



**AUSTRALIAN KARTING  
ASSOCIATION Ltd.  
(KARTING AUSTRALIA)  
BY-LAWS AND POLICIES**

**APPROVED 11 NOVEMBER 2019**

**Revised and updated 18 March 2024**

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## AUTHORITY

AKA is the sole National Sporting Federation for Karting in Australia.

The General Assembly of the Federation Internationale de 'l Automobile (**FIA**) in accordance with the FIA Statutes and following a request from the Confederation of Australian Motor Sport Ltd. (**CAMS/ Motorsport Australia**), has formally delegated the full sporting authority for the sport of karting (other than Super Karts) in Australia to AKA.

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These By-laws are made in accordance with Article 20 of the Australian Karting Association Ltd ACN 160 100 265 (**AKA or KA**) Constitution (**Constitution.**)

### ARTICLE 20

#### 20 POLICIES, RULES, REGULATIONS AND BY-LAWS

##### 20.1 Making and Amending Policies, Rules, Regulations and By-Laws

- a) *In addition to policies made under **clause 7.2**, the Directors may from time to time make Policies, Procedures, Rules, Regulations and By-Laws:*
  - (i) *that are required to be made under this Constitution; and*
  - (ii) *which in their opinion are necessary or desirable for the control, administration and management of the Company's affairs and may amend, repeal and replace those Policies, Procedures, Rules, Regulations and By-Laws.*
- b) *The Policies referred to in **clause 7.2** take effect 7 days after the service of the Policy on the Member and shall be of force and effect on that date.*
- c) *The Policies, Rules, Regulations and By-Laws referred to in **clause 20.1 a)** take effect and shall be of force and effect on the date that the Policy, Rule, Regulation or By-Law is promulgated.*

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## COPYRIGHT NOTICE AND CONDITIONS OF USE

KA is the owner of the copyright and all other intellectual property rights in the Australia Karting Manual and National Competition Rules and is By-Laws, Policies, Procedures and Standards. KA is the owner of the KA Trade Marks (whether registered or unregistered).

KA invests substantial time and resources every year in developing, reviewing and updating the Karting Manual including the National Competition Rules and the By-laws, Policies, Procedures, Regulations and Safety Standards under which karting as a sport is conducted in Australia.

KA expressly reserves its rights to take immediate legal action against any person or entity that infringes or authorises the infringement of its copyright or other intellectual property rights by using or authorising the use of the Karting Manual and National Competition Rules, By-laws, Policies, Procedures, Regulations and Safety Standards.

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## BY-LAW and POLICY MANAGER

Unless otherwise specified herein, the KA CEO shall have responsibility for the Management of all By-laws and Policies.

## BY-LAWS

<b>B1</b>	RESPONSIBILITIES DELEGATED TO MEMBER STATES
<b>B2</b>	BOARD CHARTER
<b>B3</b>	AUTHORITY AND DELEGATION
<b>B4</b>	FUTURE FUND
<b>B5</b>	NATIONAL CLUB AFFILIATION REQUIREMENTS
<b>B6</b>	FEES
<b>B7</b>	DISCIPLINE OF MEMBERS
<b>B8</b>	KARTING AUSTRALIA TRIBUNAL
<b>B9</b>	RULE CHANGE PROCEDURES
<b>B10</b>	HOMOLOGATION PROCEDURES
<b>B11</b>	NATIONAL INFRASTRUCTURE DEVELOPMENT FUND

## B1 RESPONSIBILITIES DELEGATED TO MEMBER STATES

Scheduled Review

Triennially in conjunction with the Member States

Date of Board Approval

28 November 2022

### PURPOSE

The purpose of this By-law is to document those General Administrative, Operational Responsibilities and Sporting Powers that the AKA Ltd Board has determined should be formally delegated to each Member State in accordance with Articles 5.1(a)(i) and 20 of the Constitution – 16 October 2019 so as to enable each Member State to effectively and efficiently conduct, encourage, promote, advance, control and manage Karting within their State in accordance with the Rules, Regulations, By-Laws, Policies and Safety Standards formulated, adopted, and issued by AKA Ltd (“AKA”).

### APPLIES TO

AKA Ltd., Karting Australia (New South Wales) Inc., AKA (NT) Inc., AKA (Qld) Inc., AKA (SA) Inc., Karting Tas (Inc.), Victorian Karting Association (Inc.), Karting WA Inc. (the “Member States”).

### RESPONSIBILITIES DELEGATED TO EACH MEMBER STATE

With specific reference to the Sporting Powers and administration of karting within the Member State, the AKA Ltd Board has allocated to each Member State certain responsibilities in the following areas:

- (a) To be the primary contact on all karting matters within their State;
- (b) Sale and issuing AKA competition and social drivers’ licences (Licence) that are required in accordance with the Rules including:
  - i. The right to set the fee that it will charge for each category of Licence; and
  - ii. The obligation to promptly remit to AKA, the fee that AKA has resolved to charge the Member State for each category of Licence.
- (c) Issuing and distribution of AKA Event Organising Permits required in accordance with the Rules including
  - i. The right to set the fee that it will charge for each category of Organising Permit in accordance with the Competition Level of each Event:
 

State Championship	State Series	State Cup	State Trophy
Zonal Competition	Club Competition	Organised Social (Recreational) Karting	
- (d) Conducting Circuit inspections and issuing AKA Circuit Licences in accordance with the Rules and Safety Standards, including:
  - i. The right to set the fee that it will charge for:
    - Conducting a Circuit Inspection; and
    - Issuing an AKA Circuit Licence.
- (e) Remittance to AKA of all monies collected on behalf of AKA in accordance with AKA’s trading terms;
- (f) Co-ordinating karting on behalf of AKA and in accordance with AKA’s Rules, Regulations, By-Laws, Policies and Safety Standards;
- (g) Enforcing the AKA’s Rules, Regulations, By-Laws, Policies and Safety Standards;
- (h) Formulate, adopt, issue, interpret State Regulations specific to their State that respect AKA’s Rules, and that must be approved by AKA annually;
- (i) Acting as Tribunal Registrars and organising a judicial and disciplinary system in accordance with AKA’s Rules, Regulations, By-Laws, Policies;
- (j) Recruitment and training of Officials in accordance with AKA’s Rules, Regulations, By-Laws, Policies and Safety Standards;
- (k) Production of an annual State Calendar of Karting Events for their State which shall not conflict with the National Calendar of events produced by AKA;
- (l) Forwarding correspondence as required to all AKA members;
- (m) Promotion and marketing of karting generally within each state or territory;
- (n) Seeking and obtaining grants, sponsorship and other funds through government, commercial and philanthropic entities that do not conflict with AKA’s main sponsor/s;
- (o) Maintaining and archiving of records;
- (p) Issuing of gauges and technical equipment required for scrutineering of kart components;
- (q) Any other matter at the discretion of AKA.

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## B2 KARTING AUSTRALIA BOARD CHARTER

Scheduled Reviewed

As Required

Date of Board Approval

17 February 2015

Last Board Review: 11 November 2019

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### Introduction

The Australian Karting Association Ltd trading as Karting Australia (“KA” or the “Company”) is governed under the *Corporations Act 2001* (Cth) and other associated corporate law and the Constitution.

This Charter is subservient to the Constitution and the *Corporations Act 2001* (Cth), to the extent of any inconsistency. KA is the governing body for the sport of Karting in Australia. The power and authority to organise and control the sport within Australia has been delegated to the Company by the Federation of Internationale de l’Automobile (FIA) through the Confederation of Australian Motorsport (Motorsport Australia).

The Board seeks to ensure that its corporate governance obligations are maintained at an appropriately high standard of accountability. This includes structures and processes in relation to decision-making and accountability, which control its behaviour and enhance its performance.

To support this, the following principles are adopted by the Board:

### Role of the Board

1. The primary function of the Board of the Company, in accordance with its Constitution, is to oversee the management of KA and to ensure the effective promotion, administration and control of Karting in Australia.
2. The Board of KA is responsible for providing corporate and strategic governance to the organisation. The organisation is essentially one which must service the needs of its members and other stakeholders and concurrently promote and regulate karting activity across a spectrum ranging from recreational, club and amateur competition to elite Karting activity.
3. The Directors are required to understand the needs of the organisation and their legal responsibilities as Directors. If appointed because of special skills (for example financial, legal, marketing), Directors are expected to contribute those skills to the Board and the organisation.
4. In addition to this are the general key functions of all Boards, which are to monitor the performance of the management of the organisation and adopt an annual budget, ensure that internal control systems are in place, and monitor the progress and results associated with these functions.
5. The role of a Board and its Directors is to give direction to the organisation and to accept initial responsibility for its management. It is not the Directors’ role to take part in the day-to-day management of the organisation.
6. The Board has collective authority. Individual Board Directors have no authority unless specifically delegated and minuted by the Board. In this case they are enacting the collective authority of the Board not their own individual authority.

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### Duties of Directors

The Directors will at all times act in accordance with the law, including but not limited to:

1. act in good faith in the best interests of the organisation and for a proper purpose;
2. to avoid conflicts of interest;
3. act as an independent member of the Board;
4. bring an independent mind to decisions;
5. exercise care and diligence (including taking steps to ensure each is properly informed and has a proper understanding of the position of KA financially and in relation to work, health and safety);
6. not to misuse position or information;
7. not gain an advantage for themselves or someone else;
8. ensure that the organisation does not operate while insolvent.

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### Role of the Chair

An effective Chair creates the conditions for the Board and individual Directors to carry out their duties and functions effectively. The role of the Chair is to:

1. behave in a professional manner at all times;
2. provide coherent leadership of the Board to engender a cohesive and effective team;
3. establish an effective working relationship with the Chief Executive Officer;



4. promote effective relationships and open communication, both internal and external to the Boardroom between Directors, management and the Member States;
5. address the development needs of the Board as a whole with a view to enhancing its overall effectiveness including identifying and meeting the development needs of individual Directors;
6. promote a high standard of governance and be reasonably satisfied that Directors take proper account, and adhere to, statutory and other compliance and probity requirements;
7. provide a clear structure for the effective running of Board meetings and conduct meetings of the Board so as to facilitate the full participation of Directors;
8. ensure the discussion at meetings is on issues that, according to the Constitution and KA policies, clearly belong to the Board to decide, and do not impinge on the role of the CEO;
9. manage appropriately any declared or perceived conflicts of interest and/or potential conflicts of interest;
10. represent the Board to external parties as an official spokesperson for the Board and KA;

The Chair may delegate authority but always remains accountable for its use.

### Board Code of Ethics

The Directors consider there are certain fundamental ethical values that underpin their role as Directors of the Company and as members of its Board and its Committees. Directors will therefore:

1. act with integrity and good faith;
2. be honest and open with each other at all times;
3. treat each other with professionalism, courtesy and respect allowing reasonable opportunity for others to put forward their views;
4. not improperly influence other Board members or management;
5. declare to the Chair and the Board any conflicts of interest, both actual, potential and perceived;
6. work co-operatively among themselves and with management in the best interests of the Company;
7. recognise the separate roles and responsibilities of the Board and Management, including any concurrent or exclusive delegations;
8. develop an understanding of the role and functions of the Company;
9. be diligent and continuously strive to improve the Board's operation;
10. observe the spirit as well as the letter of the laws under which the Company operates;
11. not improperly use information;
12. not allow personal interests or the interests of associated persons to conflict with the interests of the organisation;
13. avoid any behaviour that is likely to bring the Board or the Company into disrepute;
14. make reasonable enquiries in order to ensure that the organization is operating efficiently and towards its objectives;
15. devoting sufficient time to the organisation and fully preparing for Board meetings;
16. Maintain KA's solidarity - be prepared to consider and debate matters within the confines of the Board, with informed and meaningful arguments, and to publicly support KA's ultimate decisions.
17. Should not publicly voice any negative comments or individual opinions relating to the CEO, staff, fellow Directors or any Company matter or issue;
18. Should respect the confidentiality of sensitive issues or business items under negotiation or discussion.

### Matters Requiring Board Action

A variety of matters require Board consideration, oversight and action and are not within the authority delegated to the Chief Executive Officer. Specifically, the following are the Board's responsibility:

1. The appointment of the Chief Executive Officer;
2. Review the performance of the Chief Executive Officer annually. The Chair will undertake a formal performance appraisal with the CEO and will consult with the Board as part of the evaluation;
3. Replace the Chief Executive Officer when necessary;
4. The remuneration of, and delegation of authority to the Chief Executive Officer and general approval of policies relating to the Chief Executive Officer's sub-delegation;
5. Adoption of annual business plans and budgets and approval of longer-term strategic plans for the Company;
6. Oversight and review of corporate strategy, performance and legal compliance throughout the Company for all of its activities; including consideration of regular reports from management on the financial and operational performance of the Company against agreed performance targets;
7. Review of management's performance
8. Approval of all Financial Statements including Directors' Reports;
9. Approval of the Annual Report and any other significant report which the Chief Executive Officer or Chair consider need Board approval;



10. Approval, oversight and review of all policies and procedures specifically requiring Board Approval as designated by the "Board Authority Delegation" Policy including:
  - Audit and compliance functions and their performance;
  - Internal control and corporate governance functions and their performance;
  - Remuneration policies and performance;
  - The Company's risk management and compliance framework; and
11. Elect the Chair and any appointed Directors according to the Constitution
12. Approve the Competition Rules to govern the sport;
13. Appoint the CIK Delegate every year;
14. Appoint and remove as necessary, Directors, Officials or members;
15. Other matters which by law or under legislation must be dealt with by the Board.

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### General Principles Concerning Management

1. The Board should not itself manage the Company as this responsibility is delegated to the Chief Executive Officer. However, the Board must put in place policies, procedures and structures so that it is able to discharge its role of bearing ultimate responsibility for KA.
2. The Board must set the framework within which the Company operates and, to an appropriate degree, oversee and supervise its operations.
3. As well as having the ultimate responsibility for the operations of the Company, the Board must be aware of and have due respect to the obligations of the Company as a matter of general law or as a result of particular obligations imposed under relevant legislation including the Corporations Act and relating to work health and safety.
4. The formal delegation of management authority is to the Chief Executive Officer, who will be the prime source of information to the Board.
5. Subject to the oversight of the Board, it is for the Chief Executive Officer, acting within his or her delegated authority, to determine how to conduct the management of the Company.
6. The Board must:
  - be satisfied with management's plans for carrying on and developing its activities;
  - ensure that management will seek authority to undertake material changes to those agreed plans;
  - place limits on the extent to which management can commit resources or dispose of assets or raise funds without specific approval;
  - ensure that it is kept well informed of progress and events which might significantly affect the Company;
  - monitor, so far as it reasonably can, the performance of those senior members of management on whom it is relying for the proper management of the business and its key component parts; and
  - be aware of any significant risks to employees, the Company's standing, profit and assets and endorse management's action plans to mitigate such risks.

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### Stakeholder Engagement

1. Optimising the strategic engagement with Members and stakeholders is the prime responsibility of the Chair and the CEO with the planned assistance of other individual Directors as required.
2. Working with stakeholders and managing the relationships, partnerships and networks on a day-to-day are the business of the CEO.
3. The CEO will address:
  - Developing and maintaining contacts in media and government
  - Documenting and disseminating information to key decision makers
  - Positioning and aligning KA with other similar bodies
  - Developing a good working knowledge of media and government.
  - Lobbying and public relations opportunities
  - Developing business networks and working to promote the reputation of KA are important ways for Members to add value to KA.

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### Communication with Media

1. The Chair of the Board is the only board member authorised to communicate directly with the media. In circumstances where other board members are asked to provide comment, they should refer the media representative to the Chair or the CEO.
2. The Chair and the CEO may agree to delegate responsibility for media comment to specific employees in relation to certain limited areas of KA activity.

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### Communication with internal parties and non-media external parties

1. Communication with internal parties within KA (e.g. staff) should ordinarily be undertaken through the Chair or CEO.
2. In relation to external parties other than the media, it is recognised that Board members may have periodic contact with such parties as a result of attending KA events or due to their other involvement in karting or motorsport. Board members should exercise discretion in such circumstances to avoid making any comment that may be purported as expressing the view of the Board as a whole, except with prior permission of the Chair or the Board.

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### Independent Professional Advice

1. If, in furtherance of a Director's duties to the Company, the Director obtains independent professional advice, the Company will meet the reasonable costs of such advice provided that:
  - the Chair of the Board gave prior approval to the obtaining of the advice; or
  - if the Chair was unavailable or refused to give such approval, the Board gave prior approval to the obtaining of the advice.
2. The advice must be made available to all Directors.

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### Induction and Training

1. The Board must provide an induction process for new Directors.
2. All Directors are required to display appropriate skills and knowledge of governance, Directors' roles and responsibilities. The Company encourages Directors to update and enhance their skills and knowledge.

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### Access to Company Information

1. All Directors have direct access to the Company Secretary.
2. Directors are entitled to access KA information and documentation that will enable them to discharge their role as Directors of the Company. It is expected that requests for information will be kept at a sufficiently high level to fulfill oversight responsibilities without getting involved in the transactional detail which is the responsibility of management.
3. Directors will adhere to the following protocol when seeking information:
  - Approach the CEO to request the required information providing a reason for wanting to access the information.
  - If the information is not forthcoming within a reasonable time, discuss with the Chair.
  - If the information is still not forthcoming, write a letter to all Directors and the CEO detailing the information that is required, purpose of the information, and who the Director intends to approach in order to obtain the information.
4. When considering an application from a Director to access KA information, other than Board papers, the CEO or Chair may ask the Director for the reason for their request to establish that the information is required for a proper purpose.

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### Insurance and indemnity

Deeds should be entered into between Directors severally and the Company, recording arrangements on indemnification, insurance and access to Company documents and independent legal advice at the Company's expense.

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### Board Performance

1. The Board will undertake performance evaluations on a regular basis that:
  - reviews the performance of the Board against the requirements of this Charter;
  - reviews the performance of the Board Committees against the requirements of their respective Terms of Reference; and
  - reviews the individual performances of the Chair, the Chief Executive Officer, the Directors and the CIK Delegate.
2. The general management and oversight of this process of review, together with development of appropriate Board member performance assessment measures, is the responsibility of the Chair.

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### Conduct of Meetings

1. Frequency
  - The Board shall meet as often as deemed necessary, and at a minimum in compliance with the Constitution.
  - Meetings, including those additional to the timetable, are called by the Chief Executive Officer as directed by the Board or the Chair and any Director may request the Chief Executive Officer to call a meeting.
2. Method of Meeting

- Meetings are either in person or by electronic medium, including teleconference, or combination, as consented to by all the Directors.
  - The location and time of the meeting will be advised in the Meeting Agenda prior to each meeting.
3. Attendance
- All Directors are expected to attend all Board meetings
  - If any Director misses three Board meetings in a row without good explanation, then their position will be treated as a casual vacancy.
  - The CIK Delegate will be invited to attend Board meetings (when deemed relevant and appropriate by the Chair);
  - The Company Secretary must attend all Board meetings (where practicable);
  - The Chief Executive Officer shall attend all Board Meetings (where appropriate);
  - The Minutes will record on each occasion the names of those present and those absent and where a person is present for only part of a meeting, the time when that person was present.
4. Chair
- If the Chair is not available within ten (10) minutes after the time appointed for holding the meeting or declines to act for the meeting or part of the meeting, one of the other Directors shall Chair the meeting or part of it.
5. Quorum
- A quorum at a meeting of the Board is a simple majority of Directors present in person (cl 15.4).
  - The quorum must be present at all times during the meeting.
6. Agenda
- The CEO in consultation with the Chair, is responsible for preparing an agenda for each KA Board meeting.
  - any Director may request items or notices of motion be added to the agenda for upcoming meetings. This request should be made in writing to the Chair and copied to the CEO.
  - The Chair is to ensure that meeting content will be only those issues, that according to this Charter, clearly belong to the KA Board to decide.
  - The Agenda for each Board meeting may set a regular session for private discussion by Directors, who may invite any person to attend in whole or in part.
7. Board Papers
- The CEO is responsible for the preparation and circulation of Board papers. However, where a Director or Committee is making a recommendation to the Board, a Board paper will need to be completed for submission to the CEO.
  - The Chair should vet papers or any other information supporting each draft agenda item to ensure they adequately inform the debate, add to the discussion and help Directors to reach a decision. Effective papers should have the right balance between data and detail, analysis and insight, drawing on relevant expertise. They should be written succinctly, follow a consistent format and clearly identify the issues, stating the resolution recommended.
  - The Board agenda and supporting agenda papers shall be distributed to all Directors where possible at least five (5) days prior to the relevant meeting, and it is an agreed expectation that all circulated papers are read prior and Directors attend the meetings with opinions and recommendations formed.
  - If the Board paper relates to a matter in which there is a known conflict of interest with a particular Director, the relevant Board paper will be removed by the CEO, on the instructions of the Chair, from the set of Board papers sent to that Director. In the case of the Chair having a conflict of interest, the Board will appoint another Director to make final decisions on the forwarding of Board papers to the Chair.
  - The Secretary should maintain a complete set of Board papers for Corporations law purposes. Individual Directors may also retain their own Board papers in a secure location.
8. Decision making
- Each Director shall be entitled to one (1) vote on each resolution at Board meetings. A resolution must be supported by a majority of votes cast by those present and entitled to vote. The person presiding does not have a casting vote. A tied vote shall be deemed to be resolved in the negative.
  - The Board may pass a resolution without a Board meeting being held if the majority of all the Directors entitled to vote on the resolution sign a document containing a statement that they are in favour of the resolution. Separate documents may be used for signing by Directors if the wording of the resolution and statement is identical in each copy. The resolution is passed when the last Director signs and shall be noted at the following scheduled Board meeting.
  - If email resolutions are required, the relevant resolution shall be passed if the majority of all the Directors entitled to vote on the resolution send an email containing a statement that they are in favour of the resolution; and when the last Director votes on the resolution. The resolution shall be noted at the following scheduled Board meeting.

#### 9. Minutes

- Minutes of meetings of the Board and resolutions of the Board must be prepared by the Minute Secretary as soon as reasonably possible following the meeting. Minutes will then be circulated to all Directors and confirmed at the next subsequent meeting of the Board.
- Where votes are taken by the Board, votes and abstentions will be included in the Minutes.
- The Minutes are the official record of proceedings and resolutions of the meeting.
- Upon the confirmation of the Minutes, the Chair will sign a copy as a true and correct record and the Minutes will be filed in the Minute Book Register.
- Minutes of meetings of the Board are to be distributed to the Directors, the Chief Executive Officer, and the Company Secretary. The minutes are confidential and are not to be distributed to any other party without the approval of the Board.

#### 10. Company Secretary

- The Board must appoint a Company Secretary, or another person who is not necessarily the Company Secretary, to act as Minute Secretary of the Board and attend meetings of the Board as required.

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#### Confidentiality

Every person, the Directors, Chief Executive Officer, Company Secretary, auditors, solicitors, all officers, agents and staff of the company shall be bound to observe strict confidentiality.

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#### Committees

1. The Board may delegate any of its powers consistent with the Constitution to a Committee as well as other advisers and consultants as they think fit.
2. Such Committees have no decision-making power in their own right and are bound to follow their terms of reference and report and make recommendations to the Board of Directors. The Board is not bound to follow such recommendations.
3. Currently, the standing Committees are:
  - National Safety Committee
  - National Officials Committee
  - Vintage Karting Committee



**KARTING**  
AUSTRALIA

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## Conflicts of Interest

### Independence and Potential Conflict

1. The effective management of conflicts of interest is critical to minimise potential reputation or brand damage, and stress or damage to an individual, the Board or KA as a whole.
2. Having regard to these guidelines, the Board works on the assumption that a Director is effectively independent. He or she is not a member of Management and is free of any interest and any business or other relationship that could, or could reasonably be perceived to, materially interfere with the Director's ability to act in the best interests of KA (which is the statutory obligation of each Director). The Board will assess the materiality of any given relationship that may affect independence on a case-by-case basis.
3. Each Director's independence is assessed by the Board on an individual basis, focusing on an assessment of each Director's capacity to bring independence of judgment to Board decisions. In this context, Directors are required to promptly disclose their interests in contracts and other directorships and offices held and associations that might be perceived to represent a conflict with their duties as officers of KA.
4. Identification of a potential conflict is paramount. A conflict may exist because of:
  - Personal interests, particularly but not exclusively involving personal gain or the potential for personal gain.
  - Organisational interests, particularly but not exclusively where a Director may have to consider the same matter within a different organisational setting.
  - Other commitments or arrangements individuals have, within and outside KA or karting in general.
  - Private or personal interests include gaining any possible advantage for himself, his family, relatives, friends and acquaintances.
5. It is possible for a Director to have a pre-existing potential conflict which is only recognised by the individual (and potentially by others) when a relevant matter is raised in a meeting or after a meeting. The key requirement is that the individual should notify the Chair as soon as he or she becomes aware of the conflict or potential conflict.
6. A guiding principle of the Board is that it is critical to manage not just a conflict of interest but also the perception that there is or may be a conflict of issue.
7. Accordingly, the ability for any or all of the Directors to raise the issue of conflict at any stage is encouraged.
8. On becoming aware of a conflict or potential conflict the Chair should invoke the Conflict of Interest Management Process.

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### Conflict of Interest Management Process

1. KA manages conflict of interest through three key Conflict of Interest Management Processes, as follows:

#### Process 1:

1. The Chair will provide all Board members the opportunity at the start of each Board meeting to declare any conflict or raise any concerns regarding perceptions of conflict that have arisen or may arise in the course of tackling the agenda for that meeting.
  - This item is a standing Agenda item for each Board meeting.

#### Process 2:

1. On being advised of a potential conflict, the Chair acting on the advice of the Board then decides whether:
  - A conflict exists, and it is substantial enough to require further action about, and
  - Whether the Director needs to step out from the meeting / discussion, or whether the meeting/Board would benefit from the person remaining, and
  - Any other action needed.
2. Options include allowing the person with the conflict to remain in the meeting but not vote and also the option of remaining in the room, speaking on the issue but not voting. It may be enough that a conflict is declared and recorded, and that Director does not speak or vote on the matter.
3. Whatever action is taken to manage the conflict needs to be recorded in the minutes clearly and transparently.

#### Process 3:

1. For ongoing matters where a Director has a standing conflict, the Chair should make appropriate arrangements with the Director and others to ensure there is no impact from the conflict.
2. This should be recorded in the minutes at each meeting.
3. If the discussion of a conflict of interest involves the Chair, then an Acting Chair needs to be appointed by the rest of the Board to manage the discussion.

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### Execution of Documents

1. The Board must execute a document or deed under of the Corporations Act 2001, by authorising the signing of the document or deed in one of the following ways:
  - Seal to be affixed in accordance with a resolution of the Board, and in the presence of two (2) Directors;





- A document may be executed without using a common seal if the document is signed by two (2) Directors not interested in the contract or arrangement to which the document relates.

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#### Staff Attendance at Board Meetings

1. With the exception of the Chief Executive Officer and the Company Secretary, staff are not required to attend Board meetings, except as invited from time to time to report on matters arising, or to be available for consultation.
2. The Board respects the value of staff member's time and other commitments and therefore does not expect staff to be available without prior arrangement or at least reasonable notice.

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#### Changes to this Charter

1. No changes to this Charter shall be made without the approval of the Board.
2. The Charter will be reviewed to incorporate any relevant changes to the Constitution.
3. The Charter is a living document. The Charter will be regularly reviewed and updated to reflect changes in the environment in which KA operates, and amendments and developments in policies and procedures.



## B3 AUTHORITY AND DELEGATIONS

Scheduled Reviewed Triennially or as required.

Date of Board Approval

3 March 2014

Updated: 11 November 2019

### Introduction

This policy sets out the circumstances under which the Board may delegate its responsibilities.

Delegations of authority are the mechanisms by which KA enables officers of KA to act on behalf of KA.

### Purpose

The purpose of this Policy is to establish a framework for delegating authority within KA in a manner that facilitates efficiency and effectiveness and increases the accountability of staff and volunteers for their performance.

The policy applies to all members of the Board and the staff and volunteers of KA who have delegated authority to act and sign documents on behalf of KA.

Delegations of authority within KA are intended to achieve four objectives:

1. to ensure the efficiency and effectiveness of the organisation's administrative processes;
2. to ensure that the appropriate officers have been provided with the level of authority necessary to discharge their responsibilities; and
3. to ensure that delegated authority is exercised by the most appropriate and best-informed individuals within the organisation; and
4. to ensure internal controls are effective.

Delegations are a key element in effective governance and management of KA and provide formal authority to particular staff and volunteers to commit the organisation and/or incur liabilities for the organisation.

### Policy

The Board of KA is responsible for the management of the organisation.

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Under the Corporations Act ("the Act") and KA's Constitution, the Board can delegate any of its functions except:

1. The power of delegation;
2. The power to make and adopt Rules and general kart regulations (the Karting Australia Manual) (Constitution Rule 12.1(d));
3. The adoption of the organisation's strategic plan;
4. The adoption of the organisation's business plan;
5. The adoption of the organisation's annual budget; and
6. Any functions reserved to the Board under the Corporations Act.

The Board may delegate its functions to:

1. A member or members of the Board; and
2. A sub-committee of the Board; and
3. The Chief Executive Officer ("**the CEO**") and through the CEO to members of the staff and officers of the organisation.

The CEO:

1. Is charged with the duty of promoting the interests and furthering the development of KA; and
2. Is responsible for the operational, administrative, financial, and other business of KA; and
3. Exercises a general supervision over the staff and volunteers of KA.

The CEO may seek the approval of the Board to delegate any function or any power or duty conferred or imposed upon them, subject to this delegations policy, to any member of the staff of the organisation, or any person or persons, or any committee of persons.

KA is committed to the highest standards of integrity, fairness and ethical conduct, including full compliance with all relevant legal requirements, and in turn requires that all its Board members, officers (including its CEO), managers, employees, volunteers and contractors acting on its behalf meet those same standards of integrity, fairness and ethical behaviour, including compliance with all legal requirements.

There is no circumstance under which it is acceptable for KA or any of its employees or contractors to knowingly and deliberately not comply with the law or to act unethically in the course of performing or advancing KA's business.



## B4 FUTURE FUND

Scheduled Reviewed Triennially or as required

Date of Board Approval 30 May 2016 Updated: 11 November 2019

### Purpose

The KA Future Fund ("Future Fund") is a financial planning tool that will allow the Board to make plans now and in the future during times of prosperity to ensure the long term financial security of the company and to provide for future investment in services and infrastructure that will strengthen the sport of karting for decades to come.

The Future Fund is a special bank account into which KA will deposit the gains of strong financial management in the 'good times' to reinvest into our sport so as to secure the long-term future of karting in Australia.

Through the Future Fund, the members of tomorrow will share in the proceeds of today's sound financial management and growth for many years and decades to come. Through the Future Fund, KA will build a stronger sport of karting.

### Vision

KA's Future Fund will preserve the benefits of our currently improved revenue streams and allow the Board to set aside the wealth created in a given period of prosperity for use at a later point in time for future generations of competitors.

The Future Fund will quarantine revenue from KA's current and future operating surplus activity for investment that will provide ongoing benefits to Karting and to current and future competitors.

### How It Will Work

#### Management And Investment Strategy

The Future Fund will be managed by the KA Board. A separate interest-bearing bank account will be opened in the name of **Australian Karting Association Ltd Future Fund**.

#### Payments Into The Fund

1. Payments into the Future Fund will be made only in years when KA is operating in surplus.
2. The KA Board will determine at its discretion, the amount to be paid into the Future Fund each year.
3. Deposits into the Future Fund will only be made after the close of the financial year and following audit of the accounts for that year.
  - a. Following is the basis of the considerations of the Board as to the amount to be deposited into the Future Fund in any year (after audit):
 

• Trading Surplus – Less than \$100,000	30% of surplus
• Trading Surplus – \$100,001 - \$200,000	50% of surplus
• Trading Surplus – \$200,001 - \$400,000	70% of surplus
• Trading Surplus – More than \$400,001	75% of surplus
• Bequests & Donations to Karting Australia	100% of Bequests & Donations
4. The strategy to accrue benefits into the Future Fund will be reviewed by the Board from time to time.

#### Investment Strategy

The Board will determine the investment strategy of the Future Fund from time to time but will generally take a conservative approach to investments.

#### Payments Out Of The Fund

Once a minimum balance (as determined by the Board) is accrued, funds will become available for infrastructure and initiatives that will yield ongoing benefits to the sport of karting including:

- Investments in physical infrastructure which have significant and long-lasting benefits for the sport.
- Investments in other initiatives which will build long-lasting benefits for the sport.

The Future Fund would not be expected to support the regular operating expenses of Karting Australia.

#### Reporting

The Future Fund will be shown as an asset on the Karting Australia Balance Sheet.

## B5 2023 NATIONAL CLUB AFFILIATION REQUIREMENTS

Scheduled Reviewed

Annual

Date of Board Approval

28 November 2022

Club affiliation with a State Karting Association (SKA) and KA for the year commencing 1 January 2023, is conditional upon full compliance with the following National Affiliation Requirements: -

- a) Completing the Club Affiliation Form and submitting it to your SKA together with payment of the National Club Affiliation Fee of \$50.00
- b) The club maintaining ongoing currency as an entity in accordance with relevant State, Territory or Commonwealth requirements – see **APPENDIX A**.
- c) Having all of the Club's participants (Competitors, Drivers and Officials) registered on Karting Australia's KOMP portal and ensuring that only employees, volunteers, Officials and contractors to the Club who are required by State Law to have applied for and received a Working With Children Check fill such roles at any organised and sanctioned Club activity.
- d) Club acceptance and compliance with its SKA constitution and the KA Constitution, Rules, Regulations, Policies, Procedures, Safety Standards and instructions, issued by KA, including but not limited to:
  - (i) National Competition Rules
  - (ii) Decisions of the Board and directives issued by KA
  - (iii) Karting Integrity Framework including the Member Protection Policy and Child Safeguarding Policy
  - (iv) Privacy Policy
  - (v) Anti-discrimination, Harassment and Bullying Policy
  - (vi) Observed Driving Session Policy
  - (vii) Social Media Policy
  - (viii) Code of Conduct
  - (ix) Licencing Rules
  - (x) Risk Management Policy
  - (xi) Officials Licence Policy
  - (xii) Organised Social (Recreational) Karting Session Regulations

KA's Bylaws and Policies can be found online at: <https://www.karting.net.au/administration/by-laws-policies>.

- e) Clubs must: -
  - (i) Ensure that all karting activities – both Competition karting and recreational Karting Activities are conducted in accordance with the Rules and Regulations and under the provision of a properly issued Organising Permit by appropriately Accredited and Licenced Officials.
  - (ii) Have achieved and will maintain KARM (Karting Australia Risk Management) Level 2 Accreditation and will work towards achievement of higher level of KARM as they are released.
  - (iii) Comply with KA and SKA requests for club and participant information in a timely manner.
  - (iv) Follow the KA injury and incident reporting procedures, including completion of injury report forms. All injuries must be documented in accordance with the injury report procedure.
  - (v) Ensure that at least two (2) members of the Club Executive or Committee have successfully completed the Volunteer Management Course in the KA Officials Academy.
- f) Throughout 2023, Clubs must maintain a commitment to progressively work to:
  - (i) Achieve and maintain the highest levels of KARM Accreditation as the training modules become available.
  - (ii) Ensure the Club meets its employment obligations, including the appropriate level of WorkCover insurance.
  - (i) Maintain an ongoing compliance with the basic venue safety requirements, including but not limited to:
    - Having the Current Organising Permit on prominent display on the Club Notice Board and/or at the Out Grid at all Club venues at all times that a karting activity is taking place.

- Having the latest approved Waiver/Disclaimer signs on display in the grid area and at any entrance into the facility.
- Having Safety Rules on prominent display at all club venues.
- Having Private Practice Rules on prominent display at the Out Grid at all club venues at all times.
- Ensuring that trial evacuation exercises (Fire Drills) are conducted at least twice per year.
- Ensuring that at least one currently qualified First Aider, is on site and accessible in accordance with the KA Rules.
- Ensuring that a fully equipped, regularly maintained First Aid Kit is on site and accessible during all KA Permitted Karting activities.
- Ensuring that a working telephone either landline or mobile is on site, operational and accessible during all KA Permitted Karting activities and emergency contact numbers are on prominent display near the handset or other prominent place.
- Implementing an MPIO procedure wherein at least one person per club has completed the online MPIO Course by the beginning of the Calendar year. The Club MPIO should be a person who is not on the Club executive. Some exemptions to this requirement may, be given to smaller clubs upon application to KA or the SKA.

## APPENDIX A

### Incorporated Club Responsibilities

Legislation differs in each state or territory, so it is difficult to outline detailed requirements for Incorporated Bodies (Associations and Clubs), but basically, an incorporated association may need to:

- Have a current constitution and act in accordance with its objects and rules
- Have a committee, responsible for managing the Club<sup>®</sup>
- Have a public officer
- Have a registered office in its state of incorporation
- Hold an annual general meeting once every calendar year
- Lodge an annual statement every year
- Keep proper accounting records and, where required, prepare, have audited and lodge financial statements
- Keep minutes of all committee and general meetings.
- Keep registers of members and all committee members

For more information about incorporating an association and post-incorporation obligations, visit the website of the relevant State or Territory authority.

## B6 2023 FEES

Scheduled Reviewed

Annual

Date of Board Approval

28 November 2022

ORGANISING PERMIT FEES	KA CHARGE
Australian Kart Championship Event	\$1790.00
National Series Event	\$1340.00
National Cup Event	\$1175.00
State Kart Championship Event	The Organising Permit Fee for these Events are set and retained by each State Karting Association. Refer to your SKA for details.
State Series Event	
State Cup Event	
State Trophy Event	
Zonal Competition Event	
Club Competition	
Temporary Circuit Event	Upon Application to KA
LICENCES	KA CHARGE
<b>AUSTRALIAN RACING LICENCES</b> (Including Insurance)	
KA Licence A, B, C, D Grade – Licence Renewal - Cadet, Junior, Senior	Refer to your State Karting Association.
KA Licence A, B, C, D Grade – Late Licence Renewal - Cadet, Junior, Senior	
KA Licence A, B, C, D Grade – New Licence - Cadet, Junior, Senior	
KA 8-Day Licence (1 per year only for any person)	\$80.00
<b>INTERNATIONAL RACING LICENCES</b>	
International Driver's Licence <sup>®</sup>	\$750.00
International Driver's Licence – Upgrade or Downgrade	\$320.00
International Competitor's (Entrant's) Licence	\$160.00
Approval to Compete in International Event/s on an International Licence issued by KA. For each application made - may include multiple events.	\$215.00
Trans-Tasman Visa (New Zealand)	\$160.00
<b>RACING OVERSEAS ON A KA DOMESTIC LICENCE</b>	
Approval to Compete overseas on KA Domestic Licence. For each application made - may include multiple events.	\$215.00
<b>KA NON-RACING LICENCES - SOCIAL, VINTAGE and PARTICIPANT'S LICENCES</b> (Including Insurance)	
KA Licence E Grade - Recreational (non-competition) – New or Renewal	Refer to your State Karting Association.
KA Vintage Licence	
Karting Activity Controller (KAC) (New Level 5 Licence for practice control)	\$20
KA Participant's Licence	No Charge
<b>JUDICIARY</b>	
Protest (National Championship, National Series, National Cup)	\$590.00
Protest From any other Competition	\$120.00
Appeal (Tribunal - State and Club Level Meetings)	\$765.00
Appeal (Tribunal – National Level Meetings)	\$4,115.00
Appeal to AMSAC	Apply to Motorsport Australia
<b>NATIONAL INFRASTRUCTURE DEVELOPMENT FUND LEVY</b>	
Applies to all entries at all Events (No GST)	KA CHARGE \$3.00
<b>PHOTOGRAPHERS ACCREDITATION</b>	
Photographers Accreditation – New or Renewal   Includes Vest	KA CHARGE \$160.00
<b>DEALER TRADE LICENCE</b>	
Dealer Trade Licence – New or Renewal	KA CHARGE \$650.00

Note: All fees are inclusive of 10% GST where applicable.

## COMPONENT HOMOLOGATION AND APPROVAL FEES

Component	Application Fee + GST	Testing Evaluation & Parity Review Fee + GST	Approval For Use in Competition Fee + GST
<b>ENGINE</b>	<b>\$ 4,300.00</b>	<b>TBA</b>	<b>\$ 5,345.00</b>
A Homologated engine is a complete stand-alone power unit that includes carburettor and ignition system and may also include a cooling system, starting system, clutch system, induction system and exhaust system.			Plus either: An annual fee or a royalty per engine sold.
<b>EVOLUTION COMPONENT</b>	<b>\$ 2,675.00</b>	<b>TBA</b>	<b>TBA</b>
It is recognised that motorsport is constantly evolving. For reasons of quality improvement, design improvement, safety, production costs and manufacturing considerations, Components 'evolve'.			
In this policy such developments of Components are referred to as an "Evolution Component".			
Evolution Components must be able to be interchangeably used with the previously used component.			
<b>AFTER MARKET COMPONENT</b>	<b>\$ 2,675.00</b>	<b>TBA</b>	<b>\$ 2,675.00</b>
This is a component that may be approved to replace an Original Equipment Manufacturer (OEM) Component in any KA Homologated engine or component.			Plus either: An annual fee or a royalty per engine sold.
Aftermarket Components are not classed as a "Non-Tech components"			
Acceptance of an aftermarket component will generally be based on reasons of cost benefits, availability, safety and any known possible negative issues of an OEM component.			



## **B7 COMPLAINTS AND DISCIPLINE OF MEMBERS BY-LAW**

Scheduled Reviewed Triennially or as required

Date of Board Approval: 28 November 2022

### **1. Purpose**

KA provides an environment which protects the health, safety, and wellbeing of all members of KA, including all those who participate in the activities of KA, its Affiliated State bodies and Clubs, competitors, officials, volunteers, employees, organisers, and spectators.

If a Member is reasonably suspected to have breached our Non-sporting Rules, that Member may be subject to a Complaint and, if necessary, an Investigation conducted in accordance with this Disciplinary By-law and/or a Disciplinary Hearing and/or Disciplinary action in accordance with the procedures and powers detailed in By-law B8.

This By-law provides the mechanism and procedures for dealing with grievances, complaints, malpractice, and non-compliance with KA's Non-sporting Rules, and the application of discipline that may be required to ensure compliance with the Non-sporting Rules by our Members and their right of Appeal.

The Complaints Process should be independent, transparent, and fair for all involved in Karting, while dealing with complaints efficiently and effectively to ensure confidence that prohibited conduct will be managed via the most appropriate resolution and discipline mechanism.

### **2. Definitions**

Defined terms not otherwise defined in this By-law have been defined in and have the meaning given to them, in the KA "Australian Karting Manual - National Competition Rules" (**NCR**), KA Constitution, KA Integrity Policies including, for the sake of clarity, the KA Integrity Framework (**KIF**). The following words have the corresponding meaning:

**Alleged Breach** has the meaning given in clause 3.2.

**Alternative Dispute Resolution** is a collective term for processes, such as mediation, to resolve disputes without the need for litigation that will be applied to resolve the alleged breach in accordance with clause 5.5.

**Appeals Tribunal** means the appeals tribunal established under clause 9, being either an Internal Tribunal as provided by this By-law or the National Sports Tribunal (NST).

**Arbitration** means the hearing and binding determination of a dispute conducted by a Hearings Tribunal or Appeals Tribunal.

**Complaint** means a formal notification, using a KA Complaint Form, of a complaint relating to Prohibited Conduct by a Respondent of an Eligible Policy in relation to KA's Non-sporting Rules.

**Complaints Process** means the process of handling and resolving a Complaint under this By-law from the point where the Complaint is received to the finalisation of the Resolution Process.

**Complainant** means a person who or an organisation which makes a Complaint about an Alleged Breach

by a Respondent in accordance with this By-law.

**Concern** means a preliminary advice, using a Concern Form, that a Member/s may not be complying with KA's Non-sporting Rules.

**Disciplinary Action** means disciplinary action as set out in the Resolution Process.

**Eligible Policies** means the following Karting integrity policies adopted under the KIF

- a. Child Safeguarding Policy;
- b. Competition Manipulation and Sport Wagering Policy;
- c. Improper Use of Drugs and Medicine Policy;
- d. Member Protection Policy;
- e. Karting Integrity Framework.

**Employment Matter** means a Complaint directly relating to allegations concerning an Employee acting in the course of their employment duties.

**Hearings Tribunal** means the first instance tribunal established under clause 8, being either an Internal Tribunal or the NST as provided by this By-law.

**KA National Complaints Officer** as defined in the 'KIF'.

**KA National Integrity Manager** as defined in the 'KIF'.

**Karting** as defined in the 'KIF'.

**Legal Practitioner** is a person holding a current practising certificate as a lawyer or barrister in any Australian jurisdiction.

**NST** means the National Sports Tribunal.

**NST Eligible Matter** means an Alleged Breach that is a kind of dispute<sup>1</sup> that falls within the jurisdiction of the NST.

**NST Excluded Matter** means an Alleged Breach that is a kind of dispute that is expressly excluded from the NST's jurisdiction.

**NST Legislation** means the National Sports Tribunal Act 2019 (Cth) (**NST Act**) and all legislative and notifiable instruments adopted under the NST Act<sup>2</sup>

**Non-sporting Rules** means KA's Constitution, By-laws, Rules (other than those that are required to be dealt with by Stewards, and/or Disciplinary Tribunal's and/or Investigatory Tribunal's as specified in the National Competition Rules), Policies – including but not limited to the KA Integrity Framework, Member Protection Policy, Child Safeguarding Policy, Procedures and Regulations.

<sup>1</sup> See NST Legislation for more information

<sup>2</sup> Such as the National Sports Tribunal Rule 2020 (Cth), National Sports Tribunal (Practice and Procedure) Determination 2020 (Cth), National Sports Tribunal Act 2019 – Principles for Allocating a Member to a Dispute 2020 (Cth), or such other legislative instruments issued under the NST Act from time to time.



**Personal Grievance** means any form of grievance between two or more people that does not concern or allege a breach of an Eligible Policy.

**Policy** means this Complaints, Disputes of Members By-law, including any schedules and annexures.

**Prohibited Conduct** means conduct described as such in an Eligible Policy.

**Provisional Action** has the meaning given in clause 5.6.

**Protected Disclosure** means, where a Sport Organisation is a “regulated entity”<sup>3</sup> under the whistleblower laws<sup>4</sup> in the *Corporations Act 2001* (Cth), a disclosure of information to the Sport Organisation that qualifies for protection under those laws<sup>5</sup>.

**Relevant Organisation** has the meaning given in the ‘KIF’.

**Relevant Person** has the meaning given in the ‘KIF’.

**Resolution Process** means the chosen process for resolving an Alleged Breach under this By-law, including a Breach Offer.

**Respondent** means the person/s or organisation/s against whom a Complaint has been made.

**Sanction** means a sanction imposed on a Respondent for breaching an Eligible Policy in accordance with clause 7.5.

**Vulnerable Person** means a person who is (a) under the age of 18; or (b) aged 18 or over but is or may be unable to take care of themselves or is unable to protect themselves against harm or exploitation, by reason of age, illness, trauma or disability, or any other reason.

**Whistleblower Policy** means a policy which is compliant with the requirements of section 1317AI (1) of the *Corporations Act 2001* (Cth).

### 3. Preliminary Matters

#### 3.1 What is a Complaint?

A Complaint means a complaint lodged with a KA Affiliated Club, Member State or KA National Complaints Officer in accordance with clause 4.1 of this By-law.

Any Member, the KA Board, or the KA CEO (**Complainant**) may raise a Concern or make a formal Complaint about a Member in relation to any alleged breach of our Non-sporting Rules if they reasonably believe that a person or a member organisation has breached the Non-sporting Rules.

#### 3.2 What is an Alleged Breach?

<sup>3</sup> Refer to section 1317AAB of the Corporations Act 2001 (Cth).

<sup>4</sup> As above, Part 9.4AAA.

<sup>5</sup> As above, s 1317AA.

- a. An Alleged Breach is an allegation or information that a Relevant Person or Relevant Organisation (including KA or Karting Organisations where appropriate) has engaged in Prohibited Conduct under an Eligible Policy but does not include a Complaint that falls under clause 3.3(a).
- b. It is a breach of this By-law for any person or organisation bound by this By-law to do anything contrary to this By-law, including but not limited to:
  - i. Breach the Code of Conduct;
  - ii. Bring the sport and/or KA into disrepute, or act in a manner likely to bring the sport and/or KA into disrepute;
  - iii. Fail to follow KA Policies;
  - iv. Engage in Prohibited Conduct
  - v. Engage in misconduct or serious misconduct;
  - vi. Appoint or continue to appoint a person to a role that involves working with Children contrary to the Integrity Policies
  - vii. Discriminate against or harass or bully any person;
  - viii. Victimise another person for making or supporting a Complaint;
  - ix. Verbally or physically assault another person, intimidate another person, or create a hostile environment within the sport and/or KA;
  - x. Disclose to any unauthorised person or organisation any KA information that is of a private, confidential, or privileged nature;
  - xi. Make a Complaint they knew to be untrue, vexatious, malicious or improper;
  - xii. Fail to comply with a penalty imposed after a finding that the individual or organisation has breached this By-law;
  - xiii. Fail to comply with a direction given to the individual or organisation during the discipline process; or
  - xiv. Act in any way contrary to this By-law.

### 3.3 What is not an Alleged Breach?

- a. An Alleged Breach does not include an allegation or information:
  - i. that does not relate to Prohibited Conduct under an Eligible Policy;
  - ii. that constitutes a Protected Disclosure;
  - iii. that is solely a Personal Grievance;
  - iv. that is mischievous, vexatious, or knowingly untrue;
  - v. that has been the subject of a previous complaint; or
  - vi. where the Respondent is excluded by clause 3.5.
- b. A Complaint is not excluded from being an Alleged Breach by clause 3.3(a)(v) if the Complaint contains additional information and evidence that was not known at the time of the original Complaint.

### 3.4 Who can be a Complainant?

- a. A Complainant can be any Relevant Person or organisation including KA or a Relevant Organisation, who has information that an Alleged Breach of an Eligible Policy has occurred.
- b. KA aims to ensure our Complaints procedure has integrity and is free of unfair repercussions or Victimisation against any person making a complaint.
- c. If at any point in the Complaint process the CEO, or a person or persons appointed to investigate a Complaint considers that a Complainant has knowingly made an untrue Complaint or the Complaint is vexatious or malicious, the matter may be referred to the KA Internal Tribunal or the National Sports Tribunal (NST) for appropriate action which may include disciplinary action against the complainant.

- d. KA and Member States and Affiliated Clubs should also take all necessary steps to make sure that people involved in a Complaint are not victimised by anyone for coming forward with a Complaint or for helping to resolve. Disciplinary measures will be imposed on anyone who victimises another person for making a Complaint.

### 3.5 Who can be a Respondent?

- a. A Respondent must be a Relevant Person or a Relevant Organisation who is bound by the Eligible Policy they are alleged to have breached.
- b. In accordance with clause 2.1 (e) of the KIF, a person or organisation who was bound by the Eligible Policy that they are alleged to have breached at the time they allegedly committed the breach who would otherwise cease to have been bound by that Eligible Policy may still be a Respondent if they were bound by the Framework at the time when they became aware that a complaint may be made against them.
- c. Once a Complaint has been made under this By-law, the Respondent will continue to be bound by this By-law and the relevant Eligible Policy/ies in respect of that Complaint and any related complaint until the Complaints Process has been finalised.
- d. A Respondent cannot be a person or organisation that KA or a Karting Organisation has no jurisdiction over.
- e. The Complainant and the Respondent(s) will be entitled to support throughout this process from their chosen support person or adviser. However, a support person or advisor cannot be a support person if he or she has been admitted to practice as a lawyer or worked as a trainee lawyer.

### 3.6 Standard of Proof

- a. Unless otherwise specified, this standard of proof that applies to all decisions made under this By-law (including by a Hearings Tribunal) is “balance of probabilities”.
- b. Where a Respondent has been convicted or found guilty in a criminal, disciplinary or professional proceeding of engaging in conduct which would be a breach of an Eligible Policy, the Respondent is deemed under this By-law to have committed Prohibited Conduct without requiring further investigation.

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### 3.7 Confidentiality

- a. All Complaints (and all information disclosed in relation to them), including the outcomes of any Resolution Process, will be kept confidential by KA, and Karting Organisations, and will not be disclosed to any third parties, except as provided in this clause.
- b. KA may make the following disclosures:
  - i. to Karting Organisations in accordance with this By-law;
  - ii. to the parties to a Complaint (Respondent and the Complainant) to ensure a fair process;
  - iii. to any person to facilitate the proper handling of the Complaint under this By-law;
  - iv. in accordance with clause 5.1, where a Complaint is determined to not be an Alleged Breach under this By-law;
  - v. to the employer of a Respondent, where KA considers it reasonably necessary to allow the employer to take action under and in accordance with the Respondent’s employment relationship with the employer;
  - vi. to external agencies so they can deal with the alleged conduct (e.g., law enforcement agencies, government or regulatory authorities, a child protection agency);
  - vii. to:
    - A. Relevant Organisations
    - B. Relevant Persons

- to inform them of relevant Sanctions or Provisional Actions imposed;
- viii. in accordance with clause 3.8, where a sanction is to be publicly disclosed;
- ix. to any third party, including foreign sporting bodies, law enforcement agencies and government or regulatory authorities, for the primary purpose of:
  - A. preventing or lessening a risk to the safety, health, or wellbeing of a person; or
  - B. protecting children participating in a sport, or
  - C. protecting the safety of participants in a sport;
- x. in response to a request by a House or a Committee of the Parliament of the Commonwealth of Australia; and
- xi. as required by law, any court or the NST.
- c. KA and Relevant Organisations may make the following disclosures:
  - i. to the parties to an Alleged Breach (Respondent and the Complainant) in relation to the Resolution Process;
  - ii. to the employer of a Respondent, in accordance with clause 5.6(d) or as otherwise necessary to allow the employer to take action under and in accordance with the Respondent's employment relationship with the employer where:
    - A. one or more other employees of the Respondent's employer may be at risk of suffering harm; or
    - B. the employer may be in breach of an applicable law by failing to take action in relation to the Respondent;
  - iii. to any person to facilitate the proper handling of the Alleged Breach, including any Provisional Action under this By-law;
  - iv. to external agencies so they can deal with Alleged conduct (e.g., law enforcement agencies, government or regulatory authorities, a child protection agency);
  - v. to:
    - A. Relevant Persons; or
    - B. Relevant Organisations,
 To inform them of relevant Sanctions or Provisional Action imposed;
  - vi. in accordance with clause 3.8, where a Sanction is to be publicly disclosed;
  - vii. to any third party for the primary purpose of:
    - A. preventing or lessening a risk to the safety, health, or wellbeing of a person; or
    - B. protecting children participating in a sport; or
    - C. protecting the safety of participants in a sport; and
  - viii. as required by law, any court or the NST.

