

# AVESCO Operations Manual 2005 - Division B (Judicial)

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DIVISION "B" - JUDICIAL RULES

B 1. HEARINGS

B 1.1 Responsibility

Hearings will be the joint responsibility of all appointed Stewards as defined in Rule A 10.1.

B 1.2 Nature and Regulation

Hearings will be adversarial in nature and conducted, subject only to the provisions of these Rules. The Stewards may regulate any Hearing as they see fit in the circumstances.

B 1.3 Commencement

1.3.1 Stewards will commence a Hearing either:

1.3.1.1

upon having a matter referred to them by the IPO; or

1.3.1.2

upon referral to them of a dispute between Competitors or Participants; or

1.3.1.3

in exceptional circumstances, of their own volition.

1.3.2 All Stewards appointed must be present at a Hearing. Should the need arise for one of the Stewards to excuse themselves from the Hearing, the Hearing will be adjourned until such time as all Stewards are present or a replacement Steward is appointed to ensure that three Stewards are present (ref Rule A10.1.1).

1.3.3 The Stewards may, following consultation with the IPO and in their absolute discretion, commence a Hearing at anytime outside of Meetings as may be required. The Stewards will at all times be bound by the provisions of these Rules.

B 1.4 Expeditious

1.4.1 The Stewards, in consultation with the IPO will in their absolute discretion, determine the order in which Hearings will be conducted but will generally give first priority to Hearings the outcome of which may affect the results of the Meeting, such Hearings will where possible be determined on a day of the Meeting.

1.4.2 The Stewards may;

1.4.2.1

adjourn any Hearings not able to be determined at the Meeting, to be heard at the earliest reasonable time and most convenient place, having regard to the urgency of the issue and to the convenience of people involved.

1.4.2.2

give Notice to Attend, at their discretion to the concerned parties and may conduct a Hearing into the matter between events if they so determine.

1.4.3 Hearings will generally be conducted

1.4.3.1

and concluded as soon as practicable;

1.4.3.2

with as little formality and legal technicality and with as much expedition as a proper consideration of the matter requires;

1.4.3.3

and determined with a minimum of paperwork and disruption to Participants and officials at a Meeting;

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B 1.5 Representation

Other than a duly appointed Steward or the IPO, at any Hearing a person attending:

1.5.1 must state their case in person;

1.5.2 may, at the sole discretion of the Stewards, have the assistance of the Competitor or where the Competitor is an Entity, the authorised representative;

1.5.3 if under eighteen years of age, may - at their request - be assisted by an adult;

1.5.4 will not be entitled to be assisted, have present or be represented at any Hearing in any circumstances by a person who is, or was, a legal practitioner.

B 1.6 Evidence

The Stewards are not bound by the rules of evidence or by practices or procedures applicable to persons exercising a judicial capacity in any court, but may inform themselves as to any matter in any manner as they may see fit in all the circumstances.

1.6.1 Expert Evidence

Should a party to a Hearing seek permission to produce expert evidence, they must also provide to the Stewards a written statement containing:

(a)

the name and address of the witness

(b)

the qualifications and experience of the witness

(c)

the substance of the evidence it is proposed to seek from the witness

1.6.2 All the provisions of Rule B1.6.1 will also apply in full to any Hearing conducted by the V8 Supercar National Court of Appeal.

B 1.7 Decision

At the conclusion of a Hearing, the Stewards will:

1.7.1 in arriving at any decision, ensure that it is consistent with that which a reasonable person could conclude on the evidence or information available at the Hearing, and

1.7.2 subject to Rule B 7.2 impose such penalties and make such orders and give such directions as they may, in their absolute discretion, reasonably think fit.

B 1.8 Decision Binding

All persons affected by or concerned in a Hearing will be bound by the decision of the Stewards, subject only to rights of Appeal.

B 1.9 Decision in Absentia

At any Hearing if a person, or a person's witnesses, fails to attend at the time and place of the Hearing, in their absence the Stewards may conduct the Hearing and make their decision in the absence of those parties.

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B 1.10 Validity of Hearing and Decision

Any procedure or requirement regulating a Hearing will be regarded as a guideline only, and any decision of the Stewards is not invalid by reason of a procedure or requirement not being fulfilled.

B 1.11 Adjourned Hearing

Notwithstanding Rule A 10.1.2, where the Stewards have commenced an Hearing at one place, and it is not practicable to complete the matter at that time and place, the Hearing may

be adjourned to another time and place and may be heard by Stewards other than those who commenced the Hearing, subject to the adjourned Hearing being conducted by at least one Steward who comprised the original Hearing.

#### B 1.12 Competitor Request For Incident Review ("Request")

1.12.1 Only a Competitor whose Car has been involved in an Incident (as defined in Rule B3.6.2) may request the IPO conduct an investigation of such Incident.

1.12.2 The Competitor or the authorised representative making the request must submit a fully completed Request form as set out in Schedule B 6.

1.12.3 The Request form may be submitted to the IPO at any time, but never later than thirty (30) minutes after the display of the chequered flag or red flag at the Control Line to the leading Car of the Race, or 30 minutes from the display of the chequered flag or red flag at the Control Line signifying the end of a practice or qualifying session.

1.12.4 A Competitors right to Protest is unaffected by this Rule.

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## B 2. PROCEDURES FOR HEARINGS

### B 2.1 Inform Person/s Involved

2.1.1 All persons required by the Stewards and the IPO that are directly involved in a Hearing will be given reasonable notice to attend the Hearing.

2.1.2 The Stewards will inform person/s present of the subject of the Hearing.

### B 2.2 Opportunity to be Heard

At a Hearing, the Stewards will provide a person, against whom a breach of the Rules is alleged, with an opportunity to be heard and to give evidence, ask questions and make submissions.

### B 2.3 Impartiality

The Stewards will conduct all Hearings and make all decisions in good faith and in an unbiased manner.

### B 2.4 Technical Issues

2.4.1 Technical issues, including eligibility, of Cars will be referred to the IPO by the CTD for evaluation before referral to the Stewards.

2.4.2 The Stewards will conduct a Hearing into the technical issue and may make any decision thereon.

2.4.3 The Stewards may refer at their discretion technical issues to the Category Technical Panel for determination.

2.4.4 The determination of the Category Technical Panel is deemed to be a finding of fact and will be unconditionally binding on any V8 Supercar National Court of Appeal Hearing or the Stewards' Hearing in regard to that issue.

### B 2.5 Reasons for Decision

2.5.1 As far as is practical, at the conclusion of all Hearings the Stewards will give reasons for their decision.

2.5.2 After a Hearing has concluded, the Stewards may provide written reasons for the decision to the person/s directly affected.

### B 2.6 Time Frame for Hearings

2.6.1 Subject to Rule B 1.4.2, the Stewards will conduct Hearings as soon as practicable on the day of the Meeting, and may of necessity be conducted at short notice

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### B 3. COMPLIANCE WITH HEARINGS

#### B 3.1 Person must comply

To facilitate the conduct of a Hearing a person must;

3.1.1 upon receiving any notice (whether written or oral) to attend a Hearing, appear at the time and place notified;

3.1.2 fully co-operate in good faith with the Stewards at the Hearing;

3.1.3 provide a full and truthful account of matters within their knowledge to the Hearing;

3.1.4 fully and truthfully answer any questions;

3.1.5 at the request of the Stewards, produce any document, image, videotape or any other thing in their possession or under their control;

3.1.6 not make any false or misleading statement to, or make a statement either calculated or likely to mislead, the Hearing.

