



KARTSPORT NEW ZEALAND MANUAL

SECTION B –CONSTITUTION

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B KARTSPORT NEW ZEALAND INCORPORATED CONSTITUTION

B1 NAME

The name of the incorporated body shall be KARTSPORT NEW ZEALAND INCORPORATED.

B2 REGULATIONS, CODES, RULES, AND SPECIFICATIONS

The spirit and intent of the KartSport New Zealand Regulations, Codes, Rules, and Specifications, is the standard by which KartSport in New Zealand will be conducted. All Regulations, Codes, Rules, and Specifications laid down by KartSport New Zealand and printed in the current Manual and all subsequent additions, deletions and modifications thereto laid down by KartSport New Zealand, are to be abided by. Any breach either technical or by deed will permit the application of the relevant penalty.

B3 BREACH OF REGULATIONS, CODES, RULES OR SPECIFICATIONS.

Any of the following offences in addition to any offences specifically referred to throughout the Regulations, Codes, Rules and Specifications, shall be deemed to be a breach of the Regulations, Codes, Rules or Specifications.

B3.1 All bribery or attempt directly or indirectly, to bribe any person having official duties in relation to a competition or being employed in any manner in connection with a competition and the acceptance of, or offer to accept any bribe by such an official or employee.

B3.2 Any action having as its object, the entry or participation in a competition of a vehicle, member, registered member or equipment known to be ineligible.

B3.3 Any fraudulent conduct or any act prejudicial to the interests of any competition, administration, control, or to the interests of karting generally.

B4 SPECIFICATIONS

The Specifications are the only specifications for karts used in any competition held by any affiliated organisation and may not be varied for competition (either by way of alteration, deletion or addition) except to such an extent as provision is made for variation within the Specifications.

Changes may only be made to the Specifications, under the provisions of KartSport New Zealand Regulations or as the Executive will from time to time direct.

B5 QUALIFICATIONS

The specifications as listed are the minimum requirements for a kart in competition. The correct and safe application will be acceptable entirely at the discretion of the National Technical Officer.

B6 INTERPRETATION OF REGULATIONS, CODES, RULES, AND SPECIFICATIONS.

Misunderstanding or misinterpretation of any of the Regulations, Codes, Rules, and Specifications does not invalidate them. The correct interpretation, including their application and execution, 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.

B7 DEFINITIONS

B7.1 **'ACT'** in relation to an Act of Parliament shall mean the Act and its amendments and every statutory modification thereof and every statute passed in substitution thereof and its amendments and shall include all regulations and other delegated legislation made thereunder.

B7.2 **'AFFILIATED BODY'** Any Club, Association or Management granted affiliation to KartSport New Zealand (Inc) under these Rules.

B7.3 **'ASSOCIATION'** means any Association or Body affiliated directly to KartSport New Zealand and which comprises a number of Clubs affiliated to KartSport New Zealand which have formed an association or body amongst themselves for the purpose of promoting events, etc, in a specific area or district. Such Association will be subject to such conditions and Regulations as are set out within, and will have no voting rights at National Conference or Special National Conference but may attend and speak at such meetings.

B7.4 **'CHAIRPERSON'** shall mean the National President, National Vice-President or any person elected to that position.

B7.5 **'CIK'** and **'CIK-FIA'** shall mean the Commission Internationale de Karting.

B7.6 **'CLUB'** shall mean any incorporated kart Club affiliated to KartSport New Zealand. Such Club will have voting rights at National Conference and Special National Conference meetings.

B7.7 **'CODES'** shall mean Codes of Practice outlining policies and procedures for administering key areas of the sport, eg Anti Doping Code, Judicial Code.

B7.8 **'COMMON SEAL'** shall mean the common seal of KartSport New Zealand or any common seal of any affiliated Club, Association or Management.

B7.9 **'DELEGATE'** shall mean a person appointed by an affiliated body to represent that body at a National Conference or a Special National Conference.

B7.10 **'EXECUTIVE'** shall mean the National President, National Vice President, Competitions Manager, one South Island Executive member, one North Island Executive member, one Executive member from either Island and two Executive members appointed by the incoming Executive plus such other persons as the National Conference shall from time to time decide upon.

B.7.11 **'EXECUTIVE MEMBERS'** shall mean those persons elected on to the National Executive or appointed under Rule B11.3.1.

B7.12 **'KARTSPORT NEW ZEALAND'** shall mean KartSport New Zealand Incorporated.

B7.13 **'KARTSPORT NEW ZEALAND OFFICERS'** shall mean Officers of Kart Sport New Zealand who are appointed by the National Executive for various duties. Such persons will be the National Secretary, the National Treasurer, Competition Licence Secretary, Stewards, Technical Officers, Chief Scrutineer, Publicity Officers, and such other persons and positions as the Executive shall decide upon.

B7.14 **FIA** means the Federation Internationale de l'Automobile.

B7.15 **'HIS'** shall mean also **'HERS'**. Male and female have no distinction unless otherwise stated.

