

## REGULATION CHANGES FOR CONSULTATION

Committee:	Kart Committee
Date of meeting:	12 <sup>th</sup> June 2018
Closing date for consultation:	31 <sup>st</sup> August 2018
Email for comments:	<a href="mailto:KartConsultation@msauk.org">KartConsultation@msauk.org</a>

### Section G

#### Existing Regulation

2.1. The Stewards of the Meeting act as the second judicial body at any event, and are responsible for hearing and adjudicating upon any Appeal against a decision by the Clerk of the Course or other Official.

2.1.6. At all times the Stewards of the meeting should act through the Clerk of the Course.

#### No current regulation

No current regulation

#### Proposed Regulation

(G)2.1. The Stewards of the Meeting act as the second judicial body at any event, and are responsible for hearing and adjudicating upon any Appeal against a decision by the Clerk of the Course or other Official.

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(G)2.1.6. At all times the Stewards of the meeting should act through the Clerk of the Course.

**(G)2.1.7. Variation for National 'B' and above status kart race meetings for.** By sanction of the MSC, all judicial duties will be undertaken by the Stewards of the Meeting, not the Clerk of the Course. The following regulations are varied in this respect; 2.1.6., 2.4., 2.4.3.

**(G)5.1.5. Variation for National 'B' and above status kart race meetings.** By sanction of the MSC, all judicial duties will be undertaken by the Stewards of the Meeting, not the Clerk of the Course. The following regulations are varied in this respect; 5.2.18., 5.3., 5.3.1., 5.3.2., 5.3.3., 5.3.5., 5.3.6., 5.3.7., 5.3.8., 5.3.10., 7.3.1., 7.3.4., 7.9.7., 10.1.3.

## Section (C)

### Existing Regulation

(C)2.3.1. At kart races, where a licensed timekeeper is not present a time penalty cannot be applied, but a competitor may be moved back up to five places in the results in lieu of a time penalty. Where a licensed timekeeper is present either a time penalty or place penalty may be imposed.

2.3.2. At kart race meetings a competitor, who after a hearing convened by the Clerk of the Course, is deemed to have gained an unfair advantage or has disadvantaged another competitor by the manner of his driving will be penalised by a time penalty of 10 seconds, or a Position Penalty of 5 places, or 1 lap, in the results of that race or timed qualifying. This penalty does not preclude further action under 1.1.5. if deemed necessary after the hearing.

2.3.4. At kart race meetings a competitor with the front fairing not affixed precisely in accordance with U17.5.5 when he arrives in Parc Ferme will be penalised with a 10 second penalty in the results of that Race or, if during timed qualifying, deletion of their fastest lap time. This will be imposed automatically by the Clerk of the Course upon receipt of the statement received from the Judge of Fact and is not eligible for appeal. This penalty does not preclude further action under 1.1.5 if deemed necessary. The mechanical failure flag will not be shown to a driver whose front fairing is no longer in the correct position.

### Proposed Regulation

**(C)2.1.11. Variation for National 'B' and above status kart race meetings.** By sanction of the MSC, all judicial duties will be undertaken by the Stewards of the Meeting, not the Clerk of the Course. The following regulations are varied in this respect; 2.3., 2.3.2., 2.3.4., 2.5, 3.1.1., 3.2., 3.3., 5.1.1., 5.2.3., 5.3.5., 5.3.5.2., 5.4., 5.4.1., 5.6., 6.1., 6.1.1. to 6.1.4., 6.6., 7.3.1.,

(C)2.3.1. At kart races, where a licensed timekeeper is not present a time penalty cannot be applied, but a competitor may be moved back up to five places in the results in lieu of a time penalty. Where a licensed timekeeper is present either a time penalty or place penalty may be imposed. **For National 'B' and above kart race meetings any time or place penalty, in line with the karting mandatory penalties, there is no appeal against either the decision for imposing the penalty or the penalty itself.**

(C)2.3.2. At kart race meetings a competitor, who ~~after a hearing convened by the Clerk of the Course,~~ is deemed to have gained an unfair advantage or has disadvantaged another competitor by the manner of his driving will be penalised by a time penalty of 10 seconds, or a Position Penalty of 5 places, or 1 lap, in the results of that race or timed qualifying, **for which there is no appeal against either the decision for imposing the penalty or the penalty itself for National 'B' and above kart race meetings.** This penalty does not preclude further action under 1.1.5. if deemed necessary after the hearing.

