NATIONAL COMPETITION RULES (NCR)

General Principles

1. INTERNATIONAL CONTROL OF AUTOMOBILE COMPETITIONS

The Federation Internationale de l'Automobile, hereinafter referred to as the FIA, is the sole international authority entitled to make and enforce rules and regulations for the encouragement and control of automobile competitions (including records) and is the final international court of appeal for the settlement of disputes arising therefrom.

2. INTERNATIONAL SPORTING CODE

That the above powers may be exercised in a fair and equitable manner, the FIA has adopted an International Sporting Code, hereinafter called the "Code", which provides (among other things):

- (i) that each National Club (ASN see Definitions) belonging to the FIA shall be presumed to accept and be bound by the Code;
- (ii) subject to such acceptance, such National Club shall be recognised by the FIA as the sole body having power to control automobile competitions in its own country, Dominions, Dependencies, Protectorates and Colonies in conformity with the Code; provided that if any Dominion, Dependency, Protectorate or Colony is represented directly on the FIA, the control of motor sport within that territory shall be exercised by the National Club of such territory;
- (iii) a National Club shall have the right to delegate the whole or part of the powers granted by the Code to one or more clubs in its country, provided the consent of the FIA is first obtained, and to revoke such delegation if it notifies the FIA;
- (iv) a National Club may draw up its own National Competition Rules, but such Rules must be in conformity with the Code and approved by the FIA. Pending approval by the FIA the Rules may be provisionally enforced forthwith.

3. NATIONAL CONTROL OF COMPETITIONS

CAMS, having been delegated power to control the sport in Australia by the FIA, and having acquiesced in and declared itself to be bound by the Statutes of the FIA and the Code, now therefore declares its sole right, as a National Sporting Authority (ASN), to control automobile competitions in accordance with the Code throughout the Commonwealth of Australia, its Protectorates and Dependencies, such territories being hereafter collectively referred to as the "territory of CAMS".

4. NATIONAL COMPETITION RULES

That the above powers may be exercised in a fair and equitable manner, CAMS has drawn up these Rules, to be known as "The National Competition Rules", and hereinafter referred to as "these Rules" or "NCR", which are in conformity with the Code.

5. APPLICATION OF THESE RULES

These Rules shall govern all competitions organised in the territory of CAMS (as hereinafter defined) in which an automobile other than drag racing, superspeedway and sprintkart vehicles may take part. The control of all competitions involving drag-racing vehicles having been delegated to the Executive Committee of the Australian National Drag Racing Association (ANDRA), all such competitions shall be subject to whatever competition rules shall have been drawn up by the authority of the ANDRA and are not in conflict with these Rules; and the control of all superspeedway racing having been delegated to AUSCAR Racing Pty Ltd; and the control of all Sprint kart competition having been delegated to the Australian Karting Association Inc. (AKA), all such competitions shall be subject to whatever rules have been drawn up by the AKA and are not in conflict with these Rules.

5A. OBJECT OF THESE RULES

- (i) The object of these Rules is to ensure that the conduct and promotion of motor sport in Australia is carried on in a manner which secures and enhances the safety of participants, officials, referees and spectators and which allows the sport to be competitive and fair.
- (ii) To give effect to that object, the Rules are not to be administered or implemented for the purpose of:
- (a) eliminating or substantially damaging a person who is a competitor of CAMS in a market in the event that CAMS is competing in a market at any relevant time;
- (b) preventing the entry of a person into a market; or
- (c) deterring or preventing a person from engaging in competitive conduct in a market.

PROVIDING ALWAYS THAT the Rule shall not operate to prevent the imposition of an appropriate sanction or penalty for a contravention of any existing provision of the FIA Statutes, Code or Regulations or CAMS' Rules for conduct arising hereafter, or for any amendment to any of those Rules provided the amendment is for the purpose of giving effect to the object in paragraph (i) above.

