

MEDIA RELEASE

The following is a summary of the decision of the Sports Disputes Tribunal of New Zealand in the case of **O'Connor v Motorsport New Zealand Inc** (SDT/03/05). This is not the written decision of the Tribunal for the purposes of its rules.

The Sports Disputes Tribunal has upheld an appeal from Mr D P O'Connor against a decision of Motorsport New Zealand which refused to grant homologation for a roll protection bar on Mr O'Connor's Jedi racing car.

The reason for the refusal was Motorsport's view that a lifting eye attached to the roll bar was in effect part of the roll bar which was required to withstand the specified stress minima that the roll bar itself was required to withstand. Mr O'Connor's view was that the lifting eye was not part of the roll bar, would depress in the case of an accident, and was not a valid reason for withholding homologation. Motorsport, on the other hand, took the view that the eye was part of the roll bar and there were safety issues.

The Tribunal's view was that in accordance with Motorsport's National Sporting Code, the lifting eye was not part of the roll bar and that Mr O'Connor was entitled to homologation.

A further complaint from Mr O'Connor, namely that he had been discriminated against by Motorsport, was not upheld. The Tribunal found no evidence of discrimination. The incident occurred at a time when Motorsport officials were aware of possible prosecutions resulting from injury to spectators in a Queenstown motor race. Safety was a concern.

For further information, contact Brent Ellis, Registrar, Sports Disputes Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: info@sportstribunal.org.nz).