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Australian Sports Commission

ABN 83 057 830 083

Board of Directors Report –Final

Report of the Board of Directors meeting, held at Motorcycling Australia, 147 Montague Street, South Melbourne, on Wednesday 17th October 2012.

PRESENT: Stephen Foody

John Tisdale Vice President

President

Ray Jonkers Director
Lyal Allen Director
Stuart Strickland Director
Bob Kershaw Director

Brenton Matters MSA President

In Attendance: Tina Alderman Administrator

Apologies: David White CEO

item No.	Issue	Raised By	Recommended / Proposed Action	Decision	Action Taken	Lead	Action Date
BR2091	Welcome/Apologies	SF	The President welcomed those present and opened the meeting.	Received	-	-	-
BR2092	Confirmation of minutes	SF	The minutes of the 19th September 2012 were received.	Received	-	-	-

item No.	Issue	Raised By	Recommended / Proposed Action	Decision	Action Taken	Lead	Action Date
BR2093	Business Arising: Meeting with Kevin Williams	BA	In relation to branding Kevin Williams stated that MA is a service provider (Rules, insurance etc.) MA's core product is the National Championship. The National Championships in each discipline are the premier events in each state. MA should be concentrating on branding its championship as a priority in a national branding process. This could be done similar to the AMA's "pro racing". Premier products according to Kevin Williams are MX, ASBK, Supercross. Off road is a difficult marketing exercise. Australian Junior MX Championships are extremely important. Kevin Williams felt a need to protect his product by branding the Motocross Championships as the MX Nationals. MA should consider the appointment and promotion of "Ambassadors" in marketing its championships (e.g. Craig Dack). MA needs to promote career paths for participants (e.g. how do you start from scratch and become a world champion). In September he will produce a 3 year Business Plan to the Board regarding the Motocross Championship. His met with various groups of riders recently. Commission matters Kevin Williams is concerned regarding a number of matters being considered by the commission e.g. Class identification MX1, MX2 Points score Under 19's to become U 18's Veterans Championships • Veterans Championships	Board resolved Mark Luksich be provided with the existing Supercross agreement and heads of agreement for Motocross to provide recommendations for the preparation of a contract for Motocross Championships.	Draft contract has been compiled and forwarded to both Kevin Williams and Mark Luksich for comment. A meeting is to be scheduled upon the CEO's return. A copy of the contract is provided in Business Arising in your agenda. Contract to return to the Board for approval prior to finalisation.	CEO	November 2012

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			 MX987 – production class Helmet removal system Riders representative Prize money He is meeting with Mark Luksich on the 28th July 2012. Kevin raised the issue of his contract. It was noted that only a heads of agreement is in place? 				
BR2094	Business Arising: Strategic Planning	ВА		Draft governance policy has been circulated as requested the SCB's to respond by end of August 2012 B Kershaw advised Surfing Australia developed their National Branding in house. CEO to write to FIM seeking permission to use their concept of their logo. Logo to be presented at the next Strategic forum in November. CEO to circulate list of intellectual property to the	Completed, feedback received Surfing Australia representative to attend November Strategic Forum. FIM will not allow use of logo. Letter from Lander & Rogers on intellectual property circulated to the Board	SCB'S	- November 2012 - -
BR2095	Business Arising: Review of all committees and commissions	BA		Board for input Meeting with NOC to take place on 10th November 2012 CEO to request states to supply cost and services provided of training in each state and raise the possibility of a National training co coordinator being appointed	A list of all committees to be circulated to Board Members and addressed at Octobers Board meeting. This list has been prepared and is provided in Business Arising of your agenda. Board Reviewed Committees as follows. Membership & Licencing Committee members are Stuart Strickland Darryl Hiddle Daniel Gatt Lindsay Granger	Board/ Strategic Forum & L Allen	November 2012

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					Executive Committee members Ray Jonkers Stephen Foody Daniel Gatt Kevin Williams David White		
					National Officials Committee Brendan Gledhill Peter Bell Peter Smith Sandra Palmer		
					Safety Committee Geoff Lanigan Ivan Golding Lyal Allen		
			• A		National Coaching Committee Lyndon Hefferman Paul Caslick Rodney Jenner Stephan Gall		
					Judicial Motorcycle Members Ross Earl Dale Wyatt Ralph Freeman		
					Judicial Legal Members Richard Lawson John Urquhart		
					Heritage and Museum Committee Lindsay Urquhart Mick Petifer Jim Scaysbrook Peter Drakeford Ian Hopkins Ron Kivovitch.		

