

Rally Liepaja

30th June – 3rd July 2021



Date:	Saturday, 3rd July 2021	Time (decision):	17.00 hrs
Subject:	DECISION No. 21	Document No.:	2.24
From:	The Stewards		
To:	Competitor car no 16 Name: Printsport Crew : Ole Christian VEIBY / Jonas ANDERSSON		
Number of pages: 2		Attachments:	1

The Stewards have received a report with pictures from the FIA Technical Delegate (Doc. No. 6.7, attached). The Stewards, summoned, heard the team representative Mr. Eero Raikkonen, have considered the matter, determine the following:

Facts: The measurement of the rear wing position shows a dimension for the height of 435 mm and the lateral support of the rear wing is modified

Offence: Breach of Appendix J Art. 261.02-02 of the Code

Decision: **Disqualification**

Reason: The scrutineers measured the position of the rear wing in the overnight parc fermé and found the dimension from the trunk deck to the upper part of the rear wing with 435 mm. The Homologation form A-5766 extension no. 28/09 ER shows a dimension of 441 mm with a tolerance of +/- 1%. In concrete terms, this means that the dimension must be between 437.6 and 445.4 mm. Thus, the position of the rear wing is 2,6 mm to low. In addition, the rear wing lateral support shows extra holes, which are not in the homologated part (A-5766 01/01 VR5).

According to the Appendix J, all the parts homologated on the VRa2 form must be used in their entirety. These parts must not be modified.

The FIA Technical Delegate made the team aware of the wrong dimension already in Technical Zone 6B and asked them to adjust the rear wing. After these Technical Zone the competitor could have a Flexible Service of 45 minutes.

The team representative, Mr. Raikkonen, admitted that the holes are a modification of the rear wing. He thinks it was necessary to bring the rear wing in the correct position.

Recalling that Article 1.3.3 of the International Sporting Code expressly provides that "*it shall be no defence to claim that no performance advantage was obtained*". Also, according to Art. 12.1.2 of the Code offences or infringements are punishable, whether they were committed intentionally or through negligence. In case of a breach of the obligation of compliance, a competitor's responsibility is causal. A sanction must be pronounced against it even in the absence of fault, and this sanction is, in principle, disqualification according to the jurisprudence in the past.

Nevertheless, the International Court of Appeal has already deemed in the past that in "exceptional circumstances", the objective responsibility of a competitor for a case of non-compliance of its car can lead to a less severe sanction than disqualification.

The Stewards conclude that, in view of the clear provisions of the relevant regulations, it was indeed up to the Competitor to ensure that the rear wing was compliant. They cannot see any exceptional circumstances in this matter. For the Stewards, it is obvious

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that a rear wing that is set as flat as possible is advantageous for the fast special stages in this event.

The Stewards decided in application of Art. 11.9.1; Art. 11.9.3.a and Art. 11.9.3.g of the 2021 International Sporting Code.

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):

FERD RAIKUNEN

Position within the team:

MANAGER

Signature:

Date: 3.7.2021

Time: 17:22

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