- B7.16 **'KARTSPORT', 'KART RACING', 'KART', 'GO KART', 'KARTING' and 'GO KARTING'** shall mean any form of transport powered or otherwise using a vehicle of the type described from time to time in the Specifications of KartSport New Zealand.
- B7.17 **'MANAGEMENT'** shall mean a promoting organisation or body, affiliated directly to KartSport New Zealand, which promotes karting activities as per the Regulations, Rules, Specifications and Technical Procedures of KartSport New Zealand. Such Management will be subject to such conditions and Regulations as are set out within, and will have no voting rights at National Conference or Special National Conference but may attend and speak at such meetings.
- B7.18 **'MEMBER'** means any elected or appointed Officer of KartSport New Zealand Inc. or any person acting in an official capacity of any Club or a member of any Club, Association or Management affiliated to and currently financial with KartSport New Zealand and who will be bound by the Regulations, Codes, Rules and Specifications.
- B7.19 **NATIONAL SECRETARY** means the Development and Administration Manager if one is appointed.
- B7.20 **'NATIONAL CONFERENCE'** shall mean the annual meeting of delegates of affiliated Clubs and affiliated bodies.
- B7.21 **'ORGANISATION'** includes any Club, Society, Association, Union, KartSport New Zealand, League, Institution, Section, Company, Branch, Corporation, Board, Trust, Council, Executive, Committee, Joint Committee, Sub-Committee, Management or Partnership whether incorporated or not, dealing with KartSport New Zealand under the Rules of KartSport New Zealand but not affiliated to KartSport New Zealand. Such organisation has no voting rights and may not attend any National Conference or Special National Conference meetings except by invitation as extended by the Executive.
- B7.22 **'REGISTRAR'** means the REGISTRAR OF INCORPORATED SOCIETIES and includes a Deputy, District or Assistant Registrar.
- B7.23 **'REGISTERED MEMBER'** means any member that has paid the current registration fee (licence fee) to hold a Competition Licence.
- B7.24 **'REGULATIONS'** shall mean Constitution Regulations as covered in section B of this Manual.
- B7.25 **'RULES'** shall mean Rules as covered in this Manual.
- B7.26 **SNZ** shall mean Sport New Zealand, a government agency.
- B7.27 **'SPECIAL NATIONAL CONFERENCE'** shall mean a meeting of delegates of affiliated Clubs and other affiliated bodies convened as per Rules B11.1.4 or B11.1.8.
- B7.28 **'SPECIFICATIONS'** shall mean Technical clauses as covered in sections E, K, L, N, S and V of this Manual.
- B7.29 **'TECHNICAL PROCEDURES'** shall mean Technical Procedures clauses as covered in section M of this Manual.
- B7.30 **'PATRON'** shall mean the Patron of KartSport New Zealand elected each year at the National Conference.

B8 OBJECTS and POWERS

The objects, functions and powers of KartSport New Zealand shall be:-

- B8.1 To administer and control the management, growth and development of the sport of KartSport to ascertain the views of those involved within it and to express their collective opinion, to protect and uphold their rights and interests, and to work towards the elimination of fraudulent, corrupt, unsporting and undesirable practises and tactics on the part of any person organisation or affiliated body and generally to maintain the dignity and uphold the standards of the same.

- B8.2 To promote, organise, conduct, hold, sponsor, participate in, foster and assist Kart Racing and other KartSport activities and to grant rights in respect of the same to each body which is affiliated to KartSport New Zealand.
- B8.3 Generally to foster and develop the sport of KartSport and to protect the interests of owners and drivers of karts and others taking part in any and all KartSport activities.
- B8.4 To foster and encourage good relations among members and to exist for their mutual advantage and understanding.
- B8.5 To present trophies, make awards, offer prizes, give certificates or other recognitions for any KartSport activity.
- B8.6 To maintain membership and membership records of any person, club, association or management, which may wish to affiliate to KartSport New Zealand and are willing to abide fully with the Regulations, Codes, Rules and Specifications of KartSport New Zealand and the Provisions of the Incorporated Societies Act or other provisions as provided for in these rules.
- B8.7 To affiliate with any other society, body, organisation or association having similar objects to KartSport New Zealand or to co-operate with or subscribe to the funds of any society, body, organisation or association for the purpose of better attaining or otherwise furthering the objects and functions of KartSport New Zealand or its members.
- B8.8 To foster and encourage the development of regularly published printed and/or electronic news letters or magazines providing informative matters of interest within the sport of KartSport and general information on KartSport.
- B8.9 To acquire by purchase, lease or grant any property or property rights and to manage, let, sell, exchange or otherwise deal with property of KartSport New Zealand, provide or maintain any real or personal property of all kinds and facilities or equipment and to assist and support venues, race tracks, spectator facilities, race control buildings, or any other facility, course or structure that could be used in the conduct of KartSport either in a sporting, competitive or social manner.
- B8.10 To collect subscriptions, fees, charges, monetary penalties and any other payments and to raise money by any other lawful means pursuant to the objects of KartSport New Zealand.
- B8.11 To invest and deal with the funds of KartSport New Zealand in such a manner and providing such securities as are contained in these regulations.
- B8.12 To make grants, donations or subsidies to any charitable, educational, public, sporting or deserving body, club, organisation or association.
- B8.13 To insure through Public Liability insurance KartSport New Zealand and all officers and members provided they hold current membership with KartSport New Zealand and to insure spectators, officials, organisers, managers, servants, employees and sponsors against known contingencies.
- C8.14 To do all such other things as are incidental to or conducive to the attainment of these objectives and generally to exercise the powers and undertake all the operations and acts and other things that a person of full age and capacity can exercise, undertake and do according to law.

B9 REGISTERED OFFICE

- B9.1 Situation: The Registered Office of KartSport New Zealand shall be situated at such place as the National Conference or Executive from time to time shall determine, and shall cause notice thereof to be sent to the Registrar under the provisions of the Incorporated Societies' Act.

B10 MEMBERSHIP

B10.1 Composition:

Membership of KartSport New Zealand will be composed of 'MEMBERS' and 'REGISTERED MEMBERS' as defined in B7.18 and B7.23 respectively.

B10.2 Admissions:

Persons, clubs, associations or managements shall be admitted as Affiliated Members of KartSport New Zealand provided that they apply through the National Office, submitting the fees currently required in accordance with the regulations and provided that they follow the provisions and conditions set out below :-

B10.2.1 INCORPORATED BODIES: Every club, association or management, which is itself an Incorporated body under the Incorporated Societies Act 1908 has the right to apply to KartSport New Zealand for affiliation. An application must include an up-to-date copy of their Constitution bearing that body's Common Seal plus such fees as are payable at the time of application and will be subject to any other conditions of these Regulations or of Regulations set by the National Conference or Executive from time to time.

