



FEDERATION INTERNATIONALE DE L'AUTOMOBILE

## STEWARDS' DECISIONS

### **2023 GUIDELINES ON THE ELEMENTS OF PROCEDURE TO BE TAKEN INTO ACCOUNT**

The present note is intended to facilitate and standardise the various procedures followed by the stewards. This note answers a certain number of questions that are frequently raised, in particular regarding the stewards' exercising of their remit.

Under no circumstances does this note modify the existing regulations. **Neither this note nor any of the information it contains has regulatory force**, and it is intended exclusively for the purpose of reiterating certain principles resulting from the application of the FIA International Sporting Code (hereinafter designated "ISC").

This note may under no circumstances be quoted directly within the context of a decision taken by the panel of stewards on the site of a Competition.

#### **INTRODUCTION**

The success of any Competition relies upon stewards using their judgment and discretion in an open and fair manner when applying the ISC and the applicable sporting and technical regulations. Very few of the situations, incidents and technical infringements brought before the stewards for decision are black or white. In general, competitors will accept the outcome if they have confidence in the decision-making process. Even good decisions which are not seen to be taken in fair and open manner might be appealed. Consequently, stewards should be firm, independent and must avoid any perception of being "high handed". There is every reason therefore to apply the highest standards of transparency and care when taking decisions.

Stewards should use their good judgement to avoid appearing partial, for example by regularly accepting hospitality from competitors. They should act at all times in a manner that commands respect for the very important position they hold on behalf of the FIA or of the ASN.

Stewards are not "the police" – they are "the judges". In the event of infringements, the race director or clerk of the course will report to the stewards, although the stewards may also ask the race director or clerk of the course for a report about any potential infringements that they may have identified.

#### **1. STEWARDS**

##### **1.1 SCOPE OF THE STEWARDS' REMIT**

According to Article 11.9 of the ISC, the stewards:

- *"have supreme authority for the enforcement of the Code, of the regulations of the FIA if appropriate, of national and Supplementary Regulations and of Official Programmes within the framework of the Event for which they are appointed<sup>1</sup>, subject to the application of the provisions of Articles 11.9.3.w [decision taken after an Event] and 14.1 [right of review]", and*
- *can in particular "decide what penalty to enforce in the event of a breach of the regulations".*

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<sup>1</sup> They may also rule on any alleged breach of the applicable regulations which occurred outside the framework of any Event, provided that the Event for which they are appointed immediately follows the discovery of this alleged breach (Article 11.9.2.b of the ISC).

The supreme authority of the stewards for the application of any penalty<sup>2</sup> or any sanction<sup>3</sup> (as provided for by Article 11.9 of the ISC) has been confirmed on various occasions by the FIA International Court of Appeal.

### **1.2 DUTY OF CONFIDENTIALITY**

When a decision is taken and published, stewards should not discuss or comment on it with drivers, team managers, team principals or the press.

A stewards' decision should always be taken from an independent and objective standpoint based upon all of the available information. The chairman of the panel of the stewards will make all necessary comments when the decision is communicated to the team.

### **1.3 CONFLICT OF INTERESTS**

Before performing any functions, stewards should identify to the chairman of the panel of the stewards any fact or circumstance which may be perceived by any competitor or external party as potentially giving rise to a conflict of interest.

No official, in particular stewards<sup>4</sup>, race directors, clerks of the course, scrutineers (and, where appropriate, the technical delegates), secretaries of the event and chief timekeepers shall have, or appear to have, financial or personal interests that may detract from his ability to perform his duties with integrity and in an independent and diligent manner<sup>5</sup>.

## **2. PROTESTS**

During a Competition, within the time limits provided for by Article 13.3 of the ISC, a protest can be filed by a competitor against:

- the entry of a competitor or driver<sup>6</sup>,
- the length of the course,
- a handicap,
- the make-up of a heat or final,
- any alleged error, irregularity or breach of the regulations occurring during a Competition,
- the alleged non-compliance of automobiles with the regulations, or
- the classification established at the end of the Competition<sup>7</sup>.

In accordance with Article 13.1 of the ISC, the right of protest lies only with a competitor. Joint protests lodged by several competitors are not permitted.

In accordance with Article 13.4.1 of the ISC:

- where multiple Competitors are concerned, a separate protest must be filed against each Competitor concerned.
- where multiple Automobiles of a same Competitor are concerned, a separate protest must be filed for each Automobile concerned.

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<sup>2</sup> A penalty is necessarily of an individual nature (which applies to an individual designated by name).

<sup>3</sup> A sanction can be of a collective nature and apply to all the competitors – or affect all of them – such as, for example, the decision to cancel the results of a race in order to restore sporting equity.

<sup>4</sup> When the duty is performed for the FIA within the framework of a Competition counting towards an FIA Championship, they must submit an "FIA Disclosure of Interests Form" to the Ethics Committee. Failing to do so will preclude the stewards from performing their mission for the FIA until their situation is regularised (Article 2.2.4.d of the FIA Code of Ethics).

<sup>5</sup> In accordance with Articles 11.5 of the ISC and 2.2 of the FIA Code of Ethics

<sup>6</sup> In order to determine whether a competitor or driver is subject to an international suspension (Article 12.13.2 of the ISC): <http://www.fia.com/regulation/category/123>

<sup>7</sup> The ability to protest the Provisional Classification should not be used by a Competitor in a manner as to circumvent the regulations e.g. where certain penalties are not subject to appeal (see item 7.2.4 below).

Any protest must:

- be in writing,
- specify the relevant regulations, the concerns of the protesting party, and against whom the protest is lodged, when relevant,
- be addressed to the chairman of the stewards,
- be delivered to the clerk of the course or their assistant (if such exists), or in their absence, to the chairman of the stewards,
- be accompanied by a deposit.

Receipt of the protest must be acknowledged in writing, with the time of receipt noted.

Contrary to disqualified competitors, retired competitors should still have the right to protest.

Please do not hesitate to use Appendix 1 (protest checklist) if necessary.

### **3. SUMMONS AND HEARING**

#### **3.1 SUMMONS**

##### **3.1.1 General principles**

Details which should appear on the summons:

- ⇒ the date and time of the summons
- ⇒ the name of the competitor / driver required to attend
- ⇒ if possible, the competitor / driver who has allegedly breached the applicable regulations
- ⇒ the place and time of the hearing
- ⇒ the grounds for the summons (alleged facts)
- ⇒ if possible, the provisions of the sporting and/or technical regulations which have allegedly been breached
- ⇒ the signature of all the stewards (as far as possible)

See Appendix 2 (summons template).

The summons must imperatively indicate where and when the hearing will take place (a reasonable time frame should be respected) and the alleged breach (the word "alleged" must imperatively appear on the summons).

The reason for which the competitor concerned is being summoned must be indicated in as much detail as possible so as to allow the competitor/driver concerned to prepare his defence.

In order to guarantee the respect of the rights of the defence, the stewards must ensure that the summons has been personally received by all parties concerned. Regardless of the format chosen by the officials for the summons (formatted document or simple email), it must be possible to prove that the competitor concerned received it.

In the event of failure to reply to a summons, the panel should, as far as possible, reissue the said summons and ensure that it is correctly delivered to the addressee in person or to his representative.

Article 12.4.4 of the ISC obliges the stewards to summon the parties concerned to allow them to present their defence in person, when it is a case of imposing a disqualification or a suspension. However, to avoid any contention that might constitute a technicality in the procedure, it is **strongly recommended** that the stewards proceed with the hearing of the party concerned regardless of the sanction envisaged.

##### **3.1.2 Summons further to a protest**

By virtue of Article 13.6 of the ISC, any person registering a protest, and any person against whom that protest has been made, must be heard. The parties concerned must therefore be summoned.

Where a competitor files several protests against the same competitor, subject to the agreement of the parties concerned, such protests may be heard concurrently and a single document/template can be used to notify the decisions<sup>8</sup>.

If a protest is not admissible, that does not exempt the stewards from taking a decision (whereby they formally declare that the protest is not admissible and give the grounds for their decision).

### **3.2 HEARING**

When several parties are involved, it is recommended that they be heard together so that the viewpoints of each party may be compared. In the event of inappropriate behaviour during a hearing, the officials must inform the parties that sanctions may be imposed as a result of such behaviour.