### 3.8 Public disclosure of Sanctions

- a. Where an Alleged Breach is found to have been substantiated and Sanctions are imposed, the Internal Tribunal or Sport Integrity Australia may give recommendation to KA that the Sanctions imposed are to be publicly disclosed where the Internal Tribunal or Sport Integrity Australia reasonably considers that this is necessary to give full effect to the Sanctions. The direction will include the period for which the Sanction is to remain on the public register. Where the Sanctions are imposed by the NST the public disclosure of the Sanctions will be in accordance with the NST legislation.
- b. Sanctions that may be subject to a direction of public disclosure include, but are not limited to:
  - i. Suspension of membership or from certain activities;
  - ii. Removal of accreditation; and
  - iii. Expulsion.

- c. KA will maintain a register of persons subject to publicly disclosable Sanctions on its website. The public register will include the name of the individual or organisation being sanctioned, the Sanction imposed, and the period of the Sanction. KA will remove Sanctions from the public register when the period of disclosure determined by KA in accordance with clause 3.8(a) has expired.
- d. Details of Breaches will not be published on KA's website, but where appropriate, may be disclosed to third parties (such as to the National Sport Organisation for another sport that the individual who committed the Breach is a member of) in accordance with clauses 3.7 (c)(vi) and 3.7 (c)(vii) (as applicable).
- e. Sanctions will not be publicly disclosed until the Complaint has been finalised in accordance with clause 10.

### 3.9 Failure to cooperate

- a. Subject to clause 3.9(c), persons bound by this By-law must cooperate fully with a Complaints Process they are involved in, including any Resolution Process chosen to resolve an Alleged Breach.
- b. Subject to clause 3.9(c), a Hearing Tribunal or an Appeals tribunal may draw an inference adverse to the Respondent based on a Respondent's failure or refusal, after a request has been made in a reasonable time in a reasonable time in advance, to answer any relevant question, provide relevant documentation, and/or participate in the Complaints Process. The Respondent must be made aware of such an inference being drawn in relation to any particular allegation forming part of an Alleged Breach.
- c. No individual or organisation bound by this By-law is required to answer a question or provide information where to do so would be a breach of any applicable law, and no adverse inference (such as those in clause 3.9(b)) may be drawn where that individual or organisation discloses the relevant law.

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### 3.10 Vulnerable Persons

- a. Where a Complainant or Respondent is a Vulnerable Person, the parent or guardian of the Vulnerable Person may act on behalf of the Vulnerable Person and accompany them throughout the Complaints Process, including any interview, Alternative Dispute Resolution process, or Hearings Tribunal or Appeals Tribunal.
- b. KA and Relevant Organisations will have regard to the guide entitled "Complaint Handling Guide: Upholding the rights of children and young people" issued by the National Office for Child Safety in managing Complaints made on behalf of or involving Vulnerable Persons, currently available at [Complaint Handling Guide: Upholding the rights of children and young people \(pmc.gov.au\)](https://pmc.gov.au/complaint-handling-guide), or such other guide that may replace it.
- c. This clause is at all times subject to clause 8.1(b) and 8.2(b) of this By-law and Karting Australia By-law 8.

### 3.11 Appointment of KA National Complaints Officer

KA will appoint a person to be the KA National Complaints Officer, who will be the person within KA with primary responsibility for managing KA's obligations under this By-law.

### 3.12 Time Limits

Where there is a time limit imposed by this By-law (other than a time limit relating to a Hearing Tribunal or Appeals Tribunal before the NST) and a person requests an extension to that time limit, KA may at its discretion grant the extension, having regard to any relevant circumstances.



## 4. How to Make a Complaint

### 4.1 Submitting a Complaint

- a. A Relevant Person, Relevant Organisation, or KA may submit a Concern by completing the KA Concern Form or a Complaint by completing the KA Complaint Form and submitting it to the relevant authority (Affiliated Club, Member State and/or KA National Complaints Officer). If a Concern or Complaint relates to behaviour or an incident that occurred at the:
  - i. **Club level**, or involves people operating at the Club level, then the KA Concern/Complaint should be reported to and handled by the relevant Club in the first instance.
    1. Note: The Club upon receiving a properly completed KA Concern/KA Complaint Form must provide a copy of the KA Concern/KA Complaint Form to their Member State for their information.
  - ii. **State level**, or involves people operating at the state level, then the Concern/Complaint should be reported to and handled by the relevant Member State in the first instance.
    1. Note: The Member State upon receiving a properly completed KA Concern/Complaint Form must provide a copy of the KA Concern/Complaint to KA for their information.
  - iii. Only matters that relate to, or which occurred at, the **National level**, as well as serious cases referred from the Member State and club level, should be referred using the appropriate KA Concern/Complaint Form to the KA Complaint Officer and dealt with by KA.
- b. A KA Concern/KA Complaint Form may only be submitted on behalf of KA or a Karting Organisation by the CEO or equivalent of the organisation.
- c. A KA Concern/KA Complaint Form may be submitted by a parent or guardian on behalf of a Vulnerable Person.
- d. A KA Concern/KA Complaint Form cannot be submitted anonymously.
- e. KA Complaints Officer or equivalent at an Affiliated Club and/or Member State will acknowledge receipt of the KA Complaint Form.

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### 4.2 Withdrawing a Complaint

- a. A Complainant may withdraw their Complaint at any time before KA makes a finding under clause 6.1.
- b. Withdrawing a Complaint must be done by writing to Affiliated Club/Member State/KA, to which it was submitted unless the Complaint was referred to KA in accordance with Clause 4.1(a)(iii) above, in which case, the withdrawal notice, must be sent to the KA Complaints Officer.
- c. Withdrawing a Complaint must be done by writing from the same contact address used in the KA Complaints Form, or another contact address that has been previously notified to KA during the Complaints Process.

## 5. Complaint Assessment

### 5.1 Initial Threshold Questions/Determining whether the Complaint is in-scope

- a. Upon receipt of a KA Complaint Form, the complaint receiver organisation must initially determine whether:
  - i. the Complaint is a Protected Disclosure, in which case it must be dealt with under the KA

Whistleblower Policy;

- ii. the Complaint is solely a Personal Grievance;
  - iii. the Complaint is not an Alleged Breach of an Eligible Policy;
  - iv. the Complaint is mischievous, vexatious, or unknowingly untrue;
  - v. the Respondent is not an eligible Respondent as outlined in clause 3.5;
  - vi. the Complaint is primarily an Employment Matter;
  - vii. the Complaint relates to Prohibited Conduct under an Eligible Policy which also falls under another KA policy; or
  - viii. the Complaint requires mandatory reporting to occur under Australian Child Protection Legislation or other laws, in which case KA and/or Karting Organisation must do so in accordance with the KA Child Safeguarding Policy<sup>6</sup>.
- b. Subject to clause 5.1(e), if the Complaint falls within any of the circumstances set out in clause 5.1(a)(i) to (v), the process under this By-law is permanently discontinued.
- c. If a Complaint falls within the circumstances set out in clause 5.1(a)(viii), it will be handled in accordance with clause 5.4.
- d. Complaints that fall under clauses 5.1.(a)(i) to (v) should be dealt with by KA or a KA Organisation under the appropriate processes.
- e. In assessing a Complaint that falls under clauses 5.1 (a)(vi) or (a)(vii), KA and/or a KA Organisation will undertake a risk assessment which considers the following:
- i. the overall risk to Karting; and
  - ii. whether the Respondent is engaged or accredited by KA or a Member Organisation in any capacity other than as an employee.
- f. After undertaking the assessment in clause 5.1(e), Complaints that fall under clause 5.1(a)(vi) or 29 (vii) may be referred to KA or a Karting Organisation to be dealt with under the appropriate process, which for Employment Matters includes the human resources policies of the Respondent's employer, in which case the process under this By-law is permanently discontinued, or they may be deemed to be Alleged Breaches within the scope of this By-law and assessed in accordance with this By-law.
- g. A determination by KA or a Karting Organisation under clause 5.1(f) to deem an Employment Matter to be an Alleged Breach within the scope of this By-law does not preclude the employer of the Respondent from taking its own separate action under and in accordance with the Respondent's employment relationship with the employer. Any such action may be taken in addition to any action taken by KA or a Karting Organisation under this By-law.

## 5.2 Notification to Parties

- a. KA and/or a Karting Organisation will communicate with the Complainant and the Respondent at appropriate intervals throughout the Complaints Process to keep them informed about the process until a Resolution Process has been chosen or the Complaints Process is otherwise discontinued, including
- i. notifying the Complainant of whether the Complaint satisfies the Initial Threshold Questions, including whether it has been referred to KA or a Karting Organisation or to an external referral organisation;
  - ii. after a Complaint is determined to have satisfied the Initial Threshold Questions and when KA or a Karting Organisation considers that it is appropriate to do so, notifying the Respondent that a Complaint has been made against them;

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<sup>6</sup> Refer to the "Responding to Child Abuse Allegations" Annexure A in the KA Child Safeguarding Policy.



- iii. notifying the Respondent of any Provisional Actions to be put in place;
  - iv. notifying both the Complainant and the Respondent if the Complaint is referred to Alternative Dispute Resolution under clause 5.5;
  - v. notifying both the Complainant and the Respondent of the Resolution Process chosen; and
  - vi. providing a Breach Notice to the Respondent.
- b. The Respondent will not be entitled to a copy of the Complaint Form as submitted by the Complainant but will be provided with a summary of the Alleged Breach(es) and sufficient details of the Complaint to allow them to respond. Both the Complainant and the Respondent will be informed of any relevant additional information that becomes known as part of the assessment process and provided with a reasonable opportunity to respond.
- c. KA and/or Karting Organisation will be responsible for communicating with the Respondent throughout the Resolution Process and will notify both the Complainant and the Respondent of the outcome of the Complaints Process when it has been finalised in accordance with clause 10.

### 5.3 Assessment

- a. If a Complaint is found to have met the Initial Threshold Question and is not permanently discontinued, KA and/or Karting Organisation will undertake an assessment and may collect further information to determine:
  - i. if the Complaint is an Alleged Breach; and
  - ii. if so, the most appropriate Resolution Process to deal with the Complaint.
- b. Subject to 5.3(d), an assessment may be conducted in such a manner as determined by KA and/or Karting Organisation in its absolute discretion. KA and/or Karting Organisation may, on the basis of the assessment, make findings as to whether the Standard of Proof has been met in respect of the Alleged Breach.
- c. This assessment may or may not involve formal interviews and collection of additional evidence at KA's and/or Karting Organisation's discretion.
- d. In conducting assessments, KA and/or KA Organisations will comply with the rules of procedural fairness and will provide both the Complainant and the Respondent a reasonable opportunity to be heard.
- e. During an assessment, investigatory or disciplinary proceedings under this By-law, the CEO may determine at their discretion, that a respondent may not participate in Karting, and/or attend a Karting Facility, pending the determination of such proceedings (including any available appeal).

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### 5.4 External Referral

- a. KA and/or Karting Organisation may, at any time before or while dealing with a Complaint under this By-law, refer the Complaint to a relevant external organisation (this may include law enforcement agency, government or regulatory authority or child protection agency).
- b. If an external referral is made, KA and/or Karting Organisation may suspend the Complaints Process pending external resolution. KA and/or Karting Organisation shall inform the Complainant of any such decision unless directed not to do so by the external referral organisation.
- c. If the Resolution Process is suspended due to an external referral, KA and/or Karting Organisation must determine whether any Provisional Action should be taken against the Respondent under clause 5.6.
- d. If the Complaint is not resolved by the external referral organisation and is referred back to KA and/or Karting Organisation, KA and/or Karting Organisation may resume the Complaints Process.

## 5.5 Referral to Alternative Dispute Resolution

- a. At any time after determining that the Complaint satisfies the Initial Threshold Questions but before making a finding in accordance with clause 6.1, KA and/or Karting Organisation may, where it considers it appropriate to do so, refer the Complainant and the respondent to Alternative Dispute Resolution and direct the KA National Complaints Officer to coordinate the process.
- b. KA and/or Karting Organisation, the Respondent or the Complainant may, at any time before a finding is made under clause 6.1, request that KA and/or Karting Organisation refer a matter to Alternative Dispute Resolution under clause 5.5.(a).
- c. An Alternative Dispute Resolution process may include:
  - i. Mediation;
  - ii. Conciliation; or
  - iii. Case Appraisal (only at the NST).
- d. In accordance with clause 5.5(e), the Alternate Dispute Resolution process will be facilitated by:
  - i. The NST if the Alternative Dispute Resolution process can be facilitated by the NST;
  - ii. Where the Alternative Dispute Resolution process cannot be facilitated by the NST, by:
    - A. KA
    - B. Karting Organisation; or
    - C. An independent third-party provider.
- e. In order to implement the Alternative Dispute Resolution process, the KA National Complaints Officer will:
  - i. if the matter is an NST Eligible Matter, make an application to the NST for mediation, conciliation, or case appraisal of the Alleged Breach;
  - ii. if the matter is neither an NST Eligible or NST Excluded Matter, apply to the NST CEO for <sup>31</sup> approval of the dispute to be referred to the NST for Alternative Dispute Resolution, failing which it will be dealt with under (iii); or
  - iii. refer the Complaint to Alternative Dispute Resolution facilitated by KA, a Karting Organisation or a third-party provider.
- f. The parties to an Alternative Dispute Resolution process will be the Complainant, the Respondent, and KA or a Karting Organisation (the Parties). Additional persons may participate in exceptional circumstances and only if the facilitator of the Alternative Dispute Resolution process deems it appropriate.
- g. The Parties are required to participate in the Alternative Dispute Resolution process in good faith.
- h. Where the Alternative Dispute Resolution process is facilitated by the NST:
  - i. KA and/or Karting Organisation is responsible for making the application and paying the application fee; and
  - ii. The procedure will be in accordance with the NST Legislation.
- i. Where the Alternative Dispute Resolution process is facilitated by KA, a Karting Organisation, or a third-party provider:
  - i. KA and/or Karting Organisation is responsible for paying the appointed facilitator's fee, if any; and
  - ii. The procedure will be in accordance with the rules prescribed by those bodies, as the case may be.
- j. An Alleged Breach will be finalised through Alternative Dispute Resolution where KA, the Complainant and the Respondent execute a written agreement to an outcome.
- k. If the Complaint of an Alleged Breach is resolved through Alternative Dispute Resolution, the KA National Complaints Officer must proceed to finalising the complaint in accordance with clause 10.

- I. If:
- i. Either the Complainant or the Respondent fails and/or refuses to participate in the Alternative Dispute Resolution Process; or
  - ii. Alternative Dispute Resolution does not resolve the Complaint,
- the KA National Complaints Officer must refer the Alleged Breach back to KA and/or the Karting Organisation, who will resume the Complaints Process.

## 5.6 Provisional Action

- a. Where the Alleged Breach involves behaviour that:
  - i. may be “Prohibited Conduct” under the Child Safeguarding Policy; and/or
  - ii. has or may result in, serious criminal charges<sup>7</sup> being laid against the Respondent; and/or
  - iii. suggests there is a further or ongoing risk of harm being suffered by one or more persons involved in the Sport,KA and/or Karting Organisations will determine, in its absolute discretion, whether any Provisional Action(s) will be taken.
- b. Provisional Action includes, but is not limited to, suspension, restriction of duties or temporary redeployment, suspension or restriction of rights, privileges and benefits, or any other action(s) at the discretion of KA and/or Karting Organisations, including seeking advice from KA.
- c. In the event that Provisional Action is imposed a respondent may seek to have that decision reviewed only by an expedited hearing convened in accordance with clause 8. An expedited hearing convened under this clause shall only consider the decision to impose the Provisional Action and will not consider the merits of the Complaint.
- d. Where KA and/or Karting Organisation determines that Provisional Action will be taken in relation to an Employment Matter deemed to be an Alleged Breach within the scope of this By-law in accordance with clause 5.1(f) KA and/or Karting Organisation will provide the KA National Complaints Officer with all necessary information relating to that Employment Matter, which will be provided to the Respondent’s employer within a timely manner, to allow that employer to:
  - i. implement the Provisional Action in accordance with its obligations to the Respondent;
  - ii. determine whether separate action will be taken under the respondent’s employment with the employer; and
  - iii. if deemed necessary by the employer, take all relevant action in relation to the Employment Matter under the Respondent’s employment with the employer.

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## 5.7 Unreasonable demands/behaviours

- a. Where a Complainant makes unreasonable demands or exhibits unreasonable behaviour, such as:
  - i. raising the same issues, which have previously been reported, without presenting new evidence;
  - ii. unreasonable persistence regarding outcomes;
  - iii. unreasonable demands relating time timeframes for resolutions;
  - iv. being rude, aggressive, or abusive towards KA and/or Karting Organisations staff or volunteers.

Complaints may not be acknowledged, and KA and Karting Organisations may exercise discretion

<sup>7</sup> A “serious criminal charge” is a charge under the Commonwealth or State/Territory criminal law that is punishable by imprisonment for a maximum period of five years or more. Such offences include (but are not limited to) recklessly, negligently, or intentionally causing injury, indecent assault, theft, possession of child pornography, manslaughter, rape, sexual penetration of a child, sexual assault, drug trafficking.

to minimise or control its dealings with the Complainant. The Complainant will be given clear advice and reasons why.

## 6. Assessment Findings and Determination

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### 6.1 Findings and Determination of KA and/or Karting Organisations

- a. After conducting its Assessment of a Complaint under clause 5.3, KA and/or a Karting Organisation will determine if the Complaint is within scope of this By-law to:
  - i. make findings as to whether, to the requisite Standard of Proof, the Alleged Breach is:
    - A. substantiated;
    - B. unsubstantiated; or
    - C. unable to be substantiated.
  - ii. make a determination as to the Resolution Process to be applied, which will be:
    - A. No Further Action; or
    - B. Breach Notice.
- b. KA and/or Karting Organisation will notify the Complainant and the Respondent of its findings and determination under this clause.
- c. If we decide that a complaint should be investigated, we will follow the steps outlined below:
  - i. We will provide a written brief to the investigator that sets out the terms of engagement and his or her roles and responsibilities.
  - ii. Any Member that is to be the subject of an investigation under this By-law will be provided with full details of the complaint by way of an Investigation Notice that is completed by the CEO.
- d. The investigator will:
  - (i) Interview the Complainant, record the interview and document it in writing;
  - (ii) Interview the Respondent(s) to allow them to answer the complaint, record the interview and document it in writing;
  - (iii) Obtain statements from witnesses and collect other relevant evidence (if any);
  - (iv) Make a finding as to whether the complaint is:
    - 1) **substantiated** (there is sufficient evidence to support the complaint)
    - 2) **inconclusive** (there is insufficient evidence either way);
    - 3) **unsubstantiated** (there is sufficient evidence to show that the complaint is unfounded);
    - 4) **mischievous, vexatious, or knowingly untrue.**
  - (v) Provide a written Investigation Report to the CEO documenting the complaint, the investigation process, the evidence, and, if requested, any findings and recommendations.
    - 1) The investigation report should substantially replicate the template Investigation Report provided by Karting Australia.

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### 6.2 KA to Manage Resolution Process

- a. Relevant Organisations must implement the Resolution Process as determined by KA and/or a Member State and/or a Club.
- b. KA and/or a Member State, at its discretion may delegate the management of the Resolution Process to another Karting Organisation. When determining if the Resolution Process should be delegated, KA and/or the Member State must consider:
  - i. any conflict of interest that may arise if the Resolution Process were to be managed at the Karting Organisation level;
  - ii. the nature and seriousness of the Alleged Breach;
  - iii. whether the matter would best be resolved through the NST, which would require KA to



- remain party to the proceedings; and
- iv. the capacity of the Karting Organisation to manage the Resolution Process.
- c. The KA National Complaints Officer is responsible for communicating with the Complainant, Respondent, KA and/or Karting Organisations (where applicable) and for ensuring that the Resolution Process is implemented.

## 7. Resolution Process

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### 7.1 No Further Action

- a. Where KA and/or a Karting Organisation has made a determination of No Further Action and has notified the parties of this determination under clause 6.1(a)(ii)(A), the KA National Complaints Officer:
  - i. is not required to also notify the Parties of this outcome under clause 5.2; and
  - ii. shall keep a record of the Complaint as per clause 10.3.

### 7.2 Breach Notice

- a. In determining a Breach Notice,
  - i. Where a Club has made a determination of Breach Notice and before it notified the parties of this determination under clause 6.1(a)(ii)(B), it will notify the relevant Member State of its recommendation which may be adjusted or confirmed by the Member State and then notified to the parties by the Club;
  - ii. Where a Member State has made a determination of Breach Notice and before it notifies the parties of this determination under clause 6.1(a)(ii)(B), it will notify KA of its recommendation which may be adjusted or confirmed by KA and then notified to the parties by the Member State;
  - iii. Where KA has made a determination of Breach Notice it will notify the parties of this determination under clause 6.1(a)(ii)(B),

Recommendations must include:

- 1) the Alleged Breach
  - 2) whether or not a Sanction is to be imposed on the Respondent and if so, the Sanction;
  - 3) whether or not a reduced Sanction should be offered to the Respondent, and if so, the reduced Sanction; and
  - 4) whether or not the Sanction is to be publicly disclosed in accordance with clause 3.8.
- b. KA or a Karting Organisation will then issue the Respondent with a Breach Notice. The Breach Notice will:
  - i. notify the Respondent of the Alleged Breach, including the alleged conduct and relevant section(s) of the Eligible Policy;
  - ii. state the proposed Sanction for the Alleged Breach, and if applicable, any proposed discounted Sanction;
  - iii. state that the Sanction is to be publicly disclosed (if applicable);
  - iv. state that the Respondent has a right to a hearing in relation to the Alleged Breach and/or the proposed Sanction;
  - v. state that the Respondent may admit the Alleged Breach, waive their right to a hearing and accept the proposed Sanction or the proposed discounted Sanction (if applicable);
  - vi. state that if the Respondent does not respond within 14 days of receipt of the Breach Notice, they will be deemed to have admitted the Alleged Breach, waived their right to a hearing and accepted the proposed Sanction;
  - vii. state that any response to the Breach Notice must be made to KA and/or the issuing Karting Organisation, and provide the Respondent with the contact details of the KA

- National Complaints Officer; and
- viii. be provided to the Respondent, KA, and (if applicable) Karting Organisation (if applicable).
- c. In response to a Breach Notice, a Respondent may:
- i. admit the Alleged Breach, waive their right to a hearing and accept the proposed Sanction or proposed reduced Sanction (if applicable);
  - ii. dispute the Alleged Breach and/or the proposed Sanction, in which case the Alleged Breach will be referred to a hearing Tribunal under this By-law; or
  - iii. not respond, in which case they will be deemed to have admitted the Alleged Breach, waived their right to a hearing and accepted the proposed Sanction.
  - iv. A respondent has 14 days from receipt of the Breach Notice to notify the KA National Complaints Officer of their decision.

### 7.3 Resolution without a hearing

Where a Respondent admits the Alleged Breach (thereafter, a Breach), waives their right to a hearing and accepts the Sanction, or is deemed to have done so, the KA National Complaints Officer must take all necessary steps to impose and implement the Sanction (if applicable), and proceed to finalising the Complaint in accordance with clause 10.

### 7.4 Referral to a hearing

- a. If the Respondent disputes the Alleged Breach and/or Sanction, the KA National Complaints Officer must:
  - i. refer the Alleged Breach to an Internal Hearing tribunal, either at the KA level or Karting Organisation level.
  - ii. if an NST Eligible Matter, refer the Alleged Breach to the NST General Division for arbitration;
  - iii. if neither an NST Eligible or NST Excluded Matter, apply to the NST CEO for approval for the matter to be arbitrated in the NST General Division, failing which it must be dealt with under (iii); or
- b. In accordance with By-law B7, a KA Tribunal may be formed to hear a proceeding:
  - (i) referred to it by the CEO; or
  - (ii) referred to it or escalated by a Member State either
    - 1) because of the serious nature of the complaint,
    - 2) because it was unable to be resolved at the state level or
    - 3) because the policy of the Member State directs it to be
 for an alleged breach of this By-law.
- c. The KA Tribunal procedure is outlined in By-law B8
- d. Disciplinary matters may alternatively be referred by the CEO to the NST for mediation or hearing in accordance with NST legislation.
- e. A Respondent may lodge an appeal to the Appeal Tribunal in respect of a KA Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved.
- f. An appeal may also be lodged to the NST Appeals Division in circumstances outlined in clause 9 of this By-law.
- g. Every organisation bound by the By-law will recognise and enforce any decision made, and form of discipline imposed, by the KA Tribunal or NST under the By-law.
- h. If a Karting Organisation and/or KA is a Respondent, the KA National Complaints Officer will in the first instance apply to the NST General Division for arbitration either under (i) or (ii), failing which an Internal Hearing tribunal at the KA level will be convened.
- i. Where an application to the NST for arbitration is made, KA is responsible for making the application and paying any application and service fees to the NST, even if the matter has been

delegated under clause 6.2 (b). The charges may be apportioned in accordance with the NST Legislation.

## 7.5 Sanctions

- a. Where a Respondent is found to have committed a Breach of an Eligible Policy, KA or a Karting Organisation, or a Hearing Tribunal (if applicable) may subject to clause 7.5(b), determine to impose a Sanction on that Respondent.
- b. KA, a Karting Organisation, or a Hearing Tribunal (as applicable) is not permitted to issue a Sanction in relation to the Respondent's employment that may only lawfully be imposed by the Respondent's employer (including, but not limited to, termination or suspension of the Respondent's employment with their employer, demotion of the Respondent and a verbal or written warning regarding the Respondent's breach of their employment agreement).
- c. Subject to clause 7.5(b), the Sanction may include any of the following measures (but is not limited to these measures), or any combination of such:
  - i. a reprimand or warning;
  - ii. verbal or written apology;
  - iii. direction to attend counselling or training to address their behaviour;
  - iv. suspended Sanction and/or good behaviour period;
  - v. removal of accreditation;
  - vi. removal or withdrawal of awards, prizes, trophies, placings, records or achievements (such a life membership) or achievements bestowed in any Competitions, activities or events held or sanctioned by KA;
  - vii. banning from a particular event or events, competition, or activity;
  - viii. suspension of membership from KA and/or a Karting Organisation and any other members or affiliates;
  - ix. suspension from such activities or events held by or under the auspices of KA or a Karting Organisation;
  - x. suspension and/or termination of any rights, privileges and benefits provided by KA or a Karting Organisation;
  - xi. expulsion from KA or a Karting Organisation;
  - xii. fine; and
  - xiii. any other form of discipline that is considered appropriate.
- d. KA, a Karting Organisation, or a Hearing Tribunal (if applicable) have absolute discretion to determine the appropriate Sanction, including as to whether a combination of measures to be imposed, and the terms and the period of any measures, subject to clauses 7.5(b) and (e).
- e. A financial penalty may only be imposed as or as part of a Sanction where the Respondent is an incorporated entity.
- f. The following factors will be considered when determining the appropriate Sanction:
  - i. the nature and seriousness of the behaviour or incidents;
  - ii. the considerations (if any) of the Complainant;
  - iii. the contrition, or lack thereof, of the Respondent;
  - iv. any Provisional Action taken in relation to the Breach;
  - v. the effect of the Sanction on a Respondent including any personal, professional, or financial consequences;
  - vi. if there have been relevant prior warnings or disciplinary action against the Respondent; and
  - vii. if there are any mitigating circumstances.
- g. If there is more than one Breach of an Eligible Policy, where appropriate, the Sanction may be



imposed having regard to all the Breaches considered together, and the seriousness of the overall conduct in question.

- h. Sanctions imposed under this By-law shall commence from the date of the decision, unless otherwise directed.

## **8. Hearing Tribunals**

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### **8.1 Arbitration in the NST**

- a. If arbitration is sought in the NST General Division, the NST will:
  - i. determine whether the Provisional Action imposed is disproportionate; or
  - ii. arbitrate the Alleged Breach and determine whether a Sanction be imposed, and if so, what Sanction, in accordance with clause 7.5.
- b. The procedure for an arbitration in the NST will be in accordance with the NST Legislation.

### **8.2 Internal Hearing Tribunal**

- a. If an Internal Hearing Tribunal is required under clause 7.4(a)(i), the KA National Complaints Officer must convene a Hearing Tribunal to:
  - i. determine whether the provisional Action imposed is disproportionate; or
  - ii. arbitrate the Alleged Breach and determine whether a Sanction be imposed, and if so, what Sanction in accordance with clause 7.5.
- b. An Internal Hearing tribunal convened under this clause will comply with By-law 8 Karting Australia Tribunal.

### **8.3 Parties and right to attend hearings**

- a. The parties to a proceeding will be:
  - i. KA, or where KA has delegated the management of the Resolution Process to the Karting Organisation, the Karting Organisation; and
  - ii. the Respondent.
- b. If the Hearing Tribunal is the NST:
  - i. notwithstanding clause 8.3(a)(i), KA must be a party to the proceeding; and
  - ii. the NST Member may, at their discretion, allow any person who may have a relevant interest in the dispute to participate in the proceeding;

### **8.4 Notification of Hearing Tribunal decision**

- a. The Hearing Tribunal will notify the parties to the proceeding of the decision in accordance with its relevant procedures, after which the KA National Complaints Officer will:
  - i. notify and provide a copy of the decision to Karting Organisation if required; and
  - ii. subject to any appeal under clause 9, proceed with finalising the Complaint in accordance with clause 10.

## **9. Appeals**

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### **9.1 Right of Appeal**

- a. An appeal from a decision of the KA Tribunal can be lodged with either the KA Appeal Tribunal or the NST Appeals Division at the discretion of the CEO.
- b. An appeal from a decision of the NST must be lodged with the NST Appeals Division.

### **9.2 Decisions subject to appeal**

- a. A decision of a Hearing Tribunal under clauses 8.1(a)(ii) or 8.2(a)(ii) may be appealed as set out in this clause 9.

- b. A decision of a Hearing Tribunal under clauses 8.1(a)(i) or 8.2(a)(i) is not subject to appeal.

### 9.3 Persons entitled to appeal

- a. The following persons are entitled to appeal a decision of a Hearing Tribunal under clauses 8.1(a)(ii) and 8.2(a)(ii) of this By-law:
- KA;
  - where KA has delegated the management of the Resolution Process to the Karting Organisation, the Karting Organisation; and
  - the Respondent,  
(each an Appellant).

### 9.4 Grounds of appeal

- a. The decision of a Hearing Tribunal can only be appealed on the following Grounds of Appeal:
- the Hearing Tribunal failed to abide by this By-law or to properly apply the relevant Eligible Policy and such failure resulted in a denial of natural justice; and/or
  - no reasonable decision maker in the position of the Hearing Tribunal, based on the material before them, could reasonably make such a decision.

### 9.5 Notice of appeal

- a. To submit a valid Notice of Appeal, an Appellant must, within 14 days of the date of receipt of the decision made by the Hearing Tribunal:

- if the Hearing Tribunal was an Internal Hearing Tribunal:
  - if the Alleged Breach is an NST Excluded Matter:<sup>®</sup>
    - lodge with the KA National Complaints Officer the Notice of Appeal stating they wish to appeal, which states in full their Grounds of Appeal, including 38 any relevant documents as annexures;
    - pay the appeal fee as set from time to time by KA using either of the payment methods listed below;
      - Credit Card or Debit Card (Visa or Mastercard) by supplying the following information:
        - Name of card holder;
        - Card number;
        - Card expiry date;
        - CSV number.
      - Direct Deposit payable to:
        - Account name: AKA Ltd
        - BSB: 062589
        - Account Number: 10923638
 Note: Please use your KA Licence Number as the payment reference
    - serve, by email, by post, or physically, on the other party to the appeal a copy of the Notice of Appeal on the other parties; or
  - If the Alleged Breach is at the KA level and is either an NST Eligible Matter, or neither an NST Eligible Matter or NST Excluded Matter:
    - lodge and 'Application for an Appeal' form with the NST, which must state in full their 'Grounds of Appeal';
    - pay the requisite application fee; and
    - serve, by email, by post, or physically, on the other party to the appeal a copy of the 'Application for an Appeal',

(together, a Notice of Appeal); or

- ii. if the Hearing Tribunal was the NST General Division:
  - A. lodge an 'Application for an Appeal' form with the NST, which must state in full their Grounds of Appeal;
  - B. pay the requisite application fee; and
  - C. serve, by email, by post, or physically, on the other party to the appeal a copy of the 'Application for an Appeal'.
- b. If an appeal is lodged under:
  - i. clause 9.5(a)(i)(A), the matter must be dealt with by an Internal Appeals Tribunal; or
  - ii. clause 9.5(a)(ii)(B) and it is neither an NST Eligible or NST Excluded Matter, KA may apply to the NST CEO for approval, and if the NST CEO does not approve the matter, it must be dealt with by an Internal Appeals Tribunal; or
  - iii. clause 9.5(a)(ii)(B) and it is an NST Eligible Matter, it must be dealt with by the NST Appeals Division.

## 9.6 Appeals in the NST Appeals Division

- a. If an Appellant lodges a valid Notice of Appeal in the NST Appeals Division, the NST will determine the matter.
- b. The procedure for an appeal in the NST Appeals Divisions will be in accordance with clause 9.5 and the NST legislation.

## 9.7 Internal Appeals Tribunal

- a. If an Appellant lodges a valid Notice of Appeal to be dealt with by an Internal Appeals Tribunal, the Internal Appeals Tribunal will determine the matter.
- b. The procedure for an appeal is in Schedule 1

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## 9.8 Determination for Appeal Tribunal

- a. The Appeals Tribunal's arbitration of the appeal:
  - i. must determine, to the Standard of Proof, whether one or both Grounds of Appeal (as applicable) are proven, and must not rehear the matter of the facts of the Alleged Breach; and
  - ii. may result in the Appeals Tribunal removing, or altering the Sanction imposed on a Respondent, in accordance with clause 7.5.

## 9.9 Notification of Appeal Tribunal decision

- a. The Appeal Tribunal will notify the parties to the proceeding of the decision in accordance with its relevant procedures, after which the KA National Complaints Officer will:
  - i. Notify and provide a copy of the decision to KA and/or Karting Organisation; and
  - ii. Proceed to finalising the Complaint in accordance with clause 10.

# 10 Finalising Complaints

## 10.1 Finalisation of Resolution Process

- a. A Resolution Process will be finalised, and an outcome reached when:
  - i. No Further Action – when KA and/or Karting Organisation notifies the relevant parties of its determination under clause 6.1;
  - ii. Breach Notice – where the Respondent admits the Alleged Breach, waives their right to a

- hearing and accepts the Sanction, or is deemed to have done so under clause 7.2(c);
- iii. Hearing Tribunal – where the parties to the proceeding are notified of the decision and no appeal has been filed; or
  - iv. Appeal Tribunal – where the parties to the proceeding are notified of the decision.
- b. Once the applicable Resolution Process (including any appeal) under this By-law has concluded, the decision is final and binding on all parties involved and there is no further right of appeal to any external body or tribunal.

## **10.2 Notification of outcome and implementation of Sanction**

- a. When a Resolution Process is finalised, the KA National Complaints Officer will:
- i. notify KA, Karting Organisation (if applicable), the Complainant and Respondent of the outcome in writing, unless otherwise provided for in this By-law;
  - ii. take all necessary steps to implement any Sanction imposed (if applicable); and
  - iii. ensure KA publicly discloses the matters referred to in clause 3.8(c) (if applicable).

## **10.3 Recording Decisions and Outcomes**

- a. KA and/or Karting Organisations shall keep all records of all Complaints and Concerns for a minimum of 7 years from the date the Resolution Process is finalised, which will include at a minimum a record (including dates, where relevant) of:
- i. the Alleged Breach;
  - ii. the Complainant;
  - iii. the Respondent;
  - iv. the Resolution Process;
  - v. the Outcome;
  - vi. any Sanctions and/or Provisional Action imposed.
- b. Records must be maintained in a secure and confidential place, which may be electronically.

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## **11.0 Interpretation & Other Information**

### **11.1 Commencement**

This By-law commences on the date printed on the front cover known as the date of Board Approval (Commencement Date).

### **11.2 Prior complaints**

Complaints relating to conduct which occurred prior to the Commencement Date:

- a. must be dealt with under the policies and processes of KA or relevant Karting Organisation existing at the time the complaint was made, regardless of where that Complaint is at in that process;
- b. cannot be resubmitted to KA or Karting Organisation under this By-law; and
- c. are not subject to any appeal under this By-law.

### **11.3 Requirements for Karting Organisations**

Karting Organisations must adopt and implement this By-law as their complaints management policy for complaints arising under all Eligible Policies.

### **11.4 Interpretation**

- a. Any document required to be provided under this By-law may be given by:

- i. sending it to an email or other electronic address, or to a postal address, nominated by the recipient party; or
  - ii. Email, post, or hand delivering it to that party's registered office.
- b. A document is taken to have been received under this By-law if sent by email or other electronic transmission, on the date of transmission, or if hand delivered, on the date of delivery or if sent by post, 5 business days after it was sent.
- c. Relevant Persons are responsible for keeping their contact details up to date with KA or the Relevant Organisation they are associated with, as appropriate. Delivery to the last known address is sufficient in circumstances where the current whereabouts of a Relevant Person are not known.

### 11.5 Amendment

- a. KA may amend this By-law from time to time. KA and Karting Organisations must make the new version available on its website as soon as possible including the date on which any amendment/s take effect.
- b. Any Complaint under this By-law which is not finalised at the time of an amendment to this By-law will continue to be processed under the substantive provisions of this By-law in force at the time KA and/or a Karting Organisation received the KA Complaint Form unless KA and/or the Hearing Tribunal determines the principle of "lex mitior" appropriately applies in the circumstances.





## SCHEDULE 1 – INTERNAL APPEALS TRIBUNAL PROCEDURE

### Interpretation

1. **In this Schedule:**  
**Appeal Chair** means the chair of a particular Appeals Tribunal in accordance with Schedule 1.  
**Tribunal Member** means an individual person sitting on an Appeals Tribunal.
2. Defined terms not otherwise defined in this Schedule have meaning given to them in the By-law or KIF.
3. All clause references refer to this Schedule unless otherwise provided.

### Convening Internal Appeals Tribunal

4. As required under clause 9.7 of the By-law, the KA National Complaints Officer will convene an Appeals Tribunal in accordance with this Schedule.
5. The Appeals Tribunal shall be convened as soon as reasonably practicable after a referral under clause 9.7 of the By-law and shall endeavour to convene no later than two weeks after notification by the KA Integrity Unit.

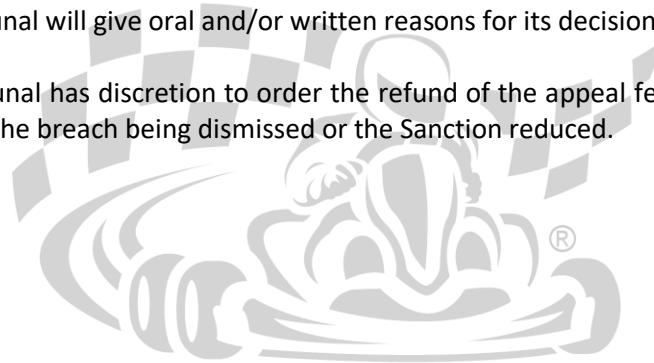
### Composition of Internal Appeals Tribunal

6. Subject to Clause 7 of this Schedule, each Appeals Tribunal shall:
  - a. comprise three (3) Tribunal Members selected by the KA National Complaints Officer;
  - b. comprise at least one Legal Practitioner and one Sports Administrator; and
  - c. be chaired by the Appeal Chair who shall be appointed by the KA National Complaints Officer and shall be:
    - i. a Legal Practitioner; and
    - ii. a person of experience and skills suitable to the function of chairing an Appeals Tribunal,none of whom sat on or was involved in the original Hearings Tribunal for the Alleged Breach subject of the appeal.
7. Should a Tribunal Member become unable to sit on a Tribunal following the convening of the Tribunal for whatever reason, the KA National Complaints Manager shall appoint a replacement Tribunal Member.
8. Should a party challenge the impartiality of a Tribunal Member, the challenge will be determined by the Chair sitting alone, unless that challenge relates to the Chair in which case it will be determined by:
  - a. the KA National Complaints Officer; or
  - b. if the KA National Complaints Officer is unavailable or unable to act, the other members of the Tribunal.
9. There should be no right of appeal from a decision made under clause 9.

### Procedure of Internal Appeals Tribunal

10. Subject to this Schedule, the Appeals Tribunal and persons appearing before it are bound by the same procedures under this By-law as if the Appeals Tribunal was the Tribunal hearing a matter at first instance.
11. The Appeals Tribunal must limit its hearing to consideration of the Ground(s) of Appeal relied upon by the Appellant under clause 9.4(a) of this By-law, in accordance with 9.6 of the By-law.

12. The Respondent to an Appeals Tribunal will be given the opportunity to file a written submission in response to the Notice of Appeal.
13. The parties to an Appeal Tribunal may not call witnesses unless given leave to do so by the Appeals tribunal. The Appeals Tribunal will not allow a party to call a witness to give evidence in relation to any matter outside of the Ground(s) of Appeal relied upon by the Appellant.
14. An Appeals Tribunal has the power to:
  - a. dismiss the appeal;
  - b. uphold the appeal;
  - c. impose any of the Sanctions set out in the By-law; or
  - d. reduce, increase, or otherwise vary any Sanction imposed by the Hearing Tribunal under the By-law, in accordance with clause 9.8 of the By-law but otherwise in such a manner as it thinks fit.
15. At the conclusion of the appeal, the Appeal Chair shall ensure that the Appellant, Respondent and KA are informed of the determination of the Appeals Tribunal. The Appeal Chair shall also notify the KA National Complaints Officer of the decision of the Internal Appeals Tribunal.
16. The Appeals Tribunal will give oral and/or written reasons for its decision.
17. The Appeals Tribunal has discretion to order the refund of the appeal fee and shall do so where the appeal results in the breach being dismissed or the Sanction reduced.



# KARTING

## A U S T R A L I A

## B8 KARTING AUSTRALIA TRIBUNAL

Scheduled Reviewed Triennially or as required

Date of Board Approval 30 May 2016 Updated: 18 March 2024

### Preamble

- A. The relationships between AKA Ltd (**KA**), and the affiliated State Karting Associations (**Member States**), the affiliated member Clubs, are regulated by the Constitution of KA, the National Competition Rules, By-laws, Policies, Procedures and Safety Standards (**Rules**) promulgated from time to time by KA;
- B. The relationship between the Member States and the Clubs is regulated by the constitutions of the Member States and the Rules promulgated from time to time by KA;
- C. The relationship between the Clubs and their members (including the individual members) is regulated by the constitution of the Clubs and the Rules promulgated from time to time by KA and/or their Member State;
- D. The Code of Conduct contains certain provisions that are designed to provide for the hearing and determination of alleged breaches of the Code of Conduct in the most cost effective and expeditious manner;
- E. The KA Integrity Framework (**KIF**) and Integrity Policies including but not limited to the Member Protection Policy (**MPP**) and the Code Of Conduct (**COC**) contains certain disciplinary and judicial functions to ensure that the objectives and requirements of the KIF, the Integrity Policies including the MPP are met at all times;
- F. Certain By-laws, Regulations, Policies and Procedures require disciplinary and judicial functions to be exercised by an independent judicial, investigatory and/or disciplinary body;
- G. The KA Board has promulgated By-laws for the Discipline of Members that fall beyond the scope of the Judicial rules contained within the National Competition Rules.
- H. It is envisaged that from time to time certain matters may also arise that may not specifically fall under the scope of a Dispute under the Constitution, or an alleged breach of the KIF, the COC and/or the MPP or any other Policy or By-law but that require investigation, hearing, determination, resolution, and discipline. These may be referred to the KA Tribunal by the Board or the CEO so as to be resolved in the most cost effective and expeditious manner;
- I. This By-law sets out the procedures for the formation of an internal dispute resolution body and provides it with its powers and the framework for the efficient resolution of any disputes or matters requiring the discipline of a member or members that may arise from time to time.

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### 1.1 Interpretation

In addition to the definitions in the KA Manual, and the Constitution, these definitions set out the meaning of words used in this Policy and its attachments without limiting the ordinary and natural meaning of the words.

**KA** means Australian Karting Association Ltd trading as Karting Australia

**KA Tribunal** means this Tribunal

**KA Tribunal Member** means any of the Independent Persons appointed to the KA Tribunal in accordance with this By-law

**Board** means the Board of KA

**By-law** means any By-law, Policy or Regulation promulgated by the Board of KA, which in their opinion are necessary or desirable for the control, administration and management of KA's affairs in accordance with the Constitution

**CEO** means the Chief Executive Officer of KA

**Club** means a club admitted as a Member of KA in accordance with the Constitution

**Code of Conduct** means a code that has been ratified by the Board to regulate the conduct of Members. Code of Behaviour shall have the same meaning

**Constitution** means the Constitution of KA

**Disciplinary Proceedings** means formal disciplinary procedures instituted by KA against a Member other than a Member State

**Dispute** means a dispute between KA and a Member State

**Grievance** means a grievance between KA and a Member State

**Independent Person** means a person who is not affiliated in any way whatsoever with a Member.

**Individual Member** means a person to whom a competition licence, participant's Licence and/or an official's licence or such other Licence that has been issued in accordance with the Rules and/or any other person nominated by the Company who accordingly has been admitted to the Company as an individual member in accordance with the Constitution

**KA Manual** means the Australian Karting Manual (the National Competition Rules)

**Karting** means the sport of sprint kart racing in Australia

**Member** means any of the categories of member defined by the Constitution and this By-law.

**MPP** means the KA Member Protection Policy

**Rules of Karting** means all the provisions of the Australian Karting Manual (the National Competition Rules)

## 1.2 Tribunal and Members

- (a) There is a tribunal called the KA Tribunal;
- (b) One member of the KA Tribunal is to be appointed by the KA Tribunal Members as Chairperson of the KA Tribunal and the others are to be appointed as Deputy Chairpersons of the KA Tribunal.

## 1.3 Tribunal Objectives

The objectives of the KA Tribunal are to as expeditiously as possible and at minimal cost:

- (a) resolve any Grievance and/or Dispute/s; and
  - (b) exercise the authority given to it by the MPP, the Code of Conduct, By-laws, Policy and Regulations, and
- in exercising its power, have regard to the welfare, needs and interests of Karting generally, KA, Members States and Members of KA.

## 1.4 Appointment of Members

Subject to 1.5(c), all KA Tribunal Members will be approved by the KA Board.

## 1.5 Term of Appointment

- (a) The Board will approve a list of Persons to fill positions on the KA Tribunal;
- (b) Each KA Tribunal member shall be appointed for a three (3) year term by the KA Board;
- (c) In the event a proceeding in the KA Tribunal has not been completed prior to the end of the year of appointment, the KA Tribunal Members will continue to take part in the proceeding until the proceeding has been concluded. A proceeding will not be concluded unless a publication of the decision has occurred pursuant to clause 1.13.

## 1.6 Resignation of a KA Tribunal Member

- (a) Upon the resignation of a KA Tribunal Member the Board shall appoint a replacement pursuant to clause 1.4;
- (b) Should the overall list of KA Tribunal Members fall below three (3), the KA Board will appoint an Independent Person as a KA Tribunal Member pursuant to clause 1.4

## 1.7 Jurisdiction and powers of the KA Tribunal

The KA Tribunal has jurisdiction to investigate, hear, determine, rule on and declare judgement on any matters referred to it in relation to:

- (a) all disputes arising between KA and any Member State;
- (b) any Disciplinary Proceedings referred to it by either the KA Board or the CEO;
- (c) any matter arising out of the Code of Conduct;
- (d) any matter referred to it in accordance with the KA Member Protection Policy;
- (e) any matter requiring investigation referred to it by either the KA Board or the CEO; and
- (f) any other matter referred to it by either the KA Board or the CEO.

## 1.8 Impose and recommend penalties

At the conclusion of any Investigatory or Disciplinary Proceedings referred to it, the KA Tribunal may impose and/or recommend to the KA Board the imposition of such penalties as it feels are appropriate which may include one or more of the following forms of discipline:

- (a) a reprimand or warning;
- (b) verbal or written apology;
- (c) direction to attend counselling or training to address their behaviour;
- (d) suspended Sanction and/or good behaviour period;
- (e) removal of accreditation;
- (f) removal or withdrawal of awards, prizes, trophies, placings, records or achievements (such a life membership) or achievements bestowed in any Competitions, activities or events held or sanctioned by KA;
- (g) banning from a particular event or events, competition, or activity;
- (h) suspension of membership from KA and/or a Karting Organisation and any other members or affiliates;
- (i) suspension from such activities or events held by or under the auspices of KA or a Karting Organisation;
- (j) suspension and/or termination of any rights, privileges and benefits provided by KA or a Karting Organisation;
- (k) expulsion from KA or a Karting Organisation;
- (l) fine; and
- (m) any other form of discipline that is considered appropriate.

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## 1.9 Decisions

The KA Tribunal's decisions in a proceeding is by way of a majority decision of the KA Tribunal Members in the proceedings when more than one Tribunal Member is appointed to adjudicate proceedings.

## 1.10 Procedures of KA Tribunal

In the exercise of its jurisdiction the KA Tribunal:

- (a) must observe natural justice; and
- (b) must proceed expeditiously with as little formality and technicality as is consistent with a fair and proper consideration of the matter before it; and
- (c) is not bound by rules of practice as to evidence and may inform itself on any matter as it considers appropriate which includes engaging external experts to investigate and provide reports on any matter; and
- (d) may regulate its procedures as it considers appropriate in the circumstances.



### 1.11 Constitution of the KA Tribunal

- (a) The KA Tribunal shall consist of up to three (3) KA Tribunal Members. The CEO will in their absolute discretion select one (1) sole Tribunal Member to adjudicate straight forward disputes or up to three (3) Tribunal Members depending on the complexity of disputes. For applications for Alternative Dispute Resolution facilitated by KA, one member will be appointed to deal with the dispute.
- (b) For the purpose of exercising its jurisdiction pursuant to clause 1.11, the CEO will nominate one of the panel Tribunal members to be the presiding chairperson, where the panel comprises 2 or more members for an arbitration.

### 1.12 Preparing For Hearing

- (a) The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the CEO relating to the complaint/allegations;
- (b) The Tribunal hearing will be held as soon as practicable. However, adequate time must be provided for the respondent(s) to prepare for the hearing.

#### Directions

- (c) The KA Tribunal may hold a conference for considering, or giving directions at or after the conference, about any matter or proceeding in its jurisdiction.
  - i. on the application of a Member or on the KA Tribunal's own initiative; and
  - ii. before a matter or proceeding commences or at any time during the matter or proceedings.
- (d) A direction given by the KA Tribunal under this clause is binding on the parties.
- (e) Without limiting subsection (c) and having regard to clause 1.9, the KA Tribunal may consider or give directions about the following as it considers appropriate: –
  - i. the conduct of the matter or proceeding;
  - ii. the requirement for the parties to give discovery or allow inspections of evidentiary material;
  - iii. the requirement for the parties to file pleadings;
  - iv. striking out the matter or proceeding on the grounds that it is vexatious or frivolous.

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#### Organising The Hearing

- (f) The CEO will inform the respondent(s) and the complainant(s) in writing that a Tribunal hearing will take place. The notice will outline:
  - i. that the respondent has a right to appear at the Tribunal hearing to defend the complaint/allegations;
  - ii. the details of the complaint and of all allegations, as well as the provision or clause of any policy, rule or regulation that has allegedly been breached;
  - iii. the date, time and venue of the Tribunal hearing;
  - iv. that verbal and/or written submissions can be presented at the Tribunal hearing;
  - v. that witnesses may attend the Tribunal hearing to support the position of the respondent/s;
  - vi. an outline of any possible sanctions that may be imposed if the complaint is found to be true;
  - vii. That legal representation will not be allowed. [The respondent may be assisted by a support person at a Tribunal hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However, a person cannot be a support person if he or she has been admitted to practice as a lawyer or worked as a trainee lawyer.]
  - viii. That a copy of any investigation report findings will be provided to the respondent(s).

- (g) The CEO will notify the complainant in writing that a Tribunal hearing will take place. The notice will outline:
  - i. that the person has a right to appear at the Tribunal hearing to support their complaint;
  - ii. the details of the complaint, including any relevant rules or regulations the respondent is accused of breaching;
  - iii. the date, time and venue of the Tribunal hearing;
  - iv. that verbal and/or written submissions can be presented at the Tribunal hearing;
  - v. that witnesses may attend the Tribunal hearing to support the complainant's position;
  - vi. that legal representation will not be allowed;
  - vii. A copy of any investigation report findings will be provided to the complainant;
- (h) If the complainant believes the details of the complaint are incorrect or insufficient, he or she should inform the CEO as soon as possible so that the respondent(s) and member(s) of the Tribunal can be properly informed of the complaint;
- (i) If possible, the Tribunal member(s) should include at least one person with knowledge or experience of the relevant laws/rules (e.g. anti-discrimination).