B10.2.2 NON INCORPORATED BODIES: Associations or managements which are not incorporated but which are prepared to comply with all rulings of KartSport New Zealand may be considered as affiliates. An application must be made in the same manner as for an incorporated body, but in the place of a Constitution the applicant must make a legal declaration of the aims and intent of the body. Such a body must be prepared to represent itself before the Executive when the application is to be considered.

B10.2.3 The Executive shall decide when and in what order applications may be received and whatever steps may be taken to accept or reject an application, be it from a person, club, association or management.

B10.2.4 The constitution of any incorporated body or the legal declaration of any non-incorporated body applying for admission shall contain a clause stating that it recognises KartSport New Zealand as the sole governing body of KartSport in New Zealand.

B10.2.5 The amount of any subscription or any other fees set under these Regulations must be received by the National Secretary or the National Treasurer before the Executive deals with the application; however any such subscription or fees will be returned to the applicant if such application is declined.

- B10.2.6 Every club, association or management incorporated or otherwise granted affiliation to KartSport New Zealand agrees to be bound by the Regulations, Codes, Rules and Specifications of KartSport New Zealand and such decisions as the National Conference, Executive, or Codes, Rules and Specifications sub-committee may make. All accounts, subscriptions, dues, fees, fines etc which may be payable to KartSport New Zealand must be paid in accordance with KartSport New Zealand's normal business practice or by such time as may be stated by the National Conference or Executive. Any body affiliated to the KartSport New Zealand agrees to be subject to such penalties as may be decided by the National Conference or Executive for failing to observe or comply with these Regulations or the rulings of the KartSport New Zealand as set or advised from time to time.
- B10.2.7 Every affiliated body which is incorporated must lodge a copy of its constitution with KartSport New Zealand and any changes to that constitution must be advised to KartSport New Zealand in writing or an updated copy of their constitution submitted as those changes are registered.
- B10.2.8 Every affiliated body which is not incorporated must lodge a copy of their legal declaration of aims and intent with KartSport New Zealand and any changes to that legal declaration must be advised to KartSport New Zealand in writing or a new legal declaration must be submitted as those changes are made.
- B10.2.9 Applications for a Competition Licence or Registered Membership shall only be made to the National Licensing Secretary by any current Member of KartSport New Zealand. Each applicant must provide such information as may be required and include such fees as are currently set. Every applicant by virtue of their application will be bound by the Regulations, Codes, Rules, and Specifications of KartSport New Zealand in every respect. It is every applicant's responsibility to be fully aware of all Regulations, Codes, Rules, and Specifications governing KartSport. Any Member or Registered Member will be subject to such penalties as may be decided by the National Conference or Executive for failing to observe or comply with the Regulations, Codes, Rules, and Specifications or the rulings of KartSport New Zealand as set or advised from time to time.
- B10.2.10 The Executive shall at all times reserve the right to refuse affiliation or registered membership to any person, club, association or management on any grounds. The Executive will supply in writing the reason for their refusal of any such application whether it is a new application or renewal of and existing affiliation or membership.
- B10.3 Terminations:**
The status of any Member, Registered Member or Affiliated Body can be terminated in the event of any of the following :-
- B10.3.1 By death in the case of a person or by dissolution in the case of any affiliated body.

- B10.3.2 By resignation under the hand or seal of the Member, Registered Member, Affiliated Body or Life Member and on payment of all subscriptions, fees, fines or any other monies owing to KartSport New Zealand and on acceptance of the resignation by the Executive of KartSport New Zealand.
- B10.3.3 In the case of an Affiliated Body resignation must be in writing on official letterhead and come as a result of a decision of a General Meeting of the body.
- B10.3.4 Upon a member or Registered Member failing to remain a member of an affiliated body for three months or by failure of an Affiliated Body to pay affiliation fees within three calendar months of the due date.
- B10.3.5 In the event of an Affiliated body having failed to maintain their affiliation fees to KartSport New Zealand, yet wishing to update their affiliation at a later date, such body must make application in the same manner as for a new affiliate in accordance with these Regulations and will be liable for all affiliation fees that would have been payable between the time of non payment and the time of reaffiliation. Notwithstanding, the Executive may consider the amount of fees due and under reasonable circumstances make any adjustment they may consider fair and reasonable and this decision will be final.
- B10.3.6 By decision of the Executive resulting from unlawful activity or serious non-compliance with the Regulations, Codes, Rules or Specifications by any Member, Registered Member or Affiliated Body.
- B10.3.7 Any member, registered member or affiliated body who ceases to be a member for any reason;
- i. Will still be liable to KartSport New Zealand Inc. for payment of all monies owing to KartSport New Zealand Inc. at the date of cessation of membership
 - ii. Must immediately return to KartSport New Zealand Inc. National Secretary, all KartSport New Zealand Inc. property that is in the persons possession or control
 - iii. Must not hold ones self out in the future as a member of KartSport New Zealand Inc. whilst their membership is suspended or not current.

B11 MANAGEMENT

B11.1 Meetings

- B11.1.1 The National Conference of KartSport New Zealand shall be held during the month of August in a location decided by the Executive.
- B11.1.2 The National Conference shall elect members of the Executive, receive the Annual Report and Balance Sheet and transact the business of KartSport New Zealand. This business will include Notices of Motion, Remits, Election of Executive, and Applications for Events. All business to be transacted must be notified under one of the above headings.

