



## KARTSPORT NEW ZEALAND MANUAL

### SECTION C –JUDICIAL CODE

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All Updates underlined

#### C KARTSPORT NEW ZEALAND JUDICIAL CODE

##### C1 INTRODUCTION

This Code has been developed based on the FIA International Sporting Code. Acceptance of the principles of the FIA Sporting Code is a condition of KartSport New Zealand's affiliation to the CIK-FIA. A competitor is a driver taking part in any on track activity of any kind coming under the authority of KartSport New Zealand.

##### C2 IDENTIFYING EVENT OFFICIALS POWERS AND AUTHORITY

###### C2.1 LIST OF EVENT OFFICIALS

The term 'event official(s)' comprises (but is not limited to) the following persons some of whom may have assistants:

- Stewards of the event
- Race Director
- Clerk of the Course
- Assistant Clerks of Course
- Convenor of the Event
- Race Secretary of the Event
- Lap Scorers/Timekeepers
- Technical Officers
- Machine Examiners
- Service Park Observers
- Flag Marshals
- Finish Line Judges
- Judges of Fact
- Starters
- Pit Marshalls (ref R3.18)

###### C2.2 NECESSARY OFFICIALS

- C2.2.1** At NZ and Island Sprint Championships and the CIK Trophy of NZ plus any other event that runs to a detailed event timetable a Race Director is required.
- C2.2.2** At Group A to E events there shall be at least two Stewards of the event and a Clerk of the Course.
- C2.2.3** At Group F events (Club Days) there shall be a minimum of a Chief Steward and a Clerk of the Course.
- C2.2.4** For all events the minimum number of Assistant Clerks of the Course specified in the track Safety Plan must be in place.

- C2.2.5** In the case of competitions decided wholly or partly by time, one or more Timekeepers. The Stewards officiate as a panel under the authority of a chairman (Chief Steward). The chairman of the panel of the Stewards of the event is, in particular, responsible for planning Stewards meetings and ensuring that arrangements are respected. They are also responsible for establishing agendas, drawing up the minutes of Stewards meetings, and finalising and submitting all event reports.
- In the event of a split ballot, the Chief Steward shall have the casting vote.
- The Clerk of the Course and/or Race Director shall remain in close contact with the Chief Steward throughout the event in order to ensure the smooth running of the event.

## **C2.3 NOMINATION OF OFFICIALS**

### **Group A to E Events**

For Group A, B, C, D and E permitted events all of the Stewards, Clerks of the Course, Race Director, Technical Officers and Machine Examiners of the event shall be from the KartSport New Zealand lists of officials. The other officials shall be nominated by the organisers, subject to the approval of KartSport New Zealand via the issue of the event permit.

### **Group F Events**

For Group F events (Club Days) the Chief Steward of the event and the required number, according to the track's Safety Plan, of Clerks of the Course shall be from the KartSport New Zealand list of Race Officials. The chairman of the Steward's panel must be a KartSport New Zealand Race Official. The other member of the panel of Steward's of the event, if not a KartSport New Zealand Race Official, will be designated an Assistant Steward appointed for the duration of the event by the Chief Steward.

## **C2.4 QUALIFICATIONS REQUIRED**

For Group A to E events the Stewards, Clerks of the Course, Technical Officers and Machine Examiners shall be selected from among those persons qualified for these tasks and included on KartSport New Zealand's list of officials but subject to the approval of KartSport New Zealand.

For Group F events (Club Days) one of the Stewards may be an Assistant Steward.

## **C2.5 PLURALITY OF DUTIES**

At an event one and the same person may, if so nominated by the organisers, undertake several of the duties referred to in C2.4 provided they are qualified for each of the said duties, subject to the approval of KartSport New Zealand.

## **C2.6 DEMARCATION OF DUTIES**

The duties of officials are defined in this Code. An official shall not, at any event, perform any duties outside the period, and/or for which they were appointed.

## **C2.7 DUTIES OF THE STEWARDS OF THE EVENT**

As a general rule the Stewards of the event will not be in any way responsible for its organisation and shall not have any management duties in connection therewith. It follows, therefore, that in the carrying out of their duties, they do not incur any responsibility except to KartSport New Zealand under whose regulations they are acting.

As an exception to this, applicable only when a meeting is promoted directly by KartSport New Zealand, the Stewards of such an event may combine their duties with those of the organizers.

The Stewards of the event shall sign and send to KartSport New Zealand a closing report as soon as practicable after the close of the event. This report will include particulars of all protests lodged, pending appeals notified to the Stewards, penalties they may have made with their recommendations as to any decisions which may have to be taken for further action, a licence suspension or a licence cancellation. In an event comprising several competitions, there may be different Stewards of the event for each competition.

Following an inspection (in conjunction with the Clerk of the Course/Race Director and a Club representative) of the circuit and complex the Chief Steward or his appointee will complete a Circuit and Complex Inspection Report prior to the commencement of Official Practice/Tuning Runs and competition. It is the responsibility of Stewards to check that the circuit and complex has the correct and valid Track and Complex Rating Certificate and that normal routine maintenance has been carried out prior to Official Practice/Tuning Runs and competition. In the event that the circuit and complex condition is not satisfactory, Stewards will request the Clerk of the Course/Race Director to stop the practice/tuning run/racing until the circuit and complex is to their satisfaction. Such actions must also be reported to a Club representative and to KartSport New Zealand.

## **C2.8 AUTHORITY OF THE STEWARDS OF THE EVENT**

The Stewards of the event shall have supreme authority for the enforcement of the Codes, Rules, Procedures, Specifications, Supplementary Rules and the race programme. They shall settle any claim that might arise during an event, subject to the rights of Protest (Refer C4) and Appeal (Refer C5 and C6) provided in this Code.

- C2.8.1** They will be responsible for all safety matters and if considered necessary may make any decisions or directions in the interests of safety or in the standard of KartSport as they may deem fit.
- C2.8.2** They will be the members of the Panel of Stewards.
- C2.8.3** They shall decide what penalty to enforce in the event of a breach of the rules.
- C2.8.4** In exceptional circumstances, they may amend the Supplementary Rules but only for reasons of force majeure and safety.
- C2.8.5** Where the event includes heats, they may alter the composition or the number of heats.
- C2.8.6** They may accept or refuse any correction proposed by a Judge of Fact (Refer C2.18.7).
- C2.8.7** They may inflict penalties or fines (Refer C3).
- C2.8.8** They may pronounce relegations (Refer C3.8).
- C2.8.9** They may pronounce exclusions (Refer C3.9).
- C2.8.10** They may amend the results (Refer C3.19).
- C2.8.11** They may prohibit from competing any competitor or any kart which they consider to be dangerous or which is reported to them by the Clerk of the Course/Race Director as being dangerous.
- C2.8.12** They may exclude from any one competition or for the duration of the event any competitor whom they consider as, or who is reported to them by the Clerk of the Course or by the organisers as being ineligible to take part, or whom they consider as being guilty of improper conduct or unfair practice.
- C2.8.13** Furthermore, they may order the removal from the course and its precincts of any competitor or their pit crew who refuses to obey the order of a responsible official.
- C2.8.14** They may postpone a competition in the event of force majeure or for serious safety reasons. NOTE: A decision to abandon an event can only be made by KartSport New Zealand.
- C2.8.15** They may modify the track as to the position of the starting and finishing lines, or in any other manner, if requested to do so by the Clerk of the Course/Race Director or the organiser in the interests of competitor and public safety.
- C2.8.16** In the event of the absence of one or several of the Stewards of the event, the Chief Steward may appoint one, or, if necessary, several Assistant Stewards, especially when the presence of two Stewards is indispensable. However formal notices can only be signed by official KartSport New Zealand Stewards.
- C2.8.17** They may take the decision to stop a race.
- C2.8.18** Stewards are entrusted with the checking of all documents relating to competitors and drivers competition licence.

## **C2.9 DUTIES OF THE RACE DIRECTOR**

When appointed the Race Director will have full power for the following matters and the Clerk of the Course may give related orders only with the Race Director's express permission.

- C2.9.1** Control the running of Official Practice, Tuning Runs and all Competition. In particular the control of the time schedule including modifying the time schedule in accordance with the Code and Competition Rules.
- C2.9.2** Stop any kart in accordance with the Code and Competition Rules.
- C2.9.3** Stop or neutralise the running of Official Practice, Tuning Runs and all Competition in accordance with the Competition Rules if he/she deems that it would be dangerous to continue them, and ensure that a new start is given in accordance with the procedure
- C2.9.4** Control the start procedure.
- C2.9.5** Conduct the Drivers Briefing.
- C2.9.6** Attend all Race Officials briefings and debriefings.
- C2.9.7** Prior to the commencement of competition arrange a group meeting to include the Starter (if additional), Pit Marshall, kart recovery personnel and First Aid personnel to discuss respective roles and responsibilities.
- C2.9.8** Ensure that all clocks used for event timing and management of the Event Timetable are synchronised to the Track Timing System.
- C2.9.9** Ensure any changes made to the Event Timetable, either prior to or during the event, are posted on the Official Notice Board.

## **C2.10 DUTIES OF THE CLERK OF THE COURSE**

The Clerk of the Course may have various assistants. The Clerk of the Course is responsible for conducting the event in accordance with the official programme.

In particular the Clerk of the Course shall:

- C2.10.1** Generally keep order, in conjunction with such public and law enforcement authorities as have undertaken to police an event and who are more immediately responsible for public safety.
- C2.10.2** Ensure that all officials are at their posts and report the absence of any of them to the Stewards of the event;
- C2.10.3** Ensure that all officials are provided with the necessary information to enable them to carry out their duties;
- C2.10.4** Control competitors and their karts and prevent any excluded, suspended or ineligible competitor from taking part in a competition for which they are not eligible.
- C2.10.5** Ensure that each kart, and if necessary, each competitor, carries the proper identification numbers in accordance with those in the programme.
- C2.10.6** Ensure that each kart is driven by the proper competitor and marshal the karts in such categories and classes as are required.
- C2.10.7** Bring the karts up to the starting line in the right order and if necessary give the start.
- C2.10.8** Convey to the Stewards of the event any proposal to modify the programme or regarding the improper conduct of, breach of rule including penalty by, or protest on the part of a competitor.
- C2.10.9** Receive these protests and transmit them immediately to the Stewards, who shall take the necessary action thereon
- C2.10.10** Collect the reports of the Timekeepers, Technical Officers, Track Marshals, together with such other official information as may be necessary for the determination of the results.
- C2.10.11** Prepare, or ask the Secretary of the event to prepare the data for the closing report (Refer C2.7) regarding the competition(s) for which they were responsible for the Stewards consideration and approval.
- C2.10.12** Stop or neutralise the running of Official Practice, Tuning Runs and all Competition in accordance with the Competition Rules if he/she deems that it would be dangerous to continue them, and ensure that a new start is given in accordance with the procedure.

## **C2.11 DUTIES OF THE CONVENOR AND RACE SECRETARY OF THE EVENT**

### **C2.11.1 Convenor**

The Convenor of the event shall be responsible for the organisation of the meeting, and all announcements required in connection therewith.