#### B 3.2 Persons must attend

For the purpose of facilitating Hearings, if requested by the Stewards, a person must:

3.2.1 unless having obtained the prior permission of the Stewards to leave the precincts of the Meeting, remain at the Meeting until released by the Stewards; or

3.2.2 if the Hearing has been adjourned pursuant to Rule B 1.4.2.1, attend at the time and place nominated for its resumption.

3.2.3 Make themselves available at the requested time if the Stewards determine that a Hearing be conducted between Meetings in accordance with Rule B1.3.3.

#### B 3.3 Cars to Carry Video Recorders

For the Purpose of recording video images, all Cars entered in any VCS Meeting must carry a fully operational digital video camera and recording device and all associated equipment ("the Camera") to ensure the full functionality and recording capability of the Camera in all practice, qualifying and racing sessions of all Meetings.

3.3.1 The nominated Camera system will be supplied by TEGA and it will be the responsibility of the Competitor to purchase the Camera at their cost.

3.3.2 The Camera and its associated equipment will be installed in the Car with the Camera pointed in a forward direction with a field of vision sufficiently wide to record clearly, and without obstruction at all times, the Drivers view of the race track ahead.

3.3.3 The Competitor will be required to ensure that the Camera is switched on and functioning in the correct manner prior to the Car entering the race track for all practice, qualifying and racing sessions at a Meeting.

3.3.4 Access to the Camera must be provided to TEGA appointed technicians at any time upon request.

3.3.5 No person other than authorised TEGA personnel shall in any way interfere with the Camera.

3.3.6 No person is permitted access to the video images recorded by the Cameras without obtaining the prior written permission of the Stewards and TEGA. Such permission will only be provided in exceptional circumstances.

3.3.7 At all times the Camera and images recorded remains the property of TEGA and title in the camera will not pass to any Team or other Entity or person. No Camera may be transferred to any Team, other Entity or person without the express written approval of TEGA. Such approval will generally be withheld unless the Team, Entity or person is the holder of a current TLA and is entered in the VCS.

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#### B 3.4 Influencing witnesses

It is expressly forbidden for any person directly or indirectly to influence any person who is, or

ought reasonably to be regarded as, required to  
3.4.1 assist or provide information to a Hearing, or  
3.4.2 appear or give evidence at any Hearing, and  
if any person influences or attempts to influence another person's evidence or information  
which may be required at any Hearing, then that first person will be deemed to have  
committed a breach of these Rules.

#### B 3.5 Failure to comply

If in the opinion of the Stewards a person:

3.5.1 fails to comply with any of the provisions of Rule B 3.1, B 3.2 or B 3.3,

3.5.2 in any way obstructs a Hearing;

such person will be deemed to have committed a breach of these Rules.

#### B 3.6 On-Track Incidents

3.6.1 Any Driver who has been involved in any Incident that may be subject to an  
investigation by the IPO or a Hearing, on the race track must not leave the precincts of  
the Meeting unless that Driver has first obtained the permission of the Stewards or D

3.6.3 applies.

3.6.2 For the purposes of Rule B 1.12 and B 3.6.1, an "Incident" means any occurrence or  
series of occurrences, involving one or more Drivers which:

3.6.2.1 necessitated the stopping of any on-race track activity; or

3.6.2.2 caused another Car to leave the race track; or

3.6.2.3 may have constituted a breach of these Rules.

3.6.3 If an hour after the last Race, a Driver's name and/or Car number has not been listed  
on the Official Notice Board they will be permitted to leave the precincts of the  
Meeting. Any Driver or Competitor that leaves the precincts of the Meeting prior to this  
time will be deemed to have committed a breach of these Rules.

#### B 3.7 Sub Judice

No person or entity is permitted to comment to any other person or entity on the proceedings  
of, or any evidence or information given to, any Hearing until such Hearing is completed and  
the decision of the Stewards has been released.

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### B 4. PROTESTS

#### B 4.1 Definitions

4.1.1 "Protest" means a written notification to the Stewards by a Protestor.

4.1.2 "Protestor" means any Competitor aggrieved by a decision, act, dispute or omission of:

4.1.2.1 any official duly appointed to the Meeting and against whom a protest is  
permitted by the Rules, or

4.1.2.2 any other person alleged to have committed a breach of these Rules, and  
who has lodged a Protest in accordance with these Rules.

#### B 4.2 Right to Protest

4.2.1 The right to Protest lies only with a Protestor as defined in Rule B 4.1.2.

4.2.2 A Protestor seeking to Protest against more than one other Competitor must lodge as  
many Protests as there are Competitors involved in the matter concerned.

4.2.3 In the case of a Protest against alleged breaches of Division C of these Rules, a  
separate Protest and accompanying Fee must be lodged for each single technical  
issue or item against which a Protest is made.

4.2.4 Notwithstanding Rules B 4.2.1 and B 4.2.2, an official of a Meeting acting in their  
official capacity may, even in the absence of a Protest, take such official action as the  
matter warrants.

#### B 4.3 No Right to Protest

No right of Protest exists against any decision:

- 4.3.1 made by the Stewards in the course of carrying out their duties pursuant to these Rules; or
- 4.3.2 of a Judge of Fact concerning a question which they have been officially appointed to decide; or
- 4.3.3 of the CTD on an issue of safety of a Car; or
- 4.3.4 of the Category Technical Panel.

#### B 4.4 Notice of Protest and Fee

4.4.1 Every Protest must be:

- 4.4.1.1 in writing addressed to the clerk of the course or in his absence, the V8 Supercar Stewards;
  - 4.4.1.2 lodged with the Stewards at the Meeting in which the matter arose; and
  - 4.4.1.3 accompanied by the Protest Fee of \$4,000 plus GST payable to CAMS;
- 4.4.2 In the case of a Protest relating to the eligibility of a Car, the Protest must be accompanied by an additional bond of \$2,500 plus GST, payable to CAMS, for each dismantling operation or process.
- 4.4.3 The Protest Fee may only be refunded by order of the Stewards if the Protest is upheld, otherwise the Protest Fee will be forfeited to CAMS.

#### B 4.5 Protest Time Limits

- 4.5.1 Subject to Rule B 4.5.2, the written notice of Protest must be lodged where the Protest:
- 4.5.1.1 is against the entry of a Competitor or Driver, within two (2) hours after the closing time for the official scrutineering of Cars;
  - 4.5.1.2 is against the make-up of a grid for a race, prior to sixty (60) minutes before the scheduled time of the opening of Pit Lane for that Race ;
  - 4.5.1.3 is against a decision of the CTD, regarding scrutineering or weighing of a Car, immediately after such decision has been made;
  - 4.5.1.4 is against:

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- (a) any error or irregularity occurring during a Competition;
  - (b) the non-compliance of Cars with the Rules; and
  - (c) the classification established at the end of the Meeting; must, except in circumstances which the Stewards consider as physically impossible, be made within thirty (30) minutes after the publication of the provisional results;
- 4.5.1.5 relates to any other matter occurring at a Meeting, no later than thirty (30) minutes after the publication of provisional results; or
- 4.5.2 The Stewards shall treat all Protests referred to above as urgent and shall hear them as soon as practicable.
- 4.5.3 The time limits for lodging a Protest may be extended by the Stewards if it can be shown that there were exceptional circumstances making observation of them impracticable.

#### B 4.6 Examination of Car, Assembly or Component

- 4.6.1 A Car, assembly or component thereof, the subject of any Protest against its eligibility or qualification, will immediately be impounded or sealed for examination by the CTD.
- 4.6.2 The examination of any Car, assembly or component impounded or sealed pursuant to Rule B 4.6.1 will be carried out under the authority of the CTD who must report in writing the results of such examination to the Stewards.
- 4.6.3 At the direction of the Stewards, parts or components of a Car may be sealed for examination at a later time by the CTD or the Category Technical Panel.
- 4.6.4 The Protestor is not entitled as of right to attend the examination referred to in Rules B 4.6.1 and B 4.6.2.

