



2001 KARTING MANUAL

Including the 2001 National Competition Rules

AUSTRALIAN KARTING ASSOCIATION INCORPORATED





AUSTRALIAN KARTING ASSOCIATION INCORPORATED MANUAL

34th EDITION

Previous editions have been published annually since 1966.

This Manual is published with the authority of the National Karting Council, the executive body of the AUSTRALIAN KARTING ASSOCIATION INC.

A shaded background indicates either a new rule or one that has been amended from the previous edition of the AKA Manual.

**OUR COVER: Neil McFadyen – NSW 2000 National Champion – Formula 100 Light Class
Photo courtesy of Sean Henshelwood**

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**AUSTRALIAN KARTING ASSOCIATION INC
LIFE MEMBERS**

| NAME | APPOINTED | STATE |
|------------------|------------------|-------------------|
| • Mr J Duckworth | 27.07.1968 | Victoria |
| Mr J Harrison | 08.08.1970 | New South Wales |
| Dr R Phillips | 13.08.1972 | Victoria |
| Mr A Gore | 31.08.1974 | Victoria |
| Mrs J Hodgetts | 31.08.1974 | South Australia |
| Mr L Power | 31.07.1976 | Western Australia |
| Mr N Osborn | 07.08.1977 | Queensland |
| • Mr N Hunter | 09.08.1980 | Victoria |
| • Mr D Liddle | 08.08.1982 | South Australia |
| Mr F Swann | 06.08.1983 | Western Australia |
| Mr P Ward | 03.08.1984 | Victoria |
| Mr G Jacobs | 02.08.1986 | Tasmania |
| Mr K Mitchell | 02.08.1987 | New South Wales |
| Mr W MacGregor | 04.08.1991 | South Australia |
| Mr D Singline | 06.08.1993 | Tasmania |
| Mr R Edyvean | 07.09.2000 | Queensland |
| Mr B Campbell | 07.09.2000 | Tasmania |
| • passed away | | |

AUSTRALIAN KARTING ASSOCIATION INC PAST OFFICIALS

CHAIRMAN

| | | | |
|---|--------------|---------------------|-----------------|
| | G. Carlsen | 17.08.63 - 28.10.63 | New South Wales |
| | D. Ingersole | 28.10.63 - 29.03.64 | Victoria |
| | D. Ingersole | 28.10.63 - 29.03.64 | Victoria |
| * | J. Self | 29.03.64 - 31.10.64 | South Australia |
| | G. Carlsen | 31.10.64 - 10.07.65 | New South Wales |

CHIEF EXECUTIVE OFFICER

| | | | |
|--|------------|-----------------------|------------|
| | R. Edyvean | 19.05.97 - 22.12.2000 | Queensland |
|--|------------|-----------------------|------------|

PRESIDENTS

| | | | |
|---|--------------|---------------------|-------------------|
| | D. Ingersole | 19.07.65 - 26.08.67 | Victoria |
| | I. Cowin | 26.08.67 - 27.07.68 | Victoria |
| | J. Harrison | 27.07.68 - 08.08.70 | New South Wales |
| * | L. Atherton | 12.08.72 | Queensland |
| | L. Power | 20.09.73 - 08.08.80 | Western Australia |
| | N. Osborn | 08.08.80 - 08.08.82 | Queensland |
| | G. Jacobs | 08.08.82 - 01.08.86 | Tasmania |
| | P. Ward | 01.08.86 - 07.08.96 | Victoria |
| | R. Edyvean | 07.08.96 - 17.05.97 | Queensland |
| | K. Jenner | 07.08.97 | South Australia |

VICE PRESIDENTS

| | | | |
|---|-------------|-------------|-------------------|
| | I. Cowin | 1996 - 1967 | Victoria |
| | H. Rhodes | 1967 - 1968 | Victoria |
| | R. Phillips | 1968 - 1970 | Victoria |
| | J. Hooker | 1970 - 1971 | Western Australia |
| * | L. Atherton | 1971 - 1972 | Queensland |
| | L. Power | 1972 - 1973 | Western Australia |
| | M. Paton | 1974 - 1976 | New South Wales |
| * | N. Hunter | 1976 - 1980 | Victoria |
| | P. Ward | 1980 - 1986 | Victoria |
| | D. Singline | 1986 - 1993 | Tasmania |
| | R. Edyvean | 1993 - 1996 | Queensland |
| | B. Campbell | 1996 - 2000 | Tasmania |
| | R. Hill | 2000 | New South Wales |

SECRETARIES

| | | | |
|--|-------------|---------------------|-------------------|
| | G. Carlsen | 17.08.63 - 10.07.65 | New South Wales |
| | J. de Laroy | 10.07.65 - 26.08.67 | Victoria |
| | N. Osborn | 26.08.67 - 27.07.68 | Queensland |
| | J. Hodgetts | 27.07.68 - 01.08.86 | South Australia |
| | K. Staples | 01.08.86 - 14.02.96 | Western Australia |
| | D. Clarke | 14.02.96 | Western Australia |

TREASURERS

| | | | |
|---|--------------|---------------------|-------------------|
| * | J. Duckworth | 29.03.64 - 27.07.68 | Victoria |
| | A. Gore | 27.07.68 - 02.08.85 | Victoria |
| | F. Swann | 02.08.85 - 05.08.89 | Western Australia |
| | M. Harper | 05.08.89 - 01.08.91 | Queensland |
| | I. Gibb | 01.08.91 - 07.08.97 | Western Australia |
| | H. Johnston | 07.08.97 | New South Wales |
| * | passed away | | |

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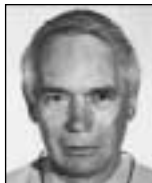
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2001 AKA EVENTS CALENDAR

| Nationals | State Sprint | Champs for CIK Classes | Dirt | Event |
|----------------------------|--------------------|------------------------|--------------------|---|
| | 10-12 March | | | Victorian State Open Sprint Championships Go Kart Club of Victoria – Todd Rd Victoria |
| 12-15 April | | | | <i>National Sprint Championships Newcastle Kart Racing Club – West Wallsend New South Wales</i> |
| | | | 28-29 April | Queensland State Open Dirt Championships Charters Towers Queensland |
| | 22-24 June | | | Queensland State Open Sprint Championships Ipswich Kart Club - Willowbank Raceway Queensland |
| | 4-5 August | | | New South Wales State Open Sprint Championships Dubbo Kart Club - Lincoln County International Raceway New South Wales |
| | 1-2 September | | | New South Wales State Open Dirt Championships |
| 29-30 September | | | | <i>National Dirt Championships Charters Towers Kart Racing Club Queensland</i> |
| | 29-30 September | | | South Australian State Open Sprint Championships Southern Kart Club – Bolivar Raceway South Australia |
| | 5-7 October | | | Western Australian State Open Sprint Championships Esperance Kart Club – Esperance Western Australia |
| | 6-7 October | | | New South Wales Junior State Open Sprint Championships Manning Valley Kart Club - Wingham Sporting Complex New South Wales |
| | 12-14 October | | | Northern Territory State Open Sprint Championships Darwin Karting Assn – Hidden Valley Northern Territory |
| | | | 23-24 September | South Australian State Open Dirt Championships LeHunte Kart Club – Wudinna South Australia |
| | | 9-11 November | | Oceania Raleigh |
| | 2-4 November | | | Tasmanian State Open Sprint Championships Launceston Kart Club – Archerville Tasmania |

2000 AUSTRALIAN NATIONAL SPRINT KART CHAMPIONSHIPS**RESULTS**

**Held at Mount Gambier, South Australia
April 20 – 23 2000**

| CLASS | 1st | State | 2nd | State | 3rd | State |
|------------------------|-------------------|--------------|----------------|--------------|-------------------|--------------|
| Formula 100 Heavy | Jason Stania | VIC | Malcolm Clisby | SA | Peter Patrizi | WA |
| Formula 100 Light | Neil McFadyen | NSW | Michael Caruso | NSW | Jonathen Reid | NZ |
| Piston Port | Clinton Dive | NSW | Jason Burns | NSW | Peter Lawler | NSW |
| Formula Yamaha S/Heavy | Anthony Higgs | SA | Jeff Cooper | NSW | Dean Ballard | QLD |
| Formula Yamaha Heavy | Kip Foster | WA | Remo Luciani | VIC | Ben Savage | VIC |
| Formula Yamaha Light | Mark Winterbottom | NSW | Ben Savage | VIC | Reif Corbett | SA |
| Formula Yamaha Junior | Brett Robinson | NSW | Regan Payne | QLD | Robert Hunt | NSW |
| Clubman Super Heavy | Anthony Higgs | SA | Dean Ballard | QLD | Rob Macri | VIC |
| Clubman Heavy | Ben Savage | VIC | Kip Foster | WA | Steve Kwiatkowski | SA |
| Clubman Light | Steve Owen | | Bart Price | VIC | Daniel Elliot | WA |
| Senior National Heavy | Brett Arnett | VIC | Darren Clee | SA | Jarad Bishop | TAS |
| Senior National Light | Craig Bertwistle | NSW | Kane Wiltshire | NSW | Nathan Callaghan | WA |
| Junior Piston Port | Ryal Harris | QLD | Tim Slade | SA | Jace Lindstrom | VIC |
| Junior Clubman | Taz Douglas | VIC | Ryal Harris | QLD | Jace Lindstrom | VIC |
| Junior National Heavy | Blake Mills | WA | Blake Mooney | SA | Troy Woolston | VIC |
| Junior National Light | Ian Dyk | NSW | Kyle Clews | NSW | Shane Price | VIC |

2000 AUSTRALIAN NATIONAL DIRT KART CHAMPIONSHIPS**RESULTS**

**Held at Wudinna, South Australia
October 28 –29 2000**

| CLASS | 1st | State | 2nd | State | 3rd | State |
|-----------------------|----------------|--------------|----------------|--------------|----------------|--------------|
| Clubman Super Heavy | Shane Robinson | SA | Adem Redjepi | SA | Geoffrey Brown | SA |
| Clubman Heavy | Keith Bartlett | SA | Adem Redjepi | SA | Ben Smart | SA |
| Clubman Light | Glen Paynter | SA | Keith Bartlett | SA | Leon Smart | SA |
| Senior National Heavy | Paul Beaty | SA | Craig Scholz | SA | Richard Kemp | SA |
| Senior National Light | Paul Beaty | SA | Craig Scholz | SA | Andy Leech | SA |
| Junior National Heavy | Blake Mooney | SA | Phil Leech | SA | Josh Hooper | SA |

AKA**2000 AUSTRALIAN CHAMPIONSHIP FOR CIK CLASSES
POINT SCORE****APS
Racing**

| Series Placing | Kart No. | Driver | FORMULA A | | | | | Total Points |
|----------------|----------|-----------------|-----------|---------|---------|---------|---------|--------------|
| | | | State | Round 1 | Round 2 | Round 3 | Round 4 | |
| 1 | 59 | McFADYEN Neil | NSW | 60 | 58 | 51 | | 169 |
| 2 | 5 | CARUSO Michael | NSW | 51 | 40 | 43 | | 134 |
| 3 | 27 | PONTELLO Joshua | NSW | 41 | 32 | 47 | | 120 |
| 4 | 16 | BROWN Bradley | QLD | 38 | 35 | 32 | | 105 |
| 5 | 66 | GRAHAM Adam | NSW | 25 | 21 | 58 | | 104 |

AKA**2000 AUSTRALIAN CHAMPIONSHIP FOR CIK CLASSES
POINT SCORE****APS
Racing**

| Series Placing | Kart No. | Driver | INTERCONTINENTAL A | | | | | Total Points |
|----------------|----------|----------------|--------------------|---------|---------|---------|---------|--------------|
| | | | State | Round 1 | Round 2 | Round 3 | Round 4 | |
| 1 | 89 | MAY Brenden | NSW | 60 | 56 | 41 | | 157 |
| 2 | 35 | HOLDEN Barclay | QLD | 40 | 51 | 60 | | 151 |
| 3 | 45 | HRYNIUK Jason | NSW | 36 | 36 | 53 | | 125 |
| 4 | 33 | REID Jonathan | NZ | 38 | 32 | 49 | | 119 |
| 5 | 25 | MACROW Tim | VIC | 43 | 30 | 43 | | 116 |

AKA**2000 AUSTRALIAN CHAMPIONSHIP FOR CIK CLASSES
POINT SCORE****APS
Racing**

| Series Placing | Kart No. | Driver | INTERCONTINENTAL A JUNIOR | | | | | Total Points |
|----------------|----------|-----------------|---------------------------|---------|---------|---------|---------|--------------|
| | | | State | Round 1 | Round 2 | Round 3 | Round 4 | |
| 1 | 62 | THOMPSON Andrew | NSW | 34 | 60 | 51 | | 145 |
| 2 | 19 | GRANT Geoffrey | QLD | 33 | 53 | 44 | | 130 |
| 3 | 7 | POWLES Glen | VIC | 45 | 44 | 31 | | 120 |
| 4 | 39 | SIMMONS Nick | NSW | 34 | 24 | 60 | | 118 |
| 5 | 58 | HARRIS Ryal | QLD | 52 | 36 | 25 | | 113 |

**CONSTITUTION OF THE
AUSTRALIAN KARTING ASSOCIATION INC**

STATEMENT OF PURPOSES

The purposes of the Association are:-

- (a) To promote and protect the sport of Kart Racing
- (b) To promote excellence and just and honourable practices in the sport and to suppress malpractice
- (c) To promote and organise Kart meetings and other functions for members
- (d) To do all such acts which, in the opinion of the Association are for the general benefit of members or of Karting.

RULES

R1 Name

The name of the Association is the Australian Karting Association Inc.

R2 Membership

The member associations of the Association are the State Karting Associations of the six States of Australia and of the Northern Territory:-

Australian Karting Association (New South Wales) Inc.
Australian Karting Association (Northern Territory) Inc.
Australian Karting Association (Queensland) Inc.
Australian Karting Association (South Australia) Inc.
Australian Karting Association (Tasmania) Inc.
Australian Karting Association (Western Australia) Inc.
Victorian Karting Association Inc.

and such other incorporated karting associations which all existing members agree to admit to membership.

R2A Life Membership

The Annual General Meeting on the recommendation of the National Karting Council may elect a person who has given long and exceptional service to the association as an honorary life member of the association. Life members are non-voting members.

R3 Cessation of Membership

A member association ceases to be a member:-

- (a) (i) one year after notification in writing to the National Secretary of intention to withdraw from the Association, unless within that year the notification is withdrawn.
- (ii) six months after notification by the National Secretary of the member that there are membership fees owing and that failure to pay within six months will result in cessation of membership, unless within that time the membership fees are paid.
- (b) a member association shall cease to be a member if it affiliates with any other motor sport body unless prior to its affiliation explicit authority is granted by the Australian Karting Association to that affiliation.

R4 Register of Members

The Chief Executive Officer must keep a Register of members, the name, contact address and date of joining each member association.