item No.	Issue	Raised By	Recommended / Proposed Action	Decision	Action Taken	Lead	Action Date
					Board resolved Quad Advisory Committee was no longer relevant as a Quad Commission now exists. Board to address if Executive Committee is still required at the Strategic Forum. NOC to be discussed. L Allen to produce charter for Safety Committee.		
BR2096	Business Arising: Position descriptions	BA	1) Once job descriptions completed by MFA and CEO, staff are to sign off on their agreements 2) CEO to report job descriptions to the Board. 3) Job descriptions will be uploaded on the MA website.	Board has approved that areas of job responsibility only will be uploaded to the web site due to privacy issues. An internal spread sheet of roles and responsibilities to be developed and sent to SCB's. CEO to meet with S Strickland prior to September Board meeting	CEO reported that all job descriptions have been reviewed with KPI's recorded in most cases. The CEO has requested the opportunity to review all with at least one Board member prior to finalisation, upon completion and agreement areas of responsibility will be uploaded to website. PA to set up time to be completed by next Board meeting CEO to meet with S Strickland. CEO met with S Strickland and S Foody on 1st October. PD and flow chart to be posted on the website.	CEO	31st October 2012
BR2097	Business Arising: Succession Plan	ВА	Board undertakes work on producing a position specification that details the necessary skills required for a replacement CEO when our existing CEO retires. Board has deferred this item to August 2012.	Board to review in conjunction with EX6011	S Strickland to prepare a draft of position description in conjunction with the CEO to be presented and discussed at the October Board meeting.	CEO & S Strickland	30 th November 2012

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BR2098	Business Arising AON Summary of Statutory Liability proposal	BA	Proposal is with AON at present. Awaiting Quotation	-	J Gray has returned from leave, further information was provided to him on the 8th October. This matter will advance whilst CEO and J Gray are in London meeting with various underwriters.	CEO	November 2012
BR2099	Business Arising: MNSW Motorcycle Alliance	BA	CEO considers this to be a political matter outside of his involvement. RD strategic plan provided in agenda. MNSW To be addressed in items for decision. President and S Strickland had meeting with MV there was no further outcome from meeting. President S Foody to write to MNSW President C Tickner following discussions from the strategic forum	R Jonkers to respond to C Tickner in S Foodys absence		-	-
			on how the constitution was breached R Jonkers to act on behalf of S Foody	Response received from MNSW refer item EX6157	Addressed in items for information to be referred to the Strategic Forum	Strategic Forum	November 2012
BR2100	Business Arising: Supersport and Superstock rule change	BA	The CEO confirmed discussion between Phil Tainton and Yarrive Konsky to finalise rule changes. P Tainton confirmed the Road Racing Commission would be happy to reconsider the rule changes put forward by Yarrive Konsky if he could get a commitment in writing from Yamaha regarding their involvement in the ASBK for 2013. Y Konsky is meeting with Yamaha on the 6th August 2012. CEO will conduct a further meeting with P Tainton and Y Konsky next week.	Progressing	Despite considerable effort from Y Konsky to get Yamaha involved in the ASBK, Yamaha have finally said they will not be involved. The Supersport rules as originally proposed by the commission can now be considered as finalised.	-	-
BR2101	Business Arising: Proposed noise regulations 2013 (BA		Board approved CEO to move forward and send media release out as soon as possible regarding the	The CEO will have finalised the release for the Communications Officer to send out by the 11th October. CEO will put together a	CEO	October 2012

