

2023 F4 SPANISH CHAMPIONSHIP – 01 SPA-FRANCORCHAMPS

Date: 09/05/2023

Time: 10:59

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From: The Stewards of the Event

Decision N° 28

To: MP Motorsport

MP having lodged a protest via mail on 13.04 to the promotor, chairman of the stewards and representative of the Spanish federation.

The Chairman of the Steward only acknowledged this mail on his private box late at night and started handling this protest remotely on Monday.

Mail of MP on Sunday: To: Stewards of the meeting – Spain F4, Spa Francorchamps event Francorchamps (Belgium), 7-05-2023, 12.58

Dear Sir, Madame,

Herewith we announce our protest against:

The Final Classification Spanish F4 – Race 3 (Published on the official notice board on 7-05-2023, 12.36)

Reason: breach of regulations (art 39.3 Spain F4 Sporting Regulations)

Thanks for your confirmation,

Best regards Sander Dorsman MP Motorsport

On Monday the Chairman of the Stewards proposed a procedure by mail as follows:

Hi Sander,

Unfortunately, I only acknowledged your mail into my private mailbox late yesterday night.

We will deal with your protest by mail exchange and I put the two other stewards in copy.

Step 1: please specify your reason to protest

Step 2: we will prepare list of questions

Step 3: you will have a chance to reply to those questions

Step 4: we will take a decision and communicate it to you

Best regards, For the Stewards, Thierry

And we received following clarification for the protest from the Team Principal of MP:

Dear all,

With the lodged protest (the “Protest”) our Team (MP Motorsport) has formally protested, pursuant to Article 13 of the 2023 FIA International Sporting Code and Article 43 of the 2023 F4 Spanish Championship Sporting Regulations, for the breach of Article 39.3 of the 2023 F4 Spanish Championship Sporting Regulations.

Indeed, contrary to the provision of the abovementioned Article 39.3 of the 2023 F4 Spanish Championship Sporting Regulations that states that “The Stewards, once their job done, will publish a revised provisional classification including the penalties they could have applied”, considering that the “revised provisional classification” has not been published at all (it has been only published the provisional classification – without any penalties – and the final classification), the fundamental right of our Team to possibly protest against it (i.e. the revised provisional classification) has been irremediably infringed and breached.

Being the protest against a “breach of the regulations occurring during a Competition”, according to Article 13.3.5 of the 2023 FIA International Sporting Code the protest must be presented “no later than thirty minutes after the publication of the Provisional Classification” (in our case to be meant as the revised provisional classification since this is the provisional classification that count also the penalties applied by the Stewards).

In the light of the above, considering that the posting of the revised provisional classification has not taken place, the Protest has been lodged on May 7th 2023 at 12:58 (i.e. no later than thirty minutes after the publication of the final classification, namely the first moment on which our Team has gained notice of the penalties effectively applied by the Stewards and would have had the chance to file the Protest according to the relevant applicable regulations) and, therefore, the Protest shall be deemed, in any case, to have been duly lodged.

According to Articles 13.4.2 and 13.4.4 of the 2023 FIA International Sporting Code and Article 43 of the 2023 F4 Spanish Championship Sporting Regulations, the requested deposit of Euro 1,000.00 has been paid by bank to the competent Spanish ASN.

Best regards, Sander Dorsman

This clarification being shared with the panel of the Stewards and no further clarification being required by the members of the panel.

The stewards judge the protest partially founded and decide to return the deposit to the team MP.

The stewards confirm that in view of the 9 issues and decisions to be taken between publishing of the provisional results and the final results there was no material time and possibility to publish revised provisional results.

However, all decisions were immediately published on Sportify after notification to driver and team.

Competitors are reminded that they have the right to appeal certain decisions of the Stewards (art. 15 Int'l Sporting Code) within the applicable time limits.

The Stewards

Thierry DEFLANDRE
Chairman
RACB 1142

Iván FONT
Steward
CD-0046-ESP/CV

Peter GEENS
Steward
RACB 3116

Received by the Competitor:

Signature:

Date: Time: