INTERNATIONAL COURT OF APPEAL (ICA)

of the

FEDERATION INTERNATIONALE DE L'AUTOMOBILE

Appeal brought by Torcello s.r.l.

against

Decision No. 4/2024 dated 3 June 2024 of the National Appeal and Disciplinary Court of the Real Federación Española de Automovilismo (RFEdA), in the framework of the 2024 International GT Open Championship

Case ICA-2024-07

Hearing of 4 September 2024

Decision of 18 September 2024

The FIA INTERNATIONAL COURT OF APPEAL ("the Court"), which comprised Mr Laurent Nuss (France), who was designated President, Mr Philip Moser (UK), Mr Kyle Novak (USA) and Mr Arnas Paliukenas (Lithuania), held a hearing at the FIA offices in Geneva on Wednesday, 4 September 2024.

Nobody challenged the composition of the Court, nor submitted a request for recusation of any of the judges.

Prior to the hearing, the Court received and considered submissions and attachments thereto made by Torcello s.r.l. ("the Appellant") and the RFEdA ("the Respondent"), as well as by the FIA as a third-party (collectively referred to as "the Parties").

The following persons attended the hearing:

On behalf of the Appellant, Torcello s.r.l.:
Mr Marco Baroncini, Legal Counsel
Mr Pietro Francesco Baroncini, Assistant to Mr Marco Baroncini
Mr Giuseppe Cipriani, Driver (witness)

On behalf of the Respondent, the RFEdA:
Mr Andrés Fernández Cepeda, Deputy Secretary General

On behalf of the FIA:
Ms Delphine Lavanchy, Senior Legal Counsel
Mr Alejandro Artiles Jiménez, Legal Counsel

Also attending the hearing:
Mr Jean-Christophe Breillat (Secretary General of the FIA Courts)
Mr Nicolas Cottier (Clerk of the FIA Courts)
Ms Sandrine Gomez (Administrator of the FIA Courts)

The Parties filed written submissions and, at the hearing on 4 September 2024, set out oral arguments and addressed the questions asked by the Court. The hearing took place in accordance with the adversarial principle, with the aid of simultaneous interpretation in French, English and, at the request of the Appellant, in Italian. None of the Parties raised any objections, in relation either to the composition of the Court or to the manner in which the proceedings and the hearing were conducted, notably concerning the respect of the adversarial principle or the simultaneous interpretation.

I. REMINDER OF THE FACTS

1. The FIA International GT Open is an FIA International Series, as set out in Article 1.1 of the 2024 International GT Open Sporting Regulations ("the SR").

2. Article 1.1 of the SR further provides that the RFEdA is the Parent ASN of the International GT Open, which is composed of 8 rounds or competitions, the competition held in Hockenheim, Germany, from 11 to 12 May 2024 ("the Competition") being the second round thereof.

3. On 25 April 2024, the Appellant signed the entry form to the Competition declaring in particular the following:

> "*Team Managers, Drivers, Entrants, by signing the entry form accepts and acknowledge their awareness to the regulations and abide themselves to strictly obey the decisions and observe the sanctions imposed by the Federations, Stewards, Race Director or the Organizing Committee.*"

4. The Competition was composed of 2 races.

5. During Race 1 ("the Race"), which ended on 11 May 2024 at 15:45 CET according to the timetable published on Hockenheimring website (https://www.hockenheimring.de/wp-content/uploads/2024/05/zeitplan-international-gt-open-hockenheimring.pdf), the Stewards issued Decision No. 24 imposing a 5-second penalty on Competitor No. 786, namely GetSpeed, for not having respected the track limit at turn 1 of the Race. As a consequence, Competitor No. 786 – which had obtained the 22nd position in the Race – was moved down to the 23rd position in the overall classification. Consequently, the Appellant – which had obtained the 23rd position in the Race – moved up to the 22nd position in the overall classification.

6. As the abovementioned competitors were racing in the same category in the Race, i.e. GT3 AM Category, finishing in the 22nd position meant, *in casu*, ending up in the 1st position within the GT3 AM Category, whereas finishing in the 23rd position meant settling for the 2nd position in the said category.

7. Competitor No. 786 approached the Stewards to inform them that track limits considered by them when they issued their Decision No. 24 had been duly respected and requested them to reconsider the said Decision.

