

# **HKAA**

## **NATIONAL COMPETITION RULES**

**Issued by  
The Motor Sport Council of  
Hong Kong Automobile Association**

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## **PART 1 GENERAL PRINCIPLES**

### **1. International Control of Automobile Competitions**

The Federation Internationale de L'Automobile hereinafter termed as the "FIA", and The Federation Internationale de L' Motorcycle hereinafter termed as the "FIM" are the international authorities entitled to make and enforce rules and regulations for the encouragement and control of automobile and motorcycle competitions (including records), and are the final international court of appeal for the settlement of disputes arising therefrom.

### **2. International Sporting Code**

The FIA has adopted an International Sporting Code (the "Code") which provides, among other things :

- (i) That each National Club Association or Federation belonging to the FIA/FIM shall be presumed to acquiesce in and be bound by the Code.
- (ii) Subject to such acquiescence and restraint, one single Club or Association per country, hereinafter called ASN (National Sporting Authority. A national automobile club or other national body recognized by the FIA as sole holder of sporting power in a country), shall be recognized by the FIA/FIM as the sole body holding the Sporting Power for the enforcement of the present International Sporting Code and control of motorsport in its own country.
- (iii) Each ASN/FMN shall have the right to delegate the whole or part of the powers conferred by the Code to another, or several other clubs of its country, but only after obtaining the approval of the FIA.
- (iv) As ASN/FMN may withdraw the delegation of its powers provided it notifies the FIA/FIM of such withdrawal.

### **3. National Control of Automobile/Motorcycle Competitions**

The FIA/FIM having delegated authority to the Hong Kong Automobile Association (HKAA) to exercise the Sporting Power in Hong Kong, the latter declares its sole right to control automobile/motorcycle competition in Hong Kong in accordance with the Code.

### **4. National Competition Rules**

The HKAA has drawn up the National Competition Rules herein (the "NCRs" or "these Rules") which are consistent with the Code.

### **5. Application of These Rules**

- (i) The NCRs shall govern all motor sport competitions organized in Hong Kong or registered by HKAA at the FIA Sporting Calendar.
- (ii) No member of a Club registered with the HKAA or of any other body which has formally undertaken to observe and comply with these Rules and no person licensed to participate in any competition governed by the NCRs shall :

- (a) assist any person/body who does not comply with and/or conform with the NCRs or who acts in any manner contrary thereto; or
- (b) belong to, lend his name to, or be an officer of any such body.

Any person or body who has committed a breach of these Rules shall be liable to the consequences and penalties provided by these Rules.

## **PART II NOMENCLATURE AND DEFINITIONS**

6. The following nomenclature, definitions, and abbreviations shall be adopted and used in all Standing Regulations, Supplementary Regulations and for general use:

**Automobile** – A land vehicle propelled by its own means, running on at least four wheels not aligned which must always be in contact with the ground, and of which at least two must effect the steering and at least two the propulsion.

**Certified Trail** – A Test in which each competitor can select his own time for carrying it out, such tests being carried out under the supervision of officials appointed by the HKAA in accordance with any Supplementary Regulations for Official Certified Trials issued by the HKAA.

**Class** – A category of automobiles or motorcycles classified according to cylinder volume of their engines or any other means of distinction.

**Closed Competition** – A competition is called “Closed” when the participation of the competition is confined to members of the organizing club, and who must be holders of HKAA licences. The HKAA may allow several clubs to join in the organization of a Closed Competition.

**Club – HKAA Affiliated Club** – A recognized affiliated club shall be a club that has agreed to be bound by the NCRs and has paid the appropriate registration fee. To become affiliated, a club shall be required to comply with the requirements of HKAA as stated from time to time. HKAA reserves the right to grant, defer or refuse affiliation without giving any reason.

**Code** – International Sporting Code of the FIA/FIM, including any Appendices to the Code which are in force.

**Competition** – Any race, test, attempt at record, reliability trial, rally, certified trial, or other event in which an automobile or motorcycle takes part, an which has a competitive nature or is given a competitive nature by publication of results. Provided always that an individual specific event such as a gymkhana display or treasure hunt in which automobiles or motorcycles take part, shall not be deemed to be a competition for the purpose of the NCRs if, on being informed in writing of the details of the proposed event, the HKAA has waived in writing the necessity for an Organizing Permit and the event takes place in accordance with such details. Competitions can be “International”, “National”, “Restricted” or “Closed”.

**Competitors Register** – The list maintained by an ASN/FMN of persons to whom it has issued either a competitor’s or driver’s Licence. The register must show the respective Licence numbers.

**Control Line** – A control line is a line by reference to which a vehicle is timed or its performance in a competition is determined.

**Course** – The route to be followed by a competitor competing automobile in a competition.

**Cylinder Volume** – The volume swept in a cylinder or cylinders by the upward or downward movement of the piston or pistons in relation to such cylinder or cylinders. Cylinder volume shall be expressed in cubic centimetres. For all calculations relating to the cylinder volume of engines. The symbol  $\pi$  will be regarded as 3.1416.

**FIA (Federation Internationale de L’Automobile)** – The International Federation of Recognized Automobile Clubs and Associations.

**FIM (Federation Internationale de L’ Motorcycle)** – The International Federation of Recognized Motorcycle Clubs and Associations

**Finishing Line** – A finishing line is the last control line on a course.

**Handicap** – The method laid down in the Supplementary Regulations of a competition for the purpose of equalizing the chances of the competitors.

(A) **Competitor** – A person whose entry is accepted for any competition whatsoever and the term “Entrant” shall include competitor and vice versa.

(B) **Driver** – A person nominated as the driver of an automobile or motor-cycle in any competition.

**Holder of Record**

(A) If the record is established in the course of an individual attempt, the holder is the person to whom permission to make the attempt was granted, and who made formal application for such permission.

(B) If the record is established in the course of a meeting the holder is a competitor in whose name an entry was made of the vehicle with which the performance was achieved.

**Hong Kong Automobile Association** – the Recognized Automobile Club Association of Hong Kong by delegation of authority from the FIA/FIM.

**International Class Record** – A record recognized by the FIA (for automobiles) or the FIM (for Motorcycles) as the best performance of its class.

**International Competition** – A competition is International when it is open only to competitors and drivers of various nationalities holding FIA International License. It is compulsory that an International Competition be entered on the International Sporting Calendar of FIA/FIM.

**Licence** – A licence is a certificate of Registration issued under the Code by an ASN/FMN to any person wishing to compete in competitions held under the Code.

**Licence Number** – The numbers allotted by the ASN/FMN to the competitors or drivers entered on its register.

**Local Record** – A record established on a permanent or temporary track approved by the HKAA regardless of the nationality of the competitor.

**Meeting** – An assembly of competitors and officials which includes one or more competitions other than an individual attempt at record. A meeting shall not be deemed concluded until after the final publication of results.

**Mile and Kilometer** – For all conversions of English to metric measurements and vice versa the mile shall be taken as 1.60934 kilometers and the kilometer shall be taken as 0.62137 mile.

**Motorcycle** – A mechanically propelled vehicle having less than four wheels, all of which are normally in contact with the ground. Throughout the NCRs read Motorcycle for vehicle for Motorcycle events.

**MSC** – The Hong Kong Motor Sport Council which is established and maintained by the General Committee of the HKAA, which shall exercise all the sporting powers delegated to it by the HKAA.

**National Competition** – A competition is National when it is open only to competitors and drivers holding an appropriate licence issued by the ASN/FMN under whose organizing permit such competition is held. A National Competition held under the National Competition Rules of the HKAA must be entered on the annual HKAA Sporting Calendar.

**National Court of Appeal** – otherwise known as **Stewards of the HKAA**, being the court of appeal constituted under Rule 153 of the NCRs.

**National Record** – A record made within the territory of the HKAA recognized as such by the HKAA and established or broken only by a competitor holding competition licences issued by the HKAA.

**Nationality** – The nationality of a competitor or driver for the purpose of the NCRs shall be the nationality of the ASN/FMN which last issued him a licence.

**Organizing Committee** – A committee of at least three persons approved by the HKAA and authorized by promoters, to organize a meeting on their behalf. Where an organizing committee is appointed to act on behalf of promoters such organizing committee shall take the place of such promoters for the purpose of the NCRs except that the promoters shall be responsible for the acts and omissions of such organizing committee as if such acts and omissions were their own.

- (A) **Standing Regulations** – HKAA Regulations which are designed to amplify certain procedures and competitions in the NCRs having regard to local conditions.
- (B) **Supplementary Regulations** – Regulations supplementary to the NCRs and the Standing Regulations drawn up by the promoters of a competition and approved by the HKAA with the object of setting out the details of such competition.

**Passenger** – A person other than the driver conveyed in an automobile or motor-cycle during a competition including the navigator.

**Permit** – The documentary authority to organize and hold a competition, granted solely by the HKAA

**Programme** – A document prepared by the promoters of a meeting for the purpose of informing the participants and members of the public about such meeting.

**Promoters** – Any person or body (other than an Organizing Committee) proposing to hold, holding, or organizing a meeting as approved by the HKAA

**Race** – A competition in which speed is the determining factor for classification.

**Rally** – A rally may be either a rally of a sporting character or a touring assembly.

- (A) A rally of a sporting character is a Reliability Trial taking place over various routes converging on a rallying-point fixed in advance, in which the average speed is limited and the highest speed accomplished during the journey does not form a factor in the competition. However, one or more speed and/or other rests may from auxiliary factors in the marking of the competition.
- (B) A Touring Assembly (Rally 2<sup>nd</sup> Category) is an event organized with the primary object of assembling tourist at a point settled beforehand. In a touring assembly a prescribed route may have to be followed and each participant may have to report at prearranged points but no limits of speed are laid down. The programme of a Touring Assembly may include additional events (other than speed) provided they are held only at the place of final assembly. No prize money may be allocated in respect of Touring Assemblies.

**Recognized Automobile Club or ASN/FMN** – a national governing body of automobile competitions, recognized by the FIA/FIM as sole holder of the Sporting Power in the country.

**Record** – The best result obtained under the prescribed conditions.

**Registered Member of a Club** – Any duly elected member of a Club other than a Temporary or Honorary Member. No one other than a Registered member of a Club, or with written permission of the HKAA a Temporary or Honorary Member, shall be eligible to take part in a Closed Competition promoted by or open to members of that Club.

**Restricted Competition** – A competition is “Restricted” when the competitors or drivers who take part in the event have to comply with some particular conditions other than those in National and Closed events, for instance:

- A competition by invitation to members of the organizing club and members of several other clubs invited to take part in the event which have accepted the invitation.
- A competition confined to vehicles of a particular make.

In all cases the restrictions shall be laid down in the Supplementary Regulations.

**Speed Event** – A race in which vehicles run individually (even though two or more individual runs may be taking place simultaneously) and in which the relative performances of the competitors are assessed by timing them over a given distance.

**Start** – The start is the moment when the order to start is given to a competitor or competitors

**Starting Line** – A starting line is the first control line on a course.

**Track** – A permanent or temporary course utilized for competitions including record attempts.

**Track Licence** – The written approval of a track by the FIA or FIM. (International Track Licence) or by the HKAA. (National Track Licence).

**World Record** – A record recognized by the FIA (for automobiles) or the FIM (for Motorcycles) as the best performance in the world.

### **PART III COMPETITIONS IN GENERAL**

#### **7. (A) Promotion of Competitions**

Competitions may be organized in the territory of the HKAA only by:

- (i) the HKAA.
- (ii) Clubs or other Promoters as approved by the HKAA

(B) **Use of Titles** – All championships and titles of events must be approved by the HKAA when the organizing permit is applied for. Approval may be granted to organizations other than registered clubs. Any title including the words 'Prix', 'Classic', 'International', 'National', 'Championship' and 'Hong Kong' or their abbreviations is reserved exclusively for such competitions as the HKAA shall determine.

#### **8. Official Documents**

For every competition the Promoters are responsible for drawing up and publishing Supplementary Regulations and a programme. Any condition contained in the Supplementary Regulations which is contrary to the NCRs shall be null and void.

#### **9. Announcement to be made on all Official Documents**

All Supplementary Regulations, programmes, entry forms and official documents/publications relating to any competition shall bear in a conspicuous manner the following announcement. "Held under the International Sporting Code of the FIA/FIM and the National Competition Rules of the HKAA.

- (i) In competitions exclusively for automobiles or motor-cycles, the Supplementary Regulations shall be in accordance with the NCRs and the Code.

- (ii) In competitions exclusively for karts the Supplementary Regulations shall be in accordance with NCRs and the International Karting Regulations of the FIA

#### 10. **Acquaintance with and Submission to Rules**

Any person or body organizing a competition or taking part therein shall upon applying for an organizing permit, or upon applying for a licence from the HKAA or upon entering for a competition, be deemed to have recognized that they have : -

- (i) Acquainted themselves with the NCRs.
- (ii) Agreed to be bound by the NCRs and any subsequent amendments thereof.
- (iii) Renounced the right of recourse (except with the written consent of the HKAA) to any arbitrator or tribunal not provided for in the NCRs.
- (iv) Agreed to exonerate and keep indemnified the Promoters, the HKAA, and their respective officials, employees, representatives, and agents, from and against all liability whatsoever to any such person or body or group of persons respectively in respect of or in connection with any meeting, competition or event held under these Rules, from whatever cause arising.
- (v) In the case of entrants, drivers and passengers of races, agreed to exonerate and keep indemnified all and any other competitors their employees or agents from and against all liability whatsoever to such entrants, drivers or passengers in connection with the driving of their vehicles or any other act, omission or occurrence during the course of a race, or official practice therefor.
- (vi) Agreed with each and all of the persons and bodies referred to in these sub-paras so that each and any of these persons or bodies shall be entitled to the benefit of such agreements contained herein

#### 11. **Postponement Abandonment or Cancellation of a Competition**

A meeting or a competition forming part of meeting shall not be postponed, abandoned, or cancelled unless :

- (i) Provision for so doing is made in the Supplementary Regulations, or
- (ii) The Stewards of the Meeting have ordered a postponement for reasons of safety or force majeure. In the event of cancellation or postponement for more than 24 hours entry fees shall be returned, unless the entrants decide to withdraw from the competition.

#### 12 **Unauthorized Competitions**

The organizing or holding within the territory of the HKAA of any Automobile or Motorcycle Competition otherwise than in accordance with the NCRs shall render every person connected therewith, or taking part therein, whether as Promoters, Organizing Committee, Competitor, Driver, Official or otherwise, liable to the consequences and penalties provided by these Rules. If such a competition is included in a meeting for which an organizing permit has been granted, the permit shall be null and void, and the Promoters shall return to the Entrants all entry fees received from any competitor at such meeting.

### **PART IV COMPETITION ORGANISATION**



13. **Promoters**

Competitions shall be organized 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 Organizing Committee. Such delegation shall, however, not affect the ultimate responsibility of the Promoters.

14. **Registration of Clubs**

No club shall organize a competition unless it has first applied for registration with the HKAA on the appropriate form and paid the appropriate annual fee.

15. **Recognition of National and Local Authorities**

A Competition may be held either on the road or on a track or on both but no permit shall be granted by the HKAA or competition be held unless the Promoters shall have first obtained such official permission as may be necessary from the appropriate authorities. Competitions taking place on the public highway must conform to the traffic laws of the country in which they take place. Any breach of such laws by a competitor or driver during a Competition shall be treated as a breach of the NCRs and be dealt with accordingly.

16. **Necessary Permission and Approval**

No Competition shall be held unless the HKAA has signified its approval by granting an organizing permit or has waived the requirement of an organizing permit or the Competition is of a kind in respect of which the HKAA has granted a general waiver of an organizing permit. The HKAA may attach conditions to the grant of a new permit or decline to grant a permit, or may withdraw a permit or impose conditions on an existing permit as the HKAA absolutely thinks fit.

17. **Waiver of Requirement of Permits**

The HKAA may waive the requirement of organizing permits of individual specific events. The organization of competitions under such waiver shall be subject to such conditions as the HKAA shall from time to time announce, and the waiver may be revoked at any time either generally or in respect of a particular club or proposed competition at the HKAA's sole discretion.

18. **Application for an Organizing Permit**

Every application for an organizing permit shall be made on the official form and shall be accompanied by the appropriate fee together with a draft of the proposed Supplementary Regulations and entry form. The application must be lodged at least one month before the date of the proposed competition and must state.

- (i) The name and address of applicant.
- (ii) The body or persons on whose behalf the application is made, and the official position held by the applicant.
- (iii) The nature of the competition for which the permit is required.

- (iv) The date and place of the proposed competition.
- (v) In the case of an application for a permit to hold a race meeting or speed event on a track or circuit which is not already approved by the HKAA, an application for approval of the track or circuit must be made to the HKAA at least two three months before the proposed competition and this application must be accompanied by a plan to a scale of not less than 6” to a mile. This plan shall give details of the course and indicate the proposed position of spectators.

19. **Permit Fees** – The scale of fees payable to HKAA on the grant of an organizing permit is laid down in the NCRs.

20. **Contents of Supplementary Regulations**

The Supplementary Regulations shall contain (in so far as may be appropriate to the meeting to which they relate) the following information.

- (i) The name and nature of the proposed competition(s).
- (ii) The name and address of the Promoters.
- (iii) The names and addresses of the Organizing Committee.
- (iv) A statement in accordance with the NCRs (in relation to its compliance with the NCRs)
- (v) The place and date of the meeting.
- (vi) A full description of the proposed competition including length and direction of course, fuel and the categories of vehicles eligible including length and direction of the course, classes and categories of automobiles admitted, fuel, restriction (if any) on the number of competitors etc.
- (vii) Comprehensive information concerning insurance.
- (viii) The dates, times and nature of starts with details of handicapping.
- (ix) A reminder of such of the NCRs as may be particularly applicable to the competition and also in regard to Licences, Flag Signals and protection against Fire.
- (x) The eligibility of competitors and drivers and the licence requirements.
- (xi) The manner in which results will be determined and prizes awarded.
- (xii) A detailed list of prizes allocated to each competition.
- (xiii) The names of the Stewards of the Meeting, and the Clerk of the Course, and Secretary of the Meeting.
- (xiv) Provisions regarding postponement, abandonment or cancellation.
- (xv) Any additional information required on entry forms.
- (xvi) Whether the nomination of the drivers may be delayed.
- (xvii) The dates of opening and closing of entries and how and where they shall be made.
- (xviii) The entry fee.
- (xix) Conditions under which entries may be refused.
- (xx) Provisions relating to the conditional acceptance of entries.
- (xxi) The maximum number of competitors and how entries in excess of this number are to be selected for acceptance.
- (xxii) The relative positions of the vehicles at the start and how they are to be determined.
- (xxiii) Whether before the start the engines of the competing vehicles shall be running.

- (xxiv) If appropriate, that drivers are to be at some specified distance from their vehicles at the start.
- (xxv) In circuit competitions how laps are to be timed.
- (xxvi) Signal to be given for the start.
- (xxvii) The penalty for a false start if other than the addition of one minute to the time taken by the driver to complete the course.
- (xxviii) If appropriate, that the Stewards of the Meeting may increase the penalties for a false start.
- (xxix) If appropriate that a change of driver or vehicle or engine is permitted.
- (xxx) Particulars of the identification numbers and marks to be carried.
- (xxxi) Provisions in regard to the replenishment of vehicles.
- (xxxii) The facts to be judged by the Judges of Fact.
- (xxxiii) The times and dates fixed for the official examination of vehicles.
- (xxxiv) If appropriate in respect of International Competitions that the distinctive national colours laid down by the Code shall be carried.
- (xxxv) A reminder of the rules concerning Protests.
- (xxxvi) All such other requirements and information as shall from time to time be specified by the HKAA or as may be necessary for the proper conduct of the meeting.

## 21. **Alteration to Supplementary Regulations**

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

- (i) The approval of the HKAA granting the permit is first obtained, and all competitors already entered agree to the alterations, or
- (ii) The Stewards of the Meeting so decide for reasons of safety or force majeure. No such decision of the Stewards shall be questioned or challenged by appeal or otherwise.

## 22. **Contents of Programme**

The programme shall contain (insofar as appropriate to the meeting or competition to which it relates) the following information:

- (i) A statement in accordance with the NCRs.
- (ii) The name of the Promoters and the Organizing Committee (if any).
- (iii) Place and date of meeting.
- (iv) A short description (including championships/series/cups/etc.) and the timetable of the proposed competition.
- (v) Names of the competitors and drivers with the distinctive numbers or marks painted on their vehicles. Assumed names must appear between inverted commas.
- (vi) The handicap, if any.
- (vii) A detailed list of prizes assigned to each competition.
- (viii) The names of Stewards of the Meeting indicating which (if any) of such Stewards have been appointed by the HKAA, the Clerk of the Course and the Judges of Fact (if any).
- (ix) The words "Official Programme" in prominent lettering on the front cover.

23. **Entry**

An entry made and accepted in accordance with the NCRs 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 the NCRs.

24. **Dispute Regarding Entry**

If any dispute shall arise regarding an entry or nomination to drive which has already been accepted, such dispute shall be referred to the HKAA for decision subject to the right of appeal (if any) provided by the NCRs. If a decision is not pronounced before the holding of the competition, any competition whose entry has been accepted and any driver who has agreed to his nomination to drive in that competition who does not take part therein shall (unless the promoters have so agreed) be guilty of a breach of the NCRs unless the HKAA or the Stewards of the HKAA (as the case may be) are satisfied that such failure to participate was in all the circumstances justified.

25. (A) **Opening of Entries** – An organizing permit having been granted or the proposed competition being one of a kind in respect of which the requirement for an organizing permit has been waived, the promoters may invite, receive and accept entries from eligible competitors. Every entry form or invitation to enter sent out by the promoters shall be accompanied by a print of the relevant Supplementary Regulations. Every entrant shall complete and sign an entry form and submit it to the promoters by the appropriate date together with the entry fee (if any). An entry form which is incomplete in any material particular may be accepted by the promoters conditionally upon a completed entry form being received by a specified date. An entry not accompanied by the entry fee (if any), laid down by the Supplementary Regulations shall be null and void.

(B) **Foreign Entries** – An entry for a competition organized outside the territory of the HKAA by a competitor or a driver whose licence was issued by the HKAA shall only be made with the prior approval of the HKAA. The authorization shall be given by the HKAA under such form as they might deem convenient by stamping the entry form or issuing the competitor and/or driver a special permit, in the form of Starting Permit / Visa / No Objection Letter with appropriate fee set by HKAA, for a specific event. Any promoter having obtained an organizing permit from the HKAA accepts the entry of a foreign competitor and/or driver who has no authorization from the ASN/FMN which issued him his licence, would be guilty of a breach of the NCRs.