### 1.13 Tribunal Hearing Procedure

- (a) The following people will be allowed to attend the Tribunal hearing:
  - i. Tribunal members;
  - ii. The respondent(s);
  - iii. The complainant(s);
  - iv. Any witnesses called by the respondent(s);
  - v. Any witnesses called by the complainant(s);
  - vi. any parent/guardian or support person required to support the respondent or the complainant.
- (b) If the respondent(s) is not present at the set hearing time and the Tribunal chairperson or Presiding Tribunal member considers that no valid reason has been presented for this absence, the Tribunal hearing will continue subject to the chairperson or Presiding Tribunal member being satisfied that all Tribunal notification requirements have been met;
- (c) If the Tribunal chairperson or Presiding Tribunal member considers that there is a valid reason for the non-attendance of the respondent(s), or the chairperson or Presiding Tribunal member does not believe the Tribunal notification requirements have been met, then the Tribunal hearing will be rescheduled to a later date;
- (d) If the Tribunal chairperson or Presiding Tribunal member wishes to reschedule the Tribunal hearing date, the Tribunal chairperson or Presiding Tribunal member will inform the CEO of the need to reschedule the hearing and the CEO will arrange for the Tribunal to be reconvened;
- (e) The Tribunal chairperson or Presiding Tribunal member will read out the complaint, ask each respondent if he or she understands the complaint and if he or she agrees or disagrees with the complaint;
- (f) If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal when determining any sanctions;
- (g) If the respondent disagrees with the complaint, the complainant(s) will be asked to describe the circumstances that lead to the complaint being made;
  - i. Reference may be made to brief notes;
  - ii. The complainant(s) may call witnesses;
  - iii. The respondent(s) may question the complainant(s) and any witnesses.

- (h) The respondent will then be asked to respond to the complaint;
  - i. Reference may be made to brief notes;
  - ii. The respondent(s) may call witnesses;
  - iii. The complainant(s) may ask questions of the respondent and any witnesses.
- (i) The complainant(s) and respondent(s) may be present when evidence is presented to the Tribunal hearing. Witnesses may be asked to wait outside the hearing until they are required;
- (j) The Tribunal may:
  - i. consider any evidence, and in any form, that it deems relevant;
  - ii. ask questions of any person giving evidence;
  - iii. limit the number of witnesses (including limiting witnesses to those persons who only provide new evidence);
  - iv. require (to the extent it has power to do so) the attendance of any witness it deems relevant; and
  - v. act in an inquisitorial manner in order to establish the truth of the issue/complaint before it.
- (k) Video evidence, if available, may be presented. Arrangements for the viewing of this evidence must be made entirely by the person(s) wishing to offer this type of evidence;
- (l) If the Tribunal panel considers that at any time during the hearing there is any unreasonable or intimidatory behaviour from anyone, the Tribunal chairperson may deny further involvement of that person in the hearing;
- (m) After all the evidence has been presented, the Tribunal will make its decision in private:
  - i. The Tribunal must decide whether the complaint has, on the balance of probabilities, been substantiated;
  - ii. All Tribunal decisions will be by majority vote.
- (n) The Tribunal chairperson or sole Tribunal member may announce the decision of the Tribunal at the conclusion of the hearing. Alternatively, he or she may reserve the decision of the Tribunal at the conclusion of the hearing and deliver the decision at a later time;
- (o) The respondent(s) will have the opportunity to make submissions to the Tribunal in relation to any sanctions that may be imposed.
- (p) Within 48 hours of the Tribunal delivering its decision, the Tribunal chairperson will:
  - i. Forward a notice of the Tribunal's decision to the CEO, including details of any sanction imposed or recommended to be imposed by the Board;
  - ii. Forward a letter reconfirming the Tribunal's decision to the respondent(s), including any sanction imposed. The letter should also outline the process and grounds for an appeal, if allowed.

#### 1.14 Publication of Decisions

Decisions made by the KA Tribunal are to be distributed in writing and/or email to the Complainants(s) and Member States within thirty (30) days of the conclusion of the KA Tribunal proceeding, unless special circumstances exist.

#### 1.15 Decisions Binding

- (a) The parties agree that any decision of the KA Tribunal is binding;
- (b) A participant in a proceeding before the KA Tribunal, who is dissatisfied with the KA Tribunal's decision may seek Leave to Appeal in accordance with By-law B7.

**1.16 Reasonable Costs**

Any reasonable costs including legal costs incurred by the KA Tribunal or its members in defending its findings or decisions will be paid for in full by KA.

**1.17 Proper Exercise of Power**

It is a proper exercise of power for the KA Tribunal (if it so wishes) to rely on previous findings where it has previously considered an issue.

**2 KA Tribunal remedies to be exhausted**

The parties to the dispute agree that they will not become a party to any suit at law or in equity against the other parties until the remedies provided by the KA Tribunal have been exhausted.



## B9 RULE CHANGE PROCEDURES

Scheduled Reviewed Triennially or as required

Date of Board Approval

24 February 2017

Last Board Review: 11 November 2019

### INTRODUCTION

KA is the sole body empowered to make rules for the conduct of sprint karting competition in Australia.

It is the intention of the KA Board to provide stability of regulations and to restrict changes to the KA Manual and Rules to a minimum during any competition year.

As an overriding principle, unless there are issues of safety, pending force majeure, force majeure, and compliance with laws or compelling supply difficulties, rules will not generally be the subject of change at any time other than for the commencement of a competition year.

**Applications should be submitted by no later than 30 May each year.**

### DEFINITIONS

In addition to the definitions in the KA Manual, the following definitions apply to this policy:

**Industry Suppliers**

Means any of the major suppliers of karts, chassis, engines and general components used in karting competition

**Key National Officials**

Means any of the National Officials identified on the KA Organisational Structure Chart

### Applies To

The policy applies to proposals for new Rules or changes to any of the Rules in the KA Manual in the General Regulations, Competition, Technical and Competition Classes sections.

This policy does not apply to homologation, re-homologation and component evolutions.

### Objectives

To provide a clear framework for the submission of well thought out proposals for Rule changes that may improve the elements of competition in karting in Australia at any of the levels of Club, State, and National competition.

To provide stability of regulations and wherever possible to restrict sporting and technical rule changes to be made on an annual basis.

### POLICY

**New Rules and Rule Change Requests (Requests) may be made by the following people or groups:**

- Board Members
- CEO and KA Staff
- Member States
- Key National Officials
- KA Functional Committees
- Industry Suppliers

### Rule Change request Form Are To Be used

- All Requests should be made using the New Rule / Rule Change Request Form.
- All sections of the form must be completed in full.
- The precise changes requested should be identified including the supply of any technical drawing that may be required for the sake of absolute clarity and interpretation of the proposed rule.
- The reason for the Request and what the New Rule / Rule Change is meant to achieve must be clearly identified.





- All cost implication must be clearly and accurately identified including:
- any redundancy costs that may be incurred by Competitors if the Request is approved; and
- any cost savings or benefits that will occur if the Request is approved; and
- the cost of any new components for which approval is sought.

All completed Rule Change Requests from Individual members, Clubs and Member States must be submitted to the KA National Office in accordance with the A1 Process through the Member States.

Upon receipt of a completed Request, the CEO in conjunction with the appropriate National officials and members of the KA staff will give preliminary consideration to the requested change/s before submitting them to the annual rule review committee (and if deemed necessary, the functional committees ) for more detailed consideration.

- The Rule Review Committee will be tasked with evaluating the Request and whether it should be accepted as submitted, rejected or accepted in some modified format.
- A Request will only ever become a KA Rule following review, consideration and ratification by the Board.

**Requests for the following year should be submitted by no later than 30 May in any year.**

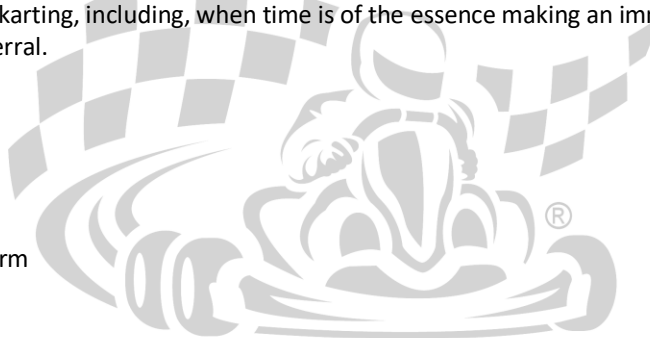
- Issues of safety, pending force majeure, force majeure, compliance with laws or compelling supply difficulties may at the discretion of the Board be dealt with on short notice.
- The Board has absolute discretion to determine and implement any Rule change or new Rule at any time in the interests of the sport of karting, including, when time is of the essence making an immediate determination without the need for further referral.

**Related Policies**

- Homologation Policy

**Other Links and References**

- Rule Change Request Form



**KARTING**  
**A U S T R A L I A**

## B10 HOMOLOGATION PROCEDURES

Scheduled Reviewed Triennially or as required

Date of Board Approval 2 December 2014

Updated: 11 November 2019

### DEFINITIONS

In addition to the definitions in the KA National Competition Rules, the following definitions apply to this Policy:

#### **Approval Process**

Means the process by which a Component and/or Homologated Component becomes Approved.

#### **Approved**

Means that the Component, following evaluation and where considered necessary, Homologation by KA or CIK-FIA is approved for use in any KA Authorised Activities. Approval shall have the same meaning.

#### **CIK Homologated Engine**

Means an Engine that has a current CIK-FIA Homologation number, with the corresponding CIK-FIA Homologation technical documentation. These engines do not require a separate KA Homologation but must be Approved by KA before use in any KA Authorised Activities.

#### **Component**

Means an item that is used on a Kart in Competition. By way of example only, and not limited to the following, a Component may be an engine, chassis, ignition, wheel, brakes (either whole or individual components), clutch, carburettor, tyre.

#### **Evolutionary Component**

Means a Component that is an evolution of a Component used in either a KA Homologated Engine, CIK-FIA Homologated Engine or Chassis that is used in any KA Authorised Activities.

#### **Importer**

Means an individual or body corporate that is the authorised Australian Importer of the Component that is the subject of the Homologation and/or Approval application.

#### **Manufacturer**

Means the bonafide Manufacturer of the Component to be Homologated and/or Approved.

#### **Model of Component**

Applies to any identical Chassis, engine and tyres from a production series distinguishable by a determined design and general external outline, conforming to the same mechanical design. The characteristic defining a Model of Component is determined by similar objects which may be reproduced.

#### **Production Samples**

Means an identical sample of the Component, which is the subject of the Homologation and/or Approval application that will be retained by KA for examination and reference in the matter of future technical compliance. They shall be provided to KA at no cost and will become the property of KA.

### HOMOLOGATION PROCESS

The **Homologation process** is the official assessment made by KA that a Component has been built to a requisite technical specification as prescribed by KA and meets the requirements specified by KA. The Homologation Document comprehensively details the technical specifications of the Component.

The Homologation of a Component is only valid in the group and/or Classes for which it is specified, and for the period indicated on the Homologation form.

A key consideration in the Homologation of any Component is that it must be in the best interests of karting in Australia and complementary to the future direction of karting. Such consideration will be directed by KA.

For a Homologation application to be able to be submitted to KA, it must:

- come in a completed form; and
- be on the condition that the Manufacturer and/or Importer has made a statement specifying they will comply with the specifications and requirements of the Rules on the form attached to this Policy and Process.

A completed application can only be submitted to KA by the bona fide Importer or Manufacturer of the Component.

Other than at the absolute discretion of KA or on the grounds of safety, the commencement of use of a newly homologated component and/or an Evolutionary Component in KA authorised activities including Competition, racing, practice, private practice or social karting activities (the “KA Authorised Activities”) will not generally be in the same year in which the Homologation of such Component/s took place.

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## APPLIES TO

The process applies to proposals for the Homologation of new and evolutionary Components for use in karting in Australia.

This process (other than for and evolution of a Component) does not apply to any Homologations and/or registrations which have either been applied for or previously approved by the AKA and which are current.

This process only applies to a Homologation application and an evolutionary upgrade which is received after the date this Policy and Process was first approved by the Board.

Homologation of a Component by KA does not imply that the Component will automatically be approved for use in KA Authorised Activities. The Component must be specifically Approved by KA for use in KA Authorised Activities prior to its first use in any KA Authorised Activities. KA at its sole discretion may determine the implementation date/s for use in KA Authorised Activities for all Components which will not generally be in the same year in which the approval for use has been sought.

Homologation of a Component by the CIK-FIA for use, does not imply that the Component is able to be automatically used in KA Authorised Activities. Any such Component must be Approved by KA for use prior to its first use in any KA Authorised Activities. KA at its sole discretion may determine the implementation date/s for use in KA Authorised Activities for all Components.

Final Homologation must be approved by the CEO on behalf of the Board and be promulgated prior to a Component being permitted for use in any KA Authorised Activity.

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## OBJECTIVES

To provide a clear framework for the submission of Components that a Manufacturer or Importer wish to have considered for use in karting Competition in Australia at any of the levels of Club, State, and National Competition.

### Homologation and/or Approval Criteria

There are three (3) main types of Homologation and/or Approval which are facilitated by KA, these being Homologation and/or Approval of Components which:

- Are not Homologated by the CIK-FIA but which must be Homologated and Approved by KA; or
- Have been Homologated by the CIK-FIA but which require Approval by KA prior to their use in karting Competition in Australia.
- Do not need to be Homologated, but which require Approval by KA prior to their use in karting Competition in Australia.

The requirements for Homologation and Approval of a Model of Component, regardless of if it has been Homologated by the CIK-FIA is mandatory and will be in accordance with this Policy and Process.

Each supplier of a Component, be they the Manufacturer and/or the Importer, must execute a written statement which will form part of the Homologation and/or process. It must be signed by the person(s) able to bind the company by Law. E.g: Director, CEO.

In so doing, the Manufacturer and/or Importer undertakes to comply with the prescriptions of the ISC, the Rules and all policies and procedures of KA. Should it be determined, at the absolute discretion of KA, that these requirements have not been complied with; KA may deem the Homologation or Approval application null and void. In such circumstances, all fees paid in accordance with this Component Homologation Policy and Procedure will be non-refundable.

## Homologation and Approval of a Component

For Homologation and Approval of a Component, the Manufacturer and/or Importer will be required to supply:

1. A fully completed Homologation Application form; and
2. A fully completed National Homologation form providing full details of the item for which Homologation is being sought; and
3. A fully completed Acceptance of Rules form; and
4. A fully completed Competition Approval form; and
5. Production certificates confirming the minimum identical number of components available for commercial sale; and
6. At least two (2) Production Samples of the Component for which Homologation is being sought; and
7. At least nine (9) sets of all gauges, electronic checking devices and scrutineering equipment specific to the Component so as to allow the Component to be examined and scrutinised for compliance with the specifications detailed on the National Homologation form for the Component.

**The Components indicated in Appendix 1 require Homologation for use in Competition. Other items may be added to the list of Components requiring Homologation from time to time.**

For all engines the Model definition applies to the following elements:

- Stroke and Bore;
- Orientation of the reed box (vertical or horizontal);
- Number of transfer ducts;
- Presence of a power valve;
- Complete cylinder (barrel and liner).

## Approval of a Component

For Approval of a Component, the Manufacturer and/or Importer will be required to supply:

- A fully completed Approval Application form; and
- A fully completed Acceptance of Rules form; and
- Production certificates confirming the minimum identical number of components available for commercial sale; and
- Two (2) Production Samples of the Component for which Approval is being sought; and
- If considered necessary by KA, nine (9) sets of all gauges, electronic checking devices and scrutineering equipment specific to the Component to allow the Component to be examined and scrutinised for compliance with the specifications detailed on the Approval Application form for the Component.

## Homologation and Approval Steps

1. Homologation Application and Fee must be received by KA
2. Completed National Homologation form in hard copy and electronic forms
3. The CEO gives preliminary consideration as to whether it is desirable to accept and consider the component for Homologation
4. The Manufacturer of the Component is to provide the two (2) Homologation samples of the Component to KA.
5. The National Technical Commissioner is to inspect sample against Homologation Document that is submitted with the Application. They are entitled to seek additional advice from any source, including the KA Technical Committee that in conjunction with the CEO is deemed appropriate.
6. The National Technical Commissioner, following all investigations and reviews that they consider necessary will make a recommendation to the CEO that the Component:
  - a) Should be Homologated; or
  - b) that the Homologation Application should be modified; or
  - c) that the Homologation Application should be rejected.
7. The CEO will advise the Board accordingly and unless the Board has delegated the Homologation responsibility to the CEO, the Board will be required to approve or reject the Homologation. The CEO will advise the Manufacturer and/or Importer of the outcome.

## Homologation and Approval Fees

KA will determine the fees payable on an annual basis.

- Application Fee
- Payment of Expenses relating to Homologation and/or Approval evaluation
- Approval Fee

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## HOMOLOGATION AMENDMENTS & VALIDITY

- The Homologation of a component will be valid for a period of six (6) years.
- Evolutions of a Homologation will be accepted no more frequently, than every two (2) years, or in exceptional circumstances, as determined by the CEO, less than 2 years.
- Other than on the grounds of safety as determined by KA, Evolutions of a Homologation must be completed by no later than 1 October of any year for implementation no sooner than the following year.
- Amendments may be made to a Homologation of the basis of safety at any time during the Homologation term, however always with the approval of KA.

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## Approval Steps

1. Approval Application and Fee must be received by KA
2. Completed Application form in electronic form
3. KA to inspect sample against Approval Document
4. National Technical Commissioner Recommendation to CEO
5. CEO approves or rejects the Recommendation or refers it to the Board for further consideration.
6. Manufacturer and/or Importer advised of outcome

## Approval Fees

KA will determine the fees payable on an annual basis.

- Application Fee
- Payment of Expenses relating to Approval evaluation
- Approval Fee

## Approval Amendments & Validity

The Approval of a component will be valid for a period of six (6) years.

Amendments may be made to an Approval of the basis of safety at any time during the Approval term, however always with the approval of KA.

## The Components indicated in Appendix 1 require Approval for use in Competition.

Any other Component which is not indicated in the table above, may be required to complete the Approval process at the absolute discretion of KA.

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## Testing / Validation

The National Technical Commissioner under the direction of the CEO and or the Director – Technical shall conduct the evaluation of the Component to determine the specification of the Component against the documents supplied to make a recommendation to the Board as to whether or not the Component should be Homologated and/or Approved.

## Compliance Costs

All costs associated with the development and/or procurement of scrutiny equipment to check compliance with the Rules will be at the cost of the Manufacturer and/or Importer. This shall include, but not be limited to one (1) set of equipment per state/ territory plus one (1) set to be retained by KA.

## Related Policies

- Request For Rule Change Policy

## Other References

- Homologation Application
- Approval Application
- Acceptance of Rules Form
- National Homologation Form - Engine
- National Homologation Form – Chassis
- Sample National Homologation Form – Engine



## B11 NATIONAL INFRASTRUCTURE DEVELOPMENT FUND

Scheduled Reviewed Triennially or as required

Date of Board Approval 28 November 2022

### BACKGROUND

The origins of the Infrastructure Development Fund stems from the Track Development Fund that was established in 1994.

The original concept, intent and principles under which the Fund operated from its inception and that are recorded in the Minutes of the 1994 AKA Inc Annual Conference, are as relevant today, more than a quarter of a century later as they were at the time of the Fund's inception.

*"The concept of the Trust Fund is that each and every competitor makes a VERY SMALL contribution to the building of karting facilities each time they use a facility. For the system to work effectively in the shortest possible times, from inception, the following criteria are required:*

- Large contribution base
- Low cost to the competitor
- Utilisation of available funds

*Because of these criteria the system will not be as effective if it is undertaken on a State by State basis.*

*The system must be considered as a national system where each and every Karter contributes equally to the construction of new and upgrading of existing facilities."*

### 1. PURPOSE OF THE FUND

The National Infrastructure Development Fund (**Infrastructure Development Fund**) has been established to provide funding assistance to Australian Karting Association Ltd.'s ("**Karting Australia**" or "**KA**") Member States ("**States**"); and through them to the affiliated Clubs ("**Clubs**"); assisting them to partner with local stakeholders to improve karting facilities and facilitate increased participation in the sport of karting in Australia.

### 2. OBJECTIVES OF THE FUND

The objectives of the Infrastructure Development Fund are:

- a. To assist States and Clubs to develop quality, sustainable karting facilities.
- b. To ensure a strong community base for karting at all levels.
- c. To create quality and safe environments that increase karting participation.
- d. To assist States and Clubs in securing or leveraging a financial commitment and support from the various levels of government, other sport user groups, sponsors, local community and business organisations, and/or other strategic partners to contribute towards funding the development or upgrade of karting facilities.
- e. To reduce State and Club application costs/efforts by providing an application form that will generally satisfy the submission requirements of other funding bodies including Governments at various levels.

### 3. STRUCTURE OF THE FUND

Karting Australia has established the Fund with the following structure:

- a. Karting Australia is the Manager and Operator of the Infrastructure Development Fund;
- b. The Fund will be operated and protected within the terms and conditions of the Karting Australia's Bylaws;

- c. The Fund will be operated for the benefit of all Australian States and Territories and their respective Clubs;
- d. The capital and income of the Infrastructure Development Fund is held by Karting Australia on behalf of the Fund;
- e. The source of capital funds for the making of loans:
  - i. Funds transferred by TDF beneficiaries to KA for use by the Fund;
  - ii. Future Driver levies;
  - iii. Interest from investments;
  - iv. Bequeaths and philanthropic donations.
- f. A separate interest-bearing bank account will be opened in the name of **Karting Australia Infrastructure Development Fund**;
- g. Karting Australia will determine the investment strategy of the Fund from time to time but will generally take a conservative approach to investments;
- h. The Fund will be shown as an asset on the KA balance sheet.

#### 4. PROCESS OVERVIEW

- a. Karting Australia will assess applications from State's and Club's (together with their affiliated State as required under the Bylaws) for funding under this program and will notify the applicant(s) of the outcome.
- b. Karting Australia will assess the merit of each application based on the assessment criteria within these guidelines.

#### 5. FUND RULES AND ELIGIBILITY CRITERIA

##### 5.1 Who Can Apply?

Applications can be made by Affiliated State Association's and/or Affiliated Clubs (with the support of their State Association) provided that:

- a. The applicants do not have any overdue amounts, levies or debts owed to Karting Australia and/or the State Association; and
- b. The applicants are in compliance with Karting Australia's Rules, Affiliation Requirements, Regulations, Policies and Procedures; and
- c. The applicants must have achieved Level 2 KARM status; and
- d. The applicants are considered by Karting Australia to be of good standing within the sport.

##### 5.2 Eligible and Ineligible Projects

Karting Australia, as Manager and Operator of the fund will be focused on supporting projects that are aligned to the purpose and objectives of the fund.

##### 5.2.1 Eligible Projects

Eligible projects include, but are not limited to:

- a. Circuit safety improvements (not maintenance) for example (but not limited to) replacement of wood chips with gravel catch traps;
- b. Development of new karting tracks where appropriate;
- c. Amenities including toilets, change rooms, showers, clubrooms and parking facilities;
- d. Viewing facilities, fencing, audio and visual technology;
- e. Grid structures, scrutineering and technical facilities;
- f. Track re-surfacing and upgrades;
- g. Shade structures;
- h. Flood lighting installations or upgrades.

### 5.2.2 Ineligible Projects

Ineligible projects include, but are not limited to:

- a. General maintenance;
- b. Projects that require ongoing funding assistance;
- c. Requests for ongoing assistance with operational cost;
- d. Related to routine or cyclical maintenance works;
- e. Purchase and/or lease of tools;
- f. Equipment finance.

Note: Clubs will need to discuss their proposals with their State Association and obtain their support.

### 5.3 Levels of Funding Assistance

- a. As the fund has been established to assist States and Clubs to improve karting facilities, it is expected that additional financial contributions to the project will be provided outside of the Infrastructure Development Fund by either the Club, State or other third parties.
- b. As a guiding principle, the Fund may support applications up to a maximum of 80% of the project costs. The normal maximum level of funding provided to a Club through the Infrastructure Development Fund will generally be capped at \$140,000.00.

### 5.4 Timelines

- a. Applications for funding are open year-round.
- b. Provided applications are received in the fully completed form and substance outlined within these guidelines, Karting Australia will endeavour to assess applications within 8 weeks.

### 5.5 Conditions of Funding

- a. Funding requests are NOT to be retrospective – i.e. that means the project must not have been undertaken prior to the Club/State submitting the loan application to Karting Australia.
- b. Infrastructure Development Funds are to be applied to the project.
- c. Infrastructure Development Funds may be released progressively in instalments and/or may be paid direct to contractors. Such arrangements to be agreed.
- d. Funding requests are to be of a capital expenditure nature only
- e. Applicants must not have any overdue amounts, levies or debts owed to KA.
- f. Successful applicants will be required to enter into a Loan Agreement supplied by KA that will detail all the obligations and conditions of funding for the applicants.
- g. The applicants will enter into a Loan Agreement with KA using the standard Deed Of Loan supplied by KA.
- h. A senior representative of the State or Club must be designated as the Project Manager responsible for liaising with KA.
- i. Upon completion of the project, the applicant's senior representative is to provide a certificate of completion to KA confirming that all works have been completed.

### 5.6 Lodgement of Applications

Applications are to be submitted to CEO Karting Australia via Email: [admin@karting.net.au](mailto:admin@karting.net.au)

## 6. ASSESSMENT CRITERIA

Applications will be assessed against the following criteria:

#### a) What will the project achieve?

Demonstrate the extent to which the project improves the karting facility and will lead to an increase in participation in karting at the Club.

**b) Why is the project required?**

Demonstrate the extent to which the project:

- Responds to identified needs and issues of the State/Club.
- Is supported strategically by the Club business plan.
- Is supported by government (if at all.)

**c) Who will be involved in the project?**

Demonstrate the extent to which the State/Club:

- Have consulted and collaborated with a variety of stakeholders (may include the local council, other clubs, community groups, local businesses) as appropriate.
- Will be managed by an appropriate team.

**d) How will the project be achieved?**

Demonstrate the extent to which the State/Club clearly identifies the project scope, cash flow and timelines.

**7. FURTHER INFORMATION**

For further information in relation to the Infrastructure Development Fund and/or the process for applying for a loan, please contact Karting Australia CEO at [admin@karting.net.au](mailto:admin@karting.net.au)



## POLICIES

P1-12	INTEGRITY POLICIES
P15-19	SAFETY AND RISK MANAGEMENT POLICIES
P21	CIRCUITS
P24-30	OFFICIALS
P33-36	RACING
P40-41	GENERAL
P42	COMPETITION FIXING
P45	ANTI-DOPING
P13,14,20,22,23, 31, 32, 36, 37, 38, 39, 42, 43, 44	DELIBERATELY BLANK



## P1 KARTING AUSTRALIA INTEGRITY FRAMEWORK ('KIF')

Scheduled Reviewed Triennially or as required

Date of Board Approval

19 September 2022

Last Board Review: 19 September 2022

### 1. Background

#### 1.1 Introduction

- a. Karting Australia Integrity Framework applies to all Activities organised or authorised by Australian Karting Association Ltd (**KA**) or a Member Organisation and will be adopted in full by each Karting Member Organisation.
- b. Sports integrity means the manifestation of the ethics and values that promote community confidence in sport. Threats to the integrity of sport includes the:
  - i. manipulation of sporting competitions;
  - ii. improper use of drugs and medicine in sport;
  - iii. abuse of children and other persons in a sporting environment; and
  - iv. failure to protect Members and other persons in a sporting environment, from bullying, intimidation, discrimination, or harassment.
- c. KA seeks to take a proactive approach to mitigate the integrity threats to Karting in Australia and to provide a safe, fair, and trustworthy environment for all Participants at all levels of Karting.
- d. The KA Integrity Framework is one of KA's responses to the threats to the integrity of Karting and sets out the broad expectations for the conduct of all Participants in Karting, including procedures for managing, reporting, investigating, and determining potential breaches of its Integrity Policies.

#### 1.2 Definitions

Defined terms not otherwise defined in this Policy have been defined in and have the meaning given to them, in the KA "Australian Karting Manual - National Competition Rules" (**NCR**) and the KA Constitution. In the KA Integrity Framework, the following words have the corresponding meaning:

**Activity** means any sanctioned Karting Competition or Karting Activity that is required to be conducted under an Organising Permit issued by KA or a Member Organisation in accordance with the NCR, or a related activity including but not limited to a social activity, working bee, promotional activity, and the like, organised by a Relevant Organisation.

**Administrators** – see 'Participant'.

**Authorised Provider** – see 'Relevant Organisation'.

**Board** means the Board of KA.

**CEO** means the chief executive officer of KA as appointed from time to time.

**Child** or **Children** means a child or young person, or two or more children or young persons, who is or are under the age of 18 years.

**Club** – see 'Relevant Organisation'.

**Coach** – see 'Participant'.

**Contractor** means any person or organisation engaged to provide services for or on behalf of KA or a Member Organisation, and includes agents, advisers, and subcontractors of KA or a Member Organisation and employees, officers, volunteers, and agents of a contractor or subcontractor.

**Circuit** – see ‘NCR’s’.

**Complaints and Discipline of Members By-law** means the By-law adopted by KA under this Framework, for the handling and resolution of Complaints and the application of Discipline regarding Prohibited Conduct.

**Disciplinary Measures** means any Provisional Action taken or Sanction imposed under the KA Complaints and Discipline of Members Bylaw, as defined in that Bylaw.

**Driver** – see ‘Participant’.

**Employee** means a person employed by KA or a Member Organisation.

**Framework** means this KA Integrity Framework document, including any schedules and annexures ‘KIF’ shall have the same meaning.

**Integrity Policy** means the following KA sports integrity-related policies adopted under this Framework:

- a. This Framework document;
- b. Child Safeguarding Policy;
- c. Member Protection Policy;
- d. Complaints and Discipline of Members By-law (By-law7);
- e. KA Tribunals (By-law 8);
- f. Competition Manipulation and Sports Wagering Policy; and
- g. Improper Use of Drugs and Medicine Policy

**Individual Member** – see ‘Member’.

**Integrity Unit** means KA’s Integrity Unit, as established under this policy.

**Karting Activity** – see ‘NCR’s’.

**Karting** means the sport of Karting, as governed by KA under the delegated authority from the Confederation of Australian Motorsport (**Motorsport Australia**) and the Fédération Internationale de ‘Automobile (**FIA**).

**Karting Facility** means a facility at which a Karting Competition and/or Karting Activity takes place.

**Karting Organisation** – see ‘Relevant Organisation’.

**Licence Holder** – see ‘NCR’s’.

**Member** means a member of KA or a Member Organisation under clause 5 of KA’s constitution, including:

- a. Member State means a legal entity recognised by KA as representing the state;
- b. Club means a club or association admitted as a Member to KA;

- c. Individual Members means a person to whom a Licence has been issued and/or any other person nominated by KA who accordingly has been admitted to KA as an individual member;
- d. Affiliate Member, means a body with similar and/or aligned interests to KA (but not including a Club or association registered with a Member State);
- e. Life Member means a person admitted to KA as a life member.

**Member Organisations** – see ‘Member’.

**National Complaints Officer** means the person responsible for receiving complaints under this Framework to be managed by a review process under the Complaints and Discipline of Members By-law.

**National Integrity Manager** means the person responsible for KA’s Integrity Unit and for the implementation, management, reporting and review of this Framework.

**Officials** – see ‘Participant’.

**Participant** means:

- a. **Driver** - see ‘NCR’s’;
- b. **Coach** is a person who is recognised and/or accredited by KA or a Member Organisation to train a Driver to Compete in a sanctioned Karting Competition or to participate in a Karting Activity including but not limited to training and/or practice. Instructor shall have the same meaning;
- c. **Administrator** is a person who has a role in the administration or operation of KA, a Karting Organisation, Circuit or Karting Facility including owners, directors, committee members or other persons;
- d. **Official** – see ‘NCR’s’;
- e. **Licence Holder** – see ‘NCR’s’;
- f. **Organiser** – see ‘NCR’s’;
- g. **Support Personnel** who are appointed in a professional or voluntary capacity by a Karting Organisation, KA, or competition, series, club, or team sanctioned by KA including but not limited to karting industry personnel.

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**Prohibited Conduct** means the conduct proscribed by this Framework and the Integrity Policies.

**Relevant Organisation** means any of the following organisations:

- a. **KA**;
- b. **Member Organisation** – see ‘Member’;
- c. **Karting Organisation**, which means and includes:
  - i. **Member Organisation** - see ‘Member’;
  - ii. **Clubs** - see ‘Member’;
  - iii. **Authorised Provider**, which means any non-Member organisations including but not limited to service providers and suppliers, authorised to conduct Karting Activities sanctioned by KA or a Karting Organisation;
- d. **Team** means a collection of Drivers who Compete in a Competition and/or who participate in a Karting Activity; and
- e. Any other organisation who has agreed to be bound by this Framework/the Integrity Policies.

**Relevant Person** means any of the following persons:

- a. **Licence Holder** – see ‘Member’
- b. **Individual Member** – see ‘Member’;
- c. **Participant** – see ‘Member’;
- d. **Employee**;
- e. **Contractor**;
- f. **Volunteer**, which means any person engaged by KA or a Karting Organisation in any capacity who is not otherwise an Employee or Contractor, including directors and office holders, coaches, driving instructors, officials, administrators, and support personnel including team mechanics and pit crew; and
- g. Any other individual who has agreed to be bound by this Framework/the Integrity Policies.

**Support Personnel** – see ‘Participant’.

**Team** – see ‘Relevant Organisation’.

**Volunteer** – see ‘Relevant Person’.

## 2. Jurisdiction

### 2.1 Who the Framework applies to

- a. This Framework applies to and binds all Relevant Persons and Relevant Organisations as set out in the Integrity Policies.
- b. Employees are expected to abide by the terms of this Framework as a reasonable and lawful direction of KA or the Karting Organisation they are employed by (as relevant) as their employer.
- c. KA and Karting Organisations must ensure that all Contractors and Volunteers are contractually bound to abide by the terms of this Framework.
- d. By participating in an Activity, a Participant is deemed to have agreed to be bound by the Framework.
- e. Any person or organisation who:
  - i. has had a complaint made against them under the Complaints and Discipline Policy; and
  - ii. was bound by the Framework at the time the complaint was made or when they became aware that a complaint may be made;
  - iii. would, for any reason, otherwise have ceased to be bound by this Framework at any time after the complaint was made or when they became aware that the complaint may be made.
- f. Remains bound by the Framework in respect of the complaint and any related complaint until the complaints process has been finalised in accordance with the Complaints and Discipline of Members By-law.

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## 3. Scope

### 3.1 Scope

- a. The KA Integrity Framework comprises this Framework document and the **Integrity Policies**.
- b. Nothing in this Framework limits the rights or obligations of any person under any other KA policy, code of conduct or other relevant agreement.
- c. This Framework does not override or limit the application of any laws of Australia or a state/territory.
- d. The 'Summary' at the start of each Integrity Policy is not intended to be and should not be construed in any way as a complete and comprehensive overview of the relevant Integrity Policy. To the extent of any inconsistency, the operative provisions of the relevant Integrity Policy prevail.

## 4. Prohibited Conduct

### 4.1 Prohibited Conduct

In addition to the Prohibited Conduct proscribed by the Integrity Policies, a Relevant Person or Relevant Organisation commits a breach of this Framework when they:

- a. Fail to report any Prohibited Conduct, as defined under this Framework or an Integrity Policy, to KA National Complaints Officer as soon as reasonably practicable;
- b. Deliberately or wilfully withhold information in relation to any possible Prohibited Conduct;
- c. Fail to provide further information or documentation as requested as part of a Complaint Process under this Framework, including a failure to fully and in good faith participate in an interview;
- d. Fail to comply with or enforce Disciplinary Measures imposed under the Complaints and Discipline of Members By-law; or
- e. Knowingly provide any inaccurate and/or misleading information during the course of any investigation or proceedings under this Framework.

### 4.2 Additional matters

- a. Where conduct may constitute 'Prohibited Conduct' under this Framework or any Integrity Policy but is a Reportable Conduct under KA's Whistleblower Policy, it must be dealt with under such policy.
- b. The Australian National Anti-Doping Policy will prevail to the extent of any inconsistency with this Framework in all instances. Any allegation relating to a breach or possible breach of Australian National Anti-Doping Policy will be dealt with under that policy.
- c. Nothing in this Framework or the Integrity Policies prevents the KA Board from referring any alleged Prohibited Conduct or criminal conduct to a relevant law enforcement agency.

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## 5. KA's Responsibility to Manage Framework

### 5.1 Responsibility for the management of the Framework

- a. KA will ensure that it has an Integrity Unit<sup>8</sup> headed by a National Integrity Manager who shall report, directly, to the CEO.
- b. The National Integrity Manager is responsible for the implementation, management, reporting and review of this Framework within KA.
- c. KA will ensure that it appoints a National Complaints Manager<sup>9</sup> for the purposes of the Complaints and Discipline of Members By-law.

### 5.2 National Integrity Manager

The National Integrity Manager will:

- a. Be responsible for the supervision and administration of this Framework, the Integrity Policies, and the associated education programs;
- b. Monitor the compliance of any Sanctions;
- c. Act in a professional, discreet, and confidential manner in undertaking the obligations of their role under this Framework;
- d. Be responsible for ensuring that this Framework and the Integrity Policies are regularly

<sup>8</sup> The size of the Integrity Unit is to be determined by KA based on the volume, nature, and seriousness of integrity issues within Karting and available financial resources. For the avoidance of doubt, the Integrity Unit may, if appropriate, solely comprise the KA Integrity Manager.

<sup>9</sup> KA may appoint the same person to be both the National Complaints Officer and the National Integrity Manager.



reviewed, and any required amendments are approved by the KA Board; and

- e. Will provide the KA Board with regular reports of:
  - i. information relating to Alleged Breaches and Prohibited Conduct under the Integrity Policies;
  - ii. the operation of and overall compliance with the Integrity Policies; and
  - iii. any education programs that Participants have been required to undertake.

### 5.3 National Complaints Officer

The National Complaints Officer will be the point of contact in relation to the functions of the KA Discipline of Members By-law and will have such responsibilities as set out in that policy.

### 5.4 Education

- a. With the support of external agencies, KA will plan, implement, and maintain an education strategy that incorporates material addressing the matters covered by each Integrity Policy.
- b. The National Integrity Manager will, from time to time, direct certain Participants to undertake education programs, which will be relevant and proportionate to their level of participation in Karting and the associated integrity risks.

### 5.5 Recruitment of Employees and Volunteers

- a. KA and Karting Organisations should conduct any appropriate background checks required by an Integrity Policy for prospective Employees, Contractors, and Volunteers to screen for prior conduct that would constitute a breach of this Framework or the Integrity Policies.
- b. KA and Karting Organisations should undertake induction processes for Employees, Contractors and Volunteers that incorporate familiarisation with this Framework and the Integrity Policies, and other sports integrity education and training as determined by KA from time to time.

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## 6. Additional Responsibilities

### 6.1 Relevant Organisation responsibilities

In addition to that required under the Integrity Policies, KA and Member Organisations shall: implement and comply with this Framework;

- a. Ensure that all other policies, rules, and programs that apply to Relevant Persons and Relevant Organisations are consistent with this Framework;
- b. Use their best efforts to assist Relevant Persons and Relevant Organisations to fulfil their responsibilities under this Framework;
- c. Publish, distribute, and promote this Framework and the Integrity Policies (and any updates from time to time) and shall be responsible for making such documents available and accessible to Relevant Persons and Relevant Organisations; and
- d. Ensure their Employees and contractors act in a discreet and confidential manner in discharging their obligations under this Framework.
- e. Recognise any Sanction imposed under this Framework;
- f. Take all necessary steps to enforce any Sanction imposed under this Framework;
- g. Assist in any investigation or proceedings regarding any Prohibited Conduct and ensure that they do not knowingly provide any inaccurate and/or misleading information during the course of any investigation or proceedings.

### 6.2 Relevant Person responsibilities

In addition to that required under the Integrity Policies, Relevant Persons shall:

- a. Make themselves aware of the contents of this Framework;
- b. Comply with all relevant provisions of the Framework;
- c. Comply with any decisions and/or Sanctions imposed under the Framework.

- d. Undertake sports integrity education as directed by the National Integrity Manager;
- e. Assist in any investigation or proceedings regarding any Prohibited Conduct and ensure that they do not knowingly provide any inaccurate and/or misleading information during the course of any investigation or proceedings.

## 7. Complaints and Discipline of Members By-law

The Complaints and Discipline of Members By-law applies to any alleged Prohibited Conduct, including reports of breaches, of this Framework or any Integrity Policy.

## 8. Interpretation & Other Information

### 8.1 Application and Commencement

- a. This Framework is approved by the Board.
- b. This Framework:
  - i. Commences on the date outlined in the Policy Title (**Commencement Date**);
  - ii. Is subject to KA's Constitution and if there is any inconsistency, the Constitution will prevail; and
  - iii. When in force, is binding on all those listed in Jurisdiction.

### 8.2 Amendment

- a. The Board may amend this Framework and the Integrity Policies from time to time and such amendments will be effective on the date specified by the Board.
- b. Member Organisations must adopt this Framework, including any amendments, in full and without amendment, as a policy under their constitution, within three (3) months of the date it is adopted by KA.

### 8.3 Inconsistency

This Framework applies to each Integrity Policy. When interpreting an Integrity Policy, any provisions of that Integrity Policy inconsistent with this Framework apply to the extent of that inconsistency.

### 8.4 Interpretation

The following rules of interpretation apply to the Framework and each Integrity Policy:

- a. Headings are for convenience only and shall not be deemed part of the substance of the document or to affect in any way the language of the provisions to which they refer.
- b. Words in the singular include the plural and vice versa.
- c. Reference to 'including' and similar words are not words of limitation.
- d. Words importing a gender include any other gender.
- e. A reference to a clause is a reference to a clause or subclause of this Framework.
- f. Where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.
- g. In the event any provision of this Framework is determined invalid or unenforceable, the remaining provisions shall not be affected, and the document shall not fail because any part of it is held invalid.
- h. Except as otherwise stated herein, failure to exercise or enforce any right conferred by this Framework shall not be deemed to be a waiver of any such right nor operate to bar the exercise or enforcement thereof or of any other right on any other occasion.
- i. Defined terms are Capitalised and consistent across the Framework/Integrity Policies.

## P2 MEMBER PROTECTION POLICY

Scheduled Review Triennially or as required (Replaces MPP Updated 11/11/2019)

Date of Board Approval 19 September 2022 Last Board Review: 19 September 2022

### Background

Australian Karting Association Ltd ('KA') is committed to ensuring that everyone involved with Karting is treated with respect and dignity and is protected from abuse, bullying, harassment, sexual misconduct, unlawful discrimination, victimisation, and vilification.

This Policy seeks to ensure that everyone involved in Karting is aware of their rights and responsibilities. This Policy sets out the standards of behaviour expected of those involved in Karting and the behaviours that are not acceptable ('Prohibited Conduct').

### 1. Definitions and interpretation

#### 1.1 Defined terms

Defined terms not otherwise defined in this Policy have been defined in, and have the meaning given to them, in the KA "Australian Karting Manual - National Competition Rules" (**NCR**), KA Constitution and KA Integrity Framework (**KIF**). In this Policy, the following words have the corresponding meaning:

**Abuse** means any type of abuse (including physical, emotional, psychological, sexual, and inappropriate use of power) that has caused, is causing or is likely to cause harm to a person's wellbeing, whether in person or as the result of a publication viewable by any other person by any means.

**Bullying** means a person or group of people repeatedly and intentionally using words or actions, or the inappropriate use of power, against someone or a group of people to cause distress and risk to their wellbeing.

**Harassment** means any type of behaviour towards a person that they do not want and that is offensive, abusive, belittling or threatening and is reasonably likely to cause harm to the person who is the subject of the harassment.

**Policy** means this Member Protection Policy including any schedules and annexures.

**Prohibited Conduct** means the conduct proscribed at clause 3 of this Policy.

**Relevant Organisation** – see the 'KIF'.

**Relevant Person** – see the 'KIF'.

**Sexual Misconduct** means:

- Sexual Harassment**, which is any unwanted or unwelcome sexual behaviour where a reasonable person would anticipate the possibility that the person being harassed would feel offended, humiliated, or intimidated; and
- Sexual Offences**, which include any criminal offence involving sexual activity or actions of indecency.

**Unlawful Discrimination** includes:

- a. **Direct Discrimination**, when a person or group of people is treated less favourably than another person or group, because of a personal characteristic; and
- b. **Indirect Discrimination**, when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of a personal characteristic they share, where such personal characteristic is protected by applicable anti-discrimination legislation.

**Victimisation** means subjecting a person, or threatening to subject a person, to any unfair treatment because the person has made, or intends to pursue their right to make, a complaint or lawful disclosure, including under applicable legislation or this Policy, or for supporting another person to take such action.

**Vilification** means a public act, conduct or behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of, a person or group of people because of a particular characteristic they hold, as covered by applicable legislation, including their race or religion, or homosexuality, transgender, or HIV/AIDS status.

## 1.2 Interpretation

Definitions of Abuse, Bullying, Harassment, Sexual Misconduct, Unlawful Discrimination, Victimisation and Vilification must be read in the context of SCHEDULE 1.

## 2. Jurisdiction

### 2.1 Who the Policy applies to?

This Policy applies to:

- a. Relevant Persons; and
- b. Relevant Organisations.

### 2.2 When the Policy applies

- a. All Relevant Persons and Relevant Organisations to which this Policy applies must always comply with this Policy (whilst they are a Relevant Person or Relevant Organisation), including:
  - i. in relation to any dealings, they have with Relevant Organisations or their staff, contractors, and representatives;
  - ii. when dealing with other Relevant Persons or Relevant Organisations in their capacity as a Relevant Person/Relevant Organisation; and
  - iii. in relation to their Membership or standing as a Relevant Person or Relevant Organisation in general.
- b. The following is **not** within the scope of this Policy:
  - i. where an interaction (including social media interactions) occurs involving one or more Relevant Persons or Relevant Organisations, and the only link or connection between the interaction and Karting is the fact that one or more individuals are

Relevant Persons or Relevant Organisations<sup>10</sup>;

- ii. where Prohibited Conduct occurs in contravention of this Policy, and subsequent conduct, or interaction(s) that, whilst related to the original Prohibited Conduct, no longer directly relates to any of Karting (even where such conduct or interaction(s) would otherwise be Prohibited Conduct)<sup>11</sup>.

### 3. Prohibited Conduct

A Relevant Person or Relevant Organisation commits a breach this Policy when they, either alone or in conjunction with another or others, engage in any of the following conduct against one or more Relevant Persons or Relevant Organisations, in the circumstances outlined in clause 2:

- a. Abuse;
- b. Bullying;
- c. Harassment;
- d. Sexual Misconduct;
- e. Unlawful Discrimination;
- f. Victimisation; or
- g. Vilification.

**SCHEDULE 1** sets out examples of what may constitute Prohibited Conduct under this Policy.

### 4. Complaints and Discipline of Members By-law

The Complaints, and Discipline of Members By-law applies to any alleged Prohibited Conduct, including reports of breaches, of this Policy.

### 5. KA Integrity Framework

The KA Integrity Framework applies to this Member Protection Policy. When interpreting this Policy, any provisions inconsistent with the KA Integrity Framework apply to the extent of that inconsistency.

<sup>10</sup> Such as two Members of a Relevant Organisation getting into a verbal or physical argument at a shopping centre, or two Members sending abusive social media messages to each other that have no direct link to karting.

<sup>11</sup> Such as where a Member of a Relevant Organisation allegedly breaches this Policy by physically assaulting another Member at a Meeting, but then the personal grievance(s) between those two individuals spills into issues not directly related to karting, such as social media abuse or trolling.



## SCHEDULE 1 - Examples of Prohibited Conduct

1. **Abuse** must be behaviour of a nature and level of seriousness which includes, but is not limited to:
  - a. Physical abuse and assault including hitting, slapping, punching, kicking, destroying property, sleep, and food deprivation, forced feeding, unreasonable physical restraint, spitting at another person or biting;
  - b. Sexual abuse including rape and assault, using sexually degrading insults, forced sex or sexual acts, deliberately causing pain during sex, unwanted touching or exposure to pornography, sexual jokes, using sex to coerce compliance;
  - c. Emotional abuse such as repeated and intentional embarrassment in public, preventing or excluding someone from participating in sport activities, stalking, humiliation, or intimidation;
  - d. Verbal abuse such as repeated or severe insults, name calling, criticism, swearing and humiliation, attacks on someone's intelligence, body shaming, or aggressive yelling;
  - e. Financial abuse such as restricting access to bank accounts, taking control of finances and money, forbidding someone from working, taking someone's pay and not allowing them to access it;
  - f. Neglect of a person's needs.
2. **Bullying** must be behaviour of a nature and level of seriousness which includes, but is not limited to, repeatedly:
  - a. Keeping someone out of a group (online or offline);
  - b. Acting in an unpleasant way near or towards someone;
  - c. Giving nasty looks, making rude gestures, calling names, being rude and impolite, constantly negative and teasing;
  - d. Spreading rumours or lies, or misrepresenting someone (i.e., using their social media account to post messages as if it were them);
  - e. 'Fooling around', 'messaging about' or other random or supposedly playful conduct that goes too far;
  - f. Harassing someone based on their race, sex, religion, gender, or a disability;
  - g. Intentionally and repeatedly hurting someone physically;
  - h. Intentionally stalking someone; and
  - i. Taking advantage of any power over someone else, but does **not** include legitimate and reasonable:
    - i. management action;
    - ii. management processes;
    - iii. disciplinary action; or
    - iv. allocation of activities in compliance with agreed systems.
3. **Harassment** must be behaviour of a nature and level of seriousness which includes, but is not limited to:
  - a. Telling insulting jokes about racial groups;

- b. Sending explicit or sexually suggestive emails or text messages;
- c. Displaying racially offensive or pornographic images or screen savers;
- d. Making derogatory comments or taunts about someone's race;
- e. Asking intrusive questions about someone's personal life, including his or her sex life;
- f. Sexual harassment or any of the above conduct in the workplace by employers, co-workers, and other workplace participants;
- g. Any of the above conduct in the workplace, based on or linked to a person's disability or the disability of an associate; and
- h. Offensive behaviour based on race or racial hatred, such as something done in public that offends, insults, or humiliates a person or group of people because of their race, colour or nationality or ethnicity.

**4. Sexual Misconduct** is behaviour including, but not limited to:

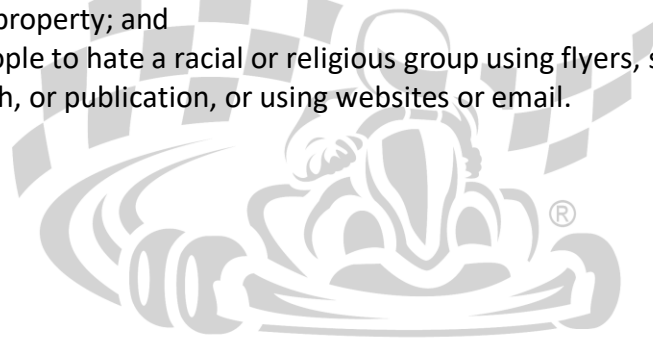
- a. Unwelcome touching;
- b. Staring or leering;
- c. Suggestive comments or jokes;
- d. Showing or sharing sexually explicit images or pictures;
- e. Unwanted invitations to go out on dates;
- f. Requests for sex;
- g. Intrusive questions about a person's private life or body;
- h. Unnecessary familiarity, such as deliberately brushing up against a person;
- i. Insults or taunts based on sex;
- j. Sexually explicit physical contact;
- k. Sending sexually explicit or suggestive emails, texts, or other electronic/social media messages;
- l. Displaying pornographic images or screen savers;
- m. Asking intrusive questions about someone's personal life, including about his or her sex life; and
- n. Criminal offences such as rape, indecent or sexual assault, sexual penetration, or relationship with a child under the age of 16 and possession of child pornography.

**5. Unlawful Discrimination** is unfair treatment based on a person's:

- a. Age;
- b. Disability;
- c. Race, colour, nationality, ethnicity, or migrant status;
- d. Sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding; and
- e. Sexual orientation, gender identity or intersex status.

**6. Victimisation** is behaviour including, but not limited to:

- a. Dismissal of an employee/volunteer or disadvantage to their employment/involvement in sport;
  - b. Alteration of an employee's position or duties to his or her disadvantage;
  - c. Discrimination between an employee and other employees;
  - d. Repeated failure to select an individual on merit;
  - e. A reduction in future contract value; and
  - f. Removal of coaching and other financial and non-financial support.
7. **Vilification** is behaviour including, but not limited to:
- a. Speaking about a person's race or religion in a way that could make other people dislike, hate, or ridicule them;
  - b. Publishing claims that a racial or religious group is involved in serious crimes without any evidence in support;
  - c. Repeated and serious verbal or physical abuse about the race or religion of another person;
  - d. Encouraging violence against people who belong to a particular race or religion, or damaging their property; and
  - e. Encouraging people to hate a racial or religious group using flyers, stickers, posters, a speech, or publication, or using websites or email.



**KARTING**  
**A U S T R A L I A**

### P3 CHILD SAFEGUARDING POLICY

Scheduled Reviewed

Triennially or as required

(Replaces MPP Part B Updated 11/11/2019)

Date of Board Approval

19 September 2022

Last Board Review: 19 September 2022

#### BACKGROUND

Australian Karting Association Ltd (**KA**) has a zero-tolerance policy to child abuse and neglect in any form.

KA is committed to safeguarding and promoting the welfare of Children in Karting by providing a safe and inclusive environment and by ensuring that everyone involved in Karting is educated and informed of their responsibilities to protect and look after Children.

All Children have the right to feel safe and protected from all forms of abuse, harm, and neglect. Children have the right to take part in sport in a safe, positive, and enjoyable environment.

KA aims to create and maintain an inclusive, child-safe environment that is understood, endorsed, implemented, and adhered to by everyone involved in Karting.

This Policy is part of KA's proactive and preventative approach to upholding its commitment to the safety, wellbeing, participation, and empowerment of all Children who access Karting.

