

Italian Baja

9th – 10th September 2021



Date:	Saturday, 11 September 2021	Time (decision):	12.06 hrs
Subject:	DECISION No. 04	Document No.:	2.6
From:	The Stewards		
To:	Competitor car no: 401 Name: SOUTH RACING Crew: ALTHEFIRI MSHARI / AL-KUWARI NASSER		
Number of pages:	2	Attachments:	[...]

The Stewards, having received a report from the Clerk of the Course, a request for investigation, data from the tracking system and a video, having examined the documents and the video, summoned, and heard the team representative, Anne-Marie Gerandi, have considered the following matter, determine the following:

Fact: In SS 2 (10.09.2021) at 18.28 hrs Car # 401 had an collision with car # 202 on the track short after road book diagram no. 39 at km 15.46.

Offence: Breach of Art. 27.1.2 of the 2021 Cross-Country Rally Sporting Regulations (CCRSR)
Unsafe act according to Art. 12.2.1.h of the FIA International Sporting Code (Code)

Decision: **The driver and the co-driver shall be jointly and severally liable to pay a fine of € 2.000 which is suspended for the 2021 and 2022 World Cup season subject to no further breach of a similar nature during this period**

Reason: Mrs. Gerandi expressed her excuse about what happened and insisted that the drivers not causing the accident intentionally. She declared: "Because of the dust the crew got completely lost like many other crews at this point. So, the crew drove back on to the track to find the correct intersection. They were aware that they were going in the opposite direction, but it was not possible to find the correct junction."

The data from the tracking system show, that # 401 at km 15,96 (diagram no 40) made a navigation mistake. After been stopped by a marshal, turning around, and driving back to the correct track. By doing so, the went back on the correct track for approx. 400 m. After approx. 400 m, short before an intersection, they collided with car # 202 head-on. Since the speed of both vehicles was quite slow, no injuries of the drivers were reported. According to the driver of car no 202, the damage to his vehicle is minor.

In the CCRSR is clearly written that the crews must always drive in the direction of the Selective Section. This is an important safety rule to avoid accidents and even more important, injuries of the drivers. The Stewards concluded that by driving in opposite direction on the track of SS 2 car # 401 obviously caused the accident. Furthermore, an unsafe act or failure to take reasonable measures, thus resulting in an unsafe situation is breach of the Code. (Art. 12.2.1.h).

The Stewards got the impression that the statement of the team representative was sincere. Especially since there was a lot of dust in the air and the navigation difficulties in this part of selective section, which were confirmed by the driver of car # 202, it was an extreme difficult situation for the crew. The Stewards have noted that the tracking system used in this event does not use an alarm signal to indicate a possible collision. The Stewards concluded that the behaviour of the crew of car # 401 is an infringement of the regulation and decided that the fine is adequate.

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The stewards have decided to suspend the penalty because this was an exceptional and difficult situation for the drivers. To avoid the situation, they would have had to abandon the SS for themselves, as a completely safe return to the track was almost impossible. Furthermore, the STW also took into account the fact that the drivers were driving back at low speed.

The decision is based on the FIA International Sporting Code Art. 11.9.1, Art. 11.9.1.a, Art. 11.9.3 f; and Art. 12.4.1.c. and Art. 12.4.6.

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 Article 9.1.1 of the FIA Judicial and Disciplinary Rules, within the applicable time limits.

In accordance with Article 15.4.2.b the Stewards set the time limit for the notification of the intention to appeal to 4 hours.

According to Art. 12.3.3.b of the Code this decision of the Stewards becomes immediately binding even in the event of an appeal, since it concerns a breach of Article 12.2 of the Code.

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

Kostyantyn BEVZ (UKR)
FIA Steward

Paolo BET (ITA)
ASN Steward

This decision was notified by email to the Competitor's officially nominated representative as below:

Name in block letters	Anne-Marie Gerandi	Date	11.09.2021
Position in the team	Team Representative	Time	12.30 hrs

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