- B11.1.3 Not less than 90 days written notice shall be given to Affiliated Bodies regarding the meeting date. The proposed business of such meeting will be circulated to Affiliated Bodies not less than 21 days before the meeting.
- B11.1.4 The National President shall, at any time he may deem necessary, instruct the Secretary to summon by written notice a Special National Conference or a meeting of the Executive. Such notice in the case of Special National Conference shall state the business to be transacted at such meeting and shall be notified to Affiliated Bodies not less than 21 days before such meeting.
- B11.1.5 The National President, or in his absence the National Vice President shall be required to call an Executive meeting when requested by a minimum of 2/3rds of the members of the Executive or by a petition signed by at least 2/3rds of Affiliated Clubs. Such Executive meetings are to take place within 30 days of receipt of a written application, setting forth the purpose for which the meeting is required and at such meeting no matter shall be discussed except the subject for which the meeting was called.
- B11.1.6 Nevertheless if for any reason the Executive does not comply with such notice provisions, calling of such a National Conference or Special National Conference shall be valid and binding on KartSport New Zealand and any Notices of Motion and other items of business may be tabled and voted on at the meeting.
- B11.1.7 The National President, or in his absence the National Vice President, or in his absence an elected interim Chairperson shall take the Chair of all National Conferences, Special National Conferences or Executive meetings.
- B11.1.8 The National President shall be required to call a Special National Conference of KartSport New Zealand when requested in writing by at least 2/3rds of the Executive or a petition signed by at least 2/3rds of current financial Affiliated Clubs specifying the purpose for which the meeting is required.
Such Special National Conference shall take place within 40 days from receipt of the Executive's decision or the petition. At such meeting, no matter shall be discussed except the subject/s for which the meeting was called. Written notice of the business to be transacted shall be circulated to Affiliated Bodies no less than 21 days before such meeting.
- B11.1.9 At all National and Special National Conferences of KartSport New Zealand, 2/3rds of the number of Affiliated Clubs financial at that time shall form a quorum.
- B11.1.10 The quorum for an Executive meeting shall be 60% of its members. This number will not include KartSport New Zealand Officers.

B11.2 Voting

- B11.2.1 At National and Special National Conferences each Affiliated Club shall be entitled to one vote and each Club represented shall record a vote either for or against. To be eligible to vote an Affiliated Club must be currently registered by the Registrar of Incorporated Societies prior to 5pm on the Monday preceding the National Conference or a Special National Conference.
- B11.2.2 At National and Special National Conferences changes to the Regulations, shall require a two-thirds majority of the votes cast.
- B11.2.3 No proxy voting at any level will be permitted.
- B11.2.4 At National Conference and Special National Conference the method of voting will be by voice or by a showing of hands, or if at least one delegate so wishes, by ballot. Voting for election of members of the Executive will be by ballot.
- B11.2.5 At National Conference and Special National Conference level the persons voting will be one delegate from each affiliated Club in accordance with these Regulations. Appointed Officers and members of the Executive will not be permitted to vote unless they are themselves present as a delegate from an affiliated Club. The only exception to this will be the National President or whoever may be in the chair where the chair will have a casting vote.
- B11.2.6 At Executive meetings the only persons eligible to vote will be the Executive members. Voting will be by voice or a showing of hands, or if at least one member so wishes by ballot. The National President or whoever may be in the chair will have a second or casting vote.
- B11.2.7 The Executive may meet and vote by teleconference/skype/electronic means.

B11.3 Election, Appointment Review and Termination of Offices

- B11.3.1 Except for the Competitions Manager, the members of the Executive will be elected by ballot at the National Conference. In the event there are more than two nominations for a position multiple ballots will be required until there are two names in the final ballot. Each position will be balloted even where there is only one nominee. In the case of there being only one nomination received a simple majority vote is required for affirmation.
- The term of all elected members will be two years. The term for the member(s) appointed by the elected members of the Executive will be until the next annual Conference. At the end of their term members must stand down but are eligible for renomination for a further term.
- The elected members of the Executive will appoint the Competitions Manager for periods, as determined from time to time, by the elected members. During his/her term the Competitions Manager will be an ex officio member of the Executive and be granted full Executive voting rights.

The Executive shall appoint as ex officio members of KartSport New Zealand a National Secretary and a National Treasurer and may appoint such other persons as may be desired. The period of office for all these persons, except those with employment contracts, shall expire at the end of the current term of the Executive. The office of the National Secretary and National Treasurer may be held by the same person. The National Secretary must attend all National Conferences, Special National Conferences, and Executive Meetings. The National Treasurer must attend all National Conferences and Special National Conferences. The National Treasurer must attend Executive Meetings at the request of the Executive.

The National Secretary and the National Treasurer do not have Executive voting rights.

B11.3.2 The Executive may appoint persons such as the Competitions Manager, National Steward, the National Technical Officer, the Chief Scrutineer, the Competition Licence Secretary, the Permits Manager, the National Race Control Advisor, the Medical Officer, the National Track and Safety Inspector, National Race Director, the National Schools Co-ordinator, the Webmaster, the Academy Director, Area Race Officials Co-ordinators, members of Working Groups and Committees, Race Officials, Technical Officers, Timekeepers, and any other Officers as the Executive may determine.

On the recommendation of the Chief Scrutineer, the Competitions Manager may appoint Machine Examiners.

All such persons appointed under this clause shall be known as KartSport New Zealand Officers and shall be ex officio members of KartSport New Zealand.

Such persons shall hold their position for the term of the Executive. Every newly elected Executive will make and/or confirm such appointments.

B11.3.3 Persons being appointed to the position of Steward, Clerk of Course, Technical Officer, Timekeeper and Machine Examiner shall be nominated by an affiliated body on official letterhead and lodged with written consent of the person concerned. A nominee shall complete any appraisal or training required by KartSport New Zealand before being appointed. Duties determined by the Executive.

