

## Index of the judgments of the FIA International Court of Appeal (2024-02-01)

Elements of context					Decision of ICA					Dates and Duration		Analysis
Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
<a href="#">ICA-2023-02</a>	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEDA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2023-03</a>	Optimum Motorsport	Real Federación Española de Automovilismo (RFEDA)	International GT open	Red Bull Ring (race 2) (Austria)	Appeal admissible	Decision(s) quashed: confirmation of the contested stewards' decision	Use of the safety car	<ul style="list-style-type: none"> <li>Powers of the Race Director</li> <li>Powers of the Stewards</li> <li>Powers of the National Court of Appeal</li> <li>Powers of the ICA</li> <li>Cancellation of a race / annulment of the results of a race</li> <li>Sporting fairness</li> </ul>	<ul style="list-style-type: none"> <li>GT Open Regulations (articles 7.1, 13.4, 17, 36.1, 37.3 to 37.8)</li> <li>International Sporting Code (articles 1.1.1, 2.1.6, 11.9.3.r, 11.10.3, 13.9 and 15.6.1)</li> <li>Judiciary and Disciplinary Rules (articles 10.10.1 and 10.10.2)</li> </ul>	10-Sep-23	10-Jan-24	<ul style="list-style-type: none"> <li>Intervention of third parties - Conditions - Duty of information of the ASN responsible of the championship - Yes</li> <li>Full power to review the case de novo - Irregularities cured by the devolutive effect of the appeal before the ICA</li> <li>Notification of the operative part of the ICA decision beforehand at the request of the parties - Yes</li> <li>Competence of the Stewards and/or a NCA to cancel a race or annul the results of a race - Based on Force majeure or safety issue - No - Based on specific regulations - No</li> <li>Competence of the ICA to cancel a race or annul the results of a race - Based on JDR - Yes - In this case the ICA has more power than the previous instances, namely the Stewards and the National Court of Appeal</li> <li>The power of the ICA to cancel a race or to annul the results of a race must be used under very restrictive circumstances, given its specificity within the judicial framework of the FIA and its impact on a competition - The fundamental principle of sporting fairness must be considered as one of the cornerstones of any action taken by the FIA, its internal organs or any legal entity subject to the Code - In this case, to annul or amend the classification, following the breach committed by the Race Director, would be trying to rectify an unfair situation by creating another unfair situation - Balance of interests leads to reinstate the classification of the race and to quash the decision of the national court of appeal</li> </ul>
<a href="#">ICA-2023-01</a>	Tag Heuer Porsche Formula E Team	FIA	FIA ABB Formula E World Championship	Event of London	Appeal inadmissible	Appeal inadmissible	Tyre pressure	<ul style="list-style-type: none"> <li>Time limit for appealing</li> <li>Decision not subject to appeal</li> <li>Principle "Venire contra factum proprium"</li> <li>Power of the Stewards</li> </ul>	<ul style="list-style-type: none"> <li>FIA ABB Formula E World Championship Sporting Regulations (article 25.11)</li> <li>International Sporting Code (articles 12.3.4 and 16.3)</li> <li>Judiciary and Disciplinary Rules (articles 10.5 and 10.1.1.a.d))</li> <li>ICA Practice Directions (§46)</li> </ul>	29-Jul-23	23-Nov-23	<ul style="list-style-type: none"> <li>Time limit for appealing - Intention of appeal must be given in writing to the Stewards within 1 hour of the publication of the decision - Possibility of delaying if the Stewards instructed or advised to wait? Yes, because of the principle "Venire contra factum proprium": the FIA (and its Stewards) can't act in a way that contradicts a previous act on which the other party relied - In the case: the Appellant provided sufficient evidence that the Stewards asked him to wait</li> <li>Decision not subject to appeal - Decision of the Stewards to impose a time penalty - Disproportion of the time penalty (3') equivalent to a disqualification (appealable)? In the case: no evidence that the Stewards have committed (i) fraud, (ii) were corrupted, (iii) ill motivated or that (iv) their decision was arbitrary (4 criteria on which the Parties agreed on, even if the ICA didn't assess whether these criteria were indeed applicable)</li> <li>Decision not subject to appeal - Decision of the Stewards to impose a time penalty - Competence of the ICA? No if the decision has a valid legal basis - Exception with respect to the right to be heard by a Court and the alleged disproportionality of the sanction? No</li> <li>CAS jurisprudence - ICA not bound by CAS jurisprudence but can take into account, when appropriate, some of the rules and principles applied by CAS - Definition of arbitrariness</li> <li>Power of the Stewards - Broad powers to enforce the applicable Regulations during an event</li> </ul>
<a href="#">ICA-2022-07</a>	Automobile Club of Syria	FIA			Withdrawal of Appeal	Withdrawal of Appeal	Participation in the FIA General Assembly and FIA events or meetings			23-Nov-22	14-Dec-22	
<a href="#">ICA-2022-06</a>	Automobile Club d'Italia (ACI)	Prema Racing Srl and driver Dino Beganovic	Alpine Formula Regional European Championship	Round of Le Castellet (France)	Appeal inadmissible	Appeal inadmissible	Flange	Time limit for appealing	<ul style="list-style-type: none"> <li>Championship Sporting Regulations (article 19.14)</li> <li>International Sporting Code (Appendix J, article 275.2.7.1)</li> <li>Judiciary and Disciplinary Rules (articles 10.3.1 b, 10.3.3 and 10.3.4)</li> <li>ICA Practice Directions (§15)</li> </ul>	5-Jun-22	13-Dec-22	<ul style="list-style-type: none"> <li>Time limit for appealing - Starting point (dies a quo) - Notification of the decision of the national judicial body to the ASN - Notification to the ASN by itself - Possibility for the ASN to claim that an internal error occurred (incompetence of the recipients) ? No</li> <li>Time limit for appealing - Calculation - Calculation on the basis of calendar days, not working days</li> <li>Time limit for appealing - Appeal before the ICA - Appellant did not formulate his appeal within 7 days of the notification of the decision - Consequence? Appeal inadmissible</li> </ul>
<a href="#">ICA-2022-05</a>	Vladislav Mikhaylov	FIA	FIA Karting Academy Trophy	Event of Le Mans (France)	Appeal inadmissible	Appeal inadmissible	Work on the Kart on the Pre-Grid (after the time allocated by the FIA delegate)	<ul style="list-style-type: none"> <li>Interest to act</li> <li>Applicable law</li> </ul>	<ul style="list-style-type: none"> <li>CIK-FIA General Prescriptions (article 2.19F)</li> <li>FIA Karting Specific Prescriptions (article 19)</li> <li>Judiciary and Disciplinary Rules (articles 10.1.1.a and 14.4)</li> </ul>	3-Sep-22	28-Nov-22	<ul style="list-style-type: none"> <li>Interest to act - Assessment - Elements to be taken into consideration: Impact of the sanction on the Appellant's situation within the Competition and/or the Championship; Potential and concrete consequences of ICA's decision on the Appellant's legal situation - In the case: absence - Consequence? Inadmissibility of the appeal</li> <li>Applicable law before the ICA - French law - Only on a complementary basis: when obviously applicable to the issue at stake if not already covered by the FIA regulations (hypothesis 1); the FIA regulations explicitly refer on French law on a given matter (hypothesis 2) - Notion of "legal interest to act" - French Civil Procedure Code applicable? No</li> </ul>
<a href="#">ICA-2022-04</a>	Josh Moffett	FIA	Celtic Rally Trophy	Circuit of Ireland International Rally	Appeal inadmissible	Appeal inadmissible		<ul style="list-style-type: none"> <li>Decision not subject to appeal</li> <li>Right of review</li> <li>Principle of estoppel</li> <li>Power of the Stewards</li> </ul>	International Sporting Code (articles 14.1.1 and 14.3)	13-Jun-22	29-Sep-22	<ul style="list-style-type: none"> <li>Decision not subject to appeal - Right of review - Decision of the stewards as to whether or not a significant and relevant new element justifies to re-examine previous decisions - Competence of the ICA? No - Right of appeal, nevertheless, in application of the principle of estoppel? No</li> <li>Power of the Stewards - Limits - As an internal authority of first instance of the FIA, the Stewards do not have any capacity to establish a right of appeal and therefore amend the FIA JDR or the Code</li> <li>Rights of defence before the ICA - Right to be heard - Complaint or the Appellant about the (absence or the) possibility to validly present its case before the ICA - In the case: Appellant had been duly informed of its rights and of the deadlines; Absence of new or exceptional circumstances that would allow it to complete its written submissions after the deadline - Violation of the right to be heard? No</li> <li>Rules of JDR about submissions - Clear and fundamental rules that must be strictly applied</li> <li>Assessment of a race incident - Principle: Best position of stewards (best knowledge of the relevant facts) - Exception? - Live stream video provided by the FIA and not available to the Stewards - Consequence? In this case: ICA in a better position to assess the incident</li> <li>Concrete evaluation of non-compliance in the case - Nature of the alleged breach: contact driving - Assessment: First incident was not sufficient to sanction the Driver and could only be a source of interpretation of his character, when it comes to the analysis of more serious incidents and the type of sanction to be imposed for these</li> <li>Concrete evaluation of non-compliance in the case - Nature of the alleged breach: caused a collision/pushed away another driver - Sanction? No: the driver didn't push away deliberately another competitor - Pure racing incident</li> </ul>
<a href="#">ICA-2022-03</a>	Koski Motorsport	FIA	FIA Karting European Championship - OKJ	Zuera Competition (Spain)	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Drivers' Behaviour</li> <li>Contact driving/dangerous driving</li> </ul>	<ul style="list-style-type: none"> <li>Rights of the defence</li> <li>Assessment of a race incident</li> <li>Existence of a breach (No)</li> </ul>	<ul style="list-style-type: none"> <li>International Karting Code of Conduct (article 3.6.2.b)</li> <li>Judiciary and Disciplinary Rules (article 10.7.3)</li> </ul>	30-Apr-22	25-Jul-22	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance in the case - Nature of the alleged breach: caused a collision/pushed away another driver - Sanction? No: the driver didn't push away deliberately another competitor - Pure racing incident</li> <li>Applicable regulations - Technical regulations - Clerical mistake in the Contested Decision about the article of the Technical Regulations which applied - Content of both articles identical - Consequence? No impact on the validity of the Contested Decision</li> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: Bumper - Requirement for bumpers and bodywork to be tested and homologated together for safety considerations</li> <li>Non-compliance with technical regulations - Principles - Objective responsibility of the competitor - Irrelevance of the fault (intention or negligence) of the competitor - Irrelevance of the good faith of the competitor or its team - Exclusion of any duty of the FIA officials to check the conformity - Irrelevance of the lack of sporting/performance advantage related to the breach</li> <li>Sanction for non-compliance with technical regulations - Principle: Disqualification - Exception (less severe sanction) - Condition: the breach took place under exceptional circumstances - Condition not met in the case - Notion of "under exceptional circumstances" - Admitted only under very limited criteria - Clerical error or a mistake made on the official homologation documents</li> <li>Absence of "exceptional circumstances" - According to the Appellant, the FIA's official confirmed that the Kart was compliant with the regulations (or at least they should have noticed the breach during the pre-competition scrutineering) - But: no control of the bumpers and the bodywork before the competition - Consequence? the question whether a control of the parts could have been considered as a "clerical error" or, more broadly, as an "exceptional circumstance" does not have to be examined by the ICA - Plus: Absence of duty of the FIA officials to check the conformity of the car at the outset of a competition: Appellant cannot delegate its duty of</li> </ul>
<a href="#">ICA-2022-02</a>	Parolin Motorsport S.r.l.	FIA	FIA Karting European Championship - OKJ	Zuera Competition (Spain)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Bumper from lateral bodywork</li> <li>Homologation number</li> </ul>	<ul style="list-style-type: none"> <li>Objective violation and objective responsibility of the competitor</li> <li>Existence of "exceptional circumstances" (no)</li> <li>Exclusion of any duty of the FIA officials to check the conformity</li> </ul>	<ul style="list-style-type: none"> <li>CIK-FIA Technical Regulations (articles 3.4, 6.1 and 9.4)</li> <li>FIA Karting European Championship-Junior Sporting Regulations (article 10)</li> <li>International Sporting Code (article 9.15.1)</li> </ul>	30-Apr-22	8-Jul-22	
<a href="#">ICA-2022-01</a>	David Pittard	FIA			Withdrawal of Appeal	Withdrawal of Appeal	<ul style="list-style-type: none"> <li>Driver's categorisation</li> <li>Silver/gold categories</li> </ul>			1-Mar-22	10-Mar-22	

