



David Munro (Chairman)  
John Felix  
Ian Watson

From the National Court

Case No J2016-08

Andrew Schulz

Appeal

The National Court has considered the appeal of Andy Schulz and Paul Bailey, the drivers of car 28 in race 17 at the MSVR Race Meeting at Donington Park on 23<sup>rd</sup>/24<sup>th</sup> April 2016.

Mr Schulz had entered the pit lane having received the black and orange flag and was still in the pit lane when the race leader crossed the finish line.

He was not classified as a finisher but asserted that he was entitled to be so classified under regulation Q17.3 given that he had completed at least 80% of the distance covered by the class winner and had crossed the finish line within four minutes of the overall winner.

This appeal rests on the interpretation of "within" in the context that of regulation Q17.3. In short he submits that the 4 minutes period applies to the time before the winner crosses the finish line as much as it does to the line thereafter.

Whilst sympathetic to the circumstances in which this appeal arises, the Court cannot agree with the submissions made in relation to the interpretation of GR.Q.17.3. The regulation states that:-  
"...to be classified as a finisher in a race, only cars which have covered at least 80% of the distance covered by the class winner and which cross the finishing line under their own power within 4 minutes of the overall winner will be classified."

It is plain from the definitions contained in Section B of the 2016 Yearbook that "finishing line" means the last control line.

Mr Schulz did not cross the last control line within 4 minutes of the overall winner as until the end of the race that line is simply a control line within definitive in Section B of the Yearbook.

The Appeal is dismissed.

The appeal fee is forfeit and the Appellant is ordered to pay a contribution in the sum of £500 towards costs.

David Munro  
Chairman  
5<sup>th</sup> July 2016