4.6.5 The costs of dis-assembly and re-assembly of a Car, assembly or component, together with reasonably necessary costs of impounding and/or transport of the subject Car, assembly or component for such examination, must be paid to CAMS by the unsuccessful party to the Protest.

4.6.6 Any assessment which needs to be made of the "reasonably necessary costs" referred to in Rule B 4.6.5, will be made by either:

4.6.6.1 the Stewards hearing the Protest; or

4.6.6.2 the Court hearing any Appeal.

4.6.7 If the Protestor is the unsuccessful party, the whole or part of the bond (Rule B 4.4.2) will be applied to the costs referred to in Rule B 4.6.5 and, if that bond is insufficient to cover such costs, the Protestor will become liable to CAMS for the balance, provided that the total amount of the costs is verified pursuant to Rule B 4.6.6.

4.6.8 The whole of the bond referred to in Rule B 4.4.2 may be refunded only if the Protest is upheld.

#### B 4.7 Hearing and Judgment

Upon receiving a Notice of Protest, the Stewards will conduct a Hearing. The hearing of a Protestor and all parties concerned by a Protest shall take place as soon as practicable. The concerned parties shall be given Notice to Attend the Hearing, and may be accompanied by witnesses. In the absence of any concerned party or of their witnesses, judgement may be made in their absence. If judgement cannot be given immediately after the hearing of the parties concerned, they must be advised of the time and place at which the decision will be given; subsequent to which all parties concerned will be bound by the decision, subject only to their rights of Appeal.

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#### B 4.8 Vexatious Protests

If, during a Hearing, the Stewards determine the Protest is frivolous, malicious or vexatious or consider that the Protestor acted in bad faith, the Protestor will be deemed to have breached these Rules.

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#### B 5. APPEALS

##### B 5.1 Right of Appeal

5.1.1 The right of Appeal against a decision of the Stewards, made as a result of a Hearing, is available to an "appellant" who is defined as:

5.1.1.1 the Competitor, the subject of such decision; or

5.1.1.2 TEGA, AVESCO or CAMS.

5.1.2 The right of Appeal against a decision of the Stewards is available only to the V8 Supercar National Court of Appeal ("the Court"), which is the final national court of judgment in accordance with the ISC empowered to settle any dispute.

5.1.3 The right of Appeal against a decision of the Stewards, made as a result of a Hearing, is available to an appellant, as defined in Rule B5.1.1, only on the following grounds:

(a)

the severity of the decision

(b)

an error in the application and interpretation of the Rules by the Stewards

(c)

Natural Justice having been denied by the Stewards

5.1.4 Neither the appellant nor the respondent may produce new evidence at the Appeal without the prior written permission of the Court. The Court will not give permission to produce fresh evidence unless:

(a)

the evidence could not by reasonable diligence have been obtained by the appellant prior to the conclusion of the Hearing before the Stewards; and

(b)

which is of sufficient value that, considered with other evidence which was before the Stewards, the Stewards may have reached a different decision.

5.1.5 The charter for the constitution of the Court is set out in Schedule B 3.

## B 5.2 Procedure, Time Limits and Fee

### 5.2.1 Notice of Intention to Appeal ("Notice")

5.2.1.1 The form of the Notice is set out in Schedule B 1.

5.2.1.2 Within one (1) hour of being advised of the Stewards' decision against which an appellant seeks to Appeal, the appellant must notify the Stewards by way of the Notice of their intention to Appeal to the Court.

5.2.1.3 The Notice must be accompanied by the Appeal Fee (Rule B 5.2.3).

5.2.1.4 The right to Appeal is automatically forfeit if the appellant does not provide the written Notice and the Appeal Fee as provided in these Rules.

### 5.2.2 Notice of Appeal ("Appeal")

5.2.2.1 The form of the Appeal is set out in Schedule B 2.

5.2.2.2 Within two (2) days of being advised of the Stewards' decision against which an appellant seeks to Appeal, the appellant must lodge the Appeal with the Court.

5.2.2.3 The Appeal must confirm the intention to Appeal and must contain all matters which the appellant intends to raise before the Court.

5.2.2.4 The Appeal may be lodged by electronic transmission (facsimile or E-mail) provided an original hard copy of the Appeal is posted or otherwise delivered to:

The Secretary

V8 Supercar National Court of Appeal

C/- CAMS Ltd

851 Dandenong Road,

Malvern East, Victoria, 3145 or;

P.O. Box 147 Caulfield East, Victoria, 3145

Tel: (03) 9593 7777

Fax: (03) 9593 7700

Email: v8appealcourt@cams.com.au

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5.2.2.5 The right to Appeal is automatically forfeited if the appellant does not lodge the Appeal with the Court within the time provided in Rule B 5.2.2.2.

### 5.2.3 Appeal Fee ("Fee")

5.2.3.1 The Fee of \$10,000 plus GST payable to CAMS must be lodged with the Stewards within the period set out in Rule B 5.2.1.2.

5.2.3.2 The Fee remains payable even if the appellant does not follow up the declared intention to Appeal contained in the Notice (Rule B 5.2.1).

5.2.3.3 No part of the Fee will be returned to the appellant if the Appeal (Rule B 5.2.2) is withdrawn at any time or if the Court rejects the Appeal.

5.2.3.4 If the Court finds the Appeal partly founded, the Court may order a part of the Fee be returned to the appellant.

5.2.3.5 If the Court upholds the Appeal, the Court will order all of the Fee be returned to the appellant.

### B 5.3 Status of Appellant

5.3.1 Subject to Rules B 5.3.2 and B 5.3.3, delivery of the Notice (Rule B 5.2.1) to the Stewards and lodgment of the Appeal (Rule 5.2.2) will not affect the validity or operation of any decision or order of the Stewards, the subject of the Appeal.

5.3.2 Delivery of the Notice (Rule B 5.2.1) to the Stewards will only have the effect of suspending the operation of the following types of penalties: a reprimand, a fine, a deduction of series' points, a suspension or a disqualification; until such penalty/ies are either:

5.3.2.1 confirmed or rejected by the Court; or

5.3.2.2 the appellant defaults in prosecuting the Appeal.

5.3.3 An Appeal against any penalty other than those mentioned in Rule B 5.3.2 will not set aside the penalty pending the outcome of the Appeal.

5.3.4 In the case of an Appeal any series' points which the appellant may have won will also be suspended pending the outcome of the Appeal, and will only be allocated to the appellant in accordance with the findings of the Court.

5.3.5 Where the Stewards have made a recommendation pursuant to Rule B 7.6.1.6, the relevant ASN acting pursuant to its own regulations (however described) may convene a Disciplinary or Investigative Tribunal to review and act on the Stewards' recommendation and impose any punishment the Tribunal sees fit.

### B 5.4 Representation

5.4.1 Subject to Rule B 5.4.2, an appellant will be required to state their case in person and not through an advocate.

5.4.2 In its absolute discretion, the Court may permit representation of an appellant

by an advocate where undue hardship would, in the opinion of the Court, result from personal representation alone.

5.4.3 The right to an advocate does not mean the right to legal representation. An appellant may seek leave of the Court to be represented by a person who is or has been a registered legal practitioner. Where in the opinion of the Court the matter before it is complex or has the potential to result in severe consequences for the Appellant the Court may, at its absolute discretion, make orders permitting the parties to the Appeal to be legally represented.

