

Rally Liepaja

30th June – 3rd July 2021



Date:	Saturday, 3rd July 2021	Time (decision):	22.00 hrs
Subject:	DECISION No. 24	Document No.:	2.29
From:	The Stewards		
To:	Competitor car no 49 Name: Toksport WRT Crew : Jean-Baptiste FRANCESCHI / Anthony GORGUILO the Clerk of the Course		
Number of pages: 2		Attachments:	1

The Stewards, having received a protest, have considered the matter, determine the following:

Protester: TOKSPORT WRT
signed by Tolga Ozakinci (Team Manager)

Protest time: 21.17 hrs (02.07.2021)

Protest deposit: 1.000 €

Protest addressee: Chairman of the Stewards

Protest against: The allocation of a time penalty on TC4C (1 minute early)

Decision: **The protest is admissible**
The protest is unfound
The protest fee will not be returned

Reason: The general procedure on a time control is explained in Art. 44.2.4 of the FIA Regional Rally Sporting Regulations. "*The check-in time shall correspond to the exact moment at which one of the crew members hands the time card to the appropriate marshal.*" Because of the Covid situation the organiser prepared a mitigation plan which is appendix 7 of the Supplementary Regulation. In Art. 3.3.7 the process for the time control is explained.

- a) *The check-in procedure begins at the moment as stipulated in RRSR Art. 44.2.1.*
- b) ***The check-in time corresponds to the moment at which the co-driver shows their time card to the marshal through the side window (RRSR Art. 44.1 & 44.2.4).***
- c) *The appropriate marshal will then enter the actual time at which the card was shown on the timing tablet and write it on the check sheet (RRSR Art. 44.2.5).*

The marshal in charge explains, that the co-driver of car # 49 was showing him the time card at 16:46:50 and consequently he entered 16:46 in his control list. The correct clock-in time for car no 49 should have been 16.47. The marshal immediately informed the Clerk of the Course by phone.

The co-driver explained that he showed 7 fingers to indicate his due clock-in time of 16.47. He denied showing the time card to the time control personnel.

The Clerk of the Course added that the TC marshal is since 20 years ago in motorsport, thus he has a lot of experience. He also was the marshal of the year in the Latvian Motorsport Federation.

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In this case, it is testimony against testimony, and it is therefore difficult to make the right decision. In the end, the 20 years of experience of the TC marshals tipped the scales in favour of rejecting the protest.

The protester could not sufficiently demonstrate that the procedure at the time control was incorrect. It is the protester who must prove that the correct procedure has not been followed. The protester has the right and the obligation to provide evidence. In the present case, the Stewards conclude that there is no evidence to support his claims.

All parties concerned are reminded that they have the 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.

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

Tomas KUNC (CZE)
FIA Steward

Arnas PALIUKENAS
ASN Steward

Received by the Competitor:	
Name (in block letters):	<u>Tolpa Ozakinci</u>
Position within the team:	<u>Team Manager</u>
Signature:	<u>[Signature]</u>
Date: <u>03.07.21</u>	Time: <u>22:42</u>

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Decision is accepted. We will not appeal the decision