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		-		proposed new rules and to meet / discuss issues with aftermarket exhaust distributors.	paper to be part of the agenda at the forthcoming Manager's Meeting.		
BR2102	Business Arising: Item for Decision: Noise emissions and testing procedures from 1/1/2013	CEO	Recommendations: 1) The decision to use the "2 meter max method" for noise testing from 1/1/2013 be confirmed. 2) The 112DBA + 2DBA allowance be strictly applied to the Australian Motocross Championship and the Australian Supercross Championship from 1/1/2013. 3) The 112DBA limit be applied to all motocross events from 1/1/2013 with a 4DBA allowance. This is effectively the 2012 FIM regulation. 4) Level of noise emissions be established for all other disciplines by 31st October 2012 with effect from 1/1/2013. 5) Individual tracks have the option of setting specific noise levels or noise management plans if there is justification for same. 6) As from 1/7/2013 there must be noise testing at all permitted events with the exception of Moto Trials and all promoters / clubs must have the equipment available to undergo noise testing at events from 1/7/2013. This does not mean every	Board has resolved to accept recommendations for noise emissions and testing procedures from 1/ 1 2013.	Derek Rumble conducted a training exercise regarding the new regulations at Barrabool, this was successful. It is now a matter of setting the first training session up that can be attended by representatives from each SCB as a train the trainer exercise. The FIM have offered some assistance and the CEO will find the level of that assistance before the end of the week.	Board	January 2013

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			motorcycle has to be tested at every circuit. 7) A policy / procedure document be produced incorporating 1-6.				
BR2103	Business Arising: Helmet standards	BA	The matter of helmet standards is a relatively complex issue No helmet standards specify a "use by date", however one would think this is a significant factor in competition considering helmets do deteriorate in their protective qualities with age. Conforming to a standard or standards may not be sufficient for approval for competition. Quality of helmets within a standard could vary significantly. This is particularly relevant as our use of helmets is for competition. Many years ago MA then ACCA had a sticker system to approve helmets for competition use. It may be time to reconsider this. As well as qualifying helmets within an approved standard it could be a significant income stream.	Board resolved CEO to investigate further the issues of helmet standards along with the possibilities of a MA sticker system.	This should be considered as a long term proposal. A lot of work needs to be done in investigating the various helmet standards and what is going to work best for MA. CEO will gather further advice at the FIM meeting. Board has asked for a progress report by Next Board meeting	CEO	November 2012
BR2104	Business Arising: Minibike handlebars / wheels	BA	The Board has approved this recommendation subject to the approval from the junior and Motocross Commissions	New wording for Handlebars, wheels to be forwarded to Board for approval	Emailed to Board for approval. Board approved	-	-
BR2105	Business Arising: Report – Finance and Administration	BA	Board has approved CEO to write to all SCB Managers questioning variations in licence numbers.	CEO advised MFA wrote to SCB Managers. A report / responses from MFA to be provided to Board members.	A response will be provided at the November Board meeting	MFA	November 2012
BR2106	Business Arising: Report Riders Division Manager	ВА	CEO to follow up with RD Manager on feedback from States. CEO to discuss advertising strategies.	CEO advised little feedback received. RD Manager working on strategy and budget document to be presented at the October Board Meeting	Presented in Agenda	RD	-

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BR2107	Business Arising: Road race concerns with IEG	ВА	The CEO is requested to liaise with Yarrive Konsky to seek his agreement in respect to the composition of the proposed oversight committee. CEO advised Y Konsky has agreed to the composition of the proposed oversight committee with one exception to include CEO D White in place of OM with a possible inclusion of a Yamaha representative	CEO to be on the oversight committee. First meeting to take place within 4 weeks	Meeting to take place to coincide with MotoGP.	CEO	October 2012
BR2108	Business Arising: 125gp & 250gp 2 stroke fuel GCR 15.5	BA	-	The Board has referred this to the RR Commission		1	-
BR2109	Business Arising: Complaints received	BA	Board has resolved President to reply to complaint received	Not discussed	President replied to complaint.	-	-
BR2110	Business Arising: CEO Report	BA	ASBK Sydney Motorsport Park (Formerly Eastern Creek) The management at the venue has given the go ahead for the ASBK to be conducted at Sydney Motorsport Park with a round scheduled for August 2013. This is a very significant step forward for the ASBK and the final decision has been made after months of negotiation by Yarrive Konsky and CEO. Coolum The CEO attended the final round of the Australian Motocross Championship held at Coolum. In the CEO's opinion there were deficiencies in both the track and operationally. A copy of the inspection report was received. Some remedial work has been undertaken.	CEO to follow up with L Granger	CEO wrote to L Granger regarding a subsequent inspection at Coolum. The enquiry was regarding a new track inspection by a person independent of the club and a copy of that inspection report. The inspection was to take place on the weekend prior to the Junior Championships. CEO understands some of the work was done in relation to fencing	CEO	November 2012

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BR2111	CEO Report	BA	National Officials Committee & Track inspectors	Urgent review is required	-	Board & CEO	30 th December 2012
BR2112	Business Arising: CEO Report	BA	Barrabool A significant amount of the information requested is attached to the Items for Discussion section. Since the August Board meeting the following has occurred: • Council Planning Decision – copy attached. • Application for stay of proceedings re: Improvement Notice – application successful. • Appeal lodged against Improvement Notice. • Decision of magistrate re: stay of proceedings decided that the appeal in the Improvement Notice be mediated by an independent mediator. • A resident has lodged an appeal against the Council Planning decision. Copy of appeal is attached. To properly discuss the complex issues surrounding Barrabool and its future needs a full day's discussion and as part of that discussion there needs to be representation from each of the user clubs.	Board has resolved to hold meeting on Friday 9th November to discuss Barrabool. CEO to invite all clubs concerned. CEO to arrange valuation of the property wholly or as 3 individual lots. CEO to arrange meetings with Surf Coast Shire, Sport and Recreation, State Government and relevant councils to discuss grants.	A letter has been sent to the clubs inviting them to attend a meeting on the 8th & 9th November.	CEO	November 2012
BR2113	Business Arising: Item for Decision: One meeting licences at National	BA	One Meeting Licences at National Level (Open) Meetings With the current financial situation which is impacting participation numbers	Board has expressed concerns and has asked CEO to write to MWA for a detailed proposal on how this	CEO has written to MWA expressing the Boards concerns regarding their One Event National Licence proposal and	CEO	-

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	Level (open) meetings		around the country, and in WA, the MWA Board and R Gill believe that making available One Event licences for all events will provide for the opportunity to increase participation without risking the numbers of annual licence holders	recommendation would work. The Board does not agree with the dropping of the club licence category.	the dropping of club licences.		
BR2114	Business Arising: Item for Decision: Feasibility of purchasing new property	BA	As per MFA'S Report	Board has resolved CEO investigate the feasibility of MAIL purchasing premises which would be leased to MA. South Melbourne premises would be leased by MA.	CEO will discuss at the MAIL Board meeting	CEO	November 2012
BR2115	Business Arising: Item for Information: Quad commission information on supporting 1300 mm maximum width for all Quad competition	ВА	Key points for the Quad Commission supporting a 1300mm maximum width for all Quad Competition were provided in detail.	Board has resolved to forward information received to Speedway Commission for comment.	Speedway Commissions response is in Business Arising Agenda. Board resolved to adopt the recommendation from the Quad Commission of 1300mm max width.	ОМ	Immediate
BR2116	Business Arising: Item for information: Feedback on Board charter	BA	SCB's and Councillors written feedback were provided.	Board has deferred this item to Octobers Board meeting.	Discussed in General Business	BK	November 2012
BR2117	Business Arising: Item for information: MQ licence voucher	ВА	Proposal to market MA licences to new members who have purchased new off road bikes through selected dealers. The promotion is for a 13 month licence for the price of a 12 month licence.	Board has resolved as per item EX6145, Refer to SCB's for comment. Discount / incentive schemes should be national.	-	SCB's	November 2012
BR2118	Business Arising: Item for Decision Policy reference – Single use licences	ВА	Any rider who purchases either a single use competition licence or a single use recreational licence may receive a discount on a new annual licence upon presentation of the SUL at the time of application	Board has agreed in principle but believes item needs to be referred to the SCB's as a National incentive.	-	SCB's	November 2012