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ICA-2023-02	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEdA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
ICA-2021-03	Yohan Rossel	FIA	FIA World Rally Championship	EKO Acropolis Rally (Greece)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Weight of the front subframe</li> <li>Measuring instruments (scales)</li> </ul>	<ul style="list-style-type: none"> <li>Rights of defence</li> <li>Reliability of the measurements made during the post-race scrutineering (homologation and calibration of scales)</li> <li>Applicable law</li> <li>Objective violation and objective responsibility of the competitor</li> <li>Existence of "exceptional circumstances" (no)</li> </ul>	International Sporting Code (Appendix J, articles 10.3.3, 11.14.2.b and 255 A)	12-Sep-21	16-Nov-21	<ul style="list-style-type: none"> <li>Rights of defence before the adoption of the Stewards' contested decision - Right to be heard - Scope - Opportunity for a competitor to challenge the course of the post-race scrutineering (notably the steps of the procedure which neither he or his representatives could attend) - Right to raise submissions on the reliability of the measurements made during the post-race scrutineering - Impact of the statements made by his representatives at the hearing before the Stewards? No</li> <li>Measuring instruments - Scale used by the FIA and the scrutineers - Applicable law to assess the compliance of the scale with the legal requirements - French law not applicable to a measurement made outside the French territory</li> <li>Measuring instruments - Scale used by the FIA and the scrutineers - Assurance of the accuracy of the measurements - Assessment</li> <li>Non-compliance with technical regulations - Principles - Absolute and objective responsibility of the competitor - Irrelevance of the intention or negligence of the competitor - Irrelevance of the good faith of the competitor or its team - Irrelevance of the lack of sporting/performance advantage related to the breach</li> <li>Sanction for non-compliance with technical regulations - Principle: Disqualification - Exception (less severe sanction) - Condition: the breach took place under exceptional circumstances - Condition not met in the case - Notion of "under exceptional circumstances" - Admitted only under very limited criteria - Clerical error or a mistake made on the official homologation documents</li> <li>Absence of "exceptional circumstances" - According to the Appellant, the breach might have been due either to the inaccuracy of the scales (no) or the failure of Citroën (no) - Plus: irrelevance (in fact or in law) of the "experiment" that his team performed in order to support his appeal: assuming that this could be considered as an exceptional circumstance, quod non, the Appellant does not demonstrate that this theoretical exercise has any link with the real conditions under which the competition took place</li> </ul>
ICA-2021-02	Aston Martin Cognizant F1 Team	FIA	FIA F1 World Championship	Hungarian Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal	Fuel sample (may be taken from the car at any time during the event)		F1 Technical Regulations (article 6.2.2)	1-Aug-21	12-Aug-21	
ICA-2021-01	Luca Corberi	FIA	FIA Karting World Championship - KZ	Event of Lonato (Italy)	Appeal admissible	Decision(s) upheld	Drivers' Behaviour	<ul style="list-style-type: none"> <li>Principle "ne bis in idem"</li> <li>Limits of the ICA's competence</li> <li>Principle "nulla poena sine previa lege"</li> <li>Applicable law</li> <li>Proportionality of the sanction</li> <li>Mitigation of the sanction</li> </ul>	<ul style="list-style-type: none"> <li>FIA Statutes (article 2.3)</li> <li>Judiciary and Disciplinary Rules (article 5.2 (j))</li> <li>International Sporting Code (articles 12.1.1.c, 12.1.1.d, 12.1.1.h, and 12.1.1.i)</li> <li>FIA Code of Good Conduct (Appendix B to the ISC)</li> <li>FIA Karting WC-KZ Sporting Regulations (article 2)</li> </ul>	19-Apr-21	19-Jul-21	<ul style="list-style-type: none"> <li>Principle "ne bis in idem" - Existence of 2 disciplinary procedures conducted in parallel regarding the same facts (one before the ACI-Sport jurisdictions and one before the FIA courts) - Violation of the principle "ne bis in idem" ? No: the competences and attributions of the two jurisdictions are distinct</li> <li>Limits of the ICA's competence - Objection based on the principle "ne bis in idem" raised by the Appellant - This issue must be dealt with by the national courts (and the relevant national appeal bodies) in the framework of the relevant national proceedings</li> <li>Applicable law before the ICA - French law - Applicable only on a complementary basis - Principle "nulla poena sine previa lege" has to be considered when it comes to disciplinary sanctions issued by Sport Federations - Breach of this principle in the case by the applicable FIA regulations (the Code and the JDR)? No</li> <li>Proportionality of the sanction imposed by the IT - Sanction imposed: Suspension and ban for 15 years - Sanction disproportionate? No: sanction proportionate to the gravity of the breaches committed in the present case</li> <li>Mitigation of the sanction imposed by the IT - Attenuating circumstance - Alleged "state of rage" - No mitigation in the case</li> </ul>
ICA-2020-06	Pierre Furon and Maxime Furon-Castelain	Automobile Club of Italia (ACI-Sport)	FIA Karting Academy Trophy	Event of Lonato (Italy)	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Drivers' Behaviour</li> <li>Contacts/collisions</li> </ul>	<ul style="list-style-type: none"> <li>Procedural irregularities alleged</li> <li>Devolutive effect of the appeal</li> <li>Fundamental rights</li> <li>Assessment of a race incident</li> <li>Pure racing incident</li> </ul>	<ul style="list-style-type: none"> <li>FIA Code of conduct on Karting circuit (article 3.6.2.e)</li> <li>Judiciary and Disciplinary Rules (article 10.9)</li> </ul>	4-Oct-20	5-Mar-21	<ul style="list-style-type: none"> <li>Respect of fundamental rights - Obligation for the stewards or the national appeal courts to respect the fundamental procedural rights - Obligation for the competent authorities to make sure that the formalities required by the relevant regulations are complied with and that the information provided to the parties is correct</li> <li>Procedural irregularities alleged by the Appellant - Principle - Irregularities cured by the devolutive effect of the appeal before the ICA - Exception: Impact too important of the irregularities - In this case: irregularities cured</li> <li>Assessment of a race incident - Principle - Best position of stewards (best knowledge of the relevant facts) - Consequence? Restraint of the national courts of appeal and the ICA - Exception? Stewards' decision only based on an incomplete video and no additional evidentiary measures were taken (confronting the two drivers, hearing the Judge of Fact or inspecting the two karts) - In the case: ICA in a better position to assess the incident</li> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: caused a collision/pushed away another driver - Sanction? No: The driver didn't push away deliberately another competitor - Pure racing incident</li> </ul>
ICA-2020-05	Team MRF TYRES	FIA	FIA European Rally Championship	Rally Liepaja (Latvia)	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Fuel</li> <li>Aromatic properties of fuel</li> <li>Method for calculating the tolerance</li> </ul>	<ul style="list-style-type: none"> <li>Method for calculating the tolerance</li> <li>Existence of a breach (no)</li> </ul>	<ul style="list-style-type: none"> <li>FIA Regional Rally Sporting Regulations (Appendix V1A, article 62.1.4)</li> <li>International Sporting Code (Appendix J, article 252.9.1)</li> </ul>	2-Oct-20	22-Dec-20	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: Fuel - Aromatics properties - Method for calculating the tolerance - Standard ISO 22854 - Result within the tolerance? Yes - Consequence? No breach</li> </ul>
ICA-2020-04 (joined with ICA 2020-01, ICA 2020-02 and ICA 2020-03)	<ul style="list-style-type: none"> <li>BWT Racing Point F1 Team</li> <li>Scuderia Ferrari</li> </ul>	FIA	FIA F1 World Championship	Belgian Grand Prix							30-Aug-20	
ICA-2020-03 (joined with ICA 2020-01, ICA 2020-02 and ICA 2020-04)	<ul style="list-style-type: none"> <li>Renault DP World F1 Team</li> <li>BWT Racing Point F1 Team</li> <li>Scuderia Ferrari</li> </ul>	FIA	FIA F1 World Championship	Spanish Grand Prix							16-Aug-20	
ICA-2020-01 (joined with ICA 2020-02, ICA 2020-03 and ICA 2020-04)	<ul style="list-style-type: none"> <li>Renault DP World F1 Team</li> <li>BWT Racing Point F1 Team</li> <li>Scuderia Ferrari</li> </ul>	FIA	FIA F1 World Championship	Styrian Grand Prix, Hungarian Grand Prix and British Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal	Front and rear brake air ducts		F1 Sporting Regulations (articles 2.1, 3.2 and Appendix 6)	7-Aug-20	9-Sep-20	
ICA-2020-02 (joined with ICA 2020-01, ICA 2020-03 and ICA 2020-04)	<ul style="list-style-type: none"> <li>Renault DP World F1 Team</li> <li>BWT Racing Point F1 Team</li> <li>Scuderia Ferrari</li> </ul>	FIA	FIA F1 World Championship	70th Anniversary Grand Prix							9-Aug-20	
ICA-2019-11	<ul style="list-style-type: none"> <li>Polski Związek Motorowy</li> <li>On behalf of Inter Europol Competition</li> </ul>	French Federation of Motor Sport (FFSA)	Endurance - European Le Mans Series	4 hours of Portimão (Portugal)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Minimum driving time</li> <li>Drivers' Categorisation ("Bronze", "Silver", "Gold", "Platinum")</li> </ul>	<ul style="list-style-type: none"> <li>Time limit for appealing</li> <li>Appeal Deposit</li> <li>Method of interpretation</li> <li>Calculation of the new minimum driving time</li> </ul>	Sporting Regulations of the "European Le Mans Series 2019" (Articles 10.10.1.5 b and 10.10.11.2)	27-Oct-19	27-Feb-20	<ul style="list-style-type: none"> <li>Appeal deposit - Distinction between so-called "major" FIA competitions (6,000 €) and the other FIA competitions (3,000 €) - European Le Mans Series : FIA competition but not a major one</li> <li>Time limit for appealing - Starting point (dies a quo) - Notification of the contested decision - Communication of the operative part of the decision before the full decision - Starting point ? Notification of the full decision</li> <li>Method of interpretation of ICA - Principle - Literal interpretation - Use of another method - Silence on this subject in FIA regulations - Application of the methods of interpretation set out in French law - Methodes of interpretation of contracts - Systemic approach - Model of "Reasonable person placed in the same situation"</li> <li>Non-compliance with sporting regulations - Nature of the alleged breach: non-respect of minimum driving time after the adjustment made by the Stewards because of a suspension of the race (deduction of the race suspension time) - Calculation of the new minimum driving time - Inclusion of the time spent by the Driver in parc fermé during the suspension of the race? No</li> </ul>
ICA-2019-10 (joined with ICA-2019-09)	Vincenzo Sospiri Racing S.r.l.		International GT Open								13-Oct-19	

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Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
ICA-2023-02	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEdA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2019-09 (joined with ICA-2019-10)</a>	Vincenzo Sospiri Racing S.r.l.	Real Federación Española de Automovilismo (RFEdA)	International GT Open	Race of Monza (Italy)	Appeal partially not admissible	Decision quashed and replaced by a more severe sanction	<ul style="list-style-type: none"> <li>Drivers' Behaviour</li> <li>Liability of the team because of the Pilote's behaviour</li> </ul>	<ul style="list-style-type: none"> <li>Decision not subject to appeal</li> <li>Principle "ne bis in idem"</li> <li>Unsporting manner of driving in order to influence the results of the race</li> <li>Liability of the team</li> <li>Instruction given by the team</li> <li>Sanction of the team</li> </ul>	<ul style="list-style-type: none"> <li>Sporting Regulations (Articles 16.1.f, 16.5, 19.4 and 19.20)</li> <li>International Sporting Code (articles 12.2.4 and 9.15.1)</li> <li>International Sporting Code (Appendix L, articles 2b and 2e)</li> </ul>	13-Oct-19	14-Feb-20	<ul style="list-style-type: none"> <li>Decision not subject to appeal - Decision of the Stewards to impose a stop and go penalty converted into a time penalty - Competence of the ICA? No : lex specialis</li> <li>Principle "ne bis in idem" - Violation in the case? No - Because the sanction imposed impact the driver and the team with respect to the PRO championship, whereas the issue in the present case has an impact on the PROAM championship</li> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the breach: Unsporting manner of driving in order to influence the results of the race in favour of another car of the same team (in a different category) and to the detriment of a competitor:                             <ul style="list-style-type: none"> <li>--&gt; Liability of the team because of its drivers' attitude even if there was no instruction given to him to act this way? Yes</li> <li>--&gt; Instruction given by the team to its driver to act this way? Yes - Why ? Elements to be taken into consideration: absence of any explanation from the team ; passivity during the incident ; impact of the incident on the final results - Consequence? The team committed in persona a severe breach - Consequence? Sanction of a team itself (disqualification of the team cumulated with a fine)</li> <li>Sanction for non-compliance with sportive regulations - Sanction of a team itself - Nature of the sanction: fine - Assessment of the quantum - Elements to be taken into consideration? Team's estimated annual budget ; Team attitude (aggravating circumstance)</li> </ul> </li> <li>Admissibility of evidence - Submission of new evidence after the time limit - in the case : Preliminary decision of the President to remove the seals on the car - Evidence submitted after by the Appellant, gathered on the basis of the dismantling of the Car - Admissibility? No - Why? No new arguments ; waiver of the appellant ; car unsealed at the Appellant's request; absence of the FIA during the car dismantling</li> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: Ground clearance - Obligation for any part of the car's flat bottom to respect the minimum ground clearance? Yes</li> <li>Sanction of non-compliance with technical regulations - Principle: Disqualification - Exception (less severe sanction) - 2 conditions - the breach took place under exceptional circumstances ; the competitor has not committed any fault, whether intentionally or through negligence - Conditions met in the case - Why ? No interest for the Appellant in causing the breach - Breach only be due to an involuntary cause (pure racing incident which did not lead to a sanction against the car's driver ) - Breach millimetrical that could not reasonably be detected by the Appellant</li> </ul>
<a href="#">ICA-2019-08</a>	AF Corse s.r.l.	FIA	FIA World Endurance Championship	4 Hours of Shanghai (China)	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Ground height clearance</li> <li>Normal racing incident</li> </ul>	<ul style="list-style-type: none"> <li>Admissibility of new evidence</li> <li>Exceptional circumstances</li> </ul>	WEC Technical Regulations (article 205)	10-Nov-19	12-Feb-20	<ul style="list-style-type: none"> <li>Sanction of non-compliance with technical regulations - Principle: Disqualification - Exception (less severe sanction) - 2 conditions - the breach took place under exceptional circumstances ; the competitor has not committed any fault, whether intentionally or through negligence - Conditions met in the case - Why ? No interest for the Appellant in causing the breach - Breach only be due to an involuntary cause (pure racing incident which did not lead to a sanction against the car's driver ) - Breach millimetrical that could not reasonably be detected by the Appellant</li> </ul>
ICA-2019-07 (joined with ICA-2019-06)	Romeo Racing F1 team	FIA	FIA F1 World Championship	German Grand Prix						28-Jul-19		
<a href="#">ICA-2019-06 (joined with ICA-2019-07)</a>	Romeo Racing F1 team	FIA	FIA F1 World Championship	German Grand Prix in Hockenheim	Appeal inadmissible	Appeal inadmissible	Driver must drive the car alone and unaided	<ul style="list-style-type: none"> <li>Limits of the ICA's general competence</li> <li>Decision not subject to appeal</li> <li>Scope of jurisdiction of ICA</li> <li>Violation of technical or sporting regulations?</li> </ul>	<ul style="list-style-type: none"> <li>FIA F1 Technical Regulations (article 9)</li> <li>FIA F1 Sporting Regulations (articles 17.2, 27.1 and 38.3)</li> <li>International Sporting Code (article 12.2.4)</li> </ul>	28-Jul-19	3-Oct-19	<ul style="list-style-type: none"> <li>Limits of the ICA's general competence - ICA bound by the amendments made by the regulator which can restrain its jurisdiction on certain decisions imposing specific penalties</li> <li>Decision not subject to appeal - Decision of the Stewards to impose a stop and go penalty converted into a time penalty - Competence of the ICA? No (lex specialis) - Exception with respect to the principle of legality? No</li> <li>Violation of technical or sporting regulations - Technical and sporting regulations may be violated concurrently</li> </ul>
ICA 2019-05 (joined with ICA-2019-03 and ICA-2019-04)	Comtoy Team Audi Sport		FIA World Touring Car Cup	Race of Portugal						6-Jul-19		
ICA-2019-04 (joined with ICA-2019-03 and ICA-2019-05)	Leopard Racing Team Audi Sport		FIA World Touring Car Cup	Race of Portugal						6-Jul-19		
<a href="#">ICA-2019-03 (joined with ICA 2019-04 and ICA 2019-05)</a>	Leopard Racing Team Audi Sport	FIA	FIA World Touring Car Cup	Race of Portugal	Appeal admissible	Decision quashed and replaced by a less severe sanction	<ul style="list-style-type: none"> <li>Maximum boost pressure</li> <li>Balance of Performance Chart</li> <li>Low overboosts point</li> </ul>	<ul style="list-style-type: none"> <li>Burden of proof</li> <li>Standard of proof</li> <li>Violation of technical or sporting regulations?</li> <li>Applicable sporting regulations</li> <li>Nature of the sanction</li> <li>Proportionality of the sanction</li> <li>Mitigation of the sanction</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (article 11.9)</li> <li>WTCR Technical Regulations (article 3.2)</li> <li>WTCR Sporting Regulations (articles 30.1 and 30.2)</li> </ul>	6-Jul-19	24-Sep-19	<ul style="list-style-type: none"> <li>Burden of proof (or a breach with the applicable regulations) - Principle : FIA's duty (in the absence or any provision to the contrary) - in the case : data report provided by the FIA - Irregularities : 1) FIA's equipment to process and assess the data not in accordance with the FIA Technical Regulations ; 2) Typing mistake - No impact in the case - FIA discharged of the burden of proof ? Yes</li> <li>Violation of technical or sporting regulations? - Nature of the breach : non-compliance with the Balance of Performance Chart by exceeding the limits of the maximum boost pressure - Breach of the sporting regulations (and not the technical regulations)</li> <li>Sanction for non-compliance with sporting regulations - Nature of the sanction - No automatic disqualification (difference with the sanction of a breach of the technical regulation) - Sanction must reflect the circumstances of the case</li> <li>Proportionality of the sanction - Nature of the breach in the case: non-compliance with the Balance of Performance Chart by exceeding the limits of the maximum boost pressure - Sanction imposed: disqualification - Sanction disproportionate ? Yes - Elements to be taken into consideration : first time offence ; lack of sporting advantage related to the breach ; breach caused by external (weather) conditions beyond the Appellants' control ; FIA had had more flexible attitude regarding this type of issue (legitimate expectations of the competitor) - Consequence : mitigation of the sanction</li> <li>Control of non-compliance with technical regulations - when? - Competitor obliged to ensure the conformity of its car any time during the competition - Consequence? Non-compliance can be detected before, during or after an event</li> <li>Sanction for non-compliance with technical regulations - Nature of the sanction - Principle: Disqualification - Exception (less severe sanction) - 2 conditions - the breach took place under exceptional circumstances ; the competitor has not committed any fault, whether intentionally or through negligence - Conditions not met in the case</li> <li>Notion of "exceptional circumstances" - Admitted only under very limited criteria - Absolute and proven impossibility for the competitor to detect the non-compliance of the car - In the case : Error in the mounting of the dampers - Error not attributable exclusively to the supplier - Possibility for the Competitor to detect the non-compliance of the car ? Yes</li> <li>Italian National Court of Appeal (INCA) - Assessment of the validity of the Stewards' Decision - INCA not bound by the conclusions of the federal Prosecutor - Violation of principle of ne ultra petita ? No</li> </ul>
<a href="#">ICA-2019-02</a>	Prema Powerteam s.r.l.	Automobile Club of Italia (ACI) (Italy ASN)	Formula Regional Championships	Le Castellet Competition (France)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Damper</li> <li>Suspension</li> </ul>	<ul style="list-style-type: none"> <li>Power of the National Court of Appeal</li> <li>Principle of "ne ultra petita"</li> <li>Existence of "exceptional circumstances" (yes)</li> <li>Proportionality of the sanction</li> </ul>	<ul style="list-style-type: none"> <li>Sporting Regulations of the Formula Regional European Championship (article 3.1)</li> <li>Technical Regulations of the Formula Regional European Championship (article 2.7.1)</li> <li>International Sporting Code (article 9.15)</li> </ul>	13-Apr-19	26-Jul-19	<ul style="list-style-type: none"> <li>Sanction for non-compliance with technical regulations - Nature of the sanction - Principle: Disqualification - Exception (less severe sanction) - 2 conditions - the breach took place under exceptional circumstances ; the competitor has not committed any fault, whether intentionally or through negligence - Conditions not met in the case</li> <li>Notion of "exceptional circumstances" - Admitted only under very limited criteria - Absolute and proven impossibility for the competitor to detect the non-compliance of the car - In the case : Error in the mounting of the dampers - Error not attributable exclusively to the supplier - Possibility for the Competitor to detect the non-compliance of the car ? Yes</li> <li>Italian National Court of Appeal (INCA) - Assessment of the validity of the Stewards' Decision - INCA not bound by the conclusions of the federal Prosecutor - Violation of principle of ne ultra petita ? No</li> </ul>
<a href="#">ICA-2019-01</a>	Pravia Autocompetición (Carrera-Villaron)	FIA	FIA European Historic Rally Championship	Rallye de Asturias (Spain)	Appeal admissible	Decision(s) upheld	Historical Technical Passport (HTP)	Non-presentation of the FIA Historical Technical Passport (HTP)	<ul style="list-style-type: none"> <li>International Sporting Code (Appendix K, article 4.3.1.)</li> <li>Supplementary Regulations for the FIA European Historic Sporting Rally Championship 11 Rallye de Asturias Historico (articles 4.3 and 10.1.2)</li> </ul>	23-May-19	25-Jul-19	<ul style="list-style-type: none"> <li>Historical Technical Passport (HTP) - Obligation for any competitor to hold a valid HTP and to produce it before any competition - Right of the FIA to retain an HTP until the car is found compliant with the technical requirements - Responsibility of the appellant in the case ? Yes - Consequence: impossibility to take part to the competition</li> </ul>
<a href="#">ICA-2018-10</a>	Haas F1 Team	FIA	FIA F1 World Championship	Italian Grand Prix (Monza - Italy)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Car's reference plane</li> <li>Front corner</li> <li>Bargeboards</li> </ul>	<ul style="list-style-type: none"> <li>Method of interpretation</li> <li>FIA's misleading</li> <li>FIA's duty as a legislator</li> <li>Objective violation and objective responsibility of the competitor</li> <li>Definition of front corner</li> <li>Modification of a part/technical innovation</li> <li>Existence of "exceptional circumstances" (no)</li> <li>ICAs' power</li> </ul>	<ul style="list-style-type: none"> <li>FIA F1 Technical Regulations (articles 2.4 and 3.7.1.d)</li> <li>F1 Sporting Regulations (articles 3.2 and 3.3)</li> <li>International Sporting Code (article 11.9.1)</li> <li>Judiciary and Disciplinary Rules (articles 10.9, §1, and 11.3)</li> </ul>	2-Sep-18	16-Nov-18	<ul style="list-style-type: none"> <li>Method of interpretation of technical regulation - Application of the methods of interpretation set out in French law - Methods of interpretation of contracts</li> <li>Applicable regulations - FIA's duty as a legislator - Propose and implement regulations which are as little as possible subject to interpretations - FIA representatives' duty: not to create the false impression that the FIA legislation is ambiguous</li> <li>Non-compliance with technical regulations - Principle - Competitor has to accept that the evidence or the submissions it intends to bring as an alternative to those foreseen by a Technical Directive might not satisfy the Technical Delegate, the Stewards or the ICA</li> <li>Non-compliance with technical regulations - Principles - Absolute and objective responsibility of the competitor - Irrelevance of the fault (intention or negligence) of the competitor - Irrelevance of the lack of sporting/performance advantage related to the breach</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: front corner - Definition - Corner which is oriented in the front of the reference plane - Possibility to have more two front corners which can be split along the front side of the reference plane based on the specific shape of the reference plane of each F1 car - Definition according to the original purpose of the Article: Front corner necessarily rounded off</li> <li>Modification of a part/technical innovation - Doubts about compliance with technical regulations - Competitors expected to seek all the necessary clarifications, to ask confirmation before implementing their solution or to make contact with the FIA or other regulating authority before any competition</li> <li>Nature of the sanction of non-compliance with technical regulations - Principle: Disqualification - Exception (less severe sanction) - 2 conditions : the breach took place under exceptional circumstances ; the competitor has not committed any fault, whether intentionally or through negligence - Conditions not met in the case - FIA's misleading does not reach the intensity level set in ICA jurisprudence</li> </ul>
ICA-2018-09	Charouz Racing System	FIA	FIA F2 Championship	Race of Budapest	Withdrawal of Appeal	Withdrawal of Appeal	Time penalty		F2 Sporting Regulations (articles 38.1 and 38.3.a)	29-Jul-18	29-Aug-18	
ICA-2018-07 (joined with ICA-2018-06 and ICA-2018-08)	Boutsen Ginion Racing	FIA	FIA World Touring Car Cup	Race of Slovakia						14-Jul-18		
ICA-2018-08 (joined with ICA-2018-06 and ICA-2018-07)	INKL.COM München Motorsport	FIA	FIA World Touring Car Cup	Race of Slovakia						14-Jul-18		