The Convenor shall ensure that the various officials are familiar with their duties and provided with the necessary equipment. If necessary, they shall second the Clerk of the Course in the preparation of the closing report for each competition.

### **C2.11.2 Race Secretary**

The Race Secretary of the event shall be responsible for the receipt, checking and confirmation of all competitor race entries. Such entries shall only be confirmed following official documentation/equipment checks made by the Race Officials and Machine Examiners respectively.

## **C2.12 DUTIES OF LAP SCORERS**

The principal duties of Lap Scorers shall be:

**C2.12.1** At the beginning of the event, to report to the Clerk of the Course (or Race Director if appointed), who will give them the necessary instructions.

**C2.12.2** To record the start of competition, whenever instructed to do so by the Clerk of the Course (or Race Director if appointed).

**C2.12.3** To record the positions gained by each competitor on completion of the course.

**C2.12.4** To prepare and sign according to their individual responsibility their reports and to send them, accompanied by all necessary documents, to the Clerk of the Course;

**C2.12.5** To send, on request, their original lap scoring sheets to the Stewards of the event;

**C2.12.6** Not to communicate any results except to the Stewards of the event and the Clerk of the Course except when otherwise instructed by these officials.

## **C2.13 DUTIES OF TIMEKEEPERS**

The principal duties of Timekeepers shall be:

**C2.13.1** At the beginning of the event, to report to the Clerk of the Course, who will give them the necessary instructions.

**C2.13.2** To record the start of competition, whenever instructed to do so by the Clerk of the Course.

**C2.13.3** To use for timing only such apparatus as is approved by KartSport New Zealand.

**C2.13.4** To declare the time taken by each competitor to complete the course.

**C2.13.5** To prepare and sign according to their individual responsibility their reports and to send them, accompanied by all necessary documents, to the Clerk of the Course;

**C2.13.6** To send, on request, their original time sheets either to the Stewards of the event;

**C2.13.7** Not to communicate any times or results except to the Stewards of the event and the Clerk of the Course except when otherwise instructed by these officials.

## **C2.14 DUTIES OF TECHNICAL OFFICERS, JUNIOR TECHNICAL OFFICERS and VINTAGE TECHNICAL OFFICERS**

### **C2.14.1 TECHNICAL OFFICERS**

Technical Officers are entrusted with all checking relating to the mechanical components of karts, dimensions, weight plus technical inspection of the engine(s) and its ancillaries. They shall:

(The weighing of karts may also be undertaken by Machine Examiners, Clerks of the Course and Assistant Clerks of the Course.)

**C2.14.1.1** Carry out these checks either before the event if requested by the Chief Steward or the organisers or during the event if requested by the Clerk of the Course.

**C2.14.1.2** Use such checking instruments as may be specified or approved by KartSport New Zealand.

**C2.14.1.3** Not communicate any official information to any person except to KartSport New Zealand, the organisers, the Stewards of the event and the Clerk of the Course;

**C2.14.1.4** Prepare and sign, under their own responsibility, their reports, and hand them to the authority among those mentioned above who instructed them to draw them up.

**C2.14.1.5** Present evidence and be in attendance throughout the presentation of evidence part of any Stewards Hearing involving technical matters (ref C3.3 and C4.5).

#### **C2.14.2 JUNIOR TECHNICAL OFFICERS**

Junior Technical Officers are entrusted with assisting for the purpose of training only in all checking relating to the mechanical components of karts, dimensions, weight plus technical inspection of the engine(s) and its ancillaries under the supervision of a Grade One, Two or Three Technical Officer

**C2.14.2.1** Use such checking instruments as may be specified or approved by KartSport New Zealand under supervision of a Technical officer.

**C2.14.2.2** Not communicate any official information to any person except to KartSport New Zealand, the Stewards or Technical Officers of the event and the Clerk of the Course if requested.

**C2.14.2.3** Prepare and sign surrender forms for surrendered items under the supervision of a Technical Officer

#### **C2.14.3 VINTAGE TECHNICAL OFFICERS**

**C2.14.3.1** To check Vintage karts and engines for compliance of all technical rules and dimensions listed in Section V of the Manual.

**C2.14.3.2** To carry out these checks either before the event if requested by the Chief Steward or the event organisers or during the event if requested by the Clerk of the Course.

**C2.14.3.3** Not communicate any official information to any person except to KartSport New Zealand, the event organisers, the Stewards of the event and the Clerk of the Course.

**C2.14.3.4** To prepare and sign, under their own responsibility, their reports and hand them to the authority among those mentioned above who instructed them to draw them up.

**C2.14.3.5** To present evidence and be in attendance throughout the presentation of the evidence part of any Stewards Hearing involving technical matters.

#### **C2.15 DUTIES OF MACHINE EXAMINERS**

Note: The duties of Machine Examiners may also be undertaken by Technical Officers and Race Officials. Machine Examiners are entrusted with undertaking safety checks of karts.

Machine Examiners shall:

**C2.15.1** Exercise their functions either before the meeting if requested by the Chief Steward or, by the organisers, or during the event if requested by the Clerk of the Course.

**C2.15.2** Use such checking instruments as may be specified or approved by the KartSport New Zealand.

**C2.15.3** Not communicate any official information to any person except to the KartSport New Zealand, the organisers, the Stewards of the event and the Clerk of the Course.

**C2.15.4** Prepare and sign, under their own responsibility, their reports and hand them to the authority among those mentioned above who instructed them to draw them up.

#### **C2.16 DUTIES OF SERVICE PARK OBSERVERS**

**C2.16.1** Service Park Observers shall control all replenishment of karts during a competition and enforce the relevant prescriptions in the Supplementary Rules.

**C2.16.2** They are under the orders of the Race Director/Clerk of the Course to whom they must immediately report any infringement committed by a competitor or by a competitor's mechanic.

**C2.16.3** At the end of each competition, they must give their report to the Race Director/Clerk of the Course, either verbally or in writing, in accordance with instructions received.

#### **C2.17 DUTIES FLAG MARSHALS**

The Flag Marshals shall occupy, along the course, posts assigned to them by the Stewards of the event or the organisers. As soon as an event begins, each Flag Marshal is under the orders of the Clerk of the Course/Race Director to whom they shall immediately report by any means at their disposal all incidents or accidents that might occur along the SECTION for which they are responsible. Flag Marshals are specifically entrusted with flag signalling.

At the end of each competition, all Flag Marshals may be requested to give the Clerk of the Course a verbal or written report on the incidents or accidents recorded by them.

## **C2.18 DUTIES OF JUDGES**

### **C2.18.1 Start line Judges**

One or several judges may be appointed by the organising committee of an event to supervise the starts. Start Line Judges shall immediately indicate to the Clerk of the Course/Race Director any false starts that may have occurred.

### **C2.18.2 Finish line Judges**

In a competition where a decision has to be given as to the order in which competitors cross a finish line, a Finish line Judge shall be nominated to give such a decision.

### **C2.18.3 Judges of Fact**

In a competition where a decision has to be given whether or not a competitor has touched or crossed a given line, or upon any other fact of the same type which has been laid down in the Supplementary Rules for the competition, one or several Judges of Fact shall be nominated to be responsible for one or several of these decisions.

The Judges of Fact on these points must be named and their names displayed on the official notice board.

### **C2.18.4 Assistant Judges**

Each of the above Judges may have an Assistant Judge appointed to assist them, or in the case of absolute necessity to replace them, but in the event of disagreement the final decision shall be given by the Judges of Fact themselves.

### **C2.18.5 Video or Electronic Systems**

Judges of Fact, Race Officials and Stewards may use any video and/or electronic systems to assist them in reaching a decision.

Any such evidence submitted to the Stewards will be held by the Chief Steward of the event until such time as it is no longer required with reference to C4 Protests. If it is required under the sections C5 Inquiries, C6 Appeals and C7 Appeals to the Motorsport New Zealand National Court of Appeal it shall be forwarded to the National Steward by the Chief Steward of the event.

The Stewards may over rule Judges of Fact.

### **C2.18.6 Protests**

No protest by competitors against the decisions of a Start Line Judge or Finish Line Judge or of a Judge of Fact shall be admitted concerning a question regarding what they have been officially appointed to decide.

The decisions of these Judges are final.

### **C2.18.7 Mistakes**

If any Judge considers that they have made a mistake they may correct it, subject to this correction being accepted by the Stewards of the event.

### **C2.18.8 Facts to be Judged**

The following Facts will be subject to Judge of Fact (Refer C2.18.3).

- Starting infringements.
- Finishing positions.
- Exceeding track limits.
- Minimum all up weight.
- Sound level measurement.
- Clutch engagement rpm.
- Competitor and Officials alcohol testing
- Fuel Testing Results
- Tyres Testing Results
- Failure to present engine (and controlled components) for inspection
- RPM Limiter temperature
- All aspects of push back nose cone compliance.

Additional Facts to be judged by the Judges of Fact must be listed in the Supplementary Rules for the event.

## **C2.18.9 Reports**

At each event each Judge shall send to the Clerk of the Course a report of their declarations as they occur. Judge of Fact decisions will be notified in the Announcements section of the My-Laps competition results. These Judge of Fact decisions will not require a separate written notification to a competitor.

## **C2.19 PERMIT, EVENT, SUPPLEMENTARY RULES AND SPECIFICATIONS AND OFFICIAL NOTICES**

### **C2.19.1 Permit**

A "Permit" is a documentary authority pursuant to (Refer R1), Permits and Event Definitions, to organise and hold a competition (event and/or series). Permits are granted solely by KartSport New Zealand. Exception: international events for which the Permit is issued by the CIK-FIA.

### **C2.19.2 Event**

An "Event" is an organised assembly of Competitors and Officials and including one or more competitive or non-competitive activities taking place within a defined period at the same venue.

### **C2.19.3 Supplementary Rules and Specifications**

"Supplementary Rules and Specifications" means the Rules and Specifications issued by the organiser of an Event and/or Series pursuant to (Refer R3), Permits and Event Definitions.

The organisers of all Group A to E Events and/or Series must, in accordance with the requirements and procedures set out in this Manual, issue and publish Supplementary Rules and Specifications approved by KartSport New Zealand. Such Supplementary Rules and Specifications must be in compliance, unless specifically approved otherwise by KartSport New Zealand, with the Rules and Specifications contained in the KartSport New Zealand Manual (including updates issued from time to time).

The Supplementary Rules and Specifications must at all times contain the relevant statements and information applicable to the Event and/or Series.

### **C2.19.4 Amendment to Supplementary Rules and Specifications and Sanctioned Series Articles:**

"Amendment" means a form listing further information which was not available when the Supplementary Rules and Specifications were first issued. Such Amendments are to be read in conjunction with the Supplementary Rules and Specifications.

**C2.19.4.1** No organiser of an Event or Series may amend the Supplementary Rules and Specifications (if any) after the date listed for the opening of entries (or date of first publication if no opening date is specified) unless all Competitors in the Event or Series agree in writing to such Amendment and:

**C2.19.4.1.1** In the case of all Amendments intended to be made before the commencement of the Event or Series, KartSport New Zealand approves the Amendment; and,

**C2.19.4.1.2** In the case of all Amendments intended to be made after the commencement of the Event, the Stewards Panel approves the Amendment and the Amendment is signed by the Chief Steward.