## **4. DECISIONS**

### **4.1 DETAILS WHICH MUST IMPERATIVELY APPEAR ON THE DECISIONS**

- ⇒ the date of the decision
- ⇒ the time of publication of the decision
- ⇒ the name of the competitor / driver concerned
- ⇒ the fact that the party (or parties) concerned has been summoned
- ⇒ the fact that the party (or parties) concerned has been heard by the stewards
- ⇒ the reference to another official's report (if any)
- ⇒ **the fact(s) of the matter** (precise description)
- ⇒ **the provisions of the sporting and/or technical regulations which have been breached**
- ⇒ **the grounds for the decision**, whether it concerns liability for misdeed or negligence or objective liability (without misdeed)
- ⇒ the penalty (if any)
- ⇒ the fact that the party has been reminded of his right to appeal
- ⇒ the time of the decision
- ⇒ the signature of all the stewards

See Appendix 3 (decision template).

Grounds: stewards must provide the grounds for their decisions, in order to enable all parties concerned to **understand the reasons of fact and in law** that led them to take the decision. Statement of the grounds is an essential condition for the decision to be considered valid. The explanation for the decision should be obvious from the wording of the reasons.

Breach: any decision to impose a sanction must be **expressly founded on a specific clause of the regulations**, as stipulated and defined by the regulations in question, and by those regulations only, to the exclusion of any other criterion, definition, or notion unforeseen by those regulations. For example, an "incident" is defined in the regulations of certain FIA Championships as "any occurrence or series of occurrences (...) which caused a collision". Any other reference to this situation that consists in adding a criterion or a nature not foreseen by the text of the regulations (such as "avoidable collision", "dangerous collision, or "intentional collision") will be liable to cancellation, since it has no basis in the relevant regulations.

Report drawn up by another Official: although the stewards are under no obligation to make the said report available to the competitor at the time of the hearing, it is recommended / preferable to do so. The reports drawn up by the Race Directors and Technical Delegates (if any) should only contain factual matters. It is up to the stewards to decide if the rules have been breached. For technical data available to the stewards from complex and varied measuring devices, their interpretation requires a good understanding of the functioning of these devices and the way in which they must be used. To this end, it is essential to obtain clarifications from the officials concerned when they submit their report and it would be desirable to ask them questions prior to the Competition.

Inadmissible protests: see item 3.1.2 above (a decision is required).

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<sup>8</sup> See Document\*20, 2018 Abu Dhabi Grand Prix (Haas F1 Team Protest) available at [www.fia.com](http://www.fia.com).

Protests heard concurrently: see 3.1.2 above (a single document/template can be used to notify the decisions).

Signatures of the stewards: the decision must bear the signatures of all the members of the panel of stewards serving at the Competition concerned.

#### **4.2 CONSISTENCY OF THE DECISIONS AND PROPORTIONALITY OF THE SANCTION**

Penalties for similar offences should be consistent<sup>9</sup>.

In many cases, registers listing decisions and penalties imposed during the course of a season (or even several seasons) are available. For FIA Championships, please contact the FIA Sporting Departments to find out if such a register exists.

Reminder: the circumstances of the case (e.g. mitigating/aggravating factors) must always be taken into account (proportionality of the sanction).

#### **4.3 USE OF VIDEO SYSTEMS**

Reminder of Articles 11.9.3.e and 11.9.3.x of the ISC:

*“11.9.3.e (...) the stewards may overrule judges of fact. (...)*

*11.9.3.x The stewards may use any video or electronic systems to assist them in reaching a decision.”*

It results from these clauses that the stewards may rely on their own findings and interpretation rather than those of the judges of fact, in particular when the above-mentioned video or electronic systems show them evidence that allows them to act thus.

For an optimal interpretation of images, the type of camera used (image quality, existence of a zoom) and its location (perspectives, viewing angles) should always be taken into account. When a camera operator is on-site, it could be useful to ask him questions or advise him (positioning of the cameras).

#### **4.4 NOTIFICATION AND PUBLICATION OF THE DECISIONS**

##### **4.4.1 During the Competition**

The notification must be:

- ⇒ handed **to the competitor in person** with acknowledgement of receipt (the stewards must be able to prove that this notification has indeed taken place, with the prospect of an appeal), and
- ⇒ **posted on the official/digital notice board**, thereby enabling competitors to formulate an intention to appeal within the applicable time limit.

In accordance with Article 11.9.4 of the ISC, all classifications and results, as well as all decisions issued by the officials, will be posted on the official notice board along with the time of publication, or on the digital notice board (if any). If posted on both the official and digital notice boards, the time of publication on the official notice board shall take precedence.

As far as possible, the stewards should use an official centralised and synchronised timekeeping system to guarantee to the competitors that the times of receipt and publication are duly recorded, the competitors always having the possibility of expressing reservations or protests regarding the times recorded by the stewards' panel.

##### **4.4.2 After the Competition**

When a decision has to be made after a Competition (following, for example, a technical inspection – see below) all of the principles and rules of procedure cited above must be applied. In particular, in order to

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<sup>9</sup> As an example, disqualification is the usual sanction regarding cars that are non-compliant with the Technical Regulations.

respect the rights of the defence, the competitor should be given the opportunity to be heard, following a written summons.

This summons must in particular indicate the place, the date and the time of the stewards' new hearing, which may be convened, if applicable, on the site of one of the subsequent Events of the Championship concerned in accordance with Article 11.9.3.w of the ISC<sup>10</sup>.

The stewards' decision, which must be notified in writing by any available means (email, etc.) to the parties concerned, with a request for confirmation of receipt (in order to start the clock for the appeal time limit), must also bear the signatures of all the members of the panel of stewards serving at the Competition concerned.

#### **4.4.3 Scrutineering of a vehicle**

Following the specific recommendation given to them by the Technical Delegate (if any, or otherwise by the scrutineers), the stewards may order one of the following two measures to be taken:

- either the removal of the part in question, which will be placed under seal; or
- the placing of the vehicle under seal if, for inspection reasons, the part in question must remain attached to the vehicle.

When placing under seal, or more generally a technical inspection, is necessary, the stewards must take a decision, if only a token one consisting in ordering the deferral of the decision until the evaluation has been carried out. This decision prior to judgment will fix the date, time and place of the meeting during which the panel will give a definitive decision after hearing the competitor or competitors concerned. When it is not possible to place under seal for practical reasons, alternative solutions may be considered in consultation with the party concerned and the Technical Delegate (if any, or otherwise the scrutineers) (for example photos, measurements, etc. recorded in a file, each page of which is signed by the party concerned and by the Technical Delegate (if any, or otherwise by the scrutineers)).

If a car does not comply with the applicable technical regulations, it shall be no defence to claim that no performance advantage was obtained.

FIA Championships: it is the responsibility of the party concerned to prove that the car complies with Appendix J to the ISC (objective liability).

## **5. CLASSIFICATIONS**

Final and Provisional Classifications are defined as follows in Article 20 of the ISC:

***"Final Classification:** results signed by the stewards and published upon completion of the scrutineering and/or all stewards' decisions (in the event of an appeal or of subsequent technical checks, a caveat can be added)."*

***"Provisional Classification:** results published after the end of the session or Competition concerned. This classification may be revised following a decision of the stewards."*

### Protests against the Provisional Classification

In accordance with Article 13.3 of the ISC, any protest against:

- any alleged error, irregularity or breach of the regulations occurring during a Competition,
- the alleged non-compliance of Automobiles with the regulations,

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<sup>10</sup> Article 15.4.2.b of the ISC provides that: *"In the case of a decision taken pursuant to Article 11.9.3.w or 14.1 [right of review] (...) or in circumstances where the stewards consider that compliance with the one-hour deadline would be impossible, the latter may set a different time limit for the notification of the intention to appeal. This time limit shall then be set down in writing in their decision and shall not exceed 24 hours following the publication of the decision. The time limit for bringing an appeal to an ASN and the payment of the appeal deposit shall be deferred accordingly."* (see also item 7.2.1 below).

- the classification established at the end of the Competition,

must be filed no later than 30 minutes after the publication of the Provisional Classification, except in circumstances where the stewards consider that compliance with the 30-minute deadline would be impossible or unless specified otherwise in the applicable sporting regulations or Supplementary Regulations.

See also item 2 above.

The total number of points scored by each driver (and, where appropriate, co-driver, team and manufacturer) at the end of the Competition must appear on or with the Final Classification signed by the stewards, unless otherwise specified in the sporting or Supplementary regulations.

