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**Date:** 11.12.2024 **Time:** 11:30 hrs (CET)  
**Subject:** STEWARDS DECISION No. 12 **Document No:** 2.15

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**From:** The Stewards  
**To:** The Competitor HYUNDAI SHELL MOBIS WORLD RALLY TEAM  
All Competitors / crew members

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The Stewards, having received a report from the FIA Technical Delegate, summoned the representative of the above competitor, have considered the following matter and determine the following:

**Facts** During the post-event scrutineering at FORUM8 RALLY JAPAN 2024, the rear differential cases for car No. 9 and car No. 11 were found to be not in compliance with Homologation Form Ra1-22/02.

The rear differentials cases checked after WRC Rally Japan were not identical to photo F5-2 of the Homologation Form Ra1-22/02 / 40/09ERJ (Joker 1C 2024).

**Offence** Breach of Art. 10.3.3 of the 2024 FIA International Sporting Code in conjunction with Homologation Form Ra1-22/02.

**Decision**

- 1) A fine of **€ 25,000.00** is imposed on HYUNDAI SHELL MOBIS WORLD RALLY TEAM.
- 2) An additional fine of **€ 25,000.00** is imposed on HYUNDAI SHELL MOBIS WORLD RALLY TEAM, which is applied with suspension of sentence subject to the following:
  - a) HYUNDAI SHELL MOBIS WORLD RALLY TEAM must correct the Homologation Form Ra1-22/02 before the pre-event scrutineering of the first event of the 2025 FIA World Rally Championship.
  - b) No further breach of a similar nature committed by HYUNDAI SHELL MOBIS WORLD RALLY TEAM – homologation error – at any WRC event during the 2025 FIA World Rally Championship.

In accordance with Art. 12.8 of the 2024 FIA International Sporting Code, fines shall be paid within 48 hours of their notification. Any delay in making payment may entail Suspension during the period a fine remains unpaid.

**Reason** On Sunday 24<sup>th</sup> November 2024, during the final scrutineering of car No. 11, the rear differential casing was found to be allegedly not in compliance with Homologation Form Ra1-22/02.

The FIA Technical Delegate requested the Stewards to check the same part on car No. 9. The Stewards agreed with the request and car No. 9 was checked.

The rear differential casing of car No. 9 was also found to be allegedly not in compliance with Homologation Form Ra1-22/02.

The FIA Technical Delegate therefore requested the Stewards to carry out further checks after the event, in Valleiry FIA premises, on all rear differentials nominated for car No. 11 and car No. 9 and to also compare those parts with the set of transmissions deposited at the FIA, as stipulated in Art. 262.605 of Appendix J to the 2024 FIA International Sporting Code.

The Stewards agreed with the FIA Technical Delegate's request.  
All rear differential casings were transported to Valleiry by the Competitor.

On Thursday 28<sup>th</sup> November 2024, the FIA deposit box was opened by the FIA Technical Delegate in the presence of Mr. Thomas Condette and Mr. Jocelyn Litra on behalf of the Competitor.

The seals of the parts nominated for WRC Rally Japan were found to be intact.

Further checks were then carried out on Friday 5<sup>th</sup> December 2024 in the presence of the FIA Technical Delegate and Mr. Damian Gonczarowski and Mr. Boris Todorv on behalf of the Competitor.

After the inspection of both rear differential casings (of car No. 11 and car No. 9), the FIA Technical Delegate submitted his report to the Stewards, amongst others with the following conclusions:

1. CAD Data deposited at the FIA (original homologation & Joker homologation) were correct.
2. The physical part deposited in 2022 for original homologation of Hyundai Rally1 Hybrid was correct.
3. The physical part deposited in 2024 for Homologation of 40/09ERJ (Joker 1C 2024) was not correct (externally).
4. Photos F5-2 from Homologation Form Ra1-22/02 and from 40/09ERJ (Joker 1C 2024) were not correct.
5. The parts checked after WRC Rally Japan are matching with both CAD data and external part of the rear differential deposited in 2022.