**C2.19.4.2** Notwithstanding the provisions of paragraph 1 of this rule, the Supplementary Rules and Specifications of an Event or Series may be amended, for reasons of safety or force majeure or to give practical effect to or correct any manifest error in or omission from the Supplementary Rules and Specifications, as follows:

**C2.19.4.2.1** Up until the commencement of the Event or Series, by KartSport New Zealand; and,

**C2.19.4.2.2** After the commencement of the Event, by the Stewards Panel with the Amendment signed by the Chief Steward.

**C2.19.4.3** No Amendment to the Supplementary Rules and Specifications of an Event or Series shall be valid unless made by way of Official Notice according to the procedures set out in the definition of "Official Notice" in Rule C2.19(e) of this Code.



**C2.19.4.4** No organiser of a Group A to E Event or Series may amend the articles of the Event or Series after the date listed for the opening of entries (or date of first publication if no opening date is specified) in the Event or Series unless KartSport New Zealand deems such Amendment is in the best interests of the sport.  
Following any such Amendment, the organiser shall notify (see Official Notice procedure) all Event or Series competitors of the fact that KartSport New Zealand has approved the Amendment.

**C2.19.5 Official Notice**

“Official Notice” means any document advising important information to Competitors in an Event or Series, which must be signed by KartSport New Zealand where issued prior to the commencement of an Event or Series, or otherwise by the Chief Steward, and which:

**C2.19.5.1** If issued before the commencement of the Event, must be placed on [www.kartsport.org.nz](http://www.kartsport.org.nz) and/or mailed, faxed, emailed or delivered to each Competitor so as to be received by each Competitor prior to the commencement of the Event or Series; or,

**C2.19.5.2** If issued after the commencement of the Event, must be communicated, if reasonable in the circumstances, to each Competitor and by placing it on an Official Notice Board at the Event; and, which shall thereupon be deemed to be a part of the Supplementary Rules and Specifications of the Event.

**C2.19.6 Force Majeure**

“Force Majeure” means, for the purposes of this Code (but not by way of limitation), any cause of delay beyond the reasonable control of the party liable to perform unless conclusive evidence to the contrary is provided and shall include unavailability of time, materials or personnel, delays in shipping or transportation, fire, explosion, strike, lock-out, storm, flood, earthquake and subsidence.

**C3 PENALTIES**

**C3.1 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.

**C3.1.1** 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.

**C3.1.2** 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.

**C3.1.3** Any fraudulent conduct or any act prejudicial to the interests of any competition, administration, control, or to the interests of karting generally.

**C3.2 PENALTIES**

Any breach of the Regulations or their Appendices, of Codes or their Appendices, of the Rules or their Appendices, or of any Supplementary Rules, or of any Specifications or their Appendices or of any Supplementary Specifications committed by any organiser, official, competitor or other person or organisation may be penalised or fined.

Penalties or fines may be imposed by the Panel of Stewards of the event, a KartSport New Zealand Appeal Board and/or KartSport New Zealand as indicated in the following articles.

The decision of the Panel of Stewards becomes immediately binding notwithstanding an appeal if it concerns questions of safety or of irregularity of entry by a competitor entering an event.

Nevertheless, as a safeguard, if a competitor appeals, excluding the cases cited above (safety, irregularity of entry), the penalty will be suspended, without however the competitor being able to take part in the prize-giving or the podium ceremony, nor can they appear in the final official classification of the event, in any place other than that resulting from the application of the penalty, unless they have won their appeal before the appeal board and/or the Motorsport New Zealand National Court of Appeal and their rights have then been re-established.

In matters relating to the fight against doping, the procedures and sanctions mentioned in the Anti-doping policy set out in KartSport New Zealand’s Anti Doping Code shall be applied.

### **C3.3 SCALE OF PENALTIES**

Penalties may be imposed as follows in order of increasing severity:

- reprimand (verbal or written)
- fine
- time penalty
- relegation
- loss of points (Qualifying/Race/Series/Championship)
- exclusion
- Licence endorsement
- Licence suspension
- Licence cancellation

Time penalty means a penalty expressed in minutes and/or seconds. Any one of the first seven penalties above can be inflicted by the Panel of Stewards, however the concerned party must be given the opportunity of presenting their defence to the Panel of Stewards if they do not accept the notified penalty, after payment of the required fee, unless the penalty is a result of a Judge of Fact. Only KartSport New Zealand may apply either of the final two penalties above.

These penalties may, where applicable, be cumulated, consecutive or applied with suspension of sentence.

### **C3.4 FINES**

A fine may be imposed on any competitor, and also on any assistant or crew, who does not comply with the requirements of any Rules or Specifications or with any instruction of the officials of the event. The imposition of a fine may be ordered by KartSport New Zealand or by the Stewards of the event. However when these fines are imposed by the Panel of Stewards they may not exceed a certain sum which will be set each year by KartSport New Zealand. (Refer Constitution Appendix One, Limits of Authority and C8.) Furthermore such fines may only be imposed in accordance with a collective decision of a Panel of Stewards.

### **C3.5 MAXIMUM FINE GIVEN BY THE STEWARDS OF THE EVENT**

Refer Constitution Appendix One, Limits of Authority and Section C9.

### **C3.6 LIABILITY TO PAY FINES**

The competitor shall be responsible for the payment of any fine imposed on them, their assistants, crew, etc.

### **C3.7 TIME LIMIT FOR PAYMENT OF FINES**

Fines shall be paid within 48 hours of their notification unless otherwise specified by an Inquiry Panel or an Appeal Board.

Any delay in making payment may entail Licence suspension during the period the fine remains unpaid. Outstanding fines may be referred to a debt collection agency.

### **C3.8 RELEGATION**

A penalty of relegation may be pronounced by the Stewards of the event under the conditions provided for (Refer C2.8). The competitor so penalised shall thereby have his/her placing in a race/heat, overall results altered.

### **C3.9 EXCLUSION**

A penalty of exclusion may be pronounced by the Stewards of the event under the conditions provided for (Refer C2.8). The competitor so penalised maybe excluded from a time trial, heat, race or the event. Total exclusion shall entail the loss of the entry fee.

### **C3.10 ENDORSEMENT**

An endorsement is a recording of a suspended penalty imposed by a Stewards Panel at any race event, an Appeal Board, an Inquiry Panel or by the KartSport New Zealand Executive.

Endorsements will be entered in the penalty section of the competitors Licence/Log Book and will state the Rule Number, the Penalty and the period of the Suspended Penalty. If a competitor is found to be in breach of the same rule within the specified time of the Endorsement then the stated penalty will apply.

Any Endorsement entered into a Licence/Log Book must be signed and stamped by a KartSport New Zealand Race Official.

Any delay beyond 48 hours in the payment of a respective fine shall be added to the term of the licence endorsement.

### **C3.11 LICENCE SUSPENSION**

A penalty of licence suspension may be pronounced only by KartSport New Zealand or as a result of an endorsement being activated, and shall be reserved for grave or repeat offences.

A sentence of licence suspension, for as long as it remains in force, shall entail the loss of any right to take part in any capacity whatsoever in any KartSport on track activity including competition held within the territory of KartSport New Zealand which has pronounced such sentence or within the territories of any country in which the authority of the FIA is recognised, according to whether such licence suspension is national or international (Refer C3.12) (except cases provided for in C3.21).

Licence suspension shall also render null and void any previous entry made for any competition which may take place during the term of such licence suspension and shall also entail the forfeiture of the fee pre-paid for any such entry.

In the event of a suspension being imposed and an appeal being lodged the suspended competitor may continue to partake in KartSport on track activity, including competition, pending the outcome of the appeal and in the event of the appeal being unsuccessful the suspended competitor shall not be entitled to be credited with any points for placings gained or to be recorded as having gained any placings after the time when the suspension was first imposed.

### **C3.12 SUSPENSION OF LICENCE**

#### **C3.12.1 National Licence suspension**

Any competitor who has had his/her licence suspended shall hand back their licence to KartSport New Zealand. At the expiry of the period of national suspension, the licence will be returned.

#### **C3.12.2 International Licence suspension**

Any entrant or competitor who is suspended internationally shall hand back their licence to KartSport New Zealand which shall not return it to them until the period of international suspension has expired.

In both the above cases, any delay in handing back the licence and/or delay beyond 48 hours of the payment of a respective fine shall be added to the term of the licence suspension.

### **C3.13 EFFECTS OF LICENCE SUSPENSION**

A sentence of licence suspension pronounced by KartSport New Zealand shall apply only within New Zealand

If, however, KartSport New Zealand wishes the sentence of licence suspension to be recognised internationally, it shall notify its wish without delay to the Secretariat of the FIA and the latter will inform all other ASNs. The sentence of licence suspension shall be noted by each ASN immediately, and the consequent restriction will thereby come into force.

### **C3.14 CANCELLATION OF LICENCE**

A sentence of cancellation of licence shall entail the permanent loss for the person concerned of any right to take part in any capacity whatsoever in any competition, except in cases provided for (Refer C3.21 and C4.4).

A sentence of cancellation of licence can be pronounced only by KartSport New Zealand, and will be reserved for offences of exceptional gravity. It shall render null and void any previous entry made by the person concerned and shall entail the forfeiture of any prepaid entry fees.

### **C3.15 EFFECTS OF CANCELLATION OF LICENCE**

A sentence of cancellation of licence shall always be international in nature.

It shall be notified to all the ASNs, and be registered by them according to the conditions of international suspension laid down (Refer C3.12).

### **C3.16 NOTIFICATIONS OF PENALTIES TO INTERNATIONAL SPORTING FEDERATIONS**

A suspension, when applicable internationally, and a cancellation of licence will be communicated to those International Federations designated by the FIA which have agreed to apply, on a reciprocal basis, the penalties inflicted by the FIA.

Any suspension or cancellation of licence made known to the FIA by these Federations will be enforced to the same extent by the FIA.

### **C3.17 STATEMENT OF REASONS FOR LICENCE SUSPENSION OR CANCELLATION OF LICENCE**

In notifying sentences of licence suspension or cancellation of licence to the person upon whom sentence is passed and to the Secretariat of the FIA, it shall be necessary for KartSport New Zealand to give its reasons for inflicting such penalty, but under no circumstances shall these reasons be published.

### **C3.18 SUSPENSION OR CANCELLATION OF LICENCE OF A KART**

A sentence of licence suspension or cancellation of licence may be pronounced on either a particular kart or on a make of kart.

### **C3.19 LOSS OF AWARDS**

Any competitor excluded, suspended or subject to licence cancellation during a competition will lose the right to obtain any of the awards assigned to the said competition.

### **C3.20 AMENDMENT TO THE RESULTS AND AWARDS**

In such cases as are provided for (Refer C3.18), the Stewards of the event shall declare the resulting amendment in the placings and awards, and they shall decide whether the next competitor should be moved up in the results.

### **C3.21 PUBLICATION OF PENALTIES**

The FIA, or KartSport New Zealand shall have the right to publish or to have published a declaration stating that it has penalised any person, kart, or make of kart.