## **6. SUSPENDED PENALTIES**

1. Suspension of a penalty by the stewards is authorised in accordance with Article 12.4.6 and 11.9.3.g of the ISC.
2. A penalty may be fully or partly suspended.
3. Any suspension must be for a specified period which can be time-based or a number of events. Unless exceptional circumstances, the duration of the suspension of a penalty should not exceed one Championship season or 12 months, whichever is the longer.
4. A penalty may only be suspended by the panel of stewards that imposed that penalty.
5. It must be clearly stated in the decision which grants the suspension, what the condition of triggering the suspended penalty would be.
6. The reasons for the suspending of a penalty should be stated in the stewards' decision (see Appendix 4).

For subsequent Competitions (counting towards the same Championship or series):

7. The stewards of any subsequent Competition at which a suspension has been triggered shall have full discretion to deal with the consequences of such a triggering offence.
8. Where the stewards of a subsequent Competition consider that a condition of the suspension may have been triggered it is entirely at their discretion to determine the matter without any reference to the prior panel of stewards.
9. The stewards dealing with a suspension that has been triggered shall, having regard for all the relevant circumstances, in addition to any penalty that they may have imposed for the contravention that triggered the suspended penalty;
  - a. Decide to invoke the penalty that has been suspended, or the part of a penalty that has been suspended; or
  - b. Decide not to invoke such a penalty and in such cases, the suspension shall remain in force until it expires.
10. A decision in relation to the suspended penalty, its triggering and any subsequent invoking of a suspended penalty should be included in the stewards' decision on the contravention that triggered the suspended penalty. Full reasons for either invoking or not invoking a suspended penalty should be included.

## **7. SUSPENSIONS (CLARIFICATION)**

- Licence suspensions may only be pronounced by the ASNs;
- Super Licence suspensions are pronounced by the FIA;
- Provisional suspensions (as defined in Article 12.11 of the ISC) can be pronounced by the FIA;
- Prohibitions to take part in a Competition can be pronounced by the stewards concerned at that Competition;
- Prohibitions to take part in one or more Competitions counting for an FIA Championships, cups, challenges, trophies or series can be pronounced by the FIA stewards during a Competition;
- Suspensions may be pronounced by the stewards in case of an infringement of Appendix C.

For more details, please see Appendix 8.

## **8. STEWARDS' REPORTS TO ASNs OR FIA (FURTHER SANCTIONS)**

Except for FIA Championship Events, the stewards may, in accordance with Article 11.8.4 of the ISC, include in their closing report to the ASN<sup>11</sup> particulars of all protests lodged and disqualifications they may have made with their recommendations as to any decisions which may have to be taken for a suspension or an exclusion.

Furthermore, upon the joint report<sup>12</sup> of the two FIA international stewards (notably) and in accordance with Article 12.3.5 of the ISC, the prosecuting body of the FIA may bring a matter before the International Tribunal (except for matters described under Article 11.9.6 of the ISC) to have it directly inflict one or more penalties which will take the place of any penalty which the stewards may have pronounced on any one of the above-mentioned parties.

## **9. RIGHT OF REVIEW**

In accordance with Article 14 of the ISC, if, in Competitions forming part of an FIA Championship, cup, trophy, challenge or series, or of an international series, a **significant and relevant new element** is discovered which was **unavailable to the parties seeking the review at the time of the decision concerned**, the stewards who have given a ruling or, failing this, those designated by the FIA, may decide to re-examine their decision following a petition for review by:

- either one of the parties concerned and/or a party that is directly affected by the decision handed down, or
- the Secretary General for Sport of the FIA.

The stewards must meet (in person or by other means) on a date agreed amongst themselves, summoning the party or parties concerned to hear any relevant explanations and to judge in the light of the facts and elements brought before them.

A review has no suspensive effect on the execution of the original decision of the stewards when they have given a ruling.

The period during which a petition for review may be brought expires **14 calendar days**<sup>13</sup> after the end of the Competition concerned.

The stewards shall have the sole discretion to determine if a **significant and relevant new element exists**. The decision of the stewards as to whether or not such an element exists is not subject to appeal before the national court of appeal or the International Court of Appeal. See Appendix 5 (decision template for petitions for review).

## **10. APPEALS**

### **10.1 COMPETENCE OF THE NATIONAL COURTS OF APPEAL (NCA) / INTERNATIONAL COURT OF APPEAL (ICA)**

The division of competences between the NCAs and the ICA (see Appendix 6) can be summarised as follows:

- Exclusive competence of the NCAs to definitively hear appeals lodged against decisions of the stewards within the framework of the various National Championships.
- The ICA hears i) appeals against decisions of the NCAs within the framework of FIA zone Championships, and ii) appeals lodged by any licence-holder against decisions of the NCAs within the framework of, international series and Competitions run over several territories.
- Exclusive competence of the ICA to hear appeals against decisions of the stewards within the framework of any FIA Championship, cup, trophy, challenge or series.

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<sup>11</sup> International series: closing report to be sent to the Parent ASN of the series / Competitions organised in accordance with Article 2.4.4.c or 2.4.4.e of the Code: closing report to be sent to the ASN organising the National Championship.

<sup>12</sup> This report should be sent to the FIA Secretary General for Sport.

<sup>13</sup> Within the framework of an FIA Championship, cup, trophy, challenge or series, a petition for review may not, in any event, be brought less than **4 calendar days** prior to the date of the FIA prize-giving ceremony concerned.



Article 15 of the ISC specifies in a table which appeal court is competent depending on the Competition concerned.

**10.2 PRINCIPLES APPLYING TO BOTH NATIONAL AND INTERNATIONAL APPEAL PROCEDURES**

**10.2.1 Time limits**

**Notification of the intention to appeal:** the competitor has a period of one hour, following publication of the decision, within which to notify the stewards in writing of his intention to appeal. The stewards must ensure that this **time limit starts from the moment the decision is published** (posting of the decision) and, in order to respect the equality of chances between competitors, must take into account all intentions to appeal, whether or not they were notified within the time limit, with no exceptions. **The admissibility of any intention to appeal, once it has been formulated by the competitor concerned, is a matter exclusively for the sovereign competence of the NCA/ICA.**

Extension of the one-hour deadline: the stewards may set a different time limit for the notification of the intention to appeal **in circumstances where they consider that compliance with the one-hour deadline would be impossible** or in the case of a decision taken pursuant to Article 11.9.3.w (see item 4.4.2 above) or Article 14 of the ISC (see item 6 above), in accordance with Article 15.4.2.b of the ISC and Article 10.1.1.d) of the FIA Judicial and Disciplinary Rules. This time limit must be set down in writing in their decision and shall not exceed 24 hours following the publication of the decision. The time limit for bringing the appeal shall be deferred accordingly.

**Notification of the appeal:** the right to bring an appeal expires 96 hours from the moment the stewards are notified of the intention to appeal.

**Appeal deposit:** this deposit must be paid within 96 hours counting from the moment the stewards are notified of the intention to appeal. It is therefore not obligatory for a competitor who wishes to appeal to pay the deposit at the moment of formulating the intention to appeal.

**10.2.2 Receipt of decisions and forms**

The panel of stewards must certify that it has received notification of the competitor's intention to appeal, indicating the date, the time, and the signature of the person concerned.

**10.2.3 Principle of the suspensive effect of an appeal**

In application of Article 12.3.3.b of the ISC, appeals against the stewards' decisions cannot have a suspensive effect if it concerns a decision that is not subject to appeal pursuant to Article 12.3.4 of the ISC or if it concerns:

- issues where the suspensive effect is likely to cause further or ongoing safety issue, including but not limited to matters of Automobile safety;
- any breach of Appendix C;
- any breach of Appendix S;
- any breach of Articles 12.2.1.b, 12.2.1.c, 12.2.1.e and 12.2.1.h or any equivalent national regulations,
- irregularity of entry by a competitor,
- questions in connection with advertising on Automobiles (Article 10.6 of the ISC), or
- in the event of a repeated offence justifying disqualification.

In these situations, the execution of the decision occurs immediately, even if an appeal is formulated.

For all other cases, the appeal has a suspensive effect on the sanction.

The suspension of the sanction does not, however, allow the competitor and the driver to appear in the Final Classification published at the end of the Competition without the sanction being taken into account, nor be involved, if applicable, in the prize-giving or podium procedure.