B11.3.4 An appointment under Clause B11.3.2 can be reviewed as seen fit by the Executive and the appointee promoted, demoted or affirmed in the position or the appointment cancelled.

B11.3.5 Refusal to comply with lawful instruction or refusal to comply with the Regulations, Codes, Rules, or Specifications by an appointee under Clause B11.3.2, will, depending on the position, be addressed by the Executive, the National Steward, or National Technical Officer, in association with the National President and the appointee may be demoted, the appointment cancelled or the appointee penalised.

B11.3.6 KartSport New Zealand Officers shall attend meetings of the Executive when requested.

- B11.3.7 The National Secretary and the National Treasurer shall be the National Secretary and National Treasurer respectively of the National Conference, Special National Conference and the Executive.
- B11.3.8 Nominations for the Patron and Executive Members may only be made by affiliated Clubs. Such nominations for specific positions must be on official letterhead with written acceptance by the nominee and shall be in the hands of the National Secretary 60 days prior to the National Conference or by another date set by the Executive. However if no written nominations are received for specific positions nominations can be made from the floor with the nominees' written consent.
The Patron and Executive members will be elected only at National Conference and only on receipt of written nomination to a specific position with written acceptance from the nominee of that nomination. Every position must be voted on, even if there is only one nomination for a position. In the case of only one nomination being received a simple majority vote is required for affirmation. In other cases the highest polling nominees will be affirmed. Any nominee standing for a position on the Executive should be present if he has not served a term of office on the Executive before. If he is not present at the time of voting the nomination may be refused by the Chairperson.
- B11.3.9 Should the Patron's, a KartSport New Zealand Officer or Executive position become vacant the Executive will decide whether the position should remain vacant. The Executive may appoint a person to fill the position until the next Conference.
- B11.3.10 An Executive member who fails to act on or refuses to act on a decision or requirement of the Executive within a reasonable period or acts in a way that in the opinion of the majority of the Executive is prejudicial to the objects of Kartsport New Zealand Inc. may be suspended for a period not exceeding 3 months. The Executive will record such suspensions in the minutes as conclusive evidence of the suspension. An Executive member must resign if that member is convicted of any criminal offence which in the opinion of the Executive constitutes a serious offence.
- B11.3.11 No person may be nominated for or appointed to an Executive position if they are an undischarged bankrupt or have been convicted of a crime involving dishonesty or have been prohibited from managing a company by the Registrar of Companies within the last five years. An Executive member must immediately resign if that member is declared bankrupt, convicted of a crime involving dishonesty or is prohibited from managing a company by the Registrar of Companies.
- B11.3.12 The Patron will be appointed for a term of approximately one year being the period from one National Conference to the next National Conference.

B11.4 Finance

- B11.4.1 The finances of KartSport New Zealand will be administered by the National Treasurer who will issue a receipt and will cause all monies to be banked in a bank to be named by the National Conference or Executive. Said bank may be varied from time to time at the discretion of the National Conference or Executive to suit the residence of the National Treasurer or National President.
- B11.4.2 The income of KartSport New Zealand will come from subscriptions from all affiliated bodies, from championship events, races or competitions, from levies, fines and fees and from payments made by registered members, affiliated bodies or any source that the National Conference or the Executive shall from time to time determine. (See Appendix Two).
- B11.4.3 The banking of KartSport New Zealand will be as decided from time to time by the National Conference and shall be under the signatures of the National President, the National Treasurer, the National Vice-President and one Executive member. Any two (2) signatures of the foregoing may operate on an account of KartSport New Zealand but one signature MUST be that of the National President or National Vice President.
- B11.4.4 No liability to KartSport New Zealand shall be incurred by Members, Registered Members or Affiliated bodies without signed Executive authorisation. Any unauthorised liability will be the responsibility of the person or affiliated body incurring the liability.
- B11.4.5 The Executive is authorised to undertake transactions to purchase, take or otherwise acquire upon such terms as it may think fit, any real or personal property and any rights and privileges either necessary or convenient for the purposes of KartSport New Zealand providing such transactions are within the Limits of Authority contained in Appendix One. Limits of Authority can only be altered by a Notice of Motion at a National Conference or Special National Conference.
- B11.4.6 The Executive is authorised on behalf of KartSport New Zealand to borrow or raise money upon mortgages of any of the real and personal or other obligations or securities of KartSport New Zealand providing such transactions are within the Limits of Authority contained in Appendix One. Limits of Authority can only be altered by a Notice of Motion at a National Conference or Special National Conference.
- B11.4.7 The Executive is authorised to invest and deal with the funds of KartSport New Zealand upon such securities or in a manner and upon such terms and conditions as the Executive may think fit, providing such transactions are within the Limits of Authority contained in Appendix One. Limits of Authority can only be altered by a Notice of Motion at a National Conference or Special National Conference.

- B11.4.8 All claims, accounts, debts and liabilities of the KartSport New Zealand shall, after approval, by the Executive, be paid by cheque or direct credit.
- B11.4.9 The Treasurer shall submit to the National Conference each year a statement of KartSport New Zealand accounts for the past year which shall have previously been audited and certified as correct by the Auditor appointed for that purpose at the previous National Conference.
- B11.4.10 No member of KartSport New Zealand or any person associated with a member shall participate in or materially influence any decision made by the organisation in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever. Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value). The provisions and effect of this clause shall not be removed from this document, and shall be included and implied into any document replacing this document.

B11.5 General

Between National Conference meetings the Executive will attend to the affairs of the KartSport New Zealand and will make such decisions as they may deem necessary in the interest of KartSport. Between Executive meetings the National President will make such decisions as he considers necessary in the best interests of KartSport PROVIDED that such powers are used with wisdom and ratified at the following meeting of the Executive. Decisions made under this Regulation are binding from the time the decision is made.