8. The Stewards contacted the Race Control, checked the relevant drone pictures of turn 1 and concluded that Competitor No. 786, amongst others, had respected the track limits.

9. Thus, when the Stewards published the Final Classification of the Race on the Official Notice Board on 11 May 2024 at 19:24 CET, they annulled Decision No. 24 ("the Annulment Decision"), stating – in the section called "Penalties" – that Competitor No. 786 "*recover[s] 5 seconds due to a mistake in camera collection*."

10. As a result, Competitor No. 786 obtained the 22nd position in the Race and the 1st position within the GT3 AM Category, while the Appellant was relegated to the 23rd position in the Race and the 2nd position within the GT3 AM Category.

11. On 12 May 2024, at 08:17 CET, the Stewards published, on the Official Notice Board, a copy of Decision No. 24 with on it the following hand-written sentence in red "*not applied, drone pictures*" ("the Annulment Decision").

12. On 12 May 2024, at 09:35 CET, the Appellant lodged its Intention to appeal against the "Race Classification" in front of the National Court of Appeal of the RFEdA ("the Intention to Appeal to the NCA" or "the First intention to appeal").

13. The Appellant's Intention to Appeal to the NCA reads in its relevant parts as follows:

> "*According* [to] *the final classification of Race 1 in Hockenheimring, issue*[d] *on Saturday May 11th at 7:00 pm, we are informed of the decision to cancel 5sec. Penalty* (sic) *to the competitor GET SPEED, car #786 (cat AM).*
>
> *This fact has* [an] *effect on the result of the race and c*[l]*assification position of Team Barone Rampante, car #8.*
>
> *We decide to fil*[e] *an appeal against the Race classification because:*
>
> - *Prior* [to] *the publication of Final Classification and ParcFermé opening* (sic) *nobody was officially informed regarding not application* (sic) *of 5 sec penalty for car #786 for track limit T1.*
> - *Notification of stewards to cancel penalty for car #786 was uploaded and sent out only on Sunday May 12th at 8:20 am.*"

14. On 3 June 2024, after having heard the Appellant, the National Court of Appeal rendered its decision, by which it determined that the appeal was inadmissible on the grounds that the Final Classification had been published on the Official Notice Board on 11 May at 19:24 CET and the Appellant had lodged its intention to appeal on 12 May at 09:35 CET, i.e. well after the time limit set out in Article 15.4.2.a of the International Sporting Code ("the Code") ("the NCA Decision").

15. On 4 June 2024, the NCA Decision was notified to the Appellant and the other parties involved.

II. PROCEDURE BEFORE THE COURT

16. On 11 June 2024, the Appellant filed before the ICA its Notification of appeal against the NCA Decision. In its email sent to the Court on 18 July 2024, i.e. the day before the expiration of the deadline granted to the Appellant to submit its full Grounds for appeal, the latter confirmed that "*all the grounds and reasons for appeal and our final requests are stated in the* [Notification to] *appeal*".

17. On 24 July 2024, by Procedural Decision No. 1, the President of the Hearing rejected the request of the RFEdA filed on 10 and 23 July 2024 to be allowed to attend the hearing remotely.

18. On 2 August 2024, the RFEdA filed its Grounds in response and on 20 August 2024, the FIA notified the English version of its Written observations and, on 22 August 2024, the French version of the said Written observations.

19. At the hearing the Court heard the Parties, which in essence confirmed the statements made in their written submissions and their appendices. The Court also heard the oral evidence of the Driver, Mr Giuseppe Cipriani.

III. REQUESTS OF THE PARTIES

20. In essence, the Appellant asks the Court to set aside the NCA Decision and to "*confirm*" decision No. 24 of the Stewards to impose the time penalty of 5 seconds on the Competitor No. 786 and to reinstate Competitor No. 8 "*at the top of the Class AM Race 1 classification.*"

21. In its Grounds in response, the RFEdA asks the Court to declare that the appeal lodged before its NCA was inadmissible and therefore to confirm and uphold the NCA Decision.

22. In its Written observations, the FIA asks in essence for the Court to assess the facts in this case after having heard the parties concerned, and to rule on the arguments put forward by the Appellant.

IV. ADMISSIBILITY OF THE APPEAL BEFORE THE COURT

23. The Court notes that the Appellant brought its appeal before it in accordance with the provisions of the 2024 Judicial and Disciplinary Rules ("the JDR").

