



Motorcycling NSW Limited

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**MOTORCYCLING NSW LIMITED
MINUTES OF THE BOARD OF DIRECTORS MEETING
HELD AT 67 HIGH STREET, HARRIS PARK
ON THURSDAY 15th NOVEMBER 2007**

PRESENT: Christine TICKNER Chairperson
Dave MORGAN
Chris PRICE
Greg MOSS
Ian PACKER

IN ATTENDANCE: Rob Madden CEO
Daniel Gatt Office Manager

Meeting Opened: 6.55 pm

The Chairperson opened the meeting and thanked all for attending.

B11.1 Minutes of the Directors Meeting held 18 October 2007

MOTION #1 The Minutes of the Directors Meeting held on 18 October 2007 be received.

Carried

- (a) Corrections
Nil

MOTION #2 The Minutes of the Directors Meeting held 18 October 2007 are confirmed.

Carried

- (b) Matters arising
B03.4.9 D Morgan asked if we were still pursuing legal advice now we have received confirmation from MA the matter is under review.
It was agreed our action will be suspended until the MA review is completed.

B04.3.1 350cc Speedway Bikes - The CEO tabled a written report from Mr Dave Mills on the 2 engines from these machines with suggestions of a service schedule and modifications required to ensure their reliability.

The Directors were also made aware of a request from Tamworth MCC for the use of the machines. It was agreed that the 2 motorcycles will not be released until they are tested and ready, and a Hire Agreement Contract between MNSW and junior riders' parents is also available. The Office Manager was directed to draw up a Hire Agreement Contract.

B10.3.10 MA Riders Division - There was discussion on the email response from Mr D White, MA Chief Executive Officer on MNSW direction to MA to cease poaching our affiliated clubs and to stop issuing permits to our promoters.

This matter has been placed on the next Motorcycling Australia Council Meeting to be held on the 23rd November 2007.

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B11.2 The October 2007 Financial Report

MOTION #3 The MNSW Limited October 2007 Financial Report be received

Carried

The Directors reviewed the financial report. There were no questions.

MOTION #4 The MNSW Limited October 2007 Financial Report be approved.

Carried

B11.2.1 Accounts Reconciliation

The Chairperson inspected the Cheques Register for October 2007 and advised that in her opinion the report was satisfactory.

MOTION #5 That the Cheque Register for August 2007 of \$139,986.90 be approved.

Carried

B11.3 General Business

B11.3.1 2008 MNSW Fees – The CEO put to the Directors there were a number of current charges, specifically track licenses, that the fees charged were not covering the actual costs. For example all track license fees of \$82.50 included \$7.50 in GST and the Track Inspectors fee of \$120. Each track license issued at \$82.50 was therefore generating a loss of \$52.50.

It was agreed by the Directors the track license fee for those at \$82.50 would increase to \$120 plus GST.

MOTION #6 The Fees for 2008 for the track license for Minikhana will be \$132.00. The cost for Club & Interclub track licenses will be \$165 and the cost of a National Open track license will be \$275. Road Race, Supercross/Stadium MX and Speedway will remain at the current fee.

Carried

The cost of a Professional Coaching Permit was discussed. Mr Moss advised the fees being charged in other States. It appears other SCBs have developed their own fee structure regardless of the direction from MA and the agreement from the States.

It was agreed that a questionnaire be sent to all NSW affiliated coaches regarding our fee structure and also questioning the use of 1 day permits or even an hourly permit fee.

B11.3.2 Correspondence from Mr B Hojberg – Mr Hojberg has resigned as Chairman of the Speedway Sports Committee citing issues within the Committee, and he believes a lack of support in him as Chairman.

The Directors expressed their concern on this situation and requested a meeting between the President, CEO and Office Manager with the whole Speedway Sports Committee be convened ASAP to try to resolve the issues confronting this Committee.

MOTION #7 The President, Chief Executive Officer, Office Manager and the Speedway Sports Committee to meet, discuss and resolve the issues the Committee are currently experiencing as soon as possible.

Carried

B11.3.3 Correspondence from Minikhana Committee – The Minikhana Sports Committee Minutes for October 2007 were reviewed by the Directors.

The Committee is to be advised that their comment that MNSW declined the offer to present the State Championship medallions at the Championship Meeting is not correct.

Mr Ian Packer had volunteered to attend the meeting and present the medallions, but Mr Packer was unexpectedly taken to hospital in a very serious condition and was therefore unable to attend as a representative of the Company.

B11.3.4 Correspondence from Dirt Track Committee – The Dirt Track Sports Committee November 2007 minutes were tabled and discussed.

The Committee has put forward a number of matters for the Director's consideration.

The Committee's request for the Directors to give a rule interpretation of the 2008 rule on wheel size and whether small wheel and big wheel 85cc machines will be permitted to ride together cannot be answered by this Board.