Without prejudice to any right to appeal any decision persons referred to in such declaration shall have no right of legal action against the FIA, or KartSport New Zealand, or against any person publishing the said declaration.

### **C3.22 REMISSION OF SENTENCE**

KartSport New Zealand shall have the right to remit the unexpired period of a sentence of licence suspension or to lift a cancellation of licence under the conditions which it may determine.

## **C4 PROTESTS**

### **C4.1 RIGHT TO PROTEST**

The right to protest lies only with a competitor; nevertheless, an Official acting in his official capacity may even in the absence of a protest take such official action as the case warrants.

**C4.1.1** A competitor wishing to protest against more than one fellow competitor must lodge as many protests as there are competitors involved in the action concerned.

**C4.1.2** A competitor may only protest the result(s) of a class in which he/she is a competitor.

**C4.1.3** A competitor may only protest the driving conduct of another competitor(s) in the same class in which he/she is a competitor. Exception: If classes have been combined in the same race, a competitor may protest the driving conduct of a competitor(s) in another class.

**C4.1.4** A competitor may only protest the equipment eligibility of another competitor(s) in the same class in which he/she is a competitor.

## **C4.2 LODGING OF PROTEST**

### **Competitor**

Every protest shall be in writing on a Penalty Notification/Request Form and will be accompanied by a fee, the amount of which shall be set from time to time by KartSport New Zealand. This fee may only be returned if the protest is upheld. Every protest lodged will contain the substance of the complaint and the appropriate penalty as determined from the standard penalty list. For Technical Protests see Rule C4.10.

### **Official**

Protests from an Official will take the form of a Penalty Notification.

The Penalty Notification will be in writing and contain the substance of the complaint and the appropriate penalty as determined from the standard penalty list. **Option for Group F Club Days only:** The penalty is not contestable by the competitor and therefore not subject to a Steward's Panel Hearing or subsequent Appeal. This option can be used following the prior agreement of the Chief Steward and the event Convenor and must be notified by way of posting a Supplementary Rule for the event on the Official Notice Board and noted verbally at Drivers Briefing.

## **C4.3 TO WHOM ADDRESSED**

Protests arising out of a competition shall be addressed to the Clerk of the Course or his/her assistant if such exists.

In the absence of the Clerk of the Course or of his/her assistant such protests should be addressed to any of the Stewards of the event.

## **C4.4 PROTEST TIME LIMIT:**

**C4.4.1** A protest against the entry of a competitor or against the length of the course must be lodged, at the latest, 30 minutes prior to official practice.

**C4.4.2** Protests against the result or provisional result of an event, race or the make-up of the grid(s) must be lodged within twenty minutes of the disclosure of same.

**C4.4.3** A protest against another competitor must be lodged, at the latest, twenty minutes after the disclosure of the provisional results of the race concerned.

**C4.4.4** Protests against any error or irregularity occurring during a competition, referring to the non-compliance of karts with the rules and specifications and concerning the classification established at the end of the event shall, except in circumstances which the Stewards of the event consider as physically impossible, must be lodged within twenty minutes of the official publication of the results.

Competitors shall be advised in advance of the place and time of such a publication either by the Supplementary Rules or one of their appendices or by the programme. Should it be impossible for the organisers to publish the official results as stated, they shall issue, at the time and place fixed, accurate details concerning the measures they intend to take regarding the results.

**C4.4.5** The Stewards of the event shall treat all protests referred to above as urgent. In the case of a split vote amongst the Stewards of the event, the Chief Steward shall have the casting vote.

**C4.4.6** The time that the intention to protest is received must be noted on the Penalty Notification/Request or the Penalty Notification by the Official appointed to receive it.

## **C4.5 PROTEST HEARING**

All protest hearings conducted by the Stewards Panel will use an inquisitorial (not adversarial) process.

Where a competitor accepts the alleged offence and notified penalty the panel of stewards of the event may resolve to apply the notified penalty without a hearing. Otherwise the protest will be heard by a panel of Stewards of the event except where the penalty is a result of a Judge of Fact. The hearing of the protester and of all parties concerned by the protest shall take place as soon as possible after the protest has been lodged.

In the case of a hearing being requested by a competitor following non acceptance of a Penalty Notification from an Official, the competitor must pay a fee, the amount of which shall be set from time to time by KartSport New Zealand. This fee may only be returned if the hearing/penalty is not upheld. The concerned parties shall be summoned to appear at the hearing. There is no provision for witnesses at any hearing. The Stewards of the event must ensure that the summons has been personally received by all persons concerned.

At any hearing concerning a minor, the minors signed in parent/legal guardian must attend. It is expected that the competitor will represent themselves in which case the signed in parent/legal guardian will provide support only and may not speak. However should the competitor choose not to represent him/herself, the signed in parent/legal guardian will be the only person to represent the competitor at any judicial hearing in which case the competitor may not speak unless to answer direct questions from the Stewards Panel.

In the absence of any concerned party judgment may be made by default.

There is no provision for proxy in any protest or protest hearing.

Photographic/video evidence will be accepted providing the party wishing to present such evidence supplies suitable viewing equipment. The minimum requirement will be a screen with a 190mm wide viewable area. Such evidence will be presented by the party at any point during the presentation of their case. Such evidence must be in a format that is able to be retained by the Stewards panel for a minimum of 1 hour after the decision of the Stewards panel is delivered to all parties concerned and in the case of an appeal being lodged as to the decision it will be held until the conclusion of such appeal. If judgment cannot be given immediately after the hearing to the parties concerned, they must be advised of the place and time at which the decision will be given.

For any hearing involving a technical matter, a Technical Officer must present the evidence on behalf of KartSport New Zealand and be present throughout the presentation of evidence part of the hearing. During the panel's deliberation it may seek further guidance, advice or clarification from the Technical Officer by calling him/her back to the hearing room. If this is done the concerned party must also be called back and be present during any such period.

#### **C4.6 INADMISSIBLE PROTEST**

Protests against the decisions made by the Finish Line Judges and Judges of Fact in the exercise of their duties, as laid down (refer C2.18), will not be permitted.

A single protest against more than one competitor will not be accepted.

Protests against the Constitution are inadmissible.

#### **C4.7 PUBLICATION OF THE AWARDS AND PRIZEGIVING**

The prizegiving shall not begin until at least twenty minutes has elapsed after the official publication of the results.

A prize won by a competitor against whom a protest has been lodged must be withheld until a decision has been reached on the subject of the protest.

Moreover in the event of any protest being lodged whose outcome might modify the results of the competition, the organisers shall only publish provisional results and shall withhold all prizes until final decision concerning the protest (including appeals as laid down in Section C6) has been reached.

However when a protest may affect only part of the results, such part as is not affected by the protest may be published definitively, and the corresponding prizes distributed.

#### **C4.8 JUDGEMENT**

All parties concerned shall be bound by the decision reached, subject to the conditions of appeal laid down in this Code but neither the Stewards of the event nor KartSport New Zealand shall have the right to order that a competition be re-run.

#### **C4.9 PROTEST WITHOUT FOUNDATION**

If the protest is rejected or if it is withdrawn after being brought, but before being heard, the Protest Fee shall be returned.

If judged partially founded, or upheld, the fee will be returned in its entirety.

However, if it is proved that the author of the protest has acted in bad faith or that the protest is frivolous, KartSport New Zealand may impose upon the protestor the penalties laid down in this Code and the Protest Fee retained.

#### **C4.10 TECHNICAL PROTESTS**

Where a protest is brought by a competitor against a controlled item requiring technical inspection, the item will be inspected by the Technical Officers of the event.

If the technical inspection is of an invasive nature and requires disassembly of sealed components the inspection will be carried out at the conclusion of racing. Protests of this nature must include a \$250 Re-assembly Bond payable at the same time as the Protest Fee.

If the controlled item is deemed legal the Re-Assembly Bond will be given to the protested competitor as a contribution towards re assembly costs.

If the controlled item is deemed illegal the Re-Assembly Bond will be returned to the competitor who lodged the protest. Note: If the matter is subject to appeal KartSport New Zealand will hold the Re-Assembly Bond until such time the matter is resolved.

No technical protests will be accepted regarding a sealed Briggs & Stratton crankcase providing the two factory Briggs & Stratton seals are in place and intact.

#### **C5 INQUIRIES BY KARTSPORT NEW ZEALAND**

##### **C5.1 KARTSPORT NEW ZEALAND MAY HOLD HEARINGS:**

Without affecting in any way the right of any Executive Member, Office Bearer, Member Club, Associate Member, Official or Competitor as to protest or appeal under this Code, KartSport New Zealand may within 90 days of the conclusion of a Meeting or Event, convene a hearing to inquire into the conduct of the Meeting or Event.

##### **C5.2 DECISION TO HOLD HEARING:**

KartSport New Zealand may direct such hearings be held on the following grounds:

**C5.2.1** That it appears from the Stewards report or otherwise that the results of a competition have been improperly or incorrectly made out.

**C5.2.2** That it appears from the Steward's report or otherwise that the conduct of a promotion or part thereof, or the conduct of any participant therein, or the eligibility of any competing kart requires investigation having regard to the interests of KartSport generally and the administration thereof by KartSport New Zealand.

**C5.2.3** That it appears from the Steward's Report or otherwise that any penalty imposed was clearly excessive or clearly inadequate, or that for special reasons such penalty was inappropriate.

**C5.2.4** That it appears on the application of any competitor that an inquiry into any competition is called for on the basis that there has been either a gross miscarriage of justice or such inquiry is considered fundamental to the interests of KartSport.

**C5.2.5** That it appears any Executive Member, Official, Club, Promoter, Organiser or any other person or Organisation has committed any breach of this Code, its Appendices and Schedules, or International Sporting Code.

**C5.2.6** That it appears any Executive Member, Official, Club, Promoter, Organiser or any person or Organisation has been guilty of any act or omission prejudicial to the interest of KartSport New Zealand or any competition or of KartSport generally.

**C5.2.7** The decision to hold any such hearing will be made by the Executive.

**C5.2.8** No such hearing shall be ordered unless KartSport New Zealand is satisfied that on the information available to it there is a prima facie case to be met. In cases of extreme misconduct, verbal or physical abuse, KartSport New Zealand may resolve with a two third majority vote of the Executive, to suspend a competitor's licence with immediate effect, pending the outcome of the hearing.

**C5.2.9** Where any member of the Executive brings to the attention of KartSport New Zealand any facts or circumstances on which a decision to hold any such hearing shall be based, that person shall take no further part in KartSport New Zealand deliberations both as to whether a hearing should be held or at the substantive hearing itself other than as in the role of an informant.

### **C5.3 CONDUCT OF HEARING:**

#### **GENERAL**

**C5.3.1** Having decided to convene a hearing to inquire into the conduct of a Meeting or Event, KartSport New Zealand by and through its Executive shall resolve to hold the hearing before either:

- A meeting of the Executive; or
- A Panel appointed by the Executive for the purpose comprising of not less than three (3) persons of whom one or more shall be a current Executive Member.

All hearings will use an inquisitorial (not adversarial) process.

**C5.3.2** KartSport New Zealand shall not appoint to the hearing any person who is or was in any way interested in or concerned with any matter in respect of which the hearing is held so that they have or may potentially have a conflict of interest.