The Stewards summoned the representative of the Competitor of car No. 11 and car No. 9.

The hearing was held on Tuesday 10<sup>th</sup> December 2024 at 07:00hrs (CET), with all Stewards participating remotely by video conference.

The hearing was also attended by Ms. Yvonne Gilli, FIA WRC Stewards Secretary.

In addition, the following persons attended the hearing (also participating remotely by video conference):

On behalf of the FIA:

Jérôme TOQUET, FIA Technical Delegate

Marina DUÑACH, FIA WRC Category Manager

On behalf of Competitor HYUNDAI SHELL MOBIS WORLD RALLY TEAM of Cars No. 9 and 11:

Cyril ABITEBOUL, President & Team Principal

Tolga OZAKINCI, Team Manager

FX DEMAISON, Technical Director

Christian LORIAUX, WRC Program Manager

During the hearing, Mr. Loriaux explained that the picture in the homologation form was the one of the prototype case made in 2021.

Due to their mistake, they had missed to ask for a correction of the photos enclosed in the homologation form.

Mr. Abiteboul apologised for their lapse and stated that in Hyundai they need to improve their internal processes in order to avoid this type of mistakes.

He also added that the CAD file matches with the parts installed in their cars and this should be taken into consideration to underline that they have acted in good faith.

The Chairperson of the Stewards highlighted that nevertheless this type of mistake is a serious infringement of Art. 10.3.3 of the 2024 FIA International Sporting Code, which stipulates: *“Automobiles must comply with their respective homologation documents”*.

After due deliberation, the Stewards concluded that it was indeed the responsibility of the Competitor to make sure that the part installed in their cars complied with the homologation form and vice-versa.

However, it has to be taken into consideration that if the competitor wanted to change the external part of the rear differential casing, they were allowed to do so as per Art. 5 of the 2024 Homologation Regulations for cars in group Rally1.

Therefore, this incident appears to be the consequence of an administrative/clerical error in not updating the homologation form accordingly and that this was caused by a lack of control in the internal processes of Hyundai, as stated by Mr. Abiteboul during the hearing.

Accordingly with the jurisprudence in the past, the penalty for this type of infringement was disqualification. However, the International Court of Appeal has already deemed that in "exceptional circumstances", the objective responsibility of a competitor for a case of non-compliance of its car can lead to a less severe sanction than disqualification.

According to the jurisprudence, clerical errors or mistakes in the homologation documents can constitute "exceptional circumstances".

The Stewards concluded that HYUNDAI SHELL MOBIS WORLD RALLY TEAM was nevertheless in breach of the above-mentioned regulations and the fine imposed is the appropriate penalty in this case.

Furthermore, to encourage the continuous improvement of Hyundai internal processes and to have the homologation form corrected before the first event of the 2025 FIA World Rally Championship, an additional fine is imposed with the suspension of sentence.

All interested parties are reminded that they have the right to appeal certain decisions of the Stewards, in accordance with Article 15 of the 2024 FIA International Sporting Code and Chapter 4 of the FIA Judicial and Disciplinary Rules.

In accordance with Chapter 4, Art 10.1.1a - d) of the 2024 FIA Judicial and Disciplinary Rules, the time limit for the notification of the intention to appeal is extended to 24 hours after the publication of this decision on the Digital Notice Board of FORUM8 RALLY JAPAN 2024.

As FORUM8 RALLY JAPAN 2024 has ended and the Stewards are not easily contactable, any notification of intention to appeal this Decision must be sent to the FIA WRC Stewards Secretary, Ms Yvonne Gilli, on her email address: [wrcsecretary@fia.com](mailto:wrcsecretary@fia.com) within the time limit referred to above.



Edoardo Delleani  
The Stewards



Wayne Christie



Kunihiro Tabata

**This decision was notified to the Competitor's officially nominated representative as below:**

Name (in block letters):	<b>TOLGA OZAKINCI</b>	Date:	<b>11.12.2024</b>
Position:	<b>TEAM MANAGER</b>	Time:	<b>11:35 (CET)</b>

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