(C)2.3.4. At kart race meetings a competitor with the front fairing not affixed precisely in accordance with U17.5.5 when he arrives in Parc Ferme will be penalised with a 10 second penalty in the results of that Race or, if during timed qualifying, deletion of their fastest lap time. This will be imposed automatically by the Clerk of the Course upon receipt of the statement received from the Judge of Fact and is not eligible for appeal **against either the decision for imposing the penalty or the penalty itself for National 'B' and above kart race meetings.** This penalty does not preclude further action under 1.1.5 if deemed necessary. The mechanical failure flag will not be shown to a driver whose front fairing is no longer in the correct position.

6.1.1. Any Entrant or Competitor shall have the Right of Appeal to the Stewards of the Meeting against any penalty or decision given by the Clerk of the Course or another Official of the Meeting except that there shall be no Right of Appeal against the report of a Judge of Fact, with the exception of reports from Eligibility Judges of Fact which may be appealed under C.6.1.3 and/or C.7.2

### **7.3. Effect of Giving Notice of Appeal.**

7.3.1. The lodging of an Appeal against a decision of the Clerk of the Course, or the giving of Notice of Intention to Appeal against a decision of the Stewards of the Meeting, does not suspend any penalty that may have been applied or endorsed, during the Meeting out of which the decision has arisen. Thus no Competitor may continue to compete 'under appeal'.

#### **No current regulation**

7.3.2. After the conclusion of the Meeting out of which a decision has arisen, if Notice of Intention to Appeal against a Stewards' decision has been given, the operation of any sentence or decision will be suspended until the disposal of the Appeal by the National Court. If a sentence of suspension is upheld, the Competitor concerned will be disqualified from the results of any competition in which he has competed pending the hearing of the Appeal. In coming to a judgement, the National Court can take into account any benefit the Appellant may have gained through appealing.

(C)6.1.1. Any Entrant or Competitor shall have the Right of Appeal to the Stewards of the Meeting against any penalty or decision given by the Clerk of the Course or another Official of the Meeting except that there shall be no Right of Appeal against the report of a Judge of Fact, with the exception of reports from Eligibility Judges of Fact which may be appealed under C.6.1.3 and/or C.7.2. **There is also no appeal for time nor place penalties for National 'B' and above kart race meetings, 2.3.1., 2.3.2 and 2.3.4. applies.**

### **(C)7.3. Effect of Giving Notice of Appeal.**

(C)7.3.1. The lodging of an Appeal against a decision of the Clerk of the Course, or the giving of Notice of Intention to Appeal against a decision of the Stewards of the Meeting, does not suspend any penalty that may have been applied or endorsed, during the Meeting out of which the decision has arisen. Thus no Competitor may continue to compete 'under appeal'.

**(C)7.3.1.1. For National 'B' and above kart races only, where a competitor is entitled to lodge an appeal and does lodge a valid appeal the penalty will be suspended for the duration of the meeting save where the penalty has been imposed for any one or combination of any of the following: C1.1.7., C.1.1.9. (as it relates to physical assault or threat of) or C2.6.3. However, the suspension does not allow the competitor to take part in the prize-giving or the podium ceremony, nor to appear in the official classification of the competition in any place other than that resulting from the application of the penalty.**

(C)7.3.2. After the conclusion of the Meeting out of which a decision has arisen, if Notice of Intention to Appeal against a Stewards' decision has been given, the operation of any sentence or decision will be suspended until the disposal of the Appeal by the National Court. If a sentence of suspension is upheld, the Competitor concerned will be disqualified from the results of any competition in which he has competed pending the hearing of the Appeal. In coming to a judgement, the National Court can take into account any benefit the Appellant may have gained through appealing.

