



STATE PROSECUTOR – ROLE AND RESPONSIBILITIES

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INTRODUCTION

This document sets out the responsibilities and powers of the State Prosecutor within the judicial framework that applies to Karting Australia Competition.

Each State Association (“Association”) will appoint one or more State Prosecutors.

Role and Responsibilities

The State Prosecutor’s principal role is to act on the instructions of the Association and appear on its behalf at any Tribunal.

Subject always to any other provision in the KA Karting Manual, the State Prosecutor:

1. Shall advise the State Association in relation to proceedings brought by the Association or proceedings which are to be responded to by the Association.
2. Shall act as an advocate for the Association.
3. Shall act always on the instructions of the Association.
4. Shall deal with all matters in accordance with the Rules.
5. Shall not provide legal advice or otherwise assist any party (except the Association) to a proceeding to promote its case.
6. Shall not liaise with the AMSAC or with CAMS. Any communications received by the State Prosecutor from the AMSAC or from CAMS or from any other party whether or not that party is a party to a proceeding involving the State Prosecutor, shall be forwarded to KA for further instructions.
7. May make recommendations to the Association regarding procedures, rules and other matters but the Association shall not be bound to accept such recommendations.
8. Shall be independent of the State Tribunal Registrar and vice versa.
9. Does not have a power or a duty unless the power or duty is specifically conferred on the State Prosecutor by the Rules.
10. Shall as expeditiously as possible and in any case within 72 hours provide to the Association copies of all correspondence received by or generated by the State Prosecutor.
11. Shall not communicate directly with the Association’s legal advisers without the written consent of the Association.
12. Shall not Prosecute a matter before any Tribunal in which the he/she may have participated as a Steward.

Policy Manager

Manager – CEO