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BR2119	CEO Report	CEO	FINANCES A considerable amount of reports and correspondence have been circulated over the last few weeks. Without question the situation is serious. MA has a very profitable and wholly owned subsidiary in MAIL. Some of its funds could always be withdrawn as shareholder capitol. MA has never taken any shareholder funds from the company and the CEO is not advocating MA go down that path but it is always there in an emergency. All the required information is with the ASC for them to advance the funding of approximately \$445,000. The required documents include the acquittal by our auditors were sent to the ASC on the 21st August, the invoice first forwarded to them on the 21st August, the Strategic Plan forwarded on the 26th September, 2012 Budget forwarded on the 28th September and the signed Collaborative Agreement forwarded on the 1st October. On Friday the 5th October Janice Lo confirmed she had all necessary information with the exception of the invoice. This was resent on that Friday and she acknowledged receipt. As of last Friday the Collaborative agreement was with the ASC CEO for signature and once signed she would put the payment process in place. The Surf Coast Shire has been procrastinating with their payment of \$100,000 net of GST. After consultation with the Surf Coast Shire's CEO, he said there would be no payment until after any future	MSA President advised there was a hold up with MSA's bank regarding outstanding payment.		-	

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		VCAT hearing. MA's CEO responded by explaining this was unsatisfactory. The payment was in relation to the land purchase and the provision of a Strategic Plan. MA has completed their part of the arrangement and withholding the money was incorrect. The matter has now been referred back to the SCS CEO. MA has been advised the monies owed by MSA will be paid before the end of this month. The licence decline is out of MA's control but it has a significant effect on MA. BARRABOOL There are currently two ongoing matters that are expense related: a) Mediation which is scheduled for the 27th November which is part of the appeal process. There is no alternative but to proceed with the mediation otherwise MA could be in contempt of court b) The residents have lodged an appeal to VCAT regarding the Councils' planning permit conditions. The upcoming deadline to submit MA's own appeal against the planning permit conditions is due in two weeks and is necessary to challenge some of the conditions as set out by the Council. If the appeal is not submitted in time, MA will not have another opportunity to challenge the conditions. MA will be required to attend VCAT A Noise Management Plan has been developed as part of the court process. This should prove useful to other venues. The Sporting Motor Cycle Club had their annual meeting on Tuesday 9th October.			-	-

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			AUSTRALIAN JUNIOR MOTOCROSS CHAMPIONSHIP. Unfortunately a young 16 year old rider was seriously injured at this	-	-	-	-
			event. He was operated on last Friday for spinal injuries and whilst there is some hope the prognosis is not good. CEO has been in touch with the family in relation to insurance. CLASSIC DIRT TRACK CHAMPIONSHIPS.				
			This event was held on the 6th /7th October. Unfortunately an incensed rider assaulted an official. An inspector has been appointed.			-	-
			Australia achieved its best result ever finishing second in the Trophy Team, third in the Women's Team and fourth in the Junior Team. The result in the trophy team was outstanding		-	-	-
			considering Toby Price rode for four days with 5 broken ribs and Glen Kearney rode for four days with a badly gashed knee. Both had to receive pain killing injections each				
			day. The Junior Team would have finished on the podium if it wasn't for a mechanical malfunction of one of their bikes.				
			SPEEDWAY GRAND PRIX Congratulations to Chris Holder who has won this series and is the World Champion.	-	-	-	-
			MOTOCROSS OF NATIONS Australia finished 10th in this event which was a very creditable performance considering the selection	-	-	-	-
			process was very restricted due to injuries. STAFF Rebecca Kastenberger has resigned	<u>-</u>	-	-	-

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			from her position as Events Officer to move to Newcastle. The position has been advertised. Megan Hannan is expecting with the child due in April. AUSTRALIAN OFF ROAD CHAMPIONSHIP. This event, for the past two years, has been run in conjunction with rounds of the relative state championship. This has been the only viable way to conduct it in the current economic climate. CEO has met with Denise Hore since she returned from the ISDE and she is prepared to coordinate the series again. Yamaha are prepared to continue their sponsorship but at no increase in the amount of that sponsorship. Denise will respond to CEO with the proposed financial arrangement with the various promoters of the relevant state rounds so MA can enter into a written agreement with each of these promoters.			-	-
BR2120	Report – Risk & Compliance Manager	RCM	Written & verbal report provided.	Received	Information only	-	-
BR2121	Financial Reports	MFA	The following reports were submitted to the Board for review: Profit & Loss with Budget Analysis to September 2012 Balance Sheet as at September 2012. Accounts Payable/ Receivables as at September 2012. Cash flow report Financial overview draft document for 2012.	Received. Board has resolved MFA to rework overview draft and highlight cash flow shortage, add in following considerations MA to look at contributions from rider levies. MA to look out how insurance is proportioned. Suggestions from SCB's would be welcomed. MFA to send to Board for final approval.	-	MFA	31st October 2012