## APPENDIX 4 – Judicial Notes for Guidance

### Clerk of the Course

2. The Clerk of the Course is the first judicial authority in any competition and deals with any protests from Competitors or adverse reports from Observers, Scrutineers or Technical Commissioners, Judges of Fact, etc. Whenever possible Competitors should be given the opportunity to explain their side of the matter, and after considering all relevant reports, the Clerk of the Course will make a decision.

The various time limits for lodging Protests are given in C.5.2. These may be extended by the Clerk of the Course in exceptional circumstances. Joint Protests are not accepted, but more than one individual Protest may be accepted on the same grounds. Protests must be in writing, signed and accompanied by the appropriate fee.

The Clerk of the Course's decision will normally be given verbally, and confirmed in writing. If an offence is found to have been committed, the Clerk should state which rules have been breached, what actions or penalties have been applied. and the time that the verbal decision was notified to the Competitor. The Competitor concerned has 30 minutes if he wishes to Appeal against the Clerk's decision. Any Appeal, which must be in writing and accompanied by the appropriate deposit, will be heard as soon as practicable by the Stewards of the Meeting.

### Stewards of the Meeting

3. The Stewards of the Meeting are the second judicial body at any competition. They will hear any Appeals arising out of a decision of the Clerk of the Course or of any other Official of the meeting. The Stewards decision will normally be final, and can only be appealed to the National Court. in accordance with C.7.1.

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### Clerk of the Course

2. The Clerk of the Course is the first judicial authority in any competition and deals with any protests from Competitors or adverse reports from Observers, Scrutineers or Technical Commissioners, Judges of Fact, etc. Whenever possible Competitors should be given the opportunity to explain their side of the matter, and after considering all relevant reports, the Clerk of the Course will make a decision.

**For National 'B' and above status kart races the Stewards of the Meeting will act as the first judicial authority in the Competition and will deal with any judicial aspects in place of the Clerk of the Course.**

The various time limits for lodging Protests are given in C.5.2. These may be extended by the Clerk of the Course in exceptional circumstances. Joint Protests are not accepted, but more than one individual Protest may be accepted on the same grounds. Protests must be in writing, signed and accompanied by the appropriate fee.

The Clerk of the Course's decision will normally be given verbally, and confirmed in writing. If an offence is found to have been committed, the Clerk should state which rules have been breached, what actions or penalties have been applied. and the time that the verbal decision was notified to the Competitor. The Competitor concerned has 30 minutes if he wishes to Appeal against the Clerk's decision. Any Appeal, which must be in writing and accompanied by the appropriate deposit, will be heard as soon as practicable by the Stewards of the Meeting.

### Stewards of the Meeting

3. The Stewards of the Meeting are the second judicial body at any competition, **with the exception of National 'B' and above kart races where any Appeals will be directly to the National Court.** They will hear any Appeals arising out of a decision of the Clerk of the Course or of any other Official of the meeting. The Stewards decision will normally be final, and can only be appealed to the National Court. in accordance with C.7.1.

**Reason:** *Mirroring the CIK-FIA non-appealable penalties and practical implementation, as well as major FIA Championships. The proposal provides for Clubman status kart meetings to have the Clerk of the Course as the first judicial authority who would also be permitted to impose non-appealable time or place penalties, in line with the karting mandatory penalties, as well as mirroring the FIA judicial process for National B and above status meetings with the Stewards of the Meeting acting as the first judicial authority.*

**Date of Implementation: 1 January 2019**

## Section G

(G)2.1. The Stewards of the Meeting act as the second judicial body at any event, and are responsible for hearing and adjudicating upon any Appeal against a decision by the Clerk of the Course or other Official.

(G)2.1.6. At all times the Stewards of the meeting should act through the Clerk of the Course.

2.4.3. Deal with any matter referred to them by the Clerk of the Course under the powers of 5.3, and if the offence is considered sufficiently serious impose further penalties under C2.6.3.