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Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
ICA-2023-02	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEdA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2018-06 (joined with ICA-2018-07 and ICA-2018-08)</a>	Boutsen Ginion Racing	FIA	FIA World Touring Car Cup	Race of Slovakia	Appeal admissible	Mix	<ul style="list-style-type: none"> <li>Maximum boost pressure value</li> <li>Balance of Performance Chart</li> <li>Maximum engine speed value</li> </ul>	<ul style="list-style-type: none"> <li>Admissibility of new evidence</li> <li>Absence of legal foundation</li> <li>ICAs' power</li> <li>Principle of economy of the procedure</li> <li>Sanction</li> <li>Sporting consequences of the rejection of the appeal and the lifting of its suspensive effect</li> <li>Principle of sporting fairness</li> </ul>	<ul style="list-style-type: none"> <li>WTCR Sporting Regulations (articles 3.8 and 80)</li> <li>TCR Regulations (article 3.1)</li> <li>International Sporting Code (article 1.1.1)</li> <li>Judiciary and Disciplinary Rules (Preamble)</li> </ul>	14-Jul-18	24-Sep-18	<ul style="list-style-type: none"> <li>Admissibility of evidence - Submission of new evidence after the time limit - Condition: existence of "new or exceptional circumstances" - In the case : evidence already available at the time of lodging the grounds of appeal - Admissibility? No</li> <li>Applicability of regulations - Balance of Performance Chart - Decision of the FIA Technical Committee to adjust the maximum boost pressure - Decision taken in an irregular manner - Consequences: 1) lack of applicability of this decision ; 2) absence of legal foundation of the Stewards' contested decisions based on a breach with maximum boost pressure</li> <li>ICAs' power - Principle of economy of the procedure - Power to settle all the legal and sporting consequences of the sanctions pronounced by the Stewards</li> <li>Sanction for non-compliance with technical regulations - Confirmation of the sanction by the ICA (disqualification to a qualifying session) - Sporting consequences of the rejection of the appeal and the lifting of its suspensive effect - Principle of sporting fairness - Consequence: disqualification of the same cars from other races of the competition</li> </ul>
ICA-2018-05	Dorian Bocolacci	FIA	International Series GP3	Le Castellet Event (France)	Withdrawal of Appeal	Withdrawal of Appeal				18-Jun-18	12-Jul-18	
ICA-2018-04 (joined with ICA-2018-03)	TDS Racing	FIA	FIA World Endurance Championship	Le Mans Meeting (France)						18-Jun-18		
<a href="#">ICA-2018-02</a>	<ul style="list-style-type: none"> <li>Motor Sports Association (Great Britain)</li> <li>On behalf of its licence-holder Lennox Racing Team</li> </ul>	FIA	CIK-FIA Karting European Championship - Junior	Ampfing Competition (Germany)	Withdrawal of Appeal	Decision(s) upheld and other sanction (consequence of the lifting of the suspensive effect of appeal)	<ul style="list-style-type: none"> <li>Driving conduct</li> <li>Collision</li> </ul>	<ul style="list-style-type: none"> <li>ICAs' power</li> <li>Principle of economy of the procedure</li> <li>Sanction</li> <li>Sporting consequences of the withdrawal of the appeal and the lifting of its suspensive effect</li> <li>Principle of sporting fairness</li> </ul>	<ul style="list-style-type: none"> <li>CIK-FIA General Prescriptions (article 2.24)</li> <li>International Sporting Code (article 1.1.1)</li> </ul>	16-Jun-18	19-Sep-18	<ul style="list-style-type: none"> <li>ICAs' power - Full power to review the case : all the decision-making powers of the authority that took the contested decision - Consequence: power to decide on any type of sanctions</li> <li>ICAs' power - Principle of economy of the procedure - Power to settle all the legal and sporting consequences of the Stewards' decision</li> <li>Sporting consequences of the withdrawal of the appeal and the lifting of its suspensive effect - Confirmation of the sanction because of the withdrawal of the appeal (disqualification for a qualifying heat) - Principle of sporting fairness - Consequence: disqualification of driver and the competitor from the final phase of the competition</li> </ul>
<a href="#">ICA-2018-03 (joined with ICA-2018-04)</a>	G-Drive Racing	FIA	FIA World Endurance Championship	Le Mans Meeting (France)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Refuelling assembly</li> <li>Fuel flow restrictor</li> <li>Dead man valve</li> <li>Fittings</li> </ul>	<ul style="list-style-type: none"> <li>Objective violation and objective responsibility of the competitor</li> <li>Nature of the sanction</li> <li>Definition of fittings</li> <li>Modification of a part/Technical innovation</li> </ul>	<ul style="list-style-type: none"> <li>Technical Regulations for LMP2 (Appendix A)</li> <li>Technical regulations (article 2.1.1)</li> <li>International Sporting Code (article 12.1.1.c)</li> </ul>	18-Jun-18	18-Sep-18	<ul style="list-style-type: none"> <li>Non-compliance with technical regulations - Principle - Absolute and objective responsibility of the competitor</li> <li>Nature of sanction - Principle - Disqualification</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: fitting - Definition - Fittings connect elements and are to remain separate from them - No other criterion applicable other than the maximum internal diameter - Separate fitting parts can be added to connect the elements</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: "Dead Man Assembly" designed by the Appellants (removable machined part in the refuelling assembly) - Fitting? No - Nature of this element? 2 elements that must be analysed independently: 1) Dead Man Case/Top : fitting (non-compliant one) ; 2) Dead Man Cylinder : not a fitting and operating as a fuel flow restrictor (non-compliant as a FFR ; interdiction to have a compliant part which is rendered redundant by another part ; interdiction to add new elements to the refuelling system, apart from the necessary fittings)</li> <li>Modification of a part/Technical innovation - Interdiction to have a compliant part which is rendered redundant by another part</li> <li>Modification of a part/Technical innovation - Doubts about compliance with technical regulations - Competitors expected to seek all the necessary clarifications, to ask confirmation before implementing his solution or to make contact with the FIA or other regulating authority before any competition</li> </ul>
<a href="#">ICA-2018-01</a>	M-Sport Ford World Rally Team	FIA	FIA World Rally Championship	Rally of Guanajuato Mexico (Mexico)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Chicane (hit)</li> <li>Power stage</li> </ul>	<ul style="list-style-type: none"> <li>Assessment of a race incident</li> <li>Value of Guidelines</li> <li>Nature of the sanction</li> <li>Principle of equality of treatment</li> <li>Role of ICA with regards with the sanction</li> <li>Proportionality of the sanction</li> </ul>	<ul style="list-style-type: none"> <li>WRC Sporting Regulations (articles 13.3.4 and 14.2)</li> <li>FIA Rally Safety Security Guidelines</li> </ul>	11-Mar-18	4-May-18	<ul style="list-style-type: none"> <li>Assessment of a race incident - Principle: best position of stewards (best knowledge of the relevant facts)</li> <li>Applicable sporting regulations - Guidelines - No binding value</li> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: hit of a chicane - Role played by a chicane is important not only for the competition itself but also for safety reasons - Obligation for the competitors to avoid it</li> <li>Principle of equality of treatment - Nature of the breach in the case: hit of a chicane - Other competitors hit the chicane too but the appellant was the only one sanctioned - Violation of the principle of equality of treatment? No - Difference of the Appellants' case (only one to "nudge" the first set of elements of the chicane away from the road which is the most important)</li> <li>Nature of the sanction - Assessment: discretion of the Stewards - Role of ICA : review the sanction only when it has no regulatory basis and/or when it is obviously disproportionate</li> <li>Proportionality of the sanction for non-compliance with sporting regulations - Nature of the breach in the case: hit of a chicane - Sanction imposed: time penalty - Sanction disproportionate? No (length of the race taken into consideration ; same sanction for a false start) - Purpose of the sanction: not to compensate for any time gained during the incident (sporting advantage)</li> </ul>
ICA-2017-02	<ul style="list-style-type: none"> <li>KNAC Nationale Autosport Federation (KNAF)</li> <li>On behalf of Ekris Motorsport</li> </ul>	FIA	GT4 European Series Southern Cup	Pau Competition (France)	Withdrawal of Appeal	Withdrawal of Appeal	Turbo pressure		GT4 European Series Regulations (article 4.4)	21-May-17	27-Sep-17	
ICA-2017-01	<ul style="list-style-type: none"> <li>Japanese Automobile Federation (JAF)</li> <li>On behalf of Toyota Gazoo Racing</li> </ul>	FIA	FIA World Endurance Championship	6 hours of Nürburgring (Germany)	Withdrawal of Appeal	Withdrawal of Appeal	Mirrors (cleaning during refueling)		WEC Sporting Regulations (article 10.8.4)	13-Jul-17	31-Jul-17	
<a href="#">ICA-2016-05</a>	<ul style="list-style-type: none"> <li>Saudi Arabian Motor Federation (SAMF)</li> <li>On behalf of its licence-holder Yasir Seaidan</li> </ul>	FIA	FIA World Cup for Cross-Country Rallies	Morocco Cross-Country Rally (Morocco)	Appeal admissible	Decision(s) upheld	Rear rigid axle (housing)	<ul style="list-style-type: none"> <li>Procedural irregularities</li> <li>Devolutive effect of the appeal</li> <li>Burden of proof</li> <li>Standard of proof applicable</li> <li>Applicable regulations</li> <li>Lex generalis vs lex specialis</li> <li>Modification of a part/technical innovation</li> <li>Nature of the sanction</li> </ul>		15-Dec-16	3-Feb-17	<ul style="list-style-type: none"> <li>Procedural irregularities alleged by the Appellant - Principle: Irregularities cured by the devolutive effect of the appeal before the ICA - Irregularities not proved in this case - Procedural irregularity alleged: the technical report wasn't submitted to him before his hearing by the Stewards - Obligation? No</li> <li>Burden of proof - Proof that the conditions to validly modify a homologated part of a Series Cross-Country Car (rigid axle) are met: burden of proof borne by the appellant - Standard of proof applicable: high level</li> <li>Applicable regulations - Lex generalis vs lex specialis - Sporting discipline: Cross-country - Distinction between homologation Regulations (lex generalis) and the specific regulations for Series Cross-Country Cars (Group T2) in Appendix J (lex specialis)</li> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: rear rigid axle (housing) - Possibility to modify this part? Yes: 2 conditions: the modification must be visible on the original part, which must thus be recognisable; the impact of the modification must be limited to strengthening the rigid axle - Conditions met in the case? No (reinforcement of the rear rigid axle from the inside of the housing that impact its shape)</li> <li>Modification of a part/technical innovation - Doubts about compliance with technical regulations - Competitors expected to seek all the necessary clarifications, to ask confirmation before implementing his solution or to make contact with the FIA or other regulating authority before any competition</li> <li>Nature of the sanction for non-compliance with technical regulations - Principle: Disqualification</li> </ul>
<a href="#">ICA-2016-04</a>	<ul style="list-style-type: none"> <li>Automobile Competition Committee for the United States (ACCUS)</li> <li>On behalf of f its licence-holder Dragon Racing</li> </ul>	FIA	FIA Formula E Championship	Competition of London (United Kingdom)	Appeal inadmissible	Appeal inadmissible	<ul style="list-style-type: none"> <li>Maximum amount of energy allowance</li> <li>Motor generator unit</li> <li>Dangerous behaviour (emerging from the pit lane)</li> </ul>	<ul style="list-style-type: none"> <li>Content of the notification of appeal</li> <li>Decision not subject to appeal</li> <li>Principle of legality</li> <li>Scope of jurisdiction of ICA</li> </ul>	<ul style="list-style-type: none"> <li>Judiciary and Disciplinary Rules (article 10.1.1)</li> <li>International Sporting Code (article 12.2.4)</li> <li>Formula E Championship Sporting Regulation (article 16.3)</li> </ul>	3-Jul-16	16-Sep-16	<ul style="list-style-type: none"> <li>Notification of appeal - Content - Proof that the intention of appeal was given in writing to the Stewards within one hour of the publication of the decision - In the case : absence of this proof; absence of any exceptional circumstances which could explain this incompleteness - Consequence? Inadmissibility of the appeal</li> <li>Decision not subject to appeal - Decision of the Stewards to impose a penalty of driving through or a time penalty - Competence of the ICA? No - Exception with respect to the principle of legality (appeal allowed against such decision if it isn't grounded on a sufficient legal basis)? No dispute in the case to whether principle of legality was respected (only to the principle of proportionality)</li> <li>Scope of jurisdiction - Role of ICA: not an administrative court but an internal body of an International Sporting Federation - Consequences: ICA cannot decide unilaterally that it has jurisdiction ; absence of duty to systematically review the proportionality of the Stewards' decisions</li> </ul>
<a href="#">ICA-2016-03</a>	<ul style="list-style-type: none"> <li>Automobile Club d'Italia (ACI)</li> <li>On behalf of its licence-holder Honda Racing Team Jas</li> </ul>	FIA	FIA World Touring Car Championship	Race of Germany related to races of Hungary and Morocco	Appeal admissible	Mix	<ul style="list-style-type: none"> <li>Flat bottom</li> <li>Rear hatch</li> </ul>	<ul style="list-style-type: none"> <li>Method of interpretation of technical regulation</li> <li>Principle of legal certainty</li> <li>Control of non-compliance with technical regulations</li> <li>Delegation of powers of the stewards</li> <li>Irrelevance of the lack of sporting/performance advantage</li> <li>Modification of a homologated part without explicit autorisation</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (article 11.9.2)</li> <li>International Sporting Code (Appendix J, article 263)</li> </ul>	26-May-16	13-Jul-16	<ul style="list-style-type: none"> <li>Method of interpretation of technical regulation - Reference to the French version which should prevail, in order to remove any doubt</li> <li>Sanction or no sanction for non-compliance with technical regulations? - Principle of legal certainty - Competitors must be able to rely on the decisions issued by the Stewards - In the case: stewards having declared the car compliant and authorized the start - Consequence ? No exclusion from the race</li> <li>Control of non-compliance with technical regulations - When? - Competitor obliged to ensure the conformity of its car any time during the competition - Consequence? One particular part can be checked and judged repeatedly and its non-conformity can be declared even after previous inspection(s) with negative result</li> <li>Delegation of powers of the stewards - Delegation made by the stewards in one country in favour of the steward in another country - Absence of validity of this delegation : stewards may only delegate their authority to the stewards of the subsequent event - Consequence? Contested decisions set aside</li> <li>Non-compliance with technical regulations - Principle - Irrelevance of the lack of sporting/performance advantage related to the breach</li> <li>Modification of a part/technical innovation - Interdiction to modify a homologated part (after the homologation) without explicit autorisation</li> </ul>