R5 Subscription

The annual subscription for the following calendar year is determined at the Annual General Meeting of the Association. There is no joining fee.

R6 Discipline of Members

- (a) The Council may discipline a member association of the Association by:-
 - (i) expelling the member; or
 - (ii) warning the member that it may be expelled if it continues to act in the specified manner of which it disapproves; or
 - (iii) fining the member.
- (b) If a motion is proposed at a meeting of the Council for the disciplining of a member association the President shall first put a motion that the member be called upon to explain its conduct to the Council.
- (c) If that motion is carried by a simple majority of those present and voting, the motion for the disciplining of the member must be adjourned to a meeting not less than fourteen days later.
- (d) The member association named in the motion must be given notice by delivering to its contact address in the Register of Members:
 - (i) of the conduct complained of, and
 - (ii) that it is entitled to present oral or written evidence or arguments to the Council at a meeting on a given date.
- (e) At the later meeting, the Council must:
 - (i) give the member association, if requested by one or more of its members, the opportunity to be heard, and
 - (ii) consider any written document presented by it or on its behalf
- (f) The Council may then, by an absolute majority of its members, determine:
 - (i) whether to discipline the member association and
 - (ii) whether the penalty should be expulsion, a warning or a fine.
- (g) A decision of the Council in accordance with the procedure set out above to discipline a member and to impose a penalty is final and no appeal to a General Meeting is permitted.
- (h) The disciplinary powers contained in this rule are separate from any disciplinary powers exercised by the Council under the competition rules of the National Karting Council.

R7 The Council

The Association is managed by a Council to be known as the National Karting Council, consisting of one delegate from each member association as voting members, and the members of the Secretariat as non-voting members. An NKC delegate at the time of nomination must be a delegate to, a member of, or a member of the executive of, a State Council.

R8 Subject to any decision of a General Meeting of the Association, the Council has the entire management and control of the Association and has power to do anything necessary or convenient to achieve the purposes of the Association including:

- (a) the delegation to the State Karting Councils with power to withdraw such delegation of such powers and responsibilities as may from time to time be deemed desirable;
- (b) the arrangement of the National Kart Calendar and the allocation of the Australian Kart Championships;
- (c) the drawing up and amendment from time to time of Kart Formulae;
- (d) the compilation and amendment from time to time of General Kart Regulations;
- (e) the issue of licences to competitors and drivers in Kart competitions, and of permits to organisers of such competitions in accordance with the General Kart Regulations;
- (f) the imposition of such levies, penalties, fees, fines, contributions and subsidies as may

seem to the Council necessary, and the enforcement of collection of such amounts from any State Karting Council, Club, group or individual as permitted by the General Karting Regulations;

- (g) the negotiation of insurance for member associations, their clubs, drivers, officials and spectators;
- (h) the maintenance of a central registry of Kart licences;
- (i) the enforcement of any legal instruction relating to Karting issued on behalf of the Federation Internationale de l'Automobile;
- (j) the consideration and adoption of any suggestion made by State Karting Councils;
- (k) the maintenance of due liaison and information regarding Karting matters with the Confederation of Australian Motor Sport;
- (l) the arbitration of disputes between State Karting Councils or between clubs in different States ;
- (m) the establishment, coordination and support of specialist committees;
- (n) the appointment from time to time of advisory or executive sub-committees to discharge such functions and to hold office for such time as the Council shall deem fit;
- (o) the reimbursement of any member, servant or agent for any out of pocket expenses properly incurred on the Council's behalf and the payment to any such member, servant or agent of such wage, honorarium or return for services rendered as the Council shall think fit.

R9 The Council may make regulations not inconsistent with these Rules or the International Sporting Code of the Federation Internationale de l'Automobile for the better management of the sport of karting in Australia.

R10 **Election of Officers**

Secretariat and Officers

- (a) The elected officers of the association are:

Secretariat

National President
National Vice President
National Secretary
National Treasurer

Other Elected Officers

National Medical Officer
National Technical Coordinator
National Steward Coordinator
National Track Safety Coordinator
National Publicity Officer
National Championship Liaison Officer

- (b) The Council may make regulations prescribing the duties and the responsibilities of the individual elected officers.

- R10A (a) The elected officers of the Association are elected by the delegates at the Annual General meeting from persons who have:
- (i) been nominated in writing to the chief executive officer at least 60 days before the meeting by the member association; and
 - (ii) must (unless the meeting otherwise agrees) be present at the meeting.
- (b) If a person was a delegate at the time of his election as an officer, he ceases to be so on election.
- (c) If there is a tied vote on the election, the ballot shall continue until a simple majority decision is reached.

R10B

Chief Executive Officer

- (a) A Chief Executive Officer may be appointed by the council on such terms and conditions as are agreed upon
- (b) The Chief Executive Officer is a non voting member of the Secretariat
- (c) The Chief Executive Officer may not hold any elected office in the Association or in any member association.
- (d) The Secretariat and the Council may by resolution delegate any of its powers to the Chief Executive Officer except the power of delegation and the power to make regulations, and may withdraw the delegation at any time.
- (e) The Chief Executive Officer in conjunction with the Secretariat has the power to defer and refer back any decisions made by the NKC that don't comply with the Incorporation Act of the State in which the AKA is incorporated OR the Acts in the member's States or Territory.
- (f) The Chief Executive Officer in conjunction with the Secretariat has the power to defer and refer back any decisions made by the NKC that don't comply with the Insurance Company's cover, legal advice, CIK, etc.

R11

- (a) The elected officers of the Secretariat take office at the conclusion of the Annual General Meeting and hold office for the period expiring at the conclusion of the next Annual General Meeting.
 - (i) in the case of the secretary and treasurer in the second year of their election.
 - (ii) in the case of all other officers in the year after the year of their election.
- (b) All officers are eligible for re-election
- (c) Any officer of the Secretariat may be moved by a vote by five of the seven delegates at a meeting of the Council

R12 **Powers of the Secretariat**

Subject to any specific provision elsewhere in these Rules the Secretariat has power:

- (a) to administer and control the sport in accordance with the regulations in the periods between Council meetings
- (b) to interpret and enforce the Regulations
- (c) to propose items for discussion and resolution at a General Meeting.

R13 **Vacancies on the Council**

A delegate remains a member of the Council until:

- (a) he resigns
- (b) a new delegate is nominated by his State association to replace him
- (c) his State association ceases to be a member association of the Association (AKA)
- (d) he is removed in accordance with R11(c).

R14 An officer member of the Council or member of any sub-committee of the Association who has any direct or indirect interest in any present or anticipated contract agreement or arrangement with the Association must declare that interest at the first meeting of the Council or the sub-committee (as the case may be) after he becomes aware of the interest or the contract agreement or arrangement, and must not vote in respect of the matter.

R15 A person ceases to be an officer of the Secretariat:

- (a) at the end of his term of office, unless he is re-elected
- (b) on receipt of his written resignation from that office
- (c) on removal on accordance with R11(c).

- R16 Filling Casual Vacancies**
A casual vacancy in any of the offices of the Secretariat may be filled from amongst eligible persons nominated by the member associations by a telephone conference of the delegates.
- R17** A casual vacancy in the number of delegates on the Council must be filled by the nominee of the member association of which the retiring delegate was a member.
- R18 Quorum at Council Meetings**
The quorum at a meeting of the Council is five delegates.
- R19 Number of Council Meetings**
The Council must meet at least once in each year. A meeting of the Council must be called if a majority of delegates so request. A meeting called as the result of a request must be held within two months of the receipt by the Chief Executive Officer of the request. If a majority of delegates agrees any meeting of the Council other than the meeting held in conjunction with the Annual General Meeting may be conducted by telephone conference.
- R20 Notice of Council Meetings**
At least one month's notice must be given of a Council meeting unless a majority of delegates agree or at the President's request that it is necessary to hold the meeting, either in person or by telephone conference, with a shorter period of notice.
- R21 Council Meetings Not Public**
Meetings of the Council are conducted in private but the Council may determine that part of the meeting be opened to the press or other observers. The Council may permit a person other than a delegate or officer of the Secretariat to address it.
- R22 Decisions of Council Meetings**
All decisions at Council meetings are made by simple majority of those delegates present and voting. The person presiding does not have a casting vote. A tied vote shall be deemed to be resolved in the negative.
- R23 General Meetings**
Time for Annual General Meeting
An Annual General Meeting must be held each year in the months of July or August or such other month as the Council determines.
- R24 Business of the Annual General Meeting**
The business of the Annual General Meeting is to:
- receive the President's Report
 - receive and consider the financial statement required by Section 30 (3) of the Associations Incorporation Act 1981 (Victoria)
 - elect officers of the Secretariat and the other national officers
 - appoint an auditor, and
 - consider such other business of which at least two month's notice has been given to the Chief Executive Officer.
- R25 Special General Meetings**
A special General Meeting must be called if a majority of delegates requests one. Unless so requested, it is not necessary to hold a Special General Meeting in any year. The only business which can be considered at a Special General Meeting is that set out in the Notice of the Meeting.

R26 Period of Notice of General Meetings

At least one month's notice of every General Meeting, including the Annual General Meeting, must be given.

R27 Form of Notice of General Meetings

A notice stating:

- (a) the place, date and time of the General Meeting
- (b) the nature of the business to be considered
- (c) if any special resolution has been proposed, the text of any such motion and a statement that it is intended at the meeting to propose the motion as a special resolution must be delivered to the State Secretary of each member association at the address notified in the Register of Members and to each delegate at the address last notified to the Chief Executive Officer by that delegate.

R28 A document which is posted and correctly addressed, unless the contrary is proved, is deemed to have been given to the addressee at the time at which the letter would have been delivered in the ordinary course of post.

R29 Quorum at General Meeting

Five delegates present in person or by proxy constitutes a quorum at a General Meeting.

R30 Proxies at Council Meetings and General Meetings

Each member association must appoint, in addition to its delegate, an alternate delegate who must also be eligible under these rules to be a delegate member of the State Association. An alternate delegate can exercise all powers given by these Rules to a delegate, if the delegate is unable to do so.

R31 If neither the delegate nor the alternate delegate of a member association is able to attend a General Meeting or a Council meeting, the member association by an authority signed by its President or Secretary and produced to the Chief Executive Officer may grant a proxy to the delegate of another member association. No delegate may exercise more than one proxy.

R32 Decisions at General Meetings

All decisions at General Meetings other than

- OR
- (a) a resolution to alter the name, the Statement of Purposes or the Rules of the Association,
 - (b) any other resolution required by the Associations Incorporation Act 1981 to be a special resolution,
 - (c) a re-submission of any resolution
- are decided by a simple majority of votes cast.
Any decisions referred to in sub-rules (a), (b) or (c) of this rule must be decided by special resolution.

R32A In circumstances where NKC approval is required to implement rules within the AKA Manual a phone or fax vote may be held/taken.

R33 Special Resolution

As prescribed by the Associations Incorporation Act 1981, a special resolution is a resolution agreed to by at least three-quarters of the delegates of member associations who are present in person or by proxy and who vote on the resolution at a General Meeting of which notice specifying the intention to propose the resolution as a special resolution was given in the manner required by these Rules, at least 21 days prior to the meeting.

R34 Management of Funds

- (a) All moneys received by the Association must be deposited in a bank account or accounts in the name of the Association.
- (b) All payments must be made by cheque.
- (c) All cheques must be signed by two (2) persons from a number appointed by the National Karting Council for that purpose.
- (d) The National Karting Council may approve the use by specified persons, of a credit card to draw on an account of the Association, and must specify the terms under which the card may be used.

R35 Financial Year

The financial year of the Association ends on 31 December.

R36 Deprivation of Funds

The funds of the Association are derived from subscriptions, licence fees, meeting permits, fines and such other sources as the Council agrees to.

R37 Common Seal

The Chief Executive Officer is responsible for the custody of the Common Seal, which must only be affixed in accordance with a resolution of the Council, and in the presence of two delegates or one delegate and one officer of the Secretariat.

R38 Books and Records

The Chief Executive Officer is responsible for the custody of the books, records and securities of the association.

R39 Inspection of Documents

Any book or record of the Association may be inspected upon reasonable notice to the chief Executive Officer by any member of the National Karting Council or by any person authorised in writing by a member association to do so.

R40 Alteration of Statement of Purposes or Rules

The Statement of Purposes and Rules may only be amended by a Special Resolution passed at a General Meeting of the Association. Any alteration so passed does not take effect until it has been lodged with the Registrar of Incorporated Associations.

R41 Disposal of Assets on Winding Up

The Association is prohibited from making any distribution to its members, whether in money, property or otherwise howsoever, of any assets belonging to the Association and provided however that this shall not prevent payment in good faith of remuneration to any officers or servants of the Association or of benevolent payments for which provision may be made from time to time in this Constitution.

If upon the winding up or dissolution of the Association there remains after satisfaction of its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among its members but shall be given or transferred to some other institution having objects similar (wholly or in part) to its object and which shall prohibit the distribution of its or their income and property amongst its members, such institutions to be determined by the members at or before the time of dissolution and if and so far as effect cannot be given to the aforesaid provision then to some charitable object or objects.

END OF REGISTERED RULES

ADMINISTRATIVE PROCEDURES

- A1 Communications must follow the following path:
From club member to club secretary to state secretary to national office for forwarding to other bodies involved. Replies are to follow the reverse procedure.

Responsibilities of National Officers

A2 **President**

The President shall

- a) attend all meetings as requested by the Council or the CEO;
- b) preside at all meetings of the secretariat, the council and committees;
- c) liaise with the CEO on a regular basis;
- d) convey to the CEO all directions of the Council;
- e) carry out the directions of the Council.

A3 **Vice President**

The Vice President shall

- a) attend all meetings as requested by the council or the CEO;
- b) preside in the absence of the president at any meeting of the Secretariat, the Council and Committees;

A4 **Chief Executive Officer**

The Chief Executive Officer shall

- a) be responsible to the Council, within the framework of the budget, for the administration of the Association;
- b) comply with all statutory reporting requirements of the association and other bodies established by the Association, and act as a public officer of the Association;
- c) act as Registrar of the AKA judicial system;
- d) prepare, in conjunction with the treasurer, a budget for the approval by the Council, and monitor and report on performance against the budget;
- e) prepare monthly financial reports for consideration by the Council;
- f) prepare tender invitations and administer tenders;
- g) prepare a business plan for approval by the council, and monitor progress against the plan;
- h) prepare, in conjunction with specialist committees, policy statements and specific purpose manuals for approval by the Council;
- i) liaise with CAMS and other sporting bodies, government and government authorities, sponsors and trade representatives;
- j) liaise with state karting administrations and develop an effective system of collecting statistical information;
- k) oversee the organization of national and international events;
- l) be responsible for the issuing of permits and licences for which the national office or national officers are responsible;
- m) be responsible for the promotion of the Association and the sport of sprintkarting in Australia.