#### **10.2.4 Decisions not susceptible to appeal**

By virtue of Article 12.3.4 of the ISC, decisions to impose:

- a drive-through penalty or a stop and go penalty, whether applied during or after the race (in the form of a time penalty), or
- other penalties, as specified in the applicable sporting regulations as not being susceptible to appeal (the provision must not be ambiguous and must specify the case in which an appeal is not authorised),

are not subject to appeal.

#### **10.2.4 Possibility to deny a suspensive effect due to a late submission of the intention to appeal**

The stewards will have the possibility to deny the suspensive effect of a penalty when the intention to appeal is submitted outside of the applicable deadline (see item 10.2.1 above).

**The decision of the stewards as to whether or not the penalty should be suspended is not subject to appeal before the national court of appeal or the international court of appeal** (please see Appendix 9).

### **10.3 PROCEDURE TO BE FOLLOWED IN CASE OF AN APPEAL BEFORE THE ICA**

#### **10.3.1 FIA Judicial and Disciplinary Rules (JDR)**

The JDR organise the appellate and disciplinary function within the FIA and establish its operating rules.

All the following items pertaining to the proceedings before the ICA can be found in Article 10, Chapter 4, of the JDR:

- Submission of a case to the ICA (notification of an appeal, payment of the deposit)
- Withdrawal of an appeal
- Time limits for notifying an appeal
- Parties
- Calendar of proceedings
- Grounds
- Directions with respect to the conduct of the case
- Hearings before of the ICA
- Decision of the ICA

The Secretariat of the International Court of Appeal has published a set of "**Practice Directions**" (no regulatory value) to assist parties and their legal representatives in cases before the ICA and to answer a number of commonly arising questions. It is strongly recommended that **all participants in cases before the Court should study these in advance** of making written submissions or attending hearings.

Decision taken within the framework of an FIA Championship, cup, trophy, challenge or series: please feel free to provide a copy of Appendix 7 to any Competitor notifying its intention to appeal against a stewards' decision.

**Amount of the appeal deposit:** subject to the following, the amount of the appeal deposit is €6,000.

#### **FIA Championships and World Cups**

- **€6,000** for the four type of appeals mentioned in Article 9.1 JDR;
- **€3,000** for the appeals against decisions of the stewards in the context of the FIA Championships, Cups, Trophies, Challenges or Series without the term "World" in their title.

The JDR and the Practice Directions are available at:

<https://www.fia.com/international-court-appeal>

Contact details of the General Secretariat of the FIA Courts:

8, Place de la Concorde, 75008 Paris – France / [secgen.courts@fia.com](mailto:secgen.courts@fia.com) and [admin.courts@fia.com](mailto:admin.courts@fia.com)

### 10.3.2 Transmission of the documentation to the FIA

When the competitor decides to formulate his intention to appeal within the hour following the publication of the stewards' decision, it is important that the panel of stewards makes sure that any document linked to the contested decision is forwarded, by any appropriate means, within the 24 hours following the decision, to the FIA Governance, Integrity & Regulatory Affairs Department which is in charge of submitting the Grounds in Response of the FIA to the ICA ([integrity-regulatory@fia.com](mailto:integrity-regulatory@fia.com)).

### 10.4 PROCEDURE TO BE FOLLOWED IN CASE OF AN APPEAL BEFORE AN NCA

Please refer to Articles 15.3 to 15.9 of the ISC and to the regulations of the ASN / NCA concerned.

## 11. STEWARDS PENALTY GUIDELINES

FIA Regulation breached	1 <sup>st</sup> offence	2 <sup>nd</sup> offence*	3 <sup>rd</sup> offence*
<b>Article 12.2.1.f ISC:</b> Any words, deeds or writings that have caused moral injury or loss to the FIA, its bodies, its members or its executive officers, and more generally on the interest of motor sport and on the values defended by the FIA:	€10,000	€20,000 plus 1-month suspension – which is suspended	€30,000 plus 1-month suspension
<b>Article 12.2.1.k ISC:</b> Any Misconduct towards, but not limited to: • licence-holders, • officials, • officers or member of the staff of the FIA, • members of the staff of the Organiser or promoter, • members of the staff of the Competitors, • suppliers of products or services to (or contractors or subcontractors to) any of the parties listed above; • doping control officials or any other person involved in a doping control carried out in accordance with Appendix A.	€10,000	€20,000 plus 1-month suspension – which is suspended	€30,000 plus 1-month suspension
<b>Article 12.2.1.n ISC:</b> The general making and display of political, religious and personal statements or comments notably in violation of the general principle of neutrality promoted by the FIA under its Statutes, unless previously approved in writing by the FIA for International Competitions, or by the relevant ASN for National Competitions within their jurisdiction	€10,000 plus public apology and repudiation of comments Fine may be suspended	€20,000 plus public apology and repudiation of comments plus 1 month suspension – which is suspended	€30,000 plus public apology and repudiation of comments plus 1 month suspension
<b>Article 12.2.1.o ISC:</b> Failure to comply with the instructions of the FIA regarding the appointment and participation of persons during official ceremonies at any Competition counting towards a FIA Championship.	€15,000	€30,000 plus suspension of access to Restricted Area(s) of event for next event	€45,000 plus suspension of access to Restricted Area(s) of event for 6 months.

\*Within 2-year period

#### Level of Competition and multiple applied to base fine

- Level 1 (International Series): Multiple of 1 (Article 12.2.2.1.o not applicable to International Series)
- Level 2 (FIA regional championships and FIA cups): Multiple of 2

- Level 3 (FIA World Championships, except FIA Formula 1 World Championship): Multiple of 3
- Level 4 (FIA Formula 1 World Championship): Multiple of 4

**Examples**

- Non-compliance with Art. 12.2.1.o ISC at F1 Competition (Level 4 Competition), 1<sup>st</sup> offence = 4 x €15'000 = €60'000
- Non-compliance with Art. 12.2.1.k ISC at WRC Competition (Level 3 Competition), 2<sup>nd</sup> offence = 3 x €20'000 = €60'000 + plus 1-month suspension – which is suspended.

Stewards retain the discretion to take into account any mitigating and/or aggravating circumstances so as to adapt the relevant penalty to the situation.

**12. GUIDANCE ON THE PRINCIPLE OF NEUTRALITY**

For over half a century (since 8 May 1970 – Article 2 of the FIA Statutes), the FIA has maintained the principle of neutrality as one of its guiding values. Like the International Olympic Committee and many other sport governing bodies, this principle is reflected in its core rules (Article 1.2 of the FIA Statutes), which sets out the FIA's commitment not to discriminate on account of race, skin colour, gender, sexual orientation, ethnic or social origin, language, religion, philosophical or political opinion, family situation, or disability.

Article 12.2.1.n has been included in the FIA International Sporting Code (ISC) to cement the FIA's longstanding commitment to protecting motor sport's neutrality. This provision makes the following a breach of the rule:

*“The general making and display of **political, religious and personal statements or comments** notably in **violation of the general principle of neutrality** promoted by the FIA under its Statutes, unless previously approved in writing by the FIA for International Competitions, or by the relevant ASN for National Competitions within their jurisdiction” [emphasis added].*

This note is intended to provide guidance to drivers and other participants (officials, teams, competitors, etc.) on the implementation of this principle during International Competitions.

**Why does this principle exist and what does it aim to achieve?**

The participants in International Competitions are part of a global community with different views, lifestyles and values. To ensure respect for this diversity, it is fundamental that motor sport remains neutral and thus separate from and free of political, religious, or personal interference.

The focus at any International Competition must remain on motor sport and on the performances of teams and drivers. It should not be used as a platform for individual advocacy.

This principle also aims to prevent participants from being placed in a position where they may be forced to take a public position on a particular domestic or international issue when they would prefer not to do so.

**Can participants express their own views?**

Yes. Participants can express their views on any political, religious or personal matter before, during and after the International Competition, in their own space, and outside the scope of the International Competition, for example:

- through their social media; or
- during interviews with accredited media (such as any TV or print media interviews,
- during the FIA press conference, only in response to direct questions from accredited journalists.

In addition, as explained below, on an exceptional and case-by-case basis, the FIA may authorise a participant to make a statement at an International Competition that would otherwise be prohibited by Article 12.2.1.n.

When expressing their views, participants are expected to respect applicable laws, the FIA's values, and all other participants. Any behaviour and/or expression that constitutes or signals discrimination, hatred, hostility, or the potential for violence is contrary to the FIA's values and will not be tolerated.

