

Board of Directors Report - Final

Report of the Board of Directors meeting held at Airport Motel and Convention Centre, 33 Ardlie Street Attwood on Wednesday 16th November 2011.

PRESENT: Stephen Foody President (Chair)
John Tisdale Vice President
Ray Jonkers Director
Lyal Allen Director
Bob Kershaw Director
Stuart Strickland Director
David White CEO

In Attendance: Tina Alderman Administrator
Darryl Hiddle MV

Apologies: Paul Foster Councillor WA

Item No.	Issue	Raised By	Recommended / Proposed Action	Decision	Rationale / Consultation	Lead	Action Date
BR1670	Welcome/Apologies	SF	The President welcomed those present and opened the meeting.	Received.	-	-	-
BR1671	Confirmation of Minutes	SF	Minutes of the meeting held on 19 th October 2011 were distributed for reference.	Received.	-	-	-
BR1672	Business Arising: Sporting Pulse (EX 5636)	BA	Sporting Pulse. OM Investigating ways of producing licences statistics from Sporting Pulse	Part actioned. J Tisdale requested Sporting Pulse send out the reminders. CEO stated that the OM is working on this and Sporting Pulse will have this actioned by the end of the year. J Tisdale requested that he be added to any correspondence regarding Sporting Pulse.	-	OM	ASAP
BR1673	Business Arising: Strategic Plan	BA	CEO to write to SCB Presidents & Managers asking them what process	CEO advised Reg Crawford from the Lonsdale Group would be attending Council	-	CEO	ASAP

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	(EX 5630)		we should go through to develop strategic plan.	meeting on the 17 th November. Planning document can be modified and should be finalised after March's Council meeting.			
BR1674	Business Arising: Taillem Bend (EX5630)	BA	CEO to contact I. Golding asking whether MAIL loan was still required. CEO advised that minutes from meetings held on the 16 th & 17 th August have not been seen.	Issue was raised, an actuarial review will occur at MAIL, MA will not be aware of available funds until an audit of funds has been completed. MA concerned about the viability of the project. CEO to arrange meeting with MSA Board and Tim Siebert to discuss project.	-	CEO	ASAP
BR1675	Business Arising: Review of all committees and commissions (EX5630)		A review panel is to be set up in Jan 2012.	CEO to arrange CCM to prepare an overview document for the committee to work from. Document will be available for December's Board meeting	-	CEO CCM	JAN 2012
BR1676	Business Arising: CEO Report Junior Road racing (EX 5661)	BA	MA to contact Phil Tainton Road Racing Commission to solve issue regarding confusing rules there are three classes 70cc, 80cc and 160cc, only the 80cc class has any descriptive rules. The 70cc class just refers to the age of the rider and the number plate colour.	CEO has a meeting with Phil Tainton next week to resolve issue.	-	CEO	ASAP
BR1677	Business Arising: CEO Report VCAT Hearing (EX5661)	BA	Continuing	VCAT in talks with MA lawyers regarding prior use of land requesting the original plan of lot 1. Decision is expected in early December. After decision CEO to look at putting forward proposal to the government for Barrabool to become a training facility for ATV's.	-	CEO	JAN 2012
BR1678	Business Arising: Historic Road Racing (EX5661)	BA	The Board requested CEO to write again to the Commission to review their stance on brakes for period 3 bikes and the use of E85 fuel.	Letter sent. Refer general business for response and decision.	-	CEO	-
BR1679	Business Arising: MAIL Document	BA	CEO stated that the Board has the governance of MAIL. S.Strickland asked if there had been a risk assessment done on MAIL. CEO replied no, that AON act as brokers for MAIL, 3 times a year AON, Proclaim and CEO review all claims.	-	-	CEO	DEC Board Meeting