B11.6 Contingencies

Where any particular Regulation, Code, Rule or Specification is silent then the appropriate Regulation, Code, Rule, or Specification of the CIK shall prevail. Where circumstances arise which are not, or are alleged not to be provided for in the Regulations, Codes, Rules, or Specifications of KartSport New Zealand and which require to be resolved by KartSport New Zealand they shall be determined by a National Conference meeting, by the Executive or by the National President until such time as such decision is revoked or varied by another decision of National Conference or Executive or the National President. Decisions made under this Regulation are binding from the time the decision is made.

B12 ALTERATION OF REGULATIONS, CODES, RULES AND SPECIFICATIONS.

Unless otherwise provided for, the Regulations, Codes, Rules and Specifications of KartSport New Zealand may only be altered or varied in the following manner:

B12.1 Regulations

Changes to the Regulations must be by Notice of Motion to the National Conference or Special National Conference submitted from an affiliated body or from the Executive. Notices of Motion will be voted on in their original presentation with no amendments accepted and require a 2/3rds majority vote before confirmation. Any changes to the Regulations will take effect from the 1st December that year or an earlier date should National Conference or Special National Conference vote that urgency is required.

B12.1.1 Notices of Motion

Notices of Motion must be sent to the National Secretary for receipt no later than the date set by the Executive which must not be less than 60 days before the date of the National Conference or 28 days before the date of the Special National Conference at which the Notices will be considered. No Notice of Motion to vary the Regulations of Kartsport New Zealand shall be laid before a National Conference or a Special National Conference unless the Notice of Motion conforms as to both substance and form with directions issued by or on behalf of the Executive to affiliated bodies regarding the giving of Notices of Motion. The certificate of the National Secretary as to compliance with this rule shall be final and binding on all members.

B12.1.2 No addition to or alteration or rescission of the Regulations shall be approved if it affects the non-profit aims, personal benefit clause or the winding-up clause.”

B12.2 Codes, Rules and Specifications Changes Made by the Executive

Changes to the Codes, Rules and Specifications will be made by the Executive. The Executive may add, amend or delete Codes, Rules and Specifications without such changes being referred to affiliated bodies or being subject to the Consultation Rounds procedures under clauses B12.2.2 to B12.2.7. A 2/3rds majority vote by the Executive is required for a change in a Code, Rule or Specification to become effective. Changes to Codes, Rules and Specifications will not come into effect until at least 30 days after the Executive decision and at least 10 days after they have been notified to affiliated bodies in writing and published on the official KartSport New Zealand website. Changes to Codes, Rules and Specifications approved by the Executive to address an urgent safety issue(s) may be put into effect immediately without notice. The Executive will have full discretion to determine whether there is an urgent safety issue involved. Decisions on Codes, Rules and Specifications by the Executive are final.

B12.2.1 Codes, Rules and Specifications Sub Committee

The Executive may choose to delegate the task of investigating and considering some or all changes to Codes, Rules and Specifications to a Codes, Rules and Specifications sub-committee. Recommendations from the sub-committee must be ratified by the Executive before coming into effect. If such a sub-committee is established, it will consist of a minimum of 2 and a maximum of 4 Executive members plus a minimum of 2 and a maximum of 4 non-Executive members. The appointment terms of non-Executive Codes, Rules and Specifications committee members shall be no longer than one year, and these members may be re-appointed. The Chairperson of the Codes, Rules and Specifications sub committee will be an Executive member, who in the event of a tied vote, will have a casting vote. A quorum of the Codes, Rules and Specifications sub-committee will be 5 persons, 2 of whom must be Executive members. A simple majority vote is required for a Code, Rule or Specification to be recommended to the Executive.

B12.2.2 Codes, Rules and Specifications Consultation Rounds

The Executive, or the Codes, Rules and Specifications sub-committee, must convene a Codes, Rules and Specifications Consultation Round at least once per year to consider proposals to change Codes, Rules and Specifications. The key dates for each Codes, Rules and Specifications Consultation Round must be notified, at least 30 days prior to the commencement of the Consultation Round, to affiliated bodies in writing and published on the official KartSport New Zealand website. A Consultation Round shall consist of a first meeting (Meeting One) to initially consider proposals, a notification to and response from affiliated bodies, and a second meeting (Meeting Two) to reconsider proposals.

B12.2.3 Proposals to Change Codes, Rules and Specifications

Changes to Codes, Rules and Specifications include new Codes, Rules and Specifications and additions, deletions or variations to existing Codes, Rules and Specifications. Proposals for changes to Codes, Rules and Specifications must be submitted in writing to the National Secretary no later than the respective Consultation Round date for submission of proposals, notified to affiliate bodies in writing and published on the official KartSport New Zealand website. Proposals may be submitted by an affiliated body or a member of the Executive. Proposals for additions, deletions or variations to Codes, Rules and Specifications must be typed on the prescribed form in the manner directed by the Executive and sent to the National Secretary.

B12.2.4 Codes, Rules and Specifications Meeting One

Codes, Rules and Specifications Meeting One may be held by the Executive, or the Codes, Rules and Specifications sub-committee, in person or by any other form of communication acceptable to the Executive. The date of Codes, Rules and Specifications Meeting One must be notified to affiliated bodies in writing and published on the official KartSport New Zealand website. The Executive or the Codes, Rules and Specifications sub-committee may, at its discretion, invite people able to provide expert advice, a representative from any affiliated bodies proposing the rule changes and any other submitters to attend the meeting in person, or by any other form of communication acceptable to the Executive, to answer questions about proposals.