Definitions - General

6. DEFINITIONS – GENERAL

(i) The following nomenclature, definitions and abbreviations shall be adopted in these Rules, in the Appendices thereto, in all Supplementary Regulations and for general use.

ab initio - from the beginning

ACN — National Automobile Club: there is one per country, which embraces the whole of the national territory and covers road traffic, touring, motor sport and the interests and safety of participants. Its sporting authority must be authorised by the FIA

AKA – Australian Karting Association Inc., to which CAMS has delegated control of all Sprintkart competitions (see NCR 5)

AMSAC – The Australian Motor Sport Appeal Court: the final appeal tribunal for Australian nationals (see Appendix G)

ANDRA – The Australian National Drag Racing Association, the association of clubs for drag-racing activities in Australia, to the Executive Committee of which CAMS has delegated control of all drag-racing competitions (see NCR 5)

ASN – National Sporting Authority (Autorite Sportif Nationale): a national governing body of automobile competitions recognised as such by the FIA. The Rules made by such a body for the control of competitions shall be referred to as the National Competition Rules of the country concerned

AUSCAR – AUSCAR Racing Pty Ltd, the company to which CAMS has delegated control of all superspeedway racing competitions (see NCR 5) bona fide – good faith bona fide owner – the legal owner or lessee (or hirer, if the automobile is subject to hire purchase)

CAMS – CAMS Limited, the Board of CAMS Limited, and any other person, committee, or body within CAMS Limited which holds an authorised delegation of power from the Board of CAMS Limited

CIK - See FMK

ex officio – by virtue of office or official position

FIA (Federation Internationale de l'Automobile) – the international federation of "Recognised Automobile Clubs"

FIM (Federation Internationale Motor-cycliste) – the international federation of motor-cycling clubs

FMK (Federation Mondiale de Karting-FIA) – the organisation granted the power by the FIA to manage international matters concerning sport of karting

force majeure – circumstances over which the organisers have no control and which involve the impracticality of the competition continuing. Circumstances which constitute force majeure in respect to one type of competition may not necessarily do so for another; eg, weather may prevent races but may merely be a hazard in road events. Prohibition of the competition by statutory authority will always be deemed force majeure

ID - inside diameter

ISC – International Sporting Code (see Article 2)

NCC - The Board (formerly the National Council) of CAMS

NCR - National Competition Rule or Rules

NRC - National Rally Code (see Section 11)

OD – outside diameter

prima facie - at first appearance

SC - a State Council of CAMS

The Code (Code Sportif International) – International Sporting Code

ultra vires – going beyond the legal power of a tribunal.

- (ii) In these Rules, the Appendices thereto, Supplementary Regulations, and in general use, unless the context otherwise requires:
- (a) words importing the singular include the plural and vice versa;
- (b) words importing any gender include the other genders;
- (c) references to persons include corporations and bodies politic;
- (d) references to a person include the legal personal representatives, successors and permitted assigns of that person;
- (e) a reference to a function includes a reference to a power, authority and duty; and
- (f) a reference to the exercise of a function includes where the function is a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty.

15. COMPETITION

- (i) An event in which an automobile takes part and which has a competitive nature, or is given a competitive nature by the publication of results.
- (ii) Competitions shall be of one of the following kinds:

- (a) International Event, being a competition
 - which has been entered on the International calendar of the FIA, and
 - o is open to competitors of various nationalities, holding the relevant International Licence.

Various levels of International Event exist and different grades of International Licence and eligibility criteria may be applicable for each level.

- (b) Major National, being a competition
 - o which has been entered on the Australian National calendar,
 - o which is open to the holders of the relevant licence issued by CAMS, and
 - o which is a round of a specified National Championship, or other event specified by CAMS as a Major National Event.
- (c) National, being a competition
 - which has been entered on the Australian National calendar,
 - o which is open to holders of the relevant licence issued by CAMS,
 - o which may be a round of a National Championship or Series but which is not an event specified as a Major National Event by CAMS, and
 - o which is a competition which by its nature would be expected to appeal to competitors from more than one State.
- (d) State, being a competition
 - which has been entered on a State calendar,
 - o which is open to holders of the relevant CAMS licence, and
 - which is a round of a specified State Championship or State Series, a single State Championship event or other event specified as a State Event, as determined by the relevant State Council.
- (e) Multi-club, being a competition
 - o not forming part of a CAMS Championship or Series (as described in (d) above) and
 - o open to the members of clubs specified in the regulations of the event, holding the relevant CAMS licence. A limit is placed on the number of entries to the event, which limit is set by each State Council having considered the type of event and venue.
- (f) Club, being a competition open only to the members of the organising club, and who hold the relevant CAMS licence. A limit may be placed on the number of entries to the event, which limit is set by each State Council having considered the type of event and venue.
- (iii) Any competition, as listed in 15 (ii) above, may be restricted, by the requirement that in order to participate drivers, entrants or automobiles be required to comply with some specified particular qualifications.
- (iv) CAMS may, in special circumstances, vary the applicable status level of an event up or down from what would generally be expected from the specifications above. This may be for the application of permit conditions or fees, for the application of increased safety conditions, or for some other reason considered appropriate.
- (v) A meeting made up of a number of events will normally take its status level from the highest status event at the meeting. Events within the meeting may have lower status levels applied to them for the purpose of licences, conditions, or application of other regulations.