**C5.3.3** KartSport New Zealand shall give all persons, firms and bodies corporate (including all Member Clubs) concerned or interested in the hearing not less than seven (7) days written notice of the hearing provided that the hearing may be held sooner if all such parties consent.

**C5.3.4** The notice of hearing must contain sufficient details of the conduct of the Meeting or Event into which it is intended to inquire, so as to fully and fairly inform each person, firm and body corporate concerned or interested in the hearing, as to the purpose of the hearing.

**C5.3.5** KartSport New Zealand may give notice to any person to appear before the hearing and the hearing may proceed and a decision be reached notwithstanding the failure of any such person to appear.

**C5.3.6** Neither KartSport New Zealand nor any party to or person attending the hearing shall be entitled to be represented at the hearing by legal counsel and must instead appear either on their own behalf or be represented by such person (not being legal counsel) as they may nominate for the purpose.

**C5.3.7** Any party to or person attending the hearing may produce any witness and may produce such other evidence which the Panel holding the hearing may determine is relevant or helpful.

**C5.3.8** If the matter into which the hearing inquires is or becomes of a disciplinary nature, any case made against an accused person, firm or body corporate must be made by a person, other than a member of the Panel holding the hearing, who shall proceed first, shall be followed by the accused and the accused shall in any event have the last right of reply.

**C5.3.9** The Panel holding the hearing and each party to or person attending the hearing shall have the right of cross examination of any other party to or person attending the hearing.

**C5.3.10** If at the conclusion of the hearing the Panel holding the hearing determines that there has been a breach under this Code or its Appendices or Schedules, the Panel may inflict a Penalty under the authority of C8 of this Code, and may order that any party to the hearing shall pay the Panel's costs, the costs of any other party attending the hearing and administrative costs associated with the hearing provided that in no case shall the Panel have the right to order that a Competition or Event shall be re-run.

#### **FUEL/TYRE LAB TESTING RESULT**

**C5.3.11** All laboratory test reports on fuel and tyre samples are to be provided to the KartSport New Zealand National Technical Officer within 42 days of an event.

**C5.3.12** Should the National Technical Officer deem a test result to be in breach of any rule on tyres or fuel they will, within 3 business days of receiving the test report, notify the KartSport Executive.

**C5.3.13** The KartSport Executive must, within 5 business days of receiving a laboratory test report showing a breach of rule, be satisfied that all processes and documentation has been correctly followed in the collection, labelling, transportation, delivery and handling of the samples.

**C5.3.14** If the Executive are satisfied of the correct process they will notify the competitor in writing with a copy of the test report.



- C5.3.15** Upon receipt of the notification the competitor may, within 5 business days, request in writing that the B sample be tested at their cost. If a request is made to test the B sample, the result of that test will be provided to the competitor within 20 business days of the request and the competitor then has a further 10 business days in which to respond to the Executive in writing. Should the competitor not request that the B sample be tested, they have 10 business days from receipt of initial notification to respond in writing to the Executive. All responses must be under the signature of the competitor or their signed in parent/legal guardian at the time of the event.
- C5.3.16** Following the expiry of the 10 business days or upon receipt of a written response (whichever comes first) the Executive will then determine what action/penalty is to be taken and advise the competitor. The Executive have 20 business days after receipt of written response from the competitor or expiry of the 10 business day response period in which to notify the competitor of any action/penalty imposed.
- C5.3.17** Following receipt of the penalty notification the competitor has 10 business days within which to deliver an application to the MotorSport New Zealand National Court of Appeal for an appeal hearing.

## **C6 APPEALS TO KARTSPORT NEW ZEALAND**

### **C6.1 JURISDICTION**

KartSport New Zealand through its Appeal Board, as defined in C6.2, constitutes for its own licence holders the final avenue of judgment within KartSport New Zealand empowered to settle any dispute which may have arisen between licence holders and/or KartSport New Zealand officials acting on behalf of KartSport New Zealand.

### **C6.2 APPEAL BOARD**

An Appeal Board will consist of three persons appointed by KartSport New Zealand. These persons may or may not be members of KartSport New Zealand. The chairperson, who will be one of the three, will be appointed by KartSport New Zealand.

No members of this Appeal Board may sit on a case if they have been involved in any way as competitors, drivers or officials in the competition under consideration, or if they have participated in any earlier decision concerning or have been involved, directly or indirectly, in the matter under consideration.

All Appeal Board members are required to record either a vote for or against any decision. In the case of a vote where one or more of the Appeal Board members declines to record a vote for or against, the chairperson will disband the Appeal Board and a date for a new hearing will be set by KartSport New Zealand within 7 days.

The Appeal Board has the power to apply one or more of the following:

- Reject the appeal.
- Modify the penalty imposed, either lessor or greater within the Limits of Authority and the Tables of Penalties in this Code.
- Find the appeal partially founded.
- Find the appeal founded.
- Require to partial or full refund of the Appeal Fee and costs (Refer C6.4).

### **C6.3 APPEAL PROCEDURE**

Competitors have the right to appeal to a KartSport New Zealand Appeal Board against a sentence or other decision pronounced on them as a result of a Stewards Hearing. They must however, under pain of forfeiture of their right to appeal, notify the Stewards of the event in writing within one hour of the publication of the Stewards decision of their intention to appeal.

The right to bring an appeal to KartSport New Zealand expires seven days after the date of the notification of the decision of the Stewards Hearing on condition that the intention of appealing has been notified in writing to the Stewards of the event within one hour of the decision (see previous paragraph).

This appeal may be brought by fax or by any other electronic means of communication with confirmation of receipt.

Confirmation by a letter of the same date accompanied by the necessary fee, to be received by the National Secretary within 7 days of the event is required.

Written notice of the place, date and time of the sitting of the Appeal Board will be given to the appellant within 28 days of the appeal being received by the National Secretary.

All parties shall be entitled to call witnesses, but their failure to attend the hearing shall not interrupt the course of the proceedings.

Written evidence, provided it is signed and the signature witnessed will be accepted.

Photographic/video evidence will also be accepted providing the party wishing to present such evidence supplies suitable viewing equipment.

Legal representation is not permitted at any KartSport New Zealand Appeal Board hearing.

#### **C6.4 FORM OF APPEAL**

Every notice of appeal shall be in writing and signed by the appellant. or if under 18 years of age their parent or legal guardian.

The confirmation of an appeal to KartSport New Zealand must be accompanied by the fee as listed in Appendix One of the Constitution. This fee becomes due from the moment the appellant notifies the Stewards or KartSport New Zealand of the intention of appealing, as specified (Refer C6.3), and remains payable even if the appellant does not follow up the declared intention to appeal.

If the appeal is rejected or if it is withdrawn after being brought, no part of the appeal fee shall be returned.

Should costs be incurred by KartSport New Zealand after an appeal is lodged but which is then subsequently withdrawn or the appellant fails to appear, the appellant will be liable for the direct costs incurred by KartSport New Zealand. Such costs shall be limited to 100% of the actual net costs incurred inclusive of GST. Such costs must be advised to the appellant in writing by KartSport New Zealand within 90 days of the appeal decision being made.

If the appeal is lost no part of the appeal fee shall be returned. In addition the Appeal Board will impose costs and may impose an additional penalty, fine, endorsement or suspension. Such further costs, penalty, endorsement and/or suspension must be advised to the appellant in writing by KartSport New Zealand within 90 days of the appeal decision being made.

If the appeal is judged partially founded, the fee may be returned in part.

If the appeal is upheld the Appeal Fee will be returned in its entirety and KartSport New Zealand will pay the appellants costs. Such costs shall be limited to 100% of the actual net costs incurred inclusive of GST and notification of such costs must be advised to KartSport New Zealand in writing by the appellant within 90 days of the appeal decision being made. ("Actual net costs incurred" are defined as, and limited to, realistic actual travel costs and out of pocket travel expenses. They do not include legal fees, loss of employment remuneration, insurance costs, phone bills or any other non travel related cost. The KartSport New Zealand Executive will be the sole judge of the validity of any claim.

Moreover, if it is proved that the appellant has acted in bad faith, KartSport New Zealand may inflict upon them one of the penalties laid down in the Constitution and in this Code.

### **C7 APPEALS TO MOTORSPORT NEW ZEALAND NATIONAL COURT OF APPEAL**

#### **C7.1 JURISDICTION**

The MotorSport New Zealand National Court of Appeal, as defined in C7.2, constitutes the final court of judgment available to KartSport New Zealand Licence holders.

Application to appeal to this National Court must be preceded by a KartSport New Zealand Appeal Board hearing and decision (Refer C6) or a KartSport New Zealand Inquiry and decision (Refer C5).

#### **C7.2 MOTORSPORT NEW ZEALAND NATIONAL COURT OF APPEAL**

The National Court of Appeal has been established by MotorSport New Zealand as the final court of appeal available to licence holders in New Zealand. The National Court will be made up of members appointed by MotorSport New Zealand and KartSport New Zealand.

For more detail see Part XI of the MSNZ National Sporting Code here:

<http://www.motorsport.org.nz/sites/default/files/motorsport/manual/Live%2035%20%20NSC%20Part%2011%20124-126.pdf>

### **C7.3 MOTORSPORT NEW ZEALAND NATIONAL COURT OF APPEAL PROCEDURE**

Following the announcement of the decision of a KartSport New Zealand Appeal Board or a KartSport New Zealand Inquiry, licence holders have 10 working days within which to deliver an application to the MotorSport New Zealand National Court of Appeal for an appeal hearing.

Such request must be made directly to the MotorSport New Zealand National Court of Appeal and must be accompanied by the appropriate fee (cheque made out in favour of MotorSport New Zealand National Court of Appeal) as determined by the MotorSport New Zealand National Court of Appeal from time to time.

Address: Secretary  
MSNZ National Court of Appeal  
PO Box 3793 69 Hutt Road  
Wellington 6140 Thorndon, Wellington  
admin@motorsport.org.nz

A copy of the completed appeal is to be copied to KartSport New Zealand at the same time (ie delivered within 10 working days following the announcement of the decision of a KartSport New Zealand Appeal Board or a KartSport New Zealand Inquiry) as it is filed with the MotorSport New Zealand National Court of Appeal. This copy should be addressed to the National Secretary, KartSport New Zealand.

### **C7.4 MOTORSPORT NEW ZEALAND NATIONAL COURT OF APPEAL FORM OF APPEAL**

Every notice of appeal shall be in writing and signed by the appellant or if under 18 years of age their parent or legal guardian.

The appeal must be presented as required by the MotorSport New Zealand National Court of Appeal. Hearings will be conducted to the procedure set down by the MotorSport New Zealand National Court of Appeal from time to time.

See Guidelines here:

<http://www.motorsport.org.nz/assets/Documents/MSNZ-Appeal-Practice-Guidelines.pdf>

## **C8 PENALTIES FOR INFRINGEMENTS**

Before conducting a hearing the Panel or Board must first agree on the role the person concerned was performing in relation to the complaint. The imposition of any penalty must always follow either acceptance by the accused or a hearing (except in the case of a penalty as a result of a Judge of Fact) before the Panel/Board imposing the penalty.