26. **Ineligible Entries**

Except with the written consent of the HKAA, no Promoters (or Organizing Committee appointed to act on their behalf) shall accept an entry from an HKAA or FIA licence holder in whom the promoters or any employee or agent of any of them has a financial or commercial interest.

27. **Contents of Entry Form**

Entry forms shall contain the following :-

- (i) Spaces for the full true names and addresses of entrant, driver(s) and passenger(s) and (if appropriate to the competition) the licence number of the entrant and driver(s). Supplementary Regulations may permit the nomination of drivers and passengers to be deferred, but no driver or passenger shall compete unless he has first signed the appropriate indemnity declaration(s) and/or undertaking(s) as required by the NCRs
- (ii) Space for the signature of the entrant. An entry may be submitted by an agent on behalf of the entrant but in that case the entrant shall himself sign and submit an entry form as soon as possible, and in any case before the commencement of the competition.
- (iii) The following statement “If an entrant or any driver or crew member is under 18 years of age this form must be counter-signed by the appropriate parent or guardian.”
- (iv) Forms of Indemnity, Competence, Health and/or Insurance Declaration as appropriate in accordance with the NCRs and spaces for the appropriate signatures. If so desired, the forms to be signed by drivers and passengers (but not those to be signed by entrant) may be on a separate sheet accompanying the entry form.
- (v) A statement in accordance with the NCRs.
- (vi) Any other information required by the Supplementary Regulations to be stated on the form.

**28. Indemnities, Competence, Health and Insurance declarations**

(A) Every entrant, driver, and passenger before taking part in any competition shall sign an Indemnity :

- (i) In the case of a race event (which term includes a speed event) an agreement in the following form: -

‘I have read the Supplementary Regulations issued for this event and agree to be bound by them and by the International Sporting Code and the Hong Kong National Competition Rules. In consideration of the acceptance of this entry or of my being permitted to take part in this Meeting, I agree to hold harmless and keep indemnified the Hong Kong Automobile Association, the Circuits, the promoters, the Organizing and Race Committee, their respective officials, employees, representatives and agents, or any firm or individual connected with the administration, organization or sponsorship of the race meeting from and against all actions, claims, costs, expenses and demands in respect of death, injury, loss, damage or delay to the person and property of myself, my driver(s), passenger(s), mechanic(s), or team members, or any other person accompanying any of them (as the case may be) howsoever caused arising out of or in connection with this entry or my taking part in this Meeting or transportation to or from this event and notwithstanding that the same may have been contributed to or occasioned by the negligence of the said bodies, their officials, employees, representatives or agents.’  
OR

- (ii) In the case of any race event taking place wholly or partly on the public highway, an agreement in the following form: -

I have read the Supplementary Regulations issued for this event and agree to be bound by them and by the International Sporting Code and the National Competition Rules of the Hong Kong Automobile Association. In consideration of the acceptance of this entry or of my being permitted to take part in this event, I agree to hold harmless and keep indemnified the Government and Municipal Authorities, the Hong Kong Automobile Association, the circuit, the promoters, the Organizing and Race Committee, their respective officials, employees, representatives and agents from and against all actions, claims, costs, expenses, and demands in respect of death or injury to myself howsoever caused arising out of or in connection with this entry or my taking part in this event, and notwithstanding that the same may have been contributed to or occasioned by the negligence of the said bodies, their officials, employees, representatives or agents.'

(B) Every entrant shall sign the following Competence declaration :-

(i) In the case of races (which term includes speed events) "I declare that to the best of my knowledge and belief that the driver(s) possess(es) the standard of competence necessary for an event of the type to which this entry relates and that the vehicle entered is suitable and roadworthy for the event having regard to the course and the speeds which can/will be reached.

(ii) In the case of any race event taking place wholly or partly on the public highway :-

'I declare that the use of the vehicle hereby entered is covered by insurance as required by laws, which is valid for such part of this event as shall take place on roads as defined in these Rules.'

(C) Every driver taking part in a speed event shall sign a Health declaration in the following form :-

'I understand that should I as a driver at the time of this event be suffering from any disability, whether permanent, temporary or otherwise, which is likely to affect prejudicially my normal control of my vehicle, I may not take part unless I have declared such disability to the HKAA and Stewards of the Meeting who will then consider whether I may be permitted to drive or not and give their decision in writing.'

(D) Every driver taking part in a competition shall sign an undertaking in the following form :-

'I undertake that at the time of the event to which this entry relates I shall be in possession of a certificate of medical fitness made within the preceding twelve months.'

In the case of a holder of a licence issued by the HKAA the certificate shall be in the prescribed form and signed by a Registered Medical Practitioner :-

'This is to certify that I have today examined the above named, and that in my opinion he/she is fit to drive a vehicle in a competition.'

Any indemnity and/or declaration as prescribed above, which is signed by a person under the age of 18 years, shall be counter-signed by that person's parent or guardian, whose full names and addresses shall be given.

For the avoidance of doubt, the documents set out in (A) (B) (C) and (D) above are not mutually exclusive and so a driver/competitor may need to produce one or more/all of the aforesaid documents as the case may be.

29. **Closing of Entries**

The date for the closing of entries must be specified in Supplementary Regulations. For International competitions the closing of entries shall be in accordance with the Code; for National competitions not fewer than three days prior to commencement of the meeting; and for Club competitions, not later than the commencement of competition.

30. **Entry by Electronic means**

An Entry may be made by electronic means of communication provided it is dispatched before the time limit fixed for closing of Entries and, if need be, the required Entry fee is lodged concurrently.

31. **Entry Container a False or Incorrect Statement**

An entry which contains a false or incorrect statement, shall be null and void, and the entrant may be deemed guilty of a breach of the NCRs and the entry fee may be forfeited.

32. **Refusal of Entry**

(A) If an entry for an International Competition is refused, notification of such refusal shall be sent to the entrant at the address given on the entry form so as to arrive in ordinary course of delivery within eight days after the receipt of entry or at least five days before the Meeting, whichever shall be the earlier within the timeframe set by the Code. Such refusal is final and not subject to appeal.

(B) An entry for a competition held under the NCRs other than an International Competition, may be refused in accordance with Supplementary Regulations relating to such competition.

33. **Conditional Acceptance of Entry**

Supplementary Regulations may provide that entries be accepted under certain clearly stated conditions. For instance, where the number of starters is limited, an entry may be accepted conditionally upon a vacancy occurring among entrants already accepted. Conditional acceptance shall be notified to the entrant by letter or telegram electronic means dispatched not later than the day following the date for the closing of entries.

34. (A) **Acceptance of Entries** – If the number of entries received exceeds the maximum number of competitors laid down in the Supplementary Regulations, those to be accepted shall be accepted selected in the manner specified by the Supplementary Regulations. If no manner is specified, they shall be selected either by ballot or by the order of their receipt as the Promoters shall decide.

**(B) Acknowledgement of Entries** – Unless the Supplementary Regulations prescribed a shorter time, promoters shall acknowledge entries within seven days of receipt. Except as otherwise provided by the NCR's promoters shall at the same time inform entrants whether their entry is accepted, refused, or a decision deferred.

35. **Unauthorized Entries**

The Promoters shall not enter on the programme or publish as entered the name of any competitor or driver in respect of whom they have not accepted or conditionally accepted an entry or nomination. A competitor whose entry is conditionally accepted shall be shown as such.

36. **Nomination of Reserves**

Should any competitor be eliminated in accordance with the NCRs, he may be accepted as a reserve provided his prior consent to such a course has been notified to the Promoters.

37. **Multiple Entries of a Vehicle**

A vehicle shall not be entered more than once in the same competition. In exceptional circumstances HKAA may in its territory depart from this rule by authorizing multiple entries of the same vehicle in a competition. In such a case the responsibility of the entry shall be shared jointly by both entrants and the vehicle shall only compete once with the same driver.

38. **Change of Vehicles**

Subject to anything contrary contained in the Supplementary Regulations after the publication of the programme the Stewards of the Meeting may authorize the substitution in an event of a vehicle different from that specified on the entry form provided that the Supplementary Regulations are complied with in all other respects.

39. **Instructions to Drivers**

Instructions to drivers may be issued to deal with particular points arising after the issue of the Supplementary Regulations, but insofar as such instructions are contrary to the Supplementary Regulations or the NCRs, they shall be null and void.

40. **Insurance**

It shall be mandatory upon all organizers and competitors or drivers as the case may be to comply with such requirements regarding insurance as HKAA may prescribe from time to time.

41. **Official List of Competitors**

The promoters shall send to the HKAA and place at the disposal of each competitor, after the date set for the close of entries or 48 hours before the commencement of the meeting (whichever is the earlier), the official list of competitors and drivers, unless this requirement has been waived in writing by the HKAA.



42. **Publication of Results**

The Promoter shall inform each competitor and the HKAA the provisional results of a competition within 7 days of the completion or such further time as the HKAA shall allow.

43. **Payment of Starting and Prize Money and Presentation of Awards**

The Promoters shall distribute all starting and prize money within 21 days after the final results of a competition shall have been arrived at, or such further period as the HKAA may allow. Any awards shall be presented within a like period unless the Supplementary Regulations specify a particular date or occasion for presentation.

**PART V COMPETITION COURSE**

44. **International Courses**

When the course of a competition traverses the territory of several countries, the promoters must first obtain through the HKAA the consent of every ASN/FMN having authority in any of such countries. Each ASN/FMN whose territory is traversed will exercise control of such competition whilst it is taking place within that territory except that the announcement of the results of the competition will be made by the HKAA. Should the course traverse a country not represented at the FIA/FIM, control will be exercised by the promoters with the approval of the HKAA, providing that approval has been obtained from the Government of the country to be traversed.

45. **Road Courses**

The selection of any courses for a competition shall be subject to the approval of the HKAA. With the request for such approval there shall be submitted a detailed itinerary giving the exact distances to be covered. An inspection fee in accordance with the scale laid down in the NCRs may be payable to the HKAA.

46. **Measurement of the Course**

Measurement of the course should comply with the rules and regulations contained in the Code.

47. **International Track Licence**

Application may be made by the HKAA to the FIA/FIM for an International Track Licence for a permanent or temporary track. The FIA/FIM may licence a track for a meeting or for a series of meetings, or if the track is a permanent one, until the 31<sup>st</sup> December next ensuing. The FIA/FIM may, after consultation with the HKAA, refuse to grant or may withdraw an International Track Licence in respect of a track within the territory of the HKAA as it may think fit, and without giving any reason for so doing.

48. **National Track Licence**

The HKAA may grant a National Track Licence to a track for a meeting for a series of meetings, or if the track is a permanent one, until the 31<sup>st</sup> December next ensuing. The HKAA may refuse to grant or may withdraw a National Track Licence as it may think fit. A track in respect of which only a National Track Licence is current may not be used for attempts at International Class or World's record.

Permanent Course Licences will be issued in the case of road race courses where (1) the arrangements for making or enclosing the course are permanent or semi-permanent; and where there is permanent or semi-permanent accommodation, such as stands, etc., for the public; or (2) where more than two meetings are held during a calendar year. Such licences will be issued to the owner or lessee controlling the use of the course.

In all other cases, a Temporary Course Certificate will be issued by the HKAA.

No course shall be used for a meeting until a permanent course licence or a temporary course certificate has been issued by the HKAA.

49. **Information to be given on Track Licence**

A Track Licence granted by the FIA/FIM will state the length of the track, and whether it is approved by attempts at International and World's records. A Track Licence granted by the HKAA will state the length of the track, and whether it is approved for attempts at National records. The Track Licence will also contain the Special Track Rules which all concerned are expected to know and are required to obey.