5.4.4 Permission for representation by an advocate under Rule B 5.4.2 and B5.4.3:

5.4.4.1 must be sought in writing addressed to:

The Secretary

V8 Supercar National Court of Appeal

851 Dandenong Road,

Malvern East, Victoria, 3145; or

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P.O. Box 147 Caulfield East, Victoria, 3145

Email: v8appealcourt@cams.com.au

at least four (4) days prior to the time scheduled for the hearing of the matter;  
and

5.4.4.2 upon receipt of an application made in accordance with Rule B5.4.4.1, the Secretary will forward a copy of the application by way of advice to all parties to the Appeal who shall be provided with twenty four (24) hours to make a written submission to the Court on the matter of legal representation before the Court.

5.4.4.3 may be granted in the absolute discretion of the Court who will in such circumstances make orders appropriate for the conduct of the Appeal including whether representation is granted in accordance with Rule B5.4.3, and amongst other things, the imposition of any time limits for the lodgment of written submissions and the presentation of verbal evidence before the Court. The Court will cause all affected parties to be advised no less than forty eight (48) hours prior to the time scheduled for the hearing of the Appeal.

5.4.4 As the relevant ASN, CAMS will always have the right of being represented as respondent to, and at, any appeal and, without limitation may respond to the Appeal, may make submissions in regard to the merits of the Appeal and any other matter arising from the Appeal, and assist the Court as may be required.

#### B 5.5 Place of Hearings

All Appeals will be heard in Melbourne, Victoria within nine days after the conclusion of the Meeting, or the publication of the Findings of the Stewards, whichever is the latter from which the Appeal arose unless:

5.5.1 the Court orders otherwise at least twenty-four (24) hours prior to the time scheduled for the hearing of the Appeal; or

5.5.2 any other place or time and day as agreed by the Court with the parties to the Appeal.

#### B 5.6 Appellant to Facilitate Hearing

5.6.1 To facilitate hearings by the Court, an appellant must:

5.6.1.1 appear at the time and place set for the hearing of the Appeal;

5.6.1.2 fully co-operate in good faith with the Court;

5.6.1.3 provide the Court with a full and truthful account of matters within their knowledge;

5.6.1.4 fully and truthfully answer any questions;

5.6.1.5 at the request of the Court, produce any document, image, videotape or any other thing in their possession or under their control;

5.6.1.6 not make any false or misleading statement to, or make a statement either calculated or likely to mislead, the Court.

5.6.2 At any Appeal Hearing if a person, or a person's witnesses, fails to attend at the time and place as required, in their absence the Court may determine the Appeal by default.

5.6.3 An appellant who, in the opinion of the Court, fails to comply with any of the requirements of Rule B 5.6.1, may be dealt with by the Court as it sees fit in its absolute discretion.

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#### B 5.7 Court Procedures

5.7.1 Hearings will be undertaken jointly by all the members of the Court present.

5.7.2 Subject only to these Rules, the Court may regulate any Hearing in such manner as it sees fit.

5.7.3 Hearings will be conducted with as little formality and legal technicality and with as much expedition as a proper consideration of the matter permits.

5.7.4 In its deliberations, consistent with the precepts of natural justice, the Court must take

into account and give primacy to the sporting nature of the Rules over any strict legal requirements of procedure, or of interpretation of the Rules.

5.7.5 The Court is not bound by the formal rules of evidence or by practices or procedures applicable to persons exercising any judicial capacity in a court of record.

5.7.6 If it is not reasonably possible to conclude a Hearing on the day appointed, the Court may adjourn the Hearing to the earliest reasonable time and convenient place having regard to the urgency of the matter and to the convenience of parties and witnesses involved.

#### B 5.8 Decisions

5.8.1 At the conclusion of a Hearing, the Court will determine on the balance of probabilities whether the Appeal should succeed.

5.8.2 The Court must determine whether the finding by the Stewards of a breach of the Rules by the appellant be either affirmed or set aside.

5.8.3 In the event that the Court affirms the finding by the Stewards of a breach of the Rules, the Court must then consider the penalty imposed by the Stewards, and may either:

5.8.3.1 confirm the penalty imposed by the Stewards; or

5.8.3.2 set aside that penalty and impose any other penalty applicable to the breach.

5.8.4 In reviewing any penalty, the Court must give the appellant the opportunity to be heard at some time during the hearing on the penalty which may be imposed by the Court.

5.8.5 In imposing a penalty pursuant to Rule B 5.8.3.2, the Court must take into account all those matters set out in Rule B 7.3.

5.8.6 All persons affected by or concerned in an Appeal Hearing will be bound by the Court's decision, subject only to rights of appeal pursuant to the ISC of the FIA.

5.8.7 The Court must give its decision in writing within fourteen (14) days from the conclusion of the Appeal Hearing.

5.8.8 The Court may, in addition to applying any part/s of this Rule B 5.8, also make such orders and give such directions as they may, in their absolute discretion, reasonably think fit.

#### B 5.9 Decisions Binding and Final

5.9.1 All parties to the Appeal will be bound by the decision, and any consequent orders, of the Court.

5.9.2 No further Appeal from the determination of an Appeal by the Court is either available under, or permitted by, these Rules save for an Appeal to the FIA International Court of Appeal in accordance with the ISC.

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#### B 5.10 Vexatious Appeal

If the Court comes to the conclusion that the Appeal was frivolous, vexatious or the appellant has acted in bad faith, the Court may make such a finding and impose on the appellant any penalty pursuant to Rule B 6.5.16.

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#### B 6. OFFENCES

##### B 6.1 Sources of Offences

A person commits an offence, and may be dealt with by the Stewards if that person breaches any of these Rules, the Supplementary or Further Regulations, Bulletins or any instructions relevant to a Meeting.

## B 6.2 Penalty Schedules

Penalties which may be applied by the Stewards or the V8 Supercar National Court of Appeal are set out in Rule B 7.6 ("Further Penalties") and in the Penalty Tables (Schedule B 4) (Tables 1, 2, 3 and 4), or at their discretion may impose any penalties that they see fit in the circumstances.

## B 6.3 Extent of Jurisdiction

Unless otherwise specified in these Rules, the Stewards will at any time only have jurisdiction to conduct a Hearing into an alleged breach of these Rules and into any matter, that relates in any way to V8 Supercars

## B 6.4 Liability and Responsibility for Offences and Attempts

6.4.1 A person will be deemed to be liable for an offence if the Stewards determine that the act or omission constituting the breach of the Rules was committed, or was attempted to be committed:

6.4.4.1 by the offender in person; or

6.4.4.2 by another person who was counselled or procured by the offender to do, or attempt to do, the act or make the omission; or

6.4.4.3 by another person who counselled or procured the offender to do, or attempt to do, the act or make the omission; and this Rule and each of the offences in these Rules will be construed and interpreted accordingly.

6.4.2 The Competitor will be responsible for all acts or omissions on the part of their Drivers, team personnel and associates, but each of these will be equally responsible for any breach of these Rules.

## B 6.5 General Offences

NOTE: The penalties for these offences are in the Penalty Tables (Schedule B 4)

### 6.5.1 Actual Physical Contact

A person must not intentionally make physical contact - which includes any type of assault - with another person, except in self defence.

### 6.5.2 Alcohol and Prohibited Substances

All Participants must respect a zero blood/alcohol level; and any Participant who is found to have consumed any alcohol or to be under the influence of any prohibited drug or substance before the V8 Supercar on - race - track activities have concluded for the day will not be permitted to participate in the day's Competition activities.