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BR2122	Report –Finance and Administration Manager	MFA	Written & verbal report provided.	Received.	Information only	-	-
BR2123	Strategic Forum discussion	CEO	Board nominated leads for each item.	-	-	Board	-
BR2124	Item for decision: Rule 3.8 Junior Coaching	CEO	Rule change provided.	Board agreed in principle Board resolved PA to forward Rule change to SCB's for final approval. SCB's to respond within 48 hoursPA to send responses to Board.		Board	October 2012
BR2125	Item For decision: Hart Affiliation / Provide one event licences / permits	MV	Written report provided.	Board resolved all future recreational licences and permits to Hart will be issued by MV. In recognition that Honda Riders Club is no longer operating.		-	-
BR2126	Item for decision: Rule 4.2.8.2		That Rule 4.2.8.2 be modified by adding The applicant can protest the rejection in accordance with GCR 5.1.1.1 a) and GCR 5.1.1.2 d) 1)	Board has approved recommendation.	-	-	-
BR2127	Item for decision: Commission appointments	OM	A A	Due to an administrative error not all applications were received, appointments to be addressed via teleconference.	-	Board	October 2012
BR2128	Item for discussion: Logo Concepts	CEO	Logo concepts provided by Frontline Media	Board has recommended option D be redesigned to have wings on both sides of MA logo. S Foody to organise draft design.	-	S Foody	November 2012
BR2129	Item for Information: Speedway Forum minutes	SC	Forum minutes provided.	Received	Information only	-	-
BR2130	Items for information: Strategic plan as presented to the ASC	CEO	Strategic Plan provided.	Received	Information only	-	-
BR2131	Report – Operations Manager	OM	Written report provided.	Received	Information only	-	-

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	Report						
BR2132	Report - Riders Division Manager	RDM	Written report and Strategic plan provided.	Received	Information only	-	-
BR2133	Licence Statistics	OM	Written report provided for September 2012.	Received	Information only	-	-
BR2134	Website Statistics	OM	Written report provided for September 2012.	Received	Information only	-	-
BR2135	MA Insurance Limited	CEO	The following reports were submitted to the Board for review: • Cash Statement Mail for September 2012.	Received	Information only	-	-
BR2136	Board correspondence September SCB Minutes	SCB	September SCB Minutes provided.	Received		-	-
BR2137	General Business	-	B Kershaw reviewed responses from SCB's regarding Board Charter.		-	Strategic Forum	November 2012
			S Strickland spoke about industry meeting and the need to action items.	S Strickland to finalise and forward minutes after meeting with CEO on the 23rd October 2012.	-	S Strickland	30 th October 2012

Board meeting closed at 4.15pm. Next Board meeting will be on the 14th November 2012.

Board of Directors Report –Teleconference Final

Report of the teleconference meeting for Board of Directors, held on Friday 19th October 2012 at 5.00pm AEST

PRESENT: Stephen Foody

John Tisdale Vice President

President

Lyal Allen Director
Bob Kershaw Director
David White CEO

Apologies: Stuart Strickland

Stuart Strickland Director Ray Jonkers Director

item No.	Issue	Raised By	Recommended / Proposed Action	Decision	Action Taken	Lead	Action Date
BR2138	Welcome/Apologies	SF	The President welcomed those present and opened the meeting.	Received	-	-	-

item No.	Issue	Raised By	Recommended / Proposed Action	Decision	Action Taken	Lead	Action Date
BR2139	Item for decision: Commission appointments.	CEO	In light of the administrative error where not all applications were received at initial Board meeting. Board postponed appointments for teleconference.	The Board has approved the following appointments Junior Sport & Development Commission -Braxton Laine Road Race – Gary Thomas Historic RRC – Alan Warner Classic MX & Dirt Track – Kerry Marsh Motocross – Mark Luksich as Chairman & Shannon Reimaan to replace vacant position left by Peter Kitto. Enduro – Don Atkins Dirt Track & Supermoto – Jovian Haidle		ОМ	1 st January 2013
	Teleconference Meeting Closed at 5.15pm.						

Distribution:
Board of Directors SCB Managers MA Officials MA Staff Committees & Commissions MA Councillors

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