50. **Display of Track Licence**

A Track Licence shall, so long as is in force, be displayed in a prominent position at the track.

51. **Conditions to be fulfilled for both Permanent and Temporary Track**

Permanent and temporary tracks shall comply with the conditions and requirements laid down in the Code.

52. **Track Licence Fees**

The scale of fees payable for the grant of a Track Licence is laid down in the NCRs

**PART VI STARTS, HEATS AND TIMING**

53. **Starting** – There are two methods of starting :-

- (i) The rolling start.
- (ii) The standing start.

54. **Rolling Start**

A rolling start occurs when the vehicles are moving at the moment when the timing commences or the starting signal is given. To achieve a rolling start, the competitors may be led by a starter in a pilot vehicle or by a competitor specified by Supplementary Regulations until the starting signal is given an official car prior to the starting signal. The

competition will have started when the leading automobile crosses the starting line having received the start signal.

**55. Standing Start**

A standing start occurs when the vehicles are stationary at the start at the moment when the start signal is given. The following conditions shall, as appropriate, apply to a standing start.

- (i) For a record attempt the vehicle must be stationary with the part which operates the timing apparatus 10 centimeters behind the starting line. The engine of the vehicle shall be running before the start.
- (ii) Vehicles starting singly or in line abreast shall be placed as follows : -
  - (a) If the timing is recorded by automatic timing apparatus, as laid down in (i) above.
  - (b) If the timing is not recorded automatically, with that part of the front tyres which are in contact with the ground resting upon the starting line.
- (iii) The Supplementary Regulations may prescribe that the drivers shall at the start be at some specified distance from their vehicles.

**56. Starting Positions**

The Supplementary Regulations shall prescribe the relative positions of all vehicles prior to the start, and the method by which such positions are to be determined.

**57. Starting Line**

- (A) In all record attempts and in competitions with a rolling start, the starting line is the line on the crossing of which the timing commences
- (B) In competitions with a standing start, the starting line is the line in relation to which the position of each vehicle (and if appropriate, each driver) is fixed prior to the start

**58. Timing**

- (A) In the case of a Standing Start the timing shall commence :-
  - (i) if the timing apparatus is automatic, when it is operated,
  - (ii) if the timing is not automatic, at the start.
- (B) In the case of a rolling start, when the leading vehicle crosses the starting line.
- (C) In circuit competitions the completion of the first and subsequent laps shall be timed when the vehicle crosses the control line in front of the Timekeeper Station, unless the Supplementary Regulations otherwise provide.

**59. Crossing the Control Line**

The timing of a vehicle crossing a control line shall be taken at the moment when foremost portion passes over that line, or where the timing apparatus is automatic in operation, at the moment when it is operated.

60. **Starter's Order**

Drivers and vehicles ready for the start are under the orders of the Starter from the moment when the starting flag is raised until the start. The movements of the flag may be accompanied or replaced by another appropriate signal provided for in the Supplementary Regulations, but in no case shall the starting signal be repeated.

61. **Non Starter**

Any driver not coming under the starter's orders shall be deemed a non-starter. The places of any Non-Starters on the starting grid shall be left empty. Any driver will be considered as having started if under starter's order at the start.

62. **False Start**

A false start occurs when before the appropriate signal is given to start a driver under starter's order moves forward from his prescribed position.

63. **Penalty for False Start**

A driver who makes a false start shall be penalized in accordance with the Supplementary Regulations and/or the Code. This penalty shall be notified to the competitor as soon as practicable. The Stewards of the Meeting shall have the power to apply other penalties.

- (i) In the case of a mass start, the driver concerned shall be penalized by the addition of one minute to the time taken by him to complete the course. This penalty shall as soon as practicable be notified to the driver's replenishment station, or his representative, but failure to so notify shall not expunge the penalty.
- (ii) In the case of a single start without automatic timing the driver concerned shall be penalized by the addition of one second of the time taken by him to complete the course.
- (iii) In case where the Supplementary Regulations so provide, the Stewards of the Meeting shall have power to increase the amount of the abovementioned penalties or to impose other penalties as may be permitted in such Supplementary Regulations.

64. **Heat**

A competition may be started in heats the composition of which must be determined by the Promoters and published in the Programme defined in the Supplementary Regulations. The composition of heats may be modified or heats consolidated by, but only by, the Stewards of the Meeting.

65. **Dead heat**

In the case of a dead-heat the competitors concerned shall either share the prizes allotted to their places in the results, or, if all such competitors agree, the Stewards of the Meeting may authorize a re-run by such competitors only, and may impose conditions thereon. In no case whatsoever shall the whole competition be re-run

66. **Finisher**

To be classified as a finisher in a competition an automobile must cross the Finishing Line under its own power.

**PART VII RECORDS**

67. **Jurisdiction**

The FIA will adjudicate upon all claims to International Class and World records. Claims to such records following attempts at records within the territory of the HKAA will be submitted to the FIA/FIM, by the HKAA. The HKAA will adjudicate upon all other claims to records made within its territory.

68. **Vehicles Eligible to Establish Records**

An International Class record can only be established by a vehicle answering to the description of the relevant Rule (a) and assigned to one of the Classes under the Code as per FIA/FIM current year appendix referred.

69. **Records Recognized**

The only records which may be recognized are Local Records, National Records, International Class Records and World Records. No distinction is drawn between records made on a track and records made on a road.

70. **Records Restricted to Their Own Class**

A vehicle having established or beaten a record in its own class may thereby beat World's records, but cannot beat the same record in any other class.

71. **Periods and Distances Recognized**

Only such periods and distances for National Records, International Class Records and World Record shall be recognized.

72. **Records not to be established during a Meeting**

No performance achieved during a meeting shall be recognized as a record, other than a Local Record. No performance achieved during a meeting shall be recognized as a record, other than a Local Record.

73. **Attempts at Records**

The conditions, under which attempts on records shall be made are specified in details in the Code

**74. Conditions Applicable to International Class Records and World Records**

A claim to such a record cannot be accepted unless the attempt has taken place :-

- (i) in a country represented on the FIA/FIM or by Special Permit of the FIA/FIM.
- (ii) on a course approved by the FIA/FIM.

**75. The Registration of Records**

The HKAA shall keep a register of all records, established or broken within its territory and shall, on demand, issue certificates of National or Local records for which a fee will be payable to the HKAA. The FIA/FIM will keep a register of World records, and will on demand issue certificates of these records for which a fee will be payable to the FIA/FIM. The amount of fee payable to the HKAA is shown in the NCRs.

**76. Publication of Records**

Pending the formal recognition of a claim to a record, the result of an attempt may not be advertised unless the following words are added in easily readable characters : “Subject to confirmation”. Non-compliance of this rule shall automatically result in the non-recognition of a claim to record without prejudice to any further penalty which may be imposed by the HKAA.

**PART VIII COMPETITORS AND DRIVERS**

**77. Registration of Competitors and Drivers**

Any person in order to qualify as a competitor or as a driver must, except as hereinafter provided, be the holder of a licence for which a formal application on the appropriate form shall be made to the HKAA. If the driver of a vehicle is also the entrant of such vehicle he must hold both a driver’s and competitor’s licence. Notwithstanding anything to the contrary in the NCRs, the HKAA may, in writing, waive the requirement for competitors or drivers to hold a licence in order to be eligible to take part in a particular competition, if the competition is primarily of a social nature

**78. Grant of Licence**

- (A) A licence may be either a competitor’s or a driver’s licence. Such a licence may be International, National or Restricted.
- (B) The HKAA shall be entitled to grant licences to :-
  - (i) A Hong Kong Resident.
  - (ii) A National of any other country represented on the FIA/FIM after receiving authority from the ASN of that country to do so.
  - (iii) A National of any other country not represented on the FIA/FIM provided the FIA/FIM is first informed and makes no objection to the grant of such a licence.

- (C) The granting of a driver's licence by the HKAA shall be conditional upon the applicant at the time of application satisfying the HKAA :
- (a) that he is the holder of a current driving licence (not a provisional licence) valid for Hong Kong in respect of vehicles of the appropriate class/es to which the application refers, or
  - (b) that if he is a junior aged 18 or below he is applying with parental permission or
  - (c) that he has habitually driven motor vehicles of the appropriate class/es outside Hong Kong and is not disqualified from driving such vehicles in Hong Kong, or
  - (d) that although he is so disqualified, the circumstances leading to such disqualification are such that he should not be refused a competition licence. Applications falling within this subparagraph shall be considered individually by the Committee of the HKAA, or
  - (e) that he is a member of a motorsports club registered with the HKAA
- (D) Applicant meeting the following requirements can apply for an FIA approved competition license issued by the HKAA -
- (i) Be a member of the HKAA;
  - (ii) Undergo training, from the HKAA Authorized Training School or obtain approval/waiver from the HKAA (new license applicant only);
  - (iii) Pass the written examination on the FIA motorsport competition rules or obtain approval/waiver from the HKAA (new license applicant only); and
  - (iv) Pass the medical examination, by an HKAA approved medical doctor

The following are the necessary qualifications for the National Licenses issued by HKAA:

(1) National Competition (B) License

- a. Hold a valid Hong Kong identity card.
- b. Be a member of the HKAA.
- c. Pass the annual medical examination.
- d. Pass the written and track driving examinations.
- e. In order to maintain the qualification for a national competition (B) license the driver must participate in at least one race per 36 month period, or otherwise they will be required to retake the examinations. Note the medical examination is yearly for all license holders and applicants.

(2) National Competition (A) License

- a. Hold a valid Hong Kong identity card.
- b. Be a member of the HKAA.
- c. Pass the annual medical examination.
- d. To qualify for a national competition (A) license the driver must within the 24 months prior to the application have been classified as a finisher in at least 5 races.
- e. In order to maintain the qualification for a national competition (A) license, the driver must participate in at least one race per 36 month period, otherwise they will

be downgraded to a national competition (B) license and may be required to retake all examinations if no participation in any race is recorded for 4 years.

For the qualifications of FIA International License please refer to the Code.

**79. Restrictions on the Holding of Licences**

- (A) No person shall apply for or hold a current competitor's and/or driver's licence from more than one ASN/FMN and such licences shall, if both are required, always be obtained from the same ASN/FMN.
- (B) No person shall apply for or hold more than one current competitor's and one current driver's licence for each type of vehicle from the HKAA.

**80. Refusal of Licence**

The HKAA may refuse to issue a licence at its sole discretion and without giving any reason.

**81. Period of Validity of Licence**

Licences shall be valid from the date of issue to the end of the current calendar year, unless surrendered earlier, or withdrawn in accordance with the NCRs. A temporary Licence valid for one meeting only may be issued to persons not normally resident in Hong Kong.

**82. Licence Fee**

On the grant of a licence by the HKAA a fee shall be payable to the HKAA in accordance with the scale laid down in the NCRs.

**83. Validity of Licence**

- (A) A competitor's or driver's licence shall bear the photograph of the holder and be signed in ink by the holder on receipt and shall not be valid until so signed.
- (B) An international competitor's or driver's licence issued by the HKAA shall be valid in all countries represented on the FIA/FIM (with or without any applicable restrictions) and shall make the holder eligible to enter for or drive in (as the case may be) all competitions organized under the permit of the HKAA and in all International Competitions subject to compliance with any Supplementary Regulations which may be applicable.
- (C) A National or restricted competitor's or driver's licence issued by the HKAA shall make the holder eligible to enter for or drive in (as the case may be) National Competitions which are restricted or closed competitions, provided the holder is otherwise eligible therefor.
- (D) A driver's licence issued by the HKAA does not constitute a certificate of the competency of the holder. No driver, notwithstanding that he is the holder of such a licence, who is suffering from any disability, permanent, temporary, or otherwise, which pre-judicially affects the normal control of his vehicle, shall take part in any speed event. Provided however that where a driver is suffering from a permanent disability the nature of which he has declared to the HKAA,



and the HKAA has nevertheless issued a licence, such disability shall not debar the driver from taking part in a speed event in compliance with any conditions endorsed on his licence.