### 6.5.3 Bribery

A person must not offer to bribe, or accept a bribe from, any other person.

### 6.5.4 Conduct Prejudicial

A person must not do any act, make any omission or engage in any conduct - which includes words - which is or may be reasonably

(a) seen as being prejudicial to the interests of any Meeting, or

(b) likely to bring the sport of motor racing into disrepute.

### 6.5.5 Damage

A person must not do any act or make any omission which is objectively likely to, or does actually, cause damage to the property of any other person.

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### 6.5.6 Duty of Care

If a person does any act or makes any omission which

(a) having regard to all the circumstances is negligent, and

(b) causes or is reasonably likely to cause, any personal injury or damage to property;

that person has breached this Rule.

### 6.5.7 Fail to Attend

A person who fails to attend a Hearing, or at any appeal Court hearing, which they have been required to attend has breached this Rule.

#### 6.5.8 Fail to Give Evidence

A person who fails to give evidence at, or submit to examination by, a Hearing or at any Court hearing an appeal has breached this Rule.

#### 6.5.9 Fail to Pay

A person who fails to pay:

(a) any monies owing to CAMS within forty-eight (48) hours of such monies falling due; or

(b) any monies owing to AVESCO or TEGA within seven (7) days of such monies falling due,

has breached this Rule.

#### 6.5.10 Fail to Obey

A person who fails to obey the proper directions or instructions of an official appointed to the Meeting has breached this Rule

#### 6.5.11 False Information

A person must not give any evidence or information in any form which the person knows, or ought objectively to know, to be false or misleading to

(a) a Hearing, or

(b) a Court hearing an appeal.

#### 6.5.12 Fraudulent Misrepresentation

A person must not fraudulently misrepresent, either verbally or in writing, any information which is likely to either mislead or deceive a person authorised by the relevant ASN, AVESCO or TEGA to receive that information.

#### 6.5.13 Intimidation & Threats

A person must not by words, acts, or omissions abuse, intimidate or threaten any other person.

#### 6.5.14 Regulations and Bulletins

A person must comply with all provisions of all Supplementary and any Further Regulations, instructions and Bulletins; and any breach of any such provisions will be dealt with under these Rules as if the relevant provisions were part of these Rules.

#### 6.5.15 Vexatious Proceedings

A person who has lodged a Protest or undertaken an Appeal to the Court which, at an Hearing or Appeal Hearing, is found on reasonable grounds to be frivolous, malicious, vexatious or made in bad faith, will have breached this Rule.

#### 6.5.16 Video Recorders

A Team must not breach any of the provisions of Rule B 3.3.

#### 6.5.17 Vilification

A person must not engage in conduct amounting to vilification of, or discrimination

against, any person on the basis of their gender, race, religion or sexual orientation.

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#### B 6.6 Technical Offences

NOTE: The penalties for these offences are in the Penalty Tables (Schedule B 4).

##### 6.6.1 General Technical Ineligibility

(a) Definition: Eligible cars are those complying with all parts of Division C, and presentation by a Competitor of a Car will be deemed an implicit statement of conformity with all the Rules in that Division.

(b) Offence: A Competitor must not submit an ineligible vehicle, nor breach the provisions of Rule C 3.

##### 6.6.2 Construction & Modification

A Competitor must not breach any of the provisions of Rule C 5.

### 6.6.3 General & Safety

At all times Cars must comply with all the provisions of Rule C 2.

### 6.6.4 Intentional Breach

Competitors must not intentionally breach any of the following Rules;

(a) the Data requirements contained in Rule C 13.11;

(b) the Test requirements contained in Rule D 1;

(c) the Tyre requirements contained in Rule D17.

### 6.6.5 Markings on Cars

Cars must comply with all the provisions of Rule D 22.

### 6.6.6 Safety Equipment

Competitors must comply with all the provisions of Rule C 6.

### 6.6.7 Scrutiny

A Competitor must not breach any of the provisions of Rule C 4.

### 6.6.8 Technical Requirements

Competitors must comply with all the provisions of Rules C 7, C 8, C 9, C 10, C 11, C 12, C 13, C 14 and D 17.

### 6.6.9 Tyres

Competitors must comply with all the provisions of Rule D 17.

## B 6.7 Sporting Offences

NOTE: The penalties for these offences are in the Penalty Tables (Schedule B 4).

### 6.7.1 Briefings

A Competitor and/or Driver must attend the relevant briefings (Rule D 4) unless a waiver, which will only be given in exceptional circumstances, has been obtained from the Stewards.

### 6.7.2 Careless Driving

Departing from the Standard of a reasonably competent Driver.

### 6.7.3 Reckless Driving

Performing an act, or omission, which creates serious risk to others without consideration of the consequences.

### 6.7.4 Dangerous Driving

Performing an act, or omission, which creates serious risk to others with deliberate disregard of the consequences.

### 6.7.5 Code of Driving Conduct

A Driver must comply with the Code of Driving Conduct (Schedule B 5).

### Cutting Corners

### 6.7.6 A Driver must not:

6.7.6.1 consistently cut corners by driving over the inside of kerbs or off the race track surface; or

6.7.6.2 cut any corner which results in material or debris being brought onto the race track.

### 6.7.7 Directions of Officials:

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(a) Race Director: a Driver must obey the directions (however given or transmitted) of the Race Director;

(b) Officials Generally: A Driver must obey the directions of any appointed official of the Meeting.

### 6.7.8 Driver Identification

A Driver must comply with the provisions of Rule D 3.4.

### 6.7.9 Driving Time

A Driver must not exceed the total permitted driving time specified in Rule D 3.3.

#### 6.7.10 False Start

##### (a) Definition:

##### (i) Positioning of Car

Cars must be placed on the starting grid with their front wheels on or behind the grid line, and the position of the front wheels in relation to the grid line will be a determining factor in respect of a false start.

##### (ii) Movement of Car

A Car must be stationary in its position referred to in (a) (i) at the time of the starting signal, otherwise a false start will have occurred.

(b) Offence: A driver must not make a false start in any Competition.

#### 6.7.11 Flag Signals (Signalling)

A Driver must not breach Rule D 3.9 and must comply with the provisions of Schedule D 3 ("Signalling") attached to these Rules.

#### 6.7.12 Parc Ferme

A Participant must not breach any of the provisions of Rule D 13.

#### 6.7.13 Pit Lane Offences

A person must comply with the provisions of Rule D 11.

#### 6.7.14 Safety Car

A Driver must not breach any of the provisions of Rule D 10.

#### 6.7.15 Safety Offences

A person must not breach any of the provisions of Rule D 3.

#### 6.7.16 Speeding in Pit Lane

A Driver must not exceed the Pit Lane speed limit in any part of the pit lane.

#### 6.7.17 Start Procedures

A Driver must not breach any of the provisions of Rule D 8.

#### 6.7.18 Testing

A Team must not breach any of the provisions of Rule D 1.

#### 6.7.19 Team Orders

A Team, Driver, Entity, Related Entity, Competitor or Participant must not breach any of the provisions of Rule D 23.

#### 6.7.20 Weighing Infringement

Competitors must comply with any of the provisions of Rule D 16.

#### 6.7.21 Apparel

A Competitor must not breach any of the provisions of Rule D 21.

#### 6.7.22 In Car Items

Competitors must comply with all the provisions of Rule D 19.

#### 6.7.23 Fuel & Refuelling

A Competitor must not breach any of the provisions of Rule D 20.

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#### B 6.8 Operations Offences

NOTE: The penalties for these offences are in the Penalty Tables (Schedule B 4).