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			<p>S Strickland requested that these claims come back to the board for due diligence purposes. CEO declared they could. CEO stated the company is based in the Isle of Man as MA could not get competitive insurance in Australia, our APRA process is public liability is 50 million risk, MA covers the first 2 million risk, 48 million risk is sold on the London market, the maximum liability in any one year would be 3.5 million. CEO stated that AON are brokers not underwriters in terms of governance and risk D. White is a director, AON are the Melbourne Brokers the company is in the Isle of Man, each claim is independently managed by Proclaim and independent auditors in the Isle of Man. The Isle of Man audit is then supplied to the MA Ltd auditors. S Strickland and B Kershaw stated as directors it is the responsibility of the Board to protect the CEO and reduce risk. J Tisdale stated that AASA can offer cheaper insurance and asked in terms of governance is there an independent review the Board can look at. CEO replied the Board has no experience in insurance management, we engage independent people to manage the insurance, in terms of protection, accounts are audited and also go to a regulatory authority in the Isle of Man. R Jonkers stated that it is not the auditors responsibility on the question of claims. CEO declared that's why we have claims managers who have quarterly meetings who assess each claim, and an independent actuarial report that</p>				

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			looks at the claims every 3 years. B Kershaw asked if it was possible to be sent a report on the quarterly claims meeting. CEO stated yes. S Strickland asked if AON can present to the Board the insurance processes. CEO stated that this could be done but would be costly and unnecessary. J Tisdale questioned whether we should shop our brokers as it hasn't been done in 9 years. CEO said there would need to be a reason, we could only shop the brokerage not the insurance, as the Managers in the Isle of Man are Aon, and that we have an excellent relationship with the underwriters in London some of them for 12 – 14 years. R Jonkers wants to see the finalisation of the MAIL document before anything is decided. CEO declared that it should be completed for Decembers Board meeting				
BR1680	Business Arising: Item for decision Quad rules for speedway (EX5673)	BA	Board has recommended that the two commissions (Quad and Speedway) to communicate. OM to organise.	Part actioned waiting on Quad Speedway axle widths being addressed in items for discussion.	-	OM & CCM	-
BR1681	Business Arising: Applications received for 3 vacant positions on the reconstituted Dirt Track Commission (EX 5711)	BA	Applications received Keith Davies Les Thomas Melanie Crawford Jovian Haidle Paul Dawson	Board has recommended that the relevant applicants be sent to the relevant SCB's for comment. The results from SCB's are: Keith Davies. MNSW approved this application Melanie Crawford. MSA approves this application Les Thomas. MWA approves this application Jovian Haidle and Paul Dawson. MQ approves both application	To be addressed in Items for decision	Board	-
BR1682	Business Arising: Licence Review	BA	-	Board has referred this item to council	-	Council	NOV

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	Committee (EX5710)						
BR1683	Business Arising: MA's unauthorised withdrawal from the FIM U 21 Team Speedway World Championship (EX5681)	BA	Continuing	CEO advised MA requested hearing be deferred, CEO was notified overnight that hearing is now deferred to the 22 nd November 2011.	-	CEO	-
BR1684	Business Arising: Worksafe Investigation (EX5682)	BA	R Jonkers to contact his local member of parliament. Information to be sent to SCBs re changes and correct use of wording. To be raised at next SCB Meeting	CEO to send information to R. Jonkers.	Actioned	CEO	-
BR1685	Business Arising: AON summary of Statutory Liability proposal (EX 5721)	BA	Board has endorsed CEO to fill out application to enable quotation.	-	-	CEO	-
BR1686	CEO Report	CEO	<p>Written and verbal reports were provided.</p> <p>Licence Figures The downward trend in licence figures continues but the rate of decline would appear to be plateauing compared to the earlier part of the year. I believe the figure of 18,798 annual licences for February 2011 is inaccurate.</p> <p>The licence figure for November 2010 was 17,600 and this equates with the figures shown from March onwards for 2011. On the basis the February figures is inaccurate the decline from November 2010 to the end of October 2011 at 4% is more palatable i.e.; a decline of 706. These are annual competition licences i.e. Junior Club, Junior National Senior Club, Senior National Junior Restricted National and Senior Restricted National.</p>	S Strickland to help with strategy to get industry working on this together, a meeting is to be set up with Rhys Griffiths. Discussion took place regarding a licence membership should be given away on the purchase of any new motorcycle.	-	CEO	ASAP