## Index of the judgments of the FIA International Court of Appeal (2024-02-01)

Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
<a href="#">ICA-2023-02</a>	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEDA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2016-02</a>	• Japan Automobile Federation (JAF) • On behalf of its licence-holder Toyota Gazoo Racing	FIA	FIA World Endurance Championship	6 hours of Spa-Francorchamps (Belgium)	Appeal inadmissible	Appeal inadmissible	Minimum driving time	Content of the notification of appeal	• WEC Sporting Regulations (article 10.10.2) • Judiciary and Disciplinary Rules (article 10.1.1)	7-May-16	13-Jul-16	• Notification of appeal - Content - Reasons for bringing the appeal - In the case: absence of these reasons - Consequence? Inadmissibility of the appeal - Absence of margin of appreciation as to whether the lack of any of the listed formal requirements in the Notification of the appeal is of a crucial or clerical nature
<a href="#">ICA-2016-01</a>	• Deutscher Motor Sport Bund E.V. (DMSB) • On behalf of its licence-holder X-Raid Motorsport GmbH	French Federation of Motor Sport (FFSA)	Dakar Rally	Dakar 2016, stage 8 (Argentina)	Appeal admissible	Decision(s) upheld	• Refuelling • Neutralisation in selective section		Dakar 2016 Cars/Trucks Regulations	12-Jan-16	27-May-16	• Grounds for appeal - Content - Remedy sought - Remedy sought doesn't have to be formally requested in the concluding section of the grounds for appeal : it is sufficient that this remedy be requested in the Grounds for Appeal • Method of interpretation of regulations - Application of the methods of interpretation set out in French law • Concrete evaluation of non-compliance with sporting regulation in the case - Nature of the alleged breach: refuelling - Notion and legal nature of "neutralisation section": selective section (section with a maximum time) or road section (section with a target time)? - Assessment of ICA: Neutralisation section is a road section in the itinerary (this section is one with a target time) in which the regulations permit refuelling - Breach and sanction? No • Applicable sporting regulations - Road Book - May not serve as a regulatory basis for contentious issues • Procedural irregularities alleged by the Appellant - Principle: Irregularities cured by the devolutive effect of the appeal before the ICA - Exception: Impact too important of the irregularities - In this case: irregularities cured
<a href="#">ICA-2015-06</a>	• Federazione Auto Motoristica Sammarinese (FAMS) • On behalf of its licence-holder Tsunami R. T. s. r. l.	Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)	Porsche Carrera Cup Italia	Mugello competition (Italy)	Appeal admissible	Decision(s) upheld	Misconduct during competition	• Arbitration clause (competence of the ICA) • Time limit for appealing • Assessment of a race incident	National Sporting Regulations (articles 144, 123 ter and 165 lit. A)	17-Oct-15	18-Dec-15	• Arbitration clause in an agreement, according to which the parties will submit any dispute regarding the competition before an ad hoc Arbitration Committee - Agreement must be considered as a "res inter alios acta" which binds only the parties – Competence of the ICA? Yes (parties bound by the Code and the JDR) • Time limit for appealing - Appeal against a decision of the National court of appeal of the ASN competent - Notification of the appeal made between the time that the order was communicated and communication of the grounds of the ACI-CSAI Decision - Appeal filed too early (according to a jurisprudence from the Italian court) and inadmissible? No • Assessment of a race incident - Principle: Best position of stewards (best knowledge of the relevant facts) - Consequence? National courts of appeal and the ICA must exercise restraint • Concrete evaluation of non-compliance in the case - Nature of the alleged breach: misconduct during the competition - Sanction? Yes: No decisive elements which would lead to change the contested decision
<a href="#">ICA-2015-05</a>	• Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) • On behalf of its licence-holder Honda Racing Team Jas	FIA	FIA World Touring Car Championship	Chang International Circuit (Thailand)	Withdrawal of Appeal	Withdrawal of Appeal	Ground height clearance		• WTCC Sporting Regulations (articles 5 and 6) • International Sporting Code (Appendix J, article 263-05)	1-Nov-15	18-Dec-15	
<a href="#">ICA-2015-04</a>	• AKK Motorsport • On behalf of Printsport	FIA	FIA World Rally Championship	Tour de Corse (France)	Withdrawal of Appeal	Withdrawal of Appeal	Water pump drive system		• WRC Sporting Regulations • International Sporting Code	21-Oct-15	18-Dec-15	
<a href="#">ICA-2015-03</a>	• Österreichischer Automobil Motorrad und Touring Club (ÖAMTC) • On behalf of its licence-holder Grasser Team	Royal Automobile Club of Belgium (RACB)	International Blancpain GT Series	Monza competition (Italy)	Appeal admissible	Decision(s) quashed	• Fuel restrictor • Refuelling pipe		• Delegation of power of the scrutineers • Scrutineering procedure • Procedural irregularities alleged • Rights of the defence	12-Apr-15	28-Jul-15	• Delegation of power of the scrutineers - Delegation to an assistant • Scrutineering procedure - Conditions - Check must be requested by the clerk of the course and/or the stewards; Presence of an official representative of the competitor during the scrutineering is required - Consequence of the non-respect of these conditions? Invalidation of the scrutineering performed • Procedural irregularities alleged by the Appellant - Principle: Irregularities cured by the devolutive effect of the appeal before the ICA - Exception: Impact too important of the irregularities - In this case: Irregularities not cured (violation of the essential rights of the Appellant) • Compliance with technical regulations - Standards - Competitors: expectation of an high level of compliance - Stewards, Scrutineers or any other official and delegate: same standards when it comes to their duties • Notification of appeal - Appeal must be lodged by the competitor's ASN - Consequence? The action taken by an ASN is binding on the Appellant - Irrelevance of the fact that the notification made by the ASN was due to a misunderstanding between the ASN and the Appellant
<a href="#">ICA-2015-02</a>	• Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) • On behalf of its licence-holder Prema Powerteam	FIA	FIA F3 European Championship	Monza competition (Italy)	Appeal inadmissible	Decision quashed and replaced by a more severe sanction	Collision	• Misunderstanding between the ASN and the Appellant • Notification of appeal (Content) • Appeal frivolous • ICAs' power • Sporting consequences of the inadmissibility of the appeal and the lifting of its suspensive effect • Principle of sporting fairness • Principle of economy of the procedure • Nature of the sanction	• Judiciary and Disciplinary Rules (articles 12.1.1 and 12.2) • International Sporting Code (article 12.2.3.c)	30-May-15	16-Jul-15	• Notification of appeal - Appeal must be lodged by the competitor's ASN - In the case: absence - Consequence? Inadmissibility of the appeal - Irrelevance of the misleading information allegedly provide by the Steward: FIA rules and regulations may not be overridden by a Steward's direction or alleged direction • Appeal frivolous - Appeal frivolous in the case? No - Why? The Appellant did not file an appeal satisfying the mandatory requirements and also demanded to withdraw its appeal - But: the Appellant acted in good faith and did not try to unduly benefit from the suspensive effect of the appeal • ICA's power - Principle of economy of the procedure - Power to settle the sporting consequences of the inadmissibility of the appeal • Nature of the sanction - ICA's power - Full power to review the case: all the decision-making powers of the authority that took the contested decision - Consequence: power to decide on any type of sanctions • Principle of sporting fairness - Sporting consequences of the inadmissibility of the appeal and the lifting of its suspensive effect - Penalty imposed by the Stewards (obligation to start from the pit lane for the next race the driver will participate) cannot be applied - The FIA and the Appellant asked the ICA to solve the issue - Consequence? Penalty converted into an exclusion from the race (agreement of the Appellant and the FIA) • Nature of the sanction: Exclusion - Exclusion can be decided after the competition
<a href="#">ICA-2015-01</a>	• Mr. Sven Quandt • On behalf of Mr. Nasser Al Attiyah	FIA	FIA World Cup for Cross-Country Rallies	Abu Dhabi Desert Challenge Competition	Appeal inadmissible	Appeal inadmissible	• Vertical suspension travel • Ratio between the bump stopper and the wheel	• Notification of appeal • Appeal must be lodged by the competitor's ASN	Judiciary and Disciplinary Rules (article 12.1.1)	2-Apr-15	5-Jun-15	• Notification of appeal - Appeal must be lodged by the competitor's ASN - In the case: absence - Consequence? Inadmissibility of the appeal - Irrelevance of the misleading information allegedly provide by the Steward: FIA rules and regulations may not be overridden by a Steward's direction or alleged direction
<a href="#">ICA-2014-04-02</a>	• Qatar Motor and Motorcycle Federation (QMMF) • On behalf of Nasser Al-Attiyah Team	FIA	FIA Middle East Rally Championship	Dubai International Rally (Qatar)	Appeal inadmissible	Appeal inadmissible	Deviation from the mandatory itinerary	• Request for review • Role of ICA	Judiciary and Disciplinary Rules (article 18.3)	29-Nov-14	5-Dec-14	• Request for review - Conditions - New evidence is discovered which was unknown at the outset of the case before the ICA - In the case: absence • Request for review - Infringement alleged has no legal connection with the infringement which has been subject of the case - Consequence? ICA not allowed to review its ruling; If the Team considered that the other Team's car had committed this infringement, it should have lodged a protest before the stewards • Role of ICA - Appellate body, whose mission is to supervise that the respect of rules in the first instance is entrusted to other officials
<a href="#">ICA-2014-04</a>	• Qatar Motor and Motorcycle Federation (QMMF) • On behalf of its licence-holder Nasser Al-Attiyah Team	FIA	FIA Middle East Rally Championship	Dubai International Rally (Qatar)	Appeal admissible	Decision quashed and replaced by a more severe sanction	Deviation from the mandatory itinerary	• Costs of the appeal • ICA's power • Applicable sporting regulations • Existence of a breach (yes) • Sanction	• FIA Middle East Rally Championship Sporting Regulations (article 40.6.2) - part of the FIA Regional Rally Regulations, under part V3 (articles 1.1.1 and 14.2) • Judiciary and Disciplinary Rules (articles 17.9 and 18.2) • International Sporting Code (articles 12.2 and 12.3)	29-Nov-14	4-Dec-14	• Costs of the Appeal - notion - expenses or legal defence fees or the parties are not part of the costs • ICA's power - Full power to review the case de novo: all the decision-making powers of the authority that took the contested decision - Consequence: full authority to substitute the Stewards' Decision under appeal by its own decision in its full scope • Applicable sporting regulations - Concurrence of regulations - 2 articles can be applicable with different purposes but equal effect, and one doesn't prevail over the other - Consequence? The fact that a car didn't breach one of the articles doesn't cure the fact that it did breach the other • Concrete evaluation of non-compliance in the case - Nature of the alleged breach: deviation from the mandatory itinerary - Sanction? Yes: Ensuring that all competitors follow the same itinerary during a rally is a specific sporting objective - This objective is essential in order to ensure the fairness of the competition, besides the impact on the safety of the spectators • Absence of specific sanction - The fact that no specific sanction is provided by the specific regulations does not mean that no sanction may be imposed with reference to the International Sporting Code • ICA's power - Full power to review the case de novo: all the decision-making powers of the authority that took the contested decision • Procedural irregularities alleged by the Appellant - Principle: Irregularities cured by the devolutive effect of the appeal before the ICA • Rights of the defence before the adoption of the contested decision - Violation of the rights of defence in the case? No: The Stewards considered it unnecessary to view the video evidence proposed by the Appellant - But: within the power and discretion of the Stewards to consider and decide which evidence they consider appropriate to admit at the hearing in order to determine the issue(s) before them; Wrong article of the regulations quoted in the Contested Decision - But: as regretful as it may be, the administrative typewriting error made by the Stewards did not mislead the Appellant • Scrutineering procedure - Conditions - Check must be requested by the clerk of the course and/or the stewards - Obligation to have a written confirmation of the approval of the Stewards? No • Report of the FIA Technical Delegate - Content - Obligation to report the fact that car's flat bottom was broken? No, as the infringement reported referred to the ground clearance and not to the flat bottom • Non-compliance with technical regulations - Principles - Absolute and objective obligation/responsibility of the competitor - Irrelevance of the fault (intention or negligence) of the competitor • Nature of the sanction - Principle: Disqualification - Exception (less severe sanction) - Condition: the breach took place under exceptional circumstances - Condition not met in the case: The Appellant failed to provide any evidence that the irregularity found was due to the breaking of the car's flat bottom during the Competition, or any other involuntary incident which would have taken place during the races
<a href="#">ICA-2014-03</a>	• Real Federación Española de Automovilismo (RFEDA) • On behalf of its licence-holder Campos Racing	FIA	FIA World Touring Car Championship	Competition in Termas de Rio Hondo (Argentina)	Appeal admissible	Decision(s) upheld	Ground clearance of the front splitter	• ICA's power • Procedural irregularities alleged • Rights of the defence • Power of the Stewards • Scrutineering procedure (conditions) • Report of the FIA Technical Delegate (content) • Objective violation and objective responsibility of the competitor • Existence of "exceptional circumstances" (no)	• World Touring Car Championship Sporting Regulations (articles 5 and 6) • International Sporting Code (Appendix J, articles 11.4.2 and 263.902) • Judiciary and Disciplinary Rules (article 17.9)	3-Aug-14	26-Sep-14	• ICA's power - Full power to review the case de novo: all the decision-making powers of the authority that took the contested decision • Procedural irregularities alleged by the Appellant - Principle: Irregularities cured by the devolutive effect of the appeal before the ICA • Rights of the defence before the adoption of the contested decision - Violation of the rights of defence in the case? No: The Stewards considered it unnecessary to view the video evidence proposed by the Appellant - But: within the power and discretion of the Stewards to consider and decide which evidence they consider appropriate to admit at the hearing in order to determine the issue(s) before them; Wrong article of the regulations quoted in the Contested Decision - But: as regretful as it may be, the administrative typewriting error made by the Stewards did not mislead the Appellant • Scrutineering procedure - Conditions - Check must be requested by the clerk of the course and/or the stewards - Obligation to have a written confirmation of the approval of the Stewards? No • Report of the FIA Technical Delegate - Content - Obligation to report the fact that car's flat bottom was broken? No, as the infringement reported referred to the ground clearance and not to the flat bottom • Non-compliance with technical regulations - Principles - Absolute and objective obligation/responsibility of the competitor - Irrelevance of the fault (intention or negligence) of the competitor • Nature of the sanction - Principle: Disqualification - Exception (less severe sanction) - Condition: the breach took place under exceptional circumstances - Condition not met in the case: The Appellant failed to provide any evidence that the irregularity found was due to the breaking of the car's flat bottom during the Competition, or any other involuntary incident which would have taken place during the races