16. TRIAL, RALLY, TOURING ROAD EVENT

A test, usually of economy and/or reliability and/or navigation, taking place on public and/or private roads and/or property, in which competitors are required to follow prescribed routes and/or report at specified points, and in which the highest speed attained is not a factor in determining the results (see NCR 21).

20. MEETING

An assembly of competitors and officials which includes one or more competitions other than one individual attempt at a record.

27. PROMOTERS

Any person or body (other than an organising Committee) proposing to hold, holding, or organising a meeting (see NCR 54).

28. ORGANISING PERMIT

The documentary authority to organise and hold a competition, granted solely by CAMS (see NCR 63).

29. ORGANISING COMMITTEE

A committee of at least three persons approved by CAMS authorised by promoters to organise a meeting on their behalf. Where an organising committee is appointed to act on behalf of 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 (see NCR 61).

30. SUPPLEMENTARY REGULATIONS

Regulations supplementary to these Rules drawn up by the promoters of a competition or competitions and approved by CAMS, with the object of laying down the details of such competition or competitions (see NCR 67).

31. PROGRAM

A document prepared by the promoters of a State level and above speed meeting for the purpose of informing the participants and spectators about such meeting.

32. COURSE

The route to be followed by competing automobiles in a competition (see Part V of these Rules).

35. METRIC CONVERSION

(i) For all conversions of imperial to metric measurements and vice-versa the following equivalents shall be used:

1 mile 1.60934 km 1 yard 914.4 mm 1 foot 304.8 mm = 1 inch 25.4 mm = 1/1,000 inch = 1 kilometre = 1 0.025 mm 0.621 mile 1098 yards 1 metre 1.09 yards = 1 metre = 3.28 feet 1 centimetre = 0.394 inches 1016.0 kilograms 1 ton = 1 hundredweight 50.8 kilograms = 1 pound = 453.6 grams 1 ounce 28.35 grams = 1 kilogram 2.2 pounds = 1 gram 0.0353 ounces = 1 gallon 4.546 litres = 1 pint 0.568 litres = 1 litre 1.76 pints

(ii)

- (a) in cases where exact measurement is not vital (eg: length of tracks other than for records, distance from tracks of obstacles etc), distances may be measured to the nearest whole metre (see Appendix T);
- (b) in cases of attempts at records, the measurements shall be as specified in Appendix D to these Rules;
- (c) in cases where a close to exact measurement is required, it shall be necessary to record measurements to within 0.025mm (eg, measurements of bore, stroke etc).

38. THE START

The start is the moment when the order to start is given to a competitor or competitors (see Part VI of these Rules).

39. CONTROL LINE

A line, drawn or imaginary, by reference to which an automobile is timed or its performance in a competition is determined.

40. STARTING LINE

The first control line of a course (see NCR 102). For the purpose of ascertaining false starts in a race (NCR 111), each vehicle is deemed to have a separate starting line.

41. FINISHING LINE

The last control line on a course.

43A. BONA FIDE Legal Owner

A bona fide legal owner shall mean the legal owner, the lessee or the hirer of the automobile. If the automobile is subject to hire purchase or lease the vendor in the case of the hire purchase agreement and the lessor in the case of a lease shall be the legal owner for the purpose of NCR 73(i).

44. DRIVER

A person nominated as the driver of an automobile in any competition whatsoever.

