

Historic Vltava Rallye,

19 - 20 April 2024



Date: 20 April 2024

Time: 19:1545

Subject: Stewards Decision No. 01

Document No.: 2.3

From: The Stewards

To: Competitor car no 7 Pravia autocompeticion
Crew: Xesus FERREIRO PÉREZ / Xavier ANIDO VÁZQUEZ

Number of pages: 2

Attachments: [...]

The Stewards, having received a report from the FIA Eligibility Delegate, summoned and heard the drivers Xesus FERREIRO PÉREZ / Xavier ANIDO VÁZQUEZ (Ind. Communication No. 1 - Summon), have considered the following matter, determine the following:

Fact: During final scrutineering car # 7 was found with a so called "Dog-Box" in the gearbox.

Offence: Non-compliance with homologation 1605
Breach of FIA International Sporting Code, 1975 Appendix J

Decision: **Disqualification from the competition
and the following competitors will move up in the classification.**

Reason: The drivers explained that, they build the car according to Appendix K and they were not aware that that the synchronized connection system is not free.

Gearbox in this car is ZF S5 18/3, which is homologated as 1605 amendment 1. In homologation it is stated "272. Synchronized forward ratios (5) five".

In homologation 1605 there is no other mention about synchro for the ZF gearbox in question. This car is Category 3, 1977 "Tarmac specification" which means, it is 1975 specification transferred to Gr. 4 for 1977. Therefore, technical requirements 1975 apply.

Period Appendix J (1975) chapter 260 item m) gives freedom for ratios, bearings and axles **but not synchro system** (item 272 in homologation form). **Therefore, the synchro system must remain as homologated, which means in this case it must be a synchronized connection system.**

The Stewards concluded that the installed so called "Dog-Box" is not according to regulations and the competitor is in breach of these regulations.

FIA European Historic Rally Championship Regulations Art. 32.2.1 is clear in saying the Competitor is responsible for the technical conformity of his car throughout the entire duration of the rally.

In case of a breach of the obligation of technical compliance, a competitor's responsibility is causal. A sanction must be pronounced against it even in the absence of fault, and this sanction is, in principle, disqualification according to the jurisprudence in the past.

Nevertheless, the International Court of Appeal has already deemed in the past 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.

The Stewards determine that exceptional circumstances do not apply in the present case. The Stewards conclude that, in view of the provisions of the relevant regulations, it was indeed up to the Competitor to ensure that car was in compliance the homologation.

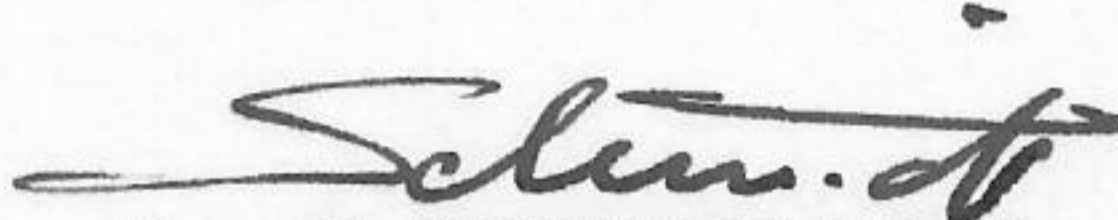
The decision is based on the FIA International Sporting Code Art. 11.9.1, art.11.9.2.a, Art. 11.9.3.a, Art. 11.9.3.f, Art 12.4.1.m and 12.9.1

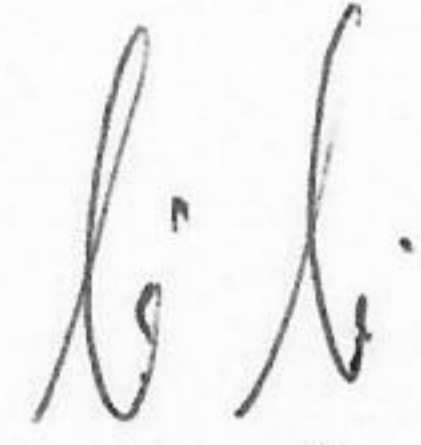
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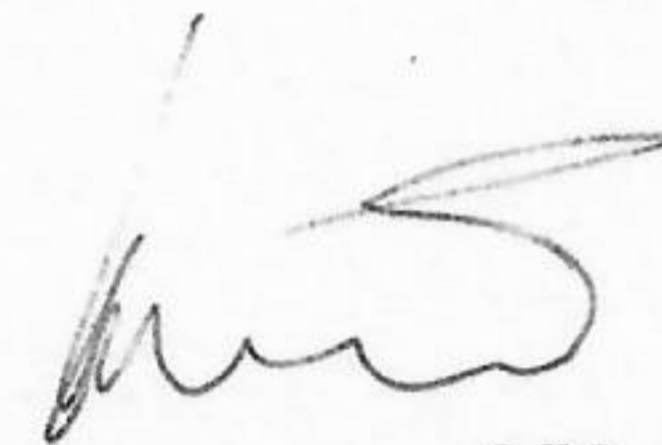
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Competitors are reminded of their right to appeal certain decisions of the Stewards, in accordance with Article 15 of the FIA International Sporting Code and Chapter 4 of the FIA Judicial and Disciplinary Rules, within the applicable time limits.


Uwe M. SCHMIDT (DEU)
FIA Chairperson of the Stewards


István MÓNI (HUN)
FIA Steward


Stanislav MINÁŘÍK (CZE)
ASN Steward

Name in block letters	SAUER AMPO	Date	20-4-24
Position in the team	CO-DRIVER	Time	19:45

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WE DON'T APPEAL THIS DECISION