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Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
<a href="#">ICA-2023-02</a>	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEDA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2014-02</a>	<ul style="list-style-type: none"> <li>Hong Kong Automobile Association (HKAA)</li> <li>On behalf of the competitor Team Craft Bamboo AMR</li> </ul>	Japanese Automobile Federeation	International Series GT Asia Series	Competition at Autopolis (Japan)	Appeal admissible	Decision(s) quashed: confirmation of the contested stewards' decision	<ul style="list-style-type: none"> <li>Not respecting a drive-through penalty</li> <li>Black flag (ignored)</li> </ul>	<ul style="list-style-type: none"> <li>Hearing</li> <li>Competence of the National Court of the ASN</li> <li>Procedural irregularities</li> </ul>	International Sporting Code (articles 14.1.4 and 14.3.1)	1-Jun-14	17-Oct-14	<ul style="list-style-type: none"> <li>Hearing - Absence of the ASN regrettable - Negative effect of such absence on the adversarial debate - However a decision may be taken against it notwithstanding its absence</li> <li>Jurisdiction of the National Court of Appeal - Rules of competence are imperative rules which must be scrupulously respected and must be upheld by the judges themselves if the parties fail to raise this point</li> <li>Jurisdiction of the National Court of Appeal - Articulation between 2 rules - General principle of competence: Competence of National Court of the ASN of the country where the contested decision was taken - Special rule of competence : Competence of National Court of the ASN that requested approval of the series for a competition that is part of an international series</li> <li>Jurisdiction of the National Court of Appeal - Competition that is part of an international series: competent Sporting tribunal - Sporting tribunal of the ASN that requested approval of the series - In this case: the events that gave rise to the contested decision took place in Japan but the Malaysian ASN requested approval of the series - Consequences? Competence of the Court of the Malaysian ASN and not the Court of the Japan ASN; Decision of the Court of the Japan ASN quashed</li> <li>Procedural irregularities: appeals that were inadmissible before the National court of Appeal - Irregularities can't be cured by the devolutive effect of the appeal before the ICA - Consequence? The contested Stewards' decision must consequently be regarded as definitive</li> </ul>
<a href="#">ICA-2014-01</a>	<ul style="list-style-type: none"> <li>Österreichischer Automobil Motorrad und Touring Club - Oberste Nationale Sportkommission für den Motorsport (ÖAMTC-OSK)</li> <li>On behalf of its licence-holder Infiniti Red Bull Racing (Driver Daniel Ricciardo)</li> </ul>	FIA	FIA F1 World Championship	Australian Grand Prix in Melbourne (Australia)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Fuel flow limit</li> <li>Fuel flow meter sensor</li> </ul>	<ul style="list-style-type: none"> <li>Burden of proof</li> <li>Legal value of the FIA Technical Directives</li> <li>Measuring instruments</li> </ul>	F1 Technical Regulations (articles 2.7 and 5.1.4)	16-Mar-14	14-Apr-14	<ul style="list-style-type: none"> <li>Burden of proof - Proof as to a car's compliance with the technical regulations - Principle: burden of proof borne by the Appellant</li> <li>Applicable regulations - Technical Directives - Not legally binding per se - However: Competitor has to accept that the evidence or the submissions it intends to bring as an alternative to those foreseen by a Technical Directive might not satisfy the Technical Delegate, the Stewards or the ICA</li> <li>Control of non-compliance with technical regulations - Measuring instruments - Fuel Flow meter sensor - In the case: Appellant decided to rely on its own fuel flow model and methodology, not the sensor homologated by the FIA and the procedures set out in the Technical Directives; Appellant submitted that the results produced by its fuel flow model prove that the measurements made by the fuel flow meter sensor used are unreliable - But Appellant did not prove that its fuel flow model estimates the fuel flow (very) accurately and/or more accurately than the sensor homologated by the FIA</li> </ul>
<a href="#">ICA-2013-06</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of Tony Kart Racing Team</li> </ul>	FIA	CIK-FIA Karting WC - Junior	Meeting of the Bahrain	Appeal admissible	Decision(s) upheld	To leave the track and to gain an advantage (gain of position)	<ul style="list-style-type: none"> <li>Time limit for appealing</li> <li>Applicable sporting regulations</li> <li>Briefing</li> <li>Proportionality of the sanction</li> </ul>	<ul style="list-style-type: none"> <li>CIK-FIA General Prescriptions (article 2.14.B)</li> <li>Code of Driving Conduct on Karting Circuits (article 2.c)</li> <li>Judiciary and Disciplinary Rules (article 17.3 (i))</li> </ul>	23-Nov-13	20-Dec-13	<ul style="list-style-type: none"> <li>Time limit for appealing - Method of calculation - Information provided by the ICA to the Appellant - Binding information</li> <li>Applicable sporting regulations - Informations provided during the briefing held before the event - Aim of the briefing: not to set new rules superseding the general regulations</li> <li>Proportionality of the sanction - Nature of the breach in the case: to leave the track and to gain an advantage (gain of position) - Sanction imposed: time penalty (10") - Sanction disproportionate? No (sanction minimum)</li> </ul>
<a href="#">ICA-2013-05</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its licence-holder Romeo Ferraris Srl</li> </ul>	Motor Sports Association (MSA)	Superstars International Series	Meeting of Donington (United Kingdom)	Appeal admissible	Decision quashed and replaced by the same sanction	<ul style="list-style-type: none"> <li>Flat bottom (absence of constant thickness)</li> <li>Bonnets</li> </ul>	<ul style="list-style-type: none"> <li>Jurisdiction of the National Court of Appeal</li> <li>ICA's power</li> <li>Principle of economy of the procedure</li> <li>Procedural irregularities alleged</li> <li>Rights of the defence</li> <li>Power of the Stewards</li> <li>Nature of the sanction</li> <li>Modification of a part</li> <li>Breach and sanction (yes)</li> <li>Costs of the Appeal</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (articles 182 and 189)</li> <li>Technical Regulations of the International Series (articles 3, 13.3.2 b3 and 13.6)</li> <li>Judiciary and Disciplinary Rules (article 17.9)</li> </ul>	27-Sep-13	10-Jan-14	<ul style="list-style-type: none"> <li>Principle of economy of the procedure - ICA's power - Power to set aside the decision of the National Court of Appeal for lack of jurisdiction, not to send the case back to the National court of the ASN competent and to judge the present case de novo (Element taken in consideration in the case: none of the parties challenged the jurisdiction of the National Court and they accepted it)</li> <li>Procedural irregularities alleged by the Appellant - Principle: Irregularities cured by the devolutive effect of the appeal</li> <li>Jurisdiction of the National Court of Appeal - Appeal against a decision of the Stewards of an event must be brought before the ASN of the country in which the decision was given - In the case: the decision was given to the Appellant in Italy - Irrelevance of the fact that the decision was taken in Italy "out of courtesy" and that the event concerned was in UK - Consequences? Lack of jurisdiction of the National Court of Appeal of the British ASN; Decision of the National Court quashed</li> <li>Rights of the defence before the adoption of the contested Stewards' decision - Violation of the rights of defence in the case? No: Lawyer not admitted at the hearing of the panel of the Stewards: no right to be assisted by a lawyer before the Panel of the Stewards</li> <li>Respect of fundamental rights - Reference to the European Convention for Human Rights - Quote that human rights are not, from a classical perspective, intended to apply directly to private relations between individuals: human rights only apply to disciplinary proceedings carried out by sports governing bodies - FIA does not act by virtue of a delegation of power from the State</li> <li>Power of the Stewards - Limits - Stewards don't have discretionary power with respect to unapproved technical modifications: in those cases, the regulations clearly require that a sanction of exclusion be imposed</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: flat bottom - Constant thickness - Interdiction to modify the part without authorisation of the Permanent Bureau - Consequence of non-respect? Exclusion of the car from the event in which it participated and in any further event until the modification has been suppressed or regularised</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: bonnets - Infringement could apparently be easily seen during the shakedown inspection and, on the basis of the principle of good faith, it could be alleged that the inspectors of the Permanent Bureau should have reacted ex officio - ICA renounces to investigate this matter further as another infringement was already found against the Appellant's cars</li> <li>Costs of the Appeal - Contested decision (of the National Court of Appeal) quashed on procedural grounds, which the Appellant did not raise before the National Court but, on the contrary, asked the National Court not to take into consideration - ICA imposed eventually the same sanction as the National Court - Consequence? Costs borne by the Appellant but appeal fees paid to the National Court returned back to the Appellant by the ASN in question</li> </ul>
<a href="#">ICA-2013-04</a>	<ul style="list-style-type: none"> <li>Automobile Competition Committee for the United States (ACCUS)</li> <li>On behalf of its licence-holder Devlin De Francesco</li> </ul>		Canadian Karting Championship	Event of Oakville (Canada)	Withdrawal of Appeal	Withdrawal of Appeal	Contact (gain of position)		Standard karting penalties 1-15	27-Aug-13	10-Jan-14	
<a href="#">ICA-2013-03</a>	<ul style="list-style-type: none"> <li>Russian Automobile Federation (RAF)</li> <li>On behalf of its licence-holder G-Drive Racing</li> </ul>	FIA	FIA World Endurance Championship	Meeting in Le Mans (France)	Appeal admissible	Decision(s) upheld	Fuel tank (capacity)	<ul style="list-style-type: none"> <li>Objective violation and objective responsibility of the competitor</li> <li>Existence of "exceptional circumstances" (no)</li> </ul>	<ul style="list-style-type: none"> <li>WEC Regulations (article 6)</li> <li>Technical Regulations for Prototypes (article 6.5.1)</li> <li>International Sporting Code (article 123)</li> </ul>	27-Jun-13	10-Sep-13	<ul style="list-style-type: none"> <li>Non-compliance with technical regulations - Principles - Absolute and objective responsibility of the competitor - Irrelevance of the fault (intention or negligence) of the competitor</li> <li>Non-compliance with technical regulations - Nature of the sanction - Principle: Disqualification - Exception (less severe sanction) - Condition : the breach took place under exceptional circumstances - Condition not met in the case: Possibility for the Competitor to prevent or at least to detect the non-compliance of the car? Yes - Element taken into consideration: experienced competitor</li> <li>Notion of "under exceptional circumstances" - Circumstances based in absolute lack of any intention and negligence on the side of competitor - Admitted only under very limited criteria - Clerical error or a mistake made on the official homologation documents</li> <li>Protest against another competitor - Obligation to designate the competitor - Obligation to designate him by name? No, it is sufficient that he can identify the competitor</li> <li>Concrete evaluation of non-compliance with technical regulations in the case - Nature of the alleged breach: refuelling (connection of the air hose to the car during the refuelling) - Sanction? Yes: Connection admitted only AFTER refuelling operations</li> <li>Nature of the sanction - Appropriate sanction in the case: fine and not a time penalty - Why? Elements taken into consideration: Nothing indicates how much time was saved due to the infringement; no real advantage; this infringement was quite a common practice among teams during several races</li> </ul>
<a href="#">ICA-2013-02</a>	<ul style="list-style-type: none"> <li>Royal Automobile Club of Belgium (RACB)</li> <li>On behalf of its licence-holder Marc VDS racing team (Belgian Racing s.a.)</li> </ul>	Real Federación Española de Automovilismo (RFEDA)	Blancpain Endurance Series	Event in Navarra (Spain)	Appeal admissible	Decision quashed and replaced by a more severe sanction	<ul style="list-style-type: none"> <li>Pit lane assistance</li> <li>Refuelling</li> </ul>	<ul style="list-style-type: none"> <li>Protest against another competitor</li> <li>Existence of a breach (yes)</li> <li>Nature of the sanction</li> </ul>	<ul style="list-style-type: none"> <li>Blancpain Endurance Series Sporting Regulations (articles 91, 92 and 96)</li> <li>International Sporting Code (article 153)</li> </ul>	14-Oct-12	28-Feb-13	
<a href="#">ICA-2013-01</a>	<ul style="list-style-type: none"> <li>Confederação Brasileira De Automobilismo (CBA)</li> <li>On behalf of the competitor Sergio Santos Sette Câmara Filho</li> </ul>	French Federation of Motor Sport (FFSA)	IAME International Final	Event of Saint-Laurent de Mure (France)	Appeal admissible	Decision(s) quashed: confirmation of the contested stewards' decision	Loss of control	<ul style="list-style-type: none"> <li>Time limit for appealing</li> <li>Procedural irregularities alleged</li> <li>Notion of "parties concerned"</li> <li>Rights of defence</li> <li>Principle of economy of the procedure</li> <li>ICA's power</li> <li>Assessment of a race incident</li> <li>Existence of a breach (yes)</li> <li>Notion of "collision"</li> </ul>	<ul style="list-style-type: none"> <li>Judiciary and Disciplinary Rules (article 17.3)</li> <li>International Sporting Code (articles 182 and 182, § 3)</li> <li>General Prescriptions applicable to International Karting Events and CIK-FIA Championships, Cups and Trophies (article 2. 24)</li> </ul>	21-Oct-12	15-Feb-13	<ul style="list-style-type: none"> <li>Time limit for appealing - Appeal against a decision of the National Court of Appeal of the ASN competent - In the case: decision effective immediately, brought immediately to the knowledge of the persons present at the hearing and relayed by specialised websites - Late lodging of the appeal? No: the Appellant's learning of the decision was after</li> <li>Procedural irregularities alleged by the Appellant - Decision of the National Court of Appeal not issued within the 30-day limit - Decision quashed? No</li> <li>Obligation of the National Court of Appeal - Obligation to notify the parties concerned of the date of the hearing of the contested case - Why? To allow an adversarial debate between all the parties concerned - Consequence of the non-respect of this obligation? Breach of the adversarial principle and the rights of defence; ruling of the National Court of appeal quashed</li> <li>ICA's power - Principle of economy of the procedure - It is not necessary to examine whether the quashed-Contested-Ruling of the National Court of Appeal must also be quashed on the basis of another claim put forward by the Appellant</li> <li>ICA's power - Full power of cognition - Consequence: Power to rule on the substance of the dispute and to renounce the option of referring the case back to the National Court of appeal - Full power to review the case: all the decision-making powers of the authority that took the contested decision - Consequence: power to mitigate or increase the penalty imposed</li> <li>Assessment of a race incident - Principle: Best position of the Stewards (best knowledge of the relevant facts)</li> <li>Concrete evaluation of non-compliance with the sporting regulations in the case - Nature of the alleged breach: caused a collision - Sanction? Yes - Notion of "collision" - No definition in the General Prescriptions - Consequence? Necessary to refer to the dictionary: the term "collision" does not imply any particular violence in the impact, nor a change of trajectory - "Loss of control" can mean "collision"</li> </ul>