B12.2.5 Notification of Proposals to Change Codes, Rules and Specifications

Proposed Codes, Rules and Specifications changes received by the National Secretary, along with any written supporting notes from the proposer and comments from the Sub-Committee, must be sent to all affiliate bodies no later than the respective Consultation Round date for notification. This date must be notified to affiliated bodies in writing and published on the official KartSport New Zealand website. Where possible, the proposals should also be published on the official KartSport New Zealand website and/or in at least one newsletter to KartSport New Zealand Inc. members. Affiliated bodies must be given no less than 40 days to respond to the proposals and recommendations.

B12.2.6 The Right to Respond to Proposals to Change Codes, Rules and Specifications

Affiliated bodies may forward to the National Secretary written submissions about notified proposals to change Codes, Rules and Specifications. The Executive and the Codes, Rules and Specifications sub-committee must take such written submissions into account when considering proposals to change the Codes, Rules and Specifications provided they are received by the National Secretary no later than the respective Consultation Round date for submissions as notified to affiliated bodies in writing and published on the official KartSport New Zealand website.

B12.2.7 Codes, Rules and Specifications Meeting Two

Codes, Rules and Specifications Meeting Two may be held by the Executive, or the Codes, Rules and Specifications sub-committee, in person or by any other form of communication acceptable to the Executive. The date of Codes, Rules and Specifications Meeting Two must be notified to affiliate bodies in writing and published on the official KartSport New Zealand website. The Executive or the Codes, Rules and Specifications sub-committee may, at its discretion, invite people able to provide expert advice, a representative from any affiliated bodies proposing the rule changes and any other submitters to attend the rules meeting in person, or by any other form of communication acceptable to the Executive, to answer questions about proposals and submissions. From Codes, Rules and Specifications Meeting Two the Sub-Committee will make its recommendations to the Executive including, if considered necessary, a recommendation to refer one or more of the proposals to National Conference for further input.

B.12.3 CIK Codes, Rules and Specifications.

The Codes, Rules and Specifications will be under the control of the KartSport New Zealand Executive who are empowered to make changes to the Codes, Rules and Specifications as they are introduced by the CIK, and determine the necessity and timing for implementation of these changes.

B13 THE COMMON SEAL

B13.1 There will be a COMMON SEAL of KartSport New Zealand which will be in the form of a circle with words KARTSPORT NEW ZEALAND INCORPORATED around the perimeter and the words COMMON SEAL in the centre.

B13.2 The Common Seal shall be affixed to all documents issued or authorised by or pursuant to any resolution of National Conference or Special National Conference or Executive or requiring to be sealed under the provisions of any Act or of any Rule of Law or of the Regulations of KartSport New Zealand or the Rules of the Incorporated Societies' Act.

B13.3 The Common Seal shall not be affixed to any instrument, contract or document except by the authority of the National Conference, Special National Conference or of the Executive and in the presence of at least two (2) members of the Executive and of the National Secretary or such other persons as the Executive may appoint for the purpose, and those Members of Executive and the National Secretary or other person as stated shall sign autographically every instrument to which the Common Seal is so affixed in their presence.

B13.4 The Common Seal shall be held by the National Secretary.

B14 COMPETITIONS

- B14.1 The Rules for the conduct of all KartSport and allied sports, competitions and events organised or promoted by KartSport New Zealand, affiliated bodies, members or registered members, either alone or in conjunction with any other organisation, and for all matters incidental thereto to the extent that such Rules are appropriate and binding, shall be as follows:
- B14.2 The Acts of Parliament of New Zealand and all Regulations and other delegated legislation made thereunder.
- B14.3 The Regulations, Codes, Rules, Procedures and Specifications of KartSport New Zealand.
- B14.4 The Rules of the promoting affiliated body
- B14.5 The supplementary Rules, Specifications and conditions, if any for the competition or event, PROVIDED they are advised well prior to the event and approved by the Competitions Manager.

B15 RULES, SPECIFICATIONS and COMPETITION

- B15.1 The Rules and Specifications apply to all competitions for karts and similar vehicles used in KartSport competitions or events and organised or held by any affiliated body and may not be varied except with written approval of the Competitions Manager through Supplementary Rules and Specifications.

B16 REGULATIONS, CODES, RULES, SPECIFICATIONS and ORGANISATIONS

- B16.1 Every affiliated body, member, and registered member by virtue of status, affiliation or relationship shall be conclusively presumed to have agreed to observe perform and carry out the requirements of the provisions of the Regulations, Codes, Rules and Specifications of KartSport New Zealand and such status, affiliation or relationship shall operate as an agreement accordingly.
- B16.2 All KartSport related meetings, competitions and events organised or held by affiliated bodies shall be so organised or held in accordance with the provisions of the Regulations, Codes, Rules and Specifications of KartSport New Zealand.

B17 DISSOLUTION

- B17.1 KartSport New Zealand may be wound up voluntarily following a resolution of a National Conference or Special National Conference of which not less than sixty (60) days clear notice shall have been given to all affiliated bodies. Such notice shall specify the content and purpose of the resolution.
- B17.2 Any resolution passed under the provisions of Rule B17.1 shall be confirmed by a further resolution passed by a subsequent meeting of National Conference or Special National Conference of which not less than sixty (60) days clear notice shall have been given to all affiliated bodies. Such notice shall specify the intention to confirm the earlier resolution, and if not so confirmed that earlier resolution will be considered overturned.
- B17.3 The meeting of National Conference or Special National Conference held under the provisions of B17.2 above shall be held not earlier than ninety (90) days after the resolution following the meeting held under B17.1.
- B17.4 Notice of these meetings of National Conference or Special National Conference held under the provisions of this rule shall be given by post, but in addition may be given by any further methods authorised under the Rules of KartSport New Zealand.
- B17.5 Quorums for meetings held under the provisions of B17.1 and B17.2 shall be 2/3rds of the number of affiliated clubs financial at that time.