45. NAVIGATOR / CO-DRIVER

A person, other than the driver, carried in a vehicle during a competition, whose function it shall be to navigate the vehicle along a prescribed route, and who may, unless Supplementary Regulations prevent it, act as driver during the event.

46. PASSENGER

A person, other than the driver, carried in a vehicle during a competition. No passenger shall be permitted at or in speed events in competing cars either in competition or in practice other than with the express written permission of CAMS.

Preliminary Organisation of Competition

61. PROMOTERS

Competitions shall be organised by a club or clubs (or in exceptional circumstances by some other body or persons) known as the promoters who may delegate their powers and duties to an organising committee; such delegation shall, however, not affect the ultimate responsibility of the promoters (See NCR 27, 29 and 54).

62. RECOGNITION OF NATIONAL AND LOCAL AUTHORITIES

A competition may be held on the road or on a track or on both, but no permit shall be granted by CAMS nor competition be held unless the promoters shall have first obtained such official permission as may be necessary from the competent governmental or local authority. Competitions taking place on the public highway must conform to the traffic laws of the State or Territory in which they take place. Any breach of such laws by a competitor or driver during a competition may, if so specified in the Supplementary Regulations, be deemed a breach of these Rules and may be dealt with accordingly. It shall in such cases be the duty of the organisers to specify in Supplementary Regulations which provisions of the traffic laws shall form part of the conditions of the competition.

69. ALTERATION OF SUPPLEMENTARY REGULATIONS

No alteration shall be made to the Supplementary Regulations after the commencement of the period for receiving entries unless:

- (i) CAMS and all competitors already entered voluntarily agree to the alteration, or
- (ii) the Stewards of the Meeting so decide for reasons of safety or force majeure (see NCR 59 and 169(ii)).

72. ENTRY

An entry made and accepted in accordance with these Rules and any relevant Supplementary Regulations is a contract between a competitor and the promoters by which the competitor agrees to take part in the competition for which he has entered unless prevented by force majeure, and the promoters agree to comply with the conditions of entry provided that the competitor has made every effort to take part in the competition. A breach of such contract may be treated as a breach of these Rules. It shall be the obligation of the promoter to advise intending entrants in writing whether or not their entry has been accepted not later than seven days before the meeting.

79. UNDERTAKING BY ENTRANTS, DRIVERS AND PASSENGERS

(i) Every entrant, driver and passenger, before taking part in any competition, shall sign an undertaking in the following form:

"I have read the Supplementary Regulations issued for this meeting and agree to be bound by them and by the National Competition Rules of CAMS (**The relevant articles which apply to this event are attached**)

"I also acknowledge and agree as a condition of entry that neither CAMS, nor the promoters nor the sponsor organisations, nor the land owners or lessees, nor the organisers of the race meeting/event, nor their respective servants, officials, representatives or agents ("the organisers") shall be under any liability for my death, or any bodily injury, loss or damage which may be sustained or incurred by me, as a result of participation in or being present at the event except in regard to any rights I may have arising under the Trade Practices Act 1974. I acknowledge that motor racing is dangerous and accidents causing death, bodily injury, disability and property damage can, and do, happen." (See NCR 77.)

(ii) Any undertaking as prescribed by subparagraph (i) above which is signed by a person under the age of 18 years shall be countersigned by that person's parent or guardian, whose full name and address, together with a statement of whichever of the aforementioned capacities entitles him so to sign, shall be stated.

89. INSTRUCTIONS TO DRIVERS

Instructions to Drivers may be issued to deal with particular points arising after the issue of the Supplementary Regulations, but if and so far as such instructions are contrary to the Supplementary Regulations or these Rules they shall be null and void.

90. INSURANCE

It shall be mandatory upon all organisers and competitors or drivers, as the case may be, to comply with such requirements regarding insurance as CAMS may lay down from time to time.

Competitors and Drivers

145A. CONSUMPTION OF ALCOHOL/DRUGS

During any competition, consumption of alcoholic beverages in the paddock, pits, or any other portion of the competition venue under the control of the officials is expressly forbidden until all practice or competition activity is concluded for each day. Any driver or crew member who is found to have consumed any alcoholic beverage on the day of the event or practice therefor shall not be permitted to participate. Refer to CAMS Drugs in Sport Policy for further information.