- (E) If the holder of a driver's licence granted by the HKAA is, during the currency of such licence, disqualified from holding a valid licence to drive motor vehicles of any class by a court in Hong Kong then his driving licence granted under the NCRs shall become null and void and shall forthwith be returned to the HKAA, provided that the HKAA may, upon application by the licensee consider the circumstances under which the disqualification was ordered, and, if it thinks fit, authorize the reissue of such driver's licence.

84. **Production of Licence**

A competitor or driver at a meeting shall produce his licence on demand to an official of that meeting.

85. **Certificate of Medical Fitness**

No driver, whether the holder of a licence or not, shall compete in a race unless he is in possession of a certificate issued within the preceding 12 months by a registered medical practitioner, that in his opinion the driver is medically fit to drive in road or circuit races or speed events.

86. **Production of Medical Certificate**

A driver competing in or proposing to compete in a race shall produce his medical certificate on demand to any official of the meeting.

87. **Assumed Name**

If a licence is required in an assumed name, special application therefor shall be made to the HKAA which may if it thinks fit, issue a licence in such name. A person granted a licence in an assumed name shall so long as he holds a licence in that name, not take part in any competition except under the name shown on such licence.

88. **Change of Driver or Vehicle**

In a competition other than an attempt at a record, a change of driver or vehicle shall be made only if the Supplementary Regulations so provide, and, if the change is to take place after publication of the programme, with the consent of the Stewards of the Meeting.

89. **Responsibility of Entrant Driver or Others**

The Entrant shall be responsible for all acts or omissions on the part of his driver, mechanics or passengers, and for all other persons assisting in any capacity in connection with his entry, but each of these shall also be responsible for any infraction of the Code, the NCRs, any Supplementary Regulations or Instructions to Drivers.

90. (A) **Abandoning Competitions** – Competitors and Drivers are Forbidden to Abandon One Competition and Compete in Another Competition. Any competitor having

entered, or any driver having undertaken to drive, in any competition, who does not take part in that competition and takes part in another competition on the same day may thereby become suspended for such time as the HKAA may deem fit. Provided that if the two competitions take place in different countries, the HKAA, and the other ASN/FMN concerned shall agree as to the term of suspension and in default of such agreement the question shall be referred to the FIA whose decision thereon shall be final.

- (B) **International Events** – Only the events inscribed in the Calendar of the FIA/FIM Year Book or in the CSI Bulletin are officially recognized, any competitor participating in a non-officially recognized event will be considered as a breach of the NCRs.

## **PART IX AUTOMOBILE AND MOTOR CYCLES**

### **91. Classification –**

- (A) **Classification of Automobiles** – For all competitions other than attempts at record, cars will be classed on the one hand by categories of vehicles (racing cars, sports cars, grand touring and touring cars) and on the other hand according to the cylinder capacity of their engine
- (B) **Motor Cycles** – The classification of motorcycles laid down as regards Categories and Classes in competition (other than an International or National Road Race Meeting or an attempt at record) may provide for the minimum engine capacity to be raised above that specified in the Regulations but no alteration shall be permitted to the maximum engine capacity of any class.

### **92. Identification Marks**

During a competition each vehicle shall carry, display, such numbers or marks, if any, as the Supplementary Regulations may require.

### **93. Dangerous Construction**

The Stewards of a Meeting may exclude any vehicle the construction of which they deem to be dangerous.

### **94. Construction and Equipment**

- (A) Vehicles taking part in competitions shall comply as to construction, road-worthiness and equipment with any Supplementary Regulations in regard to such matters. In the absence of such Supplementary Regulations they shall comply with the NCRs and rules and regulations set by HKAA from time to time.
- (B) In the case of a minor non-compliance with the Regulations as to construction and equipment, the Stewards of the Meeting may, as an alternative to exclusion, impose such other lesser penalty as they may think fit and permit the vehicle to compete.

### **95. Protection Against Fire**

In all vehicles which take part in competitions there must be some form of protection between the driver's compartment and the engine, suitable and sufficient in the case of fire for preventing the passage of flame.

96. **Nomenclature of a Vehicle**

Any dispute concerning the name to be given to a vehicle containing parts supplied by different manufacturers shall be decided by HKAA or a Panel appointed by the HKAA (which can be the Stewards of the HKAA). If the manufacturer within the territory of another ASN is involved, the Panel will be suitably represented by a member from that territory.

97. **Categories of Vehicles**

Where the Supplementary Regulations of a competition leaves any doubt as to the categories in which particular types of vehicles fall for the purpose of a competition, the matter shall be determined by reference to the NCRs.

98. **Suspension or Disqualification of a Particular Vehicle**

The HKAA may suspend or disqualify a particular vehicle in consequence of a breach of the Code or of the NCRs by the entrant or driver.

99. **Suspension or Disqualification of a Make of Vehicle**

The HKAA may suspend a make of vehicle within its own territory for a breach of the Code or of the NCRs by the manufacturer of such make or his accredited representative. If the HKAA wishes a suspension of a make to apply internationally or if it is desired to disqualify a make of automobile, the question shall be referred to and decided by an Arbitration Committee of the FIA/FIM. consisting of three persons nominated as follows :

- (i) Two persons being members of the CSI nominated by the President of the CSI on the application of the HKAA.
- (ii) A third person nominated by the two persons mentioned in (i) above, or in default of agreement between such persons, by the President of the CSI.

100. **Certified Trial**

Publication of Results – Any person or body publishing or permitting to be published the results or any portion of the results of a Trial or Test not held under the NCRs but which Trial or Test or any part thereof in the opinion of the HKAA could properly have been held under the NCRs and the Supplementary Regulations for Official Certified Trials (if any) issued by the HKAA shall be deemed to have committed a breach of the NCRs.

101. **Advertisements of Vehicles**

Subject to the relevant Supplementary Regulations, advertisement or commercial signage may be displayed on (but not distributed from) vehicles in competitions. All

advertisement and commercial signage must also conform with the requirements of the NCRs.

102. **Advertising the Results of Competitions**

Any competitor or other person or body advertising the results of a competition shall give an accurate account of the competition including, inter alia, name of the competition, the category, class, etc. of the vehicle, and the position and result obtained, and such additional information as the HKAA may require. The publication of any such advertisement which may mislead the public, shall render the competitor or other person or body by whose authority or on whose behalf the advertisement is published or issued, liable to the penalties provided by the NCRs.

**PART X OFFICIALS AND THEIR DUTIES**

103. **List of Officials** – The Officials whose duty it shall be to direct and control competitors may include :

- The Stewards of the Meeting
- The Race Director
- The Clerk of the Course
- The Secretary of the Meeting
- The Medical Officer
- The Timekeepers
- The Scrutineers and Assistant Scrutineers
- The Replenishment Observers (including Pit and Paddock Marshals)
- The Observers
- The Flag Marshals
- The Judges of Fact
- The Handicappers
- The Starters
- The Machine Examiners
- The Machine Examiners (Reliability Motorcycle Trials)

They shall be termed “Officials” and may have assistants to whom any of their duties may be delegated, except in the case of Assistant Scrutineers whose duties are specifically laid down in the NCRs.

104. **Essential Officials** – At a meeting there shall be at least three Stewards of the Meeting, a Clerk of the Course, and a Chief Safety Marshal and in the case of competitions decided wholly or partially by time, one or more Timekeepers.

At each meeting there shall be:

- at least three Stewards of the Meeting;
- a Clerk of the Course;
- a Secretary of the Meeting; and
- a Chief Scrutineer;
- a Chief Safety Marshall
- a Chief Timekeeper (in the case of competitions decided wholly or partly by time)

- a Medical Officer (for race meetings)

each of whom shall be an Essential Official.

105. **Nomination of Officials**

One or more of the Stewards of the Meeting may be nominated appointed by the HKAA. All Officials (other than any Stewards of the Meeting nominated by the HKAA) shall be nominated by the Promoters subject to approval by the HKAA.

106. **Requisite Qualifications**

The Timekeepers, Scrutineers, Assistant Scrutineers and Handicappers must have no connection with any particular trader's or manufacturer's business which might benefit in a direct or indirect way from the result of a competition. They shall be selected from amongst persons holding the annual appointments of the HKAA as such, except for Restricted or Closed competitions when these requirements will only apply if specifically so stated upon the Organising Permit granted by the HKAA.

107. **Right of Supervision**

Apart from the Officials referred to above, the HKAA may confer on a member or members of the MSC or delegates specially qualified for such duty, the right to act as an observer over any competition held within the territory of the HKAA. The HKAA may also confer on duly authorized representatives the right to uphold if necessary the interests of its own Nationals, vis-a-vis the Organizer of a competition organized in the territory of another ASN/FMN.

108. **Multiple Duties**

At a meeting the same person may, if so decided by the Promoters, undertake several of the duties enumerated in the NCRs provided he is qualified for each duty so undertaken.

109. **Separation of Duties**

An official shall not, at any meeting, perform any other duties than those which are clearly attached to his appointment or appointments. He shall not be eligible to compete in any competitions at a meeting at which he is acting as an official, unless so authorized in writing by the HKAA. An Official shall not, at any meeting, perform any duties other than those for which he is appointed and shall not compete in any competition at which he is appointed as an official. An Official who has any undeclared commercial interest in a competitor or driver is not qualified to and shall not take up his appointment as Official.

110. **Remuneration of Officials**

The Stewards of the Meeting shall act in an honorary capacity, but their reasonable travelling expenses and all other reasonable expenses necessary for them to discharge their

duties shall be a charge against the meeting and may be payable by the organizers of the meeting. Other officials may be reasonably remunerated for their services.

#### 111. **Responsibility of the Stewards of the Meeting**

The Stewards of the Meeting shall not have any executive duty in connection with the race. It follows, therefore that in the discharge of their duties they do not incur any responsibility except to the HKAA. At a meeting comprising several competitions there may be different Stewards of the Meeting for each Competition. When the HKAA has appointed one or more Stewards of the Meeting, such Steward, or if more than one, the Steward appointed as Senior Chief Steward, shall act as Chairman of the Stewards of the Meeting.

**Report by the Stewards of the Meeting** – As soon as practicable after the conclusion of a meeting, the Stewards of the Meeting shall, with the help of information provided by the Clerk of the Course, compile, sign, and send to the HKAA a report giving the results of each competition together with particulars of all protests lodged, action taken thereon, penalties imposed together with any recommendations in respect of such cases. The report shall also contain the Stewards' general comments on the organization of the meeting and the exercise of their own powers in relation thereto, and any other observations as to the conduct of the meeting which they consider should be made to the HKAA. There shall be submitted with the report any notices of intention to appeal and appeal fees received.

