

# Andalucía Rally 2022

18. – 23. October 2022



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Date: **Sunday, 23<sup>rd</sup> October 2022**  
Subject: **STEWARDS DECISION N° 6**

Time: **09.15 hrs**  
Document No: **2.8**

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From: *The Stewards*  
To: *GPS service provider: ERTF*

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*Number of pages: 2*

*Attachments: 0*

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The Stewards, when the circumstances came to light (STW Dec No1, No2, No3 and No4), began an additional investigation, having summoned, and heard the Clerk of the Course, representative of the ERTF César RODRIGUES, determine the following:

**Time:** 15:36, 19 October 2022

**Session:** Qualifying stage

**Fact:** The ERTF submitted a report addressed to the Clerk of the Course, which contained information about the violations committed by crews No 200, No 217 and No 223, did not correspond to reality.

**Offence:** Breach of Art. 37.2.5 of the 2022 FIA CCRSR and Art. 12.2.1.I of the 2022 FIA International Sporting Code

**Decision:** to impose a fine penalty of €2,000 to the GPS service provider ERTF which is suspended till December 31, 2023 subject to no further breach of a similar nature during this period in any FIA Cross-Country Championships

**Reason:** The stewards approached the Clerk of the Course for a report on the services provided by the GPS service provider ERTF. The Clerk of the Course verbally explained that errors occur regarding the services provided by the ERTF. The ERTF's representative confirmed this to the stewards.

Having regard to Art. 12.3.1 of the ISC, *any breach of the Code, of the regulations of the FIA if appropriate, of the national rules, or of any Supplementary Regulations committed by any Organiser, official, Competitor, Driver, Participant, other licence-holder, or other person or organization may be penalised.*

According to Art. 37.2.5 of the 2022 CCRSR, *the NAV-GPS must be inspected for excess speed. Any violations will be reported to the Clerk of the Course.*

The reports must contain information that is in line with reality. Because the content of the report entails consequences for competitors.

The Art. 12.2.2 of the 2022 CCRSR V1 stated that “... *device called NAV-GPS supplied by the Organiser's service provider...*”

*Crews on Andalusia Rally 2022 will be equipped with ERTF's UNIK 4 system, that integrates the electronic road book, GPS and Sentinel. The competitor must contact directly ERTF to order the mounting/power supply kits for this equipment. (Art. 10.5.2 of the Supplementary regulations).*

The representative of the ERTF is also referred to in Art. 2.7 “*Senior officials*” of the Supplementary regulations as the *Chief GPS Officer*.

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Thus, there is no doubt that the ERTF is a service provider and has undertaken commitments to carry out its duties properly.

The services provided by the ERTF must comply with the requirements. If the service provider assumes obligations for himself, he must perform them properly.

It is intolerable situations in which the service provider prepares reports that do not correspond to reality, based on which the Clerk of the Course applies penalties on competitors because he trusts the information contained in the service provider's reports.

This leads to extremely undesirable consequences.

In this case, the final classification of the qualifying stage was confirmed, including the penalties applied on the competitors based on untrue information. This may have a direct impact on the sport performance, since in this case, due to the misapplication of the penalty, it was not possible for the competitor No 200 to choose a start position for the next day, although he had won such a right during the qualifying stage. The aforementioned competitor is the leader of the championship and is fighting for the title of champion at this final round.

In this way, the principles of sports competition are violated, and there is a huge reputational damage to this event, the championship, the FIA, and motorsport in general.

Offences or infringements are punishable, whether they were committed intentionally or through negligence (FIA ISC Art. 12.1.1.a).

Any natural or legal person who takes part in an offence or infringement, whether as instigator or as accomplice, is also punishable (FIA ISC Art. 12.1.1.c).

When imposing a penalty, stewards shall consider the fact that the ERTF's default or improper performance was found for the first time.

The decision is based on the FIA ISC Art. 11.9.1, 11.9.3.a, 11.9.3.f, 12.1.1.a, 12.1.1.c, 12.3.1., 12.4.1.b

GPS service provider is reminded that he has the right to appeal certain decision of the Stewards, in accordance with Article 15 of the FIA ISC within the applicable time limits.

**Arnas PALIUKENAS**  
FIA Chairman of the Stewards

**Istvan MONI**  
FIA Steward

**Virginia GOMEZ FERNANDEZ**  
ASN Steward

**This decision was sent by email to ERTF on 23.10.2022 at 09.15 hrs.**