A5 **National Treasurer**

The Treasurer shall

- a) attend all meetings at the request of the Council or the CEO;

- b) oversee the financial administration of the Association;
- c) in conjunction with the CEO, prepare the budget and the financial statements;
- d) carry out directions of the Council.

A6 National Secretary

The Secretary shall

- a) attend all meetings at the request of the Council or CEO;
- b) assist the national office in organising meetings of the Council and the Annual General meeting;
- c) carry out the direction of the Council.

A7 National Medical Officer

The National Medical Officer shall

- a) bring to the attention of the council any matter relating to the health or safety of karters, officials or spectators which he believes requires action by the Council;
- b) advise the council on any matter referred to him;
- c) liaise with state councils on any medical issues;
- d) establish a national policy on medical issues;
- e) attend meetings at the request of the Council or the CEO.

A8 National Technical Coordinator

The National Technical Coordinator shall

- a) attend all meetings as required by the Council or CEO;
- b) coordinate the National technical advisory committee, and act as the means of communication between the committee and the Council;
- c) advise the State technical Advisers;
- d) attend the National Championships in an advisory capacity;
- f) ensure a consistent interpretation of the technical rules in each state;
- g) collect and evaluate interpretations from each State Technical Advisor and from tribunals and circulate if appropriate;
- h) carry out the directions of the Council.

A9 National Steward Coordinator

The National Steward Coordinator shall

- a) attend all meetings as required by the Council or CEO;
- b) coordinate the National Steward Advisory Committee, and act as the means of communication between the committee and the Council;
- c) advise the State Steward Coordinator;
- d) attend the National Championships;
- e) in conjunction with the State Stewards Coordinator, ensure at least one stewarding school is conducted in each state each year;
- f) ensure a consistent interpretation of the rules in each state;
- g) collect and evaluate interpretations from each State Steward Coordinator and from tribunals and circulate if appropriate;
- h) carry out the directions of the Council.

A10 National Track Safety Coordinator

The National Track Safety Coordinator shall

- a) attend all meetings as required by the Council or CEO;
- b) coordinate the National Track Safety Committee, and act as the means of communication between the committee and the Council;

- c) advise the State Track Safety Inspectors;
- d) inspect in conjunction with the State track safety inspector, the track nominated or designated for the National Championships, and report to the council on its suitability;
- e) approve the designated track for the National Championships before the permit is issued;
- f) inspect, or nominate an interstate track safety inspector to inspect all temporary circuits and to be present for the duration of a temporary circuit meeting;
- g) attend the National Championships in an advisory capacity;
- h) in conjunction with the State Track Safety Officer, ensure at least one track safety school is conducted in each state each year;
- i) ensure a consistent interpretation of track safety rules in each state;
- j) collect and evaluate information relating to accidents and advise the council and the relevant club;
- k) carry out the directions of the Council;

A11 **National Championship Coordinator Liaison Officer**

The National Championship Coordinator Shall

- (a) Collect and evaluate information relating to National Championship and advise the Council;
- (b) Where the NKC is required to select the host club for National Championship:
 - i) Inspect all nominated circuits, facilities and locations prior to the AGM and report to the NKC on their suitability.
 - ii) Forward a written report of the track selected for the National Championships, to CEO (National Office) for circulation to the State Track Inspector and the National Track Safety Officer;
- (c) Establish a database re – entries, consumables, and facilities of each National Championship attended so as to:
 - i) Provide information to the clubs at least 2 years prior to event.
 - ii) Liaise with appointed club officials (max 2) answering enquires and requirements.
 - iii) Report to the CEO of any matter of concern regarding progress or scheduling;
- (c) Examine Supplementary Regulations;
(In conjunction with National Stewards Coordinator and CEO prior to approval)
- (e) Attend the National Championships in an advisory capacity from at a period 48 hours prior to first official practice;
- (f) Attend all meetings requested by council or the CEO; and take directives from Council.

A12 **National Publicity Officer**

The National Publicity Officer Shall

- (a) Oversee the publication of “Karting Australia.”;
- (b) Oversee the development and updating of the AKA Web Site;
- (c) Develop promotional material such as brochures, videos, etc.;
- (d) Coordinate advertising in general media;
- (e) Issue press releases to:
 - i) Karting media re: major policy changes or events of National interest
 - ii) General media re: events of National importance;
- (f) Disseminate promotional ideas to clubs and state bodies.

Structure and Responsibilities of National Committees

A13 **National Technical Advisory Committee**

A13.1 *Members*

The members of the committee are:

- a) a delegate appointed by each state karting council (as voting members); and
- b) the National Technical Coordinator as convener.

A13.2 A member of the committee is not to be an engine measurer or steward of a race meeting in that person's own state.

A13.3 *Duties*

The duties of the committee are:

- (i) to advise the Council, the State Karting Associations, clubs and competitors on matters relating to kart specifications;
- (ii) to consider proposals for changes to the technical regulations, and make recommendations to the annual conference;
- (iii) to consider other matters referred to it by the Council, and make recommendations to it.

A14 **National Track Safety Committee**

A14.1 *Members*

The members of the committee are:

- a) a delegate appointed by each state karting council (as voting members); and
- b) the National Track Safety Officer as convener.

A14.2 *Duties*

The duties of the committee are:

- (i) to advise the Council, the State Karting Associations, clubs and competitors on matters relating to track safety and the safety of competitors, pitcrew, officials and spectators;
- (ii) to approve new tracks and/or major alterations to existing tracks;
- (iii) to promulgate guidelines on track layout and on any issue of safety which it believes requires attention.

A15 **National Steward Committee**

A15.1 *Members*

The members of the committee are:

- a) a delegate appointed by each state karting council (as voting members); and
- b) the National Steward Coordinator as convener.

A15.2 *Duties*

The duties of the committee are:

- (i) to formulate standards for stewards and a system of grading;
- (ii) to recommend changes to the regulations relating to the control of race meetings and the disciplinary system;
- (iii) to consider matters referred to it by the Council, and make recommendations to it.

A16 **International Karting Committee (IKC)**

A16.1 *Members*

The members of the committee will be:

- a) FMK delegate, Coordinator FMK Championships plus two additional members. In addition, any other members as the committee may request and as approved by the NKC.
- b) The committee members are appointed by the NKC.
- c) The chairman is appointed by the NKC from the committee members.
- d) The committee is appointed for a 12 month term at each AGM.
- e) The NKC has the power to fill any casual vacancies between AGM's.

A16.2 *Duties*

The duties of the committee are:

- (i) to monitor technical and sporting regulations governing the organisation and promotion of FMK sprintkart classes;
- (ii) to make recommendations to the NKC in relation to matters pertaining to FMK

- sprintkart class competition conducted in Australia and Internationally;
- (iii) to monitor the promotion and organization of the FMK/FIA Oceania Championships and the Australian Championships for FMK classes;
 - (iv) to recommend to the NKC the allocation and organization of the FMK/FIA Oceania Championships and the Australia Championships for FMK classes;
 - (vi) to maintain the point score of the Australian Championships for FMK classes;
 - (vii) to recommend to the NKC the allocation of Australian Sports Commission funds specifically granted for funding international sprintkarting;
 - (viii) to recommend to the NKC the delegate and co-delegate to the FMK.

A17 Duties of State Karting Councils

The duties of State Karting Councils shall include:

- (i) collecting and remitting relevant fees, levies and other monies to the AKA;
- (ii) issuing and recording licences and permits;
- (iii) collating statistics and forwarding them to the AKA;
- (iv) keeping records of tribunal decisions and ensuring that the penalties and warnings are endorsed on licences;
- (v) drafting state calendars;
- (vi) determining conditions for state karting championships and series;
- (vii) arbitrating intrastate disputes not otherwise provided for in the national competition rules;
- (viii) to ensure recommendations of national officers and committees, are acted upon.

A18 References to National Secretary

Except in the registered rules, a reference in this manual to the National Secretary is to be taken as a reference to the Chief Executive Officer.

AUSTRALIAN KARTING ASSOCIATION INCORPORATED

CHAPTER 1 - COMPETITION REGULATIONS

- 1.01 **Authority:**
The National Karting Council (NKC) of the Australian Karting Association Inc. (AKA), has drawn up these regulations for the control of karting competition under its authority in Australia.
- 1.02 **Application:**
These regulations shall govern all competitions in which karts as hereinafter defined shall take part.
- 1.03 **Spirit and Intent:**
The AKA makes no pretense of having designed a fool-proof set of rules and regulations. Nevertheless, under the Constitution of the AKA, these rules and regulations will be periodically reviewed towards safer and fairer competition for all.
- 1.04 Entrants, drivers and participants in general are required to be fully conversant with these regulations and supplementary rules or instructions governing any event and are (by reason of their entry therein) definitely bound by such regulations, supplementary rules or instructions. Officials of any event shall have (and exercise) their powers during the entirety of any event. All AKA licence holders, whether competing or not, are bound by the Association's rules at all times when attending AKA sanctioned events.
- 1.05 Drivers will at all times be responsible for the conduct of their crews, and any offence committed by a crew member will be chargeable directly to the driver or entrant. A drivers parent in the pit / paddock area will be automatically classed as a pit crew member.
- 1.06. **Definitions: (Of Bodies)**
- (a) **AKA** - Australian Karting Association (Inc).
The Association of affiliated state karting associations in Australia.
 - (b) **AMSAC** - Australian Motor Sport Appeal Court. The final appeal tribunal.
 - (c) **ASN or "Recognised Automobile Club"** - A national governing body of automobile competitions, recognised as such by the FIA. The Regulations made by such a body for the control of competitions shall be referred to as the National Competition Rules of the Country.
 - (d) **FMK** - The International Karting Commission being appointed by the FIA to deal with competition matters.
 - (e) **Club** - A body organised to promote and foster the sport of Karting.
 - (f) **Code** - International Sporting Code.
 - (g) **FIA** - The International Federation of "Recognised Automobile Clubs."
 - (h) **NKC** - National Karting Council of Australia. The Executive Committee of the AKA.
 - (i) **National Technical Advisory Committee** - The Committee responsible to the NKC on technical matters related to Kart and Engine specifications.
 - (j) **National Track Safety Committee** - The Committee responsible to the NKC on matters of track design and safety.
 - (k) **SKC** - State Karting Council.
- 1.07 **Definitions: (General)**
- (a) **Addendum (to Supplementary Regulations)** - A form listing further information which was not available when the Supplementary Regulations were written and to be read in conjunction with the Supplementary Regulations. These too must be approved by the AKA prior to distribution and cannot alter the previously issued regulations except for reasons of force majeure or safety. If there is less than 7 days before a race meeting, this may be issued in the form of a Bulletin at the race meeting, signed by the Stewards and all drivers notified.

- (b) **Australian Kart Formula** - The specifications for karts under the heading set out in these regulations.
- (c) **Baulk Line** - The baulk line is the limit to which the kart may be pushed.
- (d) **Bulletin** - These cannot change the previously issued regulations except for reasons of force majeure or safety. Where possible they should be given to each competitor in writing and signed for. If this is not possible then they should be posted on the notice board and all drivers advised of the posting.
- (e) **Carburettor Jet** - A device that regulates the volume of fuel that passes beyond that point.
- (f) **Chassis** - consists of the frame and components except the tyres and engine.
- (g) **Class** - A classification of Karts as determined by the NKC from time to time.
- (h) **Compete** - A competitor is deemed to have competed if they have participated in competition. Refer R1.07(i).
- (i) **Competition** - Any race, test, time trial, speed event or combination of the aforesaid in which a Kart may participate and which has a competitive nature or is given a competitive nature by the publication of results. Competitions may be International, National or State. State Competitions may moreover be either OPEN or CLOSED as defined hereunder:
 - (i) An OPEN Competition is one in which the entry is permitted of any person holding a Sprint Kart Licence as hereinafter described.
 - (ii) CLOSED Competitions are those which are confined to the members of the Club or Clubs organising the competition.
- (j) **Competitor** - A person who is the holder of a current AKA licence and whose entry is accepted for any competition whatsoever. The term "Entrant" shall imply "Competitor" and vice versa. (Refer Rule 13.01.)
- (k) **Control Line** - A control line is a line by reference to which a kart is timed or its performance in a competition is determined.
- (l) **Course** - The route to be followed by karts in a competition.
- (m) **Cylinder Volume** - The volume swept in cylinder or cylinders by the upward or downward movement of the piston or pistons in such cylinder or cylinders. Cylinder volume shall be expressed in cubic centimetres. For all calculations relating to the cylinder volume of engines the symbol [!] will be regarded as 3.1416.
- (n) **Data Logger** - Any device that can store information to be retrieved at the end of a session.
- (o) **Did Not Start (DNS)** - A competitor is deemed to be a DNS if they have not received the order to start. Refer R1.07(oo).
- (p) **Driver** - Any person nominated as the driver of a kart in any competition whatsoever.
- (q) **Event** - All competitions for one class at the one meeting except as allowed for in rule 19.17(e).
Note 1 - Timed qualifying sessions are classed collectively as one section of the event.
- (r) **Finishing Line** - A finishing line is the last control line on a course.
- (s) **Frame** - welded main tube structure and applicable rails in the manufacturers specifications and regulations.
- (t) **Handicap** - The method laid down in the supplementary Regulations of a competition for the purposes of equalising the chances of the competitors.
- (u) **Heat** - One of a series of races in which the combined results of the heats shall determine the leader at that point.
- (v) **Kart** - An automobile complying with the specific requirements of these regulations.
- (w) **Licences** -
 - (i) The certificate of registration issued by the NKC to a qualified person wishing to compete in Kart competitions, known as a Sprint Kart Licence.
 - (ii) The certificate of registration of a track suitable for Kart competitions, known as a Kart Track Licence. No competition shall be permitted on any track in respect of which such licence has not been issued by the NKC.
- (x) **Licence Number** - The number of a Sprint Kart Licence. Such number shall be preceded by a letter indicating the State of issue. Sprint Karts driven by such licence holder shall bear that same number as a competition number, unless the supplementary regulations provide otherwise.

