

Date: **Saturday, 06th April 2024**
Subject: **STEWARDS DECISION N° 29**

Time: **17.00 hrs**
Document No: **2.32**

From: *The Stewards*

To: The Competitor **SOUTH RACING CAN-AM** of Car No. **337**
Crew **JOAO MONTEIRO / NUNO MORAIS**

And

The Competitor **RED BULL OFF ROAD JR TEAM USA PRESENTED BY BFG** of Car No. **303**
Crew **MITCHELL GUTHRIE / KELLON WALCH**

Number of pages: 4

Attachments: 0

PROTEST lodged by

The Competitor of car No. 337 **SOUTH RACING CAN-AM** (Crew **JOAO MONTEIRO / NUNO MORAIS**)

Against

The Competitor of car No. 303 **RED BULL OFF ROAD JR TEAM USA PRESENTED BY BFG** (Crew **MITCHELL GUTHRIE / KELLON WALCH**)

Procedure:

1. On Wednesday January, 17th 2024, the Clerk of the Course received at 19.00 hrs a protest lodged by the Competitor of car No. 337 addressed to the Chairperson of the Stewards of RALLY DAKAR 2024.
2. An initial hearing was held during RALLY DAKAR 2024, on January 17th 2024. Competitor No. 337 claimed in their protest that the engine of Competitor No. 303 is not compliant with FIA 2024 International Sporting Code - Appendix J Art. 286 – 6 - Engine.
3. Protester was informed that a guarantee deposit had to be defined by FIA Technical Delegate for the dismantling and inspection of the engine of Car No 303 (Art. 13.4.3 of the FIA 2024 International Sporting Code, Art. 60.3 of the FIA 2024 CCRSR and in Art. 14.2 of the event Supplementary Regulations).
4. On January, 18th 2024, Protester was informed about the amount of the guarantee deposit.
5. On January, 18th 2024, Protester lodged in due time the guarantee deposit defined by the FIA Technical Delegate.
6. Engine of Car No 303 was dismantled from the vehicle, sealed, and shipped to the FIA facilities in France, for inspection.
7. On April 03rd of April 2024, the Stewards received a report from FIA Technical Delegate Report (Doc 6.12) with the conclusion after the inspection of the engine.
8. Both parties were summoned and heard together by the Stewards. The following persons were present at the hearing:

On behalf of Competitor No. 337:	Scott ABRAHAM Anne-Marie GERANDI	Team Representative Team Representative
On behalf of Competitor No. 303:	Hendric Willem WEVERS Floor MATEN	Team Representative Team Representative

FIA Technical Delegate

Christophe VELY

The hearing (the hearing took place in a hybrid way, in the presence of the chairperson in the room, and in the presence of the other two stewards remotely via MS Teams) was held on Friday 04th April 2024 at 11:30 hrs (Portuguese time)/13:30 hrs (Saudi Arabia/Dakar 2024 time) at the Stewards' Room of BP ULTIMATE RALLY-RAID PORTUGAL 2024, with all the Stewards present (Chairperson in the room, FIA Steward and ASN Steward via MS Teams).

9. No objections were raised against the composition of the Stewards panel.
10. Since the protest filed against the alleged non-compliance of Automobiles with the regulations, the necessary checks were carried out and a FIA TD report was received (Doc 6.12), which stated that the engine of car No. 303 was found in compliance with FIA 2024 International Sporting Code - Appendix J Art. 286 – 6 - Engine.

On the Admissibility:

11. The Stewards examined the admissibility of the protest:

- 11.1 The protest was lodged in due time, in accordance with Art. 13.3 of the 2024 FIA International Sporting Code.
- 11.2 The protest was lodged by a single competitor against a single competitor as stipulated in the 2024 FIA International Sporting Code Art. 13.1.1 to 13.1.3, Art. 13.7.3 and Art. 13.7.4.
- 11.3 The subject of the protest was against an alleged non-compliance of *Automobiles* with the regulations, as stipulated in the 2024 FIA International Sporting Code Art. 13.2.1 and Art.13.4.1.
- 11.4 The protest was properly accompanied by the protest deposit of € 1000, and the guarantee deposit defined by the FIA Technical Delegate, as stipulated in Art. 13.4.2 of the 2024 FIA International Sporting Code, Art. 60.2.1 of the FIA 2024 CCRSR and in Art. 14.2 of the event Supplementary Regulations.

The Stewards find that the protest is admissible and that the requirements of the Code have been complied with.

Hearing of the Parties:

Protester:

The protester stated that after reading the FIA TD Report, he continues to have doubts about the material compliance with the technical regulations in force.

Competitor of Car No. 303:

The competitor representative stated that they trust the information specified in the FIA TD report.

Technical Delegate:

The TD reconfirmed the information he stated in his report regarding the conformity of the engine and all the parts inspected. He also pointed out that the doubts raised by the protester are associated with the original parts of the engine.

The technical regulation states that:

Art. 286-2.3

Materials

Unless explicitly authorised by the present regulations, the use of the following materials is prohibited:

- Titanium alloy
- Magnesium alloy

- Ceramics
- Composite

This restriction does not concern the original parts of the engine that must be retained (see Article 286-6.1).

According to the art. 286-6, it is not allowed to replace the (original) bearings of the engine. Then, the use of bearing made of composite material is allowed.

During the hearing, the parties were given the opportunity to ask questions.

The Protester asked the FIA TD to present in more detail the results of the inspections. The FIA TD answered the questions asked to him and presented a detailed report on the results of the inspections carried out.

After the hearing was closed by the Chairperson, the Stewards took the following decision after due deliberation.

Decision:

- 12. The protest is admissible.**
- 13. The protest is rejected.**
- 14. No further action against Competitor No. 303.**
- 15. Protest deposit is not to be returned to the Protester.**
- 16. Guarantee deposit is not to be returned to the Protester.**

Reason:

The Stewards received the protest alleging the engine of Car No 303 is not in compliance with FIA 2024 International Sporting Code - Appendix J Art. 286 – 6 - Engine.

During the hearing the protester explained the reason for submitting the protest.

Competitor No 303 had no additional comments, as for them the report from the FIA Technical Delegate is clear.

The TD was requested to inspect the alleged breach and confirm it is compliance with the abovementioned articles, and his report (Doc No. 6.12) confirms it is compliant. Both parties were shown the report of the TD.

Based on the TD report and considering the explanations provided by the FIA Technical Delegate during the hearing, the Stewards decided that the regulations were not breached.

Competitors are reminded that they have the right to appeal certain decisions of the Stewards, in accordance with Article 15 of the 2022 FIA International Sporting Code and Chapter 4 of the FIA Judicial and Disciplinary Rules.



Arnas PALIUKENAS
FIA Chairperson of the Stewards



Omar ZAROUR
FIA Steward



Saleh ALEM
ASN Steward



Competitor: SOUTH RACING CAN-AM **Vehicle No:** 337

Crew: JOAO MONTEIRO / NUNO MORAIS

Date: 08/04/24

Time: 16:51 / 18:51

Signature:

Competitor: RED BULL OFF ROAD JR TEAM USA PRESENTED BY BFG **Vehicle No:** 303

Crew: MITCHELL GUTHRIE / KELLON WALCH

Date:

Time:

Signature:

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16 H 50
18 H 50
06/04/2024

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