

DECISION No: 48

From:	The Stewards	Date:	5 th August 2024
To:	Mirage RACING	Time:	19:20 hrs

On July 25, 2024 14:47, the Stewards received a petition from Mirage RACING (Guillaume BRUOT) requesting a Right of Review in accordance with Article 14 of the FIA International Sporting Code (FIA ISC) regarding the following:

The Decision of the Stewards number 47 (Infringement on Car 7 for a breach of Article 33.4 of the GT4 European Series Sporting Regulations and Appendix L, Chapter IV, Article 2d) of the FIA International Sporting Code) from GT4 European Series powered by Rafa Racing Club Round 4, Hockenheim (Germany)

The petition was submitted timely and was accompanied with a deposit of 2500 EUR, as set by the Parent ASN (RACB) and specified in the Supplementary Regulations of the competition.

A hearing was convened at 18:00 on 5th August 2024 and the concerned parties were summoned (summon 01).

The Stewards of the GT4 European Series powered by Rafa Racing Club Round 4, Hockenheim (Germany) conducted the hearing, and none of the attendants objected to the composition of this panel of the stewards.

Attending the hearing (part 1) were:

On behalf of Mirage RACING, represented by Márton Kiss (Power of Attorney)
, Aleksandr Vaintrub (driver)

This hearing (part 1) was to determine, at the sole discretion of the Stewards (as specified in Article 14.3 of the FIA ISC), if "a significant and relevant new element is discovered which was unavailable to the parties seeking the review at the time of the decision concerned".

Therefore, the Stewards were required to determine if any evidence presented to them was:

- "significant";
- "relevant";
- "new"; and
- "unavailable" to the party seeking the review at the time of the original decision.

Only if above 4 criteria are met, would the Stewards be required to convene a further hearing (part 2) to reconsider their original decision.

Article 14.1.1 sets a very high bar for reviewing a decision of the Stewards. This has been the consistent position taken in previous requests to exercise the right of review.

Alleged New Element

- The alleged new element presented was a forward-facing video footage of Car 16, following car 92 which was on its turn following car 7 and car 75 at the time of the incident, this footage was available to the Stewards at the time of the original decision.
- While the Stewards used various other footage of the incident from different camera angles (onboard car 7-75 & 92 + CCTV footage from the track), they did not use this particular footage in judging the incident although it was available to them.
- In its written submission seeking the review, Mirage RACING suggested that:
 - Main reason of filing the petition is “to provide the Stewards with significant new evidence clearly indicating that the Driver was not violating any of the rules of the Code of Driving Conduct on Circuits”
 - as provided in the a forementioned Art. 2 b) Chapter IV Appendix L to the Code the Driver left even more than one car width between car No. 7 and the edge of the track on the approach of the corner. Said is visible from the on-board No. 16 and No. 92
 - Second, and on the contrary, from the on-board No. 75 and No. 16, as well as No. 92 it is clear that No. 75 made an abnormal and fast change of direction from left to right trying to overtake No. 7.
 - Moreover, as it is shown on the on-board No. 7 the Driver was looking at the left mirror while approaching the corner as No. 75 was first trying to overtake No. 7 from the left.
 - It is of utmost importance that the on-board No. 16 provides a different angle to the Incident contrary to the on-board No. 92.
 - Said new evidence shows that No. 7 was not changing his direction, he was driving from left to right following the normal racing line between T5 and T6.
 - From the distant view of No.16, it is also evident that the change of direction from No. 75 was too quick and erratic compared to the normal movement of No. 7.
 - The new camera angle shows that “there is no room for doubt that No. 7 cannot be blamed for the Incident and his actions could not be interpreted as “faulty causing a collision” with No. 75.”

The Stewards contended, among other things, that:

- a) The new footage was NOT “significant” as car 16 was following car 92, which was directly following car 7 and 75 at the time of the incident. The footage shows the incident from behind similar to the footage of car 92, which was used in judging of this incident, but from a further distance. We also note that the view on the left hand-side of the track including the movements/positioning of car 75 are partly blocked by car 92 in this footage.
- b) The new footage was “relevant” as it showed the entirety of the incident
- c) The new footage was “new” as it was not previously used in the judging of this incident.
- d) The new footage was NOT “unavailable”, as it was available to the stewards at the time of the decision and the competitor understanding that the stewards are in the possession of the onboards of all cars could have also during the hearing pointed out/requested to the stewards to see the camera angle/footage of this particular car.

Decision

We accordingly dismissed the petition for review, without the need for us to proceed to the second stage of the review.

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



Wim COOLS
Steward (Chairman)



Andy WITKOWSKI
International Steward



Marcus MALECK
ASN Steward

Received by the Competitor

Signature:

☒ To be confirmed Electronically

Date: ____/08/2024

Time: ____:____

Copy to:

- The Competitor
- The Race Director
- The Clerk of the Course
- The Secretary of the Meeting
- The Press Delegate