## Index of the judgments of the FIA International Court of Appeal (2024-02-01)

Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
ICA-2023-02	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEDA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
ICA-2012-01	<ul style="list-style-type: none"> <li>French Federation of Motor Sport (FFSA)</li> <li>On behalf of Larbre competition</li> </ul>	FIA	FIA World Endurance Championship	Event of Sao Paulo (Brazil)	Withdrawal of Appeal	Withdrawal of Appeal	Ride height		LM GTE Technical Regulations for Grand Touring Car	15-Sep-12	20-Nov-12	
ICA-2011-01	<ul style="list-style-type: none"> <li>Automobile Competition Committee for the United States (ACCUS)</li> <li>On behalf of Tanner Foust</li> </ul>	KNAF (KNAC Nationale Autosport Federatie)	FIA European Championship for Rallycross Drivers - SuperCars	Event of Valkenswaard (Netherlands)	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Black flag (ignored)</li> <li>Behaviour of the driver (push of a competitor)</li> </ul>	<ul style="list-style-type: none"> <li>Appeal deposit before the National court of appeal</li> <li>ICA's power</li> <li>Sanction (no)</li> <li>Pure racing incident</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (articles 152, 182 and 183)</li> <li>International Sporting Code (Appendix H, article 2.4.4.1-f)</li> <li>Judiciary and Disciplinary Rules (article 17.9)</li> <li>Code of Driving Conducts on Circuits (article 2-b), Chapter IV of Appendix L</li> <li>Regulations of the 2011 FIA European Championship for Rallycross Drivers Supercars</li> </ul>	14-Aug-11	4-Nov-11	<ul style="list-style-type: none"> <li>Appeal deposit before the National Court of Appeal - Fee must be paid within 2 days - Obligation for the Appellant to take the necessary measures for the payment of the fee within the two-day window, and not that the sum is effectively credited within the same window to the bank account</li> <li>ICA's power - Full power to review the case: all the decision-making powers of the authority that took the contested decision - Consequence: competence of the ICA to examine the Appellant's grounds of appeal concerning the Stewards' decision initially referred to the Court of Appeal of the ASN competent</li> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: non-respect of a black flag - Sanction? No: The conditions in which the black flag was shown did not meet the statutory requirements - Absence of reasonable certainty that the Appellant had effectively seen the black flag</li> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: caused a collision/pushed away another driver - Sanction? No: The driver didn't push away deliberately another competitor - Pure racing incident</li> </ul>
ICA-2011-02	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of Chiesa Corse s.a.s.</li> </ul>	FIA	CIK-FIA Karting F1 WC	Event of Genk (race 2) (Belgium)	Appeal admissible	Decision quashed and replaced by a less severe sanction	Behaviour of the driver (caused a collision + forced another driver out of track)	<ul style="list-style-type: none"> <li>Proportionality of the sanction</li> <li>Assessment of the seriousness of the Incident</li> </ul>	<ul style="list-style-type: none"> <li>CIK-FIA World Karting Championship Regulations, General Prescriptions (article 2.24)</li> <li>Code of Driving Conduct on Karting Circuits (article 2-b)</li> </ul>	3-Sep-11	27-Oct-11	<ul style="list-style-type: none"> <li>ICA not bound by its precedents</li> <li>Proportionality of the sanction for non-compliance with sporting regulations - Nature of the breach in the case: caused a collision and forced another driver out of track - Sanction imposed: exclusion - Sanction disproportionate? Yes Elements to be taken into consideration: incident occurred on the last lap of the race (very high stress level); no deliberate manoeuvre; incident may have been caused partially by the other driver; incident not of a sufficiently nature to justify recourse to the penalties of article 153 of the ISC - Consequence: mitigation of the sanction (10" time penalty)</li> <li>Assessment of the seriousness of the Incident - Seriousness cannot be assessed in view of sporting consequences when these do not result from an intentional fault of the driver</li> </ul>
ICA-2010-05 (joined with ICA-2010-04)	<ul style="list-style-type: none"> <li>Royal Automobil Club Motor Sports Association (MSA)</li> <li>On behalf of Chevrolet World Touring Car Team</li> </ul>	FIA	FIA World Touring Car Championship	Event run at Okayama (Japan)						30-Oct-10		
ICA-2010-04 (joined with ICA-2010-05)	<ul style="list-style-type: none"> <li>Royal Automobile Club Motor Sports Association (MSA)</li> <li>On behalf of its licence-holder Chevrolet World Touring Car Team</li> </ul>	FIA	FIA World Touring Car Championship	Event run at Okayama (Japan)	Appeal admissible	Decision quashed and replaced by a more severe sanction	<ul style="list-style-type: none"> <li>Gearboxes</li> <li>Homologation</li> </ul>	<ul style="list-style-type: none"> <li>Admissibility of evidence</li> <li>ICA's power</li> <li>Rights of the defence</li> <li>Power of the Stewards (limits)</li> <li>Homologation</li> <li>Derogation for a driver only</li> <li>Existence of a breach (yes)</li> <li>Justification of a breach</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (Appendix J, article 263-8.1)</li> <li>WTCC Sporting Regulations (Appendix 1(B))</li> <li>WTCC Sporting Regulations (article 79)</li> </ul>	30-Oct-10	12-Nov-10	<ul style="list-style-type: none"> <li>Affected Parties - Applications to be heard - Any competitor in a major FIA Championship who could be directly and significantly affected by the decision to be taken can be heard</li> <li>Admissibility of evidence - Submission of new evidence after the time limit - Admission in the case? Yes (agreement of all the parties and ICA's discretion)</li> <li>Rights of the defence before the ICA - Defendant didn't receive formal service of the FIA's Defense in due time before the hearing but he obtained the document through other means - Violation of the rights of defence? No</li> <li>Justification of a breach - Anterior breaches of the Regulations don't provide justification for further breaches</li> <li>Power of the Stewards - Broad powers to enforce the applicable Regulations during an event</li> <li>Power of the Stewards - Limits - Stewards can't change the Regulations, save in the exceptional circumstances described in the ISC - Regulations can only be amended by the World Motor Sport Council - Stewards can't take decisions contrary to the Regulations - Stewards can't make decision on homologation - Remit of the TC Committee, mandated by the World Motor Sport Council for this purpose</li> <li>Power of the Stewards - Limits - Absence of legal force of Stewards' communications given outside of the formal decision-making processes - Consequence? Irrelevance of the misleading information allegedly given by the Stewards</li> <li>Homologation - Homologation decision - Homologation can only be granted by the TC Committee - TC Committee: body mandated by the World Motor Sport Council to deal with the application of the sporting, technical and homologation regulations - Evidence of homologation: homologation fiche</li> <li>Homologation - Existence of a homologation for the benefit of one driver in view of his disability - Homologation valid for another driver? No (derogation) - Obligation to request a general homologation to use the sequential gearbox for any other driver</li> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: gearboxes - Non-respect of the obligation to have homologated part - Breach and sanction? Yes: the Stewards could not validly authorized cars with car parts not subject of a proper homologation to participate in the event</li> <li>ICA's power - Limits - ICA can only review the decision appealed by the competitor - Consequence: ICA can't rule on whether any other competitor may have used non-homologated part at the event</li> <li>Role of ICA - To apply the rules and not to attempt to rewrite them</li> </ul>
ICA-2010-03	<ul style="list-style-type: none"> <li>Royal Automobil Club of Belgium (RACB)</li> <li>On behalf of Prospeed Competition ASBL</li> </ul>	FIA	FIA GT3 European Championship	Race 6 at Zolder (Belgium)	Appeal admissible	Decision quashed and replaced by a less severe sanction	Rear braking disc (minimum weight)	<ul style="list-style-type: none"> <li>Role of ICA</li> <li>ICA's precedents</li> <li>Objective violation and objective responsibility of the competitor</li> <li>Homologation</li> <li>Existence of "exceptional circumstances" (yes)</li> <li>Mitigation of the sanction</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (Appendix J, article 257 A-2.5)</li> </ul>	10-Oct-10	30-Nov-10	<ul style="list-style-type: none"> <li>ICA not bound by its precedents - But it is of the essence of fairness that any sporting tribunal should be consistent in its decisions</li> <li>Non-compliance with technical regulations - Principles - Absolute and objective responsibility of the competitor - Irrelevance of the fault (intention or negligence) of the competitor - Irrelevance of the good faith of the competitor or its team</li> <li>Homologation - Seriousness of the responsibilities of those responsible for homologation - Mistake in the homologation form - Erratum not appropriate in the case: homologation binding until the mistake is corrected - Consequence: non-compliance of the car with its homologation form</li> <li>Existence of "exceptional circumstances" - Cause of the breach found on the car: wrong minimum weight of the rear brake disc entered into the homologation form by the equipment manufacturer (fault of Porsche Motorsport recognized by the latter) - Competitor did not intentionally breach the regulations and could not reasonably have known that it was in breach - No performance advantage - No safety issue at stake - Consequence: mitigation of the sanction (fine instead of exclusion)</li> </ul>
ICA-2010-01	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund E.V. (DMSB)</li> <li>On behalf of Young Driver AMR</li> </ul>	FIA	FIA GT1 Championship	Event run at Silverstone (United Kingdom)	Appeal admissible	Decision(s) upheld	Flat bottom (minimum thickness of the friction block)	<ul style="list-style-type: none"> <li>Existence of non-compliance (yes)</li> <li>Proportionality of the sanction</li> <li>Existence of "exceptional circumstances" (no)</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (Appendix J, article 257-3.3.2.d.3)</li> <li>GT1 World Championship Sporting Regulation (article 5)</li> </ul>	2-May-10	18-May-10	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: flat bottom - Minimum thickness of the friction bloc - 5mm tolerance does not apply (language of the article clearly refers to flatness, and not to thickness; the very nature of a minimum value is that no tolerance can be applied to it; the tolerance is intended to deal with possible manufacturing problems, which are not relevant to the present case) - Breach and sanction? Yes</li> <li>Nature of the sanction of non-compliance with technical regulations - Principle: Disqualification - Exception (less severe sanction) - Condition: the breach took place under exceptional circumstances - Condition not met in the case: Appellant had full knowledge of the state and condition of the track and he sought to reduce the level of contact with the track - Irrelevance of the fact that he may have erred in estimating the appropriate settings adjustments to avoid the breach</li> </ul>
ICA-2010-02	Automobile Club - Association Française des Automobilistes (ACAFA)	FIA			Appeal inadmissible	Appeal inadmissible	<ul style="list-style-type: none"> <li>Affiliation to the FIA</li> <li>Associate Member not entitled to vote for one year</li> </ul>	Time limit for appealing	ICA Rules of Procedure (article 17)	23-Oct-09	29-Jun-10	<ul style="list-style-type: none"> <li>Time limit for appealing - Spirit - Always short deadlines</li> <li>Time limit for appealing - Starting point (dies a quo) - Notification of the contested decision - Notification defined as when the party concerned becomes aware of it</li> <li>Time limit for appealing - Starting point (dies a quo) - Notification of the contested decision - Decision of the FIA General Assembly - Starting point? Not the written communication of the minutes of the General Assembly but the decision taken months earlier, which was already being applied and known by all members of the FIA who attended the General Assembly, including the Appellant - Why? Waiting for the definitive confirmation by the next General Assembly could take a year or more - Consequence if the Appellant did not formulate his appeal within 7 days of the contested decision? Appeal inadmissible</li> </ul>
ICA-2009-26	<ul style="list-style-type: none"> <li>Royal Automobil Club of Belgium (RACB)</li> <li>On behalf of its licence-holder Pekaracing NV</li> </ul>	FIA	FIA GT1 Championship	Event run at Zolder (Belgium)	Appeal admissible	Decision quashed and replaced by a less severe sanction	Cylinder heads and cylinder block	<ul style="list-style-type: none"> <li>Responsibility of the competitor</li> <li>Nature of the sanction</li> <li>Exceptional circumstances (yes)</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (Appendix J, articles 258.5.2.1 and 258.2.6)</li> <li>International Sporting Code (article 123)</li> </ul>	5-Dec-09	23-Feb-10	<ul style="list-style-type: none"> <li>ICA not bound by its precedents - But it is of the essence of fairness that any sporting tribunal should be consistent in its decisions</li> <li>Non-compliance with technical regulations - Principle - Strict application of the regulations in order to respect the equality of chances between competitors</li> <li>Non-compliance with technical regulations - Principles - Absolute and objective obligation/responsibility of the competitor - Irrelevance of the fault (intention or negligence) of the competitor</li> <li>Existence of "exceptional circumstances" - Breach found on the car: the cylinder heads and cylinder block of its engine did not correspond to the cylinder heads and cylinder block described in the car's homologation form - Cause: wrong photography submitted for homologation; fault of the engine manufacturer and the official race vehicle constructor recognized by the latter - Competitor did not intentionally breach the regulations and could not reasonably have known that it was in breach and could not have done anything to put it right - No performance advantage - Consequence: mitigation of the sanction (fine instead of exclusion)</li> </ul>
ICA-2009-24	<ul style="list-style-type: none"> <li>Royal Automobil Club of Belgium (RACB)</li> <li>On behalf of its licence-holder Pekaracing NV</li> </ul>	FIA	FIA GT Championship	Event run at Zolder (Belgium)	Appeal inadmissible	Appeal inadmissible	<ul style="list-style-type: none"> <li>Pit lane assistance</li> <li>Refuelling</li> </ul>	<ul style="list-style-type: none"> <li>Role of ICA</li> <li>Right to appeal</li> <li>Drive-through penalty</li> <li>Decision not subject to appeal</li> <li>Power of the Stewards (Limits)</li> </ul>	<ul style="list-style-type: none"> <li>GT Sporting Regulations (article 104)</li> <li>International Sporting Code (article 152, § 5)</li> </ul>	25-Oct-09	3-Dec-09	<ul style="list-style-type: none"> <li>Role of ICA - Supervisory function or ensuring that the rule or law is respected</li> <li>Right to appeal - Integral part of the legal order set out in the International Sporting Code - ISC must be read in the sense which offers the broadest legitimacy and legal protection to all parties bound by it</li> <li>Decision not subject to appeal - Any limitation on the right to appeal against sanctions must be narrowly construed - Grave reservations of the ICA about any suggestion that a penalty which is not susceptible to appeal could be implicitly authorised by the ISC</li> <li>Decision not subject to appeal - Decision of the Stewards to impose a penalty of driving through (which can be converted in a time penalty) or a time penalty - Competence of the ICA? No - Exception? No review of the merits of appeals against drive through penalties - But the ICA can review the legality - In the case: No plea has been raised regarding the legality of having imposed the penalty concerned - Consequence? Inadmissibility of appeal</li> <li>Decision not subject to appeal - Limits? - Prohibition on appealing applies only to the competitor who is the subject of the penalty? No</li> <li>Power of the Stewards - Limits - Wide discretion of the Stewards in deciding penalties - But discretion necessarily limited by the framework of the ISC and other applicable regulations which provide the Stewards with a range of penalties to choose from</li> </ul>