### **C8.1 PENALTIES ON COMPETITORS**

Competitors in all events who are in breach of the Regulations, Codes, Rules and Specifications shall be penalised by the:

- Stewards
- Protest Hearing Panel
- KartSport New Zealand Inquiry Panel as per C5
- KartSport New Zealand Executive at an inquiry or hearing held for the purpose
- Appeal Board
- Motorsport New Zealand National Court of Appeal

In each case, in accordance with Section C9 of this Code and the Constitution, Appendix One, Limits of Authority.

### **C8.2 PENALTIES ON OFFICIALS**

Any Official of an event who is in breach of the Regulations, Codes, Rules or the accepted responsibilities of his/her position, shall be penalised by the KartSport New Zealand Executive in accordance with Section C9 of this Code and the Constitution, Appendix One, Limits of Authority provided however that no such discipline or penalty shall in any circumstance permit the KartSport New Zealand Executive to do other than reprimand and suspend the official from official duties.

### **C8.3 PENALTIES ON MEMBERS, REGISTERED MEMBERS, CLUBS AND AFFILIATED BODIES**

Any Members, Registered Members, Clubs or Affiliated Bodies who act in any way prejudicial to KartSport New Zealand or whose actions bring the KartSport New Zealand generally into disrepute shall be reprimanded, disciplined and penalized by the KartSport New Zealand Executive in accordance with the Regulations, this Code and according to the penalties prescribed in Section C9 of this Code and Appendix One of the Constitution, Limits of Authority. KartSport accepts constructive criticism and comments in a fair and reasonable manner. However abuse or threatening behaviour, verbal or written, via any means or media will be addressed under this clause.

### **C8.4 PENALTIES ON EXECUTIVE MEMBERS**

Any Executive Member who is in breach of the Regulations, Codes and Rules shall be penalised by the KartSport New Zealand Executive in accordance with the Constitution (Refer B11.3.10).

## **C9 PENALTIES ON COMPETITORS AND DRIVERS, OFFICIALS, MEMBER CLUBS AND OFFICE BEARERS**

### **C9.1 INTRODUCTION:**

- C8.1 sets out who is entitled to discipline and penalise Competitors, for breaches of the Regulations, Codes, Rules and Specifications.
- C8.2 sets out who is entitled to discipline and penalise Officials for breaches of the Regulations, Codes, Rules and Specifications.
- C8.3 sets out who is entitled to discipline and penalise Members, Registered Members, Clubs or Affiliated Bodies for breaches of the Regulations, Codes, Rules and Specifications.
- C8.4 sets out who is entitled to discipline and penalise Executive Members.

### **C9.2 PENALTIES FOR SERIOUS OFFENCES:**

- C9.2.1** The penalty of suspension or downgrading or termination of Officials (reserved for serious breaches) may only be imposed by the KartSport New Zealand Executive following a hearing before the Executive.
- C9.2.2** The penalty of refusal of membership, suspension of membership or termination of membership on Affiliated Clubs and organisations may only be imposed by the KartSport New Zealand Executive following a hearing before the Executive.
- C9.2.3** The penalty of suspension of, or termination of term of office on Office Bearers may only be imposed by the KartSport New Zealand Executive following a hearing before the Executive.

### **C9.3 TABLE OF PENALTIES**

Ref	Infringement	KartSport New Zealand Stewards		KartSport New Zealand Penalties
		Minimum Mandatory Penalty	Maximum Optional & Additional Penalties	
C3.1	Bribery or accepting bribes.	Exclusion from the Event and/or Series.	a) Endorsement for minimum of 3 months and a maximum of 12 months. b) \$500 fine. c) Mandatory referral to KartSport New Zealand.	Section B Appendix One Schedule of Limits of Authority.

C3.1	Any of the specific behaviour concerning the entry of competing vehicle or competitor.	Exclusion from the Event.	a) Exclusion from series b) Endorsement for minimum of 3 months and a maximum of 12 months. c) \$500 fine. d) Refer to KartSport New Zealand.	Section B Appendix One Schedule of Limits of Authority.
C3.1	Breach of any specific requirement or obligation of the competitor for which no other penalty is specified in this schedule.	\$50 fine	a) Endorsement for minimum of 3 months and a maximum of 12 months. b) \$500 fine. c) Exclusion from Time Trial, Race, event or Series. d) Refer to KartSport New Zealand.	Section B Appendix One Schedule of Limits of Authority.
C3.1	Removing a kart or parts from a controlled area without the authority to do so.	Exclusion from the Event in the relevant class.	a) Withdrawal of all series points from that event. b) Exclusion from the event or series c) Endorsement for minimum of 3 months and a maximum of 12 months. d) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
C4.9	Protest without foundation.	Fine equal to the respective Protest Fee: Group F Club Days: \$50. Group D and E Events: \$100. Group A to C Events: \$250.	a) Endorsement for minimum of 3 months and a maximum of 12 months. b) \$1000 fine. c) Exclusion from Time Trial, Race, Event or Series. d) Referral to KartSport New Zealand.	Section B Appendix One Schedule of Limits of Authority.

D1.1	Competing at an event without a valid KartSport New Zealand Competition Licence or submitting a false declaration relating to the validity of that licence.	Exclusion from the Event	a) Exclusion from the series b) Refer to KartSport New Zealand.	a) Suspension of Competition Licence for a minimum of one year. \$1000 maximum fine. b) Section B Appendix One
D1.1 G1.5	Failure to produce proof of a current racing membership of a KartSport New Zealand affiliated club	Exclusion from the Event.		Section B Appendix One Schedule of Limits of Authority.
F2	a) Failing to submit when required to testing for a banned substance (as prescribed by the Anti-Doping Code).  b) Returning a positive drug test.  c) Returning a positive alcohol breath test.	Immediate suspension of Competition Licence.  Exclusion from the Event.  Minimum 12 hour stand down period after second test.	Mandatory referral to KartSport New Zealand.  Mandatory referral to KartSport New Zealand.  a) Endorsement for minimum of 3 months and a maximum of 12 months. b) \$500 fine. c) Referral to KartSport New Zealand	As per Anti-Doping Code.  As per Anti-Doping Code.  Section B Appendix One Schedule of Limits of Authority.
G1.3	Competitor's responsibility.	\$50 fine.	a) Endorsement for minimum of 3 months and a maximum of 12 months. b) \$500 fine. c) Exclusion from Time Trial, Race, Event or Series d) Referral to KartSport New Zealand.	Section B Appendix One Schedule of Limits of Authority.

G1.5	Failure to produce Competition Licence on request at documentation or scrutineering inspection when required by the Stewards	Licence declaration fee \$20.		Section B Appendix One Schedule of Limits of Authority.
G1.5 C3.1	Failing to present kart for: a) scrutineering etc. b) Parc Ferme' c) Breach of Parc Ferme' and/or Service Park rules. d) Scrutineering recheck.	Exclusion from the Event.	a) Withdrawal of all series points from that event. b) Exclusion from series. c) Endorsement for minimum of 3 months and a maximum of 12 months. d) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
G1.1	Failure to sign Indemnity form.	Immediate cessation of track use until indemnity signed.	Exclusion from the Event or use of the Track.	Section B Appendix One Schedule of Limits of Authority.
G1.2	Failure to sign over Guardianship.	Immediate cessation of track use until sign over completed.	Exclusion from the Event or use of the Track.	Section B Appendix One Schedule of Limits of Authority.
G1.4	Failure to attend Driver's Briefing	Endorsement of licence for 12 months.	Exclusion from event.	Section B Appendix One Schedule of Limits of Authority.
G1.9	Unacceptable Behaviour	\$100 fine and endorsement for 12 months.	a) Withdrawal of all series points from that event. b) Exclusion from a race, the event or series. c) \$500 fine. d) Refer to KartSport New Zealand.	Section B Appendix One Schedule of Limits of Authority.
G1.10	Unauthorised access to the racing confines or taking non authorised equipment into the racing confines.	Reprimand unless safety compromised. Then \$100 fine and endorsement for 12 months.	For a second offence at the same event: Excluded from event.	Section B Appendix One Schedule of Limits of Authority.
G1.11	Smoking/Naked Flames.	First instance: Reprimand. Then \$100 fine and endorsement for 12 months.	Further offence at the same event: Excluded from event.	Section B Appendix One Schedule of Limits of Authority.
G1.12	Accidents	Exclusion from the Time Trial/Race.	Exclusion from the event.	Section B Appendix One Schedule of Limits of Authority.

G1.13	Injury Incident not reported.	Exclusion from the Event. Mandatory referral to KartSport New Zealand.		Section B Appendix One Schedule of Limits of Authority.
G1.14	Long Hair	First instance: Reprimand. Then \$100 fine and endorsement for 12 months.	Further offence at the same event: Excluded from event.	Section B Appendix One Schedule of Limits of Authority.
G1.15	Karts on stands and being moved with the engine running.	First instance: Reprimand. Then \$100 fine and endorsement for 12 months.	Further offence at the same event: Excluded from event.	Section B Appendix One Schedule of Limits of Authority.
G1.16	Crew Footwear	First instance: Reprimand. Then \$100 fine and endorsement for 12 months.	Further offence at the same event: Excluded from event.	Section B Appendix One Schedule of Limits of Authority.
G2	Racing Helmet & Standards.	No participation at the Event until standard is achieved.		
G2.11	a) Helmet Visors open.  b) Visor Tear Offs	Warning signal to close visor – failure to comply issue Black Flag. \$50 fine.	3 place relegation.	Section B Appendix One Schedule of Limits of Authority.
G3	Clothing Standards.	No participation at the Event until standard is achieved.		
G4	Signage	No participation at the Event until standard is achieved unless no signage available at event.		
H1.2a	Disregarding the Red Flag or Red Lights.	Exclusion from the Time Trial or the Race.	a) Withdrawal of all series points from that event. b) Exclusion from the event or series c) Endorsement for minimum of 3 months and a maximum of 12 months. d) \$500 fine. e) Refer to KartSport New Zealand	Section B Appendix One Schedule of Limits of Authority.  Suspension of Competition Licence for a maximum of three (3) months.



H1.2b	Causing a Red Flag or Red Lights to be displayed because of Reckless or Dangerous driving.	Exclusion from the Time Trial or the Race.	a) Withdrawal of all series points from that event. b) Exclusion from the event or series c) Endorsement for minimum of 3 months and a maximum of 12 months. d) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
H1.4	Disregarding the Black Flag	Exclusion from the Time Trial or the Race.	a) Withdrawal of all series points from that event. b) Exclusion from the event or series c) Endorsement for minimum of 3 months and a maximum of 12 months. d) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
H1.6	Disregarding Yellow Flag or Yellow Lights or overtaking under the yellow flag/lights unless redressed safely before the next manned flag point or set of lights.	Exclusion from the Time Trial or the Race.	a) Endorsement for minimum of 3 months and a maximum of 12 months. b) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
H1.7	Disregarding the Blue Flag or Blue Lights.	Exclusion from the Time Trial or the Race.	a) Endorsement for minimum of 3 months and a maximum of 12 months. b) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
H1.9	Disregarding Black Flag with Orange Disc.	After 2 laps use the Black Flag.	Exclusion from the Time Trial or the Race.	Section B Appendix One Schedule of Limits of Authority.
H1.10	Disregarding Green Flag with Yellow Chevron.	After 2 laps use the Red Flag. General reprimand to the field.		
H1.11	Disregarding the Blue & Red Double Diagonal Flag.	a) After two laps use the Black Flag. b) Exclusion from the Race.	Endorsement for minimum of 3 months and a maximum of 12 months.	Section B Appendix One Schedule of Limits of Authority.