- (y) **Licence Register** - The list maintained by the AKA of persons to whom a Sprint Kart Licence has been issued. The register must show the relevant licence numbers.
- (z) **Log Book** - The log book is those pages in the centre of the AKA licence. The log book is to be dated and signed by the scrutineer signifying compliance with the regulations at every race meeting entered. (Refer Rule 13.10).
- (aa) **Meeting** - An assembly of competitors and officials which include one or more competitions other than one individual attempt at a record.
- (bb) **National Speed Event** - Shall be either "Public" or "Private", as defined hereunder. Public events are those events in respect of which the public is, or has been beforehand, invited to attend, by means of advertisements or publicity of any kind, or using any medium. Private events are, on the other hand, those in respect of which no prior publicity of any kind shall have been published to the general public. It shall not be necessary for the purpose of this rule for a specific and general invitation to attend to have been published. Any announcement of intention to hold such a meeting, made to the public at large, other than the Australian Kart Calendar or in official State Calendars published by the AKA, shall be deemed to constitute such a meeting as "Public" defined above.
- (cc) **Organising Committee** - A committee of at least three persons approved by the AKA and authorised by the promoters to organise a meeting on their behalf. When an organising committee is appointed to act on behalf of the promoters, such organising committee shall take the place of such promoters for the purpose of the rules, except that the promoters shall be responsible for the acts and omissions of such organising committee as if such acts and omissions were their own.
- (dd) **Organising Permit** - A documentary authority to organise and hold a competition granted solely by the AKA.
- (ee) **Programme** - A document prepared by the promoters or organising committee of a race meeting for the purpose of informing the participants and spectators about such a meeting.
- (ff) **Promoters** - Any person or body (other than an organising committee) proposing to hold, holding or organising a meeting.
- (gg) **Race** - A competition between karts running simultaneously on the same course, and in which finishing order or time is the determining factor.
- (hh) **Race Track Area** - Inside main safety fence.
- (ii) **Record** - The best result obtained under the prescribed conditions.
- (jj) **Secretariat** - The Secretariat of the AKA, as set out in the Rules of the AKA.
- (kk) **Speed Event** - Any event of more than 200 metres in a forward direction marked and which is determined by outright speed alone. The term "Speed Event" shall include races, attempts at a record, hill climbs and speed acceleration tests by whatever name.
- (ll) **Sprint Race** - A race on a circuit not exceeding 1.5 kilometres per lap in size.
- (mm) **Supplementary Regulations** - Regulations supplementary to these rules, drawn up by a promoter or promoters or organising committee of a competition or competitions and approved by the AKA, with the object of laying down details of such competition. Such regulations shall not be contrary to the Supplementary Regulations as laid down in the manual for State and National Championships nor to the Australian Kart Formulae which may not be altered, added to or amended, by way of Supplementary Regulations.
- (nn) **Telemetry Aids** - Any device that relays information from the kart to another party whilst the vehicle is in motion.
- (oo) **The Start** - The start is the moment when the order to start racing is given to a competitor or competitors.
- (pp) **Track** - A permanent course (being an agreed track defined by a single line, curbs and ripplestrips at each side of the course) or a temporary course (being an agreed track defined by temporary markings, barriers, or as defined by the organisers) used for competitions, including record attempts.
- (qq) **Tribunal Registrar** - The person designated by the AKA in each State to arrange Tribunals.
- (rr) **Wet Weather Tyre** - Tyre specifically manufactured for wet weather use.

CHAPTER 2 - FEES

Fees are payable to the AKA: The fees payable to the AKA shall be as follows or as may be announced by the NKC from time to time. *(All fees are inclusive of 10% GST where applicable)*

EVENTS

| | |
|---|------------------------------------|
| 2.01 National Sprint (Bitumen) Championship Permit: | |
| (i) 2001 | \$2200 plus \$27.50 per entrant |
| (ii) 2002 | \$2200 plus \$27.50 per entrant |
| (iii) 2003 | \$2200 plus \$33.00 per entrant |
| 2.02 National Dirt Championship Permit | |
| (i) 2001 | \$220 |
| 2.03 Australian Championship for CIK Classes Permit | 16.50 per entrant (in CIK Classes) |
| 2.04 reserved | |
| 2.05 State Sprint (Bitumen) Championship Permit: | |
| (i) 2001 | \$275.00 plus \$4.00 per driver |
| 2.06 State Dirt Championship Permit: | |
| (i) 2001 | \$110.00 |
| 2.07 Temporary Circuit Permit: | \$550.00 |
| 2.08 Track Development (driver levy - National) | \$1 per entry |
| 2.09 Tyre Levy | \$0.55 per tyre |

LICENCES

| | |
|---|-------------|
| 2.10 Senior AKA Licence (inc Insurance Component) | refer State |
| 2.11 Junior AKA Licence (inc Insurance Component) | refer State |
| 2.12 Rookie AKA Licence (inc Insurance Component) | refer State |
| 2.13 Midget AKA Licence (inc Insurance Component) | refer State |
| 2.14 Practice Licence | refer State |
| 2.15 reserved | |
| 2.16 International Sprintkart Licence (inc Insurance) | \$110.00 |
| 2.17 International Sprintkart Licence Upgrade | tba |
| 2.18 New Licence (surcharge) | \$11.00 |
| 2.19 reserved | |

JUDICIARY

| | |
|---|-----------|
| 2.20 Complaints: from any Competition | \$55.00 |
| 2.21 Appeals: To NKC or any NKC Tribunal: | \$275.00 |
| 2.22 Appeals: To AMSAC | \$4400.00 |
| 2.23 Fines - maximum permissible by State Councils: | \$110.00 |
| 2.24 reserved | |

EQUIPMENT

| | |
|--|--------------------|
| 2.25 Registration of CIK Engine | \$27.50 per engine |
| 2.26 Registration of an evolution of CIK Engine | \$27.50 per engine |
| 2.27 Approval of aftermarket parts | \$165.00 |
| 2.28 Registration / homologation in championship class | \$550.00 |
| 2.29 Review of engines in championship class | \$165.00 |
| 2.30 Registration/homologation in non championship class | \$165.00 |
| 2.31 Review of engines in non championship class | \$55.00 |
| 2.32 Registration / homologation experimental class | \$0 |
| 2.33 Registration of an evolution to champ, non champ or experimental class | \$165.00 |

CHAPTER 3 - INSURANCES

The information in this Chapter is a summary of the policies maintained by the AKA. Reference should be made to the policy documents for specific details of coverage, terms and conditions. The terms and conditions of the policies will prevail.

PUBLIC and PRODUCTS LIABILITY

(Indemnity: 50 Million)

PROFESSIONAL INDEMNITY

(Indemnity: 5 Million/10 Million in the Aggregate)

3.01 **Premium:** The premium for this Policy is paid by the AKA.

3.02 **The Policy covers:**

- the AKA
- all affiliated and association clubs
- officers, committees and the members of those clubs
- officials
- volunteers
- competitors
- competitor groups
- race track owners
- land owners and lessees of property
- sponsors
- organisers
- employees of any of the above
- fire, rescue, towing and medical organisations supplying services to the AKA (but not practising members of the medical and nursing profession).

3.03 *The following is a brief description of the cover and does not in any way alter or add to the terms of the cover which is set out in the policy.*

3.04 **The Policy insures the above against claims which they are legally liable to pay arising out of:**

- personal injury
- property damage
- damage to property in the physical or legal control of the insured - Limit \$200,000.
- advertising liability (as defined in the policy).

3.05 **The Policy covers :**

- motor sport activities authorised by the AKA
- the manufacture, sale, supply, handling or distribution of goods, products and merchandise
- committee and club meetings, social gatherings, fund raising activities, working bees, etc.

3.06 **The Policy Deductible:-**

- Public/Products Liability - \$500 for any one claim in respect of property damage.
- Professional Indemnity - \$1,000 for any one claim.

- 3.07 If you become aware of an injury or damage likely to give rise to a claim under the policy notify your State Secretary as soon as possible and complete an Incident Report Form.
- Give full details of the circumstances
 - Provide the names and address of witnesses
 - Make or obtain a sketch plan
- (Refer to and follow the procedures set out in the Insurance Manual supplied to your Club)

PERSONAL ACCIDENT INSURANCE (COMPULSORY)

- 3.08 **Premium:** The premium for this Policy is paid by the AKA.

- 3.09 **PREMIUMS AND BENEFITS:**

Earning Drivers:

BENEFITS:

- (a) Accidental Death
- (b) Loss of Limb(s) Eye(s)
- (c) Permanent Total Disablement
- (d) Temporary Total Disablement (payable up to 104 weeks, but excluding the first fourteen (14) days of disablement)
- (e) Temporary Partial Disablement (payable up to 104 weeks, but excluding the first fourteen (14) days of disablement).

LIMITS:

- (a) \$75,000
- (b) \$75,000
- (c) \$75,000
- (d) 100% of weekly earnings or \$500 whichever is the lesser but not less than \$100 per week.
- (e) 40% of schedule (d) benefit.

- 3.10 **Non-Earning Drivers:**

BENEFITS:

- (a) Accidental Death
- (b) Loss of Limb(s) Eye(s)
- (c) Permanent Total Disablement
- (d) Same as Earning Drivers, but limited to 52 weeks
- (e) Same as Earning Drivers, but limited to 52 weeks

LIMITS:

- (a) \$75,000
- (b) \$75,000
- (c) \$75,000
- (d) \$100 per week (Limit fifty two (52) weeks)
- (e) \$40 per week (Limit fifty two (52) weeks)

- 3.11 **Drivers from age 7 until age 16 Years:**

BENEFITS:

- (a) Accidental Death
- (b) Loss of Limb(s) Eye(s)
- (c) Permanent Total Disablement

LIMITS:

- (a) \$10,000
- (b) \$75,000
- (c) \$75,000

3.12 **Officials and Pit Crew:**

BENEFITS:

As per the Earning Drivers/Non Earning Drivers

Officials only : Excess Nil.

3.13 **Volunteers (16 Years and Over):**

BENEFITS:

(a) Accidental Death

(b) Loss of Limb(s) Eye(s)

(c) Permanent Total Disablement

(d) Temporary Total Disablement (payable up to 104 weeks, but excluding the first fourteen (14) days of disablement)

(e) Temporary Partial Disablement (payable up to 104 weeks.

LIMITS:

Earning Volunteers:

(a) \$75,000

(b) \$75,000

(c) \$75,000

(d) 100% of weekly earnings or \$500 whichever is the lesser but not less than \$100 per week.

(e) 40% of schedule (d) benefit

Non-Earning Volunteers:

(a) \$75,000

(b) \$75,000

(c) \$75,000

(d) \$100 per week (Limit fifty two (52) weeks)

(e) \$40 per week (Limit fifty two (52) weeks)

3.14 **Emergency Home Help (Non-Income Earners):**

\$200 per week for fifty-two (52) weeks maximum. (Not payable if claiming under temporary total disablement)

3.15 **Confinement to Bed (Non-Income Earners):**

Up to \$200 per week for up to fifty-two (52) weeks.

3.16 **Rehabilitation:**

Rehabilitation Costs (Home and vehicle modification costs)

Up to \$2,000 for any one injured person.

3.17 **Student Tutorial Expenses: (Full Time Students)**

\$200 per week for fifty two (52) weeks maximum.

3.18 **Funeral Benefit:**

Up to \$3,000.

3.19 **Ambulance Costs:**

Up to \$500 any one injured person.

3.20 **Out of Pocket Only:**

(Non Medicare Medical Expenses)

Non Medicare Medical Expenses means expenses occurring within the twelve calendar months of sustaining such injury paid by an Insured Person or by the Insured in respect of an Insured Person to a legally qualified medical practitioner, physician, surgeon, nurse, physiotherapist, chiropractor, osteopath, hospital and/or ambulance service for medical, surgical x-ray, chiropractic, osteopathic, physiotherapy, acupuncture, hospital or nursing treatment, excluding the cost of dental treatment unless such treatment is necessarily incurred to teeth other than dentures and is caused by injury.

Provided Always:

- (a) Any compensation payable is less any recovery made from any private Health Insurance Fund.
- (b) The Insurers shall not be liable for the first \$10.00 of each and every claim.
- (c) The Insurers liability to pay compensation shall not exceed \$500.00.
- (d) No compensation is payable in respect of the Medicare Gap.

3.21 **Who can apply?**

Officials, drivers, pit crew and volunteer workers who are 16 years of age and over.

3.22 **When are they covered?**

- **Officials:** From the time they leave their homes or place of business to go to an authorised activity until they return (provided there is no delay in returning after completing duties).
- **Voluntary Workers:** Whilst engaged in authorised volunteer work activities including, meetings, organising functions, minor maintenance and travel to and from such activities.
- **Drivers and Pit Crew:** From the time they report or check in prior to the start of a competitive event until the finish of the event, or until the last official report for that event has been received by the club official whichever last occurs.

3.23 **What are they covered against?**

Bodily injury resulting from an accident.

3.24 **When must the claim be made?**

Claims must reach the Loss Adjusters (Wyatt Group) within twenty-one (21) days of the injury.

3.25 **How do you get a claim form?**

Claim forms are available from your State Secretary.

3.26 **What information must be provided?**

1. The form must be fully completed.
2. You must provide evidence that you are employed and your income.
3. If self-employed, you must provide a statutory declaration from your accountant proving your income.
4. The doctor's certificate should show the anticipated time off work, if any.

3.27 **How does the Insurer pay?**

You must pay accounts and then request reimbursement of your costs after deduction of the Medicare and health fund benefits. You should prepare a summary showing this calculation.

- 3.28 **Qualified First Aid:**
Qualified first aid personnel must be in attendance at all official AKA race meetings.
- 3.29 **Ambulance Attendance at Race Meetings:**
The Insurer and the AKA recommend that an ambulance is in attendance at all official AKA race meetings. (ie. St. John Ambulance or equivalent, according to local law.)
- 3.30 **Civil Ambulance Membership:**
The Insurer and the AKA recommend that all karters should have civil ambulance membership.

KART INSURANCE (OPTIONAL)

- 3.31 **COVERING:** Fire and extraneous perils, burglary/theft and transit insurance (accidental damage) on Karts, Trailers, Accessories, Tools and Equipment anywhere in Australia.

Call on (03) 9211 3000 for a premium quotation.

CHAPTER 4 - OFFICIALS AND DUTIES

4.01 List of Officials:

The staff of officials whose duty it shall be to direct and control competitions may include:-

- The Stewards of the Meeting
- The Chief Observer
- The Clerk of Course (or Director)
- The Secretary of the Meeting
- The Timekeepers
- The Chief Scrutineer and Scrutineers
- The Engine Measurers
- The Fuel Tester
- The Tyre Tester
- The Scale Marshals
- The Announcer
- The Flag Marshals
- The Pit Marshals
- The Starter
- The Grid Marshals
- The Observers
- The Lap Scorers
- The Noise Control Marshal

They shall be termed "officials" and may have assistants to whom any of their duties may be delegated, such assistants are officials under these rules, except in the case of scrutineers and stewards, whose duties are specifically laid down in these Rules. All States shall be responsible to conduct schools for Scrutineers and Stewards in the first three (3) months of each year.

All State Karting Councils must appoint a State Stewards' Co-Ordinator annually. The State Stewards' Co-Ordinator can act as a Steward in his own State.

4.02 Right of Supervision:

- (a) In addition to the Officials above, the AKA may confer on persons specially qualified, the right to observe any person or body of people promoting or organising or taking part in the promotion or organisation of any competition within the territory of the AKA or any person acting as an official, competitor or driver, or any holder of a licence issued by the AKA in any competition held in any country whatsoever under the Code.
- (b) Whether so named in the relevant documents or not, the members, for the time being, of the NKC or Executives of State Councils shall, ex officio, be observers at all meetings organised under the Permit of the AKA, and shall, on production of their Badge of Office, be accorded free access to all parts of the course at such meetings, and shall have the power to take decisions and issue instructions, with regard to safety and orderly conduct of the meeting.