**When does Article 12.2.1.n apply?**

Participants are not permitted to make political, religious and/or personal statements in violation of the general principle of neutrality during:

- FIA press conferences (except in response to direct questions from accredited journalists);
- activities on the track (Course) area or equivalent (e.g., during the Drivers Parade and the national anthem); or
- pre-race / post-race procedures or equivalent (e.g., the podium ceremony, in the cool down room, or at the start- and end-of-season group photos).

**What constitutes “political”, “religious” or “personal”?**

It is the responsibility of the Stewards to determine, on a case-by-case basis, whether a statement or comment – whether in the form of an image, symbol, gesture, words, or actions – is in breach of Article 12.2.1.n of the ISC. To aid the Stewards in making such determinations, the FIA has prepared a non-exhaustive list of potential scenarios that could be prohibited under Article 12.2.1.n. However, this list is intended to be illustrative only, and Stewards will carefully assess the specific circumstances of each potential contravention when determining whether a breach of the rules has occurred.

**Illustrative examples**

It is likely that a participant has breached the ISC under Article 12.2.1.n if they make any unapproved statements or comments – whether in the form of an image, symbol, gesture, words, or actions – related to the following:

**➤ Political:**

- Any politically-associated or politically-sensitive person(s) living or dead (unless part of the official competition name).
- Any local, regional, national, or international political party/ organisation/group.
- Any local, regional, or national government or any of its departments, offices or functions.
- Any function or branch of government (e.g., any statement or comment regarding the police or military).
- Any reference (whether express or implied) to separatist movements (e.g., the display of a flag or symbol associated with an independence movement).
- Any organisation whose aims or actions: (i) conflict with the FIA’s values or Diversity and Inclusion mission; and/or (ii) include hostility, prejudice, or unlawful discrimination on the grounds set out in Article 1.2 of the FIA Statutes.
- Any reference to any totalitarian regime that justified mass killing (e.g., pro-Nazi chants).
- Any specific political act/ event.
- Any military conflict or political dispute between nations, regions, religions, or communities.
- Any specific ethnic or indigenous communities, or perceived discrimination by one community against another.

**➤ Religious:**

- A religion, spiritual practice, or related significant figure, except as indicated below.
- Anything critical of or hostile to others’ religious or spiritual beliefs.

N.B.:

- Private, non-proselytising religious gestures, such as pointing to the sky or crossing oneself, shall not be considered prohibited religious statements.
- Article 12.2.1.n will not be used to sanction individuals who display religious symbols or wear prescribed religious clothing/ornaments, unless they include prohibited statements or comments of the kind mentioned above.

**➤ Personal:**

- Any circumstance personal to the participant. Competitors must not use events as a platform to share personal statements of any kind in violation of the general principle of neutrality.

## PROTEST CHECKLIST

This document only consists in a working tool reserved for the use of the stewards when necessary. It must not be disclosed if completed. This checklist has no regulatory value and does not amend the FIA International Sporting Code (ISC) nor any other applicable rules in any way. In any event, please refer to Article 13 (protests) of the ISC.

- \_\_\_\_\_ 1. ***Chairman: sign and date the form, specifically including the time of receipt and give a copy to the competitor (Art. 13.5.4 of the ISC).***

Time received: \_\_\_\_\_ Time due: \_\_\_\_\_ Timely (YES or NO): \_\_\_\_\_

- \_\_\_\_\_ 2. ***Is the protest filed by a single Competitor against a single Competitor (Art. 13.1.1 to 13.1.3 and 13.7 of the ISC)? [N.B. contrary to disqualified competitors, retired competitors should still have the right to protest.]***

- \_\_\_\_\_ 3. ***Is the subject of the protest one allowed by the ISC (Art. 13.2.1)?***  
*[N.B. stewards' decisions can only be appealed and are not subject to protest.]*

- \_\_\_\_\_ 4. ***Is the protest inadmissible (e.g., protests against decisions by judges of fact in exercise of their duties will not be admitted (Art. 13.7 of the ISC))?***  
*[N.B. please note requirements in Art. 11.16.6 and 11.16.7 of the ISC with regard to judges of fact.]*

- \_\_\_\_\_ 5. ***Is the protest against a fact which is not susceptible to protest pursuant to the applicable Sporting Regulations (e.g. shortening of practice sessions(s))?***

- \_\_\_\_\_ 6. ***Has the protest been filed in a timely manner (Art. 13.3 of the ISC)?***

- \_\_\_\_\_ 7. ***Is the protest in writing, complete, and correct? Does it specify the relevant regulations, the concerns of the protesting party and against whom it is lodged (Art. 13.4.1 of the ISC)?***

- \_\_\_\_\_ 8. ***Do you fully understand the protest?***  
*If not, tell the protester what you do not understand and ask him/her to clarify in writing on the protest what he/she means.*

- \_\_\_\_\_ 9. ***Is the proper protest deposit attached (Art. 13.4.2 of the ISC)?***

- \_\_\_\_\_ 10. ***Chairman: order safeguarding of evidence, placing of vehicle components under seal or whatever is considered useful and necessary.***

- \_\_\_\_\_ 11. ***Chairman: notify Timing & Scoring to hold classifications or that classifications will be provisional (Art. 13.8.2 of the ISC).***

- \_\_\_\_\_ 12. ***Chairman: notify Organiser to ensure prizes are withheld until a decision is reached (Art. 13.8.1 of the ISC).***

- \_\_\_\_\_ 13. ***Chairman: establish time and place for hearing as soon as possible after the protest has been lodged (Art. 13.6.1 of the ISC).***

Time: \_\_\_\_\_ Place: \_\_\_\_\_

- \_\_\_\_\_ 14. **Chairman:** *summon the protester, the competitor against whom the protest is made, their witnesses (if any) and any other independent witnesses in writing, ensuring that the summons is personally received (Art. 13.6.2 and 13.6.3 of the ISC).*
- \_\_\_\_\_ 15. **Chairman:** *before the hearing starts, discuss admissibility of the protest with the parties.*
- \_\_\_\_\_ 16. **Chairman:** *deliberate on the admissibility in private. If deemed inadmissible, a written decision is mandatory (appeal possible!). If the matter is deemed admissible, continue with the hearing.*
- \_\_\_\_\_ 17. **Chairman:** *conduct the hearing with all stewards present. [N.B. if a party fails to appear, or witnesses fail to appear, judgment may be made by default (Art. 13.6.4 of the ISC).] The hearing should be in the presence of all parties concerned. Additional technical checks may be ordered.*
- \_\_\_\_\_ 18. **Chairman:** *deliberate the decision in private with all stewards present. A written decision is required.*
- \_\_\_\_\_ 19. **The stewards' decision must state all of the following:**
- \_\_\_\_\_ a. *Protest must be either founded, rejected, or withdrawn.*
  - \_\_\_\_\_ b. *Penalty to be imposed if upheld.*
  - \_\_\_\_\_ c. *If driver is disqualified, does the field move up?*
  - \_\_\_\_\_ d. *Protest founded? Yes, No, or Partially?*
  - \_\_\_\_\_ e. *Disposition of protest deposit (Art. 13.10.1 and 13.10.2 of the ISC)*
  - \_\_\_\_\_ f. *Acted in bad faith (Art. 13.10.3 of the ISC)? Yes or No?*
- \_\_\_\_\_ 20. **Chairman:**
- \_\_\_\_\_ a. *Advise both parties of the judgment and penalty (if any) in writing, with acknowledgement of receipt and time of receipt (important for timeliness of appeals).*
  - \_\_\_\_\_ b. *Advise both parties of right to appeal and process for appeal.*
  - \_\_\_\_\_ c. *Post the decision on the official/digital notice board along with the time of publication (Art. 11.9.4 of the ISC).*
  - \_\_\_\_\_ d. *Notify Timing and Scoring and the Organizer of the decision and to release classifications; classifications will still be provisional pending appeal.*
  - \_\_\_\_\_ e. *Keep all evidence / vehicle components etc. and protest deposit until end of the deadline for notification of intention to appeal.*
  - \_\_\_\_\_ f. *If no appeal – return of vehicle components / vehicles. Return protest deposit (or part) if protest was founded or partially founded (prepare acknowledgement of receipt to be signed by competitor) (Art. 13.10.1 and 13.10.2 of the ISC)*
  - \_\_\_\_\_ g. *If notice of intention to appeal is lodged, order appropriate actions to preserve evidence, and other actions that may be needed.*
  - \_\_\_\_\_ g. *Sign Final Classifications, if necessary with a caveat (Art. 20 of the ISC).*
- \_\_\_\_\_ 21. **Special situations:**
- \_\_\_\_\_ a. *It is possible that a decision cannot be taken on-site or immediately.*
  - \_\_\_\_\_ b. *In this case, it is very important to ensure that actions are taken to preserve the evidence, or that relevant checks are carried out.*
  - \_\_\_\_\_ c. *It is also important that the stewards take the appropriate actions to order the follow-on hearing / actions as soon as practical – while preserving the rights of all the competitors.*
  - \_\_\_\_\_ d. *FIA Championship, cup, trophy, challenge or series, or international series: it may also be that follow-on hearing can occur further to a petition for review.*

**APPENDIX 2**

**Official logo of the Championship**

**[Name and dates of the Competition]**

**SUMMONS (No...)**

---

**From:** the Stewards

**Date:** [...]

**To:** [...]

**Time:** [...]

---

The Stewards have received a report from... (document No) / a protest from... (document No)...

