



NATIONAL OFFICE

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23rd May 2008

COUNCIL MEETING

DATE: 21st & 22nd JUNE 2008

VENUE: CROWNE PLAZA – COOGEE BEACH - SYDNEY
Cnr Arden & Carr Streets, COOGEE NSW 2034

TIME: 9.00am – 5pm Saturday, 9am – 4pm Sunday

Kind regards
Pam Arnett
National Secretary



**AKA NKC MEETING
AGENDA
21st & 22nd June 2008
Venue: Crowne Plaza, Coogee Beach,
Sydney NSW**

1- Opening remarks by the Chairman

2- Meeting Open to Observers

Motion: To allow observers of the meeting, however for in-camera discussions they will be asked to leave the room.

3- Minute procedure – acceptance of digital recorder as an official recording for the purpose of minute taking by the minute secretary.

4- Accept minutes from previous meeting.

5- Business arising from those minutes.

6- AKA Qld Inc
Re: Legal Costs incurred \$6703.00.

To all members of the Australian Karting Association.

We wish to advise all members, the NKC and the Secretariat of an important court precedent we have established which impacts every club in Australia and is of enormous value and assistance in a club's dealing with its members, racers and spectators.

The decision endorses the right of a club to eject any person, including a member, for disciplinary reasons but without bringing the individual's membership rights into question, which can leave a club exposed. This, we believe, is a major tool for clubs and officials to help control the 'ugly' parent issues.

The Warwick Karting Club Inc, was sued by one of its members seeking to stop the club imposing a ban of 6 months from entry to the club premises. At a race meeting late last year, it was alleged the club member was abusive toward officials, club executives and other members of the club following an on track incident between the member's daughter, and the Club Secretary's son. At a following club general meeting, the club decided to ban the family (who were also members) from using the facilities of the club for a period of six months. The actions of the club were not directed at the family's membership and so did not affect any rights under the constitution or require observance of the club constitution except to notify, the member verbally that the matter would be raised in a general meeting. (This club holds it's monthly meetings after Saturday practice days)

The affected member then decided to take civil action against the club arguing that his membership rights included access to the facilities. The court dismissed the claim and ordered the affected member pay the clubs costs of defending the application.

Before the court application commenced, the affected member had solicitors write on 2 occasions to the club making various allegations and threats. The AKA Qld advised the club that the club had to defend their actions regardless of costs. We consulted our solicitor, Graeme Hancock, who concurred that a dangerous precedent would be set if the club were to lose or back down from the stance taken and that the club was likely to succeed in its defence of the claim. The AKA Qld advised the club that we would

reimburse the costs, as we do not believe that the club should be prejudiced just because of the expense when it has acted correctly and where it is necessary to take a stance on behalf of the sport as a whole.

In our opinion, the defence of this matter was an action to protect the sport as a whole, and not just to protect the Warwick Kart Club or the AKA Qld. Our defence has created a precedent that any club can use to defend itself in similar circumstances anywhere in Australia.

AKAQ have paid the account in full, again, on legal advice that court costs and actual costs aren't the same thing, but more so, that if the costs are paid, the club can resist renewal of the person's membership while the process of recovering the costs from the person goes on.

But, as every club in Australia benefits, we believe it is appropriate that the national organisation meets the cost, and if delegates to the National Karting Council agree, we would be pleased to receive \$6703.00 in reimbursement. It also occurs to us, that if the AKA assumed responsibility for the costs in this case, it may be possible to prevent the people involved renewing licences whilst costs are outstanding and perhaps further, provide an opportunity for a good behaviour bond to be set for the parent to see out his children's minority.

7- Qld Item
Clarification of a rule.

We ask that the AKA offer a ruling and an explanation on the interpretations offered to the below rules.

The Clerk of the Course (who had raised 15 complaints at one meeting - in our opinion out of time) contacted The National Stewards CoOrdinator, and asked for rulings as outlined below. There has been disagreement with some of the interpretations offered for each rule, and this has created problems at State Level in that both the Tribunal Registrar and the State Prosecutor have resigned their positions. We further ask that the AKA seek legal advice if required, in order to have this matter resolved unequivocally.