24. The Court also considers that it has jurisdiction to hear this appeal.

25. Therefore, the Court deems the appeal before it admissible, which is undisputed.

V. ON THE SUBSTANCE

a) Arguments of the Parties

26. The Appellant puts forward in essence the following grounds in support of the appeal:

(i) The Appellant explains first that it filed an appeal before the National Court of Appeal of the RFEdA against the Annulment Decision, by which the Stewards annulled their Decision No. 24 and thus the 5-second penalty that they had previously decided against the Competitor No. 786. The Appellant claims that this appeal was not directed against the Final Classification which, according to the Appellant, can only be the subject of a protest, based on article 13 of the Code.

(ii) The Appellant refers to the NCA Decision and then claims that the Annulment Decision was published on 12 May 2024 "*approximately at 9:15*", as stated in its report by the Chairman of the Panel of Stewards, Mr José Carlos Wassman. As its First Intention to appeal was delivered to the Stewards on 12 May 2024 at 09:35 CET, the Appellant argues that the appeal before the NCA of the RFEdA should have been declared admissible.

(iii) As to the validity of the Annulment Decision, the Appellant submits that Decision No. 24 was not annulled following a procedure provided by the Regulations and is therefore still valid and final, together with the 5-second penalty imposed on the Competitor No. 786. In other words, the Appellant claims that the Annulment Decision is null and void and must be considered as having never existed.

(iv) The Appellant added at the hearing that the correct procedure that should have been applied regarding the Annulment Decision was the one of article 14 regarding the right of review and that, as a consequence, this would allow him to benefit from a longer period to file its intention to appeal as provided under article 15.4.2b of the Code.

27. The RFEdA puts forward in its Grounds of response, in essence the following:

(i) The RFEdA submits that the Appellant clearly expressed in its intention to appeal before the NAC of the RFEdA that it was filing an appeal against the "Race Classification", namely the Final Classification.

(ii) The RFEdA adds that, in any event, even if one admits that the appeal was directed against the Annulment Decision, the intention to appeal was still filed outside the 1-hour time limit established by article 15 of the Code as such decision was published at 08:17 CET on 12 May, whereas the First intention to appeal was filed at 09:35 CET that same day.

(iii) The RFEdA then stresses that contrary to the Appellant's claim on this point, the NCA of the RFEdA did not write in the NCA Decision that the Annulment Decision had been published on 12 May 2024 at approximately 9:15, but that it referred in reality to the Final Classification of the Race, with reference to the report of the Chairman of the Stewards, Mr Wassman.

(iv) The RFEdA contended at the hearing that the submissions made by the Appellant on article 15.4.2b of the Code had to be rejected.

28. The FIA contends in its Written observations, in essence the following:

(i) No clerical error is alleged by the Parties and no right of review procedure seems to have been initiated in connection with Decision No. 24.

(ii) The Appellant could have lodged an appeal against the Annulment Decision and/or the Final Classification, as both are decisions issued by the Stewards.

(iii) Given the time of publication of the Annulment Decision and of the Final Classification, an intention to appeal against the Final Classification should have been lodged by no later than 11 May at 20:24 CET, and an intention to appeal against the Annulment Decision should have been lodged no later than 12 May at 09:17 CET. As the Appellant filed its intention to appeal on 12 May at 09:35 CET, the FIA is of the opinion that the intention to appeal of the Appellant was, in either case, outside of the 1-hour time limit set by Article 15.4.2a of the Code and that the appeal before the NCA of the RFEdA would, therefore, be considered inadmissible.

(iv) The FIA also declared at the hearing that the Appellant could not derive any right from article 15.4.2b of the Code.

b) Applicable Regulations

29. The applicable rules are the FIA Regulations in force at the time when the Competition took place, namely on 11 and 12 May 2024.

30. As a result, the applicable regulations relevant to the merits of the present case are the 2024 Edition of the FIA International Sporting Code ("the Code") and the 2024 Edition of the GT SR (collectively referred to as "the Regulations").

31. As to the Procedural Rules, and since the Notification of appeal before the ICA was filed on 11 June 2024, the applicable regulations are the 2024 Edition of the FIA JDR. As determined under Articles 14.2 and 14.4 JDR, French law applies to the present proceedings on a complementary basis, notwithstanding the fact that the hearing was relocated to Geneva, Switzerland.