The driver(s) and team representative(s) are required to report to the Stewards in [place] at [time] in relation to the incident below.

**Driver and car No:** [...]

**Competitor:** [...]

**Reason:** [alleged breach of Article(s) ... of the (...) regulations by ...]

[ALL of the 3 fields above require an input!]

[...], Chairperson of the Panel

[...], Steward

[...], Steward

[signature 1]

[signature 2]

[signature 3]

**Received by the Competitor:**

Signature: .....

Date: ..... Time: .....



## APPENDIX 3

## Official logo of the Championship

[Name and dates of the Competition]

DECISION (No...) posted at: ...h...

**From:** the Stewards**Date:** [...]**To:** [...]**Time (decision):** [...]

The Stewards, having received a protest from ... (document No...) / a report from ... (document No...), having examined ... (video/audio evidence), summoned and heard the driver(s) [name(s)] and team representative(s) [name(s)] (summons No...), have considered the following matter, determine the following:

**Driver and car No:** [...]**Competitor:** [...]**Time (fact):** [...]**Session:** [qualifying practice/ race/ section/ special stage...]**Fact:** [Radio transmissions **aiding** the driver.]**Offence:** [Breach of Article(s) ... of the (...) regulations.]**Decision:** [10 Second Time Penalty imposed after the race in accordance with Article ... of the Sporting Regulations (10 seconds added to elapsed race time)]

[Fines: In accordance with Article 12.8 of the FIA International Sporting Code, fines shall be paid within 48 hours of their notification. Any delay in making payment may entail Suspension during the period a fine remains unpaid].

**Reason:** [Having considered the matter extensively, the Stewards determined that the team gave some instructions to the driver that were specifically permitted under .... However, the Stewards determined that the team then went further by asking him to... and gave instructions to the driver that were not permitted under ... and were in Breach of Art. ... of the Sporting Regulations, that the driver must drive the car alone and **unaided**.]

**[ALL of the 8 fields above require an input!]**

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 Chapter 4 of the FIA Judicial and Disciplinary Rules, within the applicable time limits.

[...], Chairperson of the Panel  
[signature 1][...], Steward  
[signature 2][...], Steward  
[signature 3]**Received by the Competitor:**

Signature: .....

Date: ..... Time: .....

## APPENDIX 4

## Official logo of the Championship

[Name and dates of the Competition]

DECISION (No...) posted at: ...h...

**From:** the Stewards**Date:** [...]**To:** [...]**Time (decision):** [...]

The Stewards, having received a report from ... (document No...), having examined ... (video/audio evidence), summoned and heard the driver(s) [name(s)] and team representative(s) [name(s)] (summons No...), have considered the following matter, determine the following:

**Driver and car No:** [...]**Competitor:** [...]**Time (fact):** [...]**Session:** [...]**Fact:** [...]**Offence:** [breach of Article(s)... of the (...) regulations.]**Decision:** [A fine of €5,000, plus an additional fine of €25,000 which is suspended for 12 months subject to no further breach of a similar nature during this period]**Reason for the decision:** [...]**Reason for the penalty:** [...]**Reason for the suspension of the penalty:** [...]

Note: the invoking of the suspended penalty may only be done at the sole discretion of the stewards of a subsequent Competition counting towards this Championship.

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 Chapter 4 of the FIA Judicial and Disciplinary Rules, within the applicable time limits.

[...], Chairperson of the Panel  
[signature 1]

[...], Steward  
[signature 2]

[...], Steward  
[signature 3]

**Received by the Competitor:**

Signature: .....

Date: ..... Time: .....

## APPENDIX 5

**[Official logo of the Championship]****[Name and dates of the Competition concerned by the **petition for review**]****DECISION (No...)****From:** the Stewards**Date:** [...]**To:** [...]

The Stewards have received a petition from ... [name of the parties concerned / parties directly affected by the decision handed down / or FIA Secretary General for Sport] for them to review, in accordance with Article 14.1.1 of the FIA International Sporting Code, the following decision(s) made by [them] at the... Competition:

[...]

The Stewards, having examined ..., summoned and heard the team representative(s) [name(s)] (summons No...), determine the following:

**Decision:** there is [no / a] significant and relevant new element which was unavailable to the parties seeking the review at the time of the decision concerned.

**Reason:** [please clearly **explain why the element** brought before you is **1) significant and relevant** (i.e. likely to call into question or modify the initial decision) and **2) new** (i.e. unavailable to the parties seeking the review at the time of the decision concerned)].

Competitors are reminded that, in accordance with Article 14.3 of the FIA International Sporting Code, this decision is not subject to appeal.

[...], Chairperson  
[signature 1][...], Steward (intl.)  
[signature 2][...], Steward (intl., if any)  
[signature 3][...], Steward (nat.)  
[signature 4]**Received by:** .....

Signature: .....

Date: .....

EXPLANATORY NOTE FOR THE ATTENTION OF THE STEWARDS ONLY

Option 1: the stewards find that there **is** a significant and relevant new element which was unavailable to the parties seeking the review at the time of the decision concerned > **the hearing continues and a second decision has to be taken by the stewards.**

Option 2: the stewards find that the element concerned does not meet the criteria specified in Article 14.1.1 of the FIA International Sporting Code > **the hearing stops and no other decision is needed.**

## 2023 FIA INTERNATIONAL SPORTING CODE

### Article 15 (Appeals)

JURISDICTION	<p style="text-align: center;"><b>NATIONAL CHAMPIONSHIP</b></p> <p style="text-align: center;"><b>NATIONAL CHAMPIONSHIP</b> WITH FOREIGN PARTICIPATION</p> <p style="text-align: center;"><b>NATIONAL CHAMPIONSHIP</b> WITH ONE COMPETITION HELD OUTSIDE THE NATIONAL TERRITORY</p>	<p style="text-align: center;"><b>COMPETITION RUN OVER THE TERRITORY OF SEVERAL COUNTRIES</b></p>	<p style="text-align: center;"><b>ZONE CHAMPIONSHIP</b></p>	<p style="text-align: center;"><b>INTERNATIONAL SERIES</b></p>	<p style="text-align: center;"><b>FIA, CHAMPIONSHIPS, CUPS, TROPHIES AND OTHER SERIES</b></p>
<b>1<sup>st</sup> instance</b>	NCA of the ASN ruling/organising the National Championship	NCA of the ASN which requested the registration of the Competition on the International Sporting Calendar	NCA of the ASN of the country in which the appealed decision was taken	NCA of the Parent ASN	ICA
<b>2<sup>nd</sup> instance</b>	None	ICA			n/a

**INTERNATIONAL COURT OF APPEAL (ICA)****Checklist for Competitors notifying an intention to appeal  
against a decision of the stewards<sup>1</sup>  
within the framework of an FIA Championship or World Cup**

Once you have notified an intention to appeal to the stewards against a decision, please carefully read Chapter IV of the **FIA Judicial and Disciplinary Rules** (hereinafter “the Rules”), available at <https://www.fia.com/international-court-appeal>, and make sure the following requirements are met with regard to the content of the notification of the appeal. The notification of the appeal will not be regarded as valid unless all elements are present.

This document has no regulatory value and does not amend the FIA International Sporting Code or the Rules in any way.

