

WORLD RALLYCROSS OF BENELUX – 04/06 AUGUST 2023

FIA WORLD RX1E RALLYCROSS CHAMPIONSHIP – ROUND FIVE
FIA EUROPEAN RX1 RALLYCROSS CHAMPIONSHIP – ROUND FIVE
FIA EUROPEAN RX2E RALLYCROSS CHAMPIONSHIP – ROUND FOUR

DECISION No 16

Document No:	22		
From:	The Stewards	Date:	18/08/23
To:	The Team Manager	Time:	12:46

The Stewards of the 2023 World RX Benelux have received an email, via FIA Road Sports Department, on 11th August 2023 from Andris Baumanis attaching a petition by Competitor RX Team Latvia #6 in the FIA European Rallycross Championship under Article 14 of the FIA International Sporting Code ("Petition"), seeking a review of the Stewards decision n°13 made within the framework of the 2023 World RX Benelux and requesting that the Stewards:

"consider such request and to make a determination whether or not a significant and relevant new element exists (Article 14.3 of the Code) in relation to the decision/incident".

The Stewards, after having extensively considered the matter, including examining the annexures to the Petition which included the onboard, summoned and heard the team representative(s) at a hearing convened at 10:00 (CET), 18/08/2023 (Summons no. 01). The Chairperson of the World RX Benelux Stewards was present at the hearing in person with the other Panel members joining virtually. Present in the hearing RX Team Latvia Entrant Andris Baumanis; Team Managers Janis Krastins and Marcis Kewaus and Driver Janis Baumanis.

The Stewards determined the following:

Decision

There is no significant and relevant new element which was unavailable to the parties seeking the review at the time of the decision concerned. The Petition is therefore dismissed.

Reason

Our decision that #6 was in breach of Appendix L, Chapter V, Article 2 b) of the FIA International Sporting Code for crowding car to his right which created an incident for #33. #6 then crowded and made continuous side to side contact #33 into T1.

Notwithstanding the fact that this took place after the start, we considered that there was sufficient space for #6 to take steps to avoid the contact with car #33 on his right and failed to do so twice. We therefore imposed a 10 second time penalty, which was consistent with precedents in the Championship, where each case is analysed individually taking into account its own characteristics and factual circumstances.

Regarding the 10 second penalty, it was applied according following Articles of the FIA International Sporting Code 11.9.1, 11.9.3.a, 11.9.3.f, 12,3,2, 12.4.1.h, taking into consideration Article 12.4.4 which states that "any one of the above penalties can only be inflicted after consideration of the evidence available and, in case of the last three (disqualification, suspension, exclusion), the party concerned must be summoned to give them the opportunity of presenting their defence."

According to the regulations the Stewards deemed it unnecessary to hear from the competitors and drivers involved to decide that #6 was wholly to blame for the breach of the regulations. A decision that we, and other Stewards panels, routinely take and are encouraged to take especially in respect of the restrictions of the time schedule for these Rallycross Competitions when the cause of the breach of the regulations is clear and are always in favour of sporting fairness and the normal development of the Competition.

The Petition contends that there are new, significant and relevant elements, which were unavailable at the time of our decision being made (and presumably, had we had the benefit of these elements, we would not have made our decision).

Two elements were relied upon:

- a) the onboard for #6 (Appendix No. 1)
- b) RX1 SF-2 (Appendix No. 2)

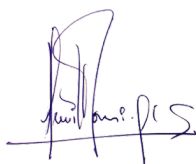
As part of the referral from Race Control the Stewards receive MVRC from four camera angles and did not consider that Appendix No. 2 was neither new nor relevant and significant. In regard to the onboard for #6 although the Stewards had not had the opportunity of reviewing this prior to making their decision and having consulted with the Stewards Driver Advisor Jani Passonen (who was not able to be present in the hearing but had reviewed the Petition), concluded that the onboard could be received as 'new' evidence however that it was neither 'significant and relevant' in this case.

The other elements of the Petition were not relevant to the considerations under Article 14 and would have only been relied upon had the Petition succeeded which was acknowledged by all parties ahead of this hearing.

The Stewards accordingly dismissed the Petition.



Cheryl LYNCH
The Stewards



David DOMINGO



François DUMONT

Name (in block letters):	Janis Krastins	Time:	14:10
Position within the team:	Team Managers	Date:	18/08/23

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In accordance with Article 14.3 of the FIA International Sporting Code the decision of the stewards as to whether or not such an element exists is not subject to appeal before the national court of appeal or the International Court of Appeal