4.03 Essential Officials:

- a) At a meeting there shall be at least two licensed Stewards of the Meeting. National Office to supply all grades of Stewards with a current AKA Manual.
- b) Only licensed Stewards may officiate as Stewards at a race meeting except as allowed for in Rule 4.09 (1)

NATIONAL SPRINT CHAMPIONSHIP (Bitumen)

1. There will be a minimum of six Stewards for the National Sprint Championship.
2. The Secretariat shall appoint a minimum of four (4) Interstate Stewards from the recommendations made by the National Stewards coordinator for this Championship. (Each Interstate Steward will be from a different State and must have grade 1 qualifications).
3. One (1) of the Secretariat appointed Interstate Stewards shall act as the Chief Steward.
4. The relevant State Council will appoint the remaining Stewards from recommendations made by the State Steward Coordinator.

The AKA shall cover travel expenses and costs associated with the provision of the interstate stewards.

STATE SPRINT CHAMPIONSHIPS (Bitumen)

There will be a minimum of four (4) Stewards. The Secretariat shall appoint one (1) Interstate Steward who has grade 1 qualifications who shall act as Chief Steward.

The AKA shall cover travel expenses associated with the provision of the Interstate Steward. All other expenses shall be defrayed by the promoting club.

Clerk of the Course or Director, and in the case of speed competitions decided wholly or partially by time, one (1) or more timekeepers shall be appointed as essential officials at a meeting.

4.04 Nomination of Officials:

The Stewards of the Meeting and the Clerk of the Course will be nominated by the SKC and be responsible to the AKA.

All Officials, other than the Stewards of the Meeting and Clerk of the Course, shall be appointed by the Promoters and approved by the SKC and the AKA.

It is strongly recommended that State Karting Council Delegates, President, Vice President, Treasurer and Secretary do not officiate as Stewards or Clerk of Course at race meetings in their own State.

At any International Open Meeting held within the territory of the AKA, and at all meetings in which there is any event carrying a national title, the Stewards and Clerk of the Course shall be appointed by the SKC or AKA, and approved by the AKA.

4.05 Plurality of Duties:

At State and National Championships plurality of duties of key officials is not permitted. At club meetings it is strongly recommended plurality of duties is not undertaken by any official. (At no time may a steward perform more than one duty).

4.06 Separation of Duties :

(a) An Official shall not, at any meeting, perform any duties other than those which are clearly attached to his appointment or appointments. He shall not be eligible to compete in any competition at a meeting at which he is acting as an Official.

(b) A competitor may be a flag marshal or may assist an official, except the Clerk of the Course or Steward, at a non-championship event provided it is announced at the driver's briefing and the competitor is not responsible for any official documentation.

4.07 Remuneration of Officials:

The Stewards of the Meeting and the National Technical Co-Ordinator shall act in an honorary capacity, but their travelling expenses and all other expenses necessary for them to

discharge their duties shall be charged against the meeting and may be payable by the organisers of the meeting.

The AKA shall cover travel costs of appointed Interstate Steward/s for National and State Sprint Championships (bitumen). The AKA shall cover costs for the National Technical Co-ordinator for National Sprint Championships.

Other Officials may be remunerated for their services by the organisers of the meeting.

The AKA shall cover all travel and accommodation expenses associated with the provision of the interstate Stewards. Refreshments, breakfasts and lunches as required at the track are the responsibility of the promoting club.

4.08 **Appointment of Chairman and Secretary of Stewards:**

- (a) When the NKC has appointed one or more of the Stewards of the Meeting, such Steward, or if more than one have been appointed by the NKC, the Steward appointed from that group as the Chief Steward, shall act as Chairman of the Stewards of the Meeting.
- (b) In the case of equality of votes amongst all of the Stewards of the Meeting, the Chief Steward shall have a casting vote. If the judgement cannot be given immediately after the hearing of the parties, they must be advised of the time and place at which the decision will be given.
- (c) The Stewards of the Meeting may use a Steward's Secretary to complete paperwork at a race meeting.

4.09 **Powers of the Stewards of the Meeting:**

The Stewards of the Meeting shall have general power and authority to enforce compliance with the Code, these Rules, the Supplementary Regulations, the Programme, and the Instructions to Drivers (if any), and to adjudicate upon any dispute or complaint arising during the meeting subject to the rights of appeal provided by these Rules and in particular shall have power in accordance with these Rules to:

- (a) Decide what penalty to inflict for a breach of these Rules.
- (b) Modify the Supplementary Regulations in exceptional circumstances.
- (c) Alter the composition of or consolidate heats.
- (d) Authorise a run-off in the case of dead-heats.
- (e) Accept a correction made by a Judge.
- (f) Amend placings and awards as laid down in Rule 4.17(g) and R6.01.
- (g) Prohibit from competing any driver who, or any kart which they consider to be dangerous, or is reported as such by the Clerk of the Course or a Scrutineer.
- (h) Exclude from one or more competitions or for the duration of the meeting any entrant or driver whom they consider to be or who is reported to them by the Clerk of the Course or Director or Promoters, to be ineligible to take part therein or whom they consider guilty of misbehaviour or unfair practice.
- (i) Exclude from the course and its precincts any competitor or driver who refuses to obey the order of a responsible Official.
- (j) Postpone or alter the conditions of a competition for reasons of safety and "force majeure."
- (k) Modify the position of the starting area or finishing line, or alter the programme at the request of the Clerk of the Course or the Promoters where necessary to ensure reasonable safety for drivers and spectators.
- (l) Appoint a temporary substitute or substitutes to replace any Steward or Stewards not able to perform his duties. Such power shall be exercised by the remaining Steward or Stewards and shall be used to ensure that there are always at least TWO Stewards of a Meeting.

4.10 **The Stewards of Meeting to Report:**

As soon as practicable, but no later than five days after the conclusion of a Meeting, the Stewards of the Meeting shall, with the help of information provided by the Clerk of the Course, or Director, compile, sign and send to the AKA a report giving the results of each competition together with particulars of all complaints lodged, action taken thereon, penalties imposed, together with any recommendation in respect of such cases. The report shall also contain the Stewards' general comments on the organisation of the Meeting and the exercise of their own powers in relation thereto, and any other observations as to the conduct of the Meeting which they consider should be made to the AKA as the authority under whose permit the Meeting was held. There shall be submitted with the report any notices of intention to appeal and appeal fees received in accordance with these Rules.

4.11 **Powers of the AKA Following the Stewards' Report:**

- (a) If it appears to the AKA from the Stewards' Report or otherwise that a mistake has been made during competition or that the results of a competition have been improperly or incorrectly made out, the AKA shall be entitled to inquire into the matter, and, after giving the interested parties an opportunity to be heard, make such order as it deems proper, even though no complaint or appeal may be outstanding. Provided that no such inquiry shall be ordered after the expiration of 60 days after the publication of the results.
- (b) A copy of the Stewards' Report from all National Championships will be circulated to the States after completion of Hearing of Complaints, Appeals, etc.

4.12 **Duties of the Clerk of the Course or Director :**

In the case of a meeting comprising several competitions there may be a different Clerk of the Course or Director for each competition. The Clerk of the Course is responsible for the general conduct of the meeting in accordance with the Supplementary Regulations, Programme and Organising Permit, and, in particular, he shall:-

- (a) Keep order in conjunction with such military and police authorities as have undertaken the policing of the meeting and who are especially responsible for public safety.
- (b) Ascertain whether all Officials are at their posts, and report the absence of any of them to the Stewards of the Meeting.
- (c) Ensure that all Officials are provided with the information necessary for carrying out their duties.
- (d) Before each race meeting the drivers of the ambulance and pick-up vehicle/s are to be instructed not to move their vehicles inside the race track area whilst Karts are in motion.
- (e) Control competitors and their karts and prevent any ineligible competitor, driver or kart from taking part.
- (f) Ensure that each kart and (where appropriate) each competitor carries the proper identification marking in accordance with the programme.
- (g) Ensure that the correct driver is in each kart and marshal the kart as necessary.
- (h) Send the karts to the start in their right order and, if necessary, start them.
- (I) Convey to the Stewards of the Meeting any proposal to modify the programme or any report that deals with the misbehaviour of, or breach of rule by, a competitor or driver.
- (j) Receive complaints from competitors or drivers and immediately transmit them to the Stewards of the Meeting. Collect the reports of the Timekeepers, Scrutineers, Assistant Scrutineers and Observers together with such official information as may be necessary for the determination of the results.
- (k) Prepare a written statement of the information necessary to enable the Stewards of the Meeting to complete their report.

4.13 **Duties of the Secretary of the Meeting:**

The Secretary of the Meeting shall be responsible for the organisation of the meeting as regards all material and notices required in connection therewith. He shall satisfy himself that the various officials are acquainted with their duties and are furnished with the necessary equipment and issue Armbands or a form of identification designating their status at the meeting. If necessary he shall assist the Clerk of the Course or Director in the preparation of the information required for the Stewards' Report. He shall send to the AKA and to each competitor in the meeting, within 72 hours of the end of the meeting, a dated list of the provisional results of a State or National Championship.

4.14 **Duties of the Timekeepers:**

The principle duties of Timekeepers shall be :-

- (a) At the commencement of the Meeting to report personally to the Clerk of the Course or Director for instructions.
- (b) To start speed competitions if so instructed by the Clerk of the Course. In the case of a handicap competition, where the handicap is applied at the start, the starter shall be a timekeeper.
- (c) In races and speed events, and such other events as may be required by the AKA, to use only such apparatus for timing attempts at records where it is necessary to take times within one-hundredth of a second.
- (d) To register such times as are appropriate, having regard to the conditions of the competition, or are required by the Clerk of the Course or Director.
- (e) To prepare and sign their reports relating to the timing which is their individual responsibility, and to send them, with all necessary supporting documents, in the case of a meeting to the Clerk of the Course or Director and in the case of an attempt at record or test to the AKA.
- (f) To send on request their original time sheets either to the Stewards of the Meeting or to the AKA.
- (g) To communicate any times or results only to the Stewards of the Meeting and the Clerk of the Course or in accordance with their instructions.

4.15 **Duties of Chief Scrutineer, Scrutineers and Engine Measurer:**

The Scrutineers are generally responsible for ensuring compliance with *Chapter 12. - Scrutineering and Technical Inspection* and must endorse the driver's log book to show that they appear to comply with this Chapter.

The functions of Chief Scrutineer, Scrutineers, Engine Measurer, Fuel Tester and Tyre Tester may be combined at the discretion of the Chief Scrutineer, who, in particular shall :-

- (a) Make inspections before a meeting at the request of the Promoters,
- (b) At the commencement of a meeting report personally to the Clerk of the Course or Director.
- (c) Make inspections during, or if required, after a meeting.
- (d) Use only such measuring instruments as may be specified or approved by the AKA or as deemed necessary by the Engine Measurer / Scrutineer to determine compliance.
- (e) Communicate official information only to the AKA, the Promoters, the Stewards of the Meeting and the Clerk of the Course or Director.
- (f) Prepare and sign the reports of their inspections and hand them to the AKA, the Promoters, the Clerk of the Course or Director as may be appropriate.

4.16 **Duties of Observers, Flag Marshals and Starters:**

- (a) The Observers shall occupy posts along the course assigned to them by the Stewards of the Meeting, the Promoters, or the Clerk of the Course or Director. As soon as the

meeting commences each observer is under the orders of the Clerk of the Course, to whom he shall immediately report by any means at his disposal all incidents and accidents which occur on the section of track for which he is responsible.

- (b) At the end of each competition all Observers must give to the Clerk of the Course or Director a written report of all incidents noticed by them.
- (c) During a competition Observers/Announcers may be required to inform a specified official of the order in which competitors pass their post, lap by lap in case of a circuit competition.
- (d) Flag Marshals are marshals appointed to give signals by flags to the competitors in accordance with the signals laid down in these Rules.
Only professional or fully experienced persons to officiate at State and National Championships. They may also act as Observers.
- (e) Officials under the age of 14 years are not permitted to act as Flag Marshals at any Open Race Meeting unless under the direct supervision of an adult official.

4.17 **Duties of Judges:**

- (a) The Judges of Fact at each race meeting are the Starter, Chief Lap Scorer, Chief Time Officer, Weigh in Marshal, and Noise Control Marshal.
- (b) Other Judges of Fact (if any) will be specified in the Supplementary Regulations.
- (c) The duty of a Judge of Fact is to decide when or whether a kart has touched or passed a given line, or upon some other fact of the same type laid down in these regulations or the Supplementary Regulations.
- (d) A complaint may not be made against the decision of a judge, which shall be accepted as final unless corrected as herein after provided. The finding, though final as regards the fact decided, shall not constitute a statement of results because it will not have taken into account the conditions under which the karts have completed the course.
- (e) Cinematographic, photographic or similar apparatus may be used to facilitate a Judge's decision.
- (f) A mistake by a Judge may be corrected by him/her with the approval of the Stewards of the meeting.

4.18 **Duties of the Starter:**

- (a) To signal the start of competition in a manner that is fair for all competitors.
- (b) To signal competitors with flags and boards as required by these Rules.
- (c) To report to the Stewards, and/or Clerk of Course any competitor whose conduct, before the commencement of the race, is not satisfactory. (Refer also Rule 19.26)

4.19 **Duties of the Pit/Paddock Marshals:**

The Pit/Paddock Marshal shall be responsible for the general organisation, lay-out and control of the pit/paddock area.

4.20 **Duties of the Grid Marshals:**

The Grid Marshals shall be responsible for the marshalling of the karts in their correct grid positions, controlling karts until such time as they are placed in the hands of the Starter and at all times to co-operate with the Pit/Paddock Marshal.

4.21 **Duties of Scale Marshals:**

- (a) The Scale Marshals shall be responsible for weighing karts/drivers in accordance with these regulations.
- (b) Competitors must weigh to the scales of the day. It is recommended that the scale marshal has a set of test weights that will enable the accuracy of the scales to be verified during competition.

4.22 Duties of Noise Control Marshal.

The Noise Control Marshal shall be responsible for monitoring and reports on noise levels of all karts in accordance with these regulations.

4.23 Duties of Lapscorer.

Lapscorers shall record the order that karts cross the line each lap and shall tally points and record all places in each event.

The final placing of every kart should then be placed on a master sheet, from which the grid positions for the next heat of that class can be obtained.

The grid positions should then be posted on the notice board, as soon as possible after each heat, to assist the Pit and Grid Marshals.

4.24 General Duties of Officials

- (a) It will be the general duty of all officials, irrespective of the duties assigned to them and whether appointed by the AKA, the SKC or the promoters of any meeting, to act honestly and in good faith and in accordance with these regulations and rules and the general interests of the sport of Karting.
- (b) In particular an official will be bound by the provision of chapter five insofar as that chapter may relate to offences that may be capable of being committed by an official.

