

12<sup>th</sup> – 18<sup>th</sup> October 2023

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Date: **Tuesday, 17<sup>th</sup> October 2023** Time: **22.25 hrs**  
Subject: **STEWARDS DECISION N°17** Document No: **2.19**

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From: *The Stewards*

To: Competitor vehicle **No 501** Name: **MM TECHNOLOGY**  
Crew: **MARTIN MACIK / FRANTISEK TOMASEK / DAVID SVANDA**

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*Number of pages: 2*

*Attachments: 0*

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The Stewards, having received a report from the FIA Technical Delegate (Doc. 6.5) about checking of the sealing and the compliance of the turbocharger restrictors of several T5 vehicles on Stage 4, having summoned the Competitor, having heard the Competitor representatives (the Driver and the Technical manager), having examined the different elements presented, having considered the following matter, determine the following:

**Fact:** The restrictor of Competitor Truck No 501 was found not in compliance with Art. 287-5.7.2 of the Appendix J of the 2023 ISC.

**Decision:** **To disqualify Competitor Car No. 501 from the Rallye du Maroc 2023. To amend the Classifications accordingly.**

**Reason:** As stipulated in Art. 287-5.7.2 of the Appendix J of the FIA 2023 ISC:

“...  
...”

*All supercharged engines must be fitted with an air restrictor.*

*All the air necessary for feeding the engine must pass through this restrictor, which must comply with Article 284-6.1, except for its internal maximum diameter which is 74 mm.*

...”

A hearing was held on Tuesday 17<sup>th</sup> October 2023 at 21:28 hrs. The Stewards heard the Driver and the Technical manager.

Driver stated that cannot explain why this is the case, that the dimensions of the restrictor do not meet the requirements. Perhaps this could have happened due to temperature differences or so.

The representatives of the Competitor were given the opportunity to ascertain for themselves during the hearing, using a certified tool, that the dimensions of the restrictor were outside the tolerance.

But, in their opinion, this cannot have any effect on speed and create an advantage.

If an *Automobile* is found not to comply with the applicable technical regulations, it shall be no defence to claim that no performance advantage was obtained. (Art. 1.3.3 of the 2023 FIA ISC)

The Stewards conclude that, in view of the clear provisions of the relevant regulations, it was indeed up to the Competitor to ensure that the restrictor was compliant during Rallye du Maroc 2023. If the Competitor wishes, he can ask the Technical Delegate or scrutineers during the pre-event scrutineering to check the restrictor.

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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 cannot see any exceptional circumstances in this matter.

In this such case only disqualification of the Competitor Truck No 501 may be granted.

It is also necessary to amend all the classifications of Rally du Maroc 2023 accordingly.

The Stewards decision is based on FIA 2023 ISC Art. 11.9.1, Art. 12.4.1.m

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 Chapter 4 of the FIA Judicial and Disciplinary Rules.



**Arnas PALIUKENAS**  
FIA Chairperson of the Stewards



**Mauro FURLANETTO**  
FIA Steward



**Ahmed HOUBRI**  
ASN Steward

Received:

Competitor:

**MM TECHNOLOGY**

Car: 501

Crew:

**MARTIN MACIK / FRANTISEK TOMASEK / DAVID SVANDA**

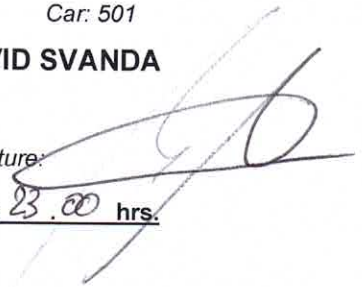
Date:

17.10.

Time:

22:41

Signature:



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