

Italian Baja

07th – 10th July 2022



Date:	Sunday, 10 th July 2022	Time (decision):	15:00
Subject:	Decision No. 04	Document No.:	2.6

From:	The Stewards
To:	The Organiser: Fuoristrada Club 4x4 Pordenone & Top S.r.l.

Number of pages:	3	Attachments:	0
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The Stewards received a report from the Clerk of the Course about an Administrative checks and a report from the Organiser about entry fee of competitor car No 215, have considered the following matter, and determine the following:

Fact: The Organiser added competitors who have not paid the entry fee to the entry list.
The Organiser has established a shakedown/parc ferme rules in the Supplementary Regulations (Art. 11.11) which is contradict to the CCRSR Art 31.1 without any FIA waivers.

Offence: Breach of FIA International Sporting Code Art. 1.3.1.a, Art. 1.3.1.b, Art. 3.9.2, Art. 3.9.3, Art. 3.12, Art. 3.16.1, 2022 Cross – Country Rally Sporting Regulations Art. 1.1.3, Art. 18.1, Art. 31.1, Supplementary regulations Art. 4.2.

- **Decision:** Warning to the Organiser **Fuoristrada Club 4x4 Pordenone & Top S.r.l.**
- **To forward this decision to the FIA Cross-Country Commission for further action**

Reason The Stewards, received a report from the Clerk of the Course about the Administrative checks and saw that the crew (No 215) did not come to the event. The Stewards asked CoC whether that entry form met the requirements for entry forms before being added to the entry list, i.e. whether the entry fee had been paid.

After receiving a report from the organiser that the entry fee had not been paid, Stewards started to investigate the circumstances under which the entry list was drawn up.

The Stewards concluded that any person, or group of persons, organising a competition **shall be deemed to be acquainted with the statutes and regulations of the FIA and the national regulations.** (Art 1.3.1, 1.3.1 a and 1.3.1 b of the International Sporting Code, ISC)

According to the ISC Art 2.2.4, an International Competition, when it counts towards an international championship, cup, trophy, challenge or series which bears the name of FIA, is placed under the sporting supervision of the FIA. Consequently, **the organiser of FIA World Cup for Cross Country Bajas and FIA European Cup for Cross Country Bajas event must follow the FIA regulations.**

According to the ISC Art. 3.9.3, if an Entry fee is provided for in the Supplementary Regulations, any Entry

not accompanied by this fee shall be null and void.

An entry may be made by any electronic means of communication provided it is dispatched before the time limit fixed for the closing of Entries and, if need be, the required Entry fee is lodged concurrently. (ISC Art. 3.12.1)

ISC Art. 3.16.1 provides that no entry may be published unless the Organisers have received a duly completed Entry form accompanied by the Entry fee where applicable.

Any FIA competition licence-holder wishing to take part in an event must send the due entry fee and the completed entry form to the event secretariat before the closing date, as specified in the Supplementary Regulations.

An entry application will be accepted only if accompanied by the total entry fees or by a receipt issued by the competitor's ASN (CCRSR Art. 18.1)

According to the Supplementary Regulations of the ITALIAN BAJA 2022 Art. 4.2, an entry application (also made electronically) will be accepted only if accompanied by the total entry fees.

The Organiser has established a shakedown/parc ferme rules in the Supplementary Regulations (Art. 11.11) which is contradict to the CCRSR Art 31.1 without any FIA waivers. The CCRSR (Art. 31.1) does not allow to establish a different rules in the Supplementary Regulations without FIA waiver. However, in this case, it is done in Art. 11.11.

According to the Art. 1.1.3 of the CCRSR, only the FIA may grant waivers to these regulations. No such exemption was requested in this case.

Stewards concluded that the Organiser had failed to comply with and violate the established procedure for the acceptance of an entry forms and the establishment of the entry list. The Organiser cannot draw up an entry list until the entry fees are received. And send such information to the FIA, because such actions can mislead everyone involved in this discipline. In that case, there is a situation where the FIA approves the entry list sent by the Organiser with information that does not correspond, in whole or in part, to reality. And approving entry lists with incorrect information on behalf of the FIA damages the reputation of the FIA.

All offences or infringements are punishable, whether they were committed intentionally or through negligence (ISC Art. 12.1.1 a)

According to the ISC Art. 11.9.1, The Stewards shall have supreme authority for the enforcement of the ISC, of the regulations of the FIA if appropriate, of national rules and Supplementary Regulations and of Official Programmes within the framework of the Event for which they are appointed. ISC Art. 11.9.3.a provides that Stewards shall decide what penalty to enforce in the event of a breach of the regulations.

Any breach of the Code, of the national rules or their appendices, or of any Supplementary Regulations committed by any organiser, any other person or organisation may be penalised or fined.

Taking into account the fact that the representative of the organiser acknowledged the violation committed, the most lenient penalty to be imposed on the Organiser – a Warning. It must also be considered appropriate to forward this decision through the FIA Rally Department to the FIA Cross-Country Commission for further action in order to prevent such situations from happening in the future, if the Commission considers that any additional proactive action can be taken in this case, to remind all

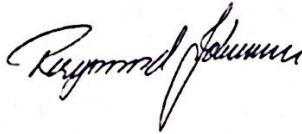
organisers repeatedly to follow the established procedure, and also to encourage competitors to pay sufficient attention to the submission of an entry forms and to ensure that everything goes as required by the regulations.

The Stewards decide for a Warning as penalty to the Organiser according to the ISC Art. 12.4.1 a and forward the decision through the FIA Rally Department to the FIA Cross-Country Commission for further action, if the Commission feels it would be necessary.

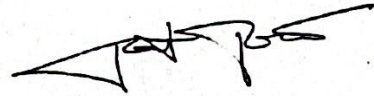
The organiser is reminded of his right to appeal certain decisions of the Stewards, in accordance with Article 15 of the FIA International Sporting Code and Article 9.1.1 of the FIA Judicial and Disciplinary Rules, within the applicable time limits.



Arnas PALIUKENAS (LTU)
FIA Chairman of the Stewards



Raymond JOHANSSON (SWE)
FIA Steward



Paolo BET (ITA)
ASN Steward

ORGANIZER

Received by the Competitor:

Name (in block letters): MAURO TAVELLA

Position within the team: EVENT DIRECTOR

Signature: 

Date: 10/7/2022 Time: 15:45

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