B17.6 **DISPOSITION** - In the event of KartSport New Zealand being wound up, whether voluntarily pursuant to these Rules or compulsorily according to law, the surplus assets of the KartSport New Zealand (exclusive of any assets held subject to any trusts) after payment of all costs, debts and liabilities shall be vested in and transferred equally to any charitable organisation or public purpose decided by resolution of National Conference or Special National Conference.

B17.7 **NON-PARTICIPATION** - Members of KartSport New Zealand (registered members, affiliated bodies as well as National Officers, or members of National Conference, Special National Conference or Executive) shall not participate in the assets owned or held by KartSport New Zealand in the event of winding up whether voluntarily or otherwise, except to the following extent -

B17.7.1 A creditor of KartSport New Zealand to the extent of the security or other debt being satisfied or

B17.7.2 The donor of a trophy or other asset which is subject to trusts, conditions or a contract providing for a reversion thereof to the donor, or to some other person or organisation in the event of the winding up of KartSport New Zealand.

B18 APPLICATION OF REGULATIONS, CODES, RULES and SPECIFICATIONS

B18.1 All affiliated bodies and members, members of Executive, or any members at all claiming to be under the control of KartSport New Zealand or any of its affiliated bodies, having enjoyed any relationships or dealings with KartSport New Zealand and all competitors, drivers, officials or persons taking part in sports meetings or competitions shall be deemed to consent to and be bound by the provisions of the Regulations of KartSport New Zealand and of any Codes, Rules, Specifications or Standing Orders made pursuant to these Regulations and to any act or thing done or suffered thereunder or omitted to be done and no such person or body shall be entitled to apply or appeal to any Court or take any other action outside KartSport New Zealand or its confines, because of anything done or suffered or omitted under any of the provisions of the Regulations, Codes, Rules, and Specifications of KartSport New Zealand until all their remedies thereunder shall have been exhausted. Contravention of this Regulation will immediately invoke penalty under Regulation B11.4.4.

B19 LIFE MEMBERSHIP

B19.1 There will be provision for Life Membership of KartSport New Zealand, which will be conferred upon persons of standing in KartSport New Zealand for having distinguished themselves in the field of KartSport, administration and outstanding service to the KartSport fraternity, to KartSport New Zealand or to any of its affiliates, which may only be conferred in this manner -
By a recommendation from the Executive receiving a majority vote from National Conference.

B19.2 Any person so elected to Life Membership will be entitled to attend any National Conference or Special National Conference with rights to speak and debate, but not the right to vote, unless attending as a delegate of an affiliated Club. He will be exempt at all times of any fee, charge or payment of any subscription pertaining to KartSport New Zealand or affiliated Clubs taking his place at all times as a member of KartSport New Zealand.

B20 TERM OF OFFICE

B20.1 Unless otherwise stated the rules below will be the rules pertaining to any term of office.

For Executive - Executive will be nominated and appointed annually at the National Conference, appointment to be effective immediately following election.

The National Secretary and the National Treasurer are nominated and appointed annually by Executive, purely at the discretion of the Executive, but always under the advice of the National President.

The Immediate Past National President - This being an ex officio position which will be held for one year from the time a new National President is elected. The Immediate Past President may attend all Executive meetings by invitation in the capacity of advisor, but will have no voting rights.

B21 ANTI DOPING CODE

KartSport New Zealand endorses the Sports Anti-Doping Rules administered by Drug Free Sport New Zealand and the FIA Anti-Doping Regulations. KartSport New Zealand's procedures, sanctions and appeal procedures are set out in KartSport New Zealand's Anti Doping Code.

B22 JUDICIAL CODE

KartSport New Zealand recognises the principles set out in the FIA International Sporting Code. KartSport New Zealand's judicial procedures including those for control of events, protests and appeals are set out in KartSport New Zealand's Judicial Code. Fees are set out in Appendix Two.

B23 EFFECT OF KARTSPORT NEW ZEALAND REGULATIONS, CODES, RULES, PROCEDURES AND SPECIFICATIONS.

The Regulations, Codes, Rules, Procedures and Specifications of KartSport New Zealand shall apply to and be binding on all affiliated bodies, members, registered members, and persons holding office in, or being in the service of any of the aforementioned bodies as if they were rules of their own organisations.

B24 DATE OF ENDING OF THE FINANCIAL YEAR

The date of the closing of the books of KartSport New Zealand will be 30 June of each year, or a date to be decided on from time to time by the National Conference.

B25 ELECTRONIC COMMUNICATION

The requirements in this Constitution for written communication to and from Affiliated Bodies, Members and Registered Members may be by electronic means only. Communication to and from Affiliated Bodies, Members and Registered Members by electronic means shall have the same status as hard copy communication.

APPENDIX ONE SCHEDULE OF LIMITS OF AUTHORITY

Activity	Who	Limit
To sell, lease, or otherwise deal with all or any real or personal property of KartSport New Zealand	National Executive	At the discretion of the Executive
Incur extraordinary expenses on behalf of KartSport New Zealand outside of Budget without prior Executive approval	Executive Member, National Secretary, National Treasurer,	Must have National President approval
Incur expenses on an Executive approved project	Executive Member, National Secretary, National Treasurer	Within project budget
To impose fines, costs, membership suspensions, Licence suspensions and Cancellation of Licence on affiliated bodies members and registered members	National Executive	\$1,000,000 and/or Life Suspension of membership and or Cancellation of Licence for Life
	KartSport New Zealand Appeal Board. KartSport New Zealand Inquiry.	\$5,000 fine; costs of up to 100%of actual net costs incurred inclusive of GST and/or Life Suspension of membership and/or Cancellation of Licence for Life
	Panel of KartSport New Zealand Stewards of the event	\$1,000 fine and recommendation to National Executive regarding further penalties

APPENDIX TWO FEES

Club Affiliation Fee \$245 plus GST