This Policy seeks to ensure that everyone involved in Karting is aware of their rights and responsibilities in relation to Children. This Policy sets out the standards of behaviour expected of those involved in Karting and the behaviours that are not acceptable (**'Prohibited Conduct'**).

This Policy imposes obligations on KA and Karting Organisations in relation to responding to allegations of Prohibited Conduct, including by reporting suspected Child Abuse to the appropriate authorities, and to implementing a commitment to child safety and child-safe practices, including recruitment and screening of staff and volunteers.

#### 1. Definitions

Defined terms not otherwise defined in this Policy have been defined in and have the meaning given to them, in the KA "Australian Karting Manual - National Competition Rules" (**'NCR'**), KA Constitution and KA Integrity Framework (**'KIF'**). In this Policy, the following words have the corresponding meaning:

**Abuse** means any type of abuse (including physical, emotional, psychological, sexual, and inappropriate use of power) that has caused, is causing or is likely to cause harm to a person's wellbeing, whether in person or as the result of a publication viewable by any other person by any means.<sup>12</sup> **"Harm"** has the same meaning.

<sup>12</sup> Refer to Schedule 1 of the Member Protection Policy for examples of behaviour that may constitute Abuse.

**Administrators – see the ‘KIF’.**

**Authorised Provider – see the ‘KIF’.**

**Australian Child Protection Legislation** means all state/territory child protection legislation as amended from time to time, a summary of which is available [HERE](#).

**Bullying** means a person or group of people repeatedly and intentionally using words or actions, or the inappropriate use of power, against someone or a group of people to cause distress and risk to their wellbeing.<sup>13</sup>

**Child or Children** means a child or young person, or two or more children or young persons, who is or are under the age of 18 years.

**Child Abuse** has the meaning given to it in Schedule 1 and includes the following as outlined in that Schedule:

- a. Physical Abuse
- b. Emotional or Psychological Abuse
- c. Sexual Abuse
- d. Neglect
- e. Exposure to Family Violence.

**Child Safe Commitment** refers to Relevant Organisations' commitment to child safety in Karting, as outlined in Annexure B.

**Child Safe Practices** refer to the child safety requirements and practices adopted and implemented by Relevant Organisations to help ensure the safety of Children participating in a Karting Activity as outlined in Annexure B.

**Coach – see the ‘KIF’.**

**Grooming** refers to the process by which an adult establishes a trusting relationship with a child and those associated with the child's care and wellbeing, to create an environment in which abuse can occur.

**Harassment** means any type of behaviour towards a person that they do not want and that is offensive, abusive, belittling or threatening and is reasonably likely to cause harm to the person who is the subject of the harassment.<sup>14</sup>

**Member State – see the ‘KIF’.**

**Misconduct with a Child** means any behaviour involving a Child that is objectively age inappropriate and/or places the Child at risk of harm.

**MPP** means the Member Protection Policy of Karting Australia.

**Officials – see the ‘KIF’.**

<sup>13</sup> Refer to Schedule 1 of the Member Protection Policy for examples of behaviour that may constitute Bullying.

<sup>14</sup> Refer to Schedule 1 of the Member Protection Policy for examples of behaviour that may constitute Harassment.



**Policy** means this Child Safeguarding Policy including any schedules and annexures.

**Prohibited Conduct** means conduct in breach of clause 4 of this Policy.

**Recruitment & Screening** means the child safety recruitment and screening requirements adopted and implemented by Relevant Organisations to help ensure the safety of Children participating in Karting, as outlined in Annexure C.

**Relevant Organisation - see the 'KIF'.**

**Sexual Misconduct** means<sup>15</sup>:

- a. Sexual Harassment, which is any unwanted or unwelcome sexual behaviour where a reasonable person would anticipate the possibility that the person being harassed would feel offended, humiliated, or intimidated; and
- b. Sexual Offences, which include any criminal offence involving sexual activity or actions of indecency.

**Support Personnel – see the 'KIF'.**

**Volunteer – see 'KIF'.**

**Unlawful Discrimination** includes:

- a. Direct Discrimination, when a person or group of people is treated less favourably than another person or group, because of a personal characteristic; and
- b. Indirect Discrimination, when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of a personal characteristic they share, where such personal characteristic is protected by applicable anti-discrimination legislation.<sup>16</sup>

**Victimisation** means subjecting a person, or threatening to subject a person, to any unfair treatment because the person has made, or intends to pursue their right to make, a complaint or lawful disclosure, including under applicable legislation or this Policy, or for supporting another person to take such action.<sup>17</sup>

**Vilification** means a public act, conduct or behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of, a person or group of people because of a particular characteristic they hold, as covered by applicable legislation, including their race or religion, or homosexuality, transgender, or HIV/AIDS status.<sup>18</sup>

**WWCC** means a 'Working with Children Check' (however named) under the applicable legislation of a state or territory, a summary of which is available [HERE](#)

<sup>15</sup> Refer to Schedule 1 of the Member Protection Policy for examples of behaviour that may constitute Sexual Misconduct.

<sup>16</sup> Refer to Schedule 1 of the Member Protection Policy for examples of behaviour that may constitute Unlawful Discrimination.

<sup>6</sup> Refer to Schedule 1 of the Member Protection Policy for examples of behaviour that may constitute Victimisation.

<sup>7</sup> Refer to Schedule 1 of the Member Protection Policy for examples of behaviour that may constitute Vilification.

## 2. Jurisdiction

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### 2.1 Who this policy applies to

This Policy applies to:

- a. Relevant Persons; and
- b. Relevant Organisations

### 2.2 When this policy applies

- a. All Relevant Persons and Relevant Organisations to which this Policy applies must comply with this Policy (at all times whilst they are a Relevant Person or Relevant Organisation), including:
  - i. in relation to any dealings, they have with a Child arising from the Relevant Person's, Relevant Organisation's, or the Child's involvement in any capacity with Karting.
  - ii. in relation to any dealings in relation to a Child that they might have with a Relevant Organisation or their staff, contractors, and representatives;
  - iii. when dealing with a Child or other Relevant Person or Relevant Organisation in their capacity as a Relevant Person or Relevant Organisation; and
  - iv. in relation to their Membership or standing as a Relevant Person or Relevant Organisation in general.
- b. The following is **not** within the scope of this Policy:
  - i. interactions involving a Relevant Person and a Child where there is no direct or indirect link to Karting or a Relevant Organisation.

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## 3. Requirements of Relevant Persons and Organisations

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### 3.1 Requirements of Relevant Persons

Relevant Persons must always:

- a. comply with the requirements of Responding to Child Abuse Allegations in Annexure A;
- b. comply with the Child Safe Practices as set out in Annexure C;
- c. report any concerns or allegations of Prohibited Conduct involving any Relevant Person or Relevant Organisation;
- d. provide true and accurate information during Recruitment & Screening;
- e. comply with all obligations that they are subject to under the Australian Child Protection Legislation; and
- f. comply with all legislative obligations that they are subject to in relation to reporting of suspected Child Abuse or a WWCC<sup>19</sup>.

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<sup>19</sup> Child Family Community Australia Working with Children Checks & Police Checks Resource Sheet [website](#).

### 3.2 Requirements of Relevant Organisations

Relevant Organisations must:

- a. adopt, implement, and comply with the:
  - i. Child Safe Commitment (Annexure B);
  - ii. Child Safe Practices (Annexure C); and
  - iii. Recruitment & Screening (Annexure D)
 including reviewing and amending those requirements from time to time;
- b. comply with the 'Responding to Child Abuse Allegations' in Annexure A;
- c. use best efforts to assist Relevant Persons to fulfil their responsibilities under this Policy;
- d. recognise any Sanction imposed under this Policy; and
- e. take all necessary steps to:
  - i. enforce any Sanction imposed under this Policy and the Discipline of Members By-law; and
  - ii. procure compliance with the 'Responding to Child Abuse Allegations' in Annexure A.

## 4. Prohibited Conduct

### 4.1 Prohibited Conduct

A Relevant Person or Relevant Organisation commits a breach of this Policy when:

- a. they, either alone or in conjunction with another or others, engage in any of the following conduct against, or in relation to, a Child or Children in the circumstances outlined in clause 2.2.:
  - i. Child Abuse;
  - ii. Grooming;
  - iii. Misconduct with a Child;
  - iv. request or infer that the Child keep any communication secret from their parents, guardian, carer, or other Relevant Person such as a coach or administrator, or Relevant Organisation;
  - v. supply alcohol, or drugs (including tobacco) to a Child;
  - vi. supply medicines, except when permitted by law or with the consent of the parent, guardian, or carer of the Child and under a valid prescription for that Child and at the prescribed dosage; or
  - vii. commit any act that would constitute Prohibited Conduct under the Member Protection Policy;
- b. there is a breach of a requirement imposed under clause 3.1, or sub-clauses 3.2(a), 3.2(b) or 3.2(e)(ii));
- c. they are involved in or have knowledge of and do not report a breach of clauses 4.1(a) or 4.1(b); or
- d. they have engaged in an attempt to breach sub-clauses 4.1(a) (i), (ii), (iii) or (v).

## 5. Reporting

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Where a Relevant Organisation becomes aware of an Alleged Breach and the information known about that Alleged Breach is such that it would cause a reasonable person to suspect that a Child is, or is at risk of, being abused and/or neglected:

- i. the Relevant Organisation must comply with, and procure compliance with, the requirements of Responding to Child Abuse Allegations in Annexure A; and
- ii. no further action under the Complaints & Discipline of Members By-law in relation to that Alleged Breach, except Provisional Action or Assessment, should occur until the obligations in (i) are complied with.

## 6. Complaints and Discipline of Members By-Law

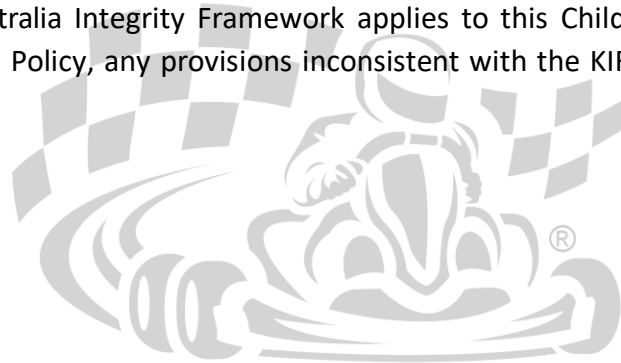
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The Complaints and Discipline of Members By-law applies to any alleged Prohibited Conduct, including reports of breaches, of this Policy.

## 7. Karting Australia Integrity Framework

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The Karting Australia Integrity Framework applies to this Child Safeguarding Policy. When interpreting this Policy, any provisions inconsistent with the KIF apply to the extent of that inconsistency.



# KARTING

## A U S T R A L I A

## Karting Australia Child Safeguarding Policy

### South Australia Addendum

#### 1. Introduction

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In South Australia, organisations providing services to children and young people must, by law, provide child safe environments. Those organisations are required to:

- have child safe environments policy(ies) in place and at a minimum, review their policy(ies) once every 5 years;
- meet Working With Children Check obligations; and
- lodge a child safe environments compliance statement with the Department of Human Services and lodge a new statement each time policy(ies) are reviewed and updated (or every 5 years, whichever occurs first).

The South Australian Addendum (Addendum) has been developed to supplement the KA Child Safeguarding Policy to meet compliance requirements. To the extent of any inconsistency between this Addendum and the Child Safeguarding Policy, this Addendum will prevail. Any capitalised terms used and not defined in this Addendum have the meaning given in the KA Child Safeguarding Policy or Karting Australia Integrity Framework (KIF).

The KA Child Safeguarding Policy and this Addendum must also be read, interpreted, and applied with reference to, and in conjunction with the Safety Act and Prohibited Persons Act as defined in section 2 below.

The purpose of this Addendum is to ensure that Relevant Organisations and Relevant Persons in South Australia comply with their legislative obligations under the South Australian Child Protection Legislation. This Addendum is not intended to create any additional Prohibited conduct under the KA Child Safeguarding Policy.

#### 2. Definitions

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Defined terms not otherwise defined in this Addendum have been defined in and have the meaning to them in the KIF and the KA Child Safeguarding Policy. In this Addendum the following words have the corresponding meaning:

**Australian Karting Association South Australia Inc** is the Member State governing body for Karting in South Australia.

**Harm** as defined in Section 17 of the Safety Act means physical or psychological harm (whether caused by an act or omission), including harm caused by sexual, physical, mental, or emotional abuse or neglect. This definition should be read in conjunction with the definition of Abuse as defined in the KA Child Safeguarding Policy.

**Mandatory Notifiers** means people specified under the Safety Act to report to the Department for Child protection if they suspect on reasonable grounds that a child is, or may be at, risk and this suspicion is formed in the course of their work (paid or unpaid).

**Prescribed Position** means a position:



- in which a person works, or in the ordinary course of his or her duties, it is reasonably foreseeable that a person in that position will work, with children and/or young people.
- Set out in the [Prohibited Persons Regulations 2019 \(SA\)](#).

**Prohibited Persons Act** means the *Child Safety (Prohibited Persons) Act 2016 (SA)*, being the South Australian legislation regarding Working with Children Check requirements.

**Risk** as defined in Section 18 of the Safety Act. This includes that a child or young person will be taken to be at risk if:

- a. the child or young person has suffered harm (being harm of a kind against which a child or young person is ordinarily protected): or
- b. there is a likelihood that the child or young person will suffer harm (being harm of a kind against which a child or young person is ordinarily protected).

**Safety Act** means the *Children & Young People (Safety) Act 2017 (SA)*, being the South Australian Child Protection Legislation.

### 3. Scope

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The Addendum applies to all Relevant Organisations and Relevant Persons affiliated with Australian Karting Association South Australia Inc.

### 4. Working with Children Checks

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- a. The Prohibited Persons Act requires people working or volunteering with children in South Australia to have a valid Working With Children Check prior to commencing working with children and young people.
- b. A Relevant Person who works in a Prescribed Position must have a valid Working With Children Check.
- c. A Relevant Organisation can only appoint or continue to appoint a Relevant Person in a Prescribed Position if:
  - i. they have verified that the Relevant Person has had a Working With Children Check conducted in the last 5 years; and
  - ii. that the person is not prohibited from working with children.
- d. The Prohibited Person Act requires organisations to contact the Central Assessment Unit (Department of Human Services Screening Unit) if:
  - i. they become aware of any assessable information in relation to the person;
  - ii. they become aware that the person is prohibited from working with children under a law of the Commonwealth or of another state or territory;
  - iii. they become aware that the person is (or becomes) a registrable offender under the *Child Sex Offenders Registration Act 2006*.
  - iv. the person makes a disclosure to the employer under section 66 of the *Child Sex Offenders Registration Act 2006*.

## 5. Mandatory Notifiers

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- a. Under the Safety Act, the following people are mandated notifiers:
- i. medical practitioners;
  - ii. pharmacists;
  - iii. registered or enrolled nurses;
  - iv. dentists;
  - v. psychologists;
  - vi. police officers;
  - vii. community corrections officers under the Correctional Services Act;
  - viii. social workers;
  - ix. ministers of religion;
  - x. employees of, or volunteers in, an organisation formed for religious or spiritual purposes;
  - xi. teachers employed to teach in a school, pre-school, or kindergarten;
  - xii. employees of, or volunteers in, an organisation that provides health, welfare, education, sporting or recreational, childcare, or residential services wholly or partly for children and young people, being a person who:
    - A. provides such services directly to children and young people or
    - B. holds a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people<sup>20</sup>; or
  - xiii. an officer or employee of a prescribed organisation (as per section 114, of the Safety Act) who holds a management position in the organisation, the duties of which include direct responsibility for, or indirect supervision of, the provision of services to children.<sup>21</sup>
- b. Mandated notifiers are required by law to notify the Department for Child Protection via the Child Abuse Report Line (CARL), Phone 131478, if they suspect on reasonable grounds that a Child is, or may be, at risk and the suspicion is formed in the course of the person's work (whether paid or voluntary) or in carrying out official duties.
- c. By way of general guidance, reporting obligations arise where there is "a reasonable suspicion" that a Child may be "at risk".

## 6. Child Safe Compliance

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- a. Under the Safety Act, Relevant Organisations affiliated with **Australian Karting Association South Australia Inc:**

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<sup>20</sup> Section 30(3), Children and Young People (Safety) Act 2017

<sup>21</sup> Regulation 9, Children and Young People (Safety) Regulations 2017

- i. with significant membership of, or involvement by, Children and Young People; or
- ii. who provide coaching to Children and Young People.

must:

- iii. prepare or adopt policies and procedures designed to ensure that safe environments for Children and Young People are established and maintained; and
  - iv. lodge (or have a representative body such as Australian Karting Association South Australia Inc. lodge on its behalf) a statement with the Department of Human Services certifying that these child safe environment policies and procedures are in place for affiliated clubs.
- b. Adoption and implementation of the Child Safeguarding Policy and this Addendum will assist Relevant Organisations affiliated with Australian Karting Association South Australia Inc. meet these obligations.
  - c. To be included on Australian Karting Association South Australia Inc. Child Safe Environments Compliance Statement Relevant Organisations affiliated with Australian Karting Association South Australia Inc. must provide the required information annually as specified by Australian Karting Association South Australia Inc.
  - d. Failure to do so means that a Relevant Organisations affiliated with Karting Australia will need to separately and independently lodge a compliance statement of its own, confirming its compliance (assuming appropriate compliance steps have been taken). Failure to lodge a compliance statement can result in a fine up to \$10,000.

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## 7. Child Safeguarding Policy Implementation

- a. Risk Management
  - i. Australian Karting Association South Australia Inc. takes a risk-based approach to ensure that all activities are child safe and will undertake risk assessments for any activity that may involve contact with children.
  - ii. The risk assessment will consider:
    - A. the contact (with Children) and levels of direct supervision;
    - B. the risk factors;
    - C. the mitigation factors;
    - D. the management strategies.

- b. Involving Children

Australian Karting Association South Australia Inc. is committed to involving children in decisions that affect them and providing them with information about their rights. We do this by:

- i. establishing a Youth Advisory Committee/Youth representative position on the Board;
- ii. obtaining feedback from Children through surveys or focus groups;
- iii. providing a child-friendly version of the Child Safeguarding Policy and other procedures;

- iv. displaying child-friendly posters about Children's rights and how to raise a concern at local karting clubs/facilities.

c. Supporting Employees and Volunteers

Australian Karting Association South Australia Inc. is committed to providing Employees and Volunteers with ongoing training and support to ensure they understand their responsibilities in relation to Child Safety. We will do this by:

- i. conducting an induction for all employees and volunteers outlining their obligations under the Child Safeguarding Policy and Child Safe Practices;
- ii. undertaking regular performance appraisals;
- iii. regular supervision sessions that include a focus on Child safety and wellbeing;
- iv. appointing a Child safety officer;
- v. access to online resources around issues concerning child safety and wellbeing;
- vi. providing professional development opportunities to build knowledge and skills regarding the wellbeing and development of Children.

d. Communication and Awareness of Child Safeguarding Policy

Australian Karting Association South Australia Inc. is committed to promoting a child-safe sporting environment. We will do this by:

- i. having a dedicated, easy to access child-safe area on our website;
- ii. providing information about the Child Safeguarding Policy, Child Safe Practices and Recruitment and Screening requirements as part of membership and event registration, affiliation agreements and coach and officials accreditation;
- iii. utilising social media channels to promote the Child Safeguarding Policy and the value Karting places on Child Safety;
- iv. displaying posters about Child Safe Practices and how to make a complaint or provides feedback at local karting clubs/facilities.

## SCHEDULE 1 – Child Abuse Definitions

**Child Abuse** is the mistreatment of a Child that:

- a. causes, is causing or is likely to cause any detrimental effect so that a Child's physical, psychological, or emotional wellbeing; or
- b. does, or is likely to, endanger that a Child's physical or emotional health, development, or wellbeing,

whether through a:

- i. single act, omission, or circumstance; or
- ii. series or combination of acts, omissions, or circumstances,

and includes:

- 1. Physical Abuse** occurs when a person subjects a Child to application of physical force, which may cause injury intentionally or inadvertently because of physical punishment or the aggressive treatment of a Child. Physically abusive behaviour includes, but is not limited to:
  - a. shoving, hitting, slapping, shaking, throwing, punching, biting, burning, kicking; and
  - b. harmful training methods or overtraining where there is the potential to result in damage to a Child's physical development.
- 2. Emotional or Psychological Abuse** occurs when a Child does not receive the love, affection, or attention they need for healthy emotional, psychological, and social development or are exposed to violence/abuse against other Children or adults. Such abuse may involve:
  - a. repeated rejection or threats to a Child;
  - b. constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule, intentional exclusion, continual coldness, and rejection;
  - c. bullying and harassment;
  - d. harmful training methods or overtraining where there is the potential to result in damage to a Child's physical, intellectual, or emotional wellbeing and development.
- 3. Sexual Abuse** occurs when an adult, or a person in authority (i.e., older, or younger but more physically or intellectually developed) involves a Child in any sexual activity. A child cannot provide consent, therefore even if 'consent' is given, it still constitutes sexual abuse.
  - a. Perpetrators of sexual abuse take advantage of their power, authority, or position over the Child for their own benefit. It can include making sexual comments to a Child, kissing, touching a Child's genitals or breasts, oral sex, or intercourse with a Child.
  - b. Sexual exploitation is a form of Sexual Abuse and occurs when Children are forced into or involved in sexual activities that are then unlawfully recorded in some way, or recorded without the consent of one or more parties, or used to produce child sexual abuse material.
  - c. Such material can be in the form of photographs or videos, whether published or circulated on the internet or social media. Encouraging a Child to view pornographic videos, websites, or images, or engaging a Child to participate in sexual conversations over social media or otherwise is also considered sexual exploitation.



4. **Neglect** is the persistent failure or deliberate failure or intent to harm or denial to meet a Child's basic needs. Child Neglect includes the failure to provide adequate food, clothing, shelter, supervision, clean water, medical attention, to the extent that the Child's health and development is or is likely to be harmed. Types of neglect include physical, medical, emotional, educational neglect and abandonment.
5. **Exposure to Family Violence** is any abusive behaviour used by a person in a relationship to gain and maintain control over their partner or ex-partner. It can include a broad range of behaviour that causes fear and physical and/or psychological harm. If a Child is living in a household where there have been incidents of domestic violence, then they may be at risk of significant physical and/or psychological harm.



## Annexure A: Responding to Child Abuse Allegations

### You must ACT.

As a person involved in Karting you play a crucial role in protecting Children.

You must follow the four actions set out below when responding to any Child Abuse allegations.

### Action 1 - Responding

If a Child is at risk of immediate harm, you must ensure their safety by:

- Calling 000 for medical and/or police assistance to respond to urgent health or safety concerns;
- Administering first aid, if required;
- Separating at-risk Child and others involved;
- Identifying an appropriate contact person for any on-going liaison with the Police.

If there is **no** immediate harm, go to Action 2 below.

### Action 2 – Reporting

If you suspect, on reasonable grounds that a Child was, is, or is at risk of being abused and/or neglected, you must report it to the police and/or the relevant State/Territory child protection agency.

If the alleged Child Abuse is occurring in a Relevant Organisation, it must also be documented on the Report Form.

You must also report internally to the KA National Complaints Officer on **(07) 5655 4340** or [integrityunit@karting.net.au](mailto:integrityunit@karting.net.au)

### Action 3 – Contact

You must contact the police and/or the relevant child protection agency to determine the information that may be shared with parents/guardians, and who should lead this contact (i.e., police, child protection department or Relevant Organisation representative). This could include advice:

1. Not to contact the parents or guardians in circumstances where they are alleged to have engaged in the abuse.
2. To contact the parents/guardians and provide agreed information as soon as possible.

### Action 4 - Support

- Support should be provided to any Child that has experienced abuse.
- It is important that the person providing support to the Child does not attempt to provide support which is outside of the scope of their role.
- Support should include maintaining a calm open manner when listening to any allegations and disclosures, while avoiding seeking detailed information or asking leading questions.
- This information needs to be well documented and shared with Karting's National Integrity Manager on **(07) 5655 4340** or [integrityunit@karting.net.au](mailto:integrityunit@karting.net.au)

Further support for the Child, relevant adults and others involved may be required, including a referral to wellbeing or healthcare professionals and or the development of a safety plan.



## Annexure B: Child Safe Commitment

### KARTING AUSTRALIA'S CHILD SAFE COMMITMENT STATEMENT

Karting Australia is committed to promoting and protecting the safety and wellbeing of children who access activities, programs, services, and facilities within our 'Karting community'.

The Karting Australia Child Safeguarding Policy and procedures seek to address risks to child safety and to establish child safe culture and practices. Our policy has been promulgated to promote and protect the rights of all children, from all backgrounds and abilities, in Karting. In doing so we strive to create an encouraging environment where children feel safe, respected, and valued.

Karting Australia acknowledges our karting community, including but not limited to licence holders, members, volunteers, officials, parents/guardians, and employees, all have a part to play in contributing to the positive experiences of children in our sport.

Karting Australia will actively promote the safety of children, by recognising and requiring the need for Member States and Affiliated Clubs to take direct responsibility for providing a safe physical, emotional and online environment for children in their community.

If a concern or allegation is identified in relation to a child abuse incident that has occurred within the Karting community, Karting Australia will ensure it is treated seriously and dealt with in accordance with the relevant legislation and **Karting Australia Integrity Framework**.

**Karting Australia Board**

19 September 2022

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## Annexure C: Child Safe Practices

Karting Australia is committed to safeguarding everyone involved in our organisation including Children in our care, ensuring that they feel and are safe. Karting Australia's Child Safe Practices have been developed to identify and prevent behaviour that may be harmful to the Children in our sport.

A breach of the Child Safe Practices is a breach of the Child Safeguarding Policy and will be managed by the Complaints, and Discipline of Members By-law.

There may be exceptional situations where aspects of the Child Safe Practices do not apply, for example in an emergency it may be appropriate to physically restrain a child. However, it is crucial that, where possible, you seek authorisation prior to taking action that does not comply with these standards or that you notify a Relevant Organisation as soon possible after any incident in which these standards are not complied with.

### 1.1 Sexual misconduct

- a. Under no circumstances is any form of 'sexual behaviour' to occur between, with, or in the presence of Children.
- b. 'Sexual behaviour' needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:
  - i. 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution; and
  - ii. 'non-contact behaviour', sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

### 1.2 Professional boundaries

- a. Relevant Persons must act within the scope of their role (as specified in their position description or contract) when working with Children who are involved or have been involved in our sport. They must not:
  - i. provide any form of support to a child or their family unrelated to the scope of their role, where there is no existing social, personal, or family relationship (e.g., financial assistance, babysitting, provide accommodation);
  - ii. use a personal phone, camera, or video camera to take images of Children;
  - iii. exhibit any type of favouritism towards a Child;
  - iv. transport Children unless specifically approved;
  - v. give gifts/presents to Children other than the provision of official awards;
  - vi. engage in open discussions of mature or adult nature in the presence of Children;
  - vii. discriminate against any Child, including on the basis of gender identity, culture, race, or disability;
  - viii. have one on one contact with a Child outside of authorised sport activities (includes direct contact such as in-person as well as indirect, such as by phone, or online); or
  - ix. accept an invitation to attend any private social function at the request of a Child or their family, where there is no existing social, personal, or family relationship.
- b. If Relevant Persons become aware of a situation in which a Child requires assistance that is beyond the confines of that person's role, they should undertake any or all of the following at the earliest opportunity:
  - i. refer the matter to an appropriate support agency;
  - ii. refer the Child to an appropriate support agency;
  - iii. contact the Child's parent or guardian;
  - iv. seek advice from a Relevant Organisation.

### **1.3 Use of language and tone of voice**

Language and tone of voice used in the presence of Children should:

- a. provide clear direction, boost their confidence, encourage, or affirm them;
- b. not be harmful to Children. In this respect, not use language that is:
  - i. discriminatory, racist, or sexist;
  - ii. derogatory, belittling, or negative, for example, for example, by calling a Child a 'loser' or telling them they are 'too fat';
  - iii. intended to threaten or frighten; or
  - iv. profane or sexual.

### **1.4 Positive guidance (Discipline)**

- a. Children participating in our sport will be made aware of the acceptable limits of their behaviour so that we can provide a positive experience for all participants.
- b. Relevant Persons and Relevant Organisations must use appropriate techniques and behaviour management strategies to ensure:
  - i. an effective and positive environment; and
  - ii. the safety and/or wellbeing of Children and personnel participating in sport.
- c. Relevant Persons and Relevant Organisations must use strategies that are fair, respectful, and appropriate to the developmental stage of the Children involved.
- d. Children need to be provided with clear directions and given an opportunity to redirect their behaviour in a positive manner.
- e. Under no circumstances are Relevant Persons or Relevant Organisations to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

### **1.5 Supervision**

- a. Children participating in our sport programs and services must always be supervised. Supervision must be constant, active, and diligent and requires Relevant Persons to always be in a position to observe each Child, respond to individual needs and immediately intervene if necessary.
- b. One-to-one unsupervised situations with Children should be avoided, however some services and programs may involve such circumstances (e.g., medical treatment) and in this case, these situations will need to be identified and recorded by the Relevant Organisation.
- c. Any incident of one-to-one unsupervised contact should be immediately reported to the Relevant Organisations management within 24 hours of the incident occurring.

### **1.6 Use of electronic or online communications**

- a. For any electronic or online communication with Children in our sport we adopt a two-deep model, that is, copy in the organisation and a parent or guardian in all communication.
- b. When communicating with Children, Relevant Organisations and Relevant Persons must ensure content is:
  - i. directly associated with delivering our services, such as advising that a scheduled event is cancelled;
  - ii. concise with personal or social content limited only to convey the message in a polite and friendly manner;
  - iii. devoid of any sexualised language; and
  - iv. not promoting unauthorised social activity or contact.



## 1.7 Photographs of Children

- a. Children are to be photographed or videoed while involved in our sport only if:
  - i. the Child's parent or guardian has provided prior written approval for the photographs to be taken or for the video footage to be captured;
  - ii. the context is directly related to participation in our sport;
  - iii. the Child is appropriately dressed and posed; and
  - iv. the image is taken in the presence of other personnel.
- b. Individuals wishing to photograph Children in a restricted area of a Karting event must be a KA Accredited Photography and Media person.
- c. Relevant Organisations and Relevant Persons must not distribute images or videos (including as an attachment to an email) to anyone outside our sport organisation other than the Child photographed or their parent, without organisational knowledge and approval.
- d. Images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others and will be destroyed or deleted as soon as they are no longer required.
- e. Images are not to be exhibited online or in publications (annual report) without parental knowledge and approval (through a signed image consent form), or such images must be presented in a manner that de-identifies the Child. Any caption or accompanying text may need to be checked so that it does not identify a Child if such identification is potentially detrimental.

## 1.8 Physical contact with Children

- a. Any physical contact with Children must be appropriate to the delivery of our sport programs or services and based on the needs of the Child such as assisting with the use of equipment, technique, treatment by a health practitioner or administering first aid.
- b. Under no circumstances should Relevant Persons have contact with Children participating in our programs and services that:
  - i. involves touching of genitals, buttocks, or the breast area other than as part of delivering medical or allied health services;
  - ii. would appear to a reasonable observer to have a sexual connotation;
  - iii. is intended to cause pain or distress to the Child (e.g., corporal punishment);
  - iv. is overly physical (e.g., wrestling, horseplay, tickling or other roughhousing);
  - v. is unnecessary (e.g., assisting with toileting when a Child does not require assistance); or
  - vi. is initiated against the wishes of the Child, except if such contact may be necessary to prevent injury to the Child or to others, in which case:
    - physical restraint should be a last resort;
    - the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the Child to prevent harm to themselves or others; and
    - the incident must be reported to management as soon as possible.
- c. Relevant Persons are required to report to the Relevant Organisation any physical contact initiated by a Child that is sexualised and/or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the Child, Relevant Persons, and any other participants.

## 1.9 Overnight stays and sleeping arrangements

- a. Karting activities, programs and services do not require Affiliated Clubs, Member Organisations or Karting Australia Personnel to have overnight stays or sleeping arrangements for Children.
- b. Overnight stays and sleeping arrangements are the responsibility of parents/guardians.

- c. If parents/guardians elect to utilise Affiliated Club facilities for overnight stays, then practices and behaviour by Relevant Persons involved during an overnight stay must be consistent with the practices and behaviour expected during delivery of our sport at all other times.

#### **1.10 Change room arrangements**

Karting Competitions and Activities do not normally require the use of group changing facilities for Licence Holders. If group change room facilities are utilised, then the following shall apply:

- a. Children should be supervised in change rooms whilst ensuring their right to privacy.
- b. A minimum of two Relevant Persons of the same gender as the group should always be present,
- c. Relevant Persons must not shower or change at the same time as supervising groups of Children.
- d. Relevant Persons must avoid one-to-one situations with a Child in a change room area
- e. Relevant Persons need to ensure adequate supervision in 'public' change rooms when they are used, providing the level of supervision required for preventing abuse by members of the public, adult users, or general misbehaviour, while also respecting a Child's privacy.
- f. Phones, cameras and recording devices are not to be used in changing rooms and in particular whilst Children are getting dressed.

#### **1.11 Use of, possession, or supply of alcohol or drugs**

Relevant Persons, whilst responsible for the care of Children, must not:

- a. use, possess or be under the influence of an illicit drug; ®
- b. use or be under the influence of alcohol;
- c. be impaired by any other legal drug such as prescription or over the counter drugs;
- d. supply alcohol or drugs (including tobacco); or
- e. supply or administer medicines, except when permitted by law or with the consent of the parent, guardian, or carer of the Child and under a valid prescription for that Child and at the prescribed dosage.

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#### **1.12 Parent/Guardian Involvement**

Relevant Organisations must:

- a. ensure that a parent/guardian is involved in any significant decision, including the signing of any documentation in relation to their Child's involvement in Karting
- b. conduct all practice / training sessions in locations that allow parents/guardians to watch their Children during practice / training.
- c. make parents/guardians aware of the standard of behaviour required when watching their Child during training. Parents/guardians displaying inappropriate conduct may be asked to leave but may not be denied access for an undetermined amount of time.

#### **1.13 Transporting Children**

- a. Karting activities, programs and services do not require Affiliated Clubs, Member Organisations or KA Personnel to transport children.
- b. Transportation is the responsibility of parents/guardians.

## Annexure D: Recruitment and Screening

These recruitment and screening requirements have been developed to provide a fair, safe, consistent, and comprehensive recruitment process across our sport. Our sport takes child protection seriously and ensures that the organisation recruits' personnel that are suitably qualified and committed to providing professional, safe, and enjoyable programs and services to Children.

### 1. Child-Related Positions

- a. All roles within our sport (employees and volunteers) both new and existing must be assessed using Appendix 1: Child-Related Position Assessment.
- b. A child-related position means a position that involves or may involve contact with children, either under the position description or due to the nature of the role.
- c. Positions assessed as 'child-related' must be appointed using the recruitment and screening process outlined in Annexure D.

### 2. Position Descriptions

- a. Developing appropriate selection criteria for a position is a valuable first step to reducing the risk of appointing someone who poses a child safety risk.
- b. Examples of appropriate selection criteria may include: 'Must have experience working with Children.' 'Must be able to demonstrate an understanding of appropriate behaviours when engaging with Children.'

### 3. Advertising

- a. All positions identified as child-related will include the following statement in the position description and any advertising: ***Karting Australia is committed to protecting Children from harm. We require all applicants that will work with Children to undergo an extensive screening process prior to appointment.***

### 4. Interviews

- a. All applicants for child-related positions are required to attend at least one interview, preferably in person or on a videoconference (e.g., MS Teams, Webex, Zoom etc.).
- b. During the interview, questions regarding the applicant's suitability to work with Children must be included. Refer to Appendix 2: Interview Requirements and Sample Questions.

### 5. Working with Children Checks

- a. Working with Children Check (WWCC) laws aim to prevent people who pose a risk from working with Children as paid employees or volunteers. WWCC laws are currently in place in all Australian states and territories.
- b. These laws require certain individuals involved in areas such as sport and recreation to undertake a check to determine their suitability to work (in a paid or volunteer capacity) with Children. Whether a particular individual is required to undertake a check or can begin work while a WWCC application is being reviewed depends on the WWCC laws of the relevant state or territory.
- c. Relevant Organisations must meet the requirements of the relevant state or territory WWCC laws including travelling to other states or territories. Specific state and territory requirements can be found here: <https://aifs.gov.au/resources/resource-sheets/pre-employment-screening-working-children-checks-and-police-checks>
- d. All personnel that require a WWCC will supply a copy of it to, or be validated by, the organisation making the appointment.

- e. Relevant Organisations may not engage a person who does not have a satisfactory WWCC in the relevant jurisdiction(s).
- f. Regardless of whether an individual is required or otherwise eligible to obtain a WWCC in the relevant jurisdiction(s), it is a serious breach of the Child Safe Policy if an individual:
  - i. who has convictions that would make them ineligible to be granted a WWCC is appointed to a child-related position in our sport; or
  - ii. continues in a child-related position if they have been charged or convicted of a crime that would make them ineligible to be granted a WWCC.
- g. Relevant Persons are required to report any criminal conviction or charge that indicates that they may present a potential risk to the Children to whom they help deliver programs or services, such as illegal drug possession or use, gun crimes and assault including adult sexual assault.

## 6. National Criminal History Record Checks

- a. Depending on the relevant jurisdictional legislation a Relevant Organisations may require the preferred candidates to have completed a 'national criminal history record check' (also known as a 'police check') where the candidate does not otherwise meet the jurisdictional threshold to apply for and obtain a WWCC.
- a. A criminal history does not automatically preclude an applicant from being appointed unless their criminal history suggests that they may pose a risk to Children. If there is information relevant to the employment decision, the applicant will be provided with an opportunity to respond to the contents of their police check (if they wish to do so).
- b. The decision to appoint or not appoint an applicant because of a police check result, along with the rationale for that decision, must be communicated to the applicant by the Relevant Organisation.
- c. A copy of the police check must not be retained. The original must either be returned to the applicant if requested or be destroyed in a secure manner on completion of the recruitment process. If the applicant is appointed, a record of the date and certificate number of the police check should be recorded in their personnel file.

## 7. International Criminal History Record Checks

- a. Any applicant who has resided overseas for 12 months or more in the last ten years must obtain an international criminal check.
- b. Some countries will not release information regarding an individual for personal or third-party purposes. Where police records checks cannot be made, reference checks must be conducted with at least two referees that personally knew the individual whilst they were residing in the other country.
- c. The Relevant Organisation must inform the applicant that referees will be asked whether they have knowledge or information concerning the applicant that would adversely affect the applicant from performing the job, including any relevant criminal offences. The credentials of persons acting as referees must be verified and can include previous employers or government officials).
- d. Overseas applicants should not commence until this process is satisfactorily completed.

## 8. Monitoring compliance

- a. Relevant Organisations will ensure that all personnel in child-related positions have a current WWCC as specified in state and territory legislation:

<https://aifs.gov.au/cfca/publications/pre-employment-screening-working-children-checks-and-police-checks/part-overview>

- b. On request from KA, a Member State and/or an Affiliated Club must provide proof of their records of all child related positions, including all volunteers, identifying names, roles, current WWCC card sighted and expiry dates as a minimum.
- c. A Member State will have the authority to request this information from an Affiliated Club at any time.

#### **9. Reference checks**

- a. The Relevant Organisation will conduct a minimum of two reference checks for the preferred applicant to gather additional information about the applicant's suitability to work in the role for which they have applied.
- b. The selected referees must:
  - i. be able to provide information relating to the applicant's suitability to work with Children;
  - ii. have known the applicant for at least 12 months;
  - iii. not be related to the applicant;
  - iv. be able to vouch for the applicant's reputation and character.

**Please note:** Written character references are not sufficient unless also followed up and verified through direct contact.

- c. Referees will be asked directly about any concerns they may have about the applicant working with Children. Refer to Appendix 3: Reference Check Requirements and Sample Questions.

#### **10. Qualification and registration checks**

Educational or vocational qualifications, or professional registration will be verified for the preferred applicant for the position, if applicable.

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#### **11. Minors**

- a. If a person under the age of 18 is appointed to a child-related position, the Relevant Organisation must:
  - i. comply with the relevant WWCC legislation;
  - ii. undertake appropriate screening (interviews and referee checks);
  - iii. ensure that they are aware that they are bound by the Child Safeguarding Policy, Child Safe Practices and the obligations associated with working with Children; and
  - iv. obtain information about any pre-existing relationships, especially where the Child-applicant interacts personally with another Child participant.



## Appendix 1: Child-Related Position Assessment

Note: State and territory jurisdictions have different requirements regarding screening and WWCC. This child-related position assessment aims to assist Relevant Organisations identify child-related positions however, **it should not be used to determine if a Relevant Person requires a WWCC.**

Specific state and territory requirements can be found here:

<https://aifs.gov.au/resources/resource-sheets/pre-employment-screening-working-children-checks-and-police-checks>

Question – Does the position/activity (paid/unpaid or volunteer):	Yes	No
Involve supervising children?		
Involve being alone with children or engaging with children in a way that is not observed or monitored?		
Involve activities with children away from the organisation's usual location?		
Involve direct one-on-one or group contact with children via phone, letter, email, online or social media?		
Involve supervising child-to-child online contact?		
Have access (online or paper based) to a child's or children's personal and/or confidential information?		
Involve the need for physical contact/touching children?		
Have a perceived or actual level of authority (including from a child's perspective)?		
Involve any other type of contact with children?		

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If you answered YES to one or more of the above questions, the position **is a child-related position.**

The Relevant Organisation is required to undertake the recruitment and screening process as outlined in Annexure 3, including conducting interviews and reference checks.

Relevant Organisations must also meet the requirements of the relevant state or territory WWCC laws.

## Appendix 2: Interview Requirements and Sample Questions

1. The interview process is a very important step in selecting the right people for your organisation and in identifying any people that may pose a risk of harm to children.
2. An open-ended style of behavioural-based questioning will give insights into the applicant's values, attitudes and understanding of professional boundaries and accountability.
3. All applicants should be informed during the interview that referees will be contacted as part of any final selection process.

### Questions that MUST be asked

- Would you please tell us about your beliefs and values in relation to working with children?
- Would you please tell us about your awareness and understanding of child protection?
- Would you please tell us about your professional experience, competencies, and qualifications in relation to working with children?
- What boundaries are important when working with children?
- Have you ever had any disciplinary action taken against you in relation to you working with children?

### Additional Questions (for positions that work predominately with children) that MAY be asked

- What do you find most rewarding about working with children?
- What do you find most challenging about working with children?
- How would you handle a child that is behaving in a manner that is disruptive in a group setting?
- How do you think your peers, supervisors and referees would describe the way you work with children?
- Are there any children whom you would not wish to work with and, if so, why?
- How would you deal with a child who is acting aggressively?
- Have you ever lost your temper working with children? What was the trigger for this? What was the outcome?
- How would you respond to a child who disclosed they were being subjected to abuse?
- A parent of a child attending your service wants someone from the organisation to care for their child out of hours. What would be your response to this request?
- What would you do if you thought another staff member or volunteer had harmed or was harming a child?
- What would you do if you thought a child was being abused at home?
- Can you tell us about children you have found challenging to work with? What strategies do you use to handle challenging behaviour?
- How would you handle a child that appears sad and refuses to participate in activities?

**Take notice of your own thoughts and feelings when interacting with the applicant. Ask for more information if the applicant does not provide sufficient information in his or her responses.**

#### Red Flags include, but are not limited to:

- unexplained lengthy gaps in employment history
- strange or inappropriate questions / statements about children
- expresses an interest in spending time alone with children / in working with children of a particular age or gender
- excessive interest in child photography
- being evasive or inconsistent in responding to questions.

### Appendix 3: Reference Check Requirements and Sample Questions

- The purpose of seeking references is to obtain objective and factual information to support appointment decisions.
- Ask the same questions of each referee.
- When contacting the referee, identify yourself and your position, give the name of the candidate and the reason for your call.
- Before asking questions, describe the job and the competencies that you are seeking.

#### Questions that MUST be asked

- Are you related to the applicant? (Please note, if the person answers yes, you cannot proceed with this referee check and another referee needs to be obtained from the applicant).
- In what capacity have you known the applicant and for what length of time? (Please note, if less than 12 months another referee should be obtained from the applicant)
- How would you describe the personal character of the applicant?
- Would you have any concerns about this applicant working with or being in contact with children?
- How does the person respond to supervision/oversight?
- In your time working with the applicant, was there anything that led you to believe that this applicant is not suitable to work with or be in contact with children?
- To your knowledge, has this person ever been involved with the abuse or neglect of children?

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**The panel should consider the validity of the referees by reflecting on the following questions:**

- What is the relationship between the referee and the applicant?
- Has the referee known the applicant in a professional capacity and if so when and for how long?
- Is the referee able to provide relevant information about the applicant's work history and performance?
- Has the referee observed the applicant demonstrating the skills and knowledge required for the position?

**'Red Flags' include, but are not limited to:**

- A reluctant referee
- A referee who does not know (or appear to know) the applicant well
- Information that the referee will not provide
- Information that differs from the applicant's account
- Evasive or convoluted responses
- Referees that would not re-hire the applicant
- Referees that cannot be contacted
- Referees that were not informed they would be used.

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## P4 COMPETITION MANIPULATION AND SPORTS WAGERING POLICY

Scheduled Reviewed

Triennially or as required

(Replaces Policy 42 Competition Fixing Policy)

Date of Board Approval

19 September 2022

Last Board Review: 19 September 2022

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### Background

The manipulation of sporting competitions and related activities undermines the integrity of sport. Manipulating sporting competitions can be a crime and punishable by law.

This Policy prescribes prohibited conduct which constitutes a breach, as well as offences which must be reported to Australian Karting Association Ltd ('KA').

Through this Policy, KA aims to ensure that its core values, good reputation and positive behaviours and attitudes are maintained.

### 1. Definitions

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Defined terms not otherwise defined in this Policy have been defined in, and have the meaning given to them, in the KA "Australian Karting Manual – National Competition Rules" (**NCR**), KA Constitution and KA Integrity Framework (**KIF**). In this Policy the following words have the corresponding meaning:

**Benefit** means any advantage and is not limited to property.

**Inside Information** means any information connected to the conduct, management or organisation of a sporting event that is not generally available and if it were generally available, the information, would, or would be likely to, influence a person's decision to bet on the sporting event or in making any other betting decision.

**Policy** means this Competition Manipulation and Sport Wagering Policy.

**Prohibited Conduct** means conduct proscribed by clause 3 of this Policy.

**Wagering Service Provider** means any company or other undertaking that promotes, brokers, arranges or conducts any form of wagering activity in relation to Karting in Australia.

### 2. Jurisdiction

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This Policy applies to:

- a. Relevant Persons; and
- b. Relevant Organisations.

### 3. Prohibited Conduct

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A Relevant Person commits a breach of this Policy when they, either alone or in conjunction with another or others, engage in any of the following conduct:

- a. participate (whether by act or omission) in improperly altering the result or the course of an Activity in order to remove all or part of the unpredictable nature of the Activity to obtain a Benefit for themselves or others by:
  - i. the direct, pre-meditated or planned interference with the natural course of an

- Activity or element of an Activity<sup>22</sup>;
- ii. providing modified or false information related to a driver's identity or personal information;
- iii. intentionally modifying playing surfaces, equipment, or driver's physiology to improperly influence the natural course of the event<sup>23</sup>; or
- iv. providing or receiving any Benefit that might reasonably be expected to bring the Relevant Person, KA, or Karting into disrepute;
- b. bet, or enter into any other form of financial speculation on any Activity, or on any incident or occurrence in an Activity, connected with KA, whether or not they are participating in the Activity. For the avoidance of doubt:
  - i. any bets placed by a betting syndicate or group, such as a 'punter's club', of which the Relevant Person is a member;
  - ii. an interest in any bet, including having someone else place a bet on their behalf; or
  - iii. allowing another person to place a bet using a Relevant Person's account, shall be treated as if the bet was placed by the Relevant Person as an individual;
- c. facilitate or assist with the making of a bet on any Activity or part of any Activity including communicating in any way, such as by using a mobile phone, computer or other electronic or other device, information that might give another person an unfair advantage if they were to engage in betting related to that information, other than as required as part of their official duties;
- d. disclose Inside Information, other than as required as part of their official duties;
- e. accept a Benefit to incite, cause or contribute to any breach of this Policy;
- f. facilitate, assist, aid, abet, encourage, induce, cover-up or be complicit in any Prohibited Conduct;
- g. attempt to engage in any conduct which would be Prohibited Conduct if successful; or
- h. fail to promptly report to the KA's National Integrity Manager any of the matters listed in clause 4.1(a) and (b).

## 4. Obligations

### 4.1 Reporting

- a. A Relevant Person must, where permitted by law, promptly notify the KA's National Integrity Manager if he or she:
  - i. is interviewed as a suspect, charged, or arrested by a law enforcement body in respect of conduct that falls with the definition of Prohibited Conduct;
  - ii. has been approached by another person to engage in Prohibited Conduct;
  - iii. knows or reasonably suspects that another person has engaged in Prohibited Conduct, or has been approached to engage in Prohibited Conduct; or
  - iv. has received or is aware or reasonably suspects that another person has received, actual or implied threats of any nature in relation to any past or proposed Prohibited Conduct.
- b. A Relevant Person has a continuing obligation to report any new knowledge or suspicion regarding any Prohibited Conduct under this Policy, even if the Relevant Person's prior knowledge or suspicion has already been reported.
- c. Notification by a Relevant Person under this clause 4.1 may be made verbally or in writing by

<sup>22</sup> Examples may include, but not limited to, intentionally conceding points, pre-arranging the outcome of a competition, deliberate underperformance (also known as 'tanking') in any manner (through selections or not playing to a person's merits), influencing driver selections and strategy, or intentional unfair or incorrect officiating

<sup>23</sup> For the avoidance of doubt, this does not include any matters dealt with under other relevant policies relating to anti-doping, eligibility, gender identity or selection criteria.



the Relevant Person and may be made anonymously if there is a genuine concern of reprisal. A Relevant Person who makes a report anonymously is responsible for keeping a record that will allow them to confirm that they have met their obligations under clause 4.1(a).

- d. KA and Relevant Persons should be aware of relevant Commonwealth, State and Territory legal requirements to report criminal activity in relation to the manipulation of sporting competitions (match-fixing) and Inside Information.

## 4.2 Information sharing

- a. KA and Sport Integrity Australia may share information (including Personal Information as defined in the *Privacy Act 1988* (Cth)) at any time relating to Relevant Persons or Relevant Organisations with Wagering Service Providers, law enforcement agencies, government agencies or other sporting organisations to prevent, identify and investigate alleged Prohibited Conduct.
- b. KA must share the following information with Sport Integrity Australia:
- c. Any notification received from a Relevant Person under clause 4.1; and
- d. Any information received from Wagering Service Providers under clause 4.3.
- e. In sharing information, KA will remain bound by the legal obligations contained in the *Privacy Act 1988* (Cth) and KA's Privacy Policy.

## 4.3 Monitoring by Wagering Service Providers

- a. Relevant Persons must disclose information to KA and Sport Integrity Australia regarding all of their commercial agreements, interests, and connections with Wagering Service Providers. For the avoidance of doubt, this does not include the disclosure of accounts that Relevant Persons may hold with Wagering Service Providers.
- b. KA will work with Wagering Service Providers to ensure the ongoing integrity of Activities under the auspices of KA and Karting Organisations.
- c. KA or Sport Integrity Australia may request Wagering Service Providers to monitor and conduct regular audits of their databases and records to monitor the incidents of suspicious betting transactions (including single or multiple betting transactions or market fluctuations) that may indicate or tend to indicate that Relevant Persons have engaged in Prohibited Conduct under this Policy.
- d. To enable the Wagering Service Provider to conduct such audits, KA may, from time to time and subject to any terms and conditions imposed by KA (including in relation to confidentiality and privacy), provide to Wagering Service Providers details of Relevant Persons who are precluded by this Policy from engaging in Prohibited Conduct.
- e. Wagering Service Providers may provide KA with regular written reports on incidents of suspicious betting transactions (including single or multiple betting transactions or market fluctuations) that may indicate or tend to indicate that Relevant Persons have engaged in Prohibited Conduct.
- f. All requests for information or provision of information by Sport Integrity Australia, KA or a Wagering Service Provider shall be kept strictly confidential and shall not be divulged to any third party or otherwise made use of, except where required by law or by this Policy, is permitted by KA or Wagering Service Provider, or where information is already in the public domain other than because of a breach of this Policy.

## 4.4 Sponsorship within Karting

- a. KA may enter into a commercial arrangement with a Wagering Service Provider from time to time, subject to any applicable legislative requirements.

- b. A Relevant Organisation may enter into a commercial arrangement with a Wagering Service Provider with the written consent of KA. Such consent may be withheld at the discretion of KA where the proposed commercial arrangement:
  - i. conflicts with an existing commercial arrangement made between KA and a Wagering Service Provider(s); and/or
  - ii. is with a Wagering Service Provider with whom KA has not entered into an integrity agreement as required under any applicable state/territory Wagering legislation.
- c. Subject to clause 4.4(b), a Relevant Person or Relevant Organisation must not:
  - i. enter into any form of commercial arrangement with a Wagering Service Provider;
  - ii. induce, advertise, or promote betting on an Activity, without the prior permission of KA; or
  - iii. promote or endorse a Wagering Service Provider.

## **5. Complaints and Discipline of Members By-law**

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The Complaints and Discipline of Members By-law applies to any alleged Prohibited Conduct, including reports of breaches of this Policy.

## **6. KA Integrity Framework**

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The KA Integrity Framework applies to this Competition Manipulation and Sport Wagering Policy. When interpreting this Policy, any provisions inconsistent with the KA Integrity Framework apply to the extent of that inconsistency.