#### 112. **Powers of the Stewards of the Meeting**

The Stewards of the Meeting shall have general power and authority to enforce compliance with the Code, the NCRs, the Supplementary Regulations, the Programme, and the Instructions to Drivers (if any) and to adjudicate upon any dispute or protest arising during the meeting subject to the rights of appeal provided by the NCRs and in particular shall have power in accordance with NCRs to :-

- (i) Settle any issue which might arise during a meeting, subject to the right of appeal in accordance with the NCRs.
- (ii) Decide what penalty to impose for a breach of the NCRs.
- (iii) Modify the Supplementary Regulations in exceptional circumstances.
- (iv) Alter composition of or consolidate heats.
- (v) Authorize a re-run in the case of dead heats.
- (vi) Authorize a change of driver/vehicle/engine.
- (vii) Accept a correction made by a Judge of Fact.
- (viii) Impose a penalty of reprimand, fine or exclusion but not suspension or disqualification.
- (ix) Amend the results of a competition.
- (x) Prohibit/exclude any driver who is medically unfit, or any vehicle which they consider to be ineligible or dangerous, or is reported as such by the Clerk of the Course or a Scrutineer.
- (xi) Exclude from one or more competitions or for the duration of the Meeting any entrant, or driver whom they consider to be, or who is reported to them by the Clerk of the Course or Promoters to be, ineligible to take part therein, or whom they consider guilty of mis-behaviour or unfair practice.
- (xii) Direct the removal of any sign or advertisement that they deem to be of bad taste, defamatory, provocative or bearing other undesirable features.

- (xiii) Order the removal from the course and its precincts of any competitor or driver who refuses to obey the order of a responsible official.
- (xiv) Postpone a competition for reason of safety or force majeure.
- (xv) Modify the position of the starting or finishing lines, or alter the programme at the request of the Clerk of the Course or the Promoters where necessary to ensure reasonable safety for drivers or spectators.
- (xvi) Appoint a temporary substitute or substitutes to replace any Steward or Stewards not able to perform their duties. Such power shall be exercisable by the remaining Steward or Stewards and shall be used to ensure that there are always at least two Stewards of the Meeting.
- (xvii) Enquire into all complaints relating to the competition and if appropriate refer the matter to the HKAA.
- (xviii) Impounding of a vehicle or equipment for as long as may be necessary for technical examination following an accident or suspicion of non-compliance with the requirements of the Rules relating to the competition as to eligibility, construction, weight, dimensions, equipment, etc. and general mechanical condition.

#### 113.. **Powers of inquiries by the HKAA following Stewards' Report**

If it appears to the HKAA from the Stewards' Report or otherwise that the results of a competition have been improperly or incorrectly made out, or that any breach of Rules, breach of condition of permit, defect, default, omission or other irregularity has occurred, the HKAA shall be entitled to enquire into the matter and after giving the interested parties an opportunity to be heard, make such decision as it deems proper, even though no protest or appeal may be outstanding. Provided that no such enquiry shall be ordered after the expiration of 60 days after the publication of the results. Pending the hearing of such enquiry any vehicle or equipment involved may be impounded by the HKAA for technical examination subject to reasonable right of access by the entrant. The HKAA may require the entrant to carry out any necessary dismantling and in default the HKAA may arrange dismantling itself and debit the entrant with the cost thereof.

#### 114. **Duties of the Clerk of the Course**

In the case of a meeting comprising several competitions there may be a different Clerk of the Course for each competition. The Clerk of the Course is responsible for the general conduct of the meeting in accordance with Supplementary Regulations, Programme, Organizing Permit and, in particular he shall : -

- (i) Keep ordering conjunction with the Chief Safety Marshal, and such military and police authorities as have undertaken the policing of the meeting and who are specially responsible for public safety;
- (ii) Ascertain whether all Officials are at their post, and report the absence of any of them to the Stewards of the Meeting;
- (iii) Ensure that all Officials are provided with the information necessary for carrying out their duties;
- (iv) Obtain the approval of the Stewards of the Meeting to commence competition.
- (v) Control competitors and their vehicles and prevent any ineligible competitor, driver, or vehicle from taking part;

- (vi) Ensure that each vehicle and (where necessary) each competitor carries the proper identification marking in accordance with the programme;
- (vii) Ensure that the correct driver is on each vehicle and marshal the vehicle as necessary;
- (viii) Assemble the automobiles in such categories and classes and order as required at the starting grid;
- (ix) Send the vehicles to the starting line in the right order and, if necessary start them;
- (x) Convey to the Stewards of the Meeting any proposal to modify the programme or any report that deals with the misbehavior of, or breach of rule by, a competitor or driver;
- (xi) Receive protests from competitors or drivers, and immediately transmit them to the Stewards of the Meeting;
- (xii) Collect the reports of the Medical Officers, Timekeepers, Scrutineers, Assistant Scrutineers, Replenishment of servers, Scorers and Road Observers together with such other official information as may be necessary for the determination of the results;
- (xiii) Prepare or arrange for the Secretary of the Meeting to prepare a written statement of the information necessary to enable the Stewards of the Meeting to complete their report.

**115. Duties of the Secretary of the Meeting**

The Secretary of the Meeting shall be responsible for the organization of the Meeting as regards all material and notices required in connection therewith. He shall satisfy himself that the various Officials are acquainted with their duties and are furnished with the necessary equipment. If necessary he shall assist the Clerk of the Course in the preparation of the information required for the Stewards' report. The Secretary of the Meeting is responsible for:

- (i) Publication of Supplementary Regulations;
- (ii) Receipt and processing of entries;
- (iii) The recruitment and deployment of officials;
- (iv) The supply of information and equipment to officials;
- (v) Assist the Clerk of the Course in the preparation of the information required for the Stewards' report.

**116. Duties of Medical Officers**

The Medical Officers are responsible for;

- (i) Organizing and directing the operation of the medical services;
- (ii) Assessment of the physical and mental fitness of any driver ensuring through the Clerk of the Course that an unfit driver does not compete;
- (iii) Reporting to the Clerk of the Course any decisions made which may affect the organization of the meeting
- (iv) Ensuring treatment of casualties;
- (v) Completion of Accident and Injury Reports for the Clerk of the Course; and
- (vi) Remaining in communication with the medical services and event control.

**117. Duties of Timekeepers**



The Timekeepers are responsible for the followings: -

- (i) at the commencement of the Meeting to report personally to the Clerk of the Course for instructions;
- (ii) to start competitions if so instructed by the Clerk of the Course. In the case of a handicap competition, where the handicap is applied at the start, the starter shall be a timekeeper;
- (iii) In all races and speed events and in other events when so required by the HKAA to use only such apparatus for timing as is approved by the HKAA for their use, or, in the case of attempts at records where it is necessary to take times within one-hundredth of a second, such apparatus as is approved by the FIA/FIM.
- (iv) to register such times as are appropriate having regard to the conditions of the competition, or are required by the Clerk of the Course;
- (v) to prepare and sign their reports relating to the timing which is their individual responsibility, and to send them, with all necessary supporting documents, in the case of a Meeting to the Clerk of the Course and in the case of an attempt at a Record or Test to the HKAA;
- (vi) to send on request their original time sheets either to the Stewards of the Meeting or to the HKAA;
- (vii) to communicate any times or results only to the Stewards of the Meeting and the Clerk of the Course or in accordance with their instructions.

#### **118. Duties of Scrutineers, Assistant Scrutineers and Machine Examiners**

The scrutineers are responsible for checking the mechanical state of vehicles both in regard to compliance with the requirements of the NCRs and the Supplementary Regulations, and in the interests of safety. The Assistant Scrutineers are also responsible for checking the weight of the vehicles, the dimensions of their bodies and accessories, and also all competitors' and drivers; documents (licences, drivers' licences, insurance etc.). In particular, Scrutineers and Assistant Scrutineers shall :-

- (i) make inspections before a Meeting at the request of the HKAA or the Promoters.
- (ii) at the commencement of a Meeting report personally to the Clerk of the Course.
- (iii) make inspections during a Meeting if so requested by the Clerk of the Course.
- (iv) use only such measuring instruments as may be specified or approved by the HKAA.
- (v) communicate official information only to the HKAA, the Promoters, the Stewards of the Meeting and the Clerk of the Course.
- (vi) prepare and sign the reports of their inspections and hand them to the HKAA, the Promoters, or the Clerk of the Course as may be appropriate. Scrutineers may also undertake any duty allocated to an Assistant Scrutineer.

#### **119. Duties of Replenishment Observers**

The Replenishment Observers shall have the general control of all replenishment of vehicles during a meeting and in particular they shall :

- (i) At the commencement of a Meeting report personally to the Clerk of the Course, and act under his order.
- (ii) Enforce the appropriate Supplementary Regulations
- (iii) Report immediately to the Clerk of the Course any infringement of the Supplementary Regulations by a competitor or driver.

- (iv) At the conclusion of the Meeting submit their reports to the Clerk of the Course either verbally or in writing according to instructions.

**120. Duties of Observers and Flag Marshals**

- (A) The Observers shall occupy posts along the Course assigned to them by the Stewards of the Meeting, the Promoters, or the Clerk of the Course. As soon as the Meeting commences each Observer is under the orders of the Clerk of the Course, to whom he shall immediately report by any means at his disposal (telephone, signals, courier etc.) all incidents and accidents which occur on the section of road for which he is responsible.
- (B) Flag Marshals are Marshals appointed to give signals by flags to the competitors in accordance with the signals laid down in the Code. They may also act as Observers.
- (C) At the end each Competition all Observers must give to the Clerk of the Course a written report of all incidents or accidents notified by them.
- (D) during a Competition, Observers may be required to inform a specified Official of the order in which competitors pass their post, lap by lap in the case of circuit competition.

**121. Duties of Judges of Fact**

- (A) The Judges of Fact may perform one or more of the following duties :
  - (i) Starting Judges of Fact whose duty is to point out to the Clerk of the Course any false starts immediately after they occur.
  - (ii) Finishing Judges of Fact whose duty is to declare the order in which vehicles cross the Finishing Line.
  - (iii) Judges of Fact whose duty is to decide when or whether a vehicle has touched or passed a given line, or upon some other fact of the same type laid down in Supplementary Regulations.
- (B) Cinematographic, photographic, or similar apparatus to facilitate a Judge's decision is allowed but only if the apparatus is under the control of the Promoters, and in such a case the Judge may delay his decision until its evidence is obtained. Evidence from any other camera or like apparatus will not be taken into consideration.
- (C) A protest may not be made against the decision of a Judge of Fact, which will be accepted as final unless corrected as hereinafter provided. The finding, although final, as regards the facts decided, shall not constitute a statement of results because it will not have taken into account the conditions under which the vehicles had completed the course.
- (D) A mistake by a Judge of Fact may be corrected by him with the approval of the Stewards of the Meeting.
- (E) Facts to be judged (if any) shall be specified in the Supplementary Regulations and the respective Judges of Fact shall be named in the programme.
- (F) At the close of the Meeting each Judge shall send to the Clerk of the Course a report on his decisions.

**122. Duties of Handicappers**

The Handicapper shall, after entries have closed prepare the handicaps in accordance with the Supplementary Regulations. They shall state if any handicap in a competition is to be increased as a result of a performance made in a previous competition at the same meeting.

## **PART XI PENALTIES**

### **123. Breach of Rules**

Any of the following breaches, in addition to any other breaches specifically referred to previously or hereafter, shall be deemed to be a breach of the NCRs.

