officer or available on written request from the Executive

It was clear from the Chief Stewards notes that the specifications were debated by the panel when in fact an interpretation should have been sort, no such interpretation was sought.

The Inquiry also found the Chief Steward to be wrong in advising competitors that no further action would result over the issue.

KartSport New Zealand has the right to hold an Inquiry as per C5.2 of the KartSport Manual.

Inquiry Recommendations:

It is the request of this Inquiry that the National Steward takes this matter up with the Hearing Panel of the day to ensure they understand their obligations as per the manual. It is also recommended that this be addressed in future training of Race Officials.

The Inquiry next looked at the subsequent actions of the National Technical Officer in impounding the frames upon the request of the National President.

The actions of National Technical Officer in impounding the frames, applying security seals and returning custody of the frames to their respective owners on the understanding they would be made available for further testing upon request was acceptable under the KartSport Manual.

The National Technical Officer procured the CIK approved magnet and carried out a further test procedure in accordance with the CIK method of testing on all impounded frames.

All frames were found to be non-compliant under this test and were to remain in impound.

This Inquiry Panel found that as a result of the further tests carried out by the National Technical Officer the impounded frames were deemed to be non-compliant with Rule K1. (d), therefore resulting in a breach of the KartSport Manual.

The Inquiry recommended that Forms of Complaints should be issued for these breaches.

At this point Form of Complaint #408952 was served Kart #2 in the Rotax Max Light class.

- The alleged offence was not accepted
- FOC#408952 therefore went to a Hearing Chaired by L Hickey (Grade 3 Race Official) with G Moore and Colin Richardson being the other members of the Panel.
- Case was brought by J Lennox (National Technical Officer)
- The case was defended by the guardian of Kart# 2 Anita Kinsman.
- After lengthy discussion the defense claimed to have a magnet that was attracted to the frame.
- At this point it was decided to allow this magnet to be applied to the frame as KartSports Manual did not define the magnet or the level of magnetism.
- The Magnet was produced and was an extremely light and strong neodymium (rear earth) type magnet. When applied to the frame it was found to have very slight magnetic properties but was able to support its own weight.
- At the conclusion of this test the Panel deliberated.
- The Panel determined that in the term of Regulation B6, the spirit and intent of the Rule had not been upheld.
- However the Panel found that the impounded chassis presented very slight magnetic properties, therefore were considered technically compliant to Rule K1 (d).
- As a result of this hearing it was decided no further Forms of Complaint would be issued and the results of the event were confirmed as published on the day.

The Inquiry Panel reconvened:

- All parties to the Inquiry proceedings, including Lascom Motorsport, agreed that, although the chassis could be shown to be magnetic, that a better definition of magnetic in Rule K1 (d) would be desirable for all.

Inquiry Recommendations:

This Inquiry Panel recommends that KartSport New Zealand implement a Rule change with reference to both the testing process and Magnet required for the process as soon as is practical

**KartSport New Zealand
Inquiry Chairman
Lance Hickey**