## P5 IMPROPER USE OF DRUGS AND MEDICINE POLICY

Scheduled Reviewed

Triennially or as required

Date of Board Approval

19 September 2022

Last Board Review: 19 September 2020

### Background

- a. There is an increasing concern about the improper use of drugs and medicine in sport.
- b. Australian Karting Association Ltd ('KA') is committed to the health, safety, and wellbeing of Relevant Persons and to providing a safe and clean environment for Participants in Karting, including by ensuring that science and medicine services are provided to athletes by appropriately qualified and supervised staff that are subject to the KA Integrity Framework.
- c. Illegal Drugs represent a widespread community problem and can pose a serious health issue for individuals. KA is aware of the availability and the prevalence of use of Illegal Drugs and seeks to deter Relevant Persons from the use of such substances.
- d. The use of Illegal Drugs has a significant impact on the culture of sporting environments and the performance of individuals. Such use also brings Participants, KA and Karting into disrepute and does not provide a positive example for members of the community that may view our athletes as role models.
- e. The purpose of this Policy is to provide a framework to:
  - i. address and deter any unlawful distribution and use of Illegal Drugs in connection with Karting;
  - ii. aim to reduce the harm caused by Illegal Drugs to Relevant Persons and the broader community;
  - iii. ensure that appropriately qualified personnel are appointed to provide science and medicine services to athletes within Karting; and
  - iv. ensure that injections are only administered to athletes within Karting as part of appropriate medical treatment.
- f. The Australia Institute of Sport (AIS) leads the sport sector in best practice for Sport Science and Sport Medicine and works collaboratively with Sport Integrity Australia in relation to compliance with policy and standards relating to Sport Science and Sport Medicine.

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### 1. Definitions

Defined terms not otherwise defined in this Policy have the meaning given to them, in the KA "Australian Karting Manual – National Competition Rules" (NCR), KA Constitution and KA Integrity Framework (KIF). In this Policy, the following words have the corresponding meaning:

**AIS Sports Science Sports Medicine Practitioner Minimum Standards** mean the mandatory minimum standards for sports science and sports medicine staff and contractors engaged to deliver services in those disciplines as published and amended by the AIS from time to time and available [here](#).

**Health Professional** means a person who is listed as a health professional with the Australian Health Practitioner Regulatory Agency.

**Health Professional authorised to administer injections** means a Health Professional who is permitted under their registration and scope of practice to perform an injection. This may include Medical Practitioners, pharmacists, dentists, nurses, and paramedics currently registered with the relevant professional board in that field.

**Illegal Drug** means any substance listed under Schedule 9 and 10 of the current Commonwealth Poisons Standard, as well as any substance listed in [Schedule 1 of the Criminal Code Regulations 2019 \(CT\)](#), as

well as those substances howsoever proscribed under relevant state or territory legislation, as amended from time to time.

**Medical Practitioner** means a person registered in the medical doctor category by the Australian Health Practitioner Regulation Agency with no restrictions on practice.

**Medications** include substances that are classified by the Therapeutic Goods Administration (TGA) as a therapeutic good (listed under Schedules 1-8 of the current Commonwealth Poisons Standard), which are ingested, infused, inhaled, injected, inserted, or absorbed by the human body. They may take the form of pills, tablets, capsules, liquids, creams, gels, injectable liquids, sprays, adhesive patches, infusions, inhaled powders, vapours or liquids, pessaries, or suppositories.

**National Medical Officer** is the Medical Practitioner appointed by KA to advise and lead medical services for Karting.

**Policy** means this Improper Use of Drugs and Medicine Policy.

**Possession** means the actual, physical Possession, or the constructive Possession of an Illegal Drug <sup>24</sup>.

**Prohibited Conduct** means conduct proscribed at clause 4.1 of this Policy.

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**Relevant Driver** means:

- a. International Competition Licence Holders – see ‘NCR’;
- b. National Championship Level Drivers – which means a Driver who Competes at National Championship level.

**Relevant Personnel** means:

- a. Coaches;
- b. Employees;
- c. Medical Practitioners;
- d. Officials.
- e. Sports Science Sports Medicine Personnel;
- f. Support Personnel; and
- g. Any other person who has agreed to be bound by this Policy (other than a Driver).

**Supplement** includes any synthetic or natural chemical in the form of a formulated food, a tablet, capsule, gummy, liquid, tincture, or powder that is ingested, infused, inhaled, injected, inserted, or absorbed by the human body for the intended purpose of enhancing health and function, including athletic performance. This includes Dietary Supplements and Non- Compliant Supplements <sup>25</sup>.

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<sup>24</sup> **Constructive possession** refers to a situation where a Relevant Person has no hands-on custody of Illegal Drugs but has knowledge of the location of Illegal Drugs and the ability to exercise control/or a degree of control over them. For example, if the Relevant Person have stored drugs stored in a safety deposit box. Whilst the Relevant Person does not have actual physical custody of the Illegal Drugs, they have knowledge of the location of the Illegal Drugs and the ability to exercise control over them. Thus, under the legal doctrine of constructive possession, the Relevant Person is still considered in possession of the contents of their safety deposit box.

<sup>25</sup> **Sport Integrity Australia** advises that no supplement is free from anti-doping risk.

**Dietary Supplement** includes any supplement which is ingested and is compliant with the Australia New Zealand Food Standards Code or the Therapeutic Goods Act.

**Non-Compliant Supplement** includes any supplement which is not a compliant medicine or food. Foods which are compliant with the Australia New Zealand Food Standards Code are excluded. Medicines which are compliant with the Therapeutic Goods Act are excluded.

**Traffic/Trafficking** means selling, giving, transporting, sending, delivering, or distributing (or Possessing for any such purpose) an Illegal Drug (either physically or by any electronic or other means) by a Relevant Person to any third party; provided, however, this definition shall not include the actions of a “bona fide” Medical Practitioner involving an Illegal Drug used for genuine and legal therapeutic purposes or other acceptable justification.

**TUE or Therapeutic Use Exemption** means an exemption that allows an athlete to use, for therapeutic purposes only, an otherwise prohibited substance or method (of administering a substance).

**Use** means the utilisation, ingestion, injection, or consumption by any means whatsoever of any Illegal Drug.

## 2. Jurisdiction

This Policy applies to:

- i. Relevant Persons; and
- ii. Relevant Organisations.

## 3. Obligations

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### 3.1 Illegal Drugs

Relevant Persons must not Use, Possess or Traffic Illegal Drugs.

### 3.2 Sport Science and Sport Medicine Personnel

KA and Karting Organisations must, in the sports science and sports medicine fields:

- a. only employ, or engage in a voluntary capacity, those individuals who:
  - i. comply with the AIS Sports Science Sports Medicine Practitioner Minimum Standards; or
  - ii. are a Chiropractor, Nurse, Osteopath or Paramedic who is registered with the Australian Health Practitioners Regulation Agency, to work with Relevant Drivers;
- b. employ or engage such individuals under a written document, which must incorporate compliance with the AIS Sports Science Sports Medicine Practitioner Minimum Standards as an obligation imposed on the relevant individual; and
- c. ensure that educational or vocational qualifications, or applicable professional registrations, of all such individuals are verified, checked, and recorded at least annually.

### 3.3 Medication

- a. For Medications requiring a prescription, a Relevant Athlete must only use Medication prescribed to them personally and in the manner directed by a Medical Practitioner.
- b. Relevant Drivers should refer to Global DRO website [here](#) or the Sport Integrity Australia App to assist them to determine whether Medications (prescription and non-prescription) are permitted for use in sport, have conditions associated with their use in sport or are prohibited. Medications with conditions or which are prohibited may be able to be taken if a TUE is sought and granted.
- c. KA requires all Relevant Drivers to determine if they need an [in-advance](#) or [retroactive](#) TUE by



referring to the Sport Integrity Australia website [here](#). Once determined the Relevant Driver should comply with the relevant requirements.

- d. Relevant Drivers should notify the National Medical Officer or person nominated by KA when Medications have been provided/prescribed by a Medical Practitioner not appointed by KA or a Karting Organisation.
- e. Relevant Drivers must not use expired Medication.

### 3.4 Injections

- a. Relevant Personnel or Relevant Drivers with a documented medical condition requiring the possession of injection equipment must notify the National Medical Officer.
- b. If a Relevant Driver is unable to self-inject (for example due to age, impairment, or incapacity) then a carer<sup>26</sup> may also be identified to the National Medical Officer.
- c. Relevant Personnel and Relevant Drivers must not be in possession of any hypodermic needles or other injection equipment, unless:
  - i. the individual is a Health Professional authorised to administer injections; or
  - ii. the individual's possession has been authorised by the National Medical Officer or other Medical Practitioner.
- d. Relevant Drivers must not self-inject any substance unless authorised to do so by the National Medical Officer or other Medical Practitioner for the treatment of a documented medical condition.
- e. Subject to clause 3.4(b), Relevant Drivers must not allow any person other than a Health Professional authorised to administer injections or authorised carer to administer an injection to them. Any such injection must only be administered by a Health Professional authorised to administer injections or the authorised carer for a purpose permitted under this Policy.
- f. Relevant Personnel must only administer injections to Relevant Drivers if:
  - i. the Relevant Personnel is a Health Professional authorised to administer injections or is an authorised carer for the Relevant Driver; and
  - ii. the injection is for a purpose permitted under this Policy.
- g. For the purposes of clauses 3.4(e) and (f), the only purposes permitted under this Policy are where an injection is medically required for:
  - i. vaccination purposes;
  - ii. treatment of a documented medical condition; or
  - iii. investigation of a suspected medical condition.

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### 3.5 Supplements

- a. KA recognises that Dietary Supplements may be taken by Relevant Drivers and is committed to establishing a best practice approach and documented procedure for the use of Supplements, with a focus on safety and evidence-based use, given the risk that Supplements may contain substances included on the Prohibited List.
- b. KA acknowledges the value of accredited third-party auditing programs to reduce the risk of Supplements containing substances included on the Prohibited List. KA warns that there is no guarantee that any Supplement is free from prohibited substances, despite any claims made by Supplement manufacturers or clearance by third party auditing companies.
- c. KA adopts the AIS Sport Supplement Framework, which classifies Supplements into four categories according to their effectiveness, safety and current status on the Prohibited List and is

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<sup>26</sup> Carers who are not the Relevant Driver's parent or guardian must still obtain prior consent from a parent or guardian where required to do so by law or policy, including under the Child Safeguarding Policy.

available [here](#).

- d. Supplements may only be used by Relevant Drivers in accordance with:
  - i. this Policy; and
  - ii. any documented procedure for the use of Supplements, as adopted by KA and a Karting Organisation from time to time.
- e. Relevant Personnel must not supply or provide Non-compliant Supplements to a Relevant Driver.

## 4. Prohibited Conduct

### 4.1 Prohibited Conduct of Relevant Persons

A Relevant Person commits a breach of this Policy when they:

- a. Subject to clause 8.1:
  - i. are convicted of any breach of a relevant state or territory or Commonwealth law relating to or involving an Illegal Drug; or
  - ii. facilitate, administer, assist, aide, abet, encourage, induce, cover up or are in any way complicit in a breach of clauses 4.1(a)(i), 4.2 or 4.3; or
- b. fail to report the matters outlined in clause 5.2.

### 4.2 Prohibited Conduct of Relevant Drivers

A Relevant Driver commits a breach of this Policy when they:

- a. use prescription or over the counter Medication in an unlawful manner; or
- b. do not comply with clauses 3.4(c), 3.4(d), or 3.4(e).

### 4.3 Prohibited Conduct of Relevant Personnel

A Relevant Personnel commits a breach of this Policy when they:

- a. do not comply with clause 3.4(c) or 3.4(f);
- b. do not comply with clause 3.5(e); or
- c. facilitate, assist, aide, abet, encourage, cover up or are in any way complicit in a breach of clause 4.3(b).

### 4.4 Prohibited Conduct of Relevant Organisations

A Relevant Organisation commits a breach of this Policy when they:

- a. fail to report the matters outlined in clause 5.2; or
- b. facilitate, assist, aide, abet, encourage, cover up or are in any way complicit in a breach of clause 4.2 or 4.3.

## 5. Additional Obligations

### 5.1 No publishing or transmitting certain Illegal Drug content

Relevant Persons must not publish or transmit any content (e.g., a video showing Illegal Drugs being used) that advocates, condones, or encourages the involvement in or the Use of Illegal Drugs.

### 5.2 Reporting

Relevant Persons and Relevant Organisations must report any criminal activity or conduct that may amount to Prohibited Conduct under this Policy to Sport Integrity Australia and to any other entity as required by law.

## 6. Complaints and Discipline of Members By-Law

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The Complaints and Discipline of Members By-Law applies to any alleged Prohibited Conduct, including reports of breaches, of this Policy.

## 7. KA Integrity Framework

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The KA Integrity Framework applies to this Improper Use of Drugs and Medicine Policy. When interpreting this Policy, any provisions inconsistent with the KA Integrity Framework apply to the extent of that inconsistency.

## 8. Other Matters

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### 8.1 Legitimate therapeutic purpose

If an Illegal Drug has been lawfully and properly prescribed by a Medical Practitioner for a legitimate therapeutic purpose and evidence can be provided to that effect, then neither the act of prescribing the Illegal Drug by the Medical Practitioner nor the Use or Possession of the Illegal Drug by a Relevant Person in accordance with that prescription will constitute a breach of this Policy.

### 8.2 Patient confidentiality

For the avoidance of doubt, nothing in this Policy or the KA Integrity Framework shall operate to override the patient confidentiality requirements of professional ethics for health practitioners registered with the Australian Health Practitioner Regulation Authority.

### 8.3 Lifesaving medical treatment

For the avoidance of doubt, lifesaving medical treatment should not be withheld. Provision of lifesaving medical treatment will not constitute a breach of this Policy.

### 8.4 Support

KA may refer a Relevant Person for medical assessment and education where there are reasonable grounds for doing so and may determine, and grant, any associated financial support to a Relevant Person, if any.

## P6 CODE OF CONDUCT

Scheduled Review	Triennially or as required	(Replaces Policy P4 MPP Part D)
Date of Board Approval	19 September 2022	Last Board Review: 19 September 2022

### Overview

Karting Australia seeks to provide a safe, fair, and inclusive environment for everyone involved in our organisation and in our sport. We always endeavour to carry on the business of providing fair, safe, and socially responsible motor sport, an activity which is, therefore, vulnerable if its media, public or professional image is tarnished in any way.

We require certain standards of behaviour by all **Relevant Persons** and **Relevant Organisations** to which this Policy applies (whilst they are a Relevant Person or a Relevant Organisation), spectators and all other persons under our control (**Other Persons**) at, or:

- When taking part in any KA sanctioned and/or related activity in any capacity whatsoever regardless of whether they are taking part in a paid or unpaid/voluntary capacity.
- While travelling to or from those places; and
- At all other times at which Relevant Persons are wearing KA apparel or uniforms, whether compulsorily or by choice.

Our Codes of Conduct are underpinned by the following core values:

- To act professionally and always represent KA and our sport in a professional manner.
- To act within the Rules and spirit of our sport.
- To display respect and courtesy towards everyone involved in our sport.
- To prevent discrimination and harassment.
- To prioritise the safety and well-being and health of all people who participate in and who are involved in our sport.
- To encourage and support opportunities for participation in all aspects of our sport.

This Code of Conduct, as amended from time to time, binds all Relevant Persons, Relevant Organisations and Other Persons.

### Definitions

Defined terms not otherwise defined in this Code of Conduct Policy have been defined in, and have the meaning given to them, in the KA “Australian Karting Manual - National Competition Rules” (**NCR**), KA Constitution and KA Integrity Framework (**KIF**) and the Member Protection Policy (**MPP**).

## SCHEDULE 1 - CODE OF CONDUCT - GENERAL

Relevant Persons and Relevant Organisations to which this Policy applies (whilst they are a Relevant Person or a Relevant Organisation) including but not limited to all Drivers, Administrators, Officials, Licence Holders, Organiser's, Coaches, Support Personnel as defined in 'KIF' and spectators and all other persons under our control at any KA sanctioned and/or related activity (Other Persons) are bound by our Code of Conduct and are encouraged and expected to:

- a. Respect the rights, dignity and worth of others;
- b. Conduct themselves in line with KA's values;
- c. Be fair, considerate and honest in all dealings with others;
- d. Be professional in, and accept responsibility for, their actions;
- e. Make a commitment to provide quality service;
- f. Maintain a duty of care (and follow any safety guidelines) to others involved in KA, State Members and Affiliated Clubs (where a duty of care applies);
- g. Be aware of, and maintain an uncompromising adhesion to KA's standards, rules, regulations and policies including this policy and the Child Safeguarding Policy;
- h. Establish and maintain an environment that is safe for the conduct of activities for Children;
- i. Operate within the rules of the sport, including the National Competition Rules (NCR), national and international guidelines that govern KA, State Members and Affiliated Clubs;
- j. Show concern for the health, safety and welfare of members and participants;
- k. Give all people equal opportunity to participate;
- l. Be a positive role model, demonstrating a high degree of individual responsibility (especially when dealing with children), understanding that their words and actions are an example;
- m. Wear their uniform, accreditation and identification (as required) while involved in delivering karting services or as required by an affiliated member (such as when representing KA, State Members or Affiliated Clubs);
- n. Understand the repercussions if they breach, or are aware of any breaches of, this code of conduct;
- o. Do not shame, humiliate, oppress, belittle, harass or degrade any person, especially children;
- p. Do not unlawfully discriminate against any person, especially children, because of culture, race, ethnicity or disability;
- q. Do not engage in any activity with a Participant that is likely to cause harm;
- r. Do not do anything that brings KA, a Member State or an Affiliated Club of the sport of karting into disrepute or engage in conduct that is unbecoming;
- s. Do not use your involvement with karting to promote your own beliefs, behaviours or practices where these are inconsistent with those of KA, a Member State of an Affiliated Club;
- t. Do not supply alcohol or drugs (including tobacco) to Children participating in karting activities or services; and
- u. While on duty, do not:
  - i. use, possess or be under the influence of an illegal drug;
  - ii. use or be under the influence of alcohol;
  - iii. be incapacitated by any other legal drug such as prescription or over the counter drugs.



## SCHEDULE 2 – LICENCE HOLDERS

In addition to adhering to the Code of Conduct – General that is applicable to all people bound by this Policy, this specific Code of Conduct has been developed for Licence Holders.

This Code of Conduct – Licence Holders should be read in conjunction with the MPP and Child Safeguarding Policy.

Licence Holders are encouraged and expected to:

- a. not initiate or tolerate acts of aggression, or engage in any violence on or off the track;
- b. respect the talent, potential and development of fellow licenced participants;
- c. care for and respect the equipment used or provided to them as part of their program/activity;
- d. control their emotions, and not engage in verbal abuse of or swearing at or in the vicinity of others, sledging participants or behaviour that deliberately distracts or provokes a participant or official;
- e. maintain high personal behaviour standards towards participants, volunteers, and officials at all times;
- f. never argue with or dispute a decision of an Official. If a participant disagrees with a decision, they should deal with their dispute in accordance with the relevant rules;
- g. be honest in their attitude and preparation to practice;
- h. cooperate with coaches, support personnel and other individuals who may assist you in your karting development;
- i. not engage in conduct that is, unethical, unbecoming, or likely to cause harm to the reputation of the Participant or the Affiliated Club;
- j. not take part in any form of bullying including via the use of social media;
- k. Not make or post inappropriate, offensive, or discriminatory comments in public; and
- l. Use appropriately the facilities and equipment made available for karting activities.

### SCHEDULE 3 – ADMINISTRATORS AND VOLUNTEERS

In addition to adhering to the Code of Conduct – General that is applicable to all people bound by this Policy, this specific Code of Conduct has been developed for Administrators and Volunteers.

This Code of Conduct – Administrators and Volunteers should be read in conjunction with the MPP and Child Safeguarding Policy.

All paid administrators and volunteers must meet the following requirements:

- a. adopt a collaborative and consultative approach to planning, leadership, management, administration and decision making;
- b. create accessible pathways for people to participate in karting, not just as a Participant but as an Official, administrator or any other role;
- c. ensure that rules, equipment, length of activities and practice schedules are in accordance with the NCR as well as suited to the age, ability and maturity level of participants;
- d. ensure an environment that provides quality supervision and instruction for Child Participant's;
- e. remember individuals participate for their enjoyment and benefit, so maintain a balanced approach with awards and competition results with acknowledgement of social karting participation;
- f. assist officials, coaches and participants in highlighting appropriate behaviour and skill development to help improve the standards of officiating and coaching;
- g. ensure all involved in karting emphasise fair play, not winning at all costs and sportsmanship to the highest degree;
- h. support implementation of all policies and procedures of KA, Member State and the Affiliated Club; and
- i. make it clear any breach of this policy including abuse, bullying or harassment is unacceptable and may result in disciplinary action.

## SCHEDULE 4 – OFFICIALS

In addition to adhering to the Code of Conduct – General that is applicable to all people bound by this Policy, this specific Code of Conduct has been developed for Officials.

This Code of Conduct – Officials should be read in conjunction with the MPP and Child Safeguarding Policy.

All Officials must meet the following requirements regarding their conduct during any activity sanctioned by KA and/or a Member State in their role as an Official appointed by KA, a Member State, or an Affiliated Club:

- a. understand and completed the appropriate Officials accreditation and/or endorsement for each Officials role they are undertaking or intending to undertake;
- b. be fully conversant with the National Competition Rules (NCR) and/any other published rules and regulations pertaining to the competition to be officiated;
- c. actively maintain technical knowledge through ongoing review of the NCR, technical publications, and review of videos/livestreaming;
- d. be punctual for all official events and attend all pre-competition Officials briefings;
- e. dress in a tidy fashion, with appropriate and allocated Officials clothing befitting the status and image of an Official;
- f. be prepared and confident to follow the NCR rules in applying sanctions, penalties and/or referrals to tribunal hearings as appropriate to the alleged breach;
- g. be accountable for one's own officiating performance by being consistent and objective;
- h. be cooperative in using appropriate Officials templates and in providing unbiased information for relevant reviews and hearings;
- i. when travelling to officiate for KA, Member State of Affiliated Club ensure you abide by the KA or relevant Travel Policy including the process for booking and/or claiming travel expenses; and
- j. not engage in conduct that is, unethical, unbecoming, or likely to cause harm to the reputation of the Participant or the Affiliated Club.

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## SCHEDULE 5 – PARENTS, GUARDIANS AND PARTICIPANT LICENCE HOLDERS

In addition to adhering to the Code of Conduct – General that is applicable to all people bound by this Policy, this specific Code of Conduct has been developed for Parents, Guardians and Participant Licence Holders.

This Code of Conduct – Parents, Guardians and Participant Licence Holders should be read in conjunction with the MPP and Child Safeguarding Policy.

All Parents, Guardians and Participant Licence Holders must meet the following requirements in regard to their conduct during any activity or event:

- a. remember that their Child participates in karting for their own enjoyment, not theirs;
- b. focus on their Child's efforts, participation and enjoyment rather than winning or losing;
- c. never ridicule or yell at their Child or any other Children for making a mistake or losing a race or event;
- d. show appreciation for good performance by all participants;
- e. recognise volunteers, officials, coaches and administrators who give up their valuable time;
- f. respect Officials' decisions and teach Children to do likewise;
- g. not engage or condone any physical and/or verbal intimidation or abuse towards a participant, official or volunteer;
- h. not enter the restricted areas of the track, unless authorised by an official;
- i. respect KA administrators and abide by their decisions;
- j. allow fellow parents the respect they deserve in their viewing of or involvement in their Child's participation;
- k. respect the facilities and equipment of their own and other clubs;
- l. not take part in any form of bullying, make or post inappropriate, offensive, or discriminatory comments in public or on social media; and

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## SCHEDULE 6 – SPECTATORS

In addition to adhering to the Code of Conduct – General that is applicable to all people bound by this Policy, this specific Code of Conduct has been developed for Spectators.

This Code of Conduct – Spectators should be read in conjunction with the MPP and Child Safeguarding Policy.

All spectators must meet the following requirements in regard to their conduct during any activity held or sanctioned by KA:

- a. Focus on the Participants' efforts and performance rather than winning or losing;
- b. Never ridicule or yell at Participants for making a mistake or not winning a race and/or competition;
- c. Show appreciation for good performance by all participants (including opposing Participants);
- d. Respect Officials decisions and teach others to do likewise;
- e. Show appreciation and respect for volunteers, officials, coaches and administrators;
- f. Review the KA Accredited Photographers and Media Policy, prior to an event, before taking photos or videos of participants; and
- g. Allow fellow spectators the respect they deserve in their viewing of the class/event.



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# KARTING

## A U S T R A L I A



## P7 PRIVACY POLICY

Scheduled Reviewed Triennially or as required

Date of Board Approval

2 December 2014

Last Board Review: 11 November 2019

### Overview

The protection of personal information is important to Karting Australia (**KA**). KA is committed to respecting your right to privacy and the security of personal information. KA is also committed to complying with the Australian Privacy Principles set out in the *Privacy Act 1998 (Cth)* (and state and territory equivalents).

KA has developed this policy in its role as the controlling body for karting in Australia. This policy applies to all personal information in conjunction with KA, and also to various karting organisations across Australia to the extent that they do not have their own privacy policy.

This policy sets out how an Australian Karting Organisation (**AKO**) may collect, hold or use personal information. By providing personal information to an AKO, you consent to its use, storage and disclosure in accordance with this policy.

### Definitions

For the purposes of this policy, an AKO is defined as:

- Karting Australia;
- A Member State (or Territory) of KA;
- Affiliated Clubs, being those karting clubs, which are a member of, a Member State (or Territory) of KA.

### What Personal Information May Be Collected

AKOs may from time to time collect information from you in relation to AKO activities. This information may include but not be limited to personal information such as your:

- name;
- contact details such as you address, phone number, email address;
- gender, age and financial and marital status;
- karting experience and qualifications;
- vehicle details;
- club affiliations;
- medical condition and history;
- manner and method of use of AKO services (and details about where you accessed those services);
- history of offences and other acts which may be prejudicial to the interests of karting; and
- other information specifically provided by you to AKO or which is relevant to you participating in karting.

### How Personal Information is Collected

AKOs will not collect personal information unless the information is reasonably necessary for, or directly related to, one or more of AKOs functions or activities. AKOs will also only collect personal information by lawful and fair means and not in an unreasonably intrusive way.

AKOs may directly collect your personal data through various means, including but not limited to the following:

- as part of your application for a licence, visa, permit or other permission required in relation to a AKO related activity;
- As part of your application to join an Affiliated Club;
- as a result of you participating in an AKO or a karting activity;

- when you contact, or are contacted by, an AKO by any medium (including but not limited to electronic, tangible and personal means);
- where provided or made available by third parties (including but not limited to recruiters, timing recorders, government entities, track operators, event managers, promoters and organisers);
- from AKO-related entities, contractors, agents and employees;
- from family members and other people involved in AKO-affiliated events;
- searches for information which is publicly available; and
- from your use of any of AKO services (including KA's web-based services and services provided by others on behalf of KA.)

## Indirect Collection of Personal Information

In addition, AKOs may also collect personal data indirectly about you through your use of AKO's services and from other third parties. Such means may include but are not limited to:

- placement of cookies and other electronic markers or files on your computer; and
- monitoring of your usage of AKO services (including its web-based services).

## Use and Disclosure of Personal Information

The primary purpose for which AKOs collect information about you is to enable AKO to perform their activities and functions and to provide the best possible quality of service to you.

To this extent, AKO collects, holds, uses and discloses your personal information for purposes which may include but are not limited to the following:

- to provide products and services to you;
- to provide you with news, information or advice about AKO activities, products and services;
- to communicate with you including by email, mail or telephone;®
- to manage and enhance AKO activities, products and services;
- to provide you with access to AKO services;
- to conduct competitions or promotions on behalf of AKO and selected third parties;
- to enable corporate partners and sponsors of AKO, to market and promote their products and services to you;
- to improve KA's online CMS system;
- to provide, and to assist KA with providing products and services to you, to manage and account for the products and services, and to improve the products and services;
- to manage AKO relationship(s) with you;
- to provide you with information about events, products and/or services that may interest you;
- to facilitate the internal business operations of AKO;
- to verify your identity;
- to conduct business processing functions for operation of our websites or our business;
- for AKO administrative, marketing (including direct marketing), promotional, planning, product/service development, quality control and research purposes, or those of AKO contractors or external service providers;
- to investigate any complaints about or made by you, or if AKO has reason to suspect that you are in breach of any of KA rules, policies, procedures, KA terms and conditions or that you are or have been otherwise engaged in any unlawful activity; and
- as required or permitted by any law (including the Privacy Act).

AKO may disclose your personal information to third parties as permitted by law. Such third parties may include but not be limited to the following:

- AKO service providers, agents, employees and contractors;
- AKO advisors, committees, commissions, tribunals, auditors, insurers, sponsors and re-insurers;
- persons involved or interested in AKO-affiliated activities;
- government and law enforcement agencies and regulators; and
- investigators and assessors.

AKO may also disclose personal information where it is otherwise permitted to do so by law.

## Non-Disclosure of Information

You can always decide to not provide some or any personal information requested by AKO. If you decline to provide any personal information requested:

- AKO may not be able to provide you with the product or service you have requested (such as memberships, licences or permits);
- you may not be able to access in part or in full the products and services which AKO provides (such as access to KA electronic and web-based systems);
- KA may cancel your membership, permit or licence or prevent you from participating in a KA-affiliated event; and
- AKO may not be able to provide you with information about products and services that you may want, including information about discounts sales or special promotions.

## Data Security

AKO will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure. AKO will also take reasonable steps to destroy or permanently de-identify personal information that it no longer requires.

If you suspect any misuse or loss of, or unauthorised access to, your personal information, please let KA know immediately.

## Marketing

AKO may send you marketing communications and information about AKO activities, products and services that AKO consider may be of interest to you. These communications may be sent in various forms, including mail, SMS or email, in accordance with applicable laws. If you indicate a preference for a method of communication, AKO will endeavour to use that method whenever practical to do so.

AKO will endeavour to provide you with an option to opt out of receiving further marketing and promotional materials from AKO where you disclose personal information to AKO. In addition, you may at any time contact KA to request that any further promotional or marketing information is not sent directly to you.

Please contact KA if you receive communications from AKO that you believe have been sent to you other than in accordance with this policy, or in breach of any law.

## Access and Correction

You may request access to any personal information AKO holds about you at any time by contacting AKO (details below). Where AKO holds information that you are entitled to access, AKO will try to provide you with suitable means of accessing it (for example, by mailing or emailing it to you).

AKO will not charge for simply making a request and will not charge for making any corrections to your personal information or for any reasonable costs incurred by AKO in delivering that information to you in Australia. AKO may charge you for compiling, copying and providing to you any information you request where AKO considers that the time and cost involved is unreasonable or excessive.

If you make an access request, AKO may ask you to verify your identity. There may be instances where AKO cannot grant you access to the personal information held by AKO. AKO will notify you in writing of the reason for not giving you that information.

If you believe that personal information AKO holds about you is incorrect, incomplete or inaccurate, then you may request AKO to amend it. AKO will consider if the information requires amendment. If AKO does not agree that there are grounds for amendment, then AKO will add a note to the personal information stating that you disagree with it. AKO requests that you keep your information as current as possible so that AKO may continue to improve our service to you.

## Disclosure of Personal Information Outside of Australia

KA deals with others in countries outside of Australia. KA may disclose personal information to others located overseas for some of the purposes listed in this policy. KA take reasonable steps to ensure that the overseas recipients of your personal information do not breach the privacy obligations relating to your personal information.

KA may disclose your personal information to others located outside of Australia. Some of those entities include the following:

- (a) the FIA in France and other sporting organisations worldwide (predominantly in western countries and Asia but may include other countries in which karting related activities may be conducted);
- (b) service providers engaged by KA in relation to KA' activities; and
- (c) entities which engage KA to provide services.

## Complaints, further Information and Future Changes

Any complaints in relation to the collection, use, disclosure, quality, security and access of your personal information or a breach of this policy, the Privacy Act or the Australian Privacy Principles by AKO may be made to KA Privacy Officer, or such other person delegated by the CEO who may be contacted as follows:

*Privacy Officer Karting Australia*  
[admin@karting.net.au](mailto:admin@karting.net.au)

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KA takes all privacy complaints seriously and will investigate your complaint in a confidential manner and you will be informed of the outcome of the investigation within a reasonable period of time.

KA may amend this Privacy Policy from time to time. We will notify you of any amendments by posting an updated version of this Privacy Policy on our website ([www.karting.net.au](http://www.karting.net.au)).



## P8 PRIVACY SECURITY BREACH FLOWCHART

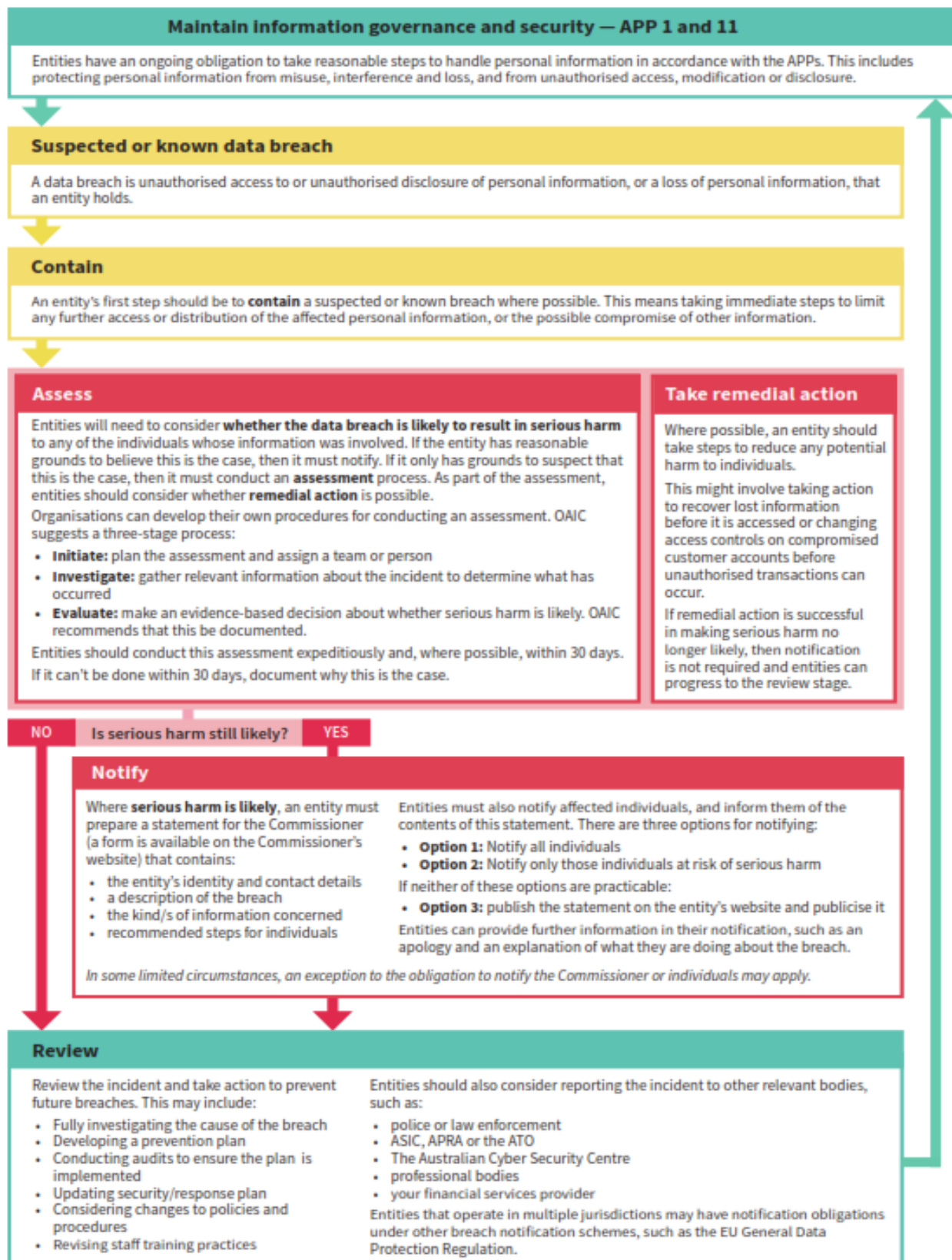
Scheduled Reviewed

Triennially or as required

Date of Board Approval

2 DECEMBER 2014

Last Board Review: 11 November 2019





## P9 ANTI-DISCRIMINATION HARASSMENT AND BULLYING

Scheduled Reviewed

Triennially or as required

Date of Board Approval

30 May 2016

Updated: 11 November 2019

### Introduction

KA recognises its responsibilities to ensure that it provides a working and sporting environment that is free from discrimination, harassment and workplace bullying.

KA is committed to ensuring that all participants in the sport are treated with courtesy, dignity and respect at all times.

### Scope

This policy applies to all KA Board, State Karting Associations, State Karting Council's, Member States, Affiliated Clubs, Members, Staff and Volunteers.

### Definitions

In addition to the definitions in the KA Manual, the following definitions apply to this policy:

#### **Board Members (The Board)**

Directors of the KA Board

#### **KA Appointed Officials**

Officials appointed by KA to work at a KA Event or a Permitted Event, including Stewards of Meetings, Clerks of the Course, Technical Commissioners and any other official expressly appointed by KA, a Member State or an Affiliated Club.

#### **KA Events**

Karting events conducted by KA excluding Permitted Events.

#### **Permitted Events**

Karting events that are not conducted by KA but are conducted pursuant to a licence, permit or authority issued by KA.

#### **Staff**

A paid employee of, or contractor engaged by KA who conducts work for KA including at KA Events and Permitted Events.

#### **Volunteers**

Unpaid/Honorary representatives working for KA on authorised and approved KA business, including but not limited to Board members, Commission and Committee members and KA Appointed Officials.

### Policy Objective

To ensure that all KA Board, Staff and Volunteers understand KA's expectations and their legal obligations in relation to discrimination, harassment and workplace bullying KA seeks to:

- create a working environment which is free from discrimination, harassment and workplace bullying and where each person is treated with courtesy, dignity and respect
- have employment practices which ensure that individuals or members of a particular group are not discriminated against because of their attributes
- promote appropriate standards of conduct
- promptly resolve issues when they occur and resolve complaints in a fair and timely manner.

### Law

KA is subject to Federal, State and Territory legislation prohibiting discrimination, harassment, workplace bullying, victimisation and vilification. This legislation varies in its content and the penalties imposed between the various jurisdictions.

The Human Rights and Equal Opportunity Commission is the administrative body responsible for the implementation of federal human rights and anti-discrimination law in Australia. The Commission is committed to providing employers with the necessary information and resources to understand and implement their obligations under the legislation.

Ignorance of the law is neither an acceptable defense nor an excuse for inappropriate behaviour. Under the relevant legislation it is not relevant whether the behaviour was intentional or unintentional.

## Policy Statement

It is against the law for any employer or employee/volunteer to discriminate against or harass a current or prospective employee/volunteer on the basis of the grounds stated below.

Protected attributes include, but are not limited to, a person's:

- age
- disability
- industrial activity
- marital, parental or carer status
- physical features
- political beliefs or activity
- pregnancy
- race
- sex
- sexual orientation
- religious beliefs or activity
- gender identity

It is also unlawful to discriminate against a person because that person is personally associated with someone who has, or is assumed to have, one of the above characteristics.

## What Is Discrimination?

There are a number of practices and behaviour that Federal, State and Territory legislation specify are unlawful and accordingly will not be tolerated by KA, which include:

<b>Discrimination</b>	Laws about discrimination are made at both the Commonwealth and the State and Territory levels. These laws include a range of grounds on which individuals may lodge a complaint including discrimination because of race, sex, disability and age.
<b>Direct discrimination</b>	Any action which specifically excludes a person or group of people from a benefit or opportunity or significantly reduces their chances of obtaining it because of a personal characteristic irrelevant to the situation e.g. sex, ethnic origin. An example of direct discrimination would be an employer refusing to hire a person because of their race.
<b>Indirect discrimination</b>	Any outcomes of rules, practices and decisions which purport to treat people equally and therefore appear to be neutral, but which are unreasonable and reduce an individual's chances of obtaining a benefit or opportunity e.g. height and weight requirements for candidates for a role which are irrelevant. For example, if an employer were to hire only people over 180cm tall and there was no good reason for that policy, then that would indirectly discriminate against women who are less likely to meet the height requirement
<b>Vicarious liability</b>	The responsibility of an employer for the actions of employees or agents towards others as they do their work. If these actions are found to be unlawful under the relevant State, Territory or Federal Act, both the person complained about and the employer may be held responsible. Employers need to demonstrate the steps taken to prevent the behaviour.
<b>Discrimination in employment</b>	Prohibited action includes treating an employee unfavourably in any way in connection with work as a result a ground stated in this policy.

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## What Is Sexual Harassment?

In terms of anti-discrimination law, sexual harassment is any form of sexually related behaviour that:

- you do not want; and
- in the circumstances, a reasonable person would have expected you to be offended humiliated or intimidated

## What Can Be Considered Harassment or Sexual Harassment?

There are many forms of harassment including but definitely not limited to:

- material that is based on the grounds listed above that is displayed or circulated in the workplace even on a person's belongings
- verbal abuse or comments that put down or stereotype people on the grounds listed
- offensive jokes or gestures based on the grounds listed
- ignoring, isolating or segregating a person or group on the grounds listed
- staring, leering or non-physical (whistling etc.) attention of a sexual nature
- sexual or physical contact, such as slapping, kissing touching or hugging
- intrusive questions about sexual activity
- initiation ceremonies that involve unwelcome behaviour based on the grounds listed

A person sexually harasses another if they:

- make an unwelcome sexual advance or an unwelcome request for sexual favours to the other person
- engage in any other unwelcome conduct of a sexual nature in relation to the other person
- a reasonable person would anticipate that the other person would be offended, humiliated or intimidated.

Sexual harassment can include, but is not limited to:

- unwelcome physical contact
- requests for sexual favours or persistent requests for out of work social activities
- making, orally or in writing, any offensive or demeaning comments, questions, jokes and innuendo with sexual connotations
- making, orally or in writing, any unwelcome or uncalled for remarks or insinuations about a person's sexual activities or private life
- sending an inappropriate or sexually explicit email
- possession and/or display of sexually explicit material including posters, photographs, reading matter, objects, pictures, screen savers.

## Exemptions

Certain Acts allow for some exemptions to the prohibition of discrimination, e.g. for genuine occupational requirements such as needing a full clean driver's license to meet the requirements of a position.

## The Workplace

All forms of discrimination and harassment are unlawful in the course of employment and in KA activities.

Workplace Bullying and Occupational Violence directed at employees and persons working for KA is also unlawful. This extends to work activities involving employees or persons working for KA outside of standard work hours (such as any work function or sporting event, including the Christmas party), and work conducted in any location where employees are required to be (including training sessions, seminars, or other courses that may be conducted at an external location or any other site employees may visit in the course of their employment by the Company).

## This Policy Also Includes Cyber Bullying

Cyber bullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating or threatening another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, phone messages, digital pictures or images, or Web site postings (including social network sites e.g. Facebook or blogs) and is irrespective of whether the page could be viewed by the wider public or not. It can also include the sending, receiving and/or possession of naked or sexually explicit images of a person.

Employees must also be aware that postings, comments and/or messages from their individual accounts and mobile phones, whether done by themselves or another person will remain the responsibility of the account owner.

All members of KA must be aware that in certain circumstances where a crime has been committed, they may also be subjected to a criminal investigation by Police over which the relevant association and/or club will have no control. This particularly applies to 'sex ting' where the image is of a person under the age of 18 years whereby Police will be informed immediately a club becomes aware of the situation.

## What Is Workplace Bullying?

Workplace bullying is defined as repeated, unreasonable behaviour directed toward an employee/volunteer or group of employees/volunteers (including managers and supervisors) that creates a risk to either mental or physical health or safety.

Examples of behaviour that could be considered workplace bullying include:

- verbal abuse of employees or workers
- exclusion or isolation of employees or workers
- psychological harassment of employees or workers
- intimidation of employees and workers
- assigning meaningless tasks unrelated to a person's employment
- assigning impossible tasks to an employee or workers
- changing work rosters to deliberately inconvenience employees or workers

- deliberately withholding information that is necessary for effective work performance of an employee or worker
- cyber bullying including online comments which could be seen as harassing, teasing, intimidating or threatening another person.

Under the Occupational Health and Safety laws in each State or Territory, employers and employees have key duties in relation to both workplace bullying and occupational violence. Employers must take all reasonably practicable steps to protect their employees' health, safety and welfare.

Employees have a duty to ensure that they do not create or increase risk to another person. Volunteers also have a duty to ensure they do not create or increase a risk to a KA employee or a person undertaking work for KA. They must cooperate with KA in adopting measures that prohibit workplace bullying or violence

The following types of behaviour by employees or directed to an employee or worker, where repeated or occurring as part of a pattern of behaviour, could be considered bullying:

- humiliating someone through sarcasm, criticism, or insults
- exclusion of a person from workplace activities
- excluding or isolating employees
- psychological harassment
- intimidation
- giving someone the majority of unpleasant tasks
- deliberately changed work rosters to inconvenience particular employees
- deliberately withholding information vital for effective work performance.
- harassing, teasing, intimidating or threatening another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, phone messages, digital pictures or images, or Web site postings (including social network sites e.g. Facebook or blogs).

In the case of allegations of bullying that fall outside workplace bullying and outside this Policy, volunteers should consult KA management for advice about resolution. KA could take action against a member under the KA Constitution or Member Protection Policy in such circumstances.

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## What Is Occupational Violence?

Occupational violence is defined as any incident where an employee is physically attacked or threatened with violence in the workplace.

Examples of behaviour that could be considered occupational violence include:

- striking, punching, kicking, scratching, biting, spitting or any other kind of direct physical contact
- throwing objects
- attacking with a weapon
- pushing, shoving, tripping or kicking
- any kind of indecent physical contact

## Responsibilities Of All

Board members, KA Volunteers and Staff, Member States and Affiliated Clubs all have the obligation to foster a harassment, discrimination and bullying free work environment.

The employee/volunteer has to ensure their behaviour:

- meets an acceptable standard
- contributes to a productive workplace environment
- does not victimise any employee who makes a harassment or discrimination complaint
- supports investigation surrounding a complaint

Employees/volunteers will be liable for the outcome of any action in breach of this policy, which may include counselling, warnings, possible termination of employment and / or potential external legal action.

## Employee / Volunteer Responsibility

Employees/volunteers should seek advice and support from a member of KA' management if they are concerned about whether or not observed behaviour is in breach of this Policy. Employees/volunteers also have the obligation to report any improper behaviour under this Policy experienced or observed to a supervisor or a member of KA' management.

Employees /volunteers can take the following actions:

- telling the person concerned to stop the offending behaviour
- lodging a formal complaint in writing to a member of KA' management
- make a complaint under anti-discrimination legislation to your local Anti-Discrimination Commission & Human Rights and Equal Opportunity Commission.

If the employee's supervisor or manager is accused of discrimination or harassment the employee has the right to seek advice from another member of management unrelated to the situation.

The employee/volunteer is responsible for deciding whether to move any complaint to the next stage of the process and may choose not to act. However, enquirers/complainants should be made aware that in some very serious cases, in compliance with obligations under anti-discrimination or occupational health and safety legislation, KA may be obliged to take further action.

All forms of workplace bullying and occupational violence, including assisting or encouraging others to engage in such conduct, are prohibited and will not be condoned. This includes conduct that takes place at work related social functions. If an employee is found to have engaged in workplace bullying or occupational violence, disciplinary action, up to and including dismissal, may be taken.

## Management's Responsibility

KA, Member State and Club management are expected to protect employees/volunteers, contractors, students and others in the workplace. Management must ensure that this policy is actively pursued. This includes ensuring that no employee/volunteer is subjected to discrimination, harassment, workplace bullying, and those complainants and witnesses are not disadvantaged in any way as a result of lodging a complaint. Management has a legal responsibility to ensure that if discrimination and harassment does occur in the workplace, they take firm action to stop it.

All Board members, officers, managers and supervisors at KA, State Karting Council member of a Member State and Management Committee of an Affiliated Club are responsible for preventing harassment, discrimination and workplace bullying in their area of responsibility. Those who encourage or ignore any harassment, discrimination or workplace bullying may be disciplined, demoted, dismissed or be subject to outside legal action.

Those in management must:

- be a good role model — avoid any discriminatory assumptions and do not engage in any behaviour that might be considered as harassment
- make fair, non-discriminatory decisions, including decisions about recruitment, training or promotion opportunities, work allocation, salary and leave arrangements
- make it clear to all your employees that you will not tolerate any discriminatory or harassing behaviour
- ensure that your team's working environment is free of any discriminating material or material that may be considered harassment
- follow-up any staff behaviour changes that could indicate discrimination or harassment is occurring
- act immediately if you witness or are told about any discrimination or harassment

## False Accusations

Any allegation of harassment, discrimination and /or bullying will be viewed very seriously and subject to thorough, fair scrutiny under KA investigation process to establish whether or not they can be substantiated. Complainants should be aware that if another person can demonstrate an allegation was made maliciously this may expose them to risk of defamation proceedings.

## Supporting Policies

Member Protection Policy

Social Media Policy



## P10 SOCIAL MEDIA AND ACCEPTABLE USE OF SOCIAL MEDIA

Scheduled Reviewed

Triennially or as required

Date of Board Approval

30 May 2016

Updated: 28 November 2022

### Introduction

KA recognises social media offers the opportunity for people to gather in online communities of shared interest and create, share or consume content. KA is committed to ensuring that social media is used responsibly by participants in the sport of karting insofar as it relates to the activity and the sport of karting generally.

### Scope

This policy applies to all KA Staff, Officials, Volunteers, Competitors, Drivers, Parents and or Guardians of Competitors, related entities to Competitors, Members – including Member States and Affiliated Clubs and Members of Affiliated Clubs “Covered Persons”).

### Definitions

In addition to the definitions in the KA Manual, the following definitions apply to this policy:

#### **Staff**

A paid employee or contractor of KA

#### **Members**

A member of KA in accordance with the Constitution and the KA Rules including Drivers, Competitors, Parents, guardians and related entities to Drivers and Competitors

#### **Volunteers**

Unpaid/Honorary representatives engaged on authorised and approved KA business, including but not limited to Officials, Stewards, Chaplains, Medical Staff, Board, Commission & Committee members.

#### **Board Members (The Board)**

Directors of the KA Board.

### Relevant technologies

This policy includes (but is not limited to) the following specific technologies:

- LinkedIn
- Twitter
- Facebook
- Web sites
- Snapchat
- Video sites
- Video streaming sites
- Peer to peer web sites
- Content sharing sites including Flickr (photo sharing) and YouTube (video sharing)
- Commenting on blogs for personal or business reasons
- Leaving product or service reviews on retailer sites, or customer review sites
- Taking part in online votes and polls
- Taking part in conversations on public and private web forums (message boards)

**The intent of this policy is to include anything that is posted online where information is shared that might affect members, colleagues, clients, sponsors or KA as an organisation.**

## Policy Objective

Social media offers the opportunity for people to gather in online communities of shared interest and create, share or consume content. As a member-based organisation, KA recognises the benefits of social media as an important tool for the promotion of motorsport and for the engagement of its members.

The increasing 'dark usage' of social media to disparage, condemn, belittle, humiliate and 'troll' people (to "Offend" or "Offending") is a concerning trend that should be universally condemned and that has no place in and around our sport. Anything that gets posted on Social Media including sites like Facebook, Twitter or forums goes into the public domain. If such posts are meant to Offend or can be interpreted as offending then these posts could bring the sport of karting into disrepute.

This policy aims to provide some principles to follow when using social media so that Covered Persons do not Offend others and potentially breach this Policy.

**This policy does not apply to the personal use of social media platforms by Covered Persons where the Covered Person makes no reference to KA or related issues.**

The following standards apply to the use of social media at any time when it has a clear and close connection with KA and the sport of karting.

1. Always follow relevant KA policies.
2. Do not act unlawfully (such as breaching copyright) when using social media.
3. Be clear that your personal views are yours, and not necessarily the views of KA.
4. Do not disclose confidential information obtained through work or when volunteering at a KA event.

## OFFENDING CONDUCT - Cyber-bullying, Harassment, Offensive Conduct On-line

Cyber-bullying or stalking occurs when someone engages in offensive, menacing or harassing behaviour through the use of technology. It can happen to people at any age, any time, and often anonymously.

Examples of cyber-bullying, harassment, offensive conduct on-line include but are not limited to:

- posting hurtful messages, images or videos online
- repeatedly sending unwanted messages online
- sending broadcast emails to large numbers of recipients
- sending abusive texts and emails
- excluding or intimidating others online
- creating fake social networking profiles or websites that are hurtful
- nasty online gossip and chat, and
- any other form of digital communication which is discriminatory, intimidating, intended to cause hurt or make someone fear for their safety.

Cyber-bullying, harassment, offensive conduct on-line is a breach of KA's National Competition Rules and KA Policies including but not limited to:

- Member Protection
- Code Of Conduct
- Social Media
- Anti-Discrimination Harassment and Bullying Policy

More extreme cases may also be a breach of Australian law.

There are Australian laws which apply to serious online harassment, stalking and online bullying behaviour. Under the *Criminal Code Act 1995 (Cth)* it is an offence to use the internet, social media or a telephone to menace, harass or cause offence – offences carry heavy maximum penalties including jail time.

## Policy Statement

The web is not anonymous. Covered Persons should assume that everything they write or re-publish online can be traced back to them.

Due to the unique nature of KA, the boundaries between a Member's profession, volunteer time and social life can often be blurred. It is therefore essential that Members and Volunteers make a clear distinction between what they do in a personal or professional capacity and what they do, think or say in their capacity as a volunteer for KA.

When using the Internet for professional or personal pursuits, all staff, Members and volunteers must respect the KA brand as well as KA staff, Members and volunteers and KA policies and procedures.

Competitors, Drivers, parents, guardians, support crew and support team members must respect their fellow Competitors, volunteers, Officials, the KA brand, KA processes and the sport of karting generally.