- (i) all 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 an offer to accept a bribe by such Official or employee;
- (ii) any action having as its object the entry of participation in a competition of
  - (a) a person or vehicle known to be ineligible therefor, or
  - (b) a person who is not the holder of a licence appropriate to the event concerned and who is not eligible to compete without a licence by virtue of a waiver granted under the NCRs;
- (iii) any fraudulent act in connection with a competition or motorsport generally;
- (iv) knowingly giving false information to the HKAA, the officials or stewards
- (v) any conduct prejudicial to the interest of the HKAA or motorsport generally or which may bring HKAA or motorsport generally in disrepute;
- (vi) failing to follow the directions of HKAA or an official;
- (vii) using or threatening physical violence on any person in the competition;
- (viii) unauthorized removal of a seal or change of engine;
- (ix) competing for, accepting or offering to accept, or advertising, an award in the nature of a title or championship in respect of vehicle competitions unless such award is recognized by the HKAA;
- (x) careless or inconsiderate driving; careless or inconsiderate driving causing accident; dangerous or reckless driving. ;
- (xi) mis-behaviour or unfair practice.

### **124. Penalties for Participation in an Unauthorized Competition**

Any person or body who shall promote, enter for, drive in, officiate at, take part in, advertise, obtain publicity for the results of, a Competition not organized or held in accordance with the NCR, or is disqualified or suspended by the governing body recognized by the FIA shall be disqualified or suspended and shall thereby forfeit his right to

- (i) hold a competitor's or driver's licence, and/or
- (ii) hold any official appointment in connection with the FIA, the HKAA, or in connection with any Meeting or Competition, and/or
- (iii) be a registered member of a club for competition purposes, for such time as the HKAA may think fit.

Provided that where the prescribed Competition has been or is to be held outside the jurisdiction of the HKAA, the HKAA and the other ASN concerned shall agree on the penalty, and should they fail so to agree, the question shall be referred to the FIA.

125. **Penalties**

Any Promoter, Official, Competitor, Assistant, Passenger, Driver, or their representatives committing a breach of the Code or the NCRs or of any Supplementary Regulations, or of any instructions of the HKAA contained in any Regulations for the Organization of Motor Vehicle Competitions and Standing Supplementary Regulations that may be issued by the HKAA and from time to time amended, or any conditions attached to an Organizing Permit, or of any Instructions to Drivers or of any special Track Rules, may be penalized as hereinafter provided.

126. **Penalties which may be imposed are, in order of increasing severity:**

- Reprimand
- Fine
- Sundry penalty including time, starting position, stop/go, pit lane drive through
- Exclusion
- Suspension
- Disqualification

HKAA may approve Supplementary or Series Regulations which specify fixed and other penalties and their application.

127. **Imposition of Penalties**

Before imposing any penalty the Stewards of the Meeting or the HKAA as the case may be, shall summons the parties concerned before them. The procedure for the hearing by the Stewards of the Meeting/the HKAA acting as Court of First Instance, and for hearing of appeal by the HKAA/the National Court of Appeal shall be in accordance with the NCRs.

128. **Reprimand**

A reprimand may be imposed by the Stewards of the Meeting, the HKAA, or the National Court of Appeal.

129. **Fine**

A fine may be imposed by the Stewards of the Meeting, the HKAA, or the National Court of Appeal, and will not normally exceed the amount specified in the NCRs.

130. **Liability and Time to Pay a Fine**

An entrant shall, if called upon to do so, be responsible for the payment of any fine imposed on his drivers, assistants, passengers, etc. Fines shall be paid with 48 hours of their being imposed. Any delay in payment may result in suspension for the period during which the fine remains unpaid.

131. **Allocation of Proceeds from Fines**

The proceeds from all fines, forfeited protest and appeal fees, shall be remitted to the HKAA and will be used for the provision of prizes in competitions and/or for such charitable purposes as decided by the HKAA.

**132. Exclusion**

A person, body or vehicle shall be liable to exclusion :

- (i) if shown to have been forbidden by the proper authority to take any part in or in connection with any particular Competition or
- (ii) having taken any part in any Competition, if shown to have been ineligible to do so, to have been eliminated therefrom or to have been forbidden by the proper authority to participate in any award in, or in connection with that Competition or to be placed therein.

The competitor, automobile or person being excluded shall be removed from the results of and/or prohibited from further participation in one or more competitions at a Meeting. Any entry fee paid by or in respect of the person, body or vehicle sentenced for the Competition to which the sentence relates shall be forfeited.

Exclusion may be pronounced by the Stewards of the Meeting, the HKAA or the National Court of Appeal.

**133. Suspension**

- (A) Suspension may be either National or International.
- (B) A person, body, vehicle or make of vehicle shall be subject to suspension when for a certain period forbidden by the proper authority to take part in or in connection with any Competition within the territory of the HKAA in the case of National suspension, or within any country represented on the FIA in the case of International suspension.
- (C) Suspension shall render void any entry made for competition taking place during such suspension and any entry fee paid shall be forfeited to the Promoters.
- (D) Suspension may be pronounced only by the HKAA or by the National Court of Appeal and shall be reserved for grave offences.
- (E) Where a sentence of National suspension relates to a competitor or driver, he shall hand his licence to the HKAA. If the licence is an International licence the HKAA will endorse thereon 'Not valid for Hong Kong'. At the expiration of the period of National suspension the Licence so endorsed may be exchanged for a clean licence. If the licence is a National or licence it will be retained by the HAKA until the suspension expires.
- (F) Where a sentence of International suspension relates to a competitor or driver he shall immediately hand his licence to the HKAA which will return it to him when the term of International suspension has expired. Immediately after ordering a sentence of International suspension the HKAA shall inform the Secretary of the RCA and the FIA/FIM (in respect of Automobile Competitor and Driver) who will inform all the other ASNs/FMNs so that the sentence may be made effective.
- (G) Delay in handling in a licence shall automatically result in the extension of the suspension by a period equal to the delay.

134. **Disqualification**

- (A) A person body, vehicle or make of vehicle shall be subject to disqualification when expressly forbidden by the proper authority to take part in or have connection with any Competition whatsoever.
- (B) Disqualification shall always have International effect and shall be notified in the same manner as a sentence of International suspension
- (C) Disqualification shall render void any previous entry made for any Competition and any entry fee paid or payable shall be forfeited to the Promoters.

A sentence of disqualification may be pronounced only by the HKAA or the National Court of Appeal and shall be reserved for exceptionally grave offences. Where the sentence of disqualification relates to a competitor or driver he shall immediately return his licence to the HKAA.

135. **Statement of Reasons for Suspension or Disqualification**

In notifying penalties of suspension or disqualification to the FIA/FIM, it shall be necessary for the HKAA to give its reason for imposing such penalties.

136. **International Suspension and Disqualification Imposed Abroad**

- (A) International suspension and of disqualification imposed overseas shall be considered by the HKAA which has authority to confirm or annul the same.
- (B) Any such sentence annulled by the HKA shall operate as a National suspension effective only in the country in which it is imposed.
- (C) Appropriate notification shall be communicated by the HKAA to the FIA/FIM, of these penalties confirmed in accordance with the NCRs.

137. **Notification of Penalties to International Sporting Federations**

A suspension or disqualification applicable internationally will be communicated to those International Federations, designated by the FIA/FIM, which have agreed to apply on a reciprocal basis the penalties imposed by the FIA/FIM. Any suspension or disqualification made known to the FIA/FIM by such Federation will be enforced to the same extent by the FIA/FIM.

138. **Suspension or Disqualification of Vehicles**

A suspension or disqualification may be pronounced on either a particular vehicle or on a make of vehicle under the NCRs.

139. **Loss of Award**

Any competitor who may be excluded, suspended or disqualified in any Competition shall thereby forfeit all right to award in that Competition.

140. **Amendment of Placings and Awards**

In such cases as are provided for in the NCRs, the Stewards of the Meeting shall declare the resulting amendment to the placings and awards, and they shall decide whether the next competitor in order (after these places) shall be advanced.

**141. Publication of Penalty**

- (A) The FIA/FIM or HKAA shall have the right to publish or cause to be published a notice stating that it has penalized any person, body, vehicle or make of vehicle and, if it so desires, the reason therefor.
- (B) The person, persons or body referred to in such notice shall have no right of action against the FIA/FIM, HKAA or against any person publishing or printing the notice on behalf of the FIA/FIM, HKAA and may incur disqualification if such action is taken.

**142. Remission of Penalties**

The HKAA shall have the right to remit the unexpired term of a penalty of suspension of disqualification imposed under the NCRs on such conditions (if any) as it may think fit.

**PART XII PROTESTS**

**143. Right of Protest**

- (A) The right to protest lies solely with any competitor or driver who may consider himself aggrieved by any decision, act or omission of a Promoter, Official, Competitor, Driver, or other person connected with any Competition in which he is or has been taking part, except that there shall be no right of protest against a refusal of entry under the NCRs or against the decision of a Judge of Facts
- (B) Nothing in this Rule shall affect or prejudice the right and duty of any Official, acting in his official capacity, to take such action as he may deem proper in any circumstances regardless of whether a protest has been lodged.
- (C) A separate protest must be lodged against each alleged infringement.

**144. Lodging a Protest**

- (A) Every protest shall be in writing signed by the competitor making the protest and shall be accompanied by the fee including any necessary bonds set by HKAA, and (in the case of protest against the qualification or eligibility of a vehicle for any competition) such further amount by way of bond, both as laid down in the NCRs. Such fee shall only be returned if the protest shall be deemed bona fide and if so directed by the Stewards of the Meeting, the HKAA or the National Court of Appeal, or if the protest is promptly withdrawn before its hearing. Nothing in the NCRs shall prevent withdrawal of a protest before its hearing.
- (B) Protests against the qualifications or eligibility of a vehicle for any competition shall be required to specify the details of such alleged ineligibility, and shall not be acceptable otherwise. The additional fee for dismantling the vehicle prescribed in the NCRs shall accompany any such protest.

**145. To Whom Protest be Addressed**

A protest arising out of the race/competition/meeting should be submitted to the Stewards of the Meeting.

**146. Time Limit for Protest**

- (A) A protest as to the validity of entry, qualification of competitor, driver, or vehicle or length of course shall be lodged at the latest two hours after the expiration of the time fixed for the official examination of the vehicles, and in the case of a National Competition at least one two hours before the start of the Competition, save when the conditions under which the Competition is held render this impracticable. In such circumstances the protest shall be made with the minimum of delay, and at the latest within half-an-hour of the conclusion of the Competition. If the examination of vehicles takes place in a country other than that of the Promoters, any Official of the ASN/FMN of the country in which the examination takes place shall be entitled to accept any protest as mentioned above. Such Official shall forward the protest to the Stewards of the Meeting as quickly as possible together with his own opinion if he considers this useful.
- (B) A protest as to a handicap, make up of heat or Instruction to Drivers shall be lodged at least one two hours before the time laid down for the start of the Competition or such lesser time as the Stewards of the Meeting may think justifiable in order to make the lodging of the protest physically possible.
- (C) A protest against the decision of a Scrutineer or Assistant Scrutineer acting before an event shall be lodged immediately after such decision.
- (D) A protest against any mistake or irregularity occurring whilst a Competition is taking place shall be lodged within half an hour after the finish of the Competition, or within such further time as the Stewards of the meeting may think justifiable in order to make the lodging of the protest physically possible.
- (E) A protest concerning the results of a Competition must be made within half-an-hour of their publication or within such further time as the Supplementary Regulations may allow, or the Stewards of the Meeting may think justifiable in order to make the lodging of the protest physically possible.
- (F) Entrants must have previously been advised of place and time of such a publication either by the Supplementary Regulations or one of their appendices or by the programme. Should it be impossible for the organizers to publish the official results, as stated, they shall issue, at the time and place fixed, all accurate details concerning their next steps about the official publication of the classification.
- (G) The Stewards of the Meeting shall consider all protests referred to above as urgent.