## Index of the judgments of the FIA International Court of Appeal (2024-02-01)

Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
ICA-2023-02	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEdA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
ICA-2009-25	Referral by the President of FIA				Withdrawal of Appeal	Withdrawal of Appeal	Governance of FIA Mobility Region III "North America"			?	21-Oct-09	
ICA-2009-23	<ul style="list-style-type: none"> <li>Motor Sports Association (MSA) (Great Britain)</li> <li>On behalf of the British Automobile Racing Club (BARC), organiser of the 2009 Formula BMW Europe Series</li> </ul>	Real Federación Española de Automovilismo (RFEdA)	Formula BMW Europe Series	Run at the Hungaroring circuit (Hungary)	Appeal admissible	Decision(s) quashed: confirmation of the contested stewards' decision	<ul style="list-style-type: none"> <li>Springs</li> <li>Oil pressure</li> <li>Unsporting behaviour</li> </ul>	<ul style="list-style-type: none"> <li>Interest to act</li> <li>Procedural irregularities</li> <li>Jurisdiction of the National Court of Appeal</li> <li>Delegation of power of the Stewards</li> <li>Existence of a breach (yes)</li> <li>Proof</li> </ul>	<ul style="list-style-type: none"> <li>Formula BMW Europe Technical Regulations (articles 3.36.5, 5.3.1 and 5.4.1)</li> <li>International Sporting Code (articles 141 and 182)</li> <li>ICA Rules of Procedure (article 1)</li> </ul>	20-Aug-09	5-Nov-09	<ul style="list-style-type: none"> <li>Interest to act - In the case: Appeal lodged by an organiser of the race - Appeal admissible? Yes, he's directly affected by the decision of the National Court of Appeal</li> <li>Procedural irregularities alleged by the Appellant - Decision of the National Court of Appeal not issued within the 30-day limit - Decision quashed? No</li> <li>Jurisdiction of the National Court of Appeal - Appeal against a decision of the Stewards of an event must be brought before the ASN of the country in which the decision was given - In the case: the decision was given to the Appellant in Spain - Irrelevance of the nationality of the Stewards or any other criteria</li> <li>Delegation of power of the Stewards - In the event of the absence of one or several of the stewards of the meeting, they may appoint one, or, if necessary, several substitutes - In the case: written nomination by the Hungarian ASN= valid replacement procedure - Consequences? Decision of the Spanish Stewards must be considered as a decision by the Stewards for the Hungarian Meeting; no lack of competence of the Stewards</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: springs (replacement with not standard springs) - Breach and sanction? Yes - The competitor has not demonstrated that it has done everything he could to obtain the standard parts from the official engine service partner or the authorized spare parts supplier; Seems likely that the replacement occurred in pursuit of performance advantage</li> <li>Proof in the case - Proof of the material accuracy of the facts (absence of a breach)? No - The competitor did not give a consistent account regarding the source of the springs before the Stewards and the ICA - Consequence? The ICA prefers the evidence of the Appellant (not the competitor)</li> </ul>
ICA-2009-21	<ul style="list-style-type: none"> <li>French Federation of Motor Sport (FFSA)</li> <li>On behalf of its competitor Hexis Racing AMR</li> </ul>	Deutscher Motor Sport Bund e.V. (DMSB)	FIA GT3 European Championship	Event run at Oschersleben (Germany)	Appeal admissible	Decision quashed and replaced by a less severe sanction	<ul style="list-style-type: none"> <li>Cylinder</li> <li>Camshaft</li> <li>Crankshaft</li> </ul>	<ul style="list-style-type: none"> <li>Responsibility of the competitor</li> <li>Nature of the sanction</li> <li>Exceptional circumstances (yes)</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (Appendix J, article 257A-2.5)</li> <li>International Sporting Code (article 123)</li> </ul>	13-Aug-09	14-Oct-09	<ul style="list-style-type: none"> <li>Non-compliance with technical regulations - Principles - Absolute and objective obligation/responsibility of the competitor - Irrelevance of the fault (intention or negligence) of the competitor - Irrelevance of the good faith of the competitor or its team - Irrelevance of the lack of sporting/performance advantage related to the breach</li> <li>Non-compliance with technical regulations - Principle - Duty to comply with the technical regulations rests solely on the competitor - Consequence: if the competitor is let down by its supplier, it is free to explore whatever contractual, civil, or other remedies it may have, but it is not the place of the ICA to comment upon the private contractual relations existing between teams and their suppliers</li> <li>Nature of the sanction - Principle: Disqualification - Exception (less severe sanction) - Conditions: the breach took place under exceptional circumstances - Condition met in the case: It would have been impossible for the Appellant (or anyone) to compete with the engine parts described in the homologation form; a manifest and ministerial error was made by the supplier when entering the data on the homologation form; although the parts in question did not comply with the homologation form as required by the Regulations, they were standard production parts that were the same parts that were installed on the car when it was homologated without any modifications thereto - Consequence: mitigation of the sanction (fine instead of exclusion)</li> </ul>
ICA-2009-22	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund e.V. (DMSB)</li> <li>On behalf of its competitor Mücke Motorsport GmbH</li> </ul>	MSA (Motor Sports Association) (Great Britain) and the Organising Committee	Formula BMW Europe Series	Even at the Hungaroring circuit (Hungary)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Springs</li> <li>Oil pressure</li> </ul>	<ul style="list-style-type: none"> <li>Decision subject to appeal</li> <li>Existence of a breach (yes)</li> <li>Power to impose penalties</li> </ul>	<ul style="list-style-type: none"> <li>BMW Regulations (articles 3.36.3, 3.37.4 and 5.4.1)</li> <li>International Sporting Code (articles 25 and 159)</li> </ul>	20-Aug-09	5-Nov-09	<ul style="list-style-type: none"> <li>Decision subject to appeal - Decisions taken by the Organising Committee of the 2009 Formula BMW Europe Series</li> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: springs (replacement with not standard springs) - Breach and sanction? Yes - Seems likely that the replacement occurred in pursuit of performance advantage; irrelevance of the argument according to which the regular springs were not available from the spare parts catalogue</li> <li>Power to impose penalties - Power of the Organising Committee of the 2009 Formula BMW Europe Series? Yes: the overlap between the organisational powers and the exercise of sporting authority that existed in the present case (in the BMW Regulations) was approved by the FIA and made known to all the parties prior to entry to the competition - Consequence: Regulations must be upheld on the principle of good faith - Compatibility with the International Sporting Code? Yes</li> </ul>
ICA-2009-20	<ul style="list-style-type: none"> <li>Qatar Motor and Motorcycle Federation (QMMF)</li> <li>On behalf of its competitor Barwa Rally Team</li> </ul>	FIA	FIA Production World Rally Championship	Acropolis Rally of Greece	Appeal admissible	Decision quashed and replaced by a less severe sanction	Crankshaft	<ul style="list-style-type: none"> <li>Admissibility of evidence</li> <li>Justification of a breach</li> <li>Modification of a part/technical innovation</li> <li>Existence of a breach (yes)</li> <li>Mitigation of the sanction</li> </ul>	International Sporting Code (Appendix J, article 254)	30-Jul-09	6-Oct-09	<ul style="list-style-type: none"> <li>Admissibility of evidence - Submission of new evidence after the time limit - Admission in the case? Yes (agreement of all the parties and respect of adversarial principles)</li> <li>Justification of a breach - Irrelevance of the fact, to satisfy the burden of proof that lies on the Appellant, that the FIA never take a non-conformity decision before</li> <li>Modification of a part/technical innovation - Principle: the cars competing are standardised, series production cars - Consequences? Any modification which is not expressly allowed is forbidden; Parts damaged through use or accident can only be transformed through mechanical works if these works are mentioned in the list of authorized modifications or if they constitute normal servicing of the vehicle (otherwise: obligation to replace the part with an identical original part)</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: crankshaft (use of a machined and lightened crankshaft) - Breach and sanction? Yes</li> <li>Mitigation of the sanction - In the case: Yes (drop to the last place instead of exclusion) - Why? ICA taking account of the particular circumstances of the case</li> </ul>
ICA-2009-18	<ul style="list-style-type: none"> <li>Fédération Française de Sport Automobile (FFSA)</li> <li>On behalf of its competitor ING Renault F1 Team</li> </ul>	FIA	FIA Formula One World Championship	Grand Prix of Hungary	Appeal admissible	Decision quashed and replaced by a less severe sanction	Unsafe release of the car from the pit stop (without one of the retaining devices for the wheel nuts being securely in position)	<ul style="list-style-type: none"> <li>Notion of "Affected Parties"</li> <li>Testimony</li> <li>Proportionality of the sanction</li> </ul>	<ul style="list-style-type: none"> <li>FIA F1 Sporting Regulations (articles 23.1.i and 3.2)</li> <li>ICA Rules of Procedure (article 21)</li> <li>International Sporting Code (article 123)</li> </ul>	26-Jul-09	17-Aug-09	<ul style="list-style-type: none"> <li>Notion of "Affected Parties" - Applications to be heard - Who? Any competitor in a major FIA Championship who could be directly and significantly affected by the decision to be taken - RFEA? No: the fact that it issues a license and/or that it may share the interests of the organizer of the event is not sufficient - But RFEA is invited to remain as an observer</li> <li>Proof - Testimony - Letters of support which the Appellant has received from the other teams - Element taken into account by the ICA</li> <li>Proportionality of the sanction - Nature of the breach in the case: releasing the car in unsafe condition and non-compliance with the conditions of eligibility and safety throughout practice and the race - Sanction imposed: Suspension from the next event - Sanction disproportionate? Yes - No conscious wrong-doing on the part of the Appellant; actions taken (or not taken) in good faith; penalty imposed significantly inconsistent with any penalty previously imposed (or not imposed) in other comparable cases - Consequence: mitigation of the sanction (reprimand and 50 000 \$ fine)</li> </ul>
ICA-2009-19	<ul style="list-style-type: none"> <li>Royal Automobile Club of Belgium (RACB)</li> <li>On behalf of its competitor Prospeed Competition</li> </ul>	FIA	FIA GT Championship	Event of Oschersleben (Germany)	Appeal admissible	Decision(s) upheld	Cylinder sleeves (use of steel sleeves)	<ul style="list-style-type: none"> <li>Rights of the defence</li> <li>Justification of a breach</li> <li>Modification of a part/technical innovation</li> <li>Proof</li> <li>Existence of a breach (yes)</li> </ul>	<ul style="list-style-type: none"> <li>General Prescriptions for Circuits events (article 10(F)(b))</li> <li>International Sporting Code (Appendix J, articles 257-2.11.1, 257-5.2.1, 257-5.2.3 and 251-2.3.3)</li> </ul>	23-Jul-09	17-Sep-09	<ul style="list-style-type: none"> <li>Rights of the defence before the adoption of the Stewards' contested decision - Absence of the competitor during the technical checks/an inspection by the Scrutineers - Violation of the rights of defence in the case? No</li> <li>Justification of a breach - Irrelevance of the fact, in assessing the legality of the contested decision, that the FIA never take a prohibition decision before</li> <li>Modification of a part/technical innovation - Principle: the cars competing are standardised, series production cars - Consequence? All parts are presumed to be original, unless specific authorisation is granted to alter that part; all modifications are prohibited unless a strong case can be made that the modification is authorised by some exception - Burden of proof: for the party claiming the benefit of such an exception - In the case: lack of proof</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: cylinder sleeves (use of steel sleeves instead of aluminium sleeves) - Breach and sanction? Yes</li> </ul>
ICA-2009-17	<ul style="list-style-type: none"> <li>Real Federación Española de Automovilismo (RFEdA)</li> <li>On behalf of its competitor Seat Sport</li> </ul>	FIA	FIA World Touring Car Championship		Appeal inadmissible	Appeal inadmissible	Maximum supercharged air pressure	<ul style="list-style-type: none"> <li>Mandatory pre-requirements for submitting an appeal</li> <li>Notification of appeal</li> <li>Appeal must be lodged by the competitor's ASN</li> <li>Confirmation of the appeal</li> <li>Affected Parties (Applications to be heard)</li> </ul>	ICA Rules of Procedure (article 14)	24-Jun-09	16-Jul-09	<ul style="list-style-type: none"> <li>Mandatory pre-requirements for submitting an appeal - Obligations of the Appellant stated in the ICA Rules of Procedure - Practice Directions published by the ICA communicated to all ASNs, available on the ICA's website and drawn to the attention of the Applicant - Consequence? Appellant cannot say that he is not aware of these obligations</li> <li>Notification of appeal - Appeal must be lodged by the competitor's ASN - In the case: appeal lodged by the Marshalling Commission's Secretary of RFEA (Spain ASN), no indication being offered that this person had the authority to submit on behalf of that ASN - Consequence? Inadmissibility of the appeal</li> <li>Notification of appeal - Confirmation - Obligation to send written confirmation by post of the same date - Why? To guarantee that the ICA is properly seized of a case at the outset so that no injustice or misunderstanding can arise regarding what documents have been submitted - In the case: absence - Consequence? Inadmissibility of the appeal</li> <li>Affected Parties - Applications to be heard - Any competitor in a major FIA Championship who could be directly and significantly affected by the decision to be taken can be heard</li> </ul>
ICA-2009-14 (joined with ICA-2009-15 and ICA-2009-16)	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund E.V. (DMSB)</li> <li>On behalf of its competitor BMW Sauber F1 Team</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Malaysia	Withdrawal of Appeal	Withdrawal of Appeal			F1 Technical Regulations	4-Apr-09	6-Oct-09	
ICA-2009-15 (joined with ICA-2009-14 and ICA-2009-16)	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund E.V. (DMSB)</li> <li>On behalf of its competitor BMW Sauber F1 Team</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Malaysia						4-Apr-09		
ICA-2009-16 (joined with ICA-2009-14 and ICA-2009-15)	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund E.V. (DMSB)</li> <li>On behalf of its competitor BMW Sauber F1 Team</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Malaysia						4-Apr-09		



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ICA-2023-02	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEa)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
ICA-2009-10 (joined with ICA-2009-05 to ICA-2009-09 and ICA-2009-11 to ICA-2009-13)	<ul style="list-style-type: none"> <li>• Österreichischer Automobil Motorrad und Touring Club (ÖAMTC)</li> <li>• On behalf of its competitor Red Bull Racing</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Australia						26-Mar-09		
ICA-2009-11 (joined with ICA-2009-05 to ICA-2009-10, ICA-2009-12 and ICA-2009-13)	<ul style="list-style-type: none"> <li>• Österreichischer Automobil Motorrad und Touring Club (ÖAMTC)</li> <li>• On behalf of its competitor Red Bull Racing</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Australia						26-Mar-09		
ICA-2009-13 (joined with ICA-2009-5 to ICA-2009-12)	<ul style="list-style-type: none"> <li>• Österreichischer Automobil Motorrad und Touring Club (ÖAMTC)</li> <li>• On behalf of its competitor Red Bull Racing</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Australia						26-Mar-09		
ICA-2009-06 (joined with ICA-2009-05 and ICA-2009-07 to ICA-2009-13)	<ul style="list-style-type: none"> <li>• Österreichischer Automobil Motorrad und Touring Club (ÖAMTC)</li> <li>• On behalf of its competitor Red Bull Racing</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Australia						26-Mar-09		
ICA-2009-07 (joined with ICA-2009-05, ICA-2009-06 and ICA-2009-08 to ICA-2009-13)	<ul style="list-style-type: none"> <li>• Österreichischer Automobil Motorrad und Touring Club (ÖAMTC)</li> <li>• On behalf of its competitor Red Bull Racing</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Australia						26-Mar-09		

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ICA-2023-02	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEDA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
ICA-2009-08 (joined with ICA-2009-05 to ICA-2009-07 and ICA-2009-09 to ICA-2009-13)	<ul style="list-style-type: none"> <li>• Österreichischer Automobil Motorrad und Touring Club (ÖAMTC)</li> <li>• On behalf of its competitor Red Bull Racing</li> <li>• French Federation of Motor Sport (FFSA)</li> <li>• On behalf of its competitor ING Renault F1 Team</li> <li>• Commissione Sportiva Automobilistica Italiana (CSAI)</li> <li>• On behalf of its competitor Scuderia Ferrari Marlboro</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Australia						26-Mar-09		
ICA-2009-09 (joined with ICA-2009-05 to ICA-2009-08 and ICA-2009-10 to ICA-2009-13)	<ul style="list-style-type: none"> <li>• Österreichischer Automobil Motorrad und Touring Club (ÖAMTC)</li> <li>• On behalf of its competitor Red Bull Racing</li> <li>• French Federation of Motor Sport (FFSA)</li> <li>• On behalf of its competitor ING Renault F1 Team</li> <li>• Commissione Sportiva Automobilistica Italiana (CSAI)</li> <li>• On behalf of its competitor Scuderia Ferrari Marlboro</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Australia						26-Mar-09		
ICA-2009-12 (joined with ICA-2009-05 to ICA-2009-11 and ICA-2009-13)	<ul style="list-style-type: none"> <li>• Österreichischer Automobil Motorrad und Touring Club (ÖAMTC)</li> <li>• On behalf of its competitor Red Bull Racing</li> <li>• French Federation of Motor Sport (FFSA)</li> <li>• On behalf of its competitor ING Renault F1 Team</li> <li>• Commissione Sportiva Automobilistica Italiana (CSAI)</li> <li>• On behalf of its competitor Scuderia Ferrari Marlboro</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Australia						26-Mar-09		
ICA-2009-05 (joined with ICA-2009-06 to ICA-2009-13)	<ul style="list-style-type: none"> <li>• Österreichischer Automobil Motorrad und Touring Club (ÖAMTC)</li> <li>• On behalf of its competitor Red Bull Racing</li> <li>• French Federation of Motor Sport (FFSA)</li> <li>• On behalf of its competitor ING Renault F1 Team</li> <li>• Commissione Sportiva Automobilistica Italiana (CSAI)</li> <li>• On behalf of its competitor Scuderia Ferrari Marlboro</li> </ul>	FIA	FIA F1 World Championship	Grand Prix of Australia	Appeal admissible	Decision(s) upheld	Bodywork facing the ground (diffusers: devices that manage the air flow underneath the car)	<ul style="list-style-type: none"> <li>• Notion of "Affected Parties"</li> <li>• Confidentiality</li> <li>• Motivation of the contested decision</li> <li>• FIA Overtaking Working Group</li> <li>• Method of interpretation</li> <li>• Doubts about compliance with technical regulations</li> <li>• Justification</li> <li>• Existence of a breach (no)</li> </ul>	<ul style="list-style-type: none"> <li>• ICA Rules of Procedure (article 21)</li> <li>• F1 Technical Regulations (articles 2.4, 2.7, 3 and 3.12)</li> </ul>	26-Mar-09	15-Apr-09	<ul style="list-style-type: none"> <li>• Notion of "Affected Parties" - Applications to be heard - Who? Any competitor in a major FIA Championship who could be directly and significantly affected by the decision to be taken</li> <li>• Submission to the ICA - Confidentiality - Respect of confidential technical information - ICA can try to rule on the validity of a contested decision based solely on the principles underlying the contested Design Concept: ICA invited the parties to make submissions without including confidential technical information and would, only if necessary, examine confidential information</li> <li>• Motivation of the contested decision - Addressees of decisions have to understand the decisions that affect them and be in position to assert and defend their rights of defence and appeal as necessary - Insufficiency of motivation in the case? No: the addressees were able to know precisely which arguments had been accepted or rejected by the Stewards, including arguments proposing specific interpretations of the applicable regulations (even if it may have been preferable for the Stewards to give further reasons)</li> <li>• Conclusions of the FIA Overtaking Working Group - Advisory body which does not have rule-making authority</li> <li>• Method of interpretation - Use of preamble - Possible for the ICA to seek to interpret an ambiguous text in light of this preamble BUT not possible to depart from or ignore the unambiguous text of the regulations to give effect to the general statement set out in preamble (except if it's specific enough to be capable of enforcement on its own)</li> <li>• Doubts about compliance with technical regulations - Modification of a part/technical innovation/new design or system - Clarification may be sought from the FIA but it's not an obligation</li> <li>• Justification? - No: Irrelevance of the fact that the contested decision is inconsistent with any opinion of the FIA Technical Department; Irrelevance of the fact that denying the appeals will contravene the FIA's stated objectives of reducing the costs of F1 and making more viable in the long term</li> <li>• Concrete evaluation of non-compliance in the case - Element of the car concerned: bodywork (design Concept) - Breach? No</li> </ul>
ICA-2009-04	<ul style="list-style-type: none"> <li>• Real Federación Española de Automovilismo (RFEDA)</li> <li>• On behalf of its competitor SEAT SPORT</li> </ul>	FIA	FIA World Touring Car Championship	Event of Puebla (Mexico)	Appeal partially not admissible	Decision(s) quashed	Collision	<ul style="list-style-type: none"> <li>• Decision not subject to appeal</li> <li>• Procedural irregularities alleged</li> <li>• Content of the contested decision (mention of the right to appeal)</li> <li>• Proof of the payment of the appeal deposit</li> <li>• Communication of a report</li> <li>• Existence of a breach (yes)</li> <li>• Proof in the case (arbitrary or discriminatory treatment)</li> <li>• Power of the Stewards</li> <li>• Combination of sanctions (no)</li> <li>• Costs of the Appeal</li> </ul>	<ul style="list-style-type: none"> <li>• WTCC Sporting Regulations (articles 42 and 44)</li> <li>• International Sporting Code (article 152)</li> </ul>	22-Mar-09	21-Apr-09	<ul style="list-style-type: none"> <li>• Decision not subject to appeal - Decision of the Stewards to impose a penalty of driving through penalty - Competence of the ICA? No</li> <li>• Procedural irregularities alleged by the Appellant - In this case: Irregularities have no effect on the regularity of the procedure, and no proof of harm has been shown</li> <li>• Procedural irregularity alleged by the Appellant about the contested decision - No mention of the competitor's right to appeal in the Stewards' decision - Obligation? No - Fairness only requires that parties be in a position to know whether or not they have a right to appeal - Right to appeal clearly set out in the International Sporting Code and in the ICA Rules of Procedure - Stewards not obliged to remind competitors of the contents of the International Sporting Code</li> <li>• Procedural irregularity alleged by the Appellant about the receipt of a confirmation of payment of the appeal deposit - Irrelevance to the regularity of the procedure - Proof of the payment: Responsibility of the Appellant</li> <li>• Procedural irregularity alleged by the Appellant about the report of the FIA Race Director: he was denied a copy of the report to which the contested decision refers to - Obligation to make the report available? No</li> <li>• Concrete evaluation of non-compliance in the case - Nature of the alleged breach: caused a collision - Sanction? Yes - The driver is responsible for causing at least the first collision and was not performing an overtaking manoeuvre but was positioning himself for subsequent overtaking</li> <li>• Proof in the case - Proof of any arbitrary or discriminatory treatment? No</li> <li>• Power of the Stewards - Assessment of a race incident - Stewards entitled to consider each incident on its own merits - Irrelevance of the fact that other drivers were not penalized</li> <li>• Nature of the sanction - Combination of sanctions? Stewards allowed to impose only one of the three penalties possible - In the case: impossibility to impose a drive-through penalty in addition to a grid position penalty - Consequence? Grid position penalty quashed (as the drive-through penalty is not susceptible to appeal)</li> <li>• Costs of the Appeal - Contested decision partially quashed on grounds not raised by the Appellant but by the ICA ex officio - Consequence? Costs borne by the Appellant</li> </ul>