The comments are as below. (In black, the rule, in blue, the National Stewards CoOrdinator interpretation.)

7.08 A written report of an Official is a complaint, if it states or implies that a regulation has been broken. **As an official of the meeting, you believed a regulation had been broken by these 15 drivers, so you raised a complaint form for each one.**

7.16 A complaint made at a race meeting must be dealt with by the stewards unless there is a good reason why they cannot do so. **The drivers had already gone home and could not be served with the complaint forms, that's why the stewards could not deal with the complaints.**

7.17 A complaint not dealt with by the stewards must be dealt with by a Disciplinary tribunal save and except in relation to a complaint against an official which must be dealt with in the manner set forth in regulation 7.18. **These are not complaints against officials, and could not be dealt with by the officials on the day for the reasons explained above, so they MUST be dealt with by a Disciplinary Tribunal.**

7.13 When the tribunal registrar receives a Complaint, a hearing of a tribunal must be arranged save and except as provided by regulation 7.18. (7.18 refers to complaints against officials) This rule is very simple to understand. Tribunal Registrars have no authority to decide if a person is guilty or not guilty, or if a complaint should or shouldn't be heard. If they receive a complaint they MUST arrange for it to be heard by tribunes at a tribunal.

7.15 The stewards or Tribunal Registrar (whether National or State) may always permit a complaint to be made out of time for a good reason. There is no time limit for an official of a race meeting to raise a complaint. Rule 7.14 refers to time limits for competitors to lay a complaint, not officials of a meeting.

1.07(ss) Tribunal Registrar - The person designated by the AKA in each state to arrange tribunals. This rule is very simple to understand. The State Tribunal Registrar is appointed in each state to set up tribunals. Their brief is to organise a suitable venue, handle all of the paperwork and notify all of the people involved.

We ask that this matter be dealt with as promptly as possible, so that AKA Qld can attempt to get Judicial people appointed to move forward. We look forward to your correspondence.

8- NT Item
Protocols and procedures need to be developed for reimbursement of expenses incurred by individuals in testing as authorised by the NKC.

9- AKA Executive Item
Can Dunlop tyres be sold without the bar code at the new price when it is old stock??.

As you are all aware that as from the 1st May all contracted tyres that were tendered were to have bar codes ... e.g.**MGREDS _ MGYELLOWS and DUNLOP SL1A** so does this mean that any tyre that does not have a bar code is ILLEGAL for use in competition.

10- AKA Executive Item
AKAC/Appeals Process
Pam Arnett

11- WA Item
Application from Karratha Kart Club
Exemption from Rule 18.09 4 (b) (i) – The club wishes to make extensions to the current track layout in preparation for the 2009 State Championships. As per the current rules this requires the current fences to be moved back so that they are 10 metres from the track edge. In one section of the track (not near the area the club wishes to modify), the fence is currently 7 metres from the track edge and can not be moved further back due to the motor cross facilities next door. The club is seeking an exemption of the 10 metre rule for this section of the track.

12- VKA Item
Clutches for 2009
Discussion

13- NSW Item
 Chapter 51 – Endurance Karting
 Appendix A – Approved Engine Scrutineers
 Add:
 Darrell Mitchell
 32 Mt Keira Road
 Wollongong NSW 2500

14- NSW Item
 To:
 Sydney Kart Racing Club
 PO Box 406
 Narellan, NSW 2567

Title: Agenda Item for SKC - Midget Engine Parity and future plan.

Dear SKRC Committee,

Whilst we recognise and applaud the NKC's action in a weight adjustment on the engine parity issues recently raised, it is becoming more evident the class is far too complex and racing parity is still not evident. We request the club seek further action in the future direction in the Midget class. The following are the areas of concern.