For Covered Persons using social media, such use:

- Must not contain, or link to, libellous, defamatory or harassing content;
- Must not comment on, or publish, information, photos or video that is confidential or in any way sensitive to KA, its affiliates, partners or sponsors, and care should be taken to ensure the appropriate person at a Club/State or management level has given written consent to create the post, page or forum. Must not publish information that should not be made public and seek permission to publish others information before doing so. If unsure whether information can be made public, do not publish it and seek advice;
- Should refrain from posting any information or photos of a sensitive nature: this could include track condition, driver condition, accidents, incidents etc.

When using social media, Covered Persons should ensure that you:

- Protect your personal privacy and that of others by not including personal information about yourself or others in your posts to our social media channels (for example, email addresses, private addresses or phone numbers);
- Be very careful with the use of someone else's name in all posts – unless you have their permission to use it, then do not use it;
- Represent your own views and not impersonate or falsely represent any other person;
- Do not make or republish disparaging remarks or comments about the sport, Officials, Competitors and administrators;
- Do not use or republish abusive language and do not harass or threaten others;
- Do not make or republish defamatory or libellous comments;
- Do not use or republish insulting, provocative, hurtful or hateful language;
- Do not belittle any person;
- Do not use or republish obscene or offensive language;
- Do not post or republish material to KA's social media channels that infringes the intellectual property rights of others;
- Do not post multiple versions of the same view to KA's social media channels or make excessive postings on a particular issue;
- Do not promote commercial interests in your posts to KA's social media channels;
- Do not include internet addresses or links to websites, or any email addresses in your post to KA's social media channels;
- Do not do anything that potentially contravenes any of KA's Policies.

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Officials may post appropriate comments and photos at the end of the meeting or while on a break from their duties. However, please always think before posting.

Under no circumstance should offensive comments be made about Covered Persons or the sport of karting online.

Cyber bullying and breaching this Social media Policy are offences under KA Rules and Policies that could if proven lead to lengthy suspensions from the sport. See the KA Member Protection Policy and the KA Anti-Discrimination, Harassment and Bullying Policy for information on cyber bullying.

## Breach of Policy

Detected breaches of this policy should be reported as follows.

### ***At or During a Race Meeting***

If an alleged breach occurs at or during a Race Meeting in which you are a participating by another member who is participating in the same Race Meeting, you should report it (along with evidence that supports that a breach has occurred) to the Stewards of the Meeting for action.

### **Away from a Race Meeting**

If an alleged breach occurs at some other time, the matter may be dealt with in any of the following ways:

- **Report to Your Club**

If the alleged breach involves another member of your Club, report the matter (along with evidence that supports that a breach has occurred) to your Club Secretary. The Club Executive or the Club MPIO should try to resolve the matter between the Offended and the Offending persons.

- **Report to your State Association**

a) If a report to your Club in accordance with point 1 above does not result in satisfactory resolution of the matter, then the matter may be referred by the Club to your State Association Secretary for action. Such action may include:

- Referral of the matter to a State Disciplinary Tribunal; or
- Referral of the matter to KA for further assessment and action.

b) If the alleged breach involves a person or persons from another Club, report the matter (along with evidence that supports that a breach has occurred) through your Club Secretary to the State Association for action. Such action may include:

- Referral of the matter to a Disciplinary Tribunal; or
- Referral of the matter to KA for further assessment and action

- **Report by KA**

a) The CEO shall have the discretion to refer any alleged breach of this policy to:

- The National Tribunal Registrar with a request that the matter be referred to a Disciplinary Tribunal for hearing and determination as an offence under the National Competition Rules; and/or
- An MPIO to be dealt with in accordance with the KA Member Protection Policy.

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#### **Related Policies**

Member Protection Policy

Code of Conduct

Anti-Discrimination Harassment and Bullying Policy



## APPENDIX A TO THIS SOCIAL MEDIA POLICY

### ***Acceptable Use of Our Facebook Page and Social Media Channels***

Karting Australia welcomes comments on our social media channels, including Facebook and Twitter. We want to hear from our fans about what they love about karting, what is happening in the world of Australian karting, upcoming events and your accomplishments

You are welcome to express your views, comments and ideas about Karting – you should keep your posts positive all times.

You should show courtesy and respect to others and must not use our social media channels to abuse others, expose others to offensive or inappropriate content, or for any illegal purpose. Negativity and unconstructive comments do not advance the promotion of the sport of karting. You should refrain from making such comments.

When using our social media channels, please ensure that you:

- Protect your personal privacy and that of others by not including personal information about yourself or others in your posts to our social media channels (for example, email addresses, private addresses or phone numbers);
- Be very careful with the use of someone else's name in all posts – unless you have their permission to use it – then do not use it;
- Represent your own views and not impersonate or falsely represent any other person;
- Do not make disparaging remarks or comments about the sport, Officials, Competitors and administrators;
- Are not abusive language and do not harass or threaten others;
- Do not make defamatory or libellous comments;
- Do not use insulting, provocative, hurtful or hateful language;
- Do not belittle any person;
- Do not use obscene or offensive language;
- Do not post material to KA's social media channels that infringes the intellectual property rights of others;
- Do not post multiple versions of the same view to KA's social media channels or make excessive postings on a particular issue;
- Do not promote commercial interests in your posts to KA's social media channels;
- Do not include internet addresses or links to websites, or any email addresses in your post to KA's social media channels.

Karting Australia reserves the right to enforce this Acceptable Use policy at its discretion. Karting Australia may remove any posted messages that it considers to be in breach of our Member Protection Policy, our general Social Media Policy, this Policy, our Code of Conduct and our Anti-Discrimination Harassment and Bullying Policy. You may also be banned or blocked as a user with the right to comment from our social media sites.

### ***Social Responsibility***

Karting Australia is an equal opportunity organisation which values diversity. We are committed to the health, safety and general well-being of all our members and personnel. As an organisation we are dedicated to providing a safe environment free from bullying, harassment, discrimination and abuse for all of our members, Drivers, Competitors, Officials, administrators, volunteers and supporters.

Karting Australia is committed to ensuring that everyone associated with Karting activities complies with our Policies, including but not limited to our Member Protection Policy and Code of Conduct. Karting Australia adopts, and requires our Officials and administrators to adopt, a zero-tolerance approach to bullying, harassment, discrimination and anti-social behaviour.



## P11 ALCOHOL POLICY

Scheduled Reviewed Triennially or as required

Date of Board Approval 16 May 2017 Last Board Review: 11 November 2019

### Introduction

KA believes that the presence of alcohol in individuals whilst participating in motor sport is unsafe.

Therefore, KA is committed to fulfilling its duty of care to protect the safety of all karting participants and spectators by implementing measures that will reduce the risk of injury.

Alcohol misuse can lead to unsafe, inappropriate or unacceptable behaviour, drink-driving and other alcohol-related harm. Excessive consumption of alcohol will not be an excuse to unacceptable behaviour, particularly behaviour that endangers others or breaches the law, KA Rules, this policy or any other policy of AKA and/or its Members.

### Purpose

This Policy aims to encourage and promote responsible attitudes and practices to alcohol through leadership and support. Clubs, and individuals covered by this Policy have a role to play to help promote responsible drinking in society.

KA is committed to conducting its activities in a manner that encourages responsible service and consumption of alcohol.

### Applies To

The policy applies to the KA Board, employees, and contractors, Officials, Volunteers and Members including but not limited to Drivers, Parents, Participants, Competitors and Team Members ("**Covered Persons**").

### Objectives

This policy is intended to achieve the following objectives:

1. Establishing benchmarks for responsible alcohol consumption and reducing the harm associated with excessive alcohol consumption is in the interests of karting at all levels and the wider community.
2. KA believes that all people involved in its activities, whether or not in the public arena, should be able to enjoy the sport without unlawful behaviour or public nuisance or disturbance and be treated with dignity and respect.
3. Achieve responsible service and consumption of alcohol by Covered Persons.

### Policy

Under KA rules, the maximum permitted blood alcohol content during a KA permitted event is 0.01mg/100ml. Any Covered Persons found to exceed this amount will be excluded from any further participation in the Meeting and may face further penalties.

The consumption of alcohol by any Covered Persons in the Paddock, Event headquarters or any section of a competition venue under the control of the Officials of the Race Meeting is strictly forbidden until all practice and/or Competition has concluded for each day of an Event or Race Meeting.

### Covered Persons must:

- Not at any time present for Practice or Competition evidencing consumption of alcohol or be affected by illicit drugs;
- Not engage in excessive use of alcohol that leads to behaviour that is deemed unlawful, creates a public nuisance, and/or public disturbance, and/or disturbance to a fellow Covered Person;
- Not consume alcohol on board any motor vehicle whilst representing KA or officiating for KA and/or whilst travelling to or from, any KA sanctioned practice, Competition, Event or function;

- If attending a function associated with KA where alcohol is served, ensure that a responsible approach to alcohol consumption is taken. Any consumption of alcohol must not adversely affect any Covered Persons behaviour, performance or safety or the performance or safety of others.

Officials who are officiating at an Event must not consume alcohol at an Event until such time as their responsibilities as an Official at the Event have been completed on each day of the Event.

Clubs have a responsibility to ensure they meet legislative requirements with regard to alcohol management within their Club.

## Individual Responsibilities

Covered Persons must accept responsibility for their own behaviour and take a responsible approach and use good judgment when alcohol is available at all times during an event or while attending a KA Permitted event even if it is during the period of each day during which competition or racing is not being conducted.

KA expects that Covered Persons who are undertaking activities associated with karting shall at all times where there is alcohol usage:

- Behave in a dignified and professional manner that promotes and upholds standards of integrity, dignity and professionalism;
- Not over imbibe alcohol such that they start to exhibit signs of intoxication that may include amongst other things: slurred speech, impaired balance, poor coordination, reduced inhibition, becoming aggressive or belligerent, and exhibiting inappropriate behaviour such that it is reasonable in the circumstances to believe that the impairment results from the consumption of alcohol;
- Act as role models for KA, their Club and individuals in the sport of karting;
- Not put themselves, other Covered Persons or the general public at risk of serious physical and social harms;
- Accept that they are responsible and accountable for the choices they make and the consequences of these choices;
- Assist other Covered Persons if they have had too much to drink; and
- Take reasonable action to both prevent alcohol problems and address any alcohol-related issues as they emerge.

**KARTING**  
**A U S T R A L I A**

## P12 BREATH AND ALCOHOL TESTING

Scheduled Reviewed Triennially or as required

Date of Board Approval 30 May 2016 Last Board Review: 11 November 2019

### Introduction

“KA” believes that the presence of alcohol in individuals whilst participating in motor sport is unsafe and has an Alcohol Policy in place.

KA also believes that testing procedures for alcohol should be clear, consistent and well-structured.

### Purpose

This By-law details the actions required by an Accredited Testing Official (who has completed the KA training module) to select a CP for Testing, through to the reporting and referral to the Stewards of the Meeting following a Positive Reading from a Confirmation Test.

It also outlines the compulsory action which must be taken by the Stewards of the Meeting because of such Positive Readings.

To ensure good governance and duty of care, random Testing may be conducted on participants in any motor sport activity held under KA sanction.

### Applies To

The policy applies to the KA Board, employees, and contractors, Officials, Volunteers and Members including but not limited to Drivers, Parents, Participants, Competitors and Team Members (“**Covered Persons**”).

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### Definitions

Capitalised terms used in this policy have the following meanings:

**Breathalyser** means a device used to conduct Testing by means of a breath sample.

**ATO** means a KA Accredited Testing Official.

**CP** means a Covered Person

**Chaperone** means an authorised person (preferably a KA Official) who accompanies and observes a CP following a Positive Reading from a Screening Test, up until the completion of a Confirmation Test.

**Confirmation Test** means a CP’s second Test, performed by an ATO following a Screening Test.

**Crew** means any individual(s), regardless of whether they hold any KA licence or not, who is assisting or associated with a competitor.

**Member** has the meaning given to that term in the Australian Karting Association Ltd Constitution

**Mouthpiece** means a disposable plastic tube that is inserted into a Breathalyser.

**Negative Reading** means a reading that is less than or equal to “0.010” as displayed on a Breathalyser.

**Official** has the meaning given to that term in the Australian Karting Manual.

**Other Individual** means any of the following:

- KA or KA member contractors;
- any individual(s) who has agreed to be bound by this Policy; and
- any individual(s) who is advised in writing, by KA or an SKA, that they may be subjected to Testing for a specified period

**Participant** has the meaning given to that term in the Australian Karting Manual.

**Policy** means the ‘KA Alcohol Policy’ published by KA and as maybe amended from time to time.

**Positive Reading** means a reading greater than “0.010” as displayed on a Breathalyser.

**Screening Test** means a CP’s first Test, performed by an ATO.

**Testing** means the process of collecting and analysing bodily samples to detect alcohol in a CP.

## Procedure

### Selection Of A CP For Testing

- The ATO shall determine the CP(s) to be tested. The ATO shall record details of all Testing undertaken on the KA Breath Alcohol Testing Log Sheet.
- The ATO shall liaise with the Clerk of the Course and/or the Stewards of the Meeting as necessary, to determine the best time to conduct Testing. Any potential impact Testing may have on the running of the Meeting should be considered at this time.

**NOTE:**

Ideally, Testing should be conducted prior to participation in competition, however it may be carried out at any time during a Meeting.

### Notification Of A CP For Testing

- The ATO shall identify themselves and their role to the CP by showing the appropriate credential.
- The ATO shall advise the CP of the authority for Testing.
- The ATO shall ask the CP if they have been Tested previously at a Meeting or if they would like an explanation of the procedure. If the CP has not been Tested previously or so requests, the ATO shall provide them with an explanation of the procedure.
- If the CP refuses to submit to Testing, or deliberately fails to follow the instructions of the ATO, the ATO shall warn the CP that such a refusal will result in the matter being referred to the Stewards of the Meeting for due process which shall include mandatory exclusion.
- If the CP still refuses to submit to Testing or fails to follow the ATO's instructions, the ATO shall refer the matter to the Stewards of the Meeting.
- The Stewards of the Meeting must exclude the CP from that day of the Meeting as a minimum.
- For Meetings that consist of multiple days of practice or competition, the CP may resume their participation no sooner than the next day if permitted by the Stewards of the Meeting.

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### Conducting A Screening Test

- The ATO shall instruct the CP to take a deep breath and blow steadily and forcefully into the Mouthpiece until the Breathalyser indicates that an adequate amount of breath has been obtained.

**NOTE:**

All Breathalysers must meet the requirements of *Australian Standard 3547 – Breath Alcohol Devices for Personal Use*. KA and each SKA is currently responsible for ensuring this requirement is met and maintained.

- If requested to do so, the ATO shall show the CP the Screening Test result displayed on the Breathalyser.
- If the Breathalyser displays a Negative Reading, the ATO shall advise the CP that Testing is complete. This concludes the procedure for this CP.
- If the Breathalyser displays a Positive Reading, the ATO shall conduct a Confirmation Test, as described in section 4 of this procedure.

### Conducting A Confirmation Test

- The ATO shall show the CP the Positive Reading displayed on the Breathalyser and inform them that a Confirmation Test is required to determine if they have breached the Policy.
- The ATO shall inform the CP that the Confirmation Test will be undertaken no sooner than 15 minutes and no later than 20 minutes after the Screening Test.

**NOTE: The official 'time' of the Screening Test is the time the CP started blowing into the Mouthpiece.**

- The ATO shall instruct the CP that, during the 15-20-minute waiting period, the CP must not eat, drink, smoke or put anything in their mouth (for example chewing gum).
- The ATO shall engage a Chaperone to isolate and observe the CP until the Confirmation Test is completed. If no individual is available to act as the Chaperone, the ATO shall perform this section 4.4.
- After 15 minutes, but before 20 minutes, the ATO shall insert a new Mouthpiece and shall instruct the CP to take a deep breath and blow steadily and forcefully into the Mouthpiece until the Breathalyser indicates that an

adequate amount of breath has been obtained.

- If requested to do so, the ATO shall show the CP and the Chaperone the Screening Test result displayed on the Breathalyser.
- If the Breathalyser displays a Negative Reading, the ATO shall advise the CP that Testing is complete and no further action shall be taken against the CP.
- If the Breathalyser displays a Positive Reading, the ATO shall refer this to the Stewards of the Meeting, as described in section 5 of this procedure.

### ***Referring A Positive Reading Following A Confirmation Test***

- If a Confirmation Test results in a Positive Reading, the ATO shall advise the CP that they are in breach of the Policy and that the matter will be immediately referred to the Stewards of the Meeting and/or the Clerk of the Course by way of a report.
- The ATO shall provide a report, which is to include the KA Breath Alcohol Testing Log Sheet as well as a verbal briefing, to the Stewards of the Meeting and the Clerk of the Course as soon as practicable.
- The Stewards of the Meeting must exclude the CP from that day of the Meeting as a minimum.
- For Meetings that consist of multiple days of practice or competition, the CP may resume their participation no sooner than the next day if approved by the Stewards of the Meeting.
- If the Stewards of the Meeting consider that a further penalty is warranted against the CP, then the Stewards of the Meeting shall make such a recommendation to KA or the relevant SKA.

### ***ATO's Report***

- Following any Positive Reading from a Confirmation Test, the ATO shall provide copies of all reports generated, to the Clerk of the Course for inclusion with the Clerk of the Course Report.
- After all Testing for the Meeting, the ATO (and Chaperone if applicable) shall sign all KA Breath Alcohol testing log sheets produced and forward all reports and log sheets to KA or the relevant SKA.

### **Important Note**

- If a CP is excluded, the ATO shall remind the CP of their legal obligation to not drive if they are over the legal limit (currently 0.050 in Australia)



## P15 SAFETY 1<sup>ST</sup> POLICY

Scheduled Reviewed Triennially or as required

Date of Board Approval

8 November 2016

Last Board Review: 11 November 2019

### Introduction

KA as the national governing body for Karting in Australia and together with the Member States and the Affiliated Clubs applies a Safety 1<sup>st</sup> principal to all karting and karting related activities.

The Karting Australia Safety 1<sup>st</sup> Policy is the core pillar for all safety, risk management, track operations, design and implementation at Karting venues across Australia.

### Purpose

The purpose of this policy is to:

1. Provide a framework and overview of the KA Safety 1<sup>st</sup> Policy.
2. Outline the methodology and processes used by KA officeholders, staff, contractors, volunteers plus affiliated Associations and Clubs.
3. Clarify the responsibilities of different parties in implementing this policy.

### KA's Commitment To Safety 1<sup>st</sup>

KA's Officeholders, executives, staff, contractors and volunteers are committed to ensuring a Safety 1<sup>st</sup> approach to all karting operations including Competition, Practice, Track operations and design.

To enable this commitment, a framework has been developed that includes:

1. This Policy
2. Licencing policy for all drivers that recognises the requisite skill to operate and race karts of varying performance
3. Upholding driver and public safety standards
4. Developing and maintaining standards of safety and fairness through the National Competition Rules
5. Enforcing technical standards, regulations and safety controls for karts
6. Accreditation and training of track inspectors
7. Accreditation and training Officials who have responsibility for the safe and orderly conduct of Race Meetings
8. Oversight of track inspection processes by the National Track Safety Committee (NTSC)
9. Clearly defined process for accrediting new, renovated or modified tracks
10. Track build guidelines that are clear and unambiguous
11. Officials training programs with safe operation methodologies
12. KA Manual that encompasses Safety 1<sup>st</sup> principles in event operational requirements
13. Targeted Risk Assessment (TRA) methodology for Track and facility inspections and Track licensing
14. Providing guidance in the application of a common risk management process through the implementation of KARM - KA's Risk Management program
15. Event Permit requirements and documentation including requirement for the completion of a comprehensive pre-racing checklist as an integral component of KARM
16. Providing accident and liability insurance cover for all participants in KA sanctioned karting activity

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### Policy

The KA Safety 1<sup>st</sup> Policy encompasses a number of elements:

1. Implementation including the following items:
  - Track and facility inspections utilizing a TRA approach
  - KARM
  - Operational hazard identification and management
  - NTSC providing oversight
  - Structured operational procedures for managing race meetings
  - Information for tracks to ensure that tracks remain compliant at all times
  - KA Manual development with structures supporting Safety 1<sup>st</sup> Policy

- Annual track inspections to hold KA track licence
- 2. Education and Training including the following items:
  - Training and accreditation for track inspectors as part of the KA Accreditation process
  - Training and accreditation for officials on best and safest operating principles
  - Exposure of local officials to national events and operational methodologies
  - Training at club level by club safety officers
- 3. Event Operations and preparations including the following items:
  - Permit process for events via KA for National Level events or each State Karting Council
  - Check list for event managers to confirm Safety 1<sup>st</sup> principles in place
  - TRA process for managing risk
  - NTSC provided track information to ensure setup in accordance with licence
  - KARM program
  - Serious Incident guidelines

## Policy Delivery and Implementation

### **KA Board**

Oversight, review of Policy and that it continues to deliver and fit within KA's Policy framework.

Oversight of the role of the Safety 1<sup>st</sup> policy within KA's overall Risk Management framework. Whilst ultimately responsible for all Policies, the Board may delegate its operational and monitoring responsibilities to the Executive.

### **Chief Executive Officer**

Oversight of Executive members and the operations of the Safety 1<sup>st</sup> program – responsible for driving an evolving culture of improvement and adaptability.

### **Safety, Risk Management and Compliance Manager**

Direct responsibility for driving and delivering all aspects of the Safety 1<sup>st</sup> Policy

- Build and present track inspector training programs and later “train the trainer” programs to widen base of knowledge
- Sits on NTSC and develops structure with failsafe methodology to deliver outcomes compliant with Safety 1<sup>st</sup> principles
- Provide TRA based track inspection methodology for use by all track inspectors for consistency
- Put in place and drive the process for new or heavily revamped track approvals
- Deliver comprehensive track build guidelines for use throughout KA and affiliated organizations
- Contributes to development of KA Manual with particular reference to Safety 1<sup>st</sup> principles
- Oversight of officials training modules to highlight Safety 1<sup>st</sup> approach within them
- Ensure that Safety 1st fits into and interfaces with KARM
- Develop track drawings and information database to enable benchmarking and better storage & flow of information

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### **National Track Safety Committee**

The National Track Safety Committee will make recommendations to the CEO/Board in supporting the administration of safety related issues at KA licensed circuits across Australia in accordance with the Standing Orders of the NTSC as approved by the Board from time to time including amongst other things:

- Establish the guidelines necessary for the design, construction and maintenance of Karting circuits across Australia
- Establish minimum safety guidelines to be applied at all levels of karting competition in Australia
- Establish an appropriate track safety inspection and audit regime
- Establish a safety inspection and development matrix for use in the consistent assessment of all issues of safety in karting
- Consolidate, analyse and maintain a matrix of track safety issues arising from:
  - track inspections
  - post event debriefing and
  - consultation with circuit owners/operators.

**Staff, Contractors, Officials and Volunteers**

- Use the tools provided by the Safety 1<sup>st</sup> Policy to provide consistent outcomes across the country with measurable expectations.

**Affiliated Associations and Clubs**

- Responsible for implementing a Safety 1<sup>st</sup> mind-set and set of procedures within their respective areas of influence and maintaining local records as required.



## P16 RISK MANAGEMENT POLICY

Scheduled Reviewed Triennially or as required

Date of Board Approval

8 November 2016

Last Board Review: 11 November 2019

### Introduction

Like any organisation, Karting Australia (KA), its Affiliated Associations and their member Clubs must manage risks responsibly.

This risk management policy is enacted in order to:

- Develop a risk aware culture across the entire sport that is consistent with best practices
- Provide frameworks to manage potential risks to the organisation and participants
- Assist Karting Australia achieving its long-term objectives.

All of Karting Australia's members, officers, staff and volunteers are required to be risk aware.

### Purpose

The purpose of this Policy is to:

- Outline the principles of risk management which are to be applied by KA's Board, staff, contractors, volunteers, affiliated Associations and Clubs;
- Describe KA's risk management framework; and
- Clarify the roles and responsibilities for administering and implementing these management processes.

The aim of this policy is not to eliminate risk. It is to assist KA to manage the risks involved in its activities to maximise opportunities and minimise adverse consequences.

### KA's Commitment To Risk Management

KA's Board, CEO, executives and staff are committed to ensuring that they create a strong risk management culture within the organisation.

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To achieve this KA has created a Risk Management Framework that includes;

- This policy;
- The Karting Australia Risk Management Accreditation Program (KARM)
- Risk Management procedures;
- Circuit and Facilities Safety Guidelines;
- Targeted risk assessment approach to circuit and facility inspection;
- The general safety rules and regulations contained within the KA National Competition Rules;
- Guides & training for officials working at karting competitions
- Supervision of all karting competition by trained, graded officials;
- Mandatory comprehensive pre-competition inspections on all occasions.

KA aspires to become a risk intelligent organisation, and in order to achieve this has adopted a progressive multi-level risk management model to allow for constant development and improvement across all level of Membership in the management of risk.

KA's Risk Management framework is consistent with the Australian Risk Management standard defined in the publication AS/NZS/ISO 31000:2009 Risk Management, including the principles, framework, and process outlined in the standard.

### Policy

Karting Australia is committed to:

- Developing a 'risk-aware' culture, in which the Board, management, staff, volunteers and members are encouraged to identify and communicate risks through the established "A1 Process" to the organisation's Governance, Finance & Risk Management Committee in a timely manner
- Delivering consistent high-quality risk management practices, including acting upon risks identified through frameworks and tools in a timely manner

- Developing and maintaining best practice tools and frameworks in order to identify, analyse, evaluate, treat, monitor and communicate risks
- Ensuring key stakeholders recognise that it manages risks responsibly

Karting Australia's Risk Management Policy therefore requires that Karting Australia and our Members:

- Identify risks and associated opportunities in a planned and co-ordinated manner, and to respond to them with cost effective actions. This will include the CEO reporting risks to *Karting Australia's* Governance, Finance & Risk Management Committee
- Be "risk prepared", through high levels of risk awareness, ensuring appropriate tools and resources are available to monitor risks, and ensuring *Karting Australia's* management and staff are competent in managing risk.
- Manage the risks that could impact on its organisation while achieving a tangible and sustainable organisational performance
- Enable achievement of long-term business objectives, notwithstanding those risks it may face
- Ensure staff, Officials and administrators are trained and aware of the organisation's approach and procedures for managing risk

## Policy Implementation

### **KA Board**

*Key role: Provide oversight and review*

The Board has ultimate responsibility for the successful implementation of KA's risk management framework and for monitoring the management of all risks, with particular attention to risks to KA rated as 'very high'.

The Board is responsible for reviewing the recommendations of the Chief Executive Officer (CEO) and the endorsement of KA's risk management framework and processes. This includes oversight of the adequacy of internal controls within KA, to ensure that those controls are operating effectively and are appropriate for achieving KA's goals and objectives, with particular focus on risks to KA rated as 'very high' and 'high'. The Board may delegate its operational monitoring and reporting responsibilities to the Executive as appropriate but retains ultimate responsibility for overseeing the risk management framework.

### **Chief Executive Officer**

*Key role: Drive culture of risk management*

The CEO is responsible for the implementation and maintenance of sound risk management. In carrying out this responsibility, the CEO reviews the adequacy of internal controls to ensure that they are operating effectively and are appropriate for achieving corporate goals and objectives, with particular focus on risks to KA rated as 'very high' and 'high'. The CEO and the Executive promote the culture of risk management practices and encourage and empower staff, contractors, volunteers, Affiliated Associations and Clubs in the management of risk.

### **Safety Risk Management And Compliance Manager**

*Key role: Identify new and emerging risks, maintain risk management framework, oversee and facilitate the implementation of KARM and prepare reports.*

Safety Risk Management and Compliance Manager is the administrator of the risk management framework and is responsible for:

- Working closely with KA's external risk management consultants to develop and deliver KARM
- monitoring all direct KA risks;
- ensuring responses are instigated to reported realised risks;
- maintaining KA's risk register;
- defining and delivering risk management awareness to Affiliated Associations and Clubs;
- instigating required periodic reviews of risks; and
- reviewing the risk management framework

### **Affiliated Associations and Clubs**

*Key role: Support risk culture and identify and manage risks*



Affiliated Associations and Clubs are responsible for the management of risks at organisations and facilities which are within their direct control and that are created by the activities of their respective area of management.

Affiliated Associations and Clubs promote the culture of risk management practices and encourage and empower staff, volunteers, and officials within their area of control in the management of risk.

### **Staff, Contractors, Officials and Volunteers**

*Key role: Comply with risk procedures and identify risks*

KA staff, contractors Officials and volunteers are responsible for managing risk within their area of control, for promoting the application of risk management by contractors, and assisting with the identification of broadly based risks that could impact on KA as a whole.

The most senior officials (normally the Stewards and the Clerk of the Course) at every Race Meeting must undertake an inspection of the facility and complete the approved KARM pre-racing checklist prior to the commencement of Competition on every day of every event. The completed KARM assessment must be provide to the State Association Secretary (in the case of State Association permitted Race Meetings) or to the Karting Australia National Office (in the case of KA nationally permitted Race Meetings.)

The assessment will be added to KA's Risk Register or the State Associations Risk Register where all KA risks are to be recorded.

### **Policy Requirements**

As part of KA's Risk Management Framework, KA will develop and maintain appropriate national policies required to effectively govern the sport, including;

- Code of Conduct
- Conflict of interest Policy
- Board Charter
- Delegation Policy
- Member Protection Policy
- Privacy Policy
- Risk Management Policy
- Safety 1<sup>st</sup> policy
- Social Media Policy
- Travel Policy
- Expense reimbursement Policy

## P17 CRITICAL INCIDENT RESPONSE PROCEDURES

Scheduled Reviewed

Triennially or as required

Date of Board Approval

27 January 2017

Updated: 11 November 2019

### Background

Motorsport is dangerous. All participants know and acknowledge this and generally do all within the scope of their authority to manage and minimise the risks associated with participating in our sport.

Notwithstanding, from time to time incidents will inevitably occur. It is incumbent upon all who are involved with the organising and conduct of karting and in particular race meetings to be properly prepared in the event of a critical incident occurring at a karting facility and during a karting event.

To assist all Clubs and event organisers/officials in the circumstance of a Critical Incident occurring at their kart track, the Board has approved the Karting Australia “**Critical Incident Response Overview and Critical Incident Response Chart**”.

### **What Is the Critical Incident Response Overview and Critical Incident Response Chart?**

This document is aimed at assisting karting event organisers, Clubs and State Karting Associations cope with the pressures and demands of handling a response to a Critical Incident, and to facilitate the liaison and cooperation between the event organisers, Police, and any other external Emergency Services.

In effect the document is a tool that event organisers, clubs and State Karting Associations can use to manage the situation and the recording needed should a Critical Incident occur.

**The response referred to is the response to the fact of a serious injury or fatality.**

The normal responses to a non-critical incident that may include fire, casualty, accident or similar, continue to be directed by Race Control (Clerk of the Course and Stewards) as normal.

The steps and procedures in the document can be varied depending on the circumstances of the incident - the main thrust of the procedures are **for the Incident to be identified as a Critical Incident by the Senior Medical Officer** in attendance at the Track at that time and if so, to respond accordingly.

**A Critical Incident is one which results in:-**

- **Injury (of significance) to a Driver, Official, Volunteer or member of the public; or**
- **Injury to any person that is likely to result in a death.**

### PROCEDURE

The senior personnel in every Club (including Stewards and Clerks of the Course) should be familiar with the overview of protocols for the handling of a critical incident at a karting event that are detailed in the document.

If an incident has been identified as being a Critical Incident, it is then a matter of the designated Officials working through the document from front to back, following the identified procedures in logical sequence and recording all actions taken.

Every Club must ensure that the **Critical Incident Response Overview For Karting Events (Appendix 1)** and **Critical Incident Response Chart (Appendix 2)** is easily accessible by the Stewards, Clerk Of the Course, Race Director, Club Secretary at every race meeting and at all times when there are organised Club activities taking place at the Race Track.

A hard copy of the **Critical Incident Response Overview For Karting Events** and **Critical Incident Response Chart** should be kept in the Stewards Room and Timing/Race Control at all times.

The hard copies should include the Names and contact details for the State Karting Association Emergency Contact personnel that will need to be contacted in the event of the occurrence of a Critical Incident.

## APPENDIX 1: Critical Incident Response Overview For Karting Events

This document is an outline of how to handle a Critical Incident (Serious Injury or Fatality) at a karting event, after the incident has been stabilised following standard emergency response.

The two key roles in these procedures are the **Incident Coordinator**, and the **Incident Director** – titled as such to differentiate these roles from their usual roles in the management of an event.

The **Karting Incident Director stays in Race Control** and pulls together all information whilst keeping an overview of the Critical Incident

The **Karting Incident Coordinator stays onsite at the location of the Critical Incident**, recording & photographing, working with medical staff / police and ensuring that the Critical Incident is dealt with appropriately on site.

When dealing with outside organisations, it is advisable to refer to them as **Karting Incident Coordinator** and **Karting Incident Director** to differentiate them from similar titles within the outside emergency agencies.

### **IMPORTANT NOTE!**

Prior to any on-track activity at each Meeting, the people who will carry out the roles of **Karting Incident Controller** and **Karting Incident Director** should they be required should be identified, so that they can undertake those roles immediately when required.

CONTACTS	DETAILS
<b>KA Emergency Contact:</b>	<b>Names and Phone Numbers</b> CEO – Kelvin O'Reilly 0414 550 861 Chief Operating Officer – Lee Hanatschek 0403 531 914 Safety Manager – Tony Manson 0412 353 856
<b>State Association Emergency Contact</b>	<b>Names and Phone Numbers should be in Supp Regs for each Meeting</b>
<b>Motor Racing Ministries</b>	<b>Counselling Services</b> Garry Coleman - 0412 867 582 <a href="http://www.sportschaplaincy.com.au">www.sportschaplaincy.com.au</a>

## CHECKLIST FOR INITIAL REPORT TO KA and STATE ASSOCIATION

To be delivered to the State Association Office and KA National Office by the **Stewards of the Meeting**, by 9.30AM of the following day.

No.	ITEM REQUIRED	Check
1	Names and address of all casualties, and next of kin	
2	Injury Report completed and signed by Medical Personnel	
3	Vehicle Damage report on each kart completed by the Scrutineer	
4	Detail of when the karts were impounded and where they are located (secured)	
5	Exact time of the accident together with the day and date	
6	The event session/practice session in which the accident occurred	
7	An exact description of the incident site both in writing and diagram – include accurate measurements of distances relating to pertinent details	
8	An accurate account of events leading up to the incident (from at least 20 seconds prior to until the time of the incident.)	
9	Brief description of response to incident, including transport of casualty to hospital, and time and detail of confirmation of death (if applicable)	
10	Name, position, and contact details of person submitting report	
11	Name, position, and contact details of Police Officer in charge of the investigation.	

It is recommended that the KA “**Critical Incident Response Chart**” be used as an electronic (or written) Log of the Critical Incident response and reporting, separate from the Event Control Log included in the Stewards Report.

## RESPONSIBILITIES OF KEY ROLES IN THE EVENT OF A CRITICAL INCIDENT

### ***Karting Incident Director***

- Appoint Karting Incident Coordinator if not already nominated
- Maintains / updates log started by Clerk of Course / Race Director
- Briefs Key Personnel
- Notify Police and meet with them on arrival
- If separate photographer needed, appoints suitable person to meet Karting Incident Coordinator on site
- Notify relevant Workcover authority & other relevant authorities in State that Meeting is held
- Establishes & remains in Incident Command Centre (can be Race Control if Meeting does not proceed)
- Nominate one person to speak to media
- Direct Officials to ensure security of medical area and access for ambulance to facility
- Collate all documentation and material for submission with reporting
- Issue initial statement through media person, after clearing with Police & KA
- Arrange contact for counselling with Officials or Competitors who need it
- Direct contact with Next of Kin of injured parties

### ***Karting Incident Coordinator***

- Isolate Incident site & protect evidence
- Takes all relevant photos & video or oversees appointed photographer to do so
- Impound karts involved in Incident
- Secure Crash Helmets worn by all injured parties in the Incident
- Identify any damage to Circuit Safety Infrastructure
- Produce drawing(s) of Incident clearly identifying paths, starting points, finish points etc
- Meet with Stewards of the Meeting at Incident site
- Conduct Inspection with Stewards of the Meeting and club Safety Officer to determine if Incident site can be made suitable for racing (**recommend that State Circuit Inspector be contacted**)
- Obtain witness statements and facilitate witness statement with Police
- Oversee repairs to Incident site Circuit Safety Infrastructure and obtain approval from State Circuit Inspector and Stewards of repairs

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### ***Clerk of Course / Race Director***

- Declares incident to be a Critical Incident, on advice from Medical staff on site.
- Starts / keeps log with Karting Incident Director (KA Critical Incident Response Chart recommended)
- Ensure medical staffing / vehicles in place prior to re-commencement of racing after Critical Incident
- **Recommend** pre-event checklist be re-done prior to re-commencement of racing after Critical Incident

### ***Stewards of the Meeting***

- Attend Incident site to familiarize with circumstances
- Assess damage to Circuit Safety Infrastructure and together with State Circuit Inspector decide whether repaired Safety Infrastructure is suitable for racing to re-commence
- Approve re-commencement of racing IF appropriate
- Review reports and documentation put together by Karting Incident Director
- Submit reports to State Association and KA



**Medical Staff**

- Immediately notify Clerk of Course / Race Director that Incident is “Critical”
- Identify Casualties
- Liaise with Civil Ambulance
- Generate medical records of injuries

**Secretary of the Meeting**

- Notify State Association and KA
- Provide all needed documentation to Karting Incident Director



**APPENDIX 2:**
**CRITICAL INCIDENT RESPONSE CHART**

CONTACTS	DETAILS
<b>KA Emergency Contact:</b>	<b>Names and Phone Numbers</b> CEO – Kelvin O'Reilly 0414 550 861 Media Manager – Lee Hanatschek 0403 531 914 Safety Manager – Tony Manson 0412 353 856
<b>State Association Emergency Contact</b>	<b>Names and Phone Numbers</b>
<b>Motor Racing Ministries</b>	<b>Counselling Services</b> Garry Coleman - 0412 867 582 <a href="http://www.sportschaplaincy.com.au">www.sportschaplaincy.com.au</a>
EVENT AND INCIDENT INFORMATION	DETAILS
<b>Event Permit Number:</b>	
<b>Date of Incident:</b>	
<b>Venue or Location:</b>	
<b>Event Title:</b>	
<b>Session Number:</b>	Class: _____ Division: _____ Heat No.: _____ Final
<b>Time of Incident:</b>	
<b>Attending Police Officer:</b>	
<b>Chief Steward of Meeting:</b>	
<b>Clerk of the Course/ Race Director:</b>	
<b>Race Secretary:</b>	
<b>Person completing this form:</b>	

TASK	RESPONSIBILITY	LOG OF ACTION TIME AND BY WHOM
<b>1. INCIDENT IDENTIFICATION</b> Identify the incident as a Critical Incident, usually on advice from Senior Medical Person at Meeting.  Initiate log in Race Control of the event to record response to the incident.	Clerk of the Course/ Race Director  Incident Director	
<b>1(a). IDENTIFY CASUALTIES</b> Commence identification of casualties.	Medical Team Members	
<b>2. INCIDENT DIRECTOR</b> Appoint and dispatch Incident Coordinator to take charge of incident site.  Incident site to be isolated and evidence of incident protected from contamination except where the protection of those involved with the management of the incident or the treatment of casualties requires otherwise.	Incident Director  Incident Coordinator	
<b>3. MEETING OF KEY PERSONNEL</b> Arrange a meeting of the key event personnel available to agree on following procedures. Persons to be included are: <ul style="list-style-type: none"> <li>• Clerk of the Course / Race Director</li> <li>• Race Secretary</li> <li>• Promoter</li> <li>• Organiser</li> <li>• Police representative</li> </ul>	Incident Director <sup>®</sup>	
<b>4. POLICE ATTENDANCE</b> Ensure or request the police on duty at venue to attend incident site. If no police present, notify nearest Police Station or Police Local Area Command. <b>POLICE IDENTIFICATION</b> When police are present, meet police and note name, rank, numbers, Police Station, and contact phone number.	Incident Director  Incident Director	



<p><b>10. DOCUMENTATION</b></p> <p>Obtain copy of Entry Form, or for officials, the sign-on sheet, to assist in identification of casualty, confirmation of name and address, and of other information.</p> <p>Other documents to be included are:</p> <ul style="list-style-type: none"> <li>• Permit</li> <li>• Circuit Licence</li> <li>• Supplementary Regulations &amp; Addenda</li> <li>• Event Schedule</li> <li>• Briefing Notes &amp; Instructions</li> </ul> <p>Documents to be collated in Race Control</p>	<p>Race Secretary</p>       <p>Incident Director</p>	
<p><b>11. PRELIMINARY STATEMENT</b></p> <p>Issue preliminary statement for broadcast to minimise panic and confusion - statement to be cleared by Clerk of the Course &amp; Race Secretary.</p> <p>Police and KA will usually assist with compilation of statement. Public casualty identification must be cleared with senior police officer present.</p>	<p>Incident Director/ Media Spokesperson</p>	
<p><b>12. PERSONNEL SUPPORT</b></p> <p>Appoint Support person if required – may be chaplain, medical team member/s, or other qualified personnel.</p>	<p>Incident Director</p>	
<p><b>13. CIRCUIT INSPECTION</b></p> <p>If a Circuit Inspector is present/applicable, arrange for their attendance at incident site or reach via telephone.</p>	<p>Incident Coordinator</p>	
<p><b>14. STEWARDS OF THE MEETING</b></p> <p>Stewards of the Meeting to attend incident site with knowledge of Clerk of the Course, Incident Coordinator &amp; Incident Director.</p>	<p>Stewards/ Incident Director / Incident Coordinator</p>	
<p><b>15. CASUALTY IDENTIFICATION</b></p> <p>Confirm identity of casualties and any deaths directly with Senior Medical Person or responding medical personnel.</p>	<p>Clerk of the Course/ Incident Director</p>	



<p><b>16. NEXT OF KIN</b></p> <p>Discretely find out from others (pit crew / officials) if next of kin or close acquaintances of casualties are present at venue.</p> <p>If so, escort them to a quiet place away from all activity (not at the incident site) then inform them of situation. Female company may be preferable to comfort female next of kin or immediate friends.</p> <p>Person notifying relatives or acquaintances must remain calm and relaxed - should be clearly be introduced by name and position.</p> <p>Advice should be clear that there has been an incident in which the casualty has been involved, and which may result in serious, possible fatal, injury.</p>	<p>Support person or Race Secretary</p>	
<p><b>17. WITNESSES</b></p> <p>Identify eyewitnesses (officials, photographers, public near-by) and record name, address, and contact phone numbers of each. Have them wait close to incident site.</p>	<p>Incident Coordinator</p>	
<p><b>18. WITNESS INITIAL STATEMENTS</b></p> <p>From Incident Coordinator, obtain names and address of three witnesses and obtain a quick verbal assessment from them of the circumstances of the incident. Record their comments.</p> <p>Refer to locations at the venue by Turn numbers, not by other names.</p>	<p>Stewards of the Meeting</p>	
<p><b>19. SITE SURVEY</b></p> <p>Carry out on-site survey of the scene and draw diagrams showing accurate distances from fixed object (fences, barriers, trees etc.)</p>	<p>Incident Coordinator</p>	
<p><b>20. VEHICLE IMPOUND</b></p> <p>Have kart(s) taken to secure, private impound area. Temporary screens may need to be used.</p> <p>Chief Scrutineer to inspect kart to establish any mechanical issues &amp; accurately record damage.</p> <p>Note that kart(s) must remain in impound area until released by Police, and also by KA.</p>	<p>Incident Coordinator</p>	

<b>21. CRASH HELMET</b> Take possession of crash helmet(s) if not retained by Police.	Chief Scrutineer	
<b>22. TRAUMA CHECK</b> Evaluate all persons involved with the incident to ascertain whether any are affected by trauma.	Support person and Race Secretary	
<b>23. AMBULANCE</b> Arrange for replacement ambulance/s if necessary for the Meeting/Event to continue.	Race Secretary	
<b>24. RE-ESTABLISH INCIDENT SITE</b> With permission from police, have incident site cleared of all debris. Repair fencing etc. in preparation for next event.  Check safety of Circuit, with KA Approved Circuit Inspector if present or via telephone.  If appropriate, approve, in writing, the Circuit for further events when check is complete.	Incident Coordinator   Stewards of the Meeting and Clerk of the Course  Stewards of the Meeting	
<b>25. REVIEW &amp; PRESENT REPORTS</b> Review all reports and ensure that they are all identified and signed by whoever is presenting them.	Incident Director	
<b>26. REPORTS TO KA AND STATE ASSOCIATION</b> Present required reports to State Office and National Office of KA as detailed below - some by next day and some within two working days. Lists are at end of this form.	Stewards of the Meeting	

## REPORT TO KA and STATE ASSOCIATION

To be delivered to the State Association Office and KA National Office by the Stewards of the Meeting, by 9.30AM of the following day.

No.	ITEM REQUIRED	Check
1	Names and address of all casualties, and next of kin.	
2	Injury Report completed and signed by Medical Personnel.	
3	Vehicle Damage report on each kart completed by the Scrutineer.	
4	Detail of when the karts were impounded and where they are located (secured.)	
5	Exact time of the accident (to the second if possible) together with the day and date.	
6	The event session/practice session in which the accident occurred.	
7	An exact description of the incident site both in writing and diagram – include accurate measurements of distances relating to pertinent details.	
8	An accurate account of events leading up to the incident (from at least 20 seconds prior to until the time of the incident.)	
9	Brief description of response to incident, including transport of casualty to hospital, and time and detail of confirmation of death (if applicable.)	
10	Name, position, and contact details of person submitting report.	
11	Name, position, and contact details of Police Officer in charge of the investigation.	

## DETAILS OF PHOTOGRAPHS REQUIRED

Photos required must show as much as possible, exactly what happened, what the result was, and what evidence remained that could assist investigations.

- General scene of the incident, distance, close-up and from different angles. Some photos should show general infrastructure in the area, such as signs, trees, fences, barriers etc.
- Any tyre marks on track/course or verges and catch traps, indication directional movement of the kart, and skid marks where wheels would have been locked up.
- Damage to infrastructure, particularly with kart still in place.
- Debris in the area, with an object such as a matchbox or drink bottle as well to indicate size of debris.
- Trail of debris to indicate direction of kart, or of debris following impact. Debris in spectator area is particularly important if any.

A U S T R A L I A

## P18 PRE-EVENT SAFETY INSPECTION POLICY AND CHECKLIST

Scheduled Reviewed Triennially or as required

Date of Board Approval 27 January 2017

Last Board Review: 11 November 2019

### Background

In November 2016 the Board approved the:

- Karting Australia **Safety 1<sup>st</sup> Policy**
- Karting Australia **Risk Management Policy**

Shortly thereafter we launched the KARM program (Karting Australia Risk Management)

In conjunction with our insurers, we have identified that karting will benefit greatly by taking some simple steps that will progressively enhance and document our collective approaches to safety and risk management both prior to and during events that are conducted under KA Permits and in accordance with our Rules.

### Safety 1<sup>st</sup> Policy and Risk Management Policy/Program

All State Associations need to be familiar with these Policies. All Clubs need to be familiar with these Policies and to actively commence the simple KARM Level 1 accreditation process.

One of the most important elements and one of the simplest procedures that must now be followed at all events – no matter whether the event be a Club Day or a National Championship or every level of event in between is the **completion of the Pre-Event (Safety) Checklist**. See the extract of the preamble on the form below:

#### KARTING AUSTRALIA – PRE-EVENT CHECKLIST

This checklist is provided by Karting Australia, in partnership with Arthur J. Gallagher, as part of the Karting Australia Risk Management (KARM) Program. The purpose of this checklist is to assist kart clubs in identifying potential hazards and risks prior to the commencement of any on-track activity.

##### Checklist requirements

The Pre-Event Checklist should be used as tool or aid in the identification of safety concerns prior to the commencement of on-track activities. This checklist is a *visual* inspection tool only.

Once a safety concern has been identified, you must record how you will address the risk to a satisfactory level. Please refer to the instructions provided.

##### This checklist is compulsory

Karting Australia requires all organisers and clubs to properly fulfil their duty of care obligations to participants and spectators. The Karting Australia National Insurance Program may not extend cover for clubs and officials who demonstrate intentional negligence and/or contempt for these responsibilities.

Clubs should address all known risks to an acceptable level. This checklist allows clubs to identify risks and record actions in a simple manner.



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The Checklist (that is stored online) **MUST BE COMPLETED BY THE MOST SENIOR OFFICIALS of the Race Meeting** prior to the commencement of on-track activity on every day of the Race Meeting.

The completed form/s (one for each day of the event) must be returned to the body that issued the Permit for the event (either Karting Australia for National level events, of your State Secretary for all other State level events) – note that this does include Club meetings.

The form can be found here: [www.karting.net.au/administration/forms](http://www.karting.net.au/administration/forms)

## Procedure

### For National level events:

1. KA will issue a copy of the Checklist at the same time that they issue the Supplementary Regulations and the Race Permit to the organising Club.
2. The Stewards of the Race Meeting must ensure that pages 4 and 5 of the Checklist (the checklist itself) are completed during the morning track inspection and prior to the commencement of any on-track activity for each day of the event.
3. The completed and signed checklist/s must be returned to the KA National Office along with the Stewards report and the associated race paperwork following completion of the event.

### For State level events:

1. State Secretaries are required to issue a copy of the Checklist at the same time that they issue the Supplementary Regulations and the Race Permit to the organising Club.
2. The Stewards of the Race Meeting must ensure that pages 4 and 5 of the Checklist (the checklist itself) are completed during the morning track inspection and prior to the commencement of any on-track activity for each day of the event.
3. The completed and signed checklist/s must be returned to your State Secretary along with the Stewards report and the associated race paperwork following completion of the event.

As **BEST PRACTICE** it is advisable and desirable for all Stewards who will be officiating at an event to have downloaded a copy of the Checklist prior to arriving at the Race Meeting and to be familiar with the requirements of completing the checklist. **Identifying, addressing and documenting response to risk reduces exposure should an incident occur.** See the extract of the preamble on the form below:

#### Insurance

The Karting Australia National Insurance Program, arranged by Arthur J. Gallagher, recommends the use of these checklists to record your club's actions in addressing known risks. By completing this checklist, you can reduce your club's exposure to potential legal action resulting from injury or property damage.

#### Who should complete this checklist?

In general, any official who is responsible for safety on the day of the event/activity may complete this checklist. This may include, but is not limited to:

- Stewards
- Clerks of Course
- Safety/Risk Officer

By completing this checklist and signing it, you are demonstrating that you have taken reasonable steps to identify and address risk. This puts your club in a stronger (not weaker) position should an incident occur.

#### Protection for club officials

The Karting Australia National Insurance Program provides protection for club officials who complete this checklist. It is important clubs can demonstrate, via this checklist, they have upheld their duty of care through action.





## P19 REMOTELY PILOTED AIRCRAFT (Including Drones)

Scheduled Reviewed Triennially or as required

Date of Board Approval 11 November 2019

### Introduction

Karting Australia (KA) recognises that a Drone or Remotely Piloted Aircraft (RPA) can create observing, photographic and digital recording opportunities in motor sport that have historically either not been available, or only available at a high cost. However, use of an RPA in an unregulated manner can create significant risk to others. This Policy governs the use of an RPA at KA licenced circuits, events and Race Meetings in a controlled manner.

### Applies To

The policy applies to the KA Board, employees, and contractors, Officials, Volunteers, Spectators, Accredited Media and Members including but not limited to Drivers, Parents, Participants, Competitors and Team Members (“**Covered Persons**”).

### Objectives

This policy is intended to achieve the following objectives:

1. Provide a safe environment for persons including Licence Holders, Officials, Team Members and Spectators at KA sanctioned Race Meetings and venues.
2. Provide a safe environment for the use of a RPA at KA sanctioned venues
3. Outline a clear procedure on the use of a RPA at KA Events.

### RPA Definition

RPA means a “remotely piloted aircraft”, as defined in the Civil Aviation Safety Regulations 1998 (CASR 1998). For the purposes of this Policy, an RPA also includes a large, small and micro RPA and each of the following:

1. Drone;
2. Remotely controlled model aircraft;
3. Remotely piloted aircraft;
4. ‘Throw and shoot’ flying camera;
5. Tethered and unmanned free balloon;
6. Unpiloted air vehicle;
7. Unmanned aerial system.

### General

A RPA may only be used at a KA circuit with the permission of KA and otherwise in accordance with the following:

1. Applicable law;
2. KA rules, policies and procedures;
3. Any direction issued by the Clerk of the Course and/or Chief Steward if the RPA is being used at an Event.

**Note:** To the extent of any inconsistency, the higher standard shall prevail.

### Certification by CASA

Each RPA controller or operator at an Event must possess a written certification from CASA to, as the case may be, operate (‘RPA Operator’s Certificate’) or control (‘RPA Controller’s Certificate’) the RPA in the place and circumstances in which the RPA will be used.

For the purposes of this Policy and with reference to Part 101 of CASR 1998, the use of an RPA at an Event is deemed to be for commercial (and not recreational, sporting or private) purposes.

These certificates must be carried at all times and be produced on request to KA, any landowner, Event Organiser, the Race Director or if not appointed, the Clerk of the Course or Chief Steward.

Each person who only holds an RPA Controller's Certificate may operate a RPA at a KA licenced Circuit only while under the control and responsibility of a person and entity which holds a valid RPA Operator's Certificate.

## Insurance

An RPA controller or operator is not covered by KA's Public Liability Insurance Policy and must ensure that a public liability insurance policy is in place which as a minimum:

1. provides a minimum limit of liability of \$10M;
2. covers each RPA operator and controller for loss or damage to persons or property arising out of their use of an RPA at a KA licenced Circuit;
3. notes on the policy the following as having an insured interest in relation to the use of the RPA at a KA licenced Circuit:
  - a) Australian Karting Association Ltd and its related entities (and their directors, employees, contractors and agents);
  - b) Landowners and occupiers;
  - c) KA Officials;
  - d) Participants;
  - e) Organisers (if being used at an Event).