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			<p>Historic Road Racing Championships The Championship is due to take place in Tasmania this coming weekend. There are two classes where the numbers of entries received are less than the minimum requirement. The classes are: - Period 5 Ultra lightweight - Period 2 All powers Approval is sought to recognize these classes as championships. This requires the suspension of rule 13.3.5.1(a) for the 18th, 19th, 20th November</p> <p>Symmons Plains This is the venue to be used for the Historic Road Racing Championships. It was used last weekend for a round of the Superbike Championship held in conjunction with the V8 supercars. Unfortunately the operators of the event have installed some Armco barriers and a gravel trap without prior consultation with either MA or CAMS. The issue regarding the Armco barriers are being rectified however the operator is refusing to do anything about the gravel trap which comprises aggregate far in excess of the maximum permitted under our guidelines. We have formally</p>	<p>Suspension of rule 13.3.5.1(a) has been approved. CEO to notify commission of finding.</p> <p>RCM is continuing to work on this. S Strickland asked if something could be drafted and given to the media as there was nothing written in the papers. CEO stated it was the responsibility of the promoters to promote.</p>	<p>-</p> <p>-</p>	<p>CEO</p> <p>RCM</p>	<p>ASAP</p> <p>ASAP</p>

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			<p>asked for the problems to be rectified. There are nearly 200 entries many of whom will be travelling long distances. It could be argued the size of the aggregate creates a safety issue.</p> <p>Helmets – Australian Standard Chris Hall recently attended a Standards Australia meeting regarding helmets.</p> <p>Australian Motorcycle Council The Board has previously met with the group. Since then there have been a number of meetings with the AMC Chairman Shaun Lennard – a former MA Councilor from Tasmania. The latest meeting was on Wednesday the 9th November.</p> <p>Federation of European Motorcyclists Association (FEMA) On Thursday 10th November MA in association with the Australian Motorcycle Council hosted a meeting with the Secretary General of FEMA Aline Delhay. Aline was in Australia attending a safety conference in Perth and meeting with Vic Roads and the TAC. The meeting was successful and was recognition of the level of cooperation being demonstrated between MA and the AMC. This was something that simply would not have happened a few years ago. At the meeting there were discussions regarding MA/AMC</p>	-	-	-	-

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			<p>hosting the International Riders Conference possibly in 2013. Aline is to provide details regarding requirements, budgets etc. of hosting such a meeting.</p> <p>Work Health and Safety Bill Whilst due to come into effect on the 1st January 2012 the bill is experiencing some introductory problems. To date it has only been passed by the Queensland, New South Wales, and ACT parliaments. The Western Australia parliament has, as I understand it, deferred the legislation. Victoria has asked for an adjournment As previously discussed the bill has significant ramifications in relation to volunteers being classified as workers and consequently motorcycle venues being workplaces. The bill will provide a fundamental shift in relation to enforcement. There are going to be unintended consequences as a result of the legislation. Breaches will be criminal conduct. Businesses must consult with "workers" (volunteers) when making changes. There is a maximum fine of \$100,000 for failing to consult. When the legislation comes into effect it would appear officers of organisations are going to be targeted by authorities. Volunteer directors will not be liable – Officers (i.e.: CEO) will be liable.</p>	<p>CEO advised by Landers and Rogers to say nothing and seek legal advice if confronted by worksafe inspectors. D Hiddle recommended MA produce a document regarding OH & S for workers and volunteers to sign off on. L Allen to write to Minister again to request meeting. CEO to make informal contact with friend of Moto GP's risk manager's friend in Worksafe Victoria. CEO to arrange meeting with Assistant Treasurer (Author of the media release advising delay of the bill).</p>	-	CEO L Allen	-

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			<p>Track Racing Sidecar World Championship This event was conducted at Murray Bridge on the 12th November. Whilst the event appeared to be successful and was witnessed by a large crowd it would have faced far greater difficulties if it had not been for the help provided by Lyall Allen and Ivan Golding.</p> <p>Non Residents Income Tax (NRIT) The premiums paid by MA to MAIL are subject to a Non Resident Income Tax (3%) on the premiums paid.</p>	-	-	-	-
BR1687	Staff Report	CEO	Verbal report provided.	Received.	Information only	-	-
	Report – Finance and Administration Manager	MFA	Written report provided.	Received.	Information only	-	-
BR1688	Report – Risk & Compliance Manager	RCM	Written report provided.	Received. CEO & RCM to meet with clubs on the 18 th November. CEO gave briefing on projected outcome's and actions. S Foody questioned money owing by clubs. R Jonkers asked CEO to investigate Maddy Saggus complaint.	Information only	CEO	ASAP
BR1689	Report – Operations Manager	OM	Written report provided.	Received.	Information only	-	-
BR1690	Report – Commissions and Committees Manager	CCM	Written report provided.	Received.	Information only	-	-