Automobiles in Competition

148. DANGEROUS CONSTRUCTION

The Stewards of a Meeting shall exclude any automobile the construction or condition of which they deem to be dangerous (see NCR 191).

159. ELIGIBILITY OF AUTOMOBILES

CAMS in its sole discretion will determine whether a car or any or all components thereof comply with the requirements for any competition, class or group. Competitors may seek a written determination by CAMS in which case such determination is binding in any proceeding. In the case of an eligibility dispute, the stewards may immediately refer to CAMS Eligibility Committee the technical issues to be decided, and any determination or decision of the Eligibility Committee shall be unconditionally binding on any AMSAC, Tribunal or Stewards' hearing in any proceeding involved in that issue. Any question of guilt and penalty shall be decided as is otherwise provided for in these Rules. The CAMS Eligibility Committee shall be appointed by CAMS on an annual basis. The Eligibility Committee shall have the absolute authority of CAMS to make any determination or decision for the purposes of this NCR.

Penalties

183. BREACH OF RULES

Any of the following offences, in addition to any other offences specifically referred to previously or hereafter, shall be deemed to be a breach of these Rules:

- (i) any bribery or attempt, directly or indirectly, to bribe any person having official duties in relation to a competition or employed in any manner in connection with a competition; and the acceptance of or offer to accept a bribe by such official or employee;
- (ii) any action having as its effect the entry or participation in a competition of a person or an automobile ineligible therefor; or of a person or body who is not the holder of a licence appropriate to the event;
- (iii) any fraudulent proceeding;
- (iv) any act prejudicial to the interest of any competition; or to the interests of automobile competitions generally;
- (v) competing for, accepting, or offering to accept, or advertising an award, in the nature of a title, record, or championship, in respect of automobile competitions unless such award is recognised by CAMS;
- (vi) giving evidence to the AMSAC or any CAMS tribunal knowing it to be false (see Appendix G), or, when requested by CAMS, failing to attend any Court hearing, tribunal or enquiry instituted by CAMS under these Rules or their Appendices; or to give evidence as a witness before such Court, tribunal or enquiry; or to submit to examination thereat by CAMS, the parties (or their advocates) or by the members of the Court, tribunal or enquiry, however titled:
- (vii) failing to pay to CAMS within one calendar month of their falling due any monies legally due to CAMS for whatever purpose under the provisions of these Rules and/or their Appendices (see NCR 194(v));
- (viii) any action by a promoter, official, entrant, competitor, driver or other person contrary to or not in accordance with the Code or the Appendices thereto, or these Rules or Appendices thereto, or Regulations made under these rules or any Supplementary Regulation, or Instruction to Entrants and/or Drivers, or any conditions attached to an organising permit, or of any special track rules:
- (ix) failing to obey the proper orders of an official of a meeting, of CAMS, or of any Tribunal or AMSAC;
- (x) action by a competitor or a driver at or arising from a meeting, whether such action be deliberate or due to negligence or failure to exercise proper care and consideration, which action, having regard to all the circumstances, causes or is reasonably likely to cause, damage to other automobiles or property or injury to any other person, whether such automobiles, property or person are involved in the said meeting as participants or not;
- (xi) using or offering violence by any means towards any official or competitor or other person at, arising from, or during the course of, any meeting or in the environs of any track used for a meeting:
- (xii) failing to produce the required documentation upon presenting an automobile for competition (see NCR 138, 185(v));

(xiii) unauthorised removal of a seal or similar device placed on a car or a component by a scrutineer or other official; which act will also result in the said car or component being declared to be ineligible, in addition to any other penalties which may be applied (see NCR 194(vii)).

Where it is alleged by CAMS, or by the organisers of a meeting, that a breach of these Rules, or of any regulations or instructions supplementary to them, has occurred the alleged offender shall be charged in writing with such offence and dealt with in accordance with such of these Rules as apply to protests (see NCR 212).