**147. Adjudication of Protests**



Any protest arising out of a Meeting shall be adjudicated upon by the Stewards of the Meeting, subject to the rights of appeal provided by the NCRs. All other protests shall be adjudicated upon by the HKAA.

148. **Hearing of Protest**

The hearing of a protest shall take place as soon as practicable after the lodging of a protest. All parties concerned shall be given adequate notice by the Stewards of the Meeting of the hearing of any protest. They shall be entitled to call witnesses, but shall state their case in person and not through an advocate, and they and their witnesses shall be given an opportunity of being heard. In their absence or in the absence of their witnesses, a decision may be made in default of their appearance. Before giving a decision in default of appearance, the Stewards of Meeting must satisfy themselves that the party concerned is aware of the time, date and place of hearing or has been summoned to appear in accordance with the NCRs. In the case of equality of votes among the Stewards of the Meeting, the more senior Steward appointed by the HKAA shall have a casting vote. If no Steward has been nominated by the HKAA the Steward named first by the Promoters shall be regarded as the Senior Steward. If a decision cannot be given immediately after the hearing of the parties, they must be advised of the time and place at which the decision will be given.

149. **Distribution of Prizes**

Prizes and awards may be distributed on the basis of provisional results. Any prize or award not confirmed by the final results must be returned to the Promoter.

- (A) The distribution of prizes shall not commence until half-an-hour has elapsed after the publication of the results of a Competition .
- (B) Where a protest is lodged the distribution of a prize must, if the entitlement to that prize may be affected by the decision of the adjudicators, be withheld until the protest has been adjudicated upon and either the result of any possible appeal arising out of such adjudication is known, or the time for appeal has expired without notice of appeal having been given. The list of awards in so far as it relates to such a prize must be declared to be provisional.
- (C) If after the distribution of prizes a decision is made pursuant to the NCRs which affects the results of a competition, any competitor to whom a prize has been awarded but who is adjudged to be ineligible therefore shall return such prize to the Promoters on demand.

150. **Re-run**

Neither the Stewards of the Meeting nor the HKAA shall have the power to order the competition to be re-run.

151. **Decision** – All parties concerned shall be bound by the decision given, subject only to appeal as provided in the NCRs.

152. **Ill-Founded and Vexatious Protests**

If a protest is adjudged to be unfounded and/or vexatious, the whole or part of the protest fee may be forfeited.

- (A) If it is proved to the satisfaction of the Stewards of the Meeting that the author of a protest has acted in bad faith, he shall be deemed to have committed a breach of the NCRs and may be penalized accordingly.
- (B) Unless decided otherwise by the Stewards of the Meeting for special reasons, the protest fee shall normally be forfeited if the protest is dismissed.

## **PART XIII APPEALS**

### **153. Right of Appeal**

- (A) A Person shall have a right of appeal against a decision made against and/or penalty imposed on him by the Stewards of the Meeting provided he gives notice of appeal in accordance with the NCRs.
- (B) An appeal against a decision of the Stewards of a Meeting shall be heard by the HKAA, except in the case of the HKAA considering that there may be a conflict of interest when the appeal shall be heard by the National Court of Appeal. In either case, the decision made by the HKAA or the National Court of Appeal in exercising its appellate authority shall be final (save under Rule 154 hereof).
- (C) Any person aggrieved by the decision of the HKAA acting as a Court of First Instance (i.e. not as a body hearing an appeal) shall have a right of appeal to the National Court of Appeal.

### **154. Jurisdiction of the National Court of Appeal over appeals**

The National Court of Appeal is the final court of appeal empowered to settle finally any dispute arising out of or in connection with the control by the HKAA of competitions within its territory as provided in the NCRs.

The MSC elects persons to be members of the National Court of Appeal as and when necessary to hear an appeal. The National Court of Appeal constituted to hear an appeal shall consist of no less than 3 members. No member of this Court may act as such if he has taken part as competitor, driver, official or has a financial interest in the competition which the appeal relates, or has previously participated in the decision which is being appealed against.

The MSC may appoint a nominee abroad to participate in the hearing of a matter which arises out of a competition held outside the territory of the HKAA. This nominee may act as a member of the National Court of Appeal who has adjudicating power, or may only act as an observer or adviser, as the MSC shall determine. The appointment of such nominee may be revoked by the MSC at its sole discretion.

### **155. Jurisdiction of International Bodies**

A right of appeal to the FIA/FIM shall only arise if :-

- (i) the appeal is brought before the FIA/FIM by the HKAA on behalf of the appellant, and
- (ii) the decision appealed against is a decision of the National Court of Appeal in relation to a licence, an automobile, or a make of vehicle within the territory of the HKAA (but not in relation to any incidents/race results arising from race meetings in respect of which the decision of the HKAA or the National Court of Appeal, as the case may be, shall be final).

**156. Time Limits for Notice of Appeal**

- (A) Where an appeal arises from a decision of the Stewards of the Meeting, notice in writing of intention to appeal must be given to such Stewards, and the appropriate appeal fee as laid down in the NCRs paid to them within one hour of the announcement of their decision. Such appeal fee is not returnable if the intending appellant does not proceed with the protest.
- (B) In the case of an appeal to the HKAA, Notice of Appeal must be lodged before the expiration of the second day after which the decision appealed against was made.
- (C) In the case of an appeal to the National Court of Appeal, Notice of Appeal must be lodged within seven days after the decision appealed against was made.
- (D) In the case of an appeal to the FIA/FIM Notice of Appeal must be lodged in accordance with the provisions of the Code.

**157. Effect of Giving Notice of Appeal**

The giving of a Notice of Appeal shall not affect the validity or operation of any penalty or decision appealed against except that Notice of Appeal to the FIA/FIM given by an ASN/FMN on behalf of one of its licence holders shall suspend the operation of an International suspension or disqualification until the hearing of such appeal.

**158. No Appeal Outside Own Country**

When an appeal is made to the National Court of Appeal by a person who did not, at the time the matter giving rise to the appeal happened, hold a licence from another ASN/FMN, or the matter giving rising to the appeal has no foreign element, the decision of the National Court of Appeal thereon shall be final, except where Rule 154 hereof applies.

**159. Form of Appeal and Appeal Fees**

- (A) A Notices of Appeal to the HKAA or to the National Court of Appeal shall be in writing stating the decision appealed against and the grounds of appeal, signed by the appellant or his authorized agent, and shall state the address to which communications may be sent and be accompanied by the appropriate appeal fee as laid down in the NCRs except where the appeal fee has to be paid to the Stewards of the Meeting.

- (B) A Notice of Appeal to the FIA/FIM shall be in writing signed by a duly qualified representative of the HKAA accompanied by the appropriate fee as laid down in the Code.

**160. Supporting Appeal to the FIA/FIM**

An aggrieved appellant requesting the HKAA to lodge an appeal to the FIA/FIM on his behalf shall give written notice of such request to the HKAA. Such notice must specify the grounds on which the application is based, signed by the appellant or his authorized agent, and be lodged with the HKAA within fourteen days of the decision proposed to be appealed against.

**161. Hearing of Appeal**

All parties concerned shall be given adequate notice of the hearing of any appeal, and they shall be entitled to call witnesses. The hearing may proceed to judgment in default of appearance by any party. In the case of an appeal to the HKAA or the National Court of Appeal, the parties concerned shall state their cases personally (in case of a Company by an Officer of the Company) unless consent has been given by the appeal hearing bodies to representation by lawyers. The hearing of an appeal shall take place within ninety days of the notice of appeal being received.

**162. Judgment on Appeal**

The HKAA or the National Court of Appeal, as the case may be, may decide that the penalty and/or decision appealed against be upheld, quashed, increased/reduced, or be substituted by such a decision and/or penalty as they think fit but they shall not order any competition to be re-run.

**163. Order as to Appeal Fee and Cost**

When giving decision on appeal the HKAA or the National Court of Appeal, as the case may be, shall make such order as to return or forfeiture of appeal fees and as to costs as they may think fit.

**164. Publication of Decision**

The FIA/FIM or the HKAA shall have the right to publish or cause to be published, a decision on appeal, and to state the names of the parties interested. The persons or bodies referred to in such notice shall have no right of action against the FIA/FIM, or the HKAA or against any person printing or publishing the said notice.

**PART XIV ADMINISTRATION**

**165. Interpretation**

The HKAA shall be empowered to decide any question raised within its territory concerning the interpretation of the Code or of the NCRs subject to the right of appeal (if any) under the NCRs.

166. **Exercise of the Sporting Powers of the HKAA by the MSC**

- (A) The MSC shall exercise executive and judicial powers and functions conferred on the HKAA by the Code and/or exercisable under the NCRs.
- (B) Such judicial powers and functions (such as the hearing of protests and appeals of the determination of the penalty to be imposed for a breach of the NCRs) may be exercised by the MSC or such of their number (not being less than three) as they may specially or generally appoint. The exercise of such judicial powers and functions shall be final and not subject to review except on appeal in accordance with the NCRs. No member of the MSC shall act in a judicial capacity if he has taken part as a competitor, driver or official in the competition concerning which a decision is to be given or if he has already participated in a decision on the matter in question, or if he is directly or indirectly concerned in such matter.
- (C) The MSC may appoint not less than three nominees to hear a matter which arises out of motorsports outside the territory of the HKAA.

167. **Alteration of National Competition Rules**

The HKAA has the power to amend the NCRs from time to time and at any time as the HKAA may think fit.

168. **Notices**

- (A) Any communications required under the NCRs to be made to the HKAA shall be addressed to the Secretary Hong Kong Automobile Association (Motor Sport Council), Marsh Road, Wanchai Reclamation, Hong Kong, or to such other address as may be notified from time to time.
- (B) Any communications required under the NCRs to be made by the HKAA to a driver shall be sent to the address on his entry form or, if he is the holder of a licence from the HKAA or other ASN/FMN to the address recorded on the licence. Any communication to be sent to a Promoter or Organizing Committee shall be sent to the address on the relevant application for an Organizing Permit or, in the case of an event not organized under Permit, to the Secretary of the organizing club at the address given in the last renewal of registration fees. Any communication to be sent to an appellant under the NCRs shall be sent to the address on the notice of appeal. Any communication so sent by post shall be deemed to have reached the addressee by normal delivery of post.

169. **Date of Commencement**

These Rules shall come into effect on 1<sup>st</sup> April 2021.

**APPENDIX 1**

HKAA FEES*			
	:	Registration Fee for Clubs	- HKD800
		Organizing Permits – Closed Events Restricted Events National Events International Events	- HKD30,000 per club each year
	:	Visa Fee (per competition) (at least 2 full working-day notice in advance)	HKD500 FIA Visa/ HKD500 FIM Visa
	:	Course and Track Fee	- HKD30,000 + 20% on all FIA/FIM invoiced charges
	:	National Driver License - National A National B Rally  International Driver License - International A/B/C/D International D1 (Single Event)  National Rider License - National A National B MX / Trail  International Rider License  Commercial Entrant License (Team Entrant License )	- HKD1,300 - HKD1,170 - HKD1,170  - HKD2,080 - HKD1,040  - HKD850 - HKD720 - HKD850  - Current FIM Fee  - HKD4,550
	:	Fines – Maximum	- EUR250,000 (Current FIA ISC)
	:	Protest and Dismantling Fees	- HKD3,000 (general) - HKD10,000 (technical –per specific item of the vehicle)
	:	Appeal fees to HKAA	- HKD20,000 (min.)

\* HKAA reserves the right to amend these fees without prior notice.