32. Neither the Appellant nor the RFEdA or the FIA dispute the above.

c) Conclusions of the Court

33. Having carefully considered the written submissions presented by the Parties, as well as the oral pleadings and evidence addressed at the hearing, the Court rules as follows.

34. The Court notes first that it is undisputed that the Appellant filed its First intention to Appeal on 12 May at 09:35 CET.

35. The first issues at stake are (1) the subject of the appeal before the NCA, (2) the date and hour of notification of the decision(s) subject to the appeal before the NCA and (3) depending on the answer to issues (1) and (2), whether the First intention to appeal was filed within the one-hour time limit set by article 15.4.2.a of the Code.

36. Should the Court conclude that the Intention to appeal before the NCA was filed outside the one-hour time limit, the Court would then have to declare that the appeal before the NCA was inadmissible in accordance with article 15.4.2.a of the Code which expressly provides in such case for the "*forfeiture of the right to appeal*" and the Court would then have to uphold the NCA Decision.

37. Considering the subject of the appeal before the NCA, the Court notes that the Appellant submits in its Notification of appeal before the Court that its first appeal before the NCA was directed against the Annulment Decision, only. The Appellant claims further that it cannot be deduced from its First intention to appeal that it intended to appeal the Final Classification as the latter was, allegedly, not appealable and could only be the subject of a protest.

38. On this point, the Court finds that the Appellant wrote in its First intention to appeal that "w*e decide to fil*[e] *an appeal against the Race classification*".

39. At this stage, the Court thus concludes that the Final Classification was clearly the subject – or at least the main subject - of the Appellant's appeal before the NCA.

40. Besides, as to the appealability of the Final Classification, the Court stresses that contrary to what the Appellant submits, a final classification can be the subject of an appeal as this is a decision of the Stewards. This is reflected on the Final Classification itself, namely the document named "Hockenheimring International GT Open Race-1 Final Results" which was signed by the Stewards. The Stewards signed this document in accordance with article 11.9.3.s of the Code which provides that they "*shall declare the classification and results to be final.*"

41. The Appellant seems to confuse the Final Classification with the Provisional Classification which, indeed, cannot be appealed but only be subject of a Protest as provided under article 13.2.1 of the Code.

42. However, as the Appellant declared in its written submissions and confirmed at the hearing that its First intention to appeal was not directed against the Final Classification and that, more importantly, the scope of the appeal before the Court does not encompass the Final Classification but only the Annulment Decision, the Court finds that no appeal is currently pending against the Final Classification.

43. Notwithstanding the foregoing, it is undisputed that the Final Classification was published on the Official Notice Board on 11 May 2024 at 19:24 CET. As the first Intention to Appeal was filed on 12 May 2024 at 09:35 CET, the Court finds that it was filed outside the one hour deadline provided under article 15.4.2.a of the Code quoted below, which is also undisputed.

44. The Court finds therefore that the NCA was right to consider the first appeal inadmissible, as far as the Final Classification is concerned, so that the NCA Decision must be upheld on this point and that for this reason as well, the Final Classification is final and binding.

45. The Court now turns its attention to the Annulment Decision, which the Appellant confirms to be the sole subject of its appeal before the NCA and, as a consequence, the only decision of the Stewards which is within the scope of the appeal before the Court.

46. As the RFEdA puts forwards that the Annulment Decision was not appealed before the NCA by the Appellant, the Court has to assess what was the complete scope of the appeal before the NCA. On this point, the Court finds that this question can only be addressed in the First intention to appeal.

47. Article 15.4.1 of the Code reads as follows:

> "*Competitors, Organisers, Drivers or other licence holders that are addressees of a stewards' decision or that are individually affected by such decision, whatever their nationality, shall have the right to appeal against that decision before the ASN of the country in which it was given, or, if applicable: - before the Parent ASN of the international series; or - before the ASN organising the National Championship if the Competition is organised in accordance with Article 2.4.4.c or 2.4.4.e of the Code.* (…)"