J1.1	Exceeding the track limits.	Time Trial - Exclusion from the Time Trial. Race – 10 second time penalty.	a) Withdrawal of all series points from that event. b) Exclusion from the race, event or series. c) Endorsement for minimum of 3 months and a maximum of 12 months. d) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
J1.2	Code of Driving Conduct. (A high standard is expected.)	Time Trial or Race a) No advantage gained and no disadvantage to others – reprimand and/or endorsement for 3 to 12 months. b) advantage gained and/or disadvantage caused to others – 10 seconds minimum penalty. Maximum penalty - exclusion from Time Trial or Race.	a) Withdrawal of all series points from that event. b) Exclusion from the event or series. c) Endorsement for minimum of 3 months and a maximum of 12 months. d) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.

J1.3	Dangerous Driving	a) Exclusion from the Time Trial or the Race.	a) Withdrawal of all series points from that event b) Exclusion from the event or series c) Endorsement for minimum of 3 months and a maximum of 12 months. d) \$500 fine. e) Refer to KartSport New Zealand	Section B Appendix One Schedule of Limits of Authority.
J1.4	Failure to signal withdrawal from competition.	Reprimand. Further offence at the same event \$100 fine.	a) Exclusion from the event or series. b) Endorsement for minimum of 3 months and a maximum of 12 months.	Section B Appendix One Schedule of Limits of Authority.
J1.5	Failure to remove kart from track to a Safe Area.	Reprimand. Further offence at the same event \$100 fine.	a) Exclusion from the event or series. b) Endorsement for minimum of 3 months and a maximum of 12 months.	Section B Appendix One Schedule of Limits of Authority.

J1.6	Outside Assistance.	Exclusion from the Time Trial or the Race.	a) Withdrawal of all series points at that event. b) Endorsement for minimum of 3 months and a maximum of 12 months. c) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
J1.7	Both hands removed from steering wheel.	Reprimand and endorsement for 3 to 12 months.	Further offence at the same event: Exclusion from Race.	Section B Appendix One Schedule of Limits of Authority.
J1.8	Refuelling on the Out Grid.	Not permitted to start or rejoin race.	\$500 fine.	Section B Appendix One Schedule of Limits of Authority.

J1.9	Driving on the track opposite to the race direction.	Exclusion from the Event.	a) Withdrawal of all series points at that event. b) Endorsement for minimum of 3 months and a maximum of 12 months. c) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
J1.10	Leaving/Rejoining Track a) Deliberately driving off the track.  b) Rejoining with advantage gained unless redressed safely. c) Dangerous driving. d) Unsafe rejoin	a) Exclusion from the Time Trial/Race. b) Exclusion from the Race. c) Refer to J1.3 d) Refer to J1.3 for details.	Refer to J1.3 for details.	Section B Appendix One Schedule of Limits of Authority.
J1.14	Stalled Kart	Reprimand	Further offence at the same event: \$100 fine.	Section B Appendix One Schedule of Limits of Authority.
J1.15	Radio and/or Electronic Communication.	Exclusion from the event.	a) Refer to KartSport New Zealand. b) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
J1.16	Vision	Reprimand	Further offence at the same event: \$100 fine.	Section B Appendix One Schedule of Limits of Authority.
J1.17	Unauthorised recovery of kart and/or trolleys on track.	\$100 fine and endorsement for 12 months.	Excluded from event.	Section B Appendix One Schedule of Limits of Authority.

J1.19	Bodywork	Black flag with Orange Disc.	Black Flag.	Section B Appendix One Schedule of Limits of Authority.
J1.20	Repair Lane Infringement.	Exclusion from Time Trial or Race.	\$500 fine.	Section B Appendix One Schedule of Limits of Authority.

J1.21 (K1.44 Q5.2 Q5.3 P1.16)	Transponders	Out Grid: Not fitted - not permitted on the track. Tuning Run: Not fitted/working - \$50 fine. Time Trial: Not fitted/working - no time recorded. Race: Not fitted/working - exclusion from the race. No participation until rectified.		
J1.22	Pushing or Towing Karts with another non-compliant vehicle.	Excluded from Time Trial or Race or any on track activity.	a) Endorsement for minimum of 3 months and a maximum of 12 months. b) \$500 fine. c) Exclusion from Time Trial, Race, Event or Series. d) Referral to KartSport New Zealand.	Section B Appendix One Schedule of Limits of Authority.
J2.7	Out Grid Procedure	Not permitted to start or black flag removal from track – DNS.	Exclusion from the event.	Section B Appendix One Schedule of Limits of Authority.
J2.8	KZ2 Standing Start  Failure to respect the requirements as determined by a Start Line Judge of Fact (JOF) or a Race Official (Officials Report) The rear wheel not on or near white line or wholly in the lane.  The nose cone not behind the allocated grid line.  Moving forward before the start signal has been given.	Judge of Fact decisions:  Events with timing - 10 seconds time penalty.  Events without timing - 3 place relegation.  Other decisions: Exclusion from Race.	a) Withdrawal of all series points at that event. b) Exclusion from the event. c) Endorsement for minimum of 3 months and a maximum of 12 months. d) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.

J2.10	Rolling Starts – rejoining grid without permission.	10 place relegation or finish last if less than 10.	a) Exclusion from Race. b) \$500 fine.	Section B Appendix One Schedule of Limits of Authority.
J2.11	<p>Taking the Start</p> <p>Failure to respect the requirements as determined by a Start Line Judge of Fact (JOF) or a Race Official (Officials Report) Pole position failing to deliver the field to the Yellow Start Zone Line at the required steady speed.</p> <p>Passing pole position before the start is given.</p> <p>Failing to maintain grid position, in close formation, from the Red Formation Line.</p> <p>The rear wheel not on or near white line or wholly in the lane.</p>	<p>Judge of Fact decisions:</p> <p>Events with timing - 10 seconds time penalty.</p> <p>Events without timing - 3 place relegation.</p> <p>Other decisions: Exclusion from Race.</p>	<p>a) Withdrawal of all series points from that event.</p> <p>b) Exclusion from the event.</p> <p>c) Endorsement for minimum of 3 months and a maximum of 12 months.</p> <p>d) \$500 fine.</p>	Section B Appendix One Schedule of Limits of Authority.
J2.14	Time Trial or Race Stoppage.	Exclusion from the Time Trial or Race.	Refer to H1.2b.	Section B Appendix One Schedule of Limits of Authority.
K1.42 .1 and K3.16 .1	Push back nosecone non-compliance.	<p><b>Qualifying:</b> loss of two fastest lap times in that session.</p> <p><b>Race:</b> Cadet and Vortex Mini ROK - 5 seconds added to race time.</p> <p>All other classes – 10 seconds added to race time.</p> <p><b>NOTE:</b> The imposition of the mandatory 5 or 10 second penalty, or loss of two fastest lap times in Qualifying, does not mean that further penalties won't be applied (via the normal judicial process) for breaches of driving and/or other behaviour rules.</p>	<p>a) Endorsement for minimum of 3 months and a maximum of 12 months.</p> <p>b) \$500 fine.</p> <p>c) Referral to KartSport New Zealand.</p>	Section B Appendix One Schedule of Limits of Authority.

		Should a competitor be found/proved to have intentionally replaced/readjusted a nosecone which is not installed correctly during competition including after the chequered flag” was waved or on the In Grid, he/she will be <b>excluded</b> from the respective event. Nose cones, fitting kits and bars which have been tampered with will result in the respective competitor being <b>excluded</b> from the event.		
L3	Using tyres on a competing kart not permitted by the rules, specifications or any supplementary rules.	Exclusion from the Event in the relevant class.	Mandatory referral to KartSport New Zealand	As per C9.4.2.2.
L4	Using fuel in a competing kart not permitted by the rules, specifications or any supplementary rules.	Exclusion from the Event in the relevant class.	Mandatory referral to KartSport New Zealand	As per C9.4.2.1.
Q5	Breach of Age Group/Class Groups	Refer to KartSport New Zealand	Refer to KartSport New Zealand	Suspension of Competition Licence for a minimum of 3 months plus.Licence Endorsement for minimum of 3 months and maximum of 12 months plus \$1000 maximum fine.

#### C9.4 TABLE OF PENALTIES - TECHNICAL INFRINGEMENTS

Where it says exclusion it is NOT NEGOTIABLE.

Where there are two options, the first penalty is for first offence and the second penalty is for the second (or more) offence on the same day.

	INFRINGEMENT	MINIMUM PENALTY
1	All Technical Inspection Infringements including any <u>bar code</u> , seal or mark found not to be present when required or tampered with in any way.	Exclusion from event from the respective class
2	Pre Time Trial/Race Out Grid Infringement.	Not permitted to start
	Incorrect clutch engagement	Exclusion from Time Trial, Heat or Race
3	Pit Shute Infringements. Overhang in width or length including exhaust & height.	Relegate to last place
	Seat angle	Exclusion from Time Trial, Heat or Race
	Loose Exhaust Header/Muffler/Pipe Junior Restricted Yamaha/Cadet Raket/Vortex Kiwi Mini ROK	Refer to Rule L6.12
	Dump bottle overflowing	\$20 Fine Relegate to last place
	Weight	Exclusion from Time Trial, Heat or Race
	Kill switch not working	Exclusion from Time Trial, Heat or Race
	Tyre diameter/sprocket size/rim size	Exclusion from Time Trial, Heat or Race
	Track width	Exclusion from Time Trial, Heat or Race
	Bodywork/front console/side pods/	Exclusion from Time Trial, Heat or Race
	Wheels inside side pods when using slicks	Exclusion from Time Trial, Heat or Race
	Brake pads not wired/secured, wrong diameter operating cable/rod, no lock nuts	Exclusion from Time Trial, Heat or Race
	Glycol in radiator	Exclusion from Time Trial, Heat or Race
	Dangerous projection(s)	Exclusion from Time Trial, Heat or Race
4	Using tyres on a competing kart not permitted by the Rules or Specifications or any Supplementary Rules.	Minimum Penalty: Exclusion from Event from the respective class. Mandatory referral to KartSport New Zealand. Additional KartSport New Zealand penalties as per C9.4.2.2.
5	Using fuel in a competing kart not permitted by the Rules or Specifications or any Supplementary Rules.	Minimum Penalty: Exclusion from Event from the respective class. Mandatory referral to KartSport New Zealand. Additional KartSport New Zealand penalties as per C9.4.2.1.
6	Technical infringements considered, by the Stewards Panel, to be deliberate.	Minimum Penalty: Exclusion from the Event from respective class. Mandatory referral to KartSport New Zealand. Additional KartSport New Zealand penalties as per C9.4.2.3.