185. IMPOSITION OF PENALTIES

- (i) Before imposing any penalty the Stewards of a Meeting, or a State Council, or CAMS, or any Tribunal appointed by CAMS, as the case may be, shall require the parties concerned to be summoned before them. Such summons shall either be delivered personally or in appropriate cases by post, to the appropriate address. The Stewards of the Meeting, the State Council, the Board or any tribunal appointed by CAMS shall inquire into the matters in question in accordance with the procedure laid down in NCR 212 and 227, and shall take no decision otherwise.
- (ii) Alleged offences arising out of a competition and discovered before the end of the meeting shall normally be dealt with by the Stewards of the Meeting. If, after a duly conducted hearing (see NCR 185(i)), the stewards find that an offence has been committed which warrants a penalty outside their jurisdiction (see NCR 187, 192, 194(i), 196), they shall refer the matter to the authority which authorised the issue of the relevant permit (see NCR 28, 63) for determination of sentence. In such body's deliberations thereon, recordings and/or transcripts of the hearing before the stewards may be taken into account, but no new evidence shall be heard nor shall the body proceed by way of re-hearing. Before sentence is determined, the party concerned shall be given the opportunity of making representations in mitigation of sentence. Pending such sentence the stewards may pronounce a sentence of exclusion.
- (iii) Alleged offences arising out of a competition, but not dealt with by the Stewards of the Meeting, shall be dealt with by a Tribunal appointed by the authority which authorised the issue of the permit for the competition, acting as a court of first instance.
- (iv) Alleged offences not arising out of a competition, or those arising out of an unauthorised competition, shall be dealt with by a Tribunal appointed by the State Council of the State in which they are alleged to have taken place, acting as a court of first instance, or by a Tribunal appointed by CAMS in the case of international competitions or competitions extending interstate. If the Tribunal appointed by a State Council makes a finding of guilt, but considers that a penalty outside its jurisdiction is warranted, it shall refer the case to CAMS for sentence.
- (v) Notwithstanding the provisions of this rule:
- (a) CAMS reserves the right to impose statutory fines on persons failing, at any competition, to produce to the relevant official such licences or log books as may be required; and such fines may be accompanied by the lodgement of a bond refundable if certain conditions are complied with (see NCR 169(vii) and 183(xii) and Appendix R).
- (b) when a person or body responsible for making the application for an organising permit or publishing results of a competition fails to do so, within the limits set down in these rules, an administrative fine may be imposed by the relevant State Manager without a hearing. Such penalty may be appealed to the Board or State Council of CAMS as may be relevant.
- (vi) In instances where the Stewards of a Meeting, having adjudicated upon a matter and referred it to the body which authorised the issue of the relevant permit for determination of sentence (see NCR 185(ii)) the party convicted shall be advised by the stewards of his right of appeal against such conviction, and any appeal resulting therefrom shall be heard prior to the question of penalty; nothing in the rules shall be construed to prevent the Tribunal which hears the appeal against conviction then proceeding to determine the question of penalty. Any appeal against the penalty subsequently imposed at that or some other hearing will then necessarily be confined to the question of penalty alone.

187. SENTENCE TO A REPRIMAND OR A FINE

A reprimand or a fine may be imposed by the Stewards of a Meeting, by a State Council, by CAMS, by any tribunal appointed by CAMS, or by the AMSAC, provided that any fine imposed shall not exceed the relevant amount specified in Appendix R.

192. SENTENCE OF EXCLUSION

A sentence of exclusion may be pronounced by the Stewards of a Meeting, by a State Council, by CAMS, by any tribunal appointed by CAMS, or by the AMSAC, and may be made retrospective in operation (see NCR 169(x) and (xi)).

193. SUSPENSION

- (i) Suspension may be either national or international.
- (ii) A person, body, automobile or make of automobile, when suspended shall, for the period of suspension, be forbidden by the proper authority to take part in or in connection with any competition within the territory of CAMS in the case of national suspension, or within any country represented on the FIA in the case of international

- suspension (see NCR 223, 224).
- (iii) Suspension shall render void any entry made for a competition taking place during such suspension and any entry fee paid or payable shall be forfeited to the promoters.

195. DISQUALIFICATION

- (i) A person, body, automobile or make of automobile shall, when subject to disqualification, be expressly forbidden by the proper authority to take part in or in connection with any competition.
- (ii) Disqualification shall always have international effect and shall be notified in the same manner as a sentence of international suspension (see NCR 194(iii)).
- (iii) Disqualification shall render void any previous entry made for any competition, and any entry fee paid or payable shall be forfeited to the Promoters.