**1. TIME LIMITS**

<b>Notification of the intention to appeal</b>	within <b>1 hour</b> <sup>2</sup> of the publication of the decision concerned by the stewards
<b>Notification of the appeal</b>	<b>within 96 hours</b> of the notification to the Stewards by the person concerned of his intention to appeal the decision
<b>Payment of the appeal deposit</b>	
<b>Written submissions to the ICA</b>	Once the appeal has been notified and the appeal deposit paid, the President of the Hearing shall set a timetable and serve it together with a summons to attend the hearing.

**2. NOTIFICATION OF THE APPEAL**

The appeal must be notified **to the ICA Secretariat** ([secgen.courts@fia.com](mailto:secgen.courts@fia.com) and [admin.courts@fia.com](mailto:admin.courts@fia.com)) **by the National Sporting Authority (ASN)** which issued the licence to the Competitor who is the subject of the decision **or by the Competitor himself** and **must include**<sup>3</sup>:

- the identity of the appellant (ASN or Competitor);
- a copy of the contested decision;
- the reasons for bringing the appeal<sup>4</sup>;
- any document proving that the appeal deposit has been paid to the ICA;
- proof that the intention of appeal was given in writing to the stewards within 1 hour of the publication of the decision<sup>5</sup>;
- the signature of a duly qualified representative of the ASN who is bringing the appeal on behalf of the Competitor or, where the appeal is directly submitted by the Competitor, proof that he has informed his ASN.

**Any irregularity in the notification will result in the inadmissibility of the appeal.**<sup>6</sup>

<sup>1</sup> In accordance with Article 9.1.1.a) of the Rules.

<sup>2</sup> Without prejudice to Article 10.1.1.d) of the Rules (see below).

<sup>3</sup> In accordance with Article 10.1.1 of the Rules.

<sup>4</sup> Main arguments (procedural, legal, technical, etc.) which will be further developed in the grounds for appeal.

<sup>5</sup> In accordance with Article 10.1.1.d) of the Rules, the notification of an appeal must include: “(...), proof that the intention of appeal was given in writing to the Stewards: within one hour of the publication of the decision, or in the case of a decision taken pursuant to Article 11.9.3.w or 14.1 of the International Sporting Code or in circumstances where the stewards had considered that compliance with the one-hour deadline was impossible, within the time limit that the latter set down in writing in their decision (which shall not exceed 24 hours following the publication of the decision)”.

<sup>6</sup> In accordance with Article 10.1.1.b of the Rules.

### **3. PAYMENT OF THE APPEAL DEPOSIT**

A deposit must be paid via a wire transfer to the bank account of the ICA<sup>7</sup>. The amount of the appeal deposit is determined in Article 10.1.2 of the Rules.

*For any details with regard to the written submissions / correspondence with the ICA, **please read the ICA Practice Directions** available at <http://www.fia.com/international-court-appeal>.*

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<sup>7</sup> Bank: Credit du Nord

Beneficiary: Fédération Internationale de l'Automobile/ International Court of Appeal

Account number: 30076 02020 25368000200 34

Swift: NORDFRPP

IBAN: FR76 3007 6020 2025 3680 0020 034

Please mention the reason for the transfer: "Appeal before the International Court of Appeal"

## APPENDIX 8 - WHO CAN PRONOUNCE SUSPENSIONS?

<u>FIA INTERNATIONAL SPORTING CODE</u>	<u>SUSPENSIONS pronounced by</u>
<p><b>2.6.2 Super Licence</b>  <b>2.6.2.d</b> The <i>Suspension</i> or withdrawal of a <i>Super Licence</i> resulting from a sanction excludes its holder from the <i>FIA Championships</i> for the duration of such <i>Suspension</i> or withdrawal.</p>	FIA
<p><b>2.6.3 EU Professional Competitor or Driver</b>  <b>2.6.3.e</b> Any decision to suspend such a <i>Licence</i> will be published in the <i>FIA Official Motor Sport Bulletin</i> and/or on the <i>FIA</i> website <a href="http://www.fia.com">www.fia.com</a>.</p>	ASN
<b>ARTICLE 3.10 RESPECT OF ENTRIES</b>	
<p><b>3.10.1</b> Any dispute between a <i>Competitor</i> and the <i>Organiser</i> regarding an <i>Entry</i> shall be judged by the <i>ASN</i> having approved the <i>Organising Committee</i>.</p>	
<p><b>3.10.2</b> If the dispute is not resolved before the date of the <i>Competition</i> concerned, any <i>Competitor</i> who, having been entered, or any <i>Driver</i> who, having accepted to take part in that <i>Competition</i>, does not run, will be immediately suspended internationally (temporary withdrawal of their <i>Licence</i>), unless he pays a deposit, the amount of which shall be fixed in each country by the <i>ASN</i>.</p>	ASN
<b>ARTICLE 9.10 ENTRIES IN UNRECOGNISED COMPETITIONS</b>	
<p><b>9.10.1</b> Any licence-holder participating in an unrecognised <i>Competition</i> may be subject to the sanctions provided for in the <i>Code</i>.</p>	
<p><b>9.10.2</b> In the event of a <i>Suspension</i>, where the unrecognised <i>Competition</i> has been or is to be held outside the jurisdiction of such <i>ASN</i>, the two <i>ASNs</i> concerned shall agree as to the duration of the <i>Suspension</i> and should they fail to so agree, the matter shall be referred to the <i>FIA</i>.</p>	ASN
<b>ARTICLE 9.16 UNAUTHORISED SUBSTITUTION OF ONE COMPETITION FOR ANOTHER</b>	
<p><b>9.16.1</b> Any <i>Competitor</i> having entered themselves or any <i>Driver</i> having undertaken to drive in any <i>International</i> or <i>National Competition</i> who does not take part in that <i>Competition</i> and takes part in another <i>Competition</i> on the same day at some other place shall be suspended (temporary withdrawal of <i>Licence</i>) as from the beginning of the latter <i>Competition</i>, for such time as the <i>ASN</i> concerned may deem fit.</p>	ASN + Stewards
<b>ARTICLE 10.4 DISQUALIFICATION, SUSPENSION OR EXCLUSION OF A PARTICULAR AUTOMOBILE</b>	
	ASN + FIA
<b>ARTICLE 10.5 SUSPENSION OR EXCLUSION OF AN AUTOMOBILE MAKE</b>	
	ASN + FIA
<b>ARTICLE 11.8 DUTIES OF THE STEWARDS</b>	
<p><b>11.8.4</b> Except for <i>FIA Championship Events</i>, the stewards shall sign and send to the <i>ASN</i> a closing report as soon as practicable after the close of the <i>Event</i>. This report will include the results of each <i>Competition</i> together with particulars of all protests lodged and <i>Disqualifications</i> they may have made with their recommendations as to any decisions which may have to be taken for a <i>Suspension</i> or an <i>Exclusion</i>.</p>	ASN
<b>ARTICLE 12.4 SCALE OF PENALTIES</b>	
<p><b>12.4.1</b> Penalties may be inflicted as follows: (...)</p>	ASN
<p><b>12.4.1.n</b> <i>Suspension</i>; (...).</p>	+ Stewards
<p><b>12.4.5</b> For all the <i>FIA Championships</i>, cups, challenges, trophies or series, the stewards may also decide to impose the following penalties: <i>Suspension</i> for one or more <i>Competitions</i>, withdrawal of points for the <i>Championship</i>, cup, challenge, trophy, series.</p>	FIA Stewards
<b>ARTICLE 12.8 PAYMENT OF FINES</b>	
<p><b>12.8.2</b> Any delay in making payment may entail <i>Suspension</i> during the period a fine remains unpaid.</p>	ASN
<b>ARTICLE 12.10 SUSPENSION</b>	
<p><b>12.10.1</b> In addition to that provided for in the <i>Code</i> and in the <i>FIA</i> Judicial and Disciplinary Rules, a sentence of <i>Suspension</i> may also be pronounced by an <i>ASN</i>, and shall be reserved for grave offences.</p>	ASN
<p><b>12.10.2</b> A sentence of <i>Suspension</i>, for as long as it remains in force, shall entail the loss of any right to take part in any capacity whatsoever in any <i>Competition</i> held within the territory of the <i>ASN</i> which has pronounced such sentence or within the territories of any country in which the authority of the <i>FIA</i> is recognised, according to whether such <i>Suspension</i> is national or international.</p>	
<p><b>12.10.3</b> <i>Suspension</i> shall also render null and void any previous <i>Entry</i> made for any <i>Competition</i> which may take place during the term of such <i>Suspension</i> and shall also entail the forfeiture of the fee payable for any such <i>Entry</i>.</p>	

#### ARTICLE 12.11 PROVISIONAL *SUSPENSION*

**12.11.1** If the protection of the participants in a *Competition* organised under the aegis of the *FIA* so requires, for reasons of public order or in the interest of motor sport, the International Tribunal may, at the request of the *FIA* President, provisionally suspend in particular any authorisation, *Licence* or approval issued by the *FIA*, within the framework of a race, *Competition* or other event organised by the *FIA*. This measure cannot exceed a period of three months, renewable once.