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BR1691	Financial Reports	MFA	The following reports were submitted to the Board for review: <ul style="list-style-type: none"> Profit & Loss with Budget Analysis to October 2011. Profit & Loss with Budget Analysis 2011 Balance Sheet as at October 2011. Accounts Payable/Receivables as at October 2011. 	Received. R Jonkers questioned no income shown for Juniors item number 42230, no income for FIM road race item number 43820. CEO stated FIM income should be received in December. R Jonkers queried that there was no budget allowance for off road championship item number 61520. R Jonkers questioned item number 65755 FIM strategic plan (3 trips paid by FIM) CEO to investigate why it is shown like this. R Jonkers stated that MAIL loan to MQ for \$600,000 is still showing on accounts. CEO stated the budget for 2012 has been significantly reduced, current licence numbers are 16,800, next year they are based on 16,000. J Tisdale added that a serious reactivation program should be in place to increase numbers our current reminder and prompt system is in accurate. A major discussion took place on licences, club membership, and MA structure.	Information only	CEO & MFA	-
BR1692	MA Insurance Limited	MFA	The following reports were submitted to the Board for review: <ul style="list-style-type: none"> Cash Statement Mail for October 2011. 	Received.	Information only	-	-
BR1693	Licence Statistics	OM	Licence Statistics for October 2011 were provided.	Received. J Tisdale requested the graph that is sent by himself to OM be included in this report in the future. CEO stated the overall decline of 5% is mainly from the juniors.	Information only	OM	-
BR1694	Website Statistics	OM	Written report provided.	Received.	Information only	-	-
BR1695	Strategic Plan	OM	A Strategic Plan update for October 2011 was provided.	Received. S Strickland requested the Board put aside a day to discuss the Strategic plan.	-	-	-
BR1696	Item for Decision: Quad Committee minutes item QC085	CEO	-	Board has endorsed the following ruling maximum width of Quad machines to be 1300mm with the exception of speedway which is to be a maximum width of 1400mm.	-	CCM	-
BR1697	Item for Decision:	OM	Include CRF80 & XR80 in GCR	R Jonkers requested that the draft GCR's be	-	OM	-

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	Inclusion of CRF80 & XR80 models in GCR 12.16.1 1a 7 – 13 years		12.16.1.1	sent out to the States in time for input.			
BR1698	Item for Decision: Enduro Commission nominations	CCM	Applications received Denise Hore Luke De Graff	The Board has endorsed the following candidates: Denise Hore as Chairman for a period of 3 years and Luke De Graff for a 2 year period	-	CCM	-
BR1699	Item for Decision: Road Race Commission nomination	CCM	Application received Derek Rumble	The Board has endorsed the following applicant Derek Rumble for a 3 year period. Phil Tainton to remain as Chairman.	-	CCM	-
BR1700	Item for Decision: Moto Trials Commission nomination	CCM	Application received Collin Scott	The Board has endorsed the following applicant Colin Scott for a 3 year period. Collin Scott to be Commission Chairman.	-	CCM	-
BR1701	Item for Decision: Classic MX Commission nomination	CCM	Application received David Tanner	The Board has endorsed the following applicant David Tanner for a 3 year period. David Tanner to be Commission Chairman.	-	CCM	-
BR1702	Item for Decision: Historic Road Race Commission nomination	CCM	Application received Marcus de Caux	The Board has endorsed the following applicant Marcus de Caux for a 3 year period. John Simms to remain Commission Chairman.	-	CCM	-
BR1703	Item for Decision: Junior Sports & Development nomination	CCM	Application received Colin Foulds	The Board has endorsed the following applicant Colin Foulds for a 3 year period.	-	CCM	-
BR1704	Item for Decision: Speedway Commission nomination	CCM	Applications received. Peter Campton Rick Gill	The Board has endorsed the following candidate Peter Campton for a 3 year period. Ivan Golding remains Commission Chairman.	-	CCM	-
BR1705	Item for Decision: MX Commission nomination	CCM	Applications received Paul Foster Bryan Van Malsen Peter Kito Robert Mestrom	The Board has endorsed the following candidate Peter Kitto for a 3 year period Mark Lukisch remains Commission Chairman	-	CCM	-