##### 6.8.1 Competition Numbers

Competitors must comply with the provisions of Rule E 3.

##### 6.8.2 Media Activities

Competitors must comply with any of the provisions of Rule E 2.

##### 6.8.3 Rides

Competitors must comply with the provisions of Rule E 1.

##### 6.8.4 Series' Promotional Requirements

Participants must comply with the provisions of Rule E 2.3.

##### 6.8.5 Series' Sponsors & Car Identification

Participants must comply with the provisions of Rule E 5.

#### 6.8.6 Sponsors' Presence

Participants must comply with the provisions of Rule E 2.6.

#### 6.8.7 Sponsors General

Competitors must at all times comply with the provisions of Rule E6.

#### 6.8.8 Television

Participants must comply with the provisions of Rule E 2.4.

#### 6.8.9 Television Presentation

Competitors must comply with the provisions of Rule E 2.5.

#### 6.8.10 Transfer of a Car

Competitors must comply with the provisions of Rule E 4.

### B 6.9 Defences

At a Hearing or at an Appeals Hearing, it will be a defence to any offence in these Rules if the person - against whom a breach of the Rules is alleged - can establish that:

6.9.1 they had an objectively reasonable justification or excuse for doing the act, or making the omission, which constituted the offence, or

6.9.2 the act or omission constituting the offence occurred by accident or independently of the exercise of the will of the person charged with the offence.

### 6.10 Endorsement of Pass Book/Licence

Whenever a penalty is imposed on a Competitor and/or Driver, the details will be entered by the Stewards on the offender's Pass Book/Licence.

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## B 7. PENALTIES

### B 7.1 Applicable Penalties

The Stewards may impose any penalties set out in the four Tables in the Penalty Tables (Schedule B 4) and/or any of the Further Penalties contained in Rule B 7.6.

### B 7.2 Hearing on Penalty

Where the Stewards determine an offence has been committed, before imposing any penalty the Stewards shall:

7.2.1 give the offender the opportunity to make submissions on penalty, including any mitigating circumstances which may bear on the extent of the penalty which may be imposed; and

7.2.2 give the IPO the opportunity to make representation and submissions on the subject of penalty and he may request that the Stewards apply any of the penalties able to be applied under these Rules.

### B 7.3 Take into Account

7.3.1 The Stewards must have regard to the most appropriate penalty or penalties and should take into account the following factors in assessing any penalty to be imposed:

7.3.1.1 whether the offender made an early admission of a breach of the Rules or whether the Stewards found against them following a Hearing,

7.3.1.2 if the offender is a member of a multi-Car Team or Group, the Stewards must consider whether the offence was committed to assist another Team member to gain any advantage.

7.3.1.3 any other aggravating or mitigating factors,

7.3.1.4 the specific maximum and, if specified, the minimum penalties in the Penalty Tables (Schedule B 4) and any Further Penalties,

7.3.1.5 any previous breaches of the Rules, whether or not such breaches appear in the offender's Pass Book/Licence.

7.3.2 The Stewards may deduct series points in excess of the number of points actually accrued by an offender, even if this results in a negative point score.

7.3.3 If the Stewards decide to reduce the penalty inflicted in the case of an admission of guilt at the commencement of a Hearing the revised penalties are outlined in the Penalty Tables (Schedule B 4)

#### B 7.4 Reasons

The Stewards may, but will not be obliged to, give reasons for the imposition by them of any penalty.

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#### B 7.5 Multiple Penalties

The Stewards may impose one or more of the specific penalties applicable under these Rules.

#### B 7.6 Further Penalties

7.6.1 In addition to, or instead of, the penalties contained in the Penalty Tables (Schedule B 4), the Stewards may impose any of the following penalties:

7.6.1.1 Reprimand;

7.6.1.2 Relegate a Competitor or Driver:

7.6.1.2.1 to the rear of a starting grid;

7.6.1.2.2 or by a number of grid positions;

7.6.1.2.3 or to the rear of a starting grid with a time penalty for a race at the Meeting or at the next Meeting or Meetings

7.6.1.3 Demote a Competitor or Driver from the finishing order of a race to a lesser finishing order of the race by amending the results of a Competition and/or imposing a time penalty expressed in minutes and seconds.

7.6.1.4 Exclude a Competitor or Driver from a race or session.

7.6.1.5 Exclude a Competitor or Driver from a complete Round of a series

7.6.1.6 Recommend to the relevant ASN that a Competitor or Driver be suspended or disqualified.

7.6.1.7 Fine a Competitor or Driver up to the maximum provided for in the ISC.

7.6.1.8 Deduct series points from a Competitor or Driver to a maximum of 192 points.

#### B 7.7 Suspended Operation of Penalty

After imposing any penalty, the Stewards have the power to suspend its operation on such terms as they see fit.

#### B 7.8 Liability to Pay Fines

Any Competitor or Participant found to have committed a breach of these Rules will be responsible for the payment of any financial penalty imposed and, in the event of non payment within the time specified in Rule B 7.9, the Competitor may also be suspended by CAMS from competing in any Meeting until the fine is paid.

#### B 7.9 Time for Payment

Notwithstanding Rule B 7.8, financial penalties must be paid to CAMS within forty-eight (48) hours of their imposition, and failure to pay within that time, without any further order or request for payment to be made may result in:

7.9.1 the Competitor and/or Driver being excluded from any Meeting; and

7.9.2 suspension of the Competitor by CAMS

while the financial penalty remains unpaid.

#### B 7.10 Allocation of financial penalties

The proceeds from all financial penalties, all forfeited Protest fees and the proceeds from

Appeal fees must be remitted to CAMS.

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SCHEDULE B 1  
(Rule B 5.2.1)

FORM  
NOTICE OF INTENTION TO APPEAL

Venue:.....

Date:...../...../.....

To the Stewards of the Meeting:

I\*/We\*.....

Name/s of intended appellant/s

Of:.....

Address

being the holder of Pass Book/Licence/s number/s:.....

Indicate issuing ASN (e.g. CAMS)

intend to Appeal against the decision/s of the Stewards of the Meeting made on...../...../.....

at the .....

Circuit\*/Place\*

I\*/We\* intend to Appeal against:

(1) a finding of a breach of .....

.....

List the breach\*/es\* found by the Stewards

on the following ground\*/s\* in accordance with Rule B5.1.3: (Tick the appropriate box)

(a): The Severity of the decision

(b): An error in the Application and Interpretation of the Rules by the Stewards

(c): Natural Justice was denied by the Stewards

I\*/We\* will lodge the Notice of Appeal (Rule B 5.2.2) with the V8 Supercar National Court of Appeal within two (2) days of being advised of the Stewards' decision against which it is intended to Appeal.

I\*/We\* agree to be bound by the provisions of Rule B 5 and the provisions of the International Sporting Code of the FIA and tender the Appeal Fee of \$10,000 plus GST (Rule B 5.2.3) which accompanies this Form.

Signed:.....

NOTE: This form and the Appeal Fee, must reach the Stewards within one hour of the appellant/s having been advised of the decision against which it is intended to appeal.

\* Delete as applicable.

Received by:.....at.....hours on :.../...../.....at .....(place).

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SCHEDULE B 2  
(Rule B 5.2.2)

FORM  
NOTICE OF APPEAL

To the V8 Supercar National Court of Appeal:

Date:...../...../.....

I\*/We\*.....

Name/s of appellant/s

Of:.....

Address

being the holder of Pass Book/Licence/s number/s:.....

also indicate issuing ASN (e.g. CAMS)

hereby Appeal against the decision/s of the Stewards of the Meeting made on ...../...../.....

at.....

Circuit\*/Place\*

I\*/We\* intend to Appeal against::

(1) a finding of a breach/breaches of .....

.....

List the Rule number\*/s\* of the breach\*/es\* found by the Stewards

On the following grounds:

(a): The Severity of the decision

(b): An error in the Application and Interpretation of the Rules by the Stewards

(c): Natural Justice was denied by the Stewards

and in support of the Appeal, attach a summary of the salient submissions upon which it is intended to rely at the Appeal Hearing before the Court.

Attach to this Form a page or pages summarising the main points of the Appeal.

I\*/We\* agree to be bound by the provisions of Rule B 5 and the provisions of the International Sporting Code of the FIA.

Signed:.....

NOTE: This form and the accompanying summary of appeal points must be submitted in duplicate to the Secretary of the Court within the two (2) days from the time at which the appellants were notified by the Stewards of the decision Appealed against. Failure to comply will render the Appeal and the Appeal Fee forfeited to CAMS.

\* Delete as applicable.

---

Received by:.....at.....hours on :.../...../.....at .....(place).

---

The postal address of the Court is: P.O. Box 147 Caulfield East, Victoria, 3145.  
The Location of the Court Hearings will be confirmed in writing by the Secretary of the Court

## V8 SUPERCAR NATIONAL COURT OF APPEAL

### CHARTER

(Rule B 5.1.3)

#### 1. CONSTITUTION OF THE COURT

1.1 The Court will be constituted by three persons, drawn by CAMS from a Judicial Panel of independent persons.

1.2 No member of the Court may sit on a case if:

##### 1.2.1

they have been involved in any way as Participants or officials in the Meeting

under consideration; or

##### 1.2.2

if they have participated in any earlier decision concerning, or have been involved directly or indirectly in the matter under consideration.

1.3 Members of the Court will not be paid for their attendance at any Appeal Hearing, but reasonably incurred costs of and incidental to their attendance at any hearing will be paid by CAMS.

1.4 A member of the Court who is legally qualified will act as the Chair of the Court who will preside over, and regulate, proceedings at the Appeal.

1.5 CAMS will appoint a person to act as Secretary to the Court for administrative purposes, but the Secretary will have no deliberative function at any Hearings conducted by the Court.

#### 2. MEMBERS OF THE COURT

2.1 The Members of the Court will be selected as required and will have:

##### 2.1.1

been appointed by CAMS in consultation with AVESCO; and

##### 2.1.2

have indicated that they are willing to undertake judicial duties on the V8 Supercar National Court of Appeal as required.

2.2 Each Member of the Court should:

##### 2.2.1

preferably have an extensive knowledge of motor sport;

##### 2.2.2

not have competed in any way for two (2) or more years in any V8 Supercar Meeting.

2.3. Members of the Court:

##### 2.3.1

must be seen to be impartial and, upon appointment to the Judicial Panel, must declare in confidence to CAMS any interests in motor sport which may be seen as compromising their impartiality in the exercise of their appellate duties;

##### 2.3.2

must: be impartial in the exercise of their appellate duties and must have no connection with any particular trader's or manufacturer's business which might benefit, or be seen to benefit, directly or indirectly from the result of any appeal.

##### 2.3.3

may, but need not be, members of an ASN.

## PENALTIES FOR OFFENCES

(Rule B 6.2)

### INTERPRETATION

In each of the four Tables in this Schedule, the words below have the following meanings:

Additional Penalty:

(1)

may be imposed by the Stewards at a Hearing whether or not a PLP was imposed, and

(2)

may comprise one or more of the penalties for a breach of an offence specified in these Tables.

Exclude

(1)

Means exclusion of an offending Competitor, Driver or Car from the results of a single session, single race or a round of any series where indicated by "Yes" in the relevant column of the Tables.

(2)

Any Competitor, Driver or Car excluded from the result of a race or a round of a series will consequently forfeit any relevant awards (including prize money, points and trophies) to which that Competitor or Driver may otherwise have been entitled.

Fines

Where a Meeting acquires International status, the maximum fines indicated in the following Tables will be enlarged to the maximum fines provided by the ISC of the FIA.

K where used following a \$ figure in a Table means one thousand dollars.

PLP means a Pit Lane Penalty which is not susceptible to Appeal and may be imposed where indicated by "Yes" in the "PLP" column of Table 3; the penalty will be either:

(1)

a "drive-through": in which the offending Competitor's Car must drive through the length of the Pit Lane without stopping and without exceeding the speed limit; or

(2)

a "stop/time/go":

(a) in which the offending Competitor's Car must come to a complete halt in its Pit Bay where it must remain stationary for the whole period of penalty time advised by the Race Director to the Competitor at the time of advising of the PLP, and

(b) the Competitor will be responsible for ensuring that its Car does remain stationary for the whole period of penalty time ; and

(c) Judges of Fact may be appointed in Supplementary or Further Regulations to confirm compliance with the requirements of the PLP.

A PLP will not generally be applied unless there is evidence of the offence that is largely beyond dispute

PLP MAX Time (Column 4 of Table 3) means the maximum penalty time which can be imposed on a Driver either:

(1)

as part of a "stop/time/go" penalty (see "PLP" above), or as

(2)

the addition of the time specified in Column 4 of Table 3 to a Driver's best practice, qualifying or race time, in which case:

(a) a Driver attracting penalty time for an offence in any practice or qualifying session (however described) will consequently be placed on the starting grid according to the total of the actual qualifying time and the penalty time; and

(b) a Driver attracting penalty time for an offence in any race will consequently forfeit any relevant awards (including race classification, prize money and trophies) to

which that Competitor or Driver may otherwise have been entitled.

#### Commencement of a PLP

(1)

No PLP may be commenced while the Safety Car Boards are being displayed.

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(2)

A Car will be deemed to have commenced a PLP when it crosses the line (real or imagined) that separates the race circuit from the Pit lane access road, a Judge of Fact will be appointed to determine when a Car so commences a PLP.

#### Points

(1)

Means points which may be awarded to a Driver in any series.

(2)

Where the Stewards deduct points as the only, or in addition to any other, penalty for a breach specified in this Schedule:

(a) such points may be deducted even if the deduction will result in a Driver having a negative Series points total; and

(b) such points may be deducted from either:

(i) the total points accumulated by the Driver to date in the relevant series; or

(ii) the points accumulated by the Driver in the race in which the offence was committed; and

(c) the Competitor and Driver so penalised will consequently forfeit any relevant awards (whether of prize money or of trophies) to which that Driver may otherwise have been entitled.

(3)

Where indicated by an asterisk \*, the maximum number of points which can be deducted will be the same as the number of points which could be awarded to the winner of any single race in the relevant Meeting.

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#### SCHEDULE B 4

#### SCHEDULE OF PENALTIES

The Stewards and the IPO have been issued a table by AVESCO that contains the Minimum Penalties that will be applied in the event of a Breach of Rules. The Stewards may however impose a higher penalty after a Hearing should they see that a penalty greater than the minimum is required.

The Stewards may reduce a penalty should a Participant plead guilty at the commencement of a Hearing. The Participant will be advised of his or her ability to reduce a penalty through an early guilty plea (should one exist) at the time that the Stewards Referral and Charge Sheet are provided to the Competitor.

Should a Participant be guilty of the same offence in the previous two years the penalty will be increased by the Stewards.

Should the Participant be guilty of any other similar offence in the previous two years the minimum penalty may be increased for each previous similar Breach of the Rules.

If a Participant has committed no similar offences in the previous three years of V8 competition, a reduction to the penalty may be applied.