## Workplace Health and Safety

Each RPA controller and operator at an Event must ensure that an occupational health and safety management system is in place which fulfils their responsibilities under the various state and territory occupational health and safety legislation and any primary duty of care requirements;

## Specific Requirements

At no stage may:

1. an RPA operate if KA, an Organiser, landowner, occupier or the Clerk of the Course identifies any safety concerns with its operation that are not managed controlled by CASR 1998 or this Policy;
2. more than one RPA in operation at a KA licenced Circuit at any one time;
3. an RPA fly:
  - a) At a height below 5 metres or above 120 metres;
  - b) Within 30 metres of any Kart or person loading, unloading or recovering any Kart;
  - c) In the vicinity of any medical vehicle or person attending a scene of an incident unless authorised by the Clerk of the Course, Race Director or Chief Steward;
  - d) Within 30 metres of a Track area during any competitive activity at an Event;
  - e) In such a manner that distracts or impedes the view of a Driver;
  - f) Without a designated safety observer in place (whose role is to stop any person or Automobile entering the landing site);
4. An RPA land in an area other than one which is sign posted and separated from the general public, paddock area, staging area or any other area deemed by an Organiser, landowner /occupier or the Clerk of the Course as inappropriate;
5. An RPA be used by an operator or controller while such operator or controller is:
  - a) On the Track or Course during any Competition at an Event;
  - b) On any part of an Event's first line of protection;
  - c) Operating the device from a position that interferes with an Official;
  - d) In an area designated by an Organiser, landowner occupier, the Clerk of the Course, Race Director or Chief Steward as inappropriate;

KA reserves the right to request a random drug and alcohol test for the RPA controller.

The RPA must not be operated night.

## P21 CIRCUIT EXTENSION APPROVAL

Scheduled Reviewed Triennially or as required

Date of Board Approval

8 November 2016

Updated: 11 November 2019

### INTRODUCTION

This policy sets out establish the process and designated responsibilities of KA Management, Standing Committees and the Board in the stages of approval of new race Circuits, and major race Circuit extensions for Karting Australia (KA) licensed Race Circuits.

### BACKGROUND

History has seen the approval process for kart circuits in Australia focus solely on the safety items of the racing surface. This has been a successful formula for the Circuit itself but is limited in providing the full picture in regard to necessary infrastructure and limits the support that KA provides to clubs & other parties building Circuits (for example, input from Competition Committee on circuit layout).

As we progress forward there are many aspects that make a successful race facility of which Circuit safety is a single element and by introducing an upgraded Approval process, KA can be a point of assistance for those building or adding to facilities by providing holistic advice and direction, allowing for presentation of full project scope, full budget development and a planned process.

For a racetrack to offer a true racing experience it must firstly excite the competitors to want to attend (over and above the nature of the event) and then it must offer features that will make the competitor want to go back. If it is purely follow the leader that offers minimal overtaking then this will lead to more desperate manoeuvres, poorer race experiences and reluctance for the competitors to return. To this end all new/modified Circuits must be reviewed with a competition perspective in mind.

All new / modified Circuits must also be reviewed with an events/operational basis to ensure that they are capable of handling the type of event that they are aimed at. Provision of the correct information and input allows those building / modifying Circuits to budget reliably and with assistance from KA, develop a "stepped" program of Circuit works to fit budget constraints which leads to the outcome sought by the builder. For example, a new Circuit might start running club events and as further infrastructure work is completed, have the necessary facilities in place to bid for a national event.

Once reviewed from a competitive and infrastructure point of view, a new / modified circuit must then be reviewed to ensure that all safety aspects are considered and designed into the Circuit. By having a process in place for this work, KA can provide a better service and outcomes for Circuit builders / modifiers and for the sport in general.

### PURPOSE

The purpose of the New Circuit/Circuit Extension Approval Process Policy is to provide clarity of the Race Circuit consideration and approval process and to ensure that insofar as is possible, all new karting Race Circuits and major race track extensions provide the best racing and safety experience for karting participants by drawing on an extended group of racing and safety expertise that may not be generally on offer within the confines of the Club or Organisation that is wishing to undertake the development/extension.

### OBJECTIVES

This policy is intended to achieve these objectives:

1. To assist the developers/Club to create the best possible Race Circuit for competition and social karting activities having due regard for the geography of the site, the location of the facility, the current and predicted size of the Club (in any), the level of Competition for which the Race Circuit is being designed;
2. To provide input to the developers/Club on the Circuit operational matter that are best considered at the front end of the development process;

3. To provide input to the developers/Club on the SAFETY INFRASTRUCTURE that will be required to be in place prior to approval for KA sanctioned activities;
4. To provide input to the developers/Club in formulating their budget for the project.

## POLICY

### STAGE 1 – Preliminary Design Considerations

#### Racing

The basis for the track layout shall be presented to Karting Australia for review by a specialist review committee led by KA's Safety Risk Management and Compliance Manager to determine:

- "Race-ability" of the Circuit
- Suitability of infrastructure for different levels of competition
- Safety aspects of Circuit itself and of facility generally
- Location and use of utilities
- Alignment of track within property boundaries
- Compliance with any restrictions, conditions or requirements of statutory bodies

#### "Race-Ability"

Overall Circuit design – will it create good, safe racing?

Points for consideration shall be but are not limited to:

- Overall length of Circuit, particularly for national or international events
- Nature of first, second and third corners. Are they open, do they lead to a bottleneck? Width and radius of first corner.
- Length of start finish straight.
- Is the minimum radius of the tightest corner in step with the rest of the Circuit?
- Does the Circuit need a tighter corner, as it is too open and free flowing?
- Do the corners naturally flow?
- Is there a special design characteristic that will minimise the effects of blocking such as an open double apex corner?
- Considerations of camber, elevation changes and existing ground features.
- Are cut-through's conducive to club days as well as National events?
- Reducing the roll down time before karts return to the Ingrid.
- Run off areas, buffers, 1LoP and spectator fencing (initially in draft form).
- Line of sight for Marshals and needs of officials generally.

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#### Operational Design

Overall new facility design – will it work well from a modern operational standpoint?

Points for consideration shall be but are not limited to:

- Overall layout
  - Grid location, access, layout and cover
  - Parc Ferme Size/location
  - Technical Inspection area
  - Maximum capacity of the paddock area and space requirements
  - Layout of the paddock area (unobstructed, easy access, capable of handling transporters of varying and growing size)?
  - Paddock area surface
  - Competitor flow within the paddock, how do they get to the grid, store trolleys, access break down lane, retrieve karts?
    - Are there any major areas of congestion?
  - Security Features for the Paddock
  - Drainage considerations in the facility/paddock

- Red Flag holding area
- Administration, Race Control and Officials Facilities
  - Race Secretary / Administration office
  - Race Control location / size / elevation
  - Stewards' rooms
  - Starter's Platform to ensure consistent view of the starts
  - Timing Room location / size
  - Announcer / commentator's booth to be separate from Race Control
  - Adequate PA system
- Competitor parking and spectator parking are adequate and separate for the paddock.
- Trade area
- Canteen/club room design/shape/location
- Undercover areas for spectators/crew
- Accommodation within the region

## Stage 2 - Safety

Once reviewed by the specialist KA review committee the track shall be drawn to scale in CAD to CIK specs and shall have all features included.

This will include:

- Corner radii.
- Proposed Inner and outer kerbs
- Proposed Catch traps (location and type)
- Proposed Fencing (including all specifications, height, mesh size)
- Proposed Distance between sections of track
- Proposed Barrier style and location
- Direction of racing (can be both but needs to be indicated)
- Location of proposed cut throughs
- Proposed Marshall positions (flags/lights)
- Proposed Location of start lights (how far off the ground)
- Ambulance location
- Emergency facilities location
- Proposed Break down location
- Proposed grid location and access roads to track including gates / barriers
- Gradients and cambers
- Track widths, lengths and other relevant information
- Consideration for endurance karting (4-stroke/2-Stroke)

The CAD files may be provided to CIK so that speed estimates can be produced (possible that CIK could provide simulation program info to KA so that this can be done by KA).

From the simulation information, final changes and adjustments are made to safety infrastructure in particular to generate final build drawings

## Stage 3 - Approval

Once final drawings are produced, the design may be signed off by KA as compliant, allowing the developer / Club to confirm its final budgets. Build can then commence with any on ground changes to be noted and updated on the drawings. Once completed, the new / modified circuit will have an on-ground inspection/s and sign off from KA including any detail rectification work.

If the development of the circuit is based on a "stepped" process (e.g.: Club events initially, then state level with application for National events later once the facility further developed) the facility will need an on-ground inspection and sign off from KA at each previously agreed step.

Note that prior to use of the facility, the Race Track must be inspected and certified in accordance with KA procedures.



A new Circuit will require inspection and certification by KA (at National level) prior to the issue of the Circuit License. Thereafter the Circuit may be inspected and re-certified by the affiliated State Circuit Inspector/s for that State.

## Fee for new circuits

KA may charge the developer / Club a fee for assistance during the design / approval process for new Circuits or Circuit extensions. Such fee will be agreed in advance.

Each inspection of the Circuit that KA is required to undertake prior to the issuing of the Circuit License will incur a fee as follows:

### For the years 2020 - 2021

Inspection Fee: \$2,000.00 per day for each occasion that a site visit for inspection is required

Cost Reimbursement: Travel, accommodation and meal expenses incurred for each site visit



## P24 Level 5 - KARTING ACTIVITY (Recreational) CONTROLLER POLICY

Scheduled Review

Triennially or as required

Date Of Board Approval

28 November 2022

Date in Effect 31 January 2023

### Introduction

This Policy sets out the Minimum Requirements for a person to fill the role of **Level 5 - Karting Activity Controller** at a Karting Australia (KA) licenced Circuit along with the general requirements and responsibilities of an Official (regardless of their 'Level') who is acting as the Karting Activity Controller (KAC) at an organised and Permitted (Recreational / Social) Karting Activity.

The Board of Karting Australia recognises, that the requirements on State Karting Association's (SKA), Clubs and Officials for the control of a Karting Activity are different from those related to Competition Karting, although the overriding provisions of circuit control, usage, and all safety matters remain the same.

It for these reasons that KAC specific courses have been developed and included in the Karting Australia Officials Academy as essential courses, along with "Respect Karting", "Resolving and Avoiding Conflict" and "Safety 1<sup>st</sup> and Karting Risk Management" courses that form the first curriculum for specific KAC training.

### Rule References

#### Definitions

**Karting Activity** means any non-competitive activity that is conducted under an Organising Permit and insured by KA's Insurance program, including but not be limited to an Organised Recreational / Social Karting activity under these Rules, which for the avoidance of doubt shall include but not be limited to General (Private) Practice, Training, Bring A Mate, Come and Try, Junior Sprockets and Junior Sprockets Plus sessions under these Rules.

**Karting Activity Controller (KAC)** means the Level 5, KA Licenced Official who is in attendance at a Circuit where a Karting Activity is taking place and who is in control of the Karting Activity in accordance with National Competition Rules (NCR), Appendix 1, and the Karting Activity Supplementary Regulations that have been approved and issued (along with an Organising Permit) by the relevant SKA.

**KAC Core Courses** means the following courses in the Karting Australia Officials Academy:

- "Social Karting – Controller Responsibilities and Requirements"
- "Social Karting – Club Responsibilities and Requirements"
- "Respect Karting"
- "Safety 1<sup>st</sup> and Karting Risk Management"

**Licence:** means a certificate of registration issued to any person or body (including but not limited to Drivers, Competitors, Participants, Officials, authorised Suppliers, Circuits, Mechanics, Pit Crew etc.) wishing to participate or taking part, in any capacity whatsoever, in Competitions and/or Karting Activities governed by the Rules.

**New KAC Course** means any KAC Course/s that may be added to the Officials Academy after 1 November 2022.

**Official:** means any person who holds an Officials Licence issued by KA and who may be appointed from time to time by KA or by the Organisers of the Meeting.

**Officials Academy** means the Karting Australia Officials Academy, Karting Australia's online training facility where we provide basic and advanced training courses that cover a range of subjects that are relevant to officiating at Karting Australia Activities and Race Meetings.

**Official's Licence:** means a licence issued to an accredited person in accordance with the Rules.

**Organising Permit** means a document issued by KA or the relevant SKA authorising the organisation of a Competition or the conduct of a Social Karting activity under the Rules, which for the avoidance of doubt shall include but not be limited to an: Organised Social Karting Activity, General (Private) Practice, Bring A Mate and Come & Try sessions under these Rules.

**Supplementary Regulations:** are a compulsory official document for Events and Karting Activities.

Supplementary Regulations shall not be contrary to the Rules.

- **Karting Activity Supplementary Regulations:** Must be approved by the SKA or KA for all Karting Activities and issued by the Organiser of the Karting Activity with the object of specifying the details of the Karting Activity. They must be readily available to all participants in a Karting Activity via the Club Notice Board or such other means as may be approved by either KA or the relevant SKA.

**Updated Course** means any KAC Core Course (current as of 1 November 2022) that is updated from time to time to reflect best practices and/or new or amended Rules.

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## Purpose

The policy will provide guidance to SKA's, and Clubs about the specific requirements for a Level 5 - Karting Activity Controller and for all Officials who may be Officiating as a KAC.

The training requirements and Licencing procedures have been implemented to clearly define the requirements to obtain and retain a Level 5 - KAC Licence. Note, that these are separate from the licencing requirements and upgrade provisions for a Race Official – Level 4 (Club) to Level 1 (National) – see Policy P25.

## Objectives

This policy is intended to achieve the following objectives:

1. To specify the Karting Australia Officials Academy Courses that are required to be satisfactorily completed by a person who wants only to be accredited as a Level 5 KAC (i.e. they will not be licenced to officiate as a Race Official without additional training.)
2. To separate a KAC Licence from a Race Officials Licence.
3. To enable Clubs and Member State Associations to clearly differentiate between those people who only want to officiate at (Social) Karting Activities and those who offer their services as a Race Official at a Karting Competition.

## Level 5 KAC Licence – Attainment Requirements

The Karting Australia Officials Academy – an online training facility (Officials Academy) provides training courses covering a range of subjects that was established to provide basic training for the essential Officials that are required for all levels of Karting Australia Competition and Karting Activity within Australia.

### New Licenced KAC's

1. A person applying to become a KAC must:
  - a. Successfully complete the **KAC CORE COURSES** in the Karting Australia Official's Academy.

**Note:** Other than active Race Officials (see Policy P25), enrolment in the Karting Australia Officials Academy to undertake the KAC Core Courses may require the payment of an enrolment fee (the **Enrolment Fee**).
  - b. Complete the KAC Application Form and submit it to either your SKA or (when specified by Karting Australia) to KA.

2. All persons that are required by State Legislation to obtain a Working with Children Check must apply for and obtain such approval prior to being issued with a Karting Australia Level 5 – KAC Licence.
3. Prior to a New Level 5 KAC Licence being issued, a Level 5 KAC Licence application must be approved by either their SKA or KA.
4. A Level 5 KAC Licence will be issued for a period of twenty-four (24) months from the date of Approval by the relevant SKA or KA. Thereafter, the KAC Licence will expire and must be renewed prior to its further use.
5. It is recommended that new KAC's watch the KA Integrity Webinar <https://www.karting.net.au/club-toolkit/webinars>

### Level 5 KAC Licence – Retention Requirements

1. A Level 5 KAC who wishes to retain their KAC Licence for a further period of twenty-four (24) months after its initial expiry/renewal date, must have satisfactorily completed:
  - a. any new or updated “KAC Core Courses”, and
  - b. the “safety 1<sup>st</sup> and Karting Risk Management” Courseto retain their Level 5 KAC Licence.

### Race Officials – Levels 4 to 1 and Karting Activity Control

The holder of a Race Official Licence is permitted to control a Karting Activity.

It is **highly recommended** that they complete the specific Social Karting Controller Courses:

- a. “Social Karting – Controller Responsibilities and Requirements”
- b. “Social Karting – Club Responsibilities and Requirements”.



# KARTING

## A U S T R A L I A

## P25 RACE OFFICIALS LICENCE POLICY

Scheduled Reviewed Triennially or as required

Date of Board Approval

2 February 2018

Last Board Review: 28 November 2022

### INTRODUCTION

This policy sets out the Grading Classifications, guidance on the recommended minimum number of Essential Race Officials required at all levels of Karting Australia (KA) Competition within Australia and the requirements, responsibilities, and procedures for a Race Official to obtain, upgrade and maintain their KA Race Official Licence.

**Note:** In this Policy, certain administrative responsibilities that reference the SKA, State Officials Co-Ordinator and/or the State Technical Officer may be delegated to the State Administrator for the fulfillment of the administrative responsibilities associated with the identified responsibilities.

### PURPOSE

This policy will provide guidance to Member State Associations, State Official's Co-Ordinator's, Clubs and Organisers when providing Race Officials at all levels of Competition. This guidance seeks to create sporting integrity, enjoyment and a safe racing environment for Competitors to fairly and consistently apply the rules. The procedures have been implemented to clearly define the requirements to obtain, retain and/or upgrade a KA Race Official Licence.

### RACE OFFICIAL

Race Officials (Levels 1, 2, 3 and 4) as described in this Policy are Graded and Licensed to Officiate at Karting Australia Competitions.

License Gradings are generally based on a combination of factors\* including:

- karting and/or general motorsport experience,
- satisfactory completion of Basic Training – Level 4 Grading
- satisfactory completion of the relevant Official's Development Courses (in the Karting Australia Officials Academy) stipulated in this Policy for Levels 3, 2 and 1.
- being assessed as having:
  - satisfactorily officiated at and gained competency endorsements as a Race Official from the Chief Steward at the requisite number of Meetings detailed in the Upgrade Requirements of this Policy to warrant being upgraded to the next higher Official's Grading, and
  - a sound working knowledge of the Karting Australia National Competition Rules, and
  - enthusiasm for the sport

\* RPL may be taken into account

### KARTING ACTIVITY CONTROLLER – Level 5

Karting Activity Controller (KAC) will be introduced in late 2022 with an 'in effect date' of 31 January 2023.

Nothing in this Policy, shall act in any way to prohibit a Race Official from acting as a KAC at an Organised and Permitted **Karting Activity** (non-competitive, recreational or social karting). It is highly recommended that Race Officials complete the specific social **Karting Activity Controller** courses:

- c. "Social Karting – Controller Responsibilities and Requirements", and
- d. "Social Karting – Club Responsibilities and Requirements"

prior to performing the duties of a KAC.



## POLICY APPLIES TO

The policy applies to all National Officials, State Official's Co-Ordinator's, State Technical Officers, Member States, Affiliated Clubs and all KA Licenced Race Officials.

## OBJECTIVES

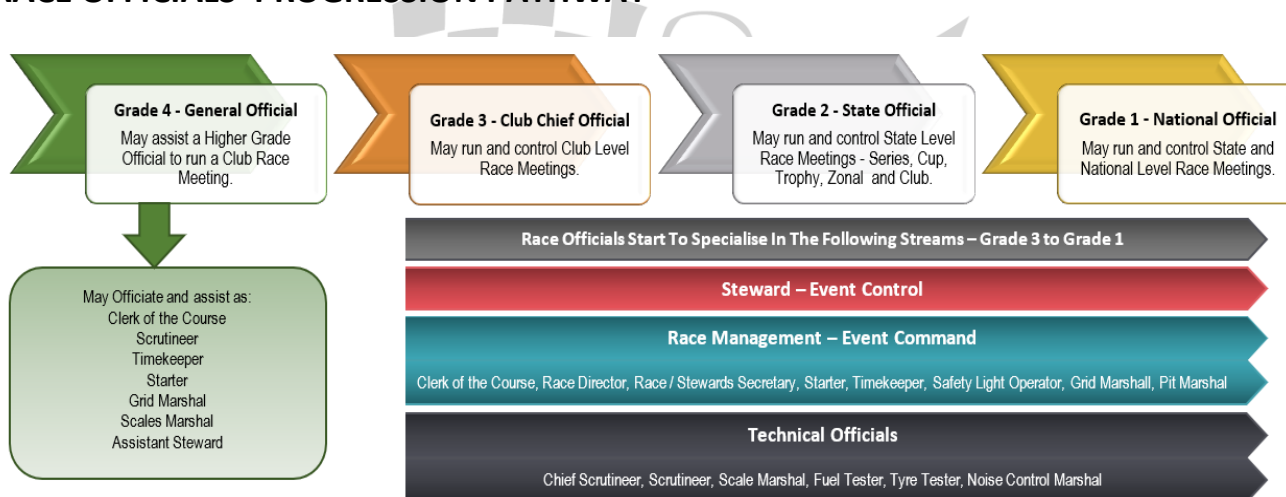
This policy is intended to achieve the following objectives:

1. Simplify and align the grading system with world's best practice.
2. Clearly define the Licencing, Upgrade and Retention requirements for all levels of Race Officials
3. Enable Club Level meetings to be more easily conducted using locally available Race Officials.
4. Provide a clear pathway for all Officials.
5. Reininvigorate Officials to become active in the running of Club Meetings.

## RULE REFERENCES

General Rules, Chapter 7, Rule 2, and NCR Appendix 1.

## RACE OFFICIALS' PROGRESSION PATHWAY



The list of Race Officials and the Accredited Officiating Disciplines include:

### STEWARDS (Event Control)

- Steward

### RACE MANAGEMENT OFFICIALS (Event Command)

- Race Director
- Starter
- Pit Marshal
- Flag Marshal / Safety Light Operator
- Race Secretary
- Race Prosecutor
- Grid Marshal
- Clerk of the Course (including Assistants)
- Chief Timekeeper and Timekeeper
- Officials (Stewards) Secretary

### TECHNICAL OFFICIALS (Scrutineers)

- Chief Scrutineer
- Scale Marshal
- Scrutineer
- Fuel Tester
- Tyre Tester
- Noise Control Marshal

## ASSISTANTS

Nothing in this Policy, shall act to prevent a person 16 years of age or older from assisting under supervision, any of the Officials appointed to an Event albeit that they do not hold a graded Race Officials Licence.

In all instances, a person who is required by State law to apply for and be provided with a Working With Children Check (15 years of age in South Australia and 18 years of age in other jurisdictions) must do so prior to acting as an assistant to a Race Official.

## Working With Children Check

A person who is required by State Law to obtain a Working with Children Check must apply for and obtain such approval prior to being issued with a Karting Australia Race Officials' Licence or a Karting Activity Controller Licence and must always maintain it as current while acting as Race Official or a Karting Activity Controller.

**This is an absolute requirement under STATE LAW - NO EXCEPTIONS!**

### Minimum Essential Race Officials (Showing Minimum Official's Grading Required)

Official	CLUB	STATE & ZONAL LEVEL COMPETITION	NATIONAL LEVEL COMPETITION	
	Club Competition Refer: <i>General Rules, Chapter 7, Rule 4 (b)</i>	State Cup, State Series, State Trophy, Zonal Competition	State Championship	National Championship, National Series, National Cup
<b>Chief Steward</b>	1 at Level 3 or higher.	1 at Level 2 or higher.	1 at Level 1.	1 at Level 1.
<b>Steward</b>	<b>Refer General Rules Chapter 7 Rule 6 c)</b> "At a Club level Meeting, any other Official may act as a Steward for the purpose of the conduct of a Steward's Hearing provided that the Chief Steward shall perform the duties of Chair for the Hearing."	<b>Minimum of 3 Stewards</b> in total including the Chief.  1 at Level 3 or higher. Plus  At least 1 other, at any Level.	<b>Minimum of 4 Stewards</b> in total including the Chief.  2 at Level 2 or higher. Plus ®  At least 2 others, 1 of which must be at least a Level 3 Steward.	<b>Minimum of 4 Stewards</b> in total including the Chief.  2 at Level 2 or higher. Plus  At least 2 others, 1 of which must be at least a Level 3 Steward.
<b>Clerk of the Course (COC)</b>	At least 1 COC at Level 4** or higher if less than 35 Entries.	1 COC at Level 2 or higher.	1 COC at Level 2 or higher.	1 Race Director Plus 1 Level 1 COC.
<b>Assistant Clerk of the Course (ACOC)</b>	At least 1 COC at Level 3** or higher if more than 35 Entries.	At least 2 ACOC's. 1 of which must be a Level 3 or higher.	At least 2 ACOC's. 1 of which must be a Level 3 or higher.	At least 3 ACOC's at Level 3 or higher.
<b>Chief Scrutineer</b>	At least 1 Required - at any Level.	1 x Level 3 or higher	1 x Level 2 or higher	1 x Level 1
<b>Scrutineer/s</b>		At least 2 Scrutineers in total are required.  At least 1 at any Level.	At least 3 Scrutineers in total are required.  At least 2 others. At least 1 must be at Level 3 or higher.	At least 4 Scrutineers in total are required.  At least 3 at Level 3 or higher.
<b>Timekeeper</b>	1 at any Level	1 at any Level but it is highly recommended to be at Level 3 or higher.	1 at Level 2 or Higher	1 at Level 2 or Higher

\*\* Must have a clear understanding of the Start, Re-start, Race Stoppage and Race Finish Rules - Competition Rules, Chapter 1, Rules 22 – 26 if they are fulfilling the role of the Starter.

A Race Official may hold different Licence levels for different duties of officiating at any time (e.g., they could be a Level 1 Clerk of the Course and a Level 2 Steward).

## DEFINITIONS

In addition to the definitions contained in the NCR's, the following definitions shall apply to this Policy.

### Approved (or Approval)

- **By the SKA** means an approval given to a Race Official in accordance with this Policy by either the State Officials Co-ordinator, State Technical Officer, or State Administrator/Secretary and in accordance with authority provided by the SKA.
- **By the National Officials Co-Ordinator or the National Technical Commissioner** also means the respective Deputy in each of those roles.

**Basic Training** means the successful completion of the Core Training Courses and the PBTR Courses that all Race Officials must undertake by 31 January 2023 or prior to the issuing of their first Graded Race Official Licence.

**Core Courses** means the “Core Courses – Karting Australia Race Officials” in the Karting Australia Officials Academy.

**Graded Race Official Licence** means any of a Grade 4, Grade 3, Grade 2, or Grade 1 Race Official Licence that may be issued to a Race Official in accordance with the Rules and this Policy by either an SKA or Karting Australia.

**Junior Race Official** means a person who has attained the age of 14 years, who has successfully completed the Junior Race Officials Courses and who has been issued with a Junior Race Official Licence in accordance with the Rules and this Policy by either an SKA or Karting Australia. They may continue to act in the capacity of a Junior Official until they have attained the age of 18 years.

**Junior Race Official Courses** means the “Officiating 101” and “Respect Karting” Courses in the Officials Academy.

**New Course** means any Course/s that may be added to the Officials Academy after 1 October 2022.

**Race Official** means a person who has attained the age of 16 years, has completed Karting Australia's Basic Training and been issued with a Graded Race Official Licence in accordance with the Rules and this Policy by either an SKA or Karting Australia and who is not a Junior Official.

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**Officials Academy** means the Karting Australia Officials Academy, Karting Australia's online training facility where we provide basic and advanced training courses that cover a range of subjects that are relevant to officiating at Karting Australia Activities and Race Meetings.

**Official's Development Course** means any of the Non-Core Courses in the Officials Academy.

**PBTR Courses** means Play By The Rules Mini Courses means the online “[Introduction to the Integrity of Sport](#)” and “[Making Sport Inclusive, Safe and Fair](#)” (Note: this course is valid for two years only.)

**Remote Club** means a Club that is at least 200km from the nearest Affiliated Club.

**RPL Applicant** means a person over the age of 16 years who has made an application for an RPL Assessment.

**RPL Assessment (Recognition of Prior Learning)** means the assessment process through which a person's skills, knowledge and experience can be taken into consideration in determining the initial grade of Race Official Licence issued and the training that may be required, prior to the issuing or upgrading a Race Official Licence, even if not all the stated Licence accreditation, attainment, retention, and upgrade requirements have been met.

**RPL Assessment Panel** means an ad hoc committee of at least three (3) persons, convened by Karting Australia that may include the National Officials Co-Ordinator and/or National Technical Commissioner and/or Deputy National Officials Co-Ordinator and/or Deputy National Technical Commissioner and/or a member of the Executive Commission under the Chair of the Chief Operating Officer or their delegate.

**Updated Course** means any Officials Academy Course (current as of 1 October 2022) that is updated from time to time to reflect best practices and/or new or amended Rules.

## RACE OFFICIAL'S LICENCE

### COMMENCEMENT, UPGRADE and RETENTION REQUIREMENTS

#### JUNIOR RACE OFFICIAL

##### *General*

1. A person applying to become a Junior Race Official is required to have successfully completed the Junior Race Officials Courses.
2. A Junior Race Official may assist a Licenced Race Official and act under their direct supervision at Club Level Race Meetings in any of the following duties:
  - i. Grid Marshal,
  - ii. Starter,
  - iii. Scales Marshal,
  - iv. Timekeeper,
  - v. Scrutineering,
  - vi. Clerk of the Course.
3. A Junior Race Official is required to officiate at a minimum of three (3) Race Meetings annually to retain their Licence.
4. A Junior Race Official may also officiate at higher levels of Race Meetings under the supervision of a Senior Graded Race Official.

#### JUNIOR RACE OFFICIAL UPGRADING TO A SENIOR RACE OFFICIAL

A Junior Official who is at least 16 years of age, and who wishes to become a Senior Race Official, should follow the procedures outlined in the Level 4 Race Official section of this Policy to become accredited as a Senior Race Official.

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#### SENIOR - GRADED RACE OFFICIALS

##### **BASIC TRAINING IS REQUIRED TO BE UNDERTAKEN BY ALL GRADED RACE OFFICIALS.**

**All new Race Officials are required to complete Karting Australia's Basic Training before being issued with a Race Official's Licence.**

In this Policy the term "successfully completed" when used in conjunction with Basic Training, PBTR Mini Courses, or any of the Event Control, Event Command, Technical, online training course modules, means that the Official has passed the test that follows each training Course. It is NOT NECESSARY NOR IS IT A REQUIREMENT, FOR AN OFFICIAL TO REPEAT these online training courses on a regular basis.

Level 4 is the starting point for most\* Karting Australia Race Officials.

Unless a person has been granted a positive RPL Assessment in accordance with this Policy, the Training and Upgrade Assessment conditions detailed herein will apply.

If a positive RPL Assessment has been granted, some or all of the Training or Grading requirements may be adjusted or waived by an SKA and/or Karting Australia.

\* See the RPL Assessment policy [herein](#).

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## RPL ASSESSMENT

Each RPL Assessment, will be made on an individual case-by-case basis by the RPL Assessment Panel.

An RPL Assessment approval, may, but will not normally override the necessity for a Race Official to complete Basic Training.

Unless otherwise approved by KA, a person seeking an RPL Assessment must:

1. Complete an RPL Assessment Application Form and submit it to the SKA from which they are seeking to obtain a Race Official Licence.
2. Provide supporting evidence of the skills, knowledge and experience that supports the application.
3. Provide contact details of any referee/s who can support the RPL Assessment Application.

The SKA that receives the completed Application form will, upon its receipt:

1. Forward the completed RPL Assessment Application Form to Karting Australia,
2. Provide a properly considered recommendation that either supports or rejects the RPL Assessment Application to [admin@karting.net.au](mailto:admin@karting.net.au)

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## UPGRADE ASSESSMENT

An Upgrade Assessment must be conducted prior to an Official being elevated to a higher-level of Race Official's Licence.

The purpose of an Upgrade Assessment is to determine the competency of an Official to move from their current Licence grade to a higher grade of Race Official's Licence after they have obtained the requisite number of competency endorsements specified in this Policy i.e. Level 4 to level 3, level 3 to level 2 and level 2 to level 1.

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An Assessment will be conducted for:

- an Event Control Officials' Assessment or Event Command Officials' Assessment, by the State or National Official's Co-ordinator.
- a Scrutineer Assessment, must be approved by the State Technical Officer or the National Technical Commissioner.

The Assessment will include the successful completion of an online test in the Karting Australia Officials Academy and may include one or more event observation assessments.



## LEVEL 4 RACE OFFICIAL

### New Senior Race Official (Minimum 16 Years of Age)

#### THE FIRST SENIOR RACE OFFICIAL'S LICENCE

A person applying to become a new or returning Karting Australia Race Official is required to:

1. Successfully complete Basic Training; and
2. If you have attained the age of 18 years (15 years of age in South Australia), you must apply for and obtain a **Working With Children Check** clearance that is valid in your State; and
3. Complete the Karting Australia **Officials' Accreditation Application Form** and submit it to either your State Karting Association (**SKA**) or KA along with a copy of the PBTR Course Certificates for both the PBTR Courses mini courses.

Prior to a new Senior Race Officials' Licence being issued, a Level 4 Race Official Licence application must be approved by either their SKA, Karting Australia or the National Officials Co-ordinator.

#### GENERAL CONDITIONS – LEVEL 4 RACE OFFICIAL

##### **Permitted Duties**

1. A Level 4 Race Management Official can officiate at a Club Level Race Meeting (or a higher-level Race Meeting under supervision of a higher graded Official) in any of the following roles:
  - Clerk of the Course
  - Starter
  - Safety Light Operator
  - Flag Marshal
  - Grid Marshal
  - Timekeeper
  - Pit/Paddock Marshal
2. A Level 4 Technical Official can officiate at a Club Level Race Meeting (or a higher-level Race Meeting under supervision of a higher graded Official) in any of the following roles:
  - Scrutineer
  - Scale Marshal
  - Tyre Tester
  - Fuel Tester
  - Noise Control Marshal
3. Any other Race Official, including a Level 4 Race Official is permitted to act as a Steward at a Club Level meeting provided the Chief Steward acts as the Chair during the Hearing.

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#### RETAINING YOUR LEVEL 4 RACE OFFICIAL LICENCE

A Level 4 Race Official must:

1. Officiate at a minimum of four (4) Meetings annually; and
2. Biennially, must satisfactorily complete:
  - a. At least one (1) Officials Development Course conducted by either KA or your SKA; and
  - b. Successfully complete any **new "Core Courses"** e.g. the **Annual Updated Rules course** and any specific **"Level 4 Courses"** (if any) in the Officials Academy; and
  - c. Participate in at least one (1) **KA Integrity Unit Webinar**

to retain your Level 4 Race Official's Accreditation.

#### **ONGOING DEVELOPMENT**

It is highly recommended that Race Officials regularly attend and participate in a KA and/or an SKA Officials Training School or KA online Race Official's Workshop at least biennially and preferably annually.

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**MINIMUM UPGRADE REQUIREMENTS – UPGRADE, LEVEL 4 TO LEVEL 3 RACE OFFICIAL**

To be eligible to upgrade to a Level 3 Race Official Licence, a Level 4 Official must:

1. Have a sound working knowledge of the Karting Australia National Competition Rules and an enthusiasm for the sport.
2. Have held a Level 4 Race Official's Licence for a minimum twelve (12) month period and have satisfactorily officiated and gained competency endorsements from the Chief Steward from a minimum of six (6) Race Meetings, four (4) of which must be for the same Role.
3. Make application on the appropriate form to the SKA requesting consideration for an upgrade. A copy of the PBTR Certificate for the relevant PBTR Mini Course(s) that the Official has completed in Basic Training must be provided with the completed application form.
4. Prior to a Level 3 Licence being issued:
  - a. an Upgrade Assessment will be conducted.
  - b. for an Event Control Officials' Licence or Event Command Officials' Licence, the Licence Application must be approved by either their SKA or the National Officials Co-ordinator.
  - c. for a Scrutineer Licence, the Licence Application must be approved by either their SKA or the National Technical Commissioner.



## LEVEL 3 – (CLUB CHIEF) OFFICIAL

A Level 3 Race Official Licence may be issued to an Official who has:

1. Completed Basic Training (unless otherwise approved through the RPL Assessment approval process.)
2. Satisfied the upgrade criteria for a Level 3 Official; or been approved for the issuing of a Level 3 Officials' Licence following an RPL Assessment.
3. Made application on the appropriate form to the SKA requesting consideration for a Level 3 Officials' Licence,
4. The applicant for the Level 3 Race Official Licence, must have successfully completed the PBTR Course - "[Making Sport Inclusive, Safe and Fair](#)" within the previous two (2) years, and provide a copy of the PBTR certificate showing completion of the Course with the application.

### 5. LICENCE CATEGORIES

#### a. Stewards (Event Control) Licence

- (i) If applying for a Stewards (**Event Control**) Licence, you must have successfully completed all the Event Control – Stewards Officials Academy Courses.
- (ii) The Licence Application must be approved by either the State Officials Co-ordinator, their SKA, Karting Australia or the National Officials Co-ordinator.

#### b. Race Management (Event Command) Licence

- (i) If applying for Race Management (Event Command) Licence, you must have successfully completed the Event Command – Race Management Officials Academy Courses.
- (ii) The Licence Application must be approved by either the State Officials Co-ordinator, their SKA, Karting Australia or the National Officials Co-ordinator.

#### c. Technical (Scrutineer) Licence

- (i) If applying for a Scrutineer Licence, you must have successfully completed the Scrutineering and Event Command – Race Management Officials Academy Courses.
- (ii) The Licence Application must be approved by either the State Technical Officer, their SKA, Karting Australia, or the National Technical Commissioner.

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## PERMITTED DUTIES

A **Level 3 Steward** may:

- officiate as a Steward or Chief Steward at a Club level Meeting.
- officiate at State and Zonal Level Meetings but not as the Chief Steward.
- officiate at a National Level Meeting but not as the Chief Steward.

A **Level 3 Race Management Official** (Clerk of the Course or Assistant Clerk of the Course) may:

- officiate as Clerk of The Course at a Club level Meeting.
- officiate as an Assistant Clerk of the Course at a State and Zonal Level Meeting.
- officiate as an Assistant Clerk of the Course at a National Level Meeting.

A **Level 3 Technical Official** (Scrutineer) may:

- officiate as Chief Scrutineer at a Club level Meeting.
- Officiate as a Chief Scrutineer at State and Zonal Level Meetings
- officiate as a Scrutineer at National Level Meetings.

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### **RETAINING YOUR LEVEL 3 RACE OFFICIAL LICENCE**

A Level 3 Race Official must:

- Officiate at a minimum of four (4) Race Meetings annually.
- Biennially, must satisfactorily complete:
  - a. At least one (1) Officials Development Course conducted by either KA or your SKA; and
  - b. Successfully complete any **NEW “Core Courses”** e.g. the **Annual Updated Rules** course and any specific **“Level 3 Courses”** (if any) in the Officials Academy; and
  - c. Participate in at least one (1) KA Integrity Unit Webinar

to retain your Level 3 Race Official's Accreditation.

### **ONGOING DEVELOPMENT**

It is highly recommended that Race Officials regularly attend and participate in a KA and/or an SKA Officials Training School or KA online Race Official's Workshop at least biennially and preferably annually.

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### **MINIMUM UPGRADE REQUIREMENTS – LEVEL 3 TO LEVEL 2**

To be eligible to upgrade to a Level 2 Race Official Licence, a Level 3 Race Official must:

1. Have a good working knowledge of the Karting Australia National Competition Rules and an enthusiasm for the sport.
2. Have held a Level 3 Race Official Licence for a minimum twelve (12) month period; and
  - a. Satisfactorily officiated and gained competency endorsements from the Chief Steward from a minimum of six (6) Race Meetings for the same Role during that period.
  - b. At least two (2) of the endorsements should be obtained at Meetings at which there are at least 50 entries.
  - c. No more than four (4) of the endorsements can be obtained from Meetings held at the same Club and/or from the same Chief Steward unless the Meetings are organised by or at a Remote Club in which case the assessing Official may provide an exemption allowing for more than four (4) endorsements to be obtained from the same Club and/or the same Chief Steward.
  - d. Make application on the appropriate form to the SKA, requesting consideration for an upgrade. A copy of the PBTR Certificate for the relevant PBTR Mini Course(s) that the Official has completed within the previous two (2) years must be provided with the completed application form.
3. Prior to a Level 2 Race Official Licence being issued:
  - a. an Upgrade Assessment will be conducted.
  - b. for an Event Control Official Licence or Event Command Official Licence, the Licence Application must be approved by either the SKA or the National Officials Co-ordinator.
  - c. for a Scrutineer Licence, the Licence Application must be approved by either the SKA or the National Technical Commissioner.

## LEVEL 2 – (STATE) OFFICIAL

A Level 2 Race Officials Licence may be granted to a person who has:

1. Completed Basic Training (unless otherwise approved through the RPL Assessment approval process.)
  2. Satisfied the upgrade criteria for a Level 2 Race Official or been approved for the issuing of a Level 2 Official Licence following an RPL Assessment.
  3. Made application on the appropriate form to the SKA requesting consideration for a Level 2 Officials Licence.
- The applicant for the Level 2 Race Official Licence, must have successfully completed the PBTR Course - **“Making Sport Inclusive, Safe and Fair”** within the previous two (2) years, and provide a copy of the PBTR certificate showing completion of the Course with the application.
  - **LICENCE CATEGORIES**
    - a. **Stewards (Event Control) Licence**
      - (i) If applying for a Stewards **(Event Control)** Licence, you must have successfully completed all the Event Control – Stewards Officials Academy Courses.
      - (ii) The Licence Application must be approved by either the State Officials Co-ordinator, their SKA, Karting Australia or the National Officials Co-ordinator.
    - b. **Race Management (Event Command) Licence**
      - (i) If applying for Race Management (Event Command) Licence, you must have successfully completed the Event Command – Race Management Officials Academy Courses.
      - (ii) The Licence Application must be approved by either the State Officials Co-ordinator, their SKA, Karting Australia or the National Officials Co-ordinator.
    - c. **Technical (Scrutineer) Licence**
      - (i) If applying for a Scrutineer Licence, you must have successfully completed the Scrutineering and Event Command – Race Management Officials Academy Courses.
      - (ii) The Licence Application must be approved by either the State Technical Officer, their SKA, Karting Australia, or the National Technical Commissioner.

## PERMITTED DUTIES

A **Level 2 Steward** may:

- officiate as Steward or Chief Steward at a Club level Meeting.
- officiate as Steward or Chief Steward at a State and Zonal Level Meeting.
- officiate at a National Level Meeting but not as the Chief Steward

A **Level 2 Race Management Official** (Clerk of the Course or Assistant Clerk of the Course) may:

- officiate as Clerk of the Course or Assistant Clerk of the Course at a Club Level Meeting.
- officiate as Clerk of the Course or Assistant Clerk of the Course at a State or Zonal Level Meeting.
- officiate as Clerk of the Course or Assistant Clerk of the Course at a State Championship Meeting
- officiate as an Assistant Clerk of the Course at all other National Level Meetings.

A **Level 2 Technical Official** (Scrutineer) may:

- officiate as Chief Scrutineer or Scrutineer at State Championship Level Meetings and below.
- officiate as a Scrutineer at National Level Meetings.



## **RETAINING YOUR LEVEL 2 RACE OFFICIAL LICENCE**

To retain a Level 2 Official Licence, the Official must:

1. officiate at a minimum of six (6) Race Meetings annually, at least two (2) of which must not be held at the same Club (See IMPORTANT NOTES ##); and
2. biennially, must satisfactorily complete:
  - a. At least one (1) Officials Development Course conducted by either KA or your SKA; and
  - b. Successfully complete any **NEW “Core Courses”** e.g. the **Annual Updated Rules** course and any specific **“Level 2 Courses”** (if any) in the Officials Academy; and
  - c. Participate in at least one (1) KA Integrity Unit Webinar
3. have satisfactorily completed all the courses including all new and updated courses relevant to their Officiating discipline in the Officials Academy.

## **ONGOING DEVELOPMENT**

It is highly recommended that Race Officials regularly attend and participate in a KA and/or an SKA Officials Training School or KA online Race Official’s Workshop at least biennially and preferably annually.

## **MINIMUM UPGRADE REQUIREMENTS – LEVEL 2 TO LEVEL 1**

To be eligible to upgrade to a Level 1 Race Officials Licence, a Level 2 Race Official must:

1. Satisfactorily attend a KA Officials Training School biennially; and
2. Have an excellent working knowledge of the National Competition Rules and an enthusiasm for the sport.
3. Have held a Level 2 Race Officials Licence for a minimum of twenty-four (24) months.
  - a. Satisfactorily officiated and gained competency endorsements from the Chief Steward at a minimum of eight (8) Race Meetings in the same Role during that period.
    - i. No more than five (5) of the endorsements can be obtained from the same Chief Steward and/or be from Meetings held at the same Club.
4. Make application on the appropriate form to the SKA requesting consideration for an upgrade. A copy of the PBTR Certificate for the relevant PBTR Mini Course(s) that the Official has completed in Basic Training must be provided with the completed application form.
5. Prior to a Level 1 Licence being issued:
  - a. an Upgrade Assessment will be conducted.
  - b. for an Event Control Race Official Licence or Event Command Race Official Licence, the Licence Upgrade Application must be approved by the National Officials Co-ordinator upon recommendation for the Officials’ SKA.
  - c. for a Scrutineer Licence, the Licence Upgrade Application must be approved by the National Technical Commissioner upon recommendation for the Officials’ SKA.

## LEVEL 1 (NATIONAL) OFFICIAL:

A Level 1 Race Officials Licence may be granted to a person who has:

1. Completed Basic Training (unless otherwise approved through the RPL Assessment approval process.)
2. Satisfied the upgrade criteria for a Level 1 Race Official or been approved for the issuing of a Level 1 Race Officials' Licence following an RPL Assessment.
3. Made application on the appropriate form to the SKA requesting consideration for a Level 1 Officials Licence.
4. The applicant for the Level 1 Race Official Licence, must have successfully completed the PBTR Course - "[Making Sport Inclusive, Safe and Fair](#)" within the previous two (2) years, and provide a copy of the PBTR certificate showing completion of the Course with the application.

### 5. LICENCE CATEGORIES

#### a. Stewards (Event Control) Licence

- (i) If applying for a Stewards (**Event Control**) Licence, you must have successfully completed all the Event Control – Stewards Officials Academy Courses.
- (ii) The Licence Application must be approved by the National Officials Co-ordinator
  - Upon recommendations from the SKA; or
  - Upon recommendation from KA.

#### b. Race Management (Event Command) Licence

- (i) If applying for Race Management (Event Command) Licence, you must have successfully completed the Event Command – Race Management Officials Academy Courses.
- (ii) The Licence Application must be approved by the National Officials Co-ordinator
  - Upon recommendations from the SKA; or
  - Upon recommendation from KA.

#### c. Technical (Scrutineer) Licence

- (iii) If applying for a Scrutineer Licence, you must have successfully completed the Scrutineering and Event Command – Race Management Officials Academy Courses.
- (iv) The Licence Application must be approved by the National Technical Commissioner
  - Upon recommendations from the SKA; or
  - Upon recommendation from KA.

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## ONGOING DEVELOPMENT

It is highly recommended that Race Officials regularly attend and participate in a KA and/or an SKA Officials Training School or KA online Race Official's Workshop at least biennially and preferably annually.

### Permitted Duties

A Level 1 Official in the appropriate Officiating discipline, may perform the duties of:

- Chief Steward or Steward
- Clerk of the Course,
- Race Director
- Chief Scrutineer or Scrutineer

at any Race Meeting.

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## **RETAINING YOUR LEVEL 1 RACE OFFICIAL LICENCE**

To retain a Level 1 Officials Licence, the Official must;

1. officiate at a minimum of six (6) Meetings annually; at least two (2) of which must not be held at the same Club (See IMPORTANT NOTES ##); and
2. biennially, must satisfactorily complete:
  - a. At least one (1) Officials Development Course conducted by either KA or your SKA; and
  - b. Successfully complete any new “Core Courses” e.g. the Annual Updated Rules course and any specific “Level 3 Courses” (if any) in the Officials Academy; and
  - c. Participate in at least one (1) KA Integrity Unit Webinar
3. continue to satisfy the National Officials Co-ordinator or the National Technical Commissioner that they can continue to competently fulfil their duties as a Level 1 Race Official by accepting appointments to officiate at National Level Meetings as and when reasonably requested to do so.
4. have satisfactorily completed all the courses including all new and updated courses relevant to their Officiating discipline in the Officials Academy; and
5. maintain an excellent working knowledge of the National Competition Rules and an enthusiasm for the sport.

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## **IMPORTANT NOTES**

Attaining the “Minimum Upgrade Requirements” means that the Race Official is eligible for and is ready to be assessed in accordance with this policy for a Race Official License Upgrade.

It does not guarantee that an Official will obtain an upgrade to the next level of Race Official Licence, nor does it obligate them to be assessed.

It makes the Official eligible for assessment by either the SKA and/or the National Officials Co-ordinator and/or in the case of a Technical Official - the National Technical Commissioner.

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**##** The minimum number of Race Meetings that an Official is required to officiate at annually to retain their current level of Licence, and/or the minimum requirements for a Licence upgrade may, in **exceptional circumstances**, be varied by the National Officials Co-ordinator or in the case of a Technical Official - the National Technical Commissioner at their discretion and following consultation with the CEO.

In normal circumstances, should an Official not achieve the minimum requirements to retain their current level of Licence, they will be downgraded to the immediate lower level until the minimum requirements have been met.

## Karting Australia RPL Assessment Application Form (Recognition of Prior Learning and Experience.) V1 - 2022



### INTRODUCTION

In accordance with Karting Australia (KA) Policy P25 – Race Official's Licence Policy, KA may take into account the prior motorsport knowledge and experience of an Official or a potential Official in determining their entry point or upgrade requirements as a Karting Australia Race Official.

A KA RPL Assessment allows our most Senior Officials to assesses your competency—acquired through formal and informal learning and on the job experiences as a Volunteer, Official or participant at motorsport events—to determine if you are able to commence Karting Officiating at a higher Grade of Race Official or without the necessity to undertake full Basic Training.

### RPL ASSESSMENT DEFINITIONS

**RPL Applicant** means a person over the age of 16 years who has made an application for an RPL Assessment.

**RPL Assessment (Recognition of Prior Learning)** means the assessment process through which a person's skills, knowledge and experience can be taken into consideration in determining the initial grade of Race Official Licence issued and the training that may be required, prior to the issuing or upgrading a Race Official Licence, even if not all the stated Licence accreditation, attainment, retention, and upgrade requirements have been met.

**RPL Assessment Panel** means an ad hoc committee of at least three (3) persons, convened by Karting Australia that may include the National Officials Co-Ordinator and/or National Technical Commissioner and/or Deputy National Officials Co-Ordinator and/or Deputy National Technical Commissioner and/or a member of the Executive Commission under the Chair of the Chief Operating Officer or their delegate.

### RPL ASSESSMENT

Each RPL Assessment, will be made on an individual case-by-case basis by the KA RPL Assessment Panel.

An RPL Assessment approval, may, but will not normally override the necessity for a Race Official to complete Basic Training.

The RPL process starts with you providing documentary evidence to demonstrate that you can perform or have performed various tasks/activities and have experience that is relevant to officiating at a motorsport event.

It is in your self-appraisal where you can include details and documents such as: a resume or list of experiences; qualifications or units of competency you have completed (e.g. any Motorsport Australia Courses or participation as a competitor or Official); and statements of attendance or similar documents indicating the non-formal training you have received. This will be included in the Portfolio of Evidence.

A person seeking an RPL Assessment must:

1. Complete an RPL Assessment Application Form and submit it to the SKA from which they are seeking to obtain a Race Official Licence.
2. Provide supporting evidence of the skills, knowledge and experience that supports the application.
3. Provide contact details of any referee/s who can support the RPL Assessment Application.

The SKA that receives the completed Application form will, upon its receipt:

1. Forward the completed RPL Assessment Application Form to Karting Australia,
2. Provide a properly considered recommendation that either supports or rejects the RPL Assessment Application to [admin@karting.net.au](mailto:admin@karting.net.au).

**Karting Australia is the FIA and Motorsport Australia's delegate for the regulation and control of Karting in Australia.**



# Karting Australia RPL Assessment Application Form (Recognition of Prior Learning and Experience.) V1 - 2022



## RPL ASSESSMENT APPLICATION

Name of Applicant

Address of Applicant

Email Address

Mobile Phone Number  Date of Birth

Have you ever held a Driver/Rider Licence for any of the following? (tick applicable)

Karting Australia ☐ Motorsport Australia ☐ Motorcycling Australia ☐

Have you ever held a Race Official's Licence for any of the following? (tick applicable)

Karting Australia ☐ Motorsport Australia ☐ Motorcycling Australia ☐

If YES, what role/s did you fill? (tick applicable)

Clerk Of The Course ☐ Steward ☐ Scrutineer ☐

Marshall ☐ Race Secretary ☐ Timekeeper ☐

Other ☐

What level of Official were you? E.g. Bronze, Silver, Gold, Club, State, National etc

How long did/have you held that Race Official's Licence?

How many Race meetings have you Officiated at?

### Other Experience

Please list and detail any other experience or qualifications that you think are relevant in making this application.

### Supporting Evidence

Please provide evidence that demonstrates you have met the requirements of the tasks you have identified as having been undertaken that demonstrates your capability of performing these tasks to an acceptable level as a KA Race Official.

Karting Australia is the FIA and Motorsport Australia's delegate for the regulation and control of Karting in Australia.



## Karting Australia RPL Assessment Application Form (Recognition of Prior Learning and Experience.) V1 - 2022



### Referees

Please list the names of any people who can attest to your capability of performing these tasks to an acceptable level as a Race Official

Print Name:

Signed:  Date:

## P26 JUNIOR OFFICIAL POLICY

Scheduled Reviewed Triennially or as required

Date of Board Approval

8 November 2016

Last Board Review: 11 November 2019

### Introduction

This policy seeks to ensure the safe conduct of duties and proper supervision of all Junior Officials. It is a requirement for insurance coverage that the conditions of this policy are met.

### Purpose

KA is committed to a Safety 1st approach across Karting and its related activities. KA have a responsibility to ensure that all of its Officials operate in a safe work environment, supported by Personal Accident Insurance and supervised in an appropriate manner based on their age, capability and experience.

### Applies To

The policy applies to all Key National Officials, State Official's Coordinators, State Technical Officers, State and Territory Associations, Affiliated Clubs, and all grades of Officials.

