

Rally Dakar 2023

29. December 2022 - 15. January 2023



Date: **Tuesday, 03rd January 2023**

Time: **18.45 hrs**

Subject: **STEWARDS DECISION N° 3**

Document No: **2.5**

From: *The Stewards*

To: Competitor vehicle **No 217** Name: **TOYOTA GAZOO RACING**

Crew: **HENK LATEGAN / BRETT CUMMINGS**

Number of pages: 1

Attachments: 0

The Stewards, having received a report No 2 of the Clerk of the Course (Doc. 3.56), having heard the Team Representative (Mr. Jean-Marc FORTIN) and the Crew members, having considered the following matter, determine the following:

Fact: That during SS1 Crew No 217 infringed the vehicle-to-vehicle communication regulations.

Offence: Breach of Art. 47.3 of the 2023 FIA CCRSR.

Decision: **To impose 1 hour time penalty to the Competitor vehicle No 217**, which is suspended until the end of Rally Dakar 2023 subject to no further breach of similar nature committed by the competitor during this period.

Reason: The investigation revealed that during SS1 Crew No 217 infringed repeatedly the regulations (Art. 47.3 of the 2023 FIA CCR SR) during an extended period.

In view of the content of the report No 2 of the Clerk of the Course and the attachment (detail) submitted, it is clear that the crew violated the said article of the rules as many as eight times during the Stage 1. In view of the data of the attachment-details of the report submitted by the Clerk of the Course, it is clear that all eight violations were committed in almost one hour, but eight separate times. For the first three violations, the Clerk of the Course has already applied penalties. Due to subsequent violations, the Clerk of the Course submitted a report to the Stewards.

During the hearing a Team representative and a crew members explained that they acknowledged they had committed a violation. Does not dispute. Only drew attention to the fact that part of the violations committed are committed in speed zones. Although the regulations do not provide for any exceptions, nevertheless, they would like to draw the attention of the Stewards to this. In speed zones all crews drive at the same speed.

Also draw the attention of the Stewards that the violations were made during the Stage 1. For the violations committed, they regret. And at the time of the hearing, the crew had already completed the Stage 2, during which they had not committed similar violations. They ask the Stewards to take this into account.

The Stewards decide that in this case there is no doubt about the violations committed. An important aspect is that violations of this kind can affect the results of other crews (in this case it is car No 208) and violate the principle of sports competition. And when it comes specifically to motorsport and a cross-country discipline, that's a very important aspect of safety. Obviously is a serious violation.

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Since the penalties for the first three violations have already been applied by the Clerk of the Course, the Stewards decide only on the penalty for the remaining five violations. In the opinion of the Stewards, for repeated violations of this kind, a time penalty should be imposed.

As regards the proportionality of the time penalty, a penalty of one hour's time is to be imposed.

In view of the fact that the crew had already completed the Stage 2 before the hearing, during which no offences of this kind had been committed, as well as the fact that they regret the offences committed, the Stewards considered that there are grounds for suspend an imposed penalty in this case until the end of Rally Dakar 2023 subject to no further breach of similar nature committed by the competitor during this period.

The decision is based on the 2023 FIA International Sporting Code Art. 11.9.1, 11.9.3.a, 11.9.3.f and 12.4.1.h.

Competitors are reminded that they have the right to appeal certain decisions of the Stewards, in accordance with Article 15 of the 2023 FIA International Sporting Code and Article 9.1.1 of the FIA Judicial and Disciplinary Rules, within the applicable time limits.

Arnas PALIUKENAS
FIA Chairperson of the Stewards

Patrick SUBERVILLE
FIA Steward

Hassan AL ABDALI
ASN Steward

Received:

Competitor: **TOYOTA GAZOO RACING**
Crew: **HENK LATEGAN / BRETT CUMMINGS**
Date: **3/01/2023**
Time: **19.58**

Vehicle No: 217

Signature:

Published on the Digital Notice Board on 03/01/23 at 20.10 hrs.