For the avoidance of doubt, should a Participant plead guilty to a Breach of the Rules, but has been found guilty of other similar offences previously, the penalty may be increased in accordance with the Rules. Any reduction of penalty through either an early plea of guilt or previous good behaviour will be imposed after the potential increased penalty has been determined.

Where a Penalty in the penalty table indicates the words "Stewards", the minimum penalty that may be applied to a Breach of the Rules will be at the Stewards discretion.

Where a Penalty indicates "ISC maximum", the Minimum Penalty is the maximum that may be imposed by the Stewards in accordance with the provisions of the International Sporting Code of the FIA. At the time of printing these Rules this amount is \$US50,000.

The Participant or the Participant's authorised representative may view the Table of Minimum Penalties at the Stewards sole discretion, however permission will not be granted for the Table to be reproduced under any circumstances.

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SCHEDULE B 5

## CODE OF DRIVING CONDUCT (Rule B 6.7.5)

### 1. OBSERVANCE OF SIGNALS

The instructions detailed in Schedule D3 and Rule D10 are deemed to be part of this code of driving conduct. All drivers must be thoroughly acquainted with them.

### 2. OVERTAKING

2.1 During a race, a Car alone on the race track may use the full width of the race track. However, as soon as it is caught up on a straight by a Car which is either temporarily or consistently faster, the driver must give the other Car the right of way by pulling over to one side in order to allow for passing on the other side.

2.2 If the driver who has been caught does not seem to be making full use of his rear view mirror, the flag marshal/s will give a warning by waving a blue flag to indicate that another driver wants to overtake. Any driver who does not take notice of the blue flag may be penalised by the Stewards. Systematic or repeated offences may result in the exclusion of the offender from the race.

2.3 Curves, as well as the approach and exit zones thereof, may be negotiated by the drivers in any way they wish, within the limits of the race track. Overtaking, according to the circumstances, may be done either on the right or on the left. However, manoeuvres liable to hinder other drivers such as premature direction changes, more than one change of direction, deliberate crowding of Cars towards the inside or the outside of the curve or any other abnormal change of direction, are strictly prohibited and will be penalised by the Stewards, according to the importance and repetition of the offences, by penalties ranging from a fine to the exclusion from the race. The repetition of dangerous driving, even involuntary, may result in exclusion from the race.

2.4 Any obstructive manoeuvre carried out by one or several drivers, either having common interests or not, is prohibited. The persistent driving abreast of several Cars as well as a fan-shaped arrangement, is authorised only if there is not another Car trying to overtake, otherwise, the blue flag will be waved.

2.5 The penalty inflicted for ignoring the blue flag will also be applied to the drivers who obstruct part of the race track and will be more severe in the case of systematic

obstruction, thus ranging from a fine to the exclusion from the race. The same penalties will be applied to drivers who swing from one side of the race track to the other in order to prevent other competitors from overtaking.

2.6 The repetition of serious mistakes or the appearance of a lack of control over the Car (such as leaving the race track) may entail the exclusion of the driver concerned.

2.7 The race track alone will be used by the drivers during any race.

2.8 Except in cases of force majeure (accepted as such by the stewards of the meeting), the crossing, in any direction, of the line separating the deceleration zone and the track is prohibited.

2.9 Except in cases of force majeure (accepted as such by the stewards of the meeting), any line painted on the track at the pit exit for the purpose of separating cars leaving the pits from those on the track must not be crossed by any part of a car leaving the pits.

### 3. STOPPING OF A VEHICLE DURING A RACE

3.1 The driver of any Car exiting the race track must signal their intention in good time and is responsible for ensuring that the manoeuvre is carried out safely.

3.2 Should a driver be compelled to stop the Car, either involuntarily or for another reason, the Car must be moved off the race track as soon as possible so that its presence

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does not constitute a danger or prevent normal running of the race. If the driver is not able to move the Car out of a potentially dangerous position, it is the duty of the marshals or other officials to help, provided they can do so without prejudice to their other duties. No driver has the right to refuse to allow his car to be taken off the track, he must do everything he can to help and obey the marshals' instructions.

In such case, if the driver

3.2.1 succeeds in restarting the Car without any external help, and

3.2.2 re-joins the race without committing any breach of the Rules, and

3.2.3 does not gain any advantage from the preceding movement of the Car to a safer position,

the driver will not be excluded from the race.

3.3 Any repairs carried out on the race track may only be carried out by the driver alone by means of the tools and spare parts carried aboard the Car.

3.4 Any replenishment carried out on the race track itself is prohibited and will entail immediate exclusion.

3.5 Apart from the driver and in exceptional cases the competent officials, nobody is allowed to touch a stopped Car under penalty of its exclusion from the race.

3.6 Pushing a Car along the race track or pushing it across the finish line is not allowed, and will incur immediate exclusion.

3.7 Any Car abandoned on the race track, even temporarily, by its driver, whatever the reason or the duration, will be considered as having withdrawn from the race.

### 4. ENTRANCE TO THE PITS

4.1 The so-called 'deceleration zone' will be regarded as part of the pit area.

4.2 During the practice and qualifying sessions and races, Car access to the pits is only permitted through the 'deceleration zone'.

4.3 Any driver intending to leave the race track or to enter the pits or paddock area must signal their intention in good time and must make sure that it is safe to do so.

4.4 Except in the case of force majeure, which will be determined by the Stewards only, the crossing in any direction of the line separating the deceleration zone from the race track is prohibited.

### 5. PRACTICE STARTS/BURNOUTS

Unless otherwise specifically authorised, all practice starts or "burn outs" are prohibited except those made from the Pit Lane exit beyond the speed derestriction sign or at the start

of any warm-up lap.

#### 6. KERB INFRINGEMENTS

##### 6.1 During any Practice Session:

6.1.1 First adjudged breach - a warning.

6.1.2 Second adjudged breach - the loss of the fastest lap time recorded by the Car during the session.

6.1.3 Third and subsequent adjudged breaches - the loss of the next fastest time recorded by the Car and so on.

##### 6.2 During any Qualifying Session:

6.2.1 First adjudged breach - the loss of the fastest lap time recorded by the Car during that session.

6.2.2 Second and subsequent adjudged breaches - the loss of the next fastest time recorded by the Car and so on.

##### 6.3 During a Race

6.3.1 First adjudged breach - a warning.

6.3.2 Second and subsequent adjudged breaches - a Pit Lane Penalty

#### SCHEDULE B 6

(Rule B 1.12)

##### Team Request For Incident Review

Championship Round No.: \_\_\_\_\_ Event Name: \_\_\_\_\_

Circuit: \_\_\_\_\_

VCS / DVS, Race / Practice / Qualifying (circle one) No: \_\_\_\_\_

In accordance with Rule B.1.12 as the authorised representative of (Competitor Name) \_\_\_\_\_, I herein request the IPO to investigate into an incident between Car number \_\_\_\_\_ entered by the above named Competitor and car/s number/s \_\_\_\_\_ that occurred during the above Race / Practice / Qualifying session. (Delete whichever is not appropriate)

The incident took place at approximately \_\_\_\_\_ am/pm during lap number: \_\_\_\_\_

Provide a brief description and diagram of the incident including details of the position on the circuit in which the incident occurred.

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Diagram of the Incident

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Contact Number: \_\_\_\_\_ Time accepted by the IPO: \_\_\_\_\_

IPO's Signature: \_\_\_\_\_ Name: \_\_\_\_\_

This form must be submitted to the IPO in accordance with rule B1.12 at any time, but never later than 30 minutes after the display of the chequered flag to the leading Car of the Race, or 30 minutes from the end of a practice or qualifying session in which the incident occurred.

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