48. The Appellant wrote in its First Intention to appeal that:

> "*According* [to] *the final classification of Race 1 in Hockenheim ring, issue*[d] *on Saturday May 11th at 7:00 pm, we are informed of the decision to cancel 5sec. Penalty* (sic) *to the competitor GET SPEED, car #786 (cat AM).*
>
> *This fact has* [an] *effect on the result of the race and c*[l]*assification position of Team Barone Rampante, car #8.*
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> *We decide to fil*[e] *an appeal against the Race classification because:*
>
> - *Prior* [to] *the publication of Final Classification and ParcFermé opening* (sic) *nobody was officially informed regarding not application* (sic) *of 5 sec penalty for car #786 for track limit T1.*
>
> *Notification of stewards to cancel penalty for car #786 was uploaded and sent out only on Sunday May 12th at 8:20 am.*"

49. In its Grounds for Appeal filed before the NCA, the Appellant mentioned that "*the appealed decision was uploaded and posted on the GT Open application in the morning of Sunday, May 12th, 2024.*"

50. Although it appears that the Appellant already put forward in its Grounds for Appeal that the Annulment Decision was the object of its appeal before the NCA, the Court notes that the Appellant does not expressly refer to the Annulment Decision as the subject of its First intention to appeal.

51. However, the Appellant refers several times to the Annulment Decision in its First intention to appeal in such a way that the Court finds that it cannot be excluded *prima facie* that the Annulment Decision was indeed the subject of this First intention to appeal together with the Final Classification.

52. The Court finds however that the question of the exact scope of the appeal before the NCA is irrelevant if it should find that the First intention to appeal was filed more than one hour after the Annulment Decision was notified to the Appellant, namely outside the one-hour limit set under article 15.4.2.a of the Code. Indeed, the appeal before the NCA would then in any event also be inadmissible when it comes to the Annulment Decision.

53. As regards the communication of the Annulment Decision, the Appellant expressly mentions in its First intention to appeal that he was "*informed*" of the Annulment Decision through the Final Classification which was "*issue*[d] *on Saturday May 11th at 7:00 pm*". The Appellant admits further in the same document that the Annulment Decision *"was uploaded and sent out only on Sunday May 12th at 8:20 am*."

54. Based on the above, it means that the First intention to appeal was filed one hour and 15 minutes after the Appellant took note of the Annulment Decision. Indeed, the First intention to appeal having been notified by the Appellant to the Stewards on 12 May 2024 at 09:35 CET, it was filed several hours after the publication of the Final Classification, which "informed" the Appellant of the Annulment Decision, and one hour and 15 minutes after the Annulment Decision had been "*uploaded and sent out*" as expressly mentioned by the Appellant in its own First intention to appeal.

55. Article 15.4.2.a of the Code reads as follows:

> "*They must, however,* ***under pain of forfeiture of their right to appeal*** [emphasis added]*, notify the stewards in writing of their intention to appeal within one hour of the publication of the decision.*"

56. Article 15.4.2.b of the Code reads as follows:

> "*In the case of a decision taken pursuant to Article 11.9.3.w or 14.1 above 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.*"

57. Based on the clear wording of Article 15.4.2.a of the Code, the Court finds first that the Appellant's right to appeal the Annulment Decision is forfeited.

58. As to the Appellant's submissions on Article 15.4.2.b of the Code made at the hearing at the stage of its closing statement, the Court notes that the Appellant does not submit any evidence indicating that the Stewards had considered that there were circumstances which made the one-hour deadline impossible to comply with. The Appellant did even less submit any evidence that the Stewards set in writing in the Annulment Decision a different time limit as the one of article 15.4.2.a of the Code, as expressly requested under article 15.4.2.b of the Code. The question of whether the Annulment Decision was taken pursuant to Article 11.9.3.w (decision to be taken after an Event) or 14.1 of the Code (decision taken after the exercise of the right of review), is therefore irrelevant, as the Stewards did not, when it comes to the Annulment Decision, exercise their discretionary right to set a different time limit in writing in their decision.

59. The Court also rejects the submissions of the Appellant as to the time when the Annulment Decision was notified to it.

60. Those assertions are contradictory to the Appellant's own admissions in its First intention to appeal.

61. As mentioned above, the Appellant mentioned in that formal and official document that the Annulment Decision was "*uploaded and sent out only on Sunday, May 12th, 2024 at 8:20 am*". Yet the Appellant claims now in its Grounds of Appeal that the Annulment Decision was communicated at "*approximately 09:15*" on May 12, 2024.

62. The Appellant, who bears the burden of proof that its First intention to appeal was filed in a timely manner, relies only on two documents produced as exhibits 5 and 8 to its Notification of appeal before the Court, to support this submission raised before the Court.