2.4.8. Decide that a penalty or other decision appealed against can be waived, varied or a fresh penalty imposed.

(G) 2.4.13. Sign the Upgrade Cards of Kart competitors as may be required for upgrading a competition licence. The following conditions will need to be met before a signature may be given on Kart Upgrade. Cards: a) A competitor must perform satisfactorily, throughout the day, at competitive speeds, and must not receive any adverse reports regarding his driving. Competitors may not necessarily have completed the Final on the day b) Not more than one signature per meeting c) Kart Endurance events do no qualify for upgrading signatures d) Tyro Kart events do not qualify for upgrading signatures.

(G)2.1. The Stewards of the Meeting act as the second judicial body at any event, and are responsible for hearing and adjudicating upon any Appeal against a decision by the Clerk of the Course or other Official. **With the exception of National B and above status kart Events where the Stewards of the Meeting act as the first judicial body.**

(G)2.1.6. **With the exception of National B and above status kart Events in respect of judicial responsibilities,** At all times the Stewards of the meeting should act through the Clerk of the Course,.

(G)2.4.3. **With the exception of National B and above status kart Events** Deal with any matter referred to them by the Clerk of the Course under the powers of 5.3, and if the offence is considered sufficiently serious impose further penalties under C2.6.3., **with the exceptional of National B and above status kart Events.**

(G)2.4.8. **With the exception of National B and above status kart Events** Decide that a penalty or other decision appealed against can be waived, varied or a fresh penalty imposed.

(G) 2.4.13. Sign the Upgrade Cards of Kart competitors, **for Clubman status meetings,** as may be required for upgrading a competition licence. The following conditions will need to be met before a signature may be given on Kart Upgrade. Cards:  
a) A competitor must perform satisfactorily, throughout the day, at competitive speeds, and must not receive any adverse reports regarding his driving. Competitors may not necessarily have completed the Final on the day  
b) Not more than one signature per meeting  
c) Kart Endurance events do no qualify for upgrading signatures  
d) Tyro Kart events do not qualify for upgrading signatures.

5.2.19. (3.1, H.13, Q.4.2). Sign competition licence Upgrade Cards (except in respect of Kart Races, with the exception of Long Circuit Karting). As a guide, the following conditions will need to be met before a signature is given:

- a) A driver must perform satisfactorily at competitive speeds and must not receive any adverse reports regarding his driving
- b) In races up to 10 laps the driver must be classified as a finisher. In some cases, particularly where a race includes several classes of widely differing performances, a driver need not complete the full distance of the race
- c) In races over 10 laps the driver must complete at least 10 laps
- d) There must be at least 10 starters
- e) A high-speed trial will qualify as a race for the purposes of signing of Upgrade Cards
- f) Not more than two signatures (one per race) per driver may be given at any one car race or Long Circuit Kart meeting (H.13)
- g) If a Clerk of the Course refuses to sign a Upgrade Card, a driver concerned may Appeal to the Stewards as provided for in Section C.
- h) For Endurance Races where a driver has satisfactorily completed at least one hour of driving time, they may receive two signatures.

(G)5.2.19. (3.1, H.13, Q.4.2). Sign competition licence Upgrade Cards (except in respect of **Clubman status** Kart Races, with the exception of Long Circuit Karting). As a guide, the following conditions will need to be met before a signature is given:

- a) A driver must perform satisfactorily at competitive speeds and must not receive any adverse reports regarding his driving
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- e) A high-speed trial will qualify as a race for the purposes of signing of Upgrade Cards
- f) Not more than two signatures (one per race) per driver may be given at any one car race or Long Circuit Kart meeting (H.13)
- g) If a Clerk of the Course refuses to sign a Upgrade Card, a driver concerned may Appeal to the Stewards as provided for in Section C.
- h) For Endurance Races where a driver has satisfactorily completed at least one hour of driving time, they may receive two signatures.

**Reason:** *In respect of the above proposed changes to karting judicial the above amendments would be required for Section G*

**Date of Implementation: 1 January 2018**