### Objectives

This policy is intended to achieve the following objectives:

- To actively provide a clear pathway for young club members to become Officials
- To recruit officials at a younger age.
- To allow non-racing family members to involve themselves in the sport.
- To encourage, improve and educate young people on how to become involved with motorsport at a base level.

### Policy

**All Junior Officials must comply with the following conditions:**

- Junior Officials at all times must be under the supervision of a person (18 years or older) who holds a current valid KA Officials Licence.
- Junior Officials are only eligible to hold a General Official Licence.
- Junior Officials must attend an officials briefing and be verbally briefed on the day by a senior official. They must be made aware of whom they are responsible to; and safety measures related to the activity.
- Junior Officials are not permitted to attend incidents on the Track.
- KA reserves the right to impose further restrictions on the license issued to Junior Officials due to their current age or for any other reason as may be required.

**Where permitted by State legislation the following ages are minimum ages for Junior Karting Officials:**

Meeting Area	Minimum Age
Non-Competition Area	14
Race Control/Timekeeping	14
Parc Ferme & Track	16
Technical Inspection	16

## P27 TRAVEL POLICY

Scheduled Reviewed Triennially or as required

Date of Board Approval

8 November 2016

Last Board Review: 11 November 2019

### Introduction

KA recognises the need for KA Staff and Volunteers to undertake travel on KA's behalf and is committed to ensuring that travel and related services are procured as cost effectively as possible using the KA's preferred travel suppliers. KA is also committed to ensuring travel undertaken is appropriate and to an acceptable standard.

### Definitions

In addition to the definitions in the KA Manual, the following definitions apply to this policy:

#### **Staff**

A paid employee or contractor of KA

#### **Volunteers**

Unpaid/Honorary representatives engaged on KA business. Including but not limited to; Officials, Stewards, Commission & Committee members and Board Members

#### **Consumer loyalty program**

A marketing tool operated by a supplier of goods or services (including credit card providers), or a group of such suppliers, to encourage customers to be loyal to the supplier(s).

### Applies To

This policy applies to all KA Staff and Volunteers travelling on KA business and attending Committees / Conferences / Events on behalf of KA.

### Objectives

This Policy seeks to define the KA Corporate standards for travel, assisting Staff and Volunteers in undertaking travel cost effectively and at a standard commensurate with the KA's commercial profile.

### Policy

**Part A - Staff, Volunteers and Appointed Officials at National Events (excluding Appointed Officials at State Level events and below – See Part B)**

#### **Authorisation & Process**

Prior to any travel being arranged by KA, the appropriate travel request form(s) must be completed.

The Administration Manager is responsible for booking all forms of travel, including flights, accommodation and car hire. All travel arrangements must be booked centrally by or under the direction of the Administration Manager. No staff member or volunteer is to make any travel bookings unless authorised. Any bookings made by individuals will NOT be reimbursed by KA unless previously authorised by the CEO, and in accordance with the Expense Reimbursement Policy.

### Flights

#### **Preferred Airlines**

- Qantas, JetStar and Virgin Australia are considered acceptable air service providers.
- Regional Express (REX), or similar, is also an appropriate provider in instances where staff and volunteers are travelling to/from regional locations.

#### **Fare Types**

Airfares are generally categorised into two groups; cheapest (fixed) or fully flexible. Fixed fares are restricted in that a change will invoke a service fee and possibly an increase in fare costs. Fully flexible fares allow changes to be made without additional costs; however, this fare type is considerably more expensive than the fixed fares.

**All flights will be booked on the cheapest available fixed fare**, whilst also taking into account arrival and departure times for group travel and any overnight accommodation requirements.

The only exception to this being the Board and CEO have the option to book a flexible return flight if deemed necessary.

If a flexible flight is required this should be stated on the travel request form, if not requested a fixed fare will be booked.

When completing the Travel Request Form please stipulate the preferred departure and arrival (2 hour range) times. The cheapest available flight within that specified time will be booked. At times it may be necessary for us to contact you and suggest that you change your departure/arrival time, so that the cheapest available flight is booked.

If an over-riding reason exists why the fare needs to be flexible, prior approval must be sought from the CEO.

**Flight change charges not related to KA business will be paid by the individual not KA.**

If partners are also travelling but hold no position at the event then these bookings and arrangements are the responsibility of the relevant person.

KA provides for the cost of economy class air tickets for all KA Staff and Volunteers. Any upgrades or enhancements are personal expenditures and will not be paid for by KA.

### ***International Travel***

Staff and Volunteer international flight travel (not funded by a third party) is to be booked Economy unless otherwise authorised by the Board.

### ***Consumer Loyalty Programs***

Loyalty program points accumulated by employees or volunteers for KA related travel may be used for personal travel. However, the membership of such loyalty programs must not influence the selection of the most economical and efficient means of travel. Employees are responsible for any associated tax liability.

Any fees associated with any Consumer Loyalty Programs or airline lounge membership will not be paid by KA.

### ***Accommodation***

Accommodation for KA Staff and Volunteers should be of an appropriate standard, and not less than 3 stars under the AAA Tourism rating system. The 3 star rating definition is: "well appointed establishments offering a comfortable standard of accommodation, with above average furnishings and floor coverings."

All charges other than the room fee, including mini bar, entertainment, telephone charges, etc will not be paid by KA and should not be charged to your account but paid by the individual prior to check out. (For all other meal expenses please refer to the KA Expense Reimbursement Policy.) Accommodation for all events will be booked by the Administration Manager.

When travelling interstate for a one (1) day meeting, same day travel is preferred.

### ***Vehicles***

#### ***Hire cars***

KA hire vehicles, as a standard, are of a medium class (ICAR class).

Any deviation up from this will only be considered in situations that warrant it, and must be approved by the CEO. Prestige vehicles, such as the Holden Statesman (LCAR class), are not to be ordered. People movers (PVAR class) should be ordered for larger numbers of passengers (can transport a maximum of 8 people).

Drivers collecting hire vehicles must not select any additional insurance cover or "extras" that incur additional costs. The motor vehicle should also be returned to the appropriate drop off point.

Car hire will be arranged in instances where Staff or Volunteers travel interstate, or where the cost of using a personal vehicle will be more expensive than a hire vehicle.

Please ensure that all cars are returned with a full tank of fuel where practical.

#### ***Personal Vehicle Use***

Please see KA Expense Reimbursement Policy.

### ***Cancellations/No show***

If for any circumstances Staff or Volunteers are unable to make their flight or will not be using the accommodation booked, they are personally responsible for notifying either the airline/hotel (after hours) or KA (business hours) as early as possible. Failure to do so with reasonable notice may result in the loss of fares and hotel payments.

## **Part B- Appointed Officials (appointed to State Level and Club Level events)**

### ***Authorisation & Process***

Prior to any travel being arranged by the KA Administration Manager, the appropriate travel request form(s) must be completed.

The Administration Manager is responsible for booking all forms of travel, including flights, accommodation and car hire. All travel arrangements must be booked centrally by the Administration Manager, no Staff member or Volunteer is to make any travel bookings. Any bookings made by individuals will NOT be reimbursed by KA unless previously authorised by the CEO, and in accordance with the Expense Reimbursement Policy.

### ***Flights***

Any flights costs at this level of event will be charged back to the event Organiser.

### ***Accommodation***

Any accommodation costs at this level of event will be charged back to the event Organiser.

Accommodation will be provided for the Appointed Official at a multi-day Meeting for the duration of the Meeting including the night prior to the start of the Meeting, if they are required to travel in excess of 200km (one way) from their home location. Where accommodation is required for this Official to perform their duties, this will be arranged by the KA Administration Manager via the relevant State Office, at a minimum 3 star rating for each Official. Any other charges (including, but not limited to, mini bar, laundry service, entertainment, telephone charges etc) will not be paid by KA.

For a single day Meeting, Accommodation may be provided for the Appointed Official for one (1) night. Such requests will be considered on a case by case basis.

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Individuals will be responsible for any extra costs in relation to attendance of partners/friends etc.

### ***Meals***

Meal expenses can be claimed as per the KA Expense Reimbursement Policy.

## **Delegations/Authorisation/Responsibilities**

1. The Administration Officer is responsible for all travel related bookings
2. CEO is responsible for approving all Travel requests.

## **Related Policies and Other References**

Expenses reimbursement Policy    Travel Request Form



## P28 EXPENSE REIMBURSEMENT

Scheduled Reviewed

Triennially or as required

Date of Board Approval

30 May 2016

Last Board Review: 11 November 2019

### Introduction

Australian Karting Association Ltd trading as Karting Australia (“KA”) recognises the need for KA Staff and Volunteers to undertake travel on KA’s behalf, and the need for some out of pocket expenses to be reimbursed. KA is also committed to ensuring travel undertaken is appropriate and to an acceptable standard. This policy cannot override any relevant award rates that Staff are entitled to receive.

### Definitions

In addition to the definitions in the KA Manual, the following definitions apply to this policy:

#### Staff

A paid employee or contractor of KA

#### Volunteers

Unpaid/Honorary representatives engaged on KA business. Including but not limited to; Officials, Stewards, Commission & Committee members and Board Members

#### Valid Tax Invoice

Shall have the meaning given to it by the Australian Taxation Department

Note that Credit card receipts are NOT a valid Tax Invoice.

### Applies To

The policy applies to all members of the Board and the staff and volunteers of KA who have delegated authority to act and sign documents on behalf of KA.

### Objectives

To define the types of expenses for which Staff, Volunteers and Board Members may be reimbursed, and provide reimbursement limits to ensure expenses are incurred in a fiscally responsible manner avoiding unnecessary and extravagant expenses.

### Policy

#### **Part A- Staff, Volunteers and Appointed National Level Officials (excluding Appointed Officials at State Level events and below – See Part B)**

KA will reimburse individuals for KA related reasonable expenses. It is imperative that all claims are submitted in accordance with the expense payment procedures.

#### Meals

Whilst away on KA business the reasonable cost of breakfast, lunch and dinner will be reimbursed in the absence of a prepaid organised meal being provided. These expenses will be reimbursed at the following rates per person:

#### **Meal reimbursement limits:**

Expense	Reimbursement Rates Per Day
Breakfast (if not provided by organisers)	\$15
Lunch (if not provided by organisers)	\$15
Dinner	\$40

If claiming the cost of a group meal the names of all individuals who are eligible for reimbursement should be listed on the reverse of the tax invoice.

Under no circumstances will KA reimburse for alcohol or tips paid.

The event Organiser is required to provide refreshments at the Meeting and is responsible for all Meal expenses incurred.

- **Accommodation**

Accommodation expenses are covered in the KA Travel Policy

- **Parking**

Expenses incurred for parking of private or hire cars when attending KA related meetings/events will be reimbursed by KA.

- **Air Travel**  
Please see KA Travel Policy.
- **Private Vehicle Use**  
Car-pooling should be considered where appropriate to reduce the economic and environmental implications of travel.

### **Staff**

Unless otherwise agreed in advance of travel, when a staff member uses their own car for KA business purposes, KA will reimburse that staff member at the rate recognised by the relevant award.

The staff member should note that this reimbursement is treated as Taxable Income by the Australian Tax Office. Any reimbursement(s) will be included on a staff member's annual PAYG statement.

### **Volunteers**

Appointed Officials who use their vehicle while performing a pre-approved KA role will be reimbursed based upon the distance travelled on a return basis, using Google Maps as the reference for the calculation of distance travelled at a rate of 40 cents per kilometre travelled.

## **Part B- Appointed Officials (appointed to State level events and below)**

### **Meals**

Whilst away on KA business the reasonable cost of breakfast, lunch and dinner will be reimbursed in the absence of a prepaid organised meal being provided. These expenses will be reimbursed at the following rates per person:

- Meal reimbursement limits

Expense	Reimbursement Rate Per Day
• Breakfast (if not provided by organisers)	• \$15
• Lunch (if not provided by organisers)	• \$15
• Dinner	• \$40

The event Organiser is required to provide refreshments at the Meeting and is responsible for all Meal expenses incurred.

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- **Accommodation**  
Please see KA Travel Policy.
- **Air travel**  
Please see KA Travel Policy.
- **Private Vehicle Use**  
Appointed Officials who use their vehicle while performing a pre-approved KA role will be reimbursed based upon the distance travelled on a return basis, using Google Maps as the reference for the calculation of distance travelled at a rate of 40 cents per kilometre travelled.

Car-pooling should also be considered where appropriate to reduce the economic and environmental implications of travel.

### **Incidental expenses**

Incidental expenses may be paid with the approval of the CEO.

### **Delegations/Authorisation/Responsibilities**

- CEO expenses must be signed for approval by a Board Member
- Staff expenses must be signed for approval by the CEO
- Volunteers and Appointed Officials expenses must be signed by the Administration Manager and subsequently approved by the CEO.

### **Related Policies**

- Travel Policy
- Officials Appointment Policy

### **Other References**

- Expense Reimbursement Request Form

## P29 ACCREDITED OFFICIALS' UNIFORM ENTITLEMENT

Scheduled Reviewed

Triennially or as required

Date of Board Approval

30 May 2016

Last Review: 18 March 2024

### Introduction

This policy sets out the details of the uniform components that will be supplied by Karting Australia to accredited Officials.

### Applies To

The policy applies to accredited AKA Officials as outlined below at Levels 1, 2, 3 and 4.

### Policy

Accredited Officials who officiate at Race Meetings (**not including Social Karting Activities**) will be entitled to receive certain uniform components free of charge as they progress through the Officials grading structure up to the maximum entitlements of a Level 1 Official. If more than one licence is held by an Official, a maximum of one (1) entitlement will be issued at the highest level held by the Official. This Policy is separated into two (2) parts:

#### 1. Uniform Changeover - New Style Uniform Item Entitlement for Currently Accredited Officials

##### Shirts

Officials at Level 1 and Level 2

2 Shirts®

Officials at Level 3 and Level 4 (after the first 5 events)

1 Shirt

##### Cap

Officials at Level's 1, 2, 3 and 4

1 Cap

##### Vest

Officials at Level 1 and Level 2

1 Vest

##### Jacket

Officials at Level 1

1 Jacket

#### 2. Upgraded Uniform Entitlement – Attainment of Higher Grading

Level 1		Level 2		Grades 3 & 4	
FREE-additional	1 x shirt	FREE-additional	1 x Cap	FREE	1 x Cap
FREE	1 x Jacket	FREE-additional	1 x Shirt	FREE After 5 events	1 x Shirt
		FREE	1 x Vest		

Free uniform entitlements are provided by Karting Australia and are distributed to eligible Officials by their State Karting Association.

Accredited Officials are entitled to purchase additional items from the Karting Australia website at:-

[www.kartingaustralia.bigcartel.com/category/karting-australia-officials-apparel](http://www.kartingaustralia.bigcartel.com/category/karting-australia-officials-apparel)

## P30 WHISTLEBLOWER POLICY

Scheduled Reviewed	Triennially or as required
Date in Effect	1 January 2020
Date of Board Approval	25 June 2020

### 1. Objective of Policy

Karting Australia is committed to the highest standards of ethical conduct in all of our activities. The purpose of this Policy is to support Karting Australia's commitment to the highest standards of ethical conduct and to provide those covered by this Policy with the means to raise concerns, without the fear of retaliation, regarding Reportable Conduct

### 2. Scope of Policy

This Policy applies to Karting Australia and is applicable to all current and former directors, officers, employees, associates, volunteers and contractors (or any relative or dependent of these persons), as well as suppliers and service providers to Karting Australia and other persons who may be aware of Reportable Conduct.

### 3. Definitions

Capitalised terms used in this Policy have the following meanings unless stated otherwise:

**Karting Australia** means the Australian karting Association Ltd. trading as Karting Australia;

**Policy** means this policy;

**Reportable Conduct** means the conduct referred to in clause 5 of this Policy.

### 4. Who is an Eligible Whistleblower

- To be eligible to access the rights and protections of a whistleblower in the Corporations Act, an individual must meet the definition of an 'eligible whistleblower'.
- The criteria to be recognised as an eligible whistleblower can be found at:  
<https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/whistleblower-rights-and-protections/#table1>

### 5. What is Reportable Conduct

Reportable Conduct can be actual or suspected and is anything that concerns misconduct or an improper state of affairs or circumstances in relation to Karting Australia, including that which is:

- Dishonest;
- Illegal or Fraudulent;
- Corrupt;
- A questionable practice relating to accounting or similar financial controls;
- A conflict of interest;
- An inappropriate offering or receiving of gifts or entertainment;
- Theft or embezzlement;
- A disclosure or misappropriation of confidential information;
- A danger to workplace health or safety;
- Harassment, discrimination or bullying;
- Violent or threatening;
- Indicative of a violation of local laws (including local taxation laws);
- Unethical or otherwise has the potential to damage Karting Australia's reputation;
- A breach of Karting Australia policies; or
- Attempts to conceal any of the above.

Reportable Conduct also includes any conduct which comprises retaliation against any person who raises concerns of Reportable Conduct under this policy or against anyone who helps address a concern raised.

## 6. How to raise a concern about possible Reportable Conduct?

- (a) If an individual becomes aware of any conduct which they consider or believe, on reasonable grounds or otherwise in good faith, may be Reportable Conduct, then they should initially raise it with a senior manager within Karting Australia.
- (b) If an individual has been subject to harassment, discrimination or bullying, then they should first raise the issue in accordance with the Karting Australia By-laws and Policies including but not limited to the Discipline Of Members By-law, Member Protection Policy and Anti-discrimination Harassment and Bullying Policy.
- (c) Karting Australia recognises that there may be issues of such sensitivity that an individual does not feel comfortable raising them with their senior manager or they may feel that a concern they have raised has not been adequately addressed. If that is the case, then the individual can submit a formal report of Reportable Conduct in accordance with the processes below.

## 7. How to submit a Report

To submit a formal report of Reportable Conduct, an individual can:

- (d) Reports can be made by email over the phone. In the first instance, they will be made to the CEO.
  - (i) Phone: 07 5655 4340
  - (ii) Email: [admin@karting.net.au](mailto:admin@karting.net.au)
- (e) All reports will be forwarded to Karting Australia's Company Secretary for assessment and, if they relate to Reportable Conduct, will be investigated under this policy.

## 8. Can a report be made anonymously?

If an individual makes a report, they may choose to remain anonymous and there is no requirement that they provide their name in order to qualify for protection under this policy.

## 9. What happens after a report is made?

If a report is raised under this policy, it will be assessed to determine if it relates to Reportable Conduct and, if so, will be investigated as appropriate. The investigation process includes:

- (f) Assigning an investigator. An investigator with the right knowledge and objectivity is assigned to investigate;
- (g) Conducting an investigation. The investigator determines the facts through interviews and/or review of documents as necessary. Unless there are confidentiality or other reasons not to do so, persons to whom the disclosure relates will be informed of the allegation at an appropriate time, and will be given a chance to respond to the allegations made against them;
- (h) Corrective action. If necessary, the team recommends corrective actions to the appropriate managers for implementation;
- (i) Feedback. The person raising the concern receives feedback on the outcome, to the extent he or she has made available a means to contact him/her.

If the individual is an external party and their report is assessed as relating to a concern or complaint about a product or service provided by Karting Australia rather than to Reportable Conduct, then the report will be referred to the relevant department for further investigation and resolution.

## 10. Will a report be treated confidentially?

If a report is raised under this policy then the information provided will be shared only on a strict "need-to-know" basis as necessary for investigating the concern raised. In any case, all reasonable steps will be taken to protect the individual's identity where the report is made on reasonable grounds, or otherwise in good faith. We will not disclose the individual's identity without their consent, except as permitted or compelled by legal and regulatory requirements.

All files and records created from an investigation will be retained under strict security.

## 11. Will an individual be protected if they submit a report?

Karting Australia will not tolerate any retaliation against any person who raises (or attempts to raise) a report of Reportable Conduct on reasonable grounds, or otherwise in good faith, or a person who helps



to address or investigate a concern raised. Retaliation occurs where a person causes or threatens detriment to another person, which may include (but is not limited to):

- (j) disadvantage or discrimination in employment (e.g. demoting, dismissing or suspending a person);
- (k) harassment or intimidation;
- (l) harm or injury (physical or psychological harm);
- (m) any damage to a person, including their property, reputation or financial position; or
- (n) any of the above actions when carried out against any person associated with the whistleblower.

Any such retaliatory action is grounds for disciplinary action up to and including dismissal. In some cases, retaliatory action may attract civil or criminal liability.

## 12. Reporting

Karting Australia's Company Secretary will report on whistleblower incidents to the Karting Australia Board as frequently as may be required so that the Board is properly appraised of all reportable incidents. These reports will be made on a 'no names' basis, maintaining the confidentiality of matters raised under this policy.

In addition, serious and/or material Reportable Conduct will be considered by the Karting Australia Company Secretary for immediate referral to the Chairman of the Karting Australia Board.

## 13. Availability of this policy

This policy is available on the Karting Australia website.

## 14. Review of this Policy

The Karting Australia Board will monitor and review the effectiveness of this policy triennially or as may be required.

## 15. Amendment of this Policy

This Policy can only be amended by the Karting Australia Board.

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## 16. Related Rules, Policies or Procedures

- (a) Discipline of Members By-law
- (b) Member Protection Policy
- (c) Anti-Discrimination, Harassment and Bullying Policy
- (d) Privacy Policy

## 17. General

The Policy Manager is the Karting Australia Chief Executive Officer, to whom any questions in relation to this Policy should be directed.

## P31 ACCREDITED PHOTOGRAPHERS AND MEDIA POLICY

Scheduled Reviewed Triennially or as required

Date of Board Approval 29 September 2020

### Introduction

This policy sets out the application process and requirements for personnel to obtain and maintain their Karting Australia (KA) Photography and Media Accreditation.

### Rule Reference

General Rules, Chapter 4, Rule 12

### Purpose

The policy will provide a process for issuing individuals with KA Photography and Media Accreditation, outline requirements for all individuals with KA Media Accreditation and give guidance to accredited personnel who attend Events.

KA Photography and Media Accreditation is required by all Photography and Media personnel wishing to conduct photography or media activities in a restricted area at a KA sanctioned event.

### Objectives

This policy is intended to achieve these objectives:

1. Simplify the Accreditation process for Photographers and Media personnel
2. Clearly define the Accreditation requirements
3. Provide an understanding of the expectations for Photographers and Media personnel attending KA Events

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### Applies To

Those applying for, holding or who have held KA Photography and Media Accreditation. It may be amended from time to time by KA.

### Photographer and Media Accreditation

#### Application Process

- a) Individuals may apply to obtain KA Photography and Media Accreditation at any time. Applications are to be made via email to [admin@karting.net.au](mailto:admin@karting.net.au).
- b) All applicants must apply for and obtain a Working With Children Approval with their respective State Authority prior to being issued with Photography and Media Accreditation.
- c) Applications must be made on the KA Photography and Media Accreditation application form and must comply with any requirements stated on that form or otherwise published by KA.
- d) KA may from time to time set a fee for issuing Photography and Media Accreditation to an individual. Where a fee is set by KA, an application will not be processed, deemed valid or accepted until that fee has been received. The fee once paid will only be for the calendar year (ie. 1 January to 31 December) in which the KA Photography and Media Accreditation is issued and no refunds will be issued after the application is processed.
- e) Applications for Photography and Media Accreditation will be considered by KA.

## Minimum Age

- a) The minimum age to be eligible for KA Photography and Media Accreditation shall be sixteen (16).
- b) Applicants under the age of 18 may apply for KA Photography and Media Accreditation but require a parent/guardian to sign their approval on the application form.
- c) Any accredited photographer or media personnel under the age of 18 must have an adult who is a current holder of a Photography and Media Accreditation act as their supervisor at all times.

## Conditions For Accreditation

- a) Issuing a KA Photography and Media Accreditation is completely at KA's discretion;
- b) KA Photography and Media Accreditation (and associated identifying items issued with that Accreditation) is personal to the person to whom it is issued, not transferrable or able to be sold. Individuals issued with Accreditation must ensure that their Accreditation is not used by other individuals;
- c) Misuse of the Accreditation, or a breach of a KA policy, regulation or rule may result in immediate removal of Accreditation at KA's discretion;
- d) While at an Event, individuals with KA Photography and Media Accreditation must wear a valid and current vest issued by KA at all times when in a restricted area;
- e) By receiving a KA Photography and Media Accreditation the holder of the Accreditation gives KA a royalty free licence to use, reproduce and modify any recordings they have made at an Event (including any publications or reproductions of those recordings) (Event Media) for the purposes of KA operations. KA will not seek to commercialise any Event Media for profit unless otherwise agreed with the Accreditation holder. In relation to any Event Media, individuals with Accreditation will within a reasonable period of time of receiving a request by KA
  - (i) deliver that Event Media to KA within a reasonable period of time; and
  - (ii) cover the reasonable costs of complying with KA's request.
- f) In relation to any Event Media, individuals with Accreditation will within a reasonable period of time of receiving a request by KA

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## Event Access

KA Photographer and Media Accreditation provides the individual with access, rights and privileges (**as determined by the Organiser of an Event**) to make recordings at an Event which are not normally available to spectators at that Event. It does not guarantee **entry to an Event which is at the discretion of the Event Organisers**.

Individuals should make arrangements with the Organisers of any Event at which they wish to take recordings prior to an Event to ensure that they have their permission to use the KA Photography and Media Accreditation at that Event.

## Consent

Individuals at an Event should pay particular regard to recordings where the subject is under the age of 18 or where the subject may consider that a recording is potentially or actually:

- (i) unwarranted or intrusive;
- (ii) indecent; or
- (iii) defamatory.

## Insurance

Once Accreditation is issued by KA, Accredited Individuals will receive personal accident insurance through KA which provides for a certain amount of compensation in the event you are injured. Without this insurance from KA you will NOT be covered for any injuries you suffer at an event.

## Drones/RPA

The use of drones and Remote Piloted Aircraft (RPA) is strictly regulated and not allowed at any event without prior written consent from KA *and* Event Organisers. Anyone wishing to use a drone/RPA should familiarise themselves with the relevant KA Policy. Any Accredited Media using a drone/RPA at an Event without proper consent will have their KA Media Accreditation immediately revoked.

## Period of Accreditation

All KA Photography and Media Accreditation will expire on 31 December each year. E.g. if an application is accepted on 24 August in a given year, the Accreditation will continue until 31 December in that year.



## P33 PRE-RACING SAFETY POLICY AND PROCEDURE

Scheduled Reviewed Triennially or as required

Date of Board Approval 23 August 2017

Updated: 11 November 2019

### Purpose

This policy details the requirements that all Drivers must undertake at the time of obtaining their first Karting Australia Drivers Licence (“**New Drivers**”) and prior to starting in their first Race. It employs modern technology to replace the previous requirement to undertake a Safety Training Assessment and an Observed Licence Test. **This Policy supersedes and replaces the previous “Observed Licence Test Policy”.**

### Background

The Board of Karting Australia hold as an imperative that our sporting competitions should be safe, fair, fun, and well run.

**Our sport must be conducted in the safest possible environment at all time.**

It is essential that all drivers have a clear understanding of the safety requirements of the sport including the flag/light signals that are frequently used and how to use the Race Track safely before they compete in a KA Race Meeting.

The sport of Kart Racing, while great fun, can present many dangerous scenarios to not just the Competitors but also to the officials, parents, guardians and support crew of Competitors.

### Pre-racing Procedure

The Pre-racing Procedure for new Licence Applicants involves the following core items:

1. Logging onto [www.karting.net.au/how-to-get-started-in-karting/apply-for-licence](http://www.karting.net.au/how-to-get-started-in-karting/apply-for-licence)
2. Viewing the Safety Training Video (“**STV**”); and
3. Reading the “Safety In Karting” (“**SIK**”) requirements; and
4. Acknowledgement that the STV has been viewed and understood and that the SIK requirements have been read and understood; and
5. A New Driver who is eligible to obtain a Cadet Driver’s License (New Cadet Driver) must complete a minimum of eight (8) hours of driver training/practice on a KA licenced Race Track (Practice) before they are eligible to undertake the Observed Driving Session (“**ODS**”) and then compete in their first race.
6. Participation of the New Driver in an ODS at their Club.

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### Viewing of the Safety Training Video (STV)

At the time of applying for a KA Driving Licence (“**Licence**”) all applicants (and in the case of a minor who is applying for a Licence, the Participant who is completing the application for them) must view in its entirety, the STV that is available online at [www.karting.net.au](http://www.karting.net.au) or that is embedded in the KA Licence section. In the case of a minor, the Participant must discuss the STV and explain the safety requirements of the sport with them and be satisfied that they understand the requirements.

### Safety in Karting (SIK)

At the time of applying for a Licence, all applicants (and in the case of a minor who is applying for a Licence, the Participant who is completing the application) must read the SIK requirements that are available online at [www.karting.net.au](http://www.karting.net.au) or that is embedded in the KA Licence section. In the case of a minor, the Participant must discuss the SIK and explain the safety requirements of the sport with them and be satisfied that they understand the requirements.

#### Acknowledgement that the STV Has Been Viewed and that the SIK Has Been Read and Understood

When applying for a Licence, the person who is making the application must acknowledge that they have:

1. Watched and understood the STV; and
2. Read and understood the SIK requirements; and
3. Acknowledge that they (and if the application is being made by a minor, the minor) understand the fundamental safety requirements of the sport as detailed in the STV and the SIK and will comply with them at all times.

### Cadet Driving Practice

At all times while the New Cadet Driver is undertaking the required training/practice, they must be supervised by either:



- A Parent who is the holder of a Participants License; or
- A person who is 18 years of age or older who is the holder of a racing licence issued by or recognised by KA; or
- A driving instructor/coach who is recognised by KA.

The person supervising the New Cadet Driver's Practise sessions must complete the details of the practice undertaken on the New Cadet Driver Practice Log form which must be provided to the Official who conducts the New Driver's ODS before they are permitted to undertake the ODS.

#### **Participation of the New Driver in an Observed Driving Session (ODS)**

**All New Drivers must undertake and successfully complete an ODS at the Club prior to being permitted to Compete on a KA Licensed Race Track.**

For the avoidance of doubt, this shall mean before commencing their first Qualifying session and/or Race.

The purpose of the ODS is to satisfy the Officials that the New Driver is capable of driving a kart in a safe and controlled manner. An ODS may be conducted either before a Race Meeting or as an on-track session at a Race Meeting.

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**Upon successful completion of the ODS a New Driver will be allowed to participate in KA sanctioned racing on KA licenced Tracks.**

**Note:** - If the Officials of the Meeting are of the opinion that the New Driver is not capable of driving a kart in a safe and controlled manner then the New Driver will not be permitted to participate in Qualifying or Racing and will be required to undergo further practice to improve their skill level before undergoing a further ODS.

## **Appendix A**

The STV and the SIK Requirements will cover the following topics:

- General Safety Presentation
- Apparel – What you must wear when driving a Kart
- Obey the Officials
- Flags/Lights – what they mean and when they are used
- Race Starts
- Driving Standards
  - Safe Use of the Race Track
    - How to enter and exit the Race Track in a safe manner.
    - Raising your hand when exiting the Race Track and also if you are slowing and have an issue on the track.
    - Stopping on the Race Track (move to a place of safety, requirement to keep safety apparel on).
  - Code of Driving Conduct – Competition Rules Chapter 3



## P34 JUNIOR ELITE PARTICIPATION

Scheduled Reviewed Triennially or as required

Date of Board Approval

8 November 2016

Reviewed: 11 November 2019

### PURPOSE

KA is the sole body empowered to make rules for the conduct of karting competition in Australia. It is committed conducting the sport of karting in a manner that is socially responsible and respectful of the law.

KA takes a responsible position in relation to conducting Nationally Permitted Race Meetings during periods of the year when children are required by law to be attending school. We hold the view that the priority for children is their education.

This policy is designed to strike a balance between the priority needs and legal requirements for children to attend school while affording some reasonable opportunities for them, if permitted by their school, to participate in our elite Junior and Cadet Competitions.

### BACKGROUND

While there are some minor variations from State to State, attendance at school is compulsory for children and young people aged from 6 – 17 years unless an exemption from attendance has been granted by the school.

Students are expected to attend the school in which they are enrolled, during normal school hours every day of each term, unless there is an approved exemption from school attendance for the student provided by the principal of the school.

There is no blanket right for any school aged students to miss school to attend a kart race meeting. There is however the ability for the parents or guardians of a child to apply to their school principal for exemption from attendance at school for a short period of time so as to allow the child to participate in elite sporting events.

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### DEFINITION

**Elite Karting Event:** A National Championship, National Series, National Cup event as entered on the KA National Calendar of events.

#### DRIVER AGE RESTRICTION RULE

National Competition Rules - Competition Rules Chapter 1 Rule 16

##### *"Driver Age Restrictions"*

- a) *Other than at National Championship, National Series and National Cup Events, Cadet 9, Cadet 12 and Junior Competitors will not be permitted to practice, qualify or race on the Track at a Meeting other than on a Saturday and Sunday other than on a public holiday in that State or during School Holidays.*
- b) *Cadet 9, Cadet 12 and Junior Competitors who wish to Compete in a National Championship, National Series or National Cup Meeting must comply with the provisions of the KA Elite Junior Participation Policy which is available at <http://www.karting.net.au>*

### POLICY

#### COMPETITOR REQUIREMENTS

1. Any Cadet 9, Cadet 12 or Junior Competitor who wishes to practice, qualify or race on the Track at an Elite Karting Event other than on a Saturday and/or Sunday, other than on a public holiday in that State or during School Holidays in that State will be permitted to do so on a maximum of six (6) occasions in any Year provided that they comply strictly with the following provisions:
  - a. They must seek and obtain written permission from their school principal (or authorising officer) for exemption from attending school ("**Permission**") on the dates of the Race Meeting to allow them to participate in the Race Meeting while they would otherwise be required to be in attendance at school.
  - b. Prior to participating in an on-track session at the Race Meeting other than on a Saturday and/or Sunday, or a public holiday in that State or during School Holidays in that State, they must present an original

copy of the Permission to the Race Secretary or such other Official who is empowered to conduct Administration Checking for the Race Meeting.

### **NON-COMPLIANCE**

Non-compliance with the Competitor Requirements of this Policy will result in Exclusion from the Race Meeting.



## P35 MEDICAL STANDARDS AND CONCUSSION PROTOCOLS

Scheduled Reviewed Triennially or as required

Date of Board Approval 11 November 2019

### INTRODUCTION

KA takes its responsibilities towards the safety of all who participate in Australian Karting very seriously. Amongst other things, it has developed medical standards that shall apply to all Licence holders and applicants for a KA Licence.

### PURPOSE

KA has developed medical standards that are to ensure the safety of all individuals who participate in karting activity including: Drivers, Officials and spectators.

### APPLIES TO

The policy applies to all Licence holders and applicants for any form of KA Licence (“**Applicants**”).

### POLICY

#### **KARTING AUSTRALIA MEDICAL STANDARDS**

*Refer: Competition Rules Chapter 4 Rule 19*

##### **a) Introduction**

- i. KA has developed medical standards that are to ensure the safety of all individuals who participate in karting activity including: Drivers, Officials and spectators.

##### **b) Medical Requirements**

- i. There are three (3) components to the medical requirements prior to the issuing of a KA Drivers Licence.
- ii. These Medical Requirements do not apply to a person driving a Kart in a Bring A Mate activity and/or a Come and Try Day activity.

##### **c) Medical Questionnaire**

- i. The Medical Questionnaire must be completed by any person applying for a Drivers Licence to drive any type of Kart (the Applicant).
- ii. The Medical Questionnaire is a series of questions that the Applicant is required to answer fully and truthfully to general health questions on your Licence application on CMS.
- iii. If the Applicant answers ‘Yes’ to any of the questions on the Medical Questionnaire, they will be required to undergo a full Medical Examination.

##### **d) Medical Examination**

- i. A Medical Examination is required for:
  - 1) any Applicant who ticked ‘Yes’ to any of the questions in the Medical Questionnaire; and
  - 2) any Applicant applying for and/or renewing an A Grade Senior Licence in accordance with the requirements of the Medical Standards.
- ii. A Medical Examination of an Applicant must be completed by a Licensed Medical Practitioner.
- iii. It is strongly recommended that the medical examination be performed by a Medical Practitioner who is familiar with the Applicant’s medical history.
- iv. The examining Medical Practitioner must be aware that the Applicant is applying for a Licence to participate in Karting activities and events.

##### **e) Medical Fitness To Control A Kart**

- i. The purpose of the Medical Examination is to determine whether the Applicant is physically and mentally FIT to control a Kart in order to ensure the safety of the Driver, other Drivers, Officials and spectators during a Karting activity.
- ii. All medical clearances of the Applicant by a treating doctor or doctors and/or a specialist or specialists must be in writing and clearly state:
  - 1) the medical diagnosis; and
  - 2) the severity/degree of impairment; and
  - 3) whether, in the opinion of that doctor, the Applicant is:



- a. FIT; or
- b. UNFIT; or
- c. Unable to Comment on;

the Applicant's suitability to control a Kart

**f) Medical Outcome and Grant of Licence**

- i. Depending upon an Applicant's medical history or current medical status, KA may not be able to issue them with a Driver's Licence.
- ii. In all circumstances, the final decision to grant a Drivers Licence to an Applicant is at the sole discretion of KA.

**g) International Licence**

- i. An Applicant for any International Licence are required to fulfil the Medical Requirements of the FIA International Sporting Code.
- ii. An Applicant exchanging a driver's Licence issued by a foreign ASN are still required to undergo a KA Medical Examination in accordance with the FIA International Sporting Code.



## CONCUSSION

Concussion assessment and return to competition should be consistent with Concussion in Sport Australia. The overlying rule is “*If in doubt, sit them out*”.

For further information on concussion assessment and Return-to-Kart, please see:

<https://www.concussioninsport.gov.au>

### CONCUSSION ASSESSMENT

#### **Concussion Recognition Tool**

Initial assessment should be with the Concussion Recognition Tool

<https://bjsm.bmj.com/content/bjsports/early/2017/04/26/bjsports-2017-097508CRT5.full.pdf>

#### **Trackside Concussion Management**

[https://www.concussioninsport.gov.au/\\_data/assets/pdf\\_file/0004/684553/Concussion\\_Management\\_Flow\\_Chart\\_-\\_parents\\_coaches\\_teachers\\_team-mates\\_support\\_staff\\_-\\_on\\_field.pdf](https://www.concussioninsport.gov.au/_data/assets/pdf_file/0004/684553/Concussion_Management_Flow_Chart_-_parents_coaches_teachers_team-mates_support_staff_-_on_field.pdf)

#### **Paddock Concussion Management**

[https://www.concussioninsport.gov.au/\\_data/assets/pdf\\_file/0004/685669/Concussion\\_Management\\_Flow\\_Chart\\_-\\_parents\\_coaches\\_teachers\\_team-mates\\_support\\_staff\\_-\\_off\\_field.pdf](https://www.concussioninsport.gov.au/_data/assets/pdf_file/0004/685669/Concussion_Management_Flow_Chart_-_parents_coaches_teachers_team-mates_support_staff_-_off_field.pdf)

### RETURN-TO-KART PROTOCOL

#### **Driver's Over 18 Years Old**

[https://www.concussioninsport.gov.au/\\_data/assets/pdf\\_file/0008/683648/Return\\_to\\_Sport\\_Protocol\\_-\\_adults\\_over\\_18\\_years\\_of\\_age.pdf](https://www.concussioninsport.gov.au/_data/assets/pdf_file/0008/683648/Return_to_Sport_Protocol_-_adults_over_18_years_of_age.pdf)

#### **Children and Adolescents 18 Years Old and Under**

[https://www.concussioninsport.gov.au/\\_data/assets/pdf\\_file/0009/683649/Return\\_to\\_Sport\\_Protocol\\_-\\_children\\_18\\_years\\_of\\_age\\_and\\_under.pdf](https://www.concussioninsport.gov.au/_data/assets/pdf_file/0009/683649/Return_to_Sport_Protocol_-_children_18_years_of_age_and_under.pdf)

A graduated Return-to-Kart (Return to Play) protocol should be initiated with written evidence of specialist or neuropsychological assessment and return to baseline function. Return-to-kart protocols should be supervised by a doctor or specialist experienced in concussion. Extended periods (over 14 days) of exclusion from sport may be appropriate for drivers under the age of 21 or those with significant “modifiers”. Notification to their place of education should also be considered for these drivers.

#### **Return to Learn Fact Sheet**

[https://www.concussioninsport.gov.au/\\_data/assets/pdf\\_file/0010/683641/Return\\_to\\_Learn\\_Fact\\_Sheet.pdf](https://www.concussioninsport.gov.au/_data/assets/pdf_file/0010/683641/Return_to_Learn_Fact_Sheet.pdf)

Drivers suffering two concussions in a 6-month period or three or more concussions in their lifetime require written clearance by a specialist neurologist before they are cleared to ride after each concussion. Drivers suffering multiple concussions may be at long term risk of significant complications.

## MEDICAL EXAMINATION

### *Notes to Assist the Licensed Medical Practitioner Conducting the Medical Examination*

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#### **PHYSICAL STATE**

The driver's physical state, including height and weight should be recorded.

#### **GENERAL MEDICAL**

##### **Cardiovascular System**

- A full assessment of the Applicant's cardiovascular status should be completed.
  - This includes a full history, examination and pertinent investigations. Driver's should also be assessed for risk factors for Sudden Cardiac Death including HOCM, Long Qt and other arrhythmias.
- A Driver with a history of significant cardiovascular disease or cardiac failure will be generally be declared UNFIT.
- Risk factors for ischaemic cardiac disease including hypertension, cholesterol and diabetes should be well controlled.
- An Applicant with multiple risk factors should undergo formal cardiac risk assessment (e.g. Framingham, SCORE or Reynolds CVD Risk assessment) and undertake further investigation as appropriate.
- A Driver with stable rhythm disorders or corrected coronary artery disease may be declared FIT after assessment by a cardiologist and clearance in writing (including providing appropriate tests).
- A Driver will not be granted a Licence within 6 months of an ischaemic cardiac event.
- Valvular disease that has any impact on exercise tolerance will declare drivers UNFIT.
- ECG testing must occur every 2 years in all individuals <45 years old.
- All Applicants age >45 years old must undergo a cardiology review +/- cardiac stress testing every three years.

##### **Anti-platelet or Anti-coagulation Medication**

- All antiplatelet (e.g. aspirin / clopidogrel / ticagrelor) or anticoagulation (e.g. warfarin / rivaroxaban / dabigatran / etc.) place a Driver at higher risk of severe injury after an incident.
- A Driver taking these medications should have an in-depth discussion of the risks and benefits of the medications they are taking, the alternatives and the heightened risk of a poor outcome after an incident (especially in the context of a head injury).

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##### **Respiratory System**

- A Driver with significant respiratory disease, including obstructive or restrictive lung disease, will generally be declared UNFIT.
- A Driver with stable, controlled lung disease may be declared FIT once cleared by their treating doctor/specialist.
- Consideration should be given to the type of medication the Driver is taking and the medications must be consistent with the ASADA/WADA anti-doping code.

##### **Central Nervous System**

- A Driver with a history of seizures, epilepsy or episodes of loss of consciousness is UNFIT for a Licence.
- A Driver with a history of a single, childhood febrile convulsion may be considered for a Licence.
- Epilepsy of any type, under treatment or not, with clinical manifestations confirmed during the 10 previous years is an absolute exclusion to a Licence. A Driver with seizures/epilepsy may be issued with a Licence if their disorder is well controlled with a seizure free period of no less than 10 years.
- A Driver that have suffered a head injury with the loss of bone or integrity of the skull will be declared UNFIT.
- A Driver with severe head injuries, including but not limited to traumatic or spontaneous intracerebral haemorrhage, will be declared UNFIT for a period of no less than 6 months. A Driver may be cleared by a neurosurgical specialist after that period if they have no ongoing symptoms or deficits after this time.
- All psychological conditions including Attention Deficit Hyperactivity Disorder (ADHD) liable to lead to behavioral problems and/or under the care of a specialist practitioner requires assessment and clearance by a specialist.

##### **Gastrointestinal**

- Any significant abdominal or gastrointestinal pathology will generally declare the Driver UNFIT.
  - This includes recent abdominal trauma, significant hepatomegaly for splenomegaly.

##### **Endocrine**

- A Driver with well controlled diabetes not subject to occasional hypoglycaemic events may be declared FIT only after being cleared by their Endocrinologist.
- A Driver with poorly controlled diabetes or those with complications including neuropathy, retinopathy or vascular complications will be declared UNFIT.
- Other endocrine disorders must be stable and a Driver will only be declared FIT after being cleared in writing by their Endocrinologist.

### **Hearing and Balance**

- Any Driver with impaired hearing must be clearly identified to officials.
  - They must be accompanied at all briefings by a person that can sign/write the information required.
- A Driver must have normal balance.
  - Any Driver with vestibular dysfunction or balance disturbance may be declared UNFIT.

### **Visual System**

- Has the Applicant any evident abnormality of the eyes?
- Are contact lenses worn? (Certificate of Ophthalmic Prac. required if YES)
- Has the Applicant undergone refractive surgery? (Certificate of Ophthalmic Practitioner required if YES).

### **Visual Fields**

- Do a confrontation test for each eye separately.
  - Is there any ocular or general medical history that suggests the possibility of visual field loss?
  - Does the confrontation test suggest a loss of visual fields in either eye?

### **Visual Acuity:**

- Before or after correction, at least 9/10 for each eye, or 8/10 for one eye and 10/10 for the other;
- Any Driver whose visual acuity in one eye only is diminished but not totally absent and cannot be improved and who necessarily has contralateral vision, whether corrected or not, equal to or greater than 10/10, may obtain a driver's Licence under the following conditions:
  - conformity with points b, c and d below;
  - condition of the fundus excluding pigmentary retinal damage;
  - any old or congenital damage shall be strictly unilateral.

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### **Colour Vision:**

- Normal (method of analysis: the Ishihara Table or an analogous screening test).
  - In case of any anomaly, recourse to the Farnsworth test "Panel D15" or to an analogous system.
- In every case, there must be no risk of any errors in the perception of the colours of the flags used in international competitions.

### **Static Field Of Vision:**

- At least 120°; the central 20° must be free from any alteration.
- A perimetry must be carried out.

### **Stereoscopic vision:**

- Functional.
- In case of doubt it must be assessed using Wirth, Bagolini (striated lenses) or similar tests.

### **Sight Correction:**

- The wearing of contact lenses is permitted provided that:
  - these shall have been worn for at least 12 months and for a significant period every day;
  - they are certified as satisfactory for motor racing by the ophthalmic specialist who supplied them.

### **Functional**

- Physical deformity, amputation or use of any orthopaedic appliance?
- Has the Applicant impaired use or movement of any limb, joint, hand or foot which might impair or compromise control of a kart?
- The following are compatible with the granting of a Licence:
  - amputations of fingers, where the gripping function in both hands is unimpaired;
  - prosthetic limbs, if the functional result is equal or near to normal;
  - free movement of the limbs impeded by less than 50%.

### **Significant Injuries**

- A Driver with significant injuries, including but not limited to: fractured bones, abdominal, head or chest injuries, and major ligament injuries, will be declared UNFIT until they have written clearance from their medical practitioner.

### **Surgery With Sedation, General Or Regional Anaesthesia**

- A Driver will be UNFIT for at least 48 hours after surgery with sedation, general or regional anaesthesia.

### **Medication**

- A Driver may not be granted a Licence if they are taking any medication that may impair their ability to control a kart, due to sedation, psychomotor impairment, visual changes, tremor or other side effects.
  - This includes both prescription and non-prescription medications.
- Some medications may place the Driver at increased risk of significant injury after an incident. This must be balanced by the risk of alternative medications or stopping the medication. This discussion should occur between the treating doctor and the Driver.
- Medical Practitioners are strongly encouraged to be familiar with the ASADA/WADA Anti-doping codes when treating athletes in any discipline. If in doubt, Medical Practitioners should check the prohibited list on the WADA website.
- A Driver themselves is ultimately responsible for checking ALL substances they are taking are consistent the ASADA/WADA anti-doping code.





## P40 INSURANCE EXCESS LIABILITY POLICY

Scheduled Reviewed

Triennially or as required

Date of Board Approval

3 March 2014

Last Board Review: 11 November 2019

### Introduction

KA takes out and maintains various policies of insurance (the “**Policies**”) which provide specific insurance cover for AKA Ltd, its State/Territory bodies (“**Member States**”), affiliated kart clubs (including their respective officials and office bearers) (“**Club/s**”), officials, office bearers, competitors and other specified persons.

Subject to the provisions of the Policies, the Member States and the Clubs may be indemnified under one or more of the Policies in the event that a claim is made against them.

One of the provisions of the Policies is that each claim is subject to a payment, to the insurer, of an excess, the quantum of which may vary from term to term. The 2019 excess is currently set at \$20,000 per claim.

### Purpose

The purpose of the Insurance Excess Liability Policy is to establish the circumstances upon which KA may consider it reasonable to require the Member State and or the Club/s to pay the excess or a portion thereof that is applicable to a claim made under the terms of any of the Policies.

### Objectives

The objective of this policy is to encourage those persons responsible for making decisions, with respect to the sport of karting in Australia, to properly and reasonably consider their decisions and subsequent actions, particularly in circumstances where such decisions or actions have the foreseeable potential to result in a claim under one or more of the policies of insurance taken out and maintained by KA.

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### Policy

1. In the interests of good governance, KA has determined that if it is required to pay an excess in circumstances which an unreasonable act or an unreasonable failure to act by a Member State and or Club/s (including respective officials and office bearers), resulted in a claim being made, then that Member State and or Club/s shall be liable to reimburse KA by an amount equal to the excess paid by KA or a lesser amount if that is determined by KA in its absolute discretion.
2. Failure to reimburse the excess within 21 days of the date of a written demand by KA to do so may result in the suspension of that Member State or Club’s authority to conduct KA sanctioned activities and events, including but not limited to conducting kart racing meetings, until such time as the reimbursement is made. It should be noted that any suspension of authority to conduct KA sanctioned events shall also result in suspension of insurance cover for the period that the authority to conduct is suspended.
3. The determination of what is an unreasonable act or an unreasonable failure to act and or whether the whole or part of the excess shall be required to be reimbursed to KA and the enforcement of the provisions of this policy shall be at the sole and absolute discretion of the KA Board. There shall be no right of appeal to any such determination.

### Delegation

The Board of Directors of AKA Ltd may delegate the power of determination referred to in paragraph 3 of this Policy to the Chief Executive Officer of KA.

## Advice

It is strongly recommended that in circumstances of doubt regarding decisions made and any subsequent act or failure to act, state/territory bodies and clubs should seek their own independent legal advice.

## Insurance Policies

As at the date herein the following policies have been taken out by KA:

- Public Product and Professional Liability
- Management Liability
- General Personal Accident Insurance



## P41 TIMING INFRASTRUCTURE POLICY

Scheduled Reviewed Triennially or as required

Date of Board Approval 23 October 2017

Updated: September 2021

### INTRODUCTION

By resolution of the Board in June 2017 it was decided to remove CMS timing from service as of 31 December 2017 and to substitute in its place the latest MYLAPS timing system that will be required to be used across all Clubs that are currently affiliated with Karting Australia ("KA").

It was further resolved that KA would purchase the necessary hardware - MYLAPS X2 Decoders and Servers and software - MYLAPS Orbits 5 that was required for the timing System ("**New Timing System**") with revenue from the Company's general operating reserves (The Future Fund) and make available the free use of the New Timing System to currently affiliated Clubs that met the conditions for free use of the new system (based on criteria such as the number of race meetings conducted, active membership base and so on.)

Clubs were asked to enter into a simple 'free use agreement' with KA prior to 20 October 2017 ("**Free Use Agreement**") that would cover the expected life of the hardware.

Some Clubs elected not to accept the KA offer of free use of the New Timing System and chose not to enter into the Free Use Agreement.

### PURPOSE

This Policy serves to clarify the timing requirements for all Affiliated Clubs for the timing of all KA Permitted Race Meetings from 1 January 2018.

Further it serves to clarify the Race Meeting Timing requirements for:

1. Those Affiliated Clubs as at 1 July 2017 that elected not to enter into the Free Use Agreement; and
2. Those Clubs that may apply for and become affiliated with KA and a Member State after 1 July 2017; and
3. Those Clubs that were formerly affiliated with KA and Karting NSW but that became disaffiliated from KA in January 2019 and who surrendered the MYLAPS X2 Decoder and Server in accordance with the Free Use Agreement and that apply for and be accepted for affiliation with Karting Australia New South Wales Inc and KA before 1 July 2020.

### POLICY

As of 1 January 2018, all KA sanctioned, and Permitted Race Meetings will be required to be timed using:

- A MYLAPS X2 Decoder and Server; and
- MYLAPS Orbits 5 software.

Clubs that elected not to enter into the Free Use Agreement will be required to ensure that from 1 January 2018, at their own cost, they have available to them and will use for all KA Permitted and sanctioned Race Meetings and activities a fully functioning MYLAPS X2 Decoder and Server and MYLAPS Orbits 5 software.

Clubs that apply for and become affiliated with KA and a State Karting Association after 1 July 2017 will be required to ensure that from the date of their affiliation, at their own cost, they have available to them and will use for all KA Permitted and sanctioned Race Meetings and activities a fully functioning MYLAPS X2 Decoder and Server and MYLAPS Orbits 5 software.

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## P45 ANTI-DOPING POLICY

Scheduled Reviewed Triennially or as required

Date of Board Approval 23 October 2017

Updated July 2021

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Please note, from 1 July 2020, ASADA merged into Sport Integrity Australia – this new agency will become Australia’s National Anti-Doping Organisation (NADO).

From 1 July 2021 the Karting Australia Anti-Doping Policy is varied in that any and all references to the:

- Australian Sports Anti-Doping Authority (ASADA) are to be read as references to Sport Integrity Australia;
  - Australian Sports Anti-Doping Authority Act 2006 (Cth) (ASADA Act) are to be read as references to the Sport Integrity Australia Act 2020 (Cth); and
  - Australian Sports Anti-Doping Authority Regulations 2006 (Cth) (ASADA Regulations) are to be read as references to the Sport Integrity Australia Regulations 2020 (Cth).
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