1. Rule Certainty: Families participating in this class in the last 12 months have experienced considerable changes in the rules with the changes in the S80 cc /CC & TDC changes, S80 planned phase out, earlier introduction of the SW80 to be the only Comer and finally the rebirth of the Yamaha J with the increased restrictor. The cost of these rule changes has lead to considerable reduction in existing class numbers and unacceptable costs.

2. 2009 Direction. It was understood from the NKC minutes in April that the Weight adjustment was ruled on questionable data from one state only, one test only at on one track. Early results since these weight changes show either the S80 or the Yamaha J being the preferred engine, little has changed. The SW80 whilst introduced 2 years ago is not preferred. This results in no clear path for newcomers to invest their dollars. If the rules stay the same in 2009 with the removal of the S80, the Yamaha J will be the preferred engine base based on results so far this year in our region.

3. One engine class: The SKC/NKC need to urgently move to a one engine class in the near future. Between the 2 engines that will be left the Comer SW80 provides the benefit of more consistent parity between like for like. This engine is far better suited to the green new comer, provides a robust clutch and integrated starting system. Any quick cost comparison between a new Yamaha J + blue printing + aftermarket clutch and starter are over 50% more expensive than the Comer SW80.

Item	Yamaha KT100J	Comer SW
New Engine	\$935	\$1285
Blueprint (ref IWT website)	\$700 (ref IWT website)	\$350
Carbie set-up incl idle T bar	\$70	Not required

Pipe and Header, adjuster, bracket, springs etc	\$182	included
Chain guard	\$16	included
Clutch and Kill Switch	\$309	included
Starter	\$265	Not required
Addition clutch drum	\$85 (required due to gear spread)	Not required
Total	\$2,562.00	\$1,635.00

*Please note S80 conversations Approx \$600.00 including Kit.

4. Parity: Engines with largely different bore and stroke can never achieve parity. While the lap time parity data presented to the NKC shows largely similar lap times, the in race situation reflects a big advantage to the engine with the larger bore and stroke, being the Yamaha J. A seasoned driver can use this engine to his advantage in passing and then blocking Comer competitors whose engine lack the low rpm torque.

5. Safety: The size of the SW80, its covered head and small exhaust all provide a safer engine for 7 year olds to use. The design and nature of this engine limits the chance of injuries from protruding parts and extended hot exhaust systems.

6. Tuning: The SW80 provides easier tuning for both Child and parent remembering this is a learner class for both. The Yamaha J is more difficult for the new comer to travel around the circuits particularly at low speed. Plug fouling is a J generic problem and is even more a problem with the new style low voltage ignition system.

7. Weight: The midget class was a 90kg class. Raising the class weight to 95kg for KT100J has meant that beginners at age seven (23kg body weight) are having to add an extra 5kg, and typically carry 20kg of lead. Very small children (17kg body weight) are carrying up the 25kg of lead. At the other end of the midget age bracket, a typical child will be dot-on weight when leaving the Comer midget class in their 11th year. With a J midget the same child will be 2 kg over weight. (source: Vic Gov Health Info website). To equalise this weight disadvantage for normal weight 11th year driver, the J midget weight should be increased to 97kg. The lighter weight Comer represents a better engine for a lightweight class since kart weight can be kept to minimum for 7 year olds right through to 11 year olds.

These above issues need to be addressed in the meeting in June in order to provide a clear direction in 2009, further more the AKA need to have a plan for 2010 and beyond. The current rules are too complex for a beginner's class and without doubt are affecting member numbers. A single engine class would be a step in the right direction.

I urge the club to seek the support of the SKC in establishing a plan for the Midget class future.

Yours Faithfully

Dennis Sandrone
Parent of Christopher SKRC

- 15- Treasury Update
- Investments
 - Plastic Card

Outstanding Items

AKA/KIAA Airbox (AKA43)
Report by Chris Dell

Midget Parity Report

Rotax Cylinders
Report by Ian Black

Rotax Sealing Agents
NSW Request
(Document attached)

Kart-Equip/HJM Race Engines wishes to make a formal application to be added to the approved list of engine sealers
VIC Request

General Business: