



## JAMAICA MILLENNIUM MOTORING CLUB

TEL: (876) 630-4898; FAX: (876) 630-7575

6 Westminster Road, Kingston 10, Jamaica

Mailing Address: Box 216, Western District PO, Kingston 20, Jamaica

Email: jamotoringclub@gmail.com

May 1, 2020

Mr. David Summerbell  
Managing Director  
Bell Communications Ltd  
153 1/2 C Spring Rd  
Kingston 8

### Re: Email April 16, 2020

Dear Mr. Summerbell,

Further to your emails of April 16, 2020 and April 21, 2020 your request was assessed by the CS team assigned responsibility for convening the Appeal Panel that reviewed your Protest/Appeal re the 2017 matter. In that regards we wish to respond to address matters raised in your email of April 16, 2020, in addition to our review decision at this time.

It is noted in your email your belief that the JMMC CS acted outside of the remits of its authority by imposing a fine and also in regards to the time when said fine was imposed, being 28 days after the Appeal Panel's decision was communicated to you. We take this opportunity to bring to your attention to:

1. The 2016 JMMC General Regulations, Article 10 (Penalties), sub Article 10.1.5 which reads *"The statutory limitation on the prosecution of infringements is five years."* This JMMC Article corresponds with the FIA's 2017 International Sporting Code (ISC) Article 12.1.5 which contains identical wording. JMMC Article 10.1.5 clearly establishes that the JMMC acted within the statutory limitation as defined by JMMC General Regulations and the FIA ISC.
2. As well as Article 10.2 (Penalties), sub Article 10.2.2 which reads *"Penalties or fines may be inflicted by the Stewards and JMMC as indicated in the following Articles."* This JMMC Article corresponds with the FIA's 2017 International Sporting Code (ISC) Article 12.2.2 which contains identical wording save the acronym "ASN" transposed by JMMC to read "JMMC".
3. Additionally 2016 JMMC General Regulations Article 10.4 (Fines), sub Article 10.4.2 reads *"The infliction of a fine may be ordered by an ASN or by the Stewards"*. This JMMC Article corresponds with the FIA's 2017 International Sporting Code (ISC) Article 12.4.2 which contains identical wording. JMMC Articles 10.2.2 and 10.4.2 (and corresponding FIA Articles 12.2.2 and 12.4.2) clearly establish that the JMMC (Jamaica's ASN) does have the authority to impose fines.

With all the above being said, your email also indicates your intention to take the JMMC to court via lawsuit. We wish to remind you of the following JMMC General Regulation, Article 12.1.1 - *"the JMMC, through its National Court of Appeal, constitutes for its own license-holders the final court of judgement"*

### JMMC Executive Committee: 2018–2020

**Chairman:** Stephen Gunter; **Vice Chairman:** Marcia Dawes; **Exec. Secretary:** Wendy Dressekie-Gordon; **Treasurer:** Tiffany Bryan

**Directors:** Peter Clarke; Dmitri Dawkins; Michael Fennell; Rajendra Jadusingh; Rosemarie Jadusingh; Timothy Stewart; Neil Williams

*empowered to settle any dispute which may have arisen between its sole license-holders on its own territory in connection with national motor sport."*

The JMMC stands by its position that it acted within its authority. However we are also cognizant of the fact that the sport is bigger than any one individual competitor/license holder and the potential harm to the sport both real and perceived that would result from a court matter, is not worth the financial cost or the time it would consume to complete the process. As an ASN our mission is:

1. To foster and develop the sport of motor racing in Jamaica as the authorized sanctioning body, approved by the sport's international governing body, the FIA.
2. To assist the various disciplines of the sport in their growth, while working with them and governmental organizations to meet and maintain high international standards.
3. To expose and promote the sport to new communities by utilizing various locations island wide.
4. To create and uphold an environment that is safe, enjoyable and rewarding for all motor sports enthusiasts, as drivers showcase their talents and abilities. Also to develop the sport and build its fan base, thereby attracting new investment interests.

Continuing with this matter in a court case does not in any way support our mission.

In consideration of all of the above the JMMC under its authority per JMMC 2016 General Regulations Article 10.17 grant a Remission of the Sentence of the imposed penalty cited as Item 2 in our Letter dated July 30, 2018 and hereby remove the imposed fine of \$75,000. All other penalties as outlined remain unchanged:

For clarity the ruling is amended to read as follows:

The following is issued under the Authority of the 2016 JMMC General Regulations, Articles 1.1.1 (Competition Sub-Committee Authority), 1.1.2 (Administration of these Regulations) & 1.3.1 (NATIONAL CONTROL OF MOTOR SPORT).

The following is further to the Ruling of the Appeal Panel of 21 June 2018 which upheld the Stewards Decision for Car #32 to be issued a warning for injudicious driving for JRDC Caribbean Invasion 2017 counting towards the 2017 Caribbean Motor Racing Championship (CMRC).

OFFENCE: Breach of Article 10.1.1.h of the 2016 JMMC General Regulations

The JMMC CS as authorized under Article 10.2, hereby orders that the following Penalties be inflicted.

1. A reprimand (for injudicious driving) – 1st reprimand for the 2017 Season.

Trusting you will be so guided.

Best regards

**JAMAICA MILLENNIUM MOTORING CLUB**



Marcia Dawes  
VICE CHAIRMAN

