# INFRINGEMENT NOTICE

This infringement Notice (Notice) is issued in respect of an alleged breach of the Rules at an Event which is being held under the FIA International Sporting Code (Code) including Appendices, the National Competition Rules (NCR) of Motorsport Australia, the relevant category sporting and technical regulations as approved by Motorsport Australia, the Supplementary Regulations, any Further Supplementary Regulations, and any relevant instructions or Bulletins.

**A SEPARATE INFRINGEMENT NOTICE IS REQUIRED FOR EACH ALLEGED BREACH OF THE RULES.**

## OFFENCE

It is alleged that,

**COMPETITOR/DRIVER/CO-DRIVER/ NAVIGATOR NAME** David Charnely

**COMPETITION LICENCE NO.** 1050653 **COUNTRY OF ISSUE** *If not Australia*

**AUTOMOBILE CATEGORY** Excel **COMPETITION NO.** 4

**at, EVENT/VENUE NAME** Motormall Raceway

**on, DATE** 18 – 10 – 26 **TIME** 825am

**during, SESSION** Qualifing

**committed the following offence by breach of the Rule below:**

**RULE** Appendix E - 2026 MOTORSPORT AUSTRALIA WA EXCEL CUP STATE CHAMPIONSHIP E7 (v) c) The Competitor must ensure that the camera is switched on and functioning in the correct manner prior to the Automobile entering the Track for each practice, qualifying, warm up and race session at a Round, and all footage must remain available to the DSA, Stewards and the Clerk of the Course for one hour after the

**OFFENCE** Camera was not operational during qualifing

## PENALTY

**Penalty recommended for the Stewards to impose:** (tick box/es that apply)

- [x] **REPRIMAND**
- [ ] **FINE** $ _____ Motorsport Australia will issue an invoice which must be paid within 48 hrs.
- [ ] **SUSPENDED FINE** $ _____ with, $ _____ suspended until __ – __ – __
  Providing there is no further breach of the Rule listed above within this time period.
  Motorsport Australia will issue an invoice which must be paid within 48 hrs.
- [ ] **TIME ADDED** _____ seconds added to the Automobile's time for _____
- [ ] **LOSS OF POINTS** _____ Championship/Series points deducted from the _____ Championship/Series
- [ ] **DISQUALIFICATION** from _____
- [ ] **OTHER** _____

# INFRINGEMENT NOTICE

## OFFICIAL SERVING NOTICE

**OFFICIAL'S NAME** Peter Westbrook **OFFICIAL'S TITLE** Assistant clerk of the course

## DECLARATION

☑ **I ADMIT TO THE BREACH OF THE RULE AS DESCRIBED ABOVE AND ACCEPT THE PENALTY**

*and*

☑ **I DO NOT REQUIRE A STEWARDS HEARING AND WAIVE ALL MY RIGHTS IN ACCORDANCE WITH THE CODE AND THE NCR TO APPEAL THIS DECISION/PENALTY**

The Stewards will impose the penalty described above

☐ **I ADMIT TO THE BREACH OF THE RULE AS DESCRIBED ABOVE AND WISH TO GIVE FURTHER SUBMISSION ON PENALTY AT A STEWARDS HEARING**

Note: Any minimum penalty prescribed in the Rules is binding on the Stewards

A Stewards Hearing will be convened, where you will have the opportunity to give your submission on penalty along with any mitigating reasons. The Clerk of the Course may appoint a Prosecutor to present a submission on penalty. A summons will be issued advising the place and time for the matter to be heard

☐ **I DO NOT ADMIT TO THE BREACH OF THE RULE AS DESCRIBED ABOVE**

A Stewards Hearing will be convened, where you will have the opportunity to state your case in person, call witnesses and present evidence supporting your case. The Clerk of the Course may appoint a Prosecutor. A summons will be issued advising the place and time for the matter to be heard

Note: The Stewards may vary the penalty above if a breach of the Rules is established

**NAME** DAVID CHARMLEY **TIME** 10:25 AM

**SIGNATURE** COMPETITOR/DRIVER/ CO-DRIVER/NAVIGATOR

**DATE** 18-10-26

## STEWARDS USE ONLY

**The Stewards, find the Competitor/Driver/Co-Driver/Navigator in breach of the Rules by their own admission, and impose the penalty recommended on this Notice.**

**SIGNATURES** CHAIR OF STEWARDS [redacted] STEWARD [redacted] STEWARD

**TIME** 10:30

**DATE** 18-10-26

Each party is reminded of their right to appeal under certain conditions in accordance with the Code and the NCR.

## INFRINGEMENT NOTICE PROCESS

**PURPOSE**

The purpose of the Motorsport Australia Infringement Notice (Notice) is to assist in the timely application of a penalty where a Competitor/Driver/Co-Driver/Navigator (Alleged Party) accepts that they have been in breach of a Rule. The penalty detailed on the Notice is issued under the authority of the Stewards

The Alleged Party has the following options

a admit to the breach of the Rule and accept the penalty which also requires waiving right to a Stewards Hearing and appeal, or

b admit to the breach of the Rule but not accept the penalty which will result in a Stewards Hearing to hear submissions of penalty and impose a penalty; or

c not admit to the alleged breach of the Rule which will result in a Stewards Hearing

**PROCESS**

1 The Clerk of the Course, or their representative, or an official appointed to a Championship, Cup, Trophy, Challenge or Series by Motorsport Australia determines that an alleged breach of a Rule has occurred and proposes a penalty to be imposed

2 A proposed penalty is determined by either

a applying a penalty as prescribed by the Rules, or

b consulting with the Stewards where no specific penalty is prescribed or a penalty greater than a minimum prescribed penalty is proposed

3 Completion of the Notice

**Note:**

a The Stewards must be made aware of the details of the Notice before it is presented to the Alleged Party

b A seperate Notice is required for each alleged breach of the Rules

4 Serving the Notice on the Alleged Party

a Advise the Alleged Party of the alleged breach and the proposed penalty

b Advise the Alleged Party that they have the options as listed above

5 The Alleged Party must complete the Declaration on the Notice by ticking the box/es relevant to the option selected and signing, dating and timing it. This will initiate the process described for that option

**Note:**

a If the Alleged Party refuses to select an option and/or sign, date and time the Declaration, a Stewards hearing will be convened

b If the option to admit to the breach of the Rule and accept the penalty is selected, both boxes must be ticked. If not, a Stewards hearing will be convened

c If the option to admit to the breach of the Rule but not accept the penalty is selected, the Stewards hearing will only consider imposition of a penalty in regard to the breach of the Rule

6 When the option to admit to the breach of the Rule and accept the penalty is selected and both boxes are ticked, the official will take the Notice to the Stewards who will impose the penalty

The official will then copy the Notice, return the original to the Stewards and deliver a copy to each party as appropriate (e.g. Alleged Party, Clerk of the Course, Secretary of the Event, Chief Timekeeper)