



From the National Court

**MOTOR SPORTS COUNCIL NATIONAL COURT
SITTING TUESDAY 18TH AUGUST 2015**

Guy Spollon (Chairman)
David Scott
Peter Riches

CASE No J2015/22

On 27th and 28th June 2015 the Dragon Kart Club organised Round 5 of the IAME MSA British Cadet Kart Championship at Glan Y Gors kart circuit.

After the first Final an accusation was made that a kart driven by a Competitor had an exhaust restrictor which had been tampered with. Examination of the exhaust restrictor on the kart revealed that the restrictor was larger than permitted which allowed the engine to produce more power. The father of the Competitor when confronted with the ineligible exhaust restrictor accepted that he had fitted the component to his child's kart engine.

A non-compliance form was duly completed and the Competitor's father was asked to attend at the Clerk of the Course's Office. This he failed to do and, accordingly, his child was excluded from the event for breach of Regulation B2.2.1 of the 2015 MSA Kart Race Yearbook.

The matter now comes before the National Court on the basis that there may have been breaches of General Regulations C1.1.2(a) and/or C1.1.4 and/or C1.1.8.

Regulation C1.1.2(a) prohibits any action having as its object the entry or participation in an event of an ineligible vehicle.

Regulation C1.1.4 prohibits any proceedings and/or acts prejudicial to the interests of the MSC and/or motor sport generally.

Regulation C1.1.8 prohibits misbehaviour or unfair practice.

The National Court had the advantage of hearing evidence from Mr Paul Klaassen (MSA Technical Commissioner) who explained that:

- (a) Prior to the commencement of competitive racing the competitor's representatives will bring the competitor's engines into Scrutineering for checks as to their legality with approved gauges before sealing.
- (b) Exhaust restrictors are fitted to kart engines to reduce the power of the engine.
- (c) Exhaust restrictors are sealed separately to prevent them being changed during a meeting.

- (d) The Competitor's father when confronted with an excessively large exhaust restrictor fitted to his child's kart said "OK. Let me come clean" and then went on to explain how he had changed it.

The Competitor's father himself gave evidence and whilst acknowledging that he had fitted what turned out to be an illegal restrictor suggested that he had made a mistake rather than being an out and out cheat. He maintained that he had very limited engineering expertise, particularly with engines.

The National Court, having considered all the evidence, concluded that there had been breaches of both Regulations C1.1.2 (a) and C1.1.8.

The National Court:

1. Directs that parent/guardian licence holders and their nominees must ensure that karts when raced are compliant with the relevant rules and regulations.
2. Orders that the Competitor's father is suspended from being a licence holder for 2 years with that suspension itself being suspended for 2 years on condition that there are no further breaches, particularly in relation to matters of eligibility.

Further, directs that a fine of £250 must be paid together with a contribution towards costs of £400.

**GUY SPOLLON
CHAIRMAN**