

ROUND 8 : VALENCIA 24-26/09/2021

STEWARDS' DECISION N°9

From The Stewards
To Competitor and driver car 43
Race Director, Clerk of the Course, Timekeeping

The Stewards,

- having received a protest on the 16th of September 2021, with appropriate fee from Competitor MP Motorsport regarding the Final Results, subject to appeal, of Race 2 of the Formula Regional European Championship by Alpine event which took place in Red Bull Ring (10-12 September 2021)
- having communicated in the Stewards Communication 1 (referring to Red Bull Ring event) on the 18th of September that, according to article 11.9.3.t of the International Sporting Code, they delegate their authority to the subsequent panel of stewards of the subsequent Event for the same Championship in Valencia (Spain).
- According to the preliminary hearing (24 September at 16:00) in which the matter was raised as to the authority and jurisdiction of the Panel
- After receiving confirmation from the Austrian National Sporting Authority (NSA, Austria Motorsport), in which it delegates its authority and jurisdiction from Mr Günther Kremel (AMF-Steward at Red Bull Ring, 10-12 09 2021) to Mr Jose Vincente Bernat (appointed as national Steward at Valencia Circuit, 24-26 09 2021), for the Formula Regional European Championship by Alpine (according to art 11.9.3.t ISC). The new Stewards panel is made up of Matteo Perini, Steve Stringwell (both also present at Red Bull Ring) and Jose Vincente Bernat as national steward.
- having summoned and heard the Competitor MP MOTORSPORT team manager, Mr Sander Dorsman (by video call as requested by competitor) on the 25th of September 2021 at 11.30.

have considered the following matter, and determine the following:

Decision:

- The protest is not admissible
- The protest is rejected
- The protest deposit is forfeited

Reason:

The "Provisional results" of race 2 was posted at 13:26 of 12 September 2021 and no protest was lodged within the time limit.

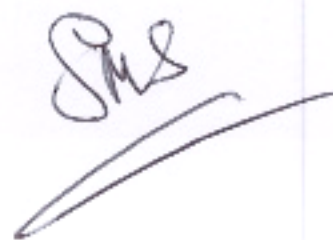
Following the report of the race director (doc 22) received at 12:38 on 12 September 2021 the stewards decided that a new investigation became necessary after the race (decision 12 posted at 18:21) and therefore the results of Race 2 remain provisional.

The Stewards did not receive any intention of appeal against decision 12.

At the end of the investigations, the Stewards imposed a series of penalties (with specific decisions) which were published on 15 September 2021.

Against decision n° 29 and decision n° 33 the Competitor MP Motorsport announced his intention to appeal.

Following this, the Final Classification was drawn up with the application of all penalties (as required by articles 12.3.3.b and 12.3.4 of the International Sporting Code), declared "Subject to Appeal", signed by the Stewards and posted on the notice board at 12:50 of 16 September 2021.



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At 13:12 of 16 September 2021 a Protest was received against the Final Results and the Competitor contests that "Our driver Franco Colapinto with Argentina license 12415721 (Car No. 43) must not be classified as number 4 in Race 2. Our Driver is the winner of that race as he crossed the Finish Line first. He must be classified as number 1".

During the hearings on the 24th and 25th of September 2021, the Stewards received a document from Competitor MP MOTORSPORT concerning the protest with a series of points and reasons that which were noted and discussed by the Stewards.

Having considered the matter extensively, the Stewards determined that:

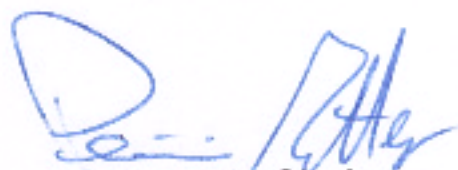
- It is not admissible to present a protest against "Final Classification" while it is admissible only against "Provisional Classification". This refers to article 13.2.1 of the International Sporting Code "A protest can be filed against: (...) the Classification established at the end of the Competition" and article 13.3.7 of the International Sporting Code "Classification established at the end of the Competition (...) No later than thirty minutes after the publication of the Provisional Classification (...)"
- The "Final Classification" has been drawn up in line with the provisions of the FIA International Sporting Code, with the inclusion of all the penalties decided by the Stewards that are immediately binding (art 12.3.3 of the FIA International Sporting Code).
- Furthermore, the "Final Classification" of Race 2 was signed by the Stewards with mention "Subject to appeal", and the penalty cannot be "suspended" as it refers to the cases mentioned in the article 12.3.3.a of the FIA International Sporting Code, "The decision of the stewards becomes immediately binding even in the event of an appeal, if it concerns a decision that is not subject to appeal pursuant to Article 12.3.4 below (...)" (article 13.3.3.b of FIA Code) and "Certain decisions are not subject to appeal. These include decisions to impose (...) other penalties as specified in the applicable sporting regulations as not being susceptible to appeal." (article 12.3.4 of FIA Code)
- In any case, in accordance with article 12.3.3.a of the FIA International Sporting Code "The rights of the Competitor and of the Driver will be re-established if they win their appeals before the appeal courts, unless this is not possible due to the passage of time."

Competitors 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 15 of the FRECA Sporting Regulation, within the applicable time limits.

Date: 25th of September 2021

Time: 17:30

The Stewards



Stewards Chairman
Matteo PERINI



International Steward
Steve STRINGWELL



National Steward
Jose Vicente BERNAT

Notified to the Competitors through by e-mail as official sending procedure
Notice board :

Ground floor of Control Tower, Circuit de Valencia
<https://formularegionaleubyalpine.com/corsa/valencia/>

and posted on notice board at (Date) 25/09/2021 (Time) 17:40