



From the National Court

**MOTOR SPORTS COUNCIL NATIONAL COURT
SITTING THURSDAY 13 JUNE 2019**

**Mike Garton
Chris Mount
Steve Stringwell (Chairman)**

J2019/09 – EAP – Roman Bilinski – In2Racing – Junior Ginetta Championship – Saturday 27th April at Donington Park

The National Court has considered the Eligibility Appeal brought on behalf of In2Racing and Roman Bilinski (the “Appellants”) who competed in Car 55 of the Junior Ginetta Championship held at Donington Park on Saturday 27th April.

At post-race scrutineering, the Scrutineers found that the Appellant’s Car 55 was not compliant and issued a Non-Compliance Report stating the description of non-compliance as “the wheel bearing not as supplied” referencing “Champ Regs Reg No 5.14.5, Page 39”.

Following receipt of the Non-Compliance Report the Clerk of the Course found the Appellant was guilty of contravening CR 5.14.5 and subsequently disqualified the Appellant from the results of the race (C3.5.1) and penalised the Appellant under C3.5.1 (a) and (b) and this appeal by the Appellants is against this decision of the Clerk of the Course.

The National Court considered written submissions provided by Mr Clive Greves (the Eligibility Scrutineer) and, on behalf of the Appellant, by Mr Taylor who outlined that the appeal was on the grounds that the wheel bearing was “as supplied by Ginetta”.

The Appellant’s submissions provided information on the history of Car 55 (including the history of parts and their numbers as supplied by Ginetta in 2018). The Appellant’s submissions also stated the subsequent actions of the Appellant post-Disqualification found that none of the wheel bearings had the applicable seal and, by implication, that all the wheel bearings were “as supplied” by Ginetta.

The National Court noted the difference in the submissions made by Mr Greves and the Appellant in respect of the interpretation of the regulations, the history, location and custody of Car 55 since 2018, the supply and quality control of parts and the inferences made or specifically claimed by each of the respective parties in their submissions.

Having considered all of the submissions and evidence before it, the National Court is satisfied that at the time of examination the wheel bearings of Car 55, Junior Ginetta, did not comply with Regulations 5.14.5. The Ginetta Winter Bulletin 02, issued February 2019, clearly stated under the heading Wheel Bearings “The seals must not be modified in any way”. In this case the seals were not present.

Therefore, the appeal fails, and the appeal fee is forfeited. No order is made for costs.

**Steve Stringwell
Chairman
13th June 2019**