CHAPTER 5 - GENERAL OFFENCES

5.01 A person subject to these rules must not:

- (a) Use foul language;
- (b) Use threatening language;
- (c) Assault, strike, touch or move or otherwise apply force of any kind to the person of another or attempt so to do, except as the circumstances may justify or excuse such action.
- (d) Speak words or act in a manner which in the opinion of the officials, is likely to bring the Sport into disrepute;
- (e) Do any act which in the opinion of the officials is likely to bring the Sport into disrepute
- (f) Bribe or attempt to bribe another person or accept a bribe;
- (g) Compete whilst not currently licenced (minimum penalty of three years suspension);
- (h) Conspire to enable an ineligible person to enter a race or compete in a race;
- (i) Act in any way dishonestly;
- (j) Act in any way which is to the prejudice of karting;
- (k) Remove or be in the possession of, without permission, an official notice or list of competitor's times or results;
- (l) Make a false statement to any official or a tribunal member or member of the AMSAC;
- (m) Make a frivolous complaint or appeal;
- (n) Make a complaint or appeal for an improper purpose;
- (o) Use an engine, part or accessory which, in the opinion of the officials, is illegal under these rules or has been illegally modified;
- (p) Take part in a competition in breach of the regulations;
- (q) Use a fuel, lubricant or other substance not permitted by these regulations;
- (r) Fail to comply with the weight specifications set out in these regulations
- (s) Fail or refuse to present as directed, or prevent;
 - (i) an inspection or test of any part of a kart
 - (ii) an inspection or test of any part of a driver's clothing or equipment
 - (iii) the weighing of a kart, accessory or driver
 - (iv) an inspection or test of any fuel, lubricant or other substance in the possession of the driver or the Parc Ferme crew or under the control of any of them.
- (t) Fail to attend a Tribunal or inquiry when required by the State Tribunal Registrar or the Tribunal;
- (u) Fail to give evidence as a witness before a tribunal or inquiry when called, except to avoid self-incrimination;
- (v) Fail to pay to the AKA or an SKC within one month of its falling due any amount;
- (w) Fail to obey a proper order of an official of a meeting or the SKC or AKA or of a Tribunal or Court;
- (x) Remove a seal or mark without the consent of the official who placed it in position;
- (y) Remove a kart impounded for testing without the express permission of the proper official.

5.02 Other offences are set out in other part of these Rules.

5.03 A person found to have committed an offence against Rule 5.01 (q) or (r) shall be automatically excluded from the section of the competition to which the offence relates.

- 5.04 1. Any competitor who breaches Rule 19.26 starting of a race may face action taken by the issue of a Penalty Notification Form which will be issued without a Officials Hearing and signed by at least one Steward and one other Steward, Clerk of the Course or Starter. A complaint cannot be lodged against this action.
2. Any competitor who does not comply with weights Rule 5.01 (r) will have action taken by the issue of a Penalty Notification Form which will be issued without a Officials' Hearing and signed by at least one Steward and one other Officials, Scale Marshal, or Clerk of the Course.
A complaint cannot be lodged against this action.
- 3 Any competitor who does not comply with Noise Rule 24.2 will have action taken by the issue of a Penalty Notification Form which will be issued without an Official's hearing and signed by at least one (1) Steward and one (1) other official, Noise Control Marshal or Clerk of the Course.
A complaint cannot be lodged against this action.
- 5.05 **These regulations apply to anything done or not done:**
- (a) on any land occupied or used by any kart club
 - (b) at any temporary circuit
 - (c) at any meeting of any kart club, karting council, karting tribunal or motor sport appeal court
 - (d) in connection with any karting competition.
- 5.06 In proceedings before a karting tribunal or the AMSAC, any reference in a rule to the opinion of the officials must be taken as a reference to the opinion of that tribunal or the court, as the case may be.

CHAPTER 6 - PENALTIES

6.01 **Types of Penalties:**

The penalties which may be imposed are: Reprimand, Time Penalty, Place/Points Penalty, Revision of Grid Position, Fine, Exclusion, Suspension.

6.02 **Who May Impose Penalties:**

Stewards:

The stewards of the meeting may impose any penalty except:

- a fine over the amount of \$100.00
- a suspension for more than two months.

6.03 **Tribunals:**

A Tribunal and the AMSAC may impose any penalty except as outlined in Rule 6.04.

| Suggested Penalties List for Tribunals | Suspension |
|--|-------------------|
| Abuse / Intimidation of Official | 3 mth - 10 yr |
| Assault of Official | 1 yr - life |
| Assault / Intimidation of Competitor or Pit Crew or any other person | 3 mth - 5 yr |
| Non Conforming Engine | 3 mth - 3 yr |
| Non Conforming Fuel | 3 mth - 5 yr |
| Tyre Treatment | 3 mth - 5 yr |
| Alcohol / Drug Offences | 1 yr - 5 yr |

6.04 **Maximum Penalties :**

- The maximum fine which can be imposed by a Tribunal for a single offence is One Thousand Dollars;
- The maximum fine which can be imposed by the Court for a single offence is Two Thousand Dollars;
- There is no maximum for other penalties.

6.05 **Automatic Penalties:**

Some penalties are by these regulations imposed automatically. For example, suspension for failure to pay a fine.

6.06 **Penalties to be Noted on the Licence:**

Any penalty imposed on a driver must be immediately noted on the licence.

6.07 **Variation after Appeal:**

If the penalty is varied on appeal, the notation on the licence must then be altered by the Tribunal or the Registrar.

6.08 **Action if Person Present at Time of Decision:**

If the licence holder is present when the penalty is imposed

- the decision must be immediately noted on the licence

- (b) if a fine or suspension has been imposed, the licence must be retained by the State Tribunal Registrar until the fine has been paid or the suspension has expired (or both) and
- (c) the licence holder must be advised that the period of suspension commences immediately (subject to provisions relating to appeals).

6.09 Address for Notification of Hearings and Penalty:

A notification of a hearing or penalty is effectively given if sent by ordinary mail to the address given on the application for the person's current kart licence, or the most recent subsequent address notified in writing to the Secretary of the State Karting Council.

6.10 If the licence holder is not present, that State Tribunal Registrar must notify the licence holder by ordinary mail to the address referred to in the previous rule.

- (a) what penalty has been imposed
- (b) that the licence must be delivered to the State Tribunal Registrar for noting within seven days of the date of notification
- (c) if a fine has been imposed, then it must be paid within seven (7) days of the notification
- (d) if a suspension has been imposed, that the suspension applies from the date of the imposition of the penalty, and that the licence will not be returned until the period of suspension has been completed
- (e) that there is, except in the case of the decision of the AMSAC, a right of appeal under these regulations.

6.11 Manner of Notification:

A licence holder may be notified of a penalty in person or as referred to in Rule 6.09.

6.12 Date of Notification if by Post:

If the licence holder is notified by post, the date of notification is deemed to be the second business day after the day of posting.

6.13 Suspension for Failure to Comply with Time Limits:

If the licence holder does not comply with the time limits for delivery of a licence or payment of a fine, the licence holder is automatically suspended.

6.14 The period of automatic suspension is two days for every day between the date notified as the date by which the licence had to be surrendered or the fine paid (or both) and the date on which all directions in the notification have been complied with.

EXCLUSION

6.15 Consequences of Exclusion from a Race/Heat:

If the licence holder is excluded from a section of an event (ie race/heat), that person may compete in further sections of that event.

6.16 Consequences of Exclusion from an Event:

If a licence holder is excluded from an event, that person cannot take part in any further section of that event (eg. class), but may compete in other events at that meeting.

6.17 Consequences of Exclusion from a Meeting:

- (1) If a licence holder is excluded from a meeting
 - (a) the licence holder cannot take any further part in that meeting and
 - (b) loses any points, placing or award in any event completed at that Meeting before the sentence was imposed and
 - (c) forfeits any fee paid in respect of that meeting.
- (2) An automatic exclusion does not prevent the imposition of any additional penalty (after the hearing of a complaint) for the same offence.
- (3) A sentence of exclusion may be imposed by stewards who refer a matter for further penalty to a Disciplinary Tribunal, and this does not prevent the tribunal from imposing a further penalty.

SUSPENSION

6.18 Consequences of Suspension:

A licence holder who is suspended cannot take part in any meeting conducted under the authority of the AKA during the period of suspension.

6.19 A sentence of suspension or exclusion is applied immediately it is imposed, except as stated in Rules 8.17, 8.18 and 8.19.

PLACE / POINTS PENALTY

6.20 A place/points penalty may be imposed

- (a) in any section of an event (race) and;
- (b) in any round of a series.

TIME PENALTY

6.21 A time penalty may be imposed in any race.

6.22 Publication of Penalty:

- (a) The NKC or the AKA shall have the right to publish or cause to be published a notice stating that it has penalised any person, body, kart or make of kart, and, if it so desires, the reasons therefore.
- (b) The person, persons or body referred to in such notices shall have no right of action against the AKA or NKC or against any person publishing or printing the notice and may incur disqualification if such action is taken.

WARNING (Not A Penalty)

6.23 A steward may, if no complaint has been made concerning an incident, verbally warn a person subject to these rules, and may make a notation to that effect in the person's log book. The steward must first advise the person what offence the steward believes the person has committed and must give the person an opportunity to provide an explanation. If a complaint is subsequently made concerning the incident which resulted in the warning, a hearing must be held. If a stewards' hearing is held, the notification of the warning in the log book must be cancelled.

6.24 A person who has three or more warnings recorded in the log book in a 12 month period will be required to show cause to a Disciplinary Tribunal why that person should not be penalised. A Tribunal must deal with the matter as a matter of penalty only, and must accept that the person has committed the offences which were the subject of the warnings.

CHAPTER 7 - COMPLAINTS

- 7.01 A reference elsewhere in these regulations to a protest must be taken in this Chapter as a reference to a **COMPLAINT**.
- 7.02 A reference elsewhere in these regulations to a charge or report must be taken in this Chapter as a reference to a **COMPLAINT**.
- 7.03 A body or an official or a person directly affected may make a Complaint.
- 7.04 A Complaint or appeal may be made about any act or omission which is believed to be a breach of these regulations except:
- (a) a refusal of entry
 - (b) a decision of a judge or a judge of fact
 - (c) a direction to remove or cover advertising. (refer Rule 19.13)
 - (d) a starter's decision (refer Rule 19.26(vi))
 - (e) accuracy of scales
 - (f) the use of the red flag (refer Rule 16.11)
 - (g) stewards decision re Chief Scrutineer's report (refer Rule 12.01(d))
 - (h) injured driver clearance (refer rule 16.12)
 - (i) baulk line (refer Rule 17.04)
 - (j) a decision made re Rule 19.17
 - (k) A decision concerning non conforming fuel as the result of a test by a gas chromatograph
 - (l) a decision concerning non conforming noise level as a result of a test by a sound level meter. Refer R24.2
- 7.05 A Complaint save a complaint in relation to the actions of an official, if lodged at a meeting must be made in writing to the Clerk of the Course or Chief Steward on the correct form if available.
- 7.06 All other Complaints save a complaint in relation to the actions of an official, must be made in writing to the Tribunal Registrar.
- 7.07 A complaint in relation to an official must be made in writing to the National Tribunal Registrar. Complaints must relate to assault/intimidation of a competitor or pit crew or any person and not procedural or judgmental errors.
- 7.08 A written report of an official is a Complaint, if it states or implies that a regulation has been broken.
- 7.09 Where practical, a Steward who lays a complaint should not be involved in hearing that complaint, except when called as a witness.
- 7.10 A fee must be paid when a person makes a Complaint.
- 7.11 An official (of the day) does not have to pay a fee when making an official Complaint.
- 7.12 When the Clerk of Course receives a Complaint the Stewards must be notified.
- 7.13 When the Tribunal Registrar receives a Complaint, a hearing of a Tribunal must be arranged save and except as provided by regulation 7.18. The date for the hearing of a disciplinary tribunal must be notified to all parties concerned within 90 days of receipt by the State Tribunal Registrar of the complaint.
- 7.14 The time limits for Complaints are as follows:

| | Nature of Complaint | Latest Time for Making Complaint |
|--------|---|--|
| (i) | Validity of entry, Right to take part | <i>2 hours after end of time for scrutineering</i> |
| (ii) | Handicap / Make up of heat Instructions to drivers or race | <i>Half an hour before commencement of relevant heat</i> |
| (iii) | Decision of Scrutineer | <i>Immediately</i> |
| (iv) | Anything happening during a race (ie. Between leaving the grid and returning to pit area) | <i>Half an hour after returning to pit area</i> |
| (v) | Decision of engine measurer | <i>Half an hour after notification of decision</i> |
| (vi) | Calculation or publication of final results | <i>72 hours after publication</i> |
| (vii) | Any complaint concerning the actions of an official | <i>48 hours after the incident complained of</i> |
| (viii) | Any other situation | <i>Half an Hour</i> |

- 7.15 The Stewards or Tribunal Registrar (whether national or state) may always permit a Complaint to be made out of time for a good reason.
- 7.16 A Complaint made at a race meeting must be dealt with by the Stewards unless there is a good reason why they cannot do so.
- 7.17 Exclusion and Referral for Penalty
- 1 Fine (up to \$100.00)
 - 2 Revise finishing order
 - 3 Written Warning
 - 4 Revise grid position
 - 5 Place / points penalty, loss of point for heat or exclusion from that section of the event
 - 6 Loss of points for the day
 - 7 Exclusion from event
 - 8 Exclusion from meeting (and consider referral to SKC Tribunal)
 - 9 Suspension (up to 2 months)
- 7.18 (a) A complaint against an official shall be made in writing and signed by the complainant and shall be accompanied by signed statements of witnesses (if any) to the incident complained of.
- (b) The written signed complaint and the signed witness statement or statements shall be forwarded to the National Tribunal Registrar by post within the time limited by regulation 7.14 (vii)
- (c) The National Tribunal Registrar, upon receipt of the material referred to in subparagraphs (a) and (b) hereof shall, in the first instance, in the exercise of his or her absolute discretion, decide if the nature of the complaint, prima facie, indicates that a breach of the regulations or rules has been committed by an official or is an issue of sufficient importance, or of sufficient weight or is a matter of public interest or is in the interest of karting generally, in which case, he or she shall refer the said material to a State Disciplinary Tribunal which shall be constituted for the purpose of considering and enquiring into the complaint and, if thought fit, imposing a penalty.
- (d) If the National Tribunal Registrar, in the exercise of his or her discretion, considers that the complaint is trivial or frivolous and vexatious then in that case, the National Tribunal Registrar may reject the complaint.
- (e) No appeal shall lie against any decision made by the National Tribunal Registrar in exercising his or her discretion in any matters referred to in this regulation.
- (f) The National Tribunal Registrar, if he or she considers that the complaint should be referred to a Disciplinary Tribunal, shall forward the material referred to in subparagraphs (a) and (b) hereof to the State Tribunal Registrar who in the opinion of the National Tribunal Registrar is the most appropriate to consider and determine the matter.