The rule and its wording will be approved or ratified by the Motorcycling Australia Directors. MNSW has not been advised of any proposed rules or any changes to the wording at this time.

The Committee's second request to send out a memo to Clubs and the Clerks of the Course regarding Rule 12.12.1.4b) was approved.

The third request regarding asking MA to create an Australian Standard for junior back protectors has already been sent to MA, but there has been no advice at this time. A second request letter to MA is to be arranged.

B11.3.5 Correspondence from Historic Road Race Committee – The Historic Road Race Committee minutes for October 2007 were tabled and noted.

B11.3.6 Correspondence from MX Committee – Correspondence from the MX Committee was received regarding expenses to cover the cost of sending a State Coach to the Australian Junior MX Championships in Queensland.

B09.3.7 Correspondence from Mr Simon Milazzo – Correspondence from Mr Milazzo was previously distributed to the Directors in their paperwork for tonight's meeting.

This paperwork is the reason B03.4.9 was discussed, and the matter was suspended in Matters Arising.

Mr Milazzo advises he is a South Australian Magistrate and has been appointed as an Inspector by Motorcycling Australia to investigate the Anthony Gobert matter some seven and a half (7.5) months after the incident.

The Directors reviewed questions put to MNSW and agreed there was only one question relevant in the inquest. **Did Motorcycling Victoria breach the rules of Motorcycling Australia when they issued Anthony Gobert a Motorcycling Australia competition license in March 2007?**

The pending legal action by MNSW is suspended until this inquest is finished.

B11.3.8 Correspondence from Director Mr C Price – Mr Price presented a written request to the Chairperson for a copy of the complete document she read from at the September Directors Meeting regarding the email she received directly from Mr Allan McNeice of the ACT Motorcycle Club, which made mentioned of Mr Price.

There was discussion on what was reportedly said, what was a personnel letter and what was a public document. Mr Price stated, as the email was read out by the Chairperson to all Directors present, the document was now tabled and all Directors were entitled to receive a copy.

The Chairperson expressed it was her view that the email was not a public document and she would not be providing a copy to Mr Price.

Mr Price advised this was the third occasion he had asked for a copy and it left him with no alternative but to refer the matter to ASIC.

B11.3.9 Correspondence from ARDC – An application from Australian Racing Drivers Club to conduct the 2008 NSW Road Race Championship (modern) was tabled before the Directors.

The closing date for applications and date registrations has now been reached, and there were no applications from any Promoter to run the Road Race Championships.

In view of the lack of any interest to conduct the Championship for 2008 and also this discipline did not run the Championship in 2007, the Directors resolved to allocate the Road Race Championship to the ARDC in 2008.

MOTION #8 The promotional rights to run the 2008 NSW Road Race Championships (modern) is granted to ARDC to be run over 3 separate rounds.

Carried

B09.3.10 Correspondence from Chief Executive Officer – The Chief Executive Officer advised the Directors it was his opinion that the planned transition of management of the Company to the Office Manager from the start of 2008 raises a number of legal issues regarding his liability under the Corporations Act of 2007 and the MNSW Governance Policy.

The CEO advised, at this time he is the Company Secretary of the Company as stated in the Constitution and is registered as such with ASIC. There are a number of legal responsibilities to ASIC he is required to undertake, and it was his opinion that there had been a number of breaches of the MNSW Governance Policy by excluding him from the day to day management of the Company whilst he is still the CEO and Company Secretary.

The CEO requested that he be issued with a written release and waiver of all liability of any decisions and any financial liabilities of the Company by the Directors from the 1st January 2008 for the remainder of his employment contract.

There was discussion on the proposed intent of the transition and how the President and Vice President wanted this to proceed. The President and Vice President expressed the welfare of the Company was their priority and they were of the opinion the proposed transition process was in the best interest of everyone concerned. The CEO advised if that's the Director's decision, he needs to be removed from legal liability if he is no longer involved in the management process or decision making.

The Directors suggested a meeting between the President, Vice President, Mr Packer and the CEO to be organised for sometime in the following week to resolve the matter.

B09.3.11 Noise in 2008 – The Chairperson advised she had been asked how the new rule on noise will apply in 2008.

There is some concern that many if not most machines will not pass the proposed noise limit. It was agreed that this State has legislation on noise, however the proposed level for 2008 is lower than the level determined by the State Environment Protection Authority.

This matter will be an issue for all riders across the whole country and one that Motorcycling Australia will have considerable problems enforcing. The Chairperson advised this matter would probably be discussed at the Motorcycling Australia Council Meeting next week.

B09.3.12 NSW Women's Committee – The Chairperson advised she was contacted by the Motorcycling Australia Women's Commission Chairperson regarding a Women's Sports Committee being established in NSW.

The Directors discussed the request and resolved that there will not be specific women's committee in MNSW, but any female who wishes to work on one of our established sports committees can nominate to the committee at the next Annual General Meeting elections.

Meeting closed 11.00 pm
