



From the National Court

**MOTOR SPORTS COUNCIL NATIONAL COURT
SITTING TUESDAY 3rd October 2017**

David Munro (Chairman)
Peter Riches
John Felix

CASE No J2017/41

The National Court has considered the Eligibility Appeal of Nick Garner following his exclusion from Race 3 at Thruxton on 26th August 2017.

He was excluded from the results of the K-Tec Racing Clio 182 Championship Race 3 following a decision that the clutch assembly was ineligible. A non-compliance report was issued and the Clerk of the Course imposed the penalty of exclusion under General Regulation C3.5.1 (a).

Mr Garner entered a valid written Notice of Intention to Appeal and had paid the relevant fee which was then followed by details of the reasons of his appeal as required by General Regulation C7.2.1 (b).

No response has been provided by the scrutineers and the court has received no explanation for this omission. It was alleged that the clutch fitted to his car, competition No.42, did not comply with Championship Regulation 5.9.1 whereas the regulations appear to state that the clutch cover and plate may be changed for "uprated standard patten items" In the absence of any response from the scrutineers this appeal must be allowed.

The appeal fee is to be refunded and the exclusion of Mr Garner under General Regulation C.3.5.1 is overturned. The race results are to be amended accordingly and the clutch assembly is to be returned to Mr Garner, who is permitted to remove any seals that are still affixed to it.

The National Court is deeply concerned by the lack of communication and requires an explanation as to the lack of response by the 750 Motor Club.

David Munro
CHAIRMAN