

Italian Baja

06th - 09th July 2023



Date: **Friday, 21st July 2023**

Time: **14.50 hrs**

Subject: **STEWARDS DECISION N° 19**

Document No: **2.23**

From: *The Stewards*

To: Competitor car **No 302** Name: **G RALLY TEAM**
Crew: **Kees Koolen / Wouter Rosegaar**

Number of pages: 2

Attachments: 0

The Stewards have received a petition from Competitor car No 302 G RALLY TEAM for them to review, in accordance with Article 14.1.1 of the 2023 FIA International Sporting Code, the STW **Decision No 12 (Doc No 2.15)** made by them at the 30° ITALIAN BAJA.

The Stewards, having examined the content of the petition, summoned and heard the driver and the co-driver (the hearing took place online via MS Teams at 11:30 am on 21 st of July 2023) determine the following:

Decision: **There is no significant and relevant new element which was unavailable to the party seeking the review at the time of the decision concerned.**

Reason: The Stewards decide that although the petition submitted by the competitor does not meet the requirements of Art. 14.1.1 of the 2023 FIA International Sporting Code in its content, it can be recognized as a petition.

After examining the information provided in the petition and hearing the explanation of the competitor's representative, it is concluded that there are no significant, relevant and new elements that were not available to the competitor at the time of the decision concerned.

The stewards decide that the representatives of the competitor were aware of all the information contained in the petition at the time of the event. And not only knew, but also planned to submit an intention to appeal at the end of the event. However, after finding out the appeal procedure and the amount of the appeal deposit they should pay, they changed their mind and refused to do so. All this took place during the event in the STW room.

What's more, at a hearing during the event, they admitted to committing a violation, but explained that they did it unintentionally.

The filing of a petition in this case could be seen as an attempt to evade the appeal procedure and the deposit fee. However, the right of reviewing the decision of the stewards provided for in Art. 14.1.1 is of a completely different purpose and nature. This option is not provided for in order to use it instead of an appeal. The content of the review option is very clearly disclosed in Article 14.1.1: *a significant and relevant new element is discovered which was unavailable to the parties seeking the review at the time of the decision concerned*.....

The review procedure is not a substitute for an appeal.

The Stewards remind the Competitor that he should exercise his rights in good faith. Contrary behaviour can be seen as provided for in Art. 12.2.1.c. of the 2023 FIA ISC.

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Representatives repeated many times during the hearing that they are not lawyers and will certainly enlist the help of lawyers next time. Stewards note that compliance with the rules is mandatory for everyone involved in motorsport, regardless of what their education or profession is.

The decision is based on the 2023 FIA International Sporting Code Art. 11.9.1.

Competitors are reminded that, in accordance with Article 14.3 of the 2023 FIA International Sporting Code, this decision is not subject to appeal..

A blue ink signature of Arnas Paliukenas, consisting of several horizontal strokes.

Arnas PALIUKENAS
FIA Chairperson of the Stewards

A blue ink signature of Virginia Gómez, featuring a large, stylized loop.

Virginia GÓMEZ
FIA Steward

A blue ink signature of Claudio Etori, written in a cursive style.

Claudio ETTORI
ASN Steward

This Decision was sent to the Competitor by electronic means on the 21st of July 2023, at 15:45.

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