Stewards Hearings:

- 7.19 The procedure for a Stewards' Hearing is set out in this Chapter. The Stewards are not a Tribunal and Chapter 9 does not apply to them. Any necessary interviews by the Stewards of the Meeting must be conducted outside the race track area. (Refer Rule 1.07 (ff)).
- 7.20 In the rest of this Chapter the person or body making the Complaint is called **"the Complainant"**.
- 7.21 If the Complainant does not know what regulation is relevant, the Stewards must attempt to find the relevant regulation.
- 7.22 The Stewards must, when all parties are present, tell the other parties which regulation is believed to be relevant.
- 7.23 If the Stewards believe that a regulation is relevant which is different from that stated by the Complainant, all parties must be advised.
- 7.24 The Complaint must then be dealt with on that basis. It is the intention of these Rules that a person should not escape responsibility for a breach of these Rules because a Complaint is wrongly framed.

- 7.25 When a Complaint is made, the Stewards must decide which persons may be materially affected by the decision of the Complaint.
- 7.26 Those persons must then be invited to attend when the Complaint is dealt with.
- 7.27 A person need not be invited to attend if the only way in which that person may be affected is by being advanced in position (without being placed).
- 7.28 An invitation to attend the hearing of a Complaint made at a race meeting may be made by announcement on the public address system. However, the stewards must ensure that a person against who a complaint has been made is aware of the hearing, by personal contact if necessary. Failure by the invitee to attend a hearing does not mean the complaint cannot be dealt with.
- 7.29 Midget, Rookie and Junior competitors who attend the hearing of a Complaint must be accompanied by a parent or guardian or other adult.
- 7.30 The young person may consult the adult, but the adult must not speak to the Stewards unless, in the opinion of the Stewards, the young person will suffer serious prejudice unless the adult is permitted to speak.
- 7.31 A person invited to attend the hearing of a Complaint may nominate another person to attend as the representative of that person.
- 7.32 The Stewards may treat the nominee, in the absence from the hearing of the nominator, in all respects as the nominator.
- 7.33 The nominator cannot complain of not being given an opportunity to speak or to exercise any other right, if the nominee is given that right while the nominator is absent from the hearing.
- 7.34 A Complaint made at a race meeting must be dealt with as soon as possible.
- 7.35 At least two Stewards must deal with a Complaint made at a race meeting.
- 7.36 The Complainant must outline the facts on which the Complaint is based and to produce evidence.
- 7.37 The other parties must then be asked what they have to say in support or in reply and to provide any other relevant evidence.
- 7.38 The Stewards must decide whether a regulation has been broken and, if so, who has broken it.
- 7.39 If it is decided that a regulation has been broken by a particular person, that person must be asked whether there is anything that person wishes to say which will be relevant in determining the appropriate penalty.
- 7.40 The Complainant and the Clerk of Course, or the Clerk's representative, must also be asked the same question.
- 7.41 The Stewards must decide whether the appropriate penalty is within the power of the Stewards as set out in these Regulations.
- 7.42 Exclusion and Referral for Penalty
- 1 Fine (up to \$100.00)
 - 2 Revise finishing order
 - 3 Written Reprimand
 - 4 Revise grid position
 - 5 Place / points penalty, loss of point for heat or exclusion from that section of the event
 - 6 Loss of points for the day
 - 7 Exclusion from event
 - 8 Exclusion from meeting (and consider referral to SKC Tribunal)
 - 9 Suspension (up to 2 months)
- 7.43 The Stewards must also advise the parties what penalty, if any, will be recommended to the Tribunal, but advise that the Disciplinary Tribunal may vary the penalty.
- 7.44 In all other cases the Stewards must decide what is the appropriate penalty. Any penalty shall be given in writing on the AKA official form.
- 7.45 If the Stewards do not make a decision which is favourable to the Complainant or if the complaint is withdrawn, the fee for the complaint shall normally be forfeited.
- 7.46 Once a decision on a Complaint is made, all parties must be advised that they have a right of appeal to an Appeal Tribunal. (Refer Rule 8.12 and 8.13 for vital conditions if an Appeal involves engines/fuel/accessory or part).

CHAPTER 8 - APPEALS

- 8.01 There are four kinds of appeals:
- (a) an appeal from a decision of the Stewards
 - (b) an appeal from a decision of a Disciplinary Tribunal
 - (c) an appeal from a decision of an Appeal Tribunal to the AMSAC and
 - (d) an appeal to the AMSAC on the grounds that a decision of the NKC or the Secretariat was not within the power of that body or is otherwise unconstitutional.
- 8.02 Any body or an official or a person affected by any of the decisions referred to in the previous rule may appeal.
- 8.03 A State Karting Council or the AKA Secretariat, may appeal to an Appeal Tribunal or the AMSAC if it is satisfied that the appeal should be brought in the interests of karting.
- 8.04 All appeals to the AMSAC are subject to leave being granted by the Court.
- 8.05 Appeals must be lodged with the Tribunal Registrar. (Refer Rule 1.07 (oo)).
The Appeal shall be in writing on the AKA Appeal Form together with the appropriate fee.
- 8.06 Notice of Intention to Appeal shall be in writing and given to the Stewards of the Meeting with the appropriate fee and shall bear the same consequences as an official appeal.
- 8.07 The time limits for Appeals are :

| Body appealed to | Time Limit for Notice of Intention to Appeal | Time for Notice of Appeal |
|-------------------------------------|---|--|
| Appeal Tribunal | One hour of decision | Hand delivered or posted by Certified Mail before 12 midnight on third day after day of decision |
| Australian Motor Sport Appeal Court | Not applicable | Hand delivered or posted by Certified Mail before 12 midnight of tenth day after day of decision |

- 8.07.1 The Tribunal Register may always, for a good reason, accept an out of time appeal providing it is hand delivered or posted by Certified Mail up to 72 hours out of time.
- 8.07.2 Any Appeal out of this time must not be given consideration.
- 8.07.3 An Appeal by a State Karting Council or the AKA under Rule 8.03 is not subject to the time limits set out in the previous parts of this rule.
- 8.08 The fees for Appeal (including GST) are as follows :
- | | |
|-----------------------|-----------|
| To an Appeal Tribunal | \$550.00 |
| To the AMSAC | \$4400.00 |
- 8.09 A State Karting Council or the AKA Secretariat does not have to pay an appeal fee.
- 8.10 The notice of intention to appeal or notice of appeal must indicate whether the appeal is against a decision of conviction, sentence, or both and must set out the grounds of appeal.

- 8.11 The body hearing an appeal has a discretion to permit an appellant to rely on a ground not set out in the notice of appeal.
- 8.12 If a person appeals against a decision that an offence has been committed against Rule 5.01 (o), the engine, part or accessory must :
- (a) be handed to the Clerk of the Course or deputy; and
 - (b) be sealed for transmission to the Tribunal or the AMSAC; and
 - (c) remain sealed until an official inspection is arranged in the presence of the parties by the Registrar.
- 8.13 If the engine, part or accessory is:
- (a) removed from the inspection area at any time by anyone except an official of the meeting; or
 - (b) not handed to the Clerk of the Course or deputy; or
 - (c) altered at any time in the inspection area by the person appealing or a member of that person's crew the evidence on which the decision appealed against was based must be accepted as correct on the appeal.
- 8.14 (a) If a person who is found guilty of using a fuel, lubricant or other substance not permitted by the regulations, wishes to appeal against that finding, the appropriate official must, in the presence of the person intending to appeal, or that person's representative,
- (i) take a sample or samples and place in an airtight container ;
 - (ii) seal the sample(s) for transmission to the State Tribunal Registrar or to an address directed by the Registrar.
- (b) If the sample is further tested, the seals must be verified as intact on receipt by a competent person.
- (c) A competent person for fuel analysis in this instance is a person who is a member of, or eligible for membership of the Royal Australia Chemical Institute or a similar body.
- 8.15 A person whose fuel, lubricant or other substance is tested and the crew of that person must not:
- (a) alter any part of it in any way ;
 - (b) remove any part of it from the inspection area without the permission of the tester ;
 - (c) remove, alter or damage any sealed sample at any time.
- 8.16 If a person commits an offence under Regulation 8.15, the evidence of the fuel tester as to the legality of the fuel, lubricant or other substance must be accepted at the appeal, and no evidence will be permitted from the appellant concerning the legality of the fuel, lubricant or other substance.
- 8.17 If a notice of intention to appeal or a notice of appeal is lodged, a penalty of exclusion or suspension only takes effect before the hearing of the appeal in the situations set out in the next two rules.
- 8.18 If -
- (a) the decision cannot be the subject of a complaint and therefore cannot be appealed against or
 - (b) the decision appealed against was made under **Rule 4.09(h) (i) or (j)** or
 - (c) the decision appealed against related to an offence referred to in Rule 12.02
 - (d) then a penalty of exclusion or suspension takes effect **immediately**.

- 8.19 (a) If the person appealing is advised in writing that the appeal will be heard within one month from the date of the decision appealed against, the penalty of exclusion or suspension takes effect from the time referred to in the following sub-rule:
- (b) The time at which the penalty takes effect is the later of -
- the end of the event to which the appeal relates, or
 - the date on which the person penalised receives written notification of the result of the appeal.
- 8.20 (a) A person participating in any competition whilst under appeal cannot receive any award, trophy or points in the event of which the above said race was part unless that person is successful in appealing.
- (b) Any person who races under appeal forfeits all rights to withdraw such appeal.
- 8.21 (a) The State Tribunal Registrar must ensure that notice of the hearing of the appeal reaches the appellant and all other parties to the appeal not later than :
- the day of that week before the day of the week on which the appeal is to be heard. (eg. notice of an appeal to be heard on a Friday must reach the parties not later than the Thursday of the previous week).
- (b) If the appeal involves a person from another State, at least an additional one week's notice must be given.
- (c) Notice may be delivered personally, posted or faxed.
- (d) The date for the hearing of the appeal must be notified to all parties concerned within 60 days of receipt by the State Tribunal Registrar of the notice of the appeal or of the date of any directions hearing called, whichever is the latter.
- (e) Failure by the State Tribunal Registrar to notify all parties concerned within the required time will result in the appeal being decided in favour of the competitor and the appeal fee being returned to the appellant.
- (f) The date set for the hearing of the appeal must fall within 90 days from the date of receipt by the State Tribunal Registrar of the notice of appeal or of the date of any directions hearing called, whichever is the later, except that the date of the appeal hearing may be altered by agreement of all parties concerned.
- 8.22 If the Tribunal Registrar believes that the matter involves complex scientific or technical evidence, the Tribunal Registrar may request the Chairperson of the Tribunal to conduct a telephone directions hearing. The Tribunal Chairperson has the power at a directions hearing to direct the parties to exchange technical or scientific information by a date not less than one week before the hearing, and to give other directions concerning tests or other matters, including adjournments with a view to simplifying the matters in dispute at the full hearing. Any evidence not provided to the other parties as directed at a directions hearing shall be disallowed, unless all parties agree to its admission.
- 8.23 If a person appealing wishes to raise legal argument concerning:
- the right of the Tribunal or the AMSAC to hear the appeal or
 - the validity of the regulations on which the decision appealed from was based, then a statement of the argument must be delivered to the Tribunal Registrar at least seven days before the date fixed for the hearing.
- 8.24 A body hearing an appeal may impose any penalty within its power or vary the penalty.
- 8.25 A body hearing an appeal may not order a race to be re-run.

- 8.26 A body hearing an appeal may alter any decision made by an official or officials or by a State Karting Council.
- 8.27 A body hearing an appeal may not alter a decision of the National Karting Council unless it decides that the decision:
- (a) was not within the power of the National Karting Council to make or
 - (b) was not permitted by the registered Rules of the AKA or
 - (c) was not permitted by these regulations.
- 8.28 An appeal fee will be returned to the person appealing if:
- (a) the appeal is successful or
 - (b) the body hearing the appeal considers that there are exceptional circumstances which warrant the return of the fee.
- 8.29 The AKA shall have the right to publish or cause to be published a judgement on appeal and to state the names of all the parties interested. The persons or bodies referred to in such notice shall have no right to action against the AKA or against any person printing or publishing the said notice.
- 8.30 If a person appeals on the grounds that the procedure adopted at the hearing before the Stewards or the Tribunal was not in accordance with these regulations, the body hearing the appeal must determine whether the failure to follow the regulations was so serious that the decision appealed against cannot stand. If the body does so, it must re-hear the matter or refer it for re-hearing. **Failure to follow procedures will not result in dismissal of a complaint by an appeal body.**
- 8.31 If an appeal tribunal or the AMSAC forms the view that an official has acted improperly, it may:
- (a) call upon that official to state, after an adjournment if necessary, why he or she should not be prohibited from acting as an official for a period of time and
 - (b) after considering all relevant material presented to it, prohibit the official from acting as an official or a particular official for a stated period.
- 8.32 Appeals directed to AMSAC are subject to AMSAC time limits and not those of as detailed in regulation 8.21 (d) (e) and (f).

CHAPTER 9 - TRIBUNAL PROCEDURE

9.01 **The Machinery of Justice:**

In the course of normal competition, whether it be as affecting an organiser, an official or a participant, occasions arise from time to time which require adjudication of disputes, or the just settlement of conflicting interests. Moreover, the discipline necessary in all organised activity, and vital in motor sport are maintained by a system of law which involves the enacting of Rules and Regulations, the appointment of officials to administer them and the provision of machinery to impose penalties for breaches of them.

Provision has been made by the AKA for the discharge of all these functions. In accordance with the Code, general laws applicable in Australia have been enacted and published, and form the Rules embodied in this Manual. Further restrictions, in more particular detail, are published from time to time in Supplementary Regulations and Agenda of individual events. To police these rules and regulations, the AKA appoints from time to time individual officials such as Stewards and Clerks of the Course and requires organisers to appoint others, such as Scrutineers, Secretaries, Timekeepers and so on each with their duties and responsibilities. The Stewards of the Meeting have by right (and others may have by special delegation) certain powers to impose penalties and it follows that there should exist avenues of appeal which may be followed by any persons penalised by them. Similarly, persons against whom any action has been taken, though not of punitive nature, should have the opportunity to lodge a complaint, except in certain special cases.

Lastly, those who commit offences against the Rules in circumstances unrelated to a meeting, or of a kind which appears to merit penalties beyond the power of Stewards to inflict, are liable to be charged with those offences. In such cases, they are entitled as of right to be confronted by their accusers, to hear the evidence against them, to test that evidence and call their own, and to be assured of impartial justice.

All these requirements and the need to provide avenues of appeal referred to above, have resulted in the authorisation by the AKA, or affiliated State Karting Councils, to appoint what are known as Tribunals.

9.02 **The Duality of Tribunals:**

Tribunals are of two kinds, viz.