63. Should this submission, which clearly contradicts the Appellant's First intention to appeal, be admitted the First intention to appeal would then of course have been made within the one-hour time limit established by article 15.4.2.a of the Code.

64. Exhibit 8 is a copy of the communication made by Mr Wassman, Chairman of the Stewards, to the NCA of the RFEdA. In that communication, Mr Wassman clearly states that "*On Sunday 12 May at 8:15 a.m., the representative of Competitor 8 came at the stewards' office and informed us that he would like to appeal. We informed him that his time had expired, but that we would accept his intention to appeal as it is the court that decides on the matter. We again explained that it was an error in the evaluation of the pictures (pictures are attached herein). We also told him that we were going to upload the deleted documents he already knew into the application so that he could have the hard copies, he had 1 hour, so that he could never claim to be unaware of what happened, even those facts were known since the previous Saturday; and we went on to upload documents 24 and 24bis at* ***08:20*** *on 12 May.*" (emphasis added)

65. The Court concludes that contrary to the Appellant's submission, Mr Wassman confirms in his report that the notification of the Annulment Decision was indeed made at 08:20 on 12 May.

66. Exhibit 5 is a copy of the NCA Decision which comprises on the end of its page 2 a reference to the communication of Mr Wassman which reads as follows:

> "*On the one hand, the Chairperson of the Panel of Sporting Stewards, Mr. José Carlos Wassman, submitted a report to the CAD of the RFEDA stating that the aforementioned* ***classification*** *was published on* ***11 May 2024****, at approximately* ***9:15***." (emphasis added)

67. The Court notes first that this statement of the NCA deals with the date of publication of the Final Classification and not of the Annulment Decision. The Court notes further that this statement of the NCA contradicts the statement made by Mr Wassman in his communication, as the latter mentioned that "*the final classification of race 1 was signed [on 12 May 2024] at* ***19:00*** *and uploaded to the application at* ***around 19:15***." (emphasis added)

68. The Court then refers to the email dated 23 July 2024 from Mr Luis Garcia, the Timekeeping Chief of the Race, who confirms in reply to a question from the RFEdA that the Annulment Decision was uploaded at 08:17 am CET on the 12 May, 2024.

69. The Court notes here that the official app has to be considered as the official notice board, as provided under article 1.8 of the International GT Open Sporting Regulations, which is undisputed.

70. As mentioned by the RFEdA, the Court concludes that, besides the obvious misquotation of Mr Wassman's report in the NCA Decision ("*9:15*" instead of "*19:15*"), the Appellant did at least not read the NCA Decision properly and was confused as to the document which Mr Wassman was referring to, namely the Final Classification and not the Annulment Decision. It remains that Mr Wassman in his report, Mr. Luis Garcia in his email and last but not least, the Appellant itself, confirm that the Annulment Decision was published on the app at 08:20 am CET at the latest on 12 May 2024.

71. The Court concludes therefore that the Appellant did not prove that it had met the deadline set under article 15.4.2.a of the Code and that, as for the Annulment Decision as well, the appeal before the NCA was in any event inadmissible as the First intention of appeal was notified too late.

72. The issue whether the First intention to appeal was directed against the Annulment Decision therefore requires no decision.

73. Because of the inadmissibility of the appeal before the NCA of the RFEdA, the Court cannot enter into the merits of the case before the NCA and notably the issue raised by the Appellant on the alleged nullity of the Annulment Decision.

74. In view of all the above, the Court upholds the NCA Decision.

VI. COSTS

75. Considering the outcome of the proceedings, the Court leaves it to the Appellant to bear all the costs.

ON THESE GROUNDS,

THE FIA INTERNATIONAL COURT OF APPEAL:

1. **Declares the appeal admissible;**

2. **Upholds Decision No. 4/2024 of the Appeal and Disciplinary Court of the Spanish Automobile Royal Federation (RFEdA) issued on 3 June 2024;**

3. **Orders the competent Sporting Authority to draw, as appropriate, the consequences of this ruling;**

4. **Awards the costs to the Appellant, in accordance with Article 11.2 of the Judicial and Disciplinary Rules of the FIA, to be calculated by the General Secretariat of the Courts and notified later on;**

5. **Rejects all other and further conclusions.**

Paris, 18 September 2024

The President

Laurent Nuss