

BETWEEN **BROOK REEVE**

 Appellant

AND **KARTSPORT NEW ZEALAND INC.**

 Respondent

**MINUTES OF TELEPHONE CONFERENCE
HELD ON 12 AUGUST 2009 AND ORDER AS TO JURISDICTION**

Present: Darryl Reeve for Appellant with Mike Tunney
 Robert Hutton, Lance Hickey and Graham McKenzie
 for Respondent

Tribunal: Barry Paterson QC (Chairman)

Registrar: Brent Ellis

1. The appellant seeks to appeal certain matters arising from the NZ School Championship meeting held at Hastings on 12 July. An issue as to jurisdiction has arisen.
2. The jurisdiction of this Tribunal to hear appeals from the respondent is contained in r.D7 of the respondent's constitution. That rule reads, in part:

Application to appeal to this Tribunal [i.e. the Sports Tribunal of NZ] must be preceded by a Kartsport New Zealand Appeal Board hearing and decision...

3. In this case, the appellant sought to appeal to the Kartsport New Zealand Appeal Board but did not comply with the provisions of r.D6 in that the filing fee was not received within the specified time. The respondent was not prepared to extend the time and consequently there has not been a decision of the Kartsport New Zealand Appeal Board.
4. In the circumstances, this Tribunal has no jurisdiction to consider the appeal and it will not proceed further.
5. As this Tribunal does not have jurisdiction the filing fee paid to the Tribunal is to be refunded to the appellant.

Dated 13th August 2009



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Barry Paterson QC
Chairman