(a) **DISCIPLINARY TRIBUNALS:** which are essentially minor courts, are set up to try cases brought before them by the AKA, by way of charges against persons or groups subject to AKA Disciplinary Tribunals and have two primary duties:

- (i) to determine whether or not a charge heard is proved, and
 - (ii) if so, to impose the appropriate penalty.
- (iii) To these may be added the right to make any recommendation to the AKA, that may seem fitting and relevant.
- (iv) A Disciplinary Tribunal may also have the responsibility of determining a penalty, if the Stewards after conviction, determine that a penalty is warranted which they are not authorised to impose. In that case, the written statement of the Stewards that the charge has been found proved shall be conclusive evidence of that fact and so much of this chapter as applies to the proving of the case shall not apply to that hearing.

(b) **APPELLATE TRIBUNALS:**

which are appointed to hear pleas arising from decisions by:

- (i) Officials of a Meeting, or
- (ii) Disciplinary Tribunals.

Appellate Tribunals are obliged to confine their decisions to matters actually appealed, though they are free also to make recommendations to the AKA, arising out of their deliberations.

9.03 **Stewards Hearing:**

Stewards conducting a hearing at a race meeting are not a Tribunal under this Chapter.

9.04 **Constitution of Tribunals:**

Certain basic qualifications are required of any person acting in a judicial capacity. He must not for instance, be involved personally or have any interest in the matter at issue, he must have had no connection, other than as a spectator, with any meeting where the matters arose; he must have had no prior contact with, or made any decision affecting the matter at issue; he must be impartial and must take into account only the evidence brought before him and he must act only in accordance with the body of law under which he is appointed.

In Karting it is not always easy to find such persons. It is not desirable (in general terms) for those who enact laws also to interpret them, and hence the voting national councillors of the NKC are virtually stopped as judicial officials. It is not desirable for administrative officials to act in a judicial capacity, especially in disciplinary tribunals, as frequently they are involved in prosecuting charges and it is undesirable to appoint active organisers and competitors to such positions primarily because of their potential or actual interests in events or persons.

9.05 **Conduct of Tribunals:**

Location and Arrangement: A suitable room, with adequate space for the tribunals, the parties and witnesses, and preferably in a neutral venue should be selected. The bench should be at one end, flanked at right angles by tables for each party with a chair at least for witnesses in front of the bench. Provisions may be made for the press, if the Tribunal permits press reporting, and arrangements must be made to record the hearing in full, preferably on tape.

A party or a witness may, subject to approval of the Tribunal, take part in the proceedings by telephone conference.

1. **Procedure at Disciplinary Tribunals:**

- (a) The Chairman should announce the opening of the Tribunal, stating its authority, its composition, and the purpose of its sitting. Leave may be granted for advocates to represent the parties, and if so appearances are then taken. Representation by the Legal Profession or Police Force is not permitted.
- (b) The accused is to be asked whether he objects to any member sitting if so, on what grounds. If no objection is received, the case proceeds. If an objection is received, it must be examined and may involve one or more member being declared ineligible to sit. (If more than one member steps down as ineligible the hearing must be adjourned, two being the minimum number acceptable on the bench). If the objections are not considered valid, they may be overruled by the Tribunal, and the case will then proceed. (In such case the objection must be noted and in due course included in the transcript of the proceedings).
- (c) The complaint or complaints shall then be read to the accused, either by a clerk of the tribunal (if there is one) or by the Chairman and the accused will plead to each complaint. If a plea of "guilty" is received, the proceedings in such case may be shortened but the onus still lies on the prosecution to produce evidence in support of such complaint. If a plea of "not guilty" is received, the case proceeds as follows:
- (d) The prosecution proceeds first, and is normally required to adduce evidence of the existence of a rule or regulation allegedly breached, and evidence of the breach.
- (e) If a Tribunal believes that a regulation is relevant which is different from that stated by the Complainant, all parties must be advised. The complaint must then be dealt with on that basis, after adjournment, if that is necessary. It is the intention of these regulations that a person should not escape responsibility for a breach of these regulations because a complaint is wrongly framed.
- (f) The defence may then lead evidence in rebuttal of the prosecution's case.

- (g) The defence will then address the Tribunal, summarising the case for the accused.
- (h) The prosecution will then address the Tribunal, summarising the case for the prosecution.
- (i) The Tribunal will then determine the guilt or otherwise of the accused, adjourning the Tribunal if necessary to do so. No other persons shall be present or partake in any discussion with the Tribunal at this stage, unless the Tribunal has both parties before it together.
- (j) If the Tribunal finds the complaints not proved, it shall dismiss the complaints.
- (k) If the Tribunal finds the complaints or any of them proved, it shall announce a finding of "guilty" and then hear argument on the question of penalty.
- (l) The Tribunal shall determine and announce whether a penalty is imposed, and if so, its nature (and if relevant, the duration of a term of suspension).
- (m) The Tribunal, in giving judgement for or against the accused, shall do so by writing down its judgement and reading it aloud to the parties appearing. Such judgement shall include the Tribunal's reasons for its findings, and shall include a statutory reminder to the parties of their rights of appeal. Such judgement may, moreover, include any recommendation which the Tribunal deems fitting.
- (n) The Chairman will then declare the proceedings closed.

2. **Procedure at Appeal Tribunals:**

- (a) The Chairman will announce the Tribunal's authority, its composition and its purpose. Leave may be granted for advocates to represent the parties, and if so, appearances will then be taken, representation by the Legal Profession or Police Force is not permitted.
- (b) To shorten the proceedings, the parties may at this stage stipulate certain facts of the admissibility of certain documents (eg. if a transcript summary, or both, has been made available to the Tribunal and to both parties, of either proceedings giving rise to the appeal, such may be stipulated as accurate on appeal).
- (c) The appellant goes first, addressing the Tribunal and/or calling evidence.
- (d) The respondent follows similarly also addressing the Tribunal and/or calling evidence.
- (e) The respondent then makes his final address, if he desires to do so.
- (f) The appellant then makes his final address, if he desires to do so.
- (g) The Tribunal then determines whether, and if so, to what extent, the appeal shall succeed, adjourning the hearing if necessary in order to do so.
- (h) No other persons shall be present or partake in any discussion with the Tribunal at this stage, unless the Tribunal has both parties before it together.
- (i) The Tribunal shall then deliver its judgement by writing it down and reading it aloud to the parties concerned. Such judgement shall include the reasons for the findings, a statutory reminder to the parties of their rights of appeal, if any, and also a direction as to the disposition of the Appeal Fee, either by way of its return to the Appellant (if the appeal has succeeded) or its estreatment by the AKA (if the appeal has failed).
- (j) The Tribunal shall hear arguments, if any, on the question of costs and shall make or withhold award of costs as seem fitting, provided always that no costs shall be awarded against the AKA unless the AKA itself is an unsuccessful appellant.
- (k) The Chairman will then declare the proceedings closed.

9.06 **Witnesses and Examination:**

Procedure : Witnesses are presumed to be speaking the truth. They may be examined by the party calling them, and shall give evidence directly and/or by answers to questions. They may not be "led" on examination by the advocate calling them, that is to say, they may not be asked questions generally which put words into their mouths, though this is relaxed somewhat for formal identification, etc.

On cross-examination this does not apply.

Questioning may take the form of "leading" or suggestions, and opposing counsel is entitled to test the credibility of the other side's witnesses. Re-examination, i.e. questioning by the witnesses' own side, is usually confined to clarification of matters raised in cross-examination.

9.07 **The Nature of Evidence:**

Direct evidence is usually the oral evidence of a witness (though it may include documentary evidence as below), and is given by some person who himself saw or heard or otherwise perceived the fact or facts to which he testifies.

"Hearsay" evidence (i.e. evidence that the witness was told something) is not valid evidence of the thing itself, and is usually inadmissible as such. A witness may have been told this; it is no evidence that the kart did go over the fence.

"Opinion" is not in itself generally admissible. An exception is when a person is accepted by the Tribunal as an "expert" in respect of the particular matter at issue. For example, any engineer or a doctor or even a noted driver may qualify or be stipulated as an expert in his particular field, and hence give expert opinion as evidence. He will, however, be subject to cross-examination in such areas of evidence and his evidence will be evaluated, not by other experts in his field necessarily but by the Tribunal.

Opinions expressed by witnesses other than experts are valueless as evidence of the matter at issue, though they may be illuminating as to the credibility of the witness. They are inadmissible. Documents may be tabled in evidence; in such case, they must be proved as to their source, validity, relevance, etc. and to do so it may be necessary to call direct evidence (eg. an official letter from a company, a parts manual, etc.) Things may be submitted as evidence, to speak for themselves, as for instance a cylinder head in question. Other evidence is usually required to prove the authenticity or relevance of such "real" evidence.

Circumstantial evidence, the fact of the existence of a number of situations or occurrences or circumstances may be put in. It may be cogent (a man seen running from the otherwise deserted scene of an offence at the time it was committed) or it may be valueless but it is admissible.

It is not permitted to introduce, prior to conviction, any evidence relating to other convictions. However, should a person be found guilty of a charge, the fact of his earlier breaches of the Rules may relevantly be pressed in pleas as to penalty. They must be established, mere suspicion only of these is inadmissible unless, of course, admissions have been made by the accused person. Similarly it is forbidden to introduce material in addresses that could have been and should have been produced in evidence. Failure to give evidence is not in itself an admission of guilt, but it may give rise to certain conclusions by reasonable men; the innocent usually in human experience assert their innocence, and failure to do so while subject to examination is rightly capable of being interpreted as an admission of guilt.

Judicial Notice. Certain facts need not be proved by evidence in respect of AKA Tribunals. The general authority of the Tribunal to sit is assumed, if stated (subject to objections as to its individual members) the booklet entitled "Australian Karting Association Manual" is taken to be an official AKA publication, and the Rules and Regulations included therein together with any amendments notified by the National Secretary to all State Secretaries to be the National Competition Rules and Regulations applying to the hearing. Persons acting as officials of a meeting are assumed to have been properly appointed, though if called as witnesses they usually assert the same to be so, the AKA are by statute entitled to intervene in any Tribunals, whether or not an opposing party; the meaning of the English language is presumed to be as understood by ordinary men, and so on. There would be no end to litigation if everything had to be proved.

Tribunals also take judicial notice of decisions handed down by the AMSAC.

9.08 **Degree of Proof:**

In civil cases (such as AKA affairs usually are), the degree of proof is usually required only to be by the preponderance of evidence - they are settled on the balance of probability, i.e. what seems most likely from the evidence. Although some social or sporting stigma may accrue to persons found guilty of a charge under the Rules of a sporting body, it is not usually sufficient to justify the necessity of proof "beyond reasonable doubt", though such a case could arise.

9.09 **General Conduct:**

Though AKA Tribunals do not have either the status or the authority of Courts of Law, though witnesses can neither be compelled to attend or give evidence, and though many of the parties and the Tribunal members are known to each other more or less well, there can be no justification for informality prevailing at hearings of Tribunals (other than in isolated instances of natural humour).

Formality, the maintenance of form, is a means of ensuring that (a), all the things that ought to be done are in fact done in an orderly manner and (b) that nothing that should not be done is done. An added effect is that of natural gravity, the ceremony associated with formality always lending to proceedings the appropriate air of seriousness.

Informal proceedings may achieve a just end, but they seldom appear to do so. The Tribunal in such loses stature and authority and the law itself becomes, or may become, an object of contempt. The use of first names, the relaxing of basic rules of evidence, lapses from decorum, the permissibility granted to interjectors, the acceptance of casual or intemperate behaviours - these add nothing to the tribunal's stature and take much away from its purposes. The conduct of any Tribunal is a question for the Chairman himself, and it is to the advantage of all if he insists upon the above guidelines being followed.

9.10

- (a) A State Tribunal Registrar, upon receipt of the material referred to in sub-paragraphs (a) and (b) of Regulation 7.18 relating to a complaint against an official, shall formulate a notice of complaint directed to the respondent official setting forth full particulars of the nature of the complaint. The State Tribunal Registrar shall also forward a notice specifying the date, time and place for the hearing of the complaint by a Disciplinary Tribunal and shall forward the notice of complaint together with copies of the witness statements (if any) to the respondent official prior to the date nominated for the hearing of the Disciplinary Tribunal.
- (b) If the Disciplinary Tribunal after considering all the evidence presented both by and against the official is of the opinion the official has breached any regulation or rule shall make a finding in that regard and in that case shall be entitled to impose a penalty of suspension on that official from the performance of any duties of an official for such period as the Disciplinary Tribunal considers warranted and irrespective of the provisions of regulation 6.03 to the intent that the only penalty that may be imposed on an official is the penalty of reprimand or suspension.

CHAPTER 10 - AUSTRALIAN MOTOR SPORT APPEAL COURT

10.01 **The Australian Motor Sport Appeal Court (AMSAC):**

This Court is the final court of Appeal in respect of Karting, as administered by the AKA in Australia and is referred to in these regulations as "the Court".

Functions:

- (i) To act as a final court of appeal after the earlier avenues of
 - (a) complaint and
 - (b) appeal to a National Appeal Tribunal have been exhausted
- (ii) To act as a second and final court of appeal for a person upon whom an AKA disciplinary tribunal has imposed penalty, and who have, subsequent to each action, exhausted their right of appeal to an AKA Appeal Tribunal
- (iii) To act as a first and final court of appeal for a person against whom the NKC has taken disciplinary action in the first instance
- (iv) To act as a court of first and final appeal for a person who claims that any ruling, direction or decision by the NKC is ultra virus or unconstitutional.
- (v) The Chairman or if he is unavailable the Deputy Chairman, have sole discretion to determine whether the hearing of any complaint by the Stewards of a Meeting or of an appeal by a National Appeal Tribunal has been properly held and if necessary, refer such complaint or appeal for re-hearing by the Stewards or National Appeal Tribunal (as the case may be).

10.02 **Jurisdiction of the AMSAC as to Appeals:**

The AMSAC shall constitute a final court of appeal empowered to settle finally any dispute arising out of or in connection with the control by the AKA of kart competitions within its territory save as specifically provided in these Rules.

10.03 **Hearing of Appeals by AMSAC:**

- (a) In the case of hearings by the AMSAC, all parties concerned and the AKA shall have the right to representation by advocates.
- (b) Evidence shall be given on oath or affirmation, unless the Court decides otherwise, and the giving of false evidence shall constitute an offence against these Rules punishable by at least a period of national suspension.
- (c) The AMSAC shall normally sit in Melbourne, but may, by consent of the Court and agreement between the parties concerned, sit in any other venue within Australia.

10.04 **Awarding of Costs :**

When giving judgement on any complaint or appeal AMSAC may make such order as to costs as it may deem fit against a person or body found guilty or unsuccessful in an appeal. Provided always no cost shall be awarded against the AKA unless the AKA itself is an unsuccessful appellant. Any delay in the payment of such costs shall entail suspension for the period during which they remain unpaid.