

Attn: John Ralston (Chairman)

Appeal by David Summerbell against decision of the Stewards of the Meet for Race Meet dated May 20th, 2017 :

Having reviewed supporting documents, speaking with JMMC Chairman/CSC John Ralston and the JMMC appointed Steward Ibraheem Khan, the Appeal Panel appointed by the JMMC CSC consisting of Marc Evans, Norman Minott and Arturo Stewart finds the following:

1) Upon review of the documents, it was noted that the date appearing on the Appeal was June 19, 2017. In an email from Mr. Ralston detailing the time line of the appeal submission process, we were advised that Mr. Summerbell's Intention to Appeal was submitted on June 3rd at 12:57pm within an hour of the publication of the Stewards Decision as required in the 2016 JMMC General Regulations 12.3.2. However the submission of the Appeal far exceeded the 96 hours allowed following the submission of the written Intention to Appeal as required in 12.3.3.

Though Mr. Ralston explained that he had told Mr. Summerbell that he would extend this time and explained the reason behind his decision, we find that such an allowance is not permissible as per the 2016 JMMC General Regulations and the current FIA Code. We find that the appeal is out of time and consequently the Appeal Panel has no jurisdiction to hear the appeal.

2) Purely by way of comment we would mention that while reviewing the penalty issued by the Stewards, we sought some clarification Re. "prescribed penalty for the infraction being 10sec penalty". Chief Steward Ibraheem Khan explained that the 2016 CMRC Regulation 7.3.iv. was used to assign this penalty. However we note that as per the event's ASR, the 2016 CMRC Regulation is not among the listed regulations governing the Meet. CMRC were only referenced in regards to Technical Classifications. As such this penalty is not applicable and in our view should not be applied. We note also that the issuance of a warning to Mr. Summerbell by the JMMC was only a recommendation by the Stewards which, as far as we are aware, has not been done. As such it would appear that Mr. Summerbell may not be sanctioned. In our view the Stewards were correct that under the applicable rules each competitor is obliged to maintain the starting formation until the start/finish line has been crossed. It would seem from the footage we reviewed that Mr. Summerbell did not maintain his third position up to the said line. Accordingly the Appeal Panel would have no objection to him being given a warning and that a similar injunction be given to all competitors before races. The starter may do well to be reminded of this requirement.



MARC EVANS

NORMAN MINOTT

ARTURO STEWART