



BRITISH AUTOMOBILE RACING CLUB

ECAS 2CV PARTS.com CHAMPIONSHIP 2013

DECISION OF THE STEWARDS OF THE CHAMPIONSHIP

RE: SILVERSTONE 8 - 9 JUNE 2013

The Stewards of the Championship ('the Stewards') have been requested by the Championship Coordinator pursuant to 2013 MSA General Regulation W.2.2.1 ('the GR') and the Championship Regulations ('the CR') to inquire into certain events at the Silverstone Championship races on 8 - 9 June 2013 ('the Event').

It was considered by the Championship Coordinator that there may have been a breach of the Championship Regulations by certain competitors with regard to the weight of their respective competing cars and this in circumstances where the Clerk of the Course at the Event had not taken any Judicial action (under either or both of the GR or the CR).

The Stewards have not conducted a formal hearing requiring any competitor or official to appear before them but they have caused inquiries to be made in order to establish facts and chronology as part of their consideration as to whether:

1. The Stewards have Jurisdiction and
2. If they have Jurisdiction, then whether a Hearing is required.

The Stewards consider that they have Jurisdiction and that the matter has been properly referred to them by the Championship Coordinator and the Stewards have approached the matter with due gravity because of the requirements of fairness in competition enshrined in the GR and beyond.

However, for the reasons set out below, the Stewards do not consider that it is necessary to hold a formal hearing, having established certain fundamental chronological facts and then applied the relevant Regulations to those facts.

The Stewards have Found as follows:

1. The CR Technical Regulations clearly provide for a minimum weight limit (655kgs) at CR 5.4.
2. It is a requirement of GR W.2.2.3 (and therefore the CR) that in order for any technical eligibility check to be performed on a competing vehicle for the purpose of compliance with CR the Clerk of the Course must be notified of the intention to (conduct), and the results of, any eligibility checks.
3. In this case, no notification for the purposes of GR W.2.2.3 (and the CR) was provided to the Clerk by any of the Eligibility Scrutineer (who anyway was not in attendance at the Event), or the Chief Scrutineer, any member of the Technical Commission or other scrutineer at the Event.
4. A number of competing vehicles were made the subject of a weight check on the venue weighbridge after Championship Race 1 on 8 June.
5. The weighbridge in the scrutineering bay / parc ferme is said by the venue to have a current certificate of conformity, per a Notice to that effect posted and publicly available in Race Control.
6. Certain of the vehicles checked were said to have been found under the prescribed minimum weight; the amounts varied between 1kg and 14kgs (under).
7. The weight checks were not de facto conducted or supervised by the Chief Scrutineer but the 'results' thereof were communicated to him.
8. No Non-Compliance Reports were issued by the Chief Scrutineer or any Member of the Technical Commission in conjunction -for example- with any other scrutineer, whether for the purposes of GR C.3.1.1 or otherwise accordingly
9. None of the (allegedly) affected competitors were required to sign Non-Compliance Reports (regardless of whether they agreed or not with the result) and
10. No Non-Compliance Reports were submitted to the Clerk of the Course whether for the purposes of GR C.3 or GR G.5.3.1 or the CR.
11. The weight checks having been conducted, and the Clerk of the Course being unaware of the checks in any event, the vehicles (and it would appear all vehicles) were released from parc ferme by the technical officials and therefore from that moment CR 3.11 applied.
12. In the premises, the Clerk of the Course was neither aware of the intention to conduct nor the fact of the weight checks and the 'results' of them therefore he could not legitimately exercise any Judicial function whether for the purposes of the Championship or at all pursuant to the GR.

13. Subsequently the assertions above as to the conduct of weight checks and the 'results' were made known to the Clerk of the Course and who -properly in our view- took no action on the Regulatory grounds set out above.

Accordingly, for the factual and Regulatory Reasons set out above, the Stewards are not empowered in this case to issue any penalty against any competitor, and do not do so. To all material intents and purposes the weight checks did not occur.

The Stewards are however concerned at the implications that might be said to arise from within the facts as found. As a result of that concern the Stewards have taken note of CR Commercial Undertaking 6.3.3 and refer the Technical Committee of the Championship and the Championship Eligibility Scrutineer to that provision of the CRs.

The Stewards also recommend that at the next possible ensuing rounds of the Championship there should be a check of the weight of competing vehicles, hopefully on the basis that the intention to do so has properly been notified to the Clerk of the Course pursuant to GR W.2.2.3 and the CRs before such checks are conducted and thus any such check (or for that matter any CR Technical check) is actually of Regulatory effect.

18 June 2013

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