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BR1706	Item for Decision: Women's Commission nomination	CCM	-	The Board has endorsed the following candidate Lyn Long for a 3 year period. Jennifer Ballard remains Commission Chairman.	-	CCM	-
BR1707	Item for Decision: Dirt Track Commission	CCM	Applications received Keith Davies Les Thomas Melanie Crawford Jovian Haidle Paul Dawson	The Board has endorsed the following candidates Les Thomas for a 3 year period Keith Davies for a 2 year period Jovian Haidle for a 1 year period Les Thomas to be Commission Chairman. It was noted that Melanie Crawford withdrew her application.	-	CCM	-
BR1708	Item for Decision: Exemption to Supersport Road Race Rules	CCM	Re front brake Rotors Triumph 675	The Board does not endorse this recommendation; the Board recommends the Road Race Commission contact the manufacturer.	-	RRC	-
BR1709	Item for Decision: Minikhana rule change and new rule /event	Daniel Gatt	1) Introduce a new event: Accel-R8 Course (app. New Rule): This will assist in the development of braking and cornering skills. 2) Change rule 26.7.28 Acceleration and Braking Course Penalties (app. Amendment): This change will bring elimination structure in line with all other events Make the event easier to administer Make the protest process easier	The Board has endorsed this recommendation.	-	OM	-
BR1710	Item for Information: Email sent by Christine Tickner	CEO	-	Information only	-	-	-
BR1711	General Business	All	General Business Items were discussed.	To be added to Decembers agenda	-	PA	DEC

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			J. Tisdale suggested I pads be used for Board agendas this is to be raised as an item for decision at Decembers Board meeting.	-	-	OM	DEC
			GCR Rule changes draft needs to be sent to SCB's for comment, comments need to be back by 1 st December, printing should be done by Christmas	R Jonkers stated there is a process in place that the commission need to follow.	-	-	-
			J. Tisdale brought up the concern of an administrator giving the instruction to an official to remove the pit boards at a supercross track.	CEO stated MA will put forward a defence.	-	CEO	-
			S Foody asked about the speedway hearing on the 22nd November, via teleconference.	Finance Manager Jamie Nind to complete.	-	MFA	-
			CEO stated MA received a letter from the Office Of Revenue, MA has been selected for a Fringe Benefit Tax investigation, it entails filling out a self-assessed form based on the last 4 years.	CEO to contact Casey Stoner.	-	CEO	-
			CEO received request from FIM to speak to Casey Stone as Casey had declined to attend the FIM Gala Ceremony in Portugal due to his wife's upcoming birth.	CEO stated contract should be finalised next week. CEO advised IEG had also won the rights to run the Victorian Superbike Championship.	-	CEO	-
			J Tisdale asked whether the Australian Superbike contract had been finalised	-	-	Riders Division	-
			L Allen requested Riders Division report.	CEO stated the only way to have a pit boards area is to have a barrier between the people and the bikes.	-	-	-
			J Tisdale spoke about the importance				

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			<p>of pit boards and referred to the email from Mark Lukich.</p> <p>Board reconvened approx. 4.00pm on the 17th November. Board recommended that all annual competition licences increase by \$10.00. \$7.50 to MA and \$2.50 to SCB</p> <p>Board referred to item EX 5735 in Business Arising. Commission response prepared to accept XS650 Yamaha front brakes and Suzuki T500 front brakes, but not Grimea, Fontana or Seeley.</p>	<p>Recommended to Council. Annual competition licences increase by \$10.00. \$7.50 to MA and \$2.50 to SCB</p> <p>Whilst reluctant to go against the Commission's recommendation and in the interest of safety and potential cost savings to competitors, the Board approved the following in relation to period 3 brakes for Historic racing. " any drum brake no greater than 230mm internal diameter"</p>	-	-	-

Next Board meeting will be on the 14th December

The meeting closed at 5.15pm

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Board of Directors

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