KartSport New Zealand Stewards				
Ref	Infringement	Minimum Mandatory Penalty	Maximum Optional & Additional Penalties	KartSport New Zealand Penalties
G1.5	Breach of Scrutineering, Gear Check and Documentation rules.	<p><b>Safety</b> Exclusion from the event and a fine not exceeding \$500, or, if the safety issue can be made to comply before rejoining practice or competition a fine not exceeding \$50.</p> <p><b>Non Safety</b> Exclusion from the event and a fine not exceeding \$200, or, if the issue can be made to comply before rejoining practice or competition a fine not exceeding \$20.</p>		Section B Appendix One Schedule of Limits of Authority.
L6.7	Failure to present engine (and controlled components) for inspection. (JoF)	<p><b>Group F Event:</b> Exclusion from the event in the relevant class.</p> <p><b>Group E and Above Events:</b> Exclusion from the event and/or series in the relevant class and \$500 fine.</p>	<ul style="list-style-type: none"> <li>• Endorsement for minimum of 3 months and a maximum of 12 months.</li> <li>• Refer to KartSport New Zealand.</li> </ul>	Section B Appendix One Schedule of Limits of Authority.

#### C9.4.2 Fuel, Tyre and Technical Infringements Considered to be Deliberate - KartSport New Zealand Additional Penalties :-

**NOTE:** The Executive has the discretion to reduce, or suspend for 12 months, the suspension period in extenuating circumstances.

##### C9.4.2.1 Fuel

- **Incorrect pump fuel**
  - First offence – 1 month licence suspension/max \$500 fine
  - Second offence – 12 month licence suspension/max \$1000 fine
  - Further offence – 2 year licence suspension/max \$2000 fine
- **Non pump fuel or illegal additive**
  - First offence – 1 year licence suspension/max \$1000 fine
  - Second offence – 2 year licence suspension/max \$2000 fine
  - Further offence – 4 year licence suspension/max \$4000 fine



#### **C9.4.2.2 Tyres**

- **Incorrect make/specification/not allocated tyres or tyres not permitted by the rules on kart**
  - First offence – 1 month licence suspension/max \$500 fine
  - Second offence – 12 month licence suspension/max \$1000 fine
  - Further offence – 2 year licence suspension/max \$2000 fine
- **Non original or tampered tyres**
  - First offence – 1 year licence suspension/max \$1000 fine
  - Second offence – 2 year licence suspension/max \$2000 fine
  - Further offence – 4 year licence suspension/max \$4000 fine

#### **C9.4.2.3 Technical Infringements Considered to be Deliberate**

- First offence – 1 year licence suspension/max \$1000 fine
- Second offence – 2 year licence suspension/max \$2000 fine
- Further offence – 4 year licence suspension/max \$4000 fine

**C9.4.3 FAST TRACK SCRUTINEERING PENALTIES**

<b>Rule</b>		<b>Minimum Penalty</b>
G1.3	Failure To Report For a Scrutineering Recheck	Exclusion from the Event
G4	Signage	NPUSA
K1	Chassis	NPUSA
K1.5 & K1.6	Front & Rear Bumpers	NPUSA
K1.8	Projections	Exclusion from Time Trial, Heat or Race
K1.9	Camera	NPUSA
K1.11	Seat	NPUSA
K1.12	Chain/Clutch Guards	Exclusion from Time Trial, Heat or Race
K1.14 or K3.8	Brake System	Exclusion from Time Trial, Heat or Race
K1.16	Floor Tray & Check For Cracks	NPUSA
K1.18 or K3.13	Engine Cut Out Switch	Exclusion from Time Trial, Heat or Race
K1.21 & K1.22	Throttle & Fuel Tank	NPUSA
K1.23	Overflow Containers	NPUSA
K1.26	Wheels	NPUSA
K1.27 & K1.28	Steering Wheel, Steering Hub & Shaft	NPUSA
K1.31 & K1.34	King Pins & Tie Rods	NPUSA
K1.32	All Bolts On Steering Components	Exclusion from Time Trial, Heat or Race
K1.37	Batteries	Exclusion from Time Trial, Heat or Race
K1.42 & K1.43	Nose Cones & Side Pods	NPUSA
K1.44	Transponder	NPUSA
K1.45	Pedal Extensions	NPUSA
K3 Not Already Listed Above	Cadet Chassis	NPUSA
L1.1	Weights	Exclusion from Time Trial, Heat or Race
L2	Number Plates	NPUSA
L3	Tyres	Exclusion from the Event

**NPUSA** = No Participation Until Standard Is Achieved.

A competitor can repair the fault/s and have it signed off by the Technical Officer or Machine Examiner and continue with competition. It is the competitor's/guardian's responsibility to present the kart for a scrutineering recheck to have it signed off to show it now complies with the rules/specifications. Failure to present the kart for a recheck to the Technical Officer or Machine Examiner before taking part in further competition will result in an exclusion from the event.

**C9.4.4 Penalties for Non Compliance of Section V Technical Rules:**

Ref	Infringement	KartSport New Zealand Stewards		KartSport New Zealand Penalties
		Minimum Mandatory Penalty	Maximum Optional & Additional Penalties	
V8	Non Compliance of Section V8 Vintage Technical Rules.	<p><b>First Offence:</b> Verbal warning with the offence written in the licence book and not permitted to participate until the fault has been rectified.</p> <p><b>Second Offence:</b> Exclusion from the event for breach of a written warning.</p>	<p>a) Exclusion from the event.</p> <p>b) Endorsement for minimum of 3 months and a maximum of 12 months.</p>	Section B Appendix One Schedule of Limits of Authority.
V8.5.3	The use of tyre dope/softeners	Minimum Penalty: Exclusion from Event from the respective class.	Mandatory referral to KartSport New Zealand. Additional KartSport New Zealand penalties as per C9.4.2.2.	Section B Appendix One Schedule of Limits of Authority.

**C9.5 TABLE OF PENALTIES ON COMPETITORS, OFFICIALS, MEMBERS, REGISTERED MEMBERS, CLUBS, AFFILIATED BODIES AND OFFICE BEARERS**

In the following table of penalties those marked;

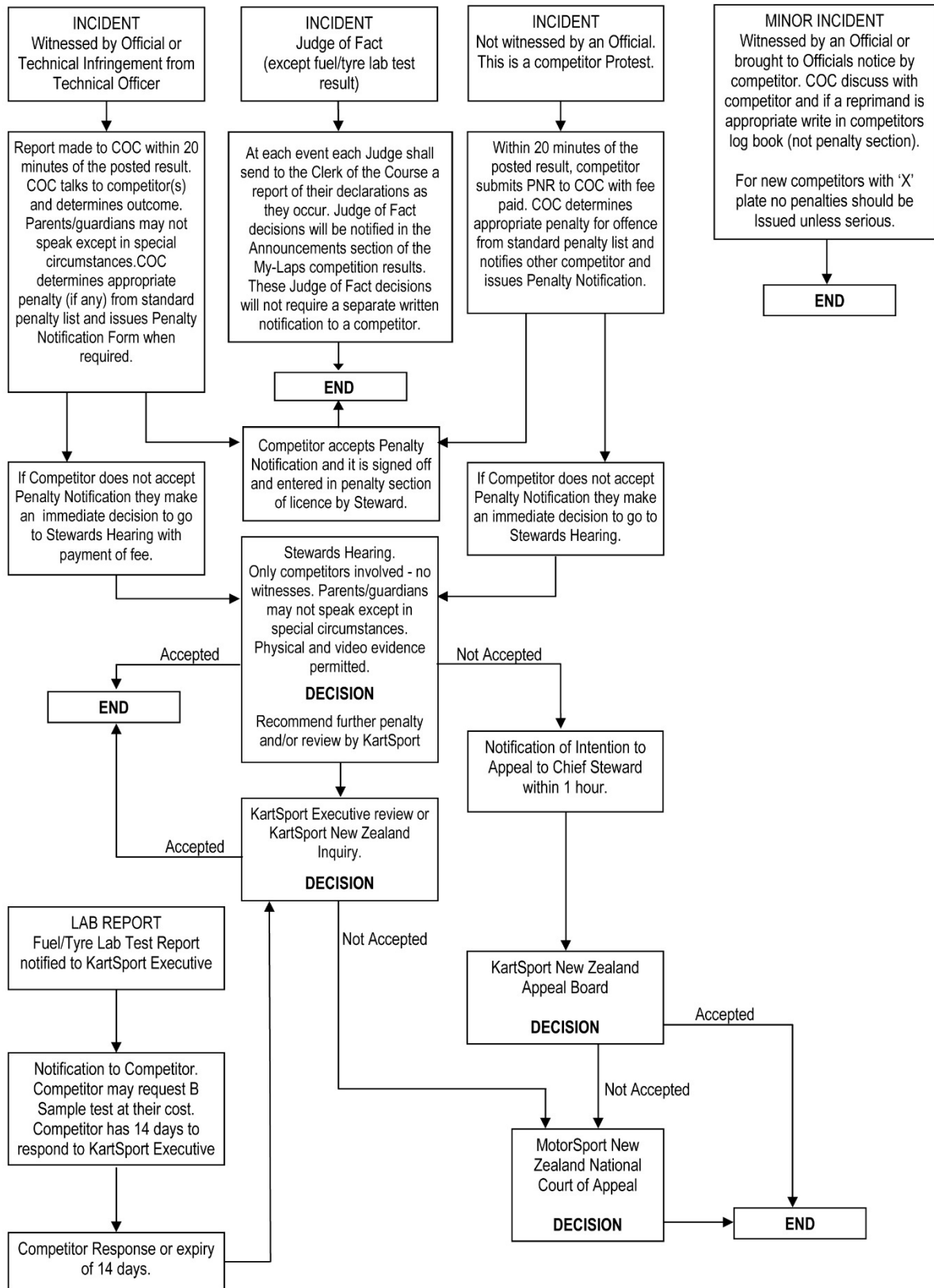
- **OFFICIAL** prescribes penalties to be applied after a hearing on matters relating to an offence involving an Official, and
- **MC** prescribes penalties to be applied after a hearing on matters relating to an offence involving Affiliated Organisations.
- **OB** prescribes penalties to be applied after a hearing on matters relating to an offence involving an Office Bearer.

	STANDARD		ADDITIONAL PENALTIES
	MAXIMUM FINE	PENALTIES	
<b>OFFICIAL</b> Failure to adhere to or to carry out specific duties required of an official as detailed in the Regulations, Codes, Rules and Procedures.	N/A	Reprimand	Suspension, Demotion Termination of Official ranking and duties.
<b>MC</b> Breach of any of the Regulations, Codes, Rules or Specifications.	\$5000		Suspension of Membership.
<b>OB</b> Breach of any of the Regulations, Codes, Rules or Specifications.	N/A	Suspension from office for a minimum of 1 month and a maximum of 12 months.	

**C9.6 PENALTIES FOR EXECUTIVE MEMBERS**

Refer to the Constitution clause B11.3.10.

## The Judicial Procedure Flow Chart : Effective 1-4-18



**NOTE:** Refer to Section C4 PROTESTS for the actual Rules. This Flow Chart is a diagram of the procedural sequence. IT IS NOT A RULE.

Release 4: 1-4-18