FIA

**12.11.2** Any provisional *Suspension* must be pronounced in accordance with the *FIA* Judicial and Disciplinary Rules.

**12.11.3** The person who has had his authorisation, *Licence* or approval provisionally suspended must abstain from any act that is liable to circumvent the measure of *Suspension*.

#### ARTICLE 12.12 WITHDRAWAL OF *LICENCE*

##### 12.12.1 National *Suspension*

**12.12.1.a** Any *Competitor* or *Driver* who is suspended nationally shall hand back their *Licence* to their *ASN*, which will clearly mark thereon, by means of a heavy stamp, the words "Not valid for [name of country]".

ASN

**12.12.1.b** Upon expiry of the period of national *Suspension*, the marked *Licence* will be exchanged for a clean *Licence*.

##### 12.12.2 International *Suspension*

Any *Competitor* or *Driver* who is suspended internationally shall hand back their *Licence* to their *ASN* which shall not return it to them until the period of international *Suspension* has expired.

ASN

**12.12.3** In both the above cases, any delay in handing back the *Licence* to the *ASN* shall be added to the term of *Suspension*.

#### ARTICLE 12.13 EFFECTS OF *SUSPENSION*

**12.13.1** A sentence of *Suspension* pronounced by an *ASN* shall apply only within the territory of that *ASN*.

ASN

**12.13.2** If, however, the *ASN* wishes the sentence of a *Suspension* pronounced against any of its licence-holders (...) to be recognised internationally, it shall notify its wish without delay to the Secretariat of the *FIA* and the latter will inform all other *ASNs*. The sentence of *Suspension* shall be noted by each *ASN* immediately, and the consequent restriction will thereby come into force.

ASN

**12.13.3** The recognition of this *Suspension* by all *ASNs* will be posted on the website [www.fia.com](http://www.fia.com) and/or in the *FIA* Official Motor Sport Bulletin.

#### ARTICLE 12.16 STATEMENT OF REASONS FOR *SUSPENSION* OR *EXCLUSION*

In notifying sentences of *Suspension* or *Exclusion* to the person upon whom sentence is passed and to the Secretariat of the *FIA*, it shall be necessary for an *ASN* to give its reasons for inflicting such penalty.

ASN

#### ARTICLE 12.17 *SUSPENSION* OR *EXCLUSION* OF AN *AUTOMOBILE*

A sentence of *Suspension* or *Exclusion* may be pronounced on either a particular *Automobile* or on a make of *Automobile*.

ASN

#### ARTICLE 12.18 LOSS OF AWARDS

Any *Competitor* disqualified, suspended or excluded during a *Competition* will lose the right to obtain any of the awards assigned to the said *Competition*.

Stewards

#### ARTICLE 12.19 AMENDMENT TO THE CLASSIFICATION AND AWARDS

In case of *Disqualification* or *Suspension* of a *Competitor* during a *Competition*, the stewards shall declare the resulting amendment in the placings and awards, and they shall decide whether the next *Competitor* should be moved up in the classification.

Stewards

#### ARTICLE 12.21 REMISSION OF SENTENCE

An *ASN* shall have the right to remit the unexpired period of a sentence of *Suspension* or to lift an *Exclusion* under the conditions which it may determine and provided that such penalty has been originally imposed by this *ASN*.

ASN

#### ARTICLE 15.5 FORM OF APPEAL BEFORE THE NATIONAL COURT OF APPEAL

**15.5.3** Subject to the provisions of Article 15.4.2.b above, the deposit must be paid within 96 hours counting from the moment the stewards are notified of the intention to appeal. Failing this, the appellant's *Licence* will automatically be suspended until payment has been made.

ASN

#### ARTICLE 20 DEFINITIONS

***Suspension***: the *Suspension* deprives, for a specified period of time, the person subject to it of the right to take part, directly or indirectly and in any capacity whatsoever, in (i) any *Competition* organised or regulated by the *FIA* or the *ASNs* (or placed under their authority), and (ii) any preparatory testing and training organised or regulated by the *FIA* or the *ASNs* (or placed under their authority) or organised by their members or licence-holders.

FIA  
+ ASN  
+ Stewards



## APPENDIX 9

## Official logo of the Championship

[Name and dates of the Competition]

DECISION (No...) posted at: ...h...

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**From:** the Stewards**Date:** [...]**To:** [...]**Time (decision):** [...]

The Stewards, having received at ... (date and hour of receipt of the intention to appeal) the intention to appeal from ... against the decision No. .... (document No...) published at (date and hour of publication), and having observed that in accordance with Article 12.3.3.a and b of the ISC the decision could benefit from a suspensive effect, determine the following:

**Decision:** The Stewards deny the suspensive effect of the penalty imposed by means of the decision No. ... (document No) due to a late submission of the intention to appeal as the intention to appeal was received after the applicable deadline.

Competitors are reminded that the decision of the stewards as to whether or not the penalty should be suspended is not subject to appeal before the National Court of Appeal or the International Court of Appeal in accordance with Article 12.3.3.c of the FIA International Sporting Code.

The current decision does not prevent the Competitor from exercising its right to appeal certain decisions of the Stewards in accordance with Article 15 of the FIA International Sporting Code and Chapter 4 of the FIA Judicial and Disciplinary Rules, within the applicable time limits.

[...], Chairperson of the Panel  
[signature 1]

[...], Steward  
[signature 2]

[...], Steward  
[signature 3]

**Received by the Competitor:**

Signature: .....

Date: ..... Time: .....

**Seeking approval under Article 12.2.1.n of the ISC**

- On an exceptional and case-by-case basis, the FIA may authorise a participant to make a statement at an International Competition that would otherwise be prohibited by Article 12.2.1.n.
- Anyone seeking the permission of the FIA as per Article 12.2.1.n. of the ISC must submit a written request to the FIA, providing reason(s) why such permission should be granted.
- Such request must be received **at least four weeks before the event concerned**. Late requests will only be considered by the FIA on an exceptional basis.
- Please be advised that:
  - approval, if granted, shall only last for the duration of a specified race/event, after which it will automatically expire; and
  - there shall be no right of appeal against the FIA's decision to approve or reject an Article 12.2.1.n request.
- If the participant wants to make the statement or comment at a National Competition, they should seek the permission of the relevant ASN.

**What happens if a participant does not comply with Article 12.2.1.n?**

Anyone who is aware of a potential breach of Article 12.2.1.n should notify the Race Director (if appointed) or otherwise the Clerk of the Course. They in turn may report the matter to the Stewards. Where breach of Article 12.2.1.n is established, the Stewards may impose any of the penalties listed under Article 12.4.1 of the ISC.

Alleged violations of the ethical principles contained in the FIA regulations (e.g., Article 3.1 of the FIA Code of Ethics, which provides that *"the FIA Parties and Third Parties shall work to maintain harmonious relations with national authorities, in accordance with the principle of universality and of political neutrality of the FIA"*) may also be reported through the FIA Ethics and Compliance Hotline (available at <http://www.fia-ethicsline.com/>). All reports will be duly assessed, and any wrongdoing will be addressed in accordance with FIA regulations.

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**APPENDICES:**

- APPENDIX 1 – protest checklist
- APPENDIX 2 – summons template
- APPENDIX 3 – decision template (general)
- APPENDIX 4 – decision template (specific - suspended penalty)
- APPENDIX 5 – decision template (specific - right of review)
- APPENDIX 6 – appeal procedures (illustration of the competent jurisdictions)
- APPENDIX 7 – checklist for Competitors notifying an intention to appeal (FIA Championships and World Cups)
- APPENDIX 8 – suspensions (clarification)
- APPENDIX 9 – decision on suspensive effect