## Index of the judgments of the FIA International Court of Appeal (2024-02-01)

Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
<a href="#">ICA-2023-02</a>	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEdA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2009-03</a>	<ul style="list-style-type: none"> <li>Cyprus Automobile Association (CAA) (Cyprus)</li> <li>On behalf of its competitor and driver Nicos Thomas</li> <li>Referral by the President of the FIA</li> </ul>		Middle East Pirelli Star Driver award		Appeal admissible	Decision(s) quashed		<ul style="list-style-type: none"> <li>Pirelli Star Driver contest</li> <li>Applicable rules</li> </ul>	<ul style="list-style-type: none"> <li>Middle East Rally Championship (article 40)</li> <li>Pirelli Star Driver Award Conditions</li> </ul>	16-Dec-08	27-Feb-09	<ul style="list-style-type: none"> <li>Referral by FIA President - ICA competent to judge any matter of a sporting nature submitted to it by the President of the FIA, pursuant to Article 1 of the ICA Rules of Procedure</li> <li>Pirelli Star Driver contest - Competition separate from the Middle East Rally Championship - Consequence? Applicable rules for selecting the winner: "Pirelli Star Driver Award Conditions" and not the rules of the FIA Middle East Rally Championship - Consequences: decision of the PSD Working Group quashed; winner <math>\text{\textcircled{R}}</math> Nicos Thomas and not Nick Georgiou</li> </ul>
<a href="#">ICA-2009-02</a>	Motorsports Association of India (MAI)	FIA			Appeal admissible	Decision(s) upheld	Transfer of the Sporting power	<ul style="list-style-type: none"> <li>Admissibility of evidence</li> <li>Memorandum</li> <li>Functioning of the General Assembly</li> <li>Rights of the defence</li> <li>Appeal frivolous</li> </ul>	<ul style="list-style-type: none"> <li>ICA Rules of Procedure (articles 19 and 20)</li> <li>FIA Statutes (article 10)</li> </ul>	7-Nov-08	6-Feb-09	<ul style="list-style-type: none"> <li>Admissibility of evidence - Submission of new evidence after the time limit - Condition: "new or exceptional circumstances"</li> <li>Memorandum - Request to submit a supplementary memorandum - Request denied</li> <li>Functioning of the General Assembly - Agenda of the General Assembly must be sent 35 days before the date fixed for the meeting - Objectives of this time-frame: that the voting Members of the FIA be duly informed of the content of the proposals on the Agenda; that they be allowed adequate time to consider the proposals; that the rights of defense of any affected parties be respected - In the case: no respect of the time-frame BUT regardless of whether there was an obligation to send the report at the same time as the original Agenda, the principles and objectives were respected</li> <li>Rights of the defence before the adoption of the contested decision (about Sporting Power) - Violation of the rights of defence in the case? No: the Appellant was made aware of the report accompanying the Agenda for the General Assembly on several prior occasions, so he had enough time to prepare a defense; he had several occasions to defend its position, which it did with the assistance of a lawyer</li> <li>Appeal frivolous - Appeal frivolous in the case? No - Why: Significant importance of the outcome of this case for the Appellant; Appellant's right, as a Member of the FIA, to interpret the Statutes and to make use of its right to recourse before the ICA; fact that the Appellant's arguments before the ICA are adequately motivated</li> </ul>
<a href="#">ICA-2009-01</a>	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund (DMSB)</li> <li>On behalf of Aaron Burkart</li> </ul>	Commissione Sportiva Automobilistica (CSAI)	European Rally cup	44th Rally del Friuli e Alpi Orientali (Italy)	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Race incident</li> <li>Interruption of a special stage</li> </ul>	<ul style="list-style-type: none"> <li>Power of the Stewards</li> <li>Time allocated by the Stewards to all the competitors affected by the accident</li> <li>Fairness</li> </ul>	FIA General Prescriptions (article 19.16.1)	30-Aug-08	3-Feb-09	<ul style="list-style-type: none"> <li>Applicable regulations - FIA General Prescriptions - Applicability to FIA European Rally Cups</li> <li>Power of the Stewards - Interruption of a special stage due to an incident - Time allocated by the Stewards to all the competitors affected by the accident (who did not complete the stage) - Method of calculation - Duty for the Stewards to find the solution which they consider is the fairest - Notion of fairness: decision that will take into account all the circumstances of the race, and a result that appears fair, i.e. one that reflects, the sporting performance achieved during the entire race and all its special stages</li> <li>Power of the Stewards - Interruption of a special stage due to an incident - Time allocated by the Stewards to all the competitors affected by the accident (who did not complete the stage) - Method of calculation - Duty for the Stewards to find the solution which they consider is the fairest - Consequence? Not possible to apply automatically the solution made available by the national regulations</li> <li>Power of the Stewards - Interruption of a special stage due to an incident - Time allocated by the Stewards to all the competitors affected by the accident (who did not complete the stage): percentage system - Method of calculation - Duty for the Stewards to find the solution which they consider is the fairest - Consequence? Obligation to take into account the prior circumstances of the race and the result obtained - In the case: the contested decision reversed the running and the classification of the race up to that point and penalized the appellant in an unjustified manner - Consequence? Decision quashed</li> </ul>
<a href="#">ICA-2008-05</a>	<ul style="list-style-type: none"> <li>Motor Sports Association (MSA) (Great Britain)</li> <li>On behalf of its licensee-holder Vodafone McLaren Mercedes</li> </ul>	FIA	FIA F1 World Championship	Belgian Grand Prix (event of Spa Francorchamps)	Appeal inadmissible	Appeal inadmissible	Advantage gained by cutting the chicane	Decision not subject to appeal	<ul style="list-style-type: none"> <li>F1 Sporting Regulations (article 16.3)</li> <li>International Sporting Code (article 152)</li> </ul>	7-Sep-08	22-Sep-08	<ul style="list-style-type: none"> <li>ICA not bound by its precedents</li> <li>Decision not subject to appeal - Decision of the Stewards to impose a penalty of driving through (which can be converted in a time penalty) or a time penalty - Competence of the ICA? No - Why? Identical natures of the penalties - Consequence: legal regimes must be in line</li> </ul>
<a href="#">ICA-2008-04</a>	<ul style="list-style-type: none"> <li>Royal Automobile Club of Belgium (RACB)</li> <li>On behalf of its licensee-holder Prospeed Competition</li> </ul>	FIA	FIA GT Championship	Race 3 run in Adria (Italy)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Suspension</li> <li>Homologation</li> </ul>	<ul style="list-style-type: none"> <li>Homologation</li> <li>Objective responsibility of the competitor</li> </ul>	International Sporting Code (Appendix J, articles 257-10.4 and 257-10.1.2.a)	4-Jul-08	10-Sep-08	<ul style="list-style-type: none"> <li>Non-compliance with technical regulations - Principles - Absolute and objective responsibility of the competitor - Irrelevance of the fault or the good faith of the competitor</li> <li>Homologation - Existence of a homologation for a specific suspension system (of suspension) - Homologation valid for any other suspension system with similarities? No</li> <li>Homologation - Obligation to race at all times using the required homologated parts - In the case: Appellant failed to demonstrate that the specific parts used at the race were homologated at the time of their actual use during the race - Irrelevance of the fact that they may have been subsequently homologated: homologation should have been requested prior to actual use of the parts in a race</li> <li>Role of ICA: Not to interfere in the legislative or executive powers of the FIA or to substitute itself from them - BUT: the ICA have to say whether these powers have been correctly exercised</li> <li>Sporting Power holder - One organisation per country</li> <li>Members of FIA and Sporting Power - Authority to grant or remove the Sporting Power: authority of the General Assembly - Possibility to delegate this authority? Even if possible, such delegation would have to be limited and specific - Consequence? Decision of the General Assembly to delegate the power to decide on appropriate action in relation to the Sporting Power issue cannot be regarded as an open-ended authorisation to assume all the functions of the General Assembly (as removal of the Sporting power)</li> <li>Removal of the Sporting Power - Existence of a difference with the expulsion of a Member of the FIA - Consequence? FIA not required to apply the procedure set out for the expulsion cases - But: Obligation to respect the rights of defence - In the case: Appellant was not given sufficient notice of the vote leading to the contested Decision and was not formally invited to present arguments before a vote was taken</li> <li>Notification of appeal - Content - Proof that the intention of appeal was given in writing to the Stewards within one hour of the publication of the decision - In the case: no evidence to determine the exact time of publication - Admissibility? Yes (no evidence to consider that the intention to appeal was notified after the time limit)</li> <li>Rights of the defence before the adoption of the Stewards' contested decision - Violation of the rights of defence? No - Complaint of the Appellant that the contested decision was taken without first placing the Team manager in position to put forward his own explanations - But: during his hearing by the Stewards, the audiovisual record on which the Stewards based their decision was viewed by the party concerned, who had every opportunity to discuss it and to put forward any relevant argument</li> <li>Motivation of the contested decision - In fact and in law - Insufficiency of motivation? No : the terms of the decision allowed an operator normally familiar with the rules applicable to the automobile competitions to comprehend the grievances raised</li> <li>Understanding of the contested decision - Language used during the hearing by the Stewards (English) - It has been established before the ICA that the Team Manager involved habitually takes part in meetings during which the working language is exclusively English</li> <li>Proof in the case - Proof of the material accuracy of the facts (existence of a breach)? No</li> </ul>
<a href="#">ICA-2008-03</a>	Motorsports Association of India (MAI)	FIA			Appeal admissible	Decision(s) quashed	Transfer of the Sporting power	<ul style="list-style-type: none"> <li>Competence of ICA / Role of ICA</li> <li>Authority to grant or remove the Sporting Power</li> <li>Removal of the Sporting Power (procedure)</li> <li>Rights of defence</li> </ul>	FIA Statutes (articles 4, 9 (10), 16 and 27 (d))	25-Jun-08	29-Jul-08	<ul style="list-style-type: none"> <li>Even if possible, such delegation would have to be limited and specific - Consequence? Decision of the General Assembly to delegate the power to decide on appropriate action in relation to the Sporting Power issue cannot be regarded as an open-ended authorisation to assume all the functions of the General Assembly (as removal of the Sporting power)</li> <li>Removal of the Sporting Power - Existence of a difference with the expulsion of a Member of the FIA - Consequence? FIA not required to apply the procedure set out for the expulsion cases - But: Obligation to respect the rights of defence - In the case: Appellant was not given sufficient notice of the vote leading to the contested Decision and was not formally invited to present arguments before a vote was taken</li> <li>Notification of appeal - Content - Proof that the intention of appeal was given in writing to the Stewards within one hour of the publication of the decision - In the case: no evidence to determine the exact time of publication - Admissibility? Yes (no evidence to consider that the intention to appeal was notified after the time limit)</li> <li>Rights of the defence before the adoption of the Stewards' contested decision - Violation of the rights of defence? No - Complaint of the Appellant that the contested decision was taken without first placing the Team manager in position to put forward his own explanations - But: during his hearing by the Stewards, the audiovisual record on which the Stewards based their decision was viewed by the party concerned, who had every opportunity to discuss it and to put forward any relevant argument</li> <li>Motivation of the contested decision - In fact and in law - Insufficiency of motivation? No : the terms of the decision allowed an operator normally familiar with the rules applicable to the automobile competitions to comprehend the grievances raised</li> <li>Understanding of the contested decision - Language used during the hearing by the Stewards (English) - It has been established before the ICA that the Team Manager involved habitually takes part in meetings during which the working language is exclusively English</li> <li>Proof in the case - Proof of the material accuracy of the facts (existence of a breach)? No</li> </ul>
<a href="#">ICA-2008-02</a>	<ul style="list-style-type: none"> <li>Royal Automobile Club of Belgium (RACB)</li> <li>On behalf of its competitor Prospeed Competition</li> </ul>	FIA	FIA GT Championship	Event at Monza (Spain)	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Number of persons (5) allowed to be present in the pit lane during the refuelling and servicing of a car</li> <li>Removing of the wheels before the end of the refuelling operation</li> </ul>	<ul style="list-style-type: none"> <li>Rights of the defence</li> <li>Content of the notification of appeal</li> <li>Motivation of the contested decision</li> <li>Understanding of the contested decision</li> <li>Proof of the facts</li> </ul>	<ul style="list-style-type: none"> <li>Code of Procedure and Rules (articles 14, § 3, and 17, § 3)</li> <li>FIA GT Championship Regulations (articles 104 and 109)</li> </ul>	18-May-08	12-Jun-08	<ul style="list-style-type: none"> <li>Notification of appeal - Content - Proof that the intention of appeal was given in writing to the Stewards within one hour of the publication of the decision - In the case: no evidence to determine the exact time of publication - Admissibility? Yes (no evidence to consider that the intention to appeal was notified after the time limit)</li> <li>Rights of the defence before the adoption of the Stewards' contested decision - Violation of the rights of defence? No - Complaint of the Appellant that the contested decision was taken without first placing the Team manager in position to put forward his own explanations - But: during his hearing by the Stewards, the audiovisual record on which the Stewards based their decision was viewed by the party concerned, who had every opportunity to discuss it and to put forward any relevant argument</li> <li>Motivation of the contested decision - In fact and in law - Insufficiency of motivation? No : the terms of the decision allowed an operator normally familiar with the rules applicable to the automobile competitions to comprehend the grievances raised</li> <li>Understanding of the contested decision - Language used during the hearing by the Stewards (English) - It has been established before the ICA that the Team Manager involved habitually takes part in meetings during which the working language is exclusively English</li> <li>Proof in the case - Proof of the material accuracy of the facts (existence of a breach)? No</li> </ul>
<a href="#">ICA-2007-13</a>	Referral by the President of FIA	Team PK Racing			Appeal admissible	Other		Prejudicial statements against the FIA and the ICA (about their integrity and independence)	International Sporting Code (articles 58, 151 c) and 153)		13-Dec-07	
<a href="#">ICA-2008-01</a>	<ul style="list-style-type: none"> <li>Automobile Club d'Italia/Commissione Sportiva Automobilistica Italiana (ACI/CSAI)</li> <li>On behalf of GPC Sport</li> </ul>	Real Federación Española de Automovilismo (RFEdA)	Spanish GT Championship	Event at Jerez (Spain)	Appeal admissible	Decision(s) upheld	Overtaking in a yellow flag zone	Proof of the material accuracy of the facts		28-Oct-07	31-Jan-08	<ul style="list-style-type: none"> <li>Proof in the case - Proof of the material accuracy of the facts (existence of a breach)? No</li> </ul>
<a href="#">ICA-2007-12</a>	<ul style="list-style-type: none"> <li>ACCR (Autoclub of the Czech Republic)</li> <li>On behalf of Buggyra International Racing System</li> </ul>	Real Federacion Espanola de Automovilismo (RFEdA)	FIA European Truck Racing Championship	Event run at Jarama (Spain)	Appeal admissible	Decision(s) quashed	Collision	<ul style="list-style-type: none"> <li>Existence of a breach (yes)</li> <li>ICA's power</li> <li>Nature of the sanction</li> </ul>	<ul style="list-style-type: none"> <li>FIA European Truck Racing Championship Regulations (articles 9.6, 9.7.1 and 12)</li> <li>International Sporting Code (articles 141 and 153)</li> </ul>	7-Oct-07	13-Dec-07	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: caused a collision - Sanction? Yes - Irrelevance of the driver's explanation that he was unaware of the presence of the truck which could clearly be seen beside his vehicle in the photographs and videos produced at the hearing</li> <li>ICA's power - Replace the legal motivation chosen by the Stewards</li> <li>Nature of the sanction - Assessment: discretion of the Stewards</li> </ul>

## Index of the judgments of the FIA International Court of Appeal (2024-02-01)

Case N°	Appellant(s)	Respondant	Championships/Cups/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
ICA-2023-02	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEDA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
ICA-2007-10	Motor Sports Association (MSA) (Great Britain) On behalf of competitor Vodafone McLaren Mercedes	FIA	FIA F1 World Championship	Grand Prix of Brazil	Appeal inadmissible	Appeal inadmissible	Permitted fuel temperature (minimum)	• Interest to act • Meaning of "parties concerned"	• F1 Technical Regulations (article 6.5.4) • ICA Rules of Procedure (article 1) • International Sporting Code (article 174 d)	21-Oct-07	15-Nov-07	• Interest to act - Appeal must be lodged by at least one of the parties concerned - Meaning of "parties concerned"? - Not all parties whose interests may be affected by the Decision such as another competitor (asking to the ICA to annul a decision concerning the non-compliance of the car of other parties than itself and to impose a sanction) - Obligation for such competitor to lodge a protest against the classification at the latest 30' after the official publication of the results - Irrelevance of the misleading information allegedly provided by the Stewards
ICA-2007-11	Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) On behalf of Scuderia Island Motorsport (crew Renato Travaglia/Daniele Vernuccio)	FIA	FIA European Rally Championship	32nd ELPA Rally (Greece)	Appeal admissible	Decision(s) upheld		• Rights of the defence • Procedural irregularity alleged	International Sporting Code (article 145)	7-Oct-07	21-Nov-07	• Rights of the defence before the adoption of the contested Stewards' decision - Complaint of the Appellant that he had not been informed of or been able to discuss the technical report (a photograph of the incriminating piece of evidence having been presented without the piece of evidence itself) - Obligation of communicating the report? No - Obligation to allow the appellant to discuss with the Technical Delegate the contents of the Technical Delegate's report and the pieces of evidence? Yes - Violation of the rights of the defence in the case? No • Procedural irregularities alleged by the Appellant - In this case: Irregularities not proved
ICA-2007-07	Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) On behalf of Scuderia Toro Rosso (driver V. Liuzzi)	FIA	FIA World F1 Championship	Japanese Grand Prix	Appeal admissible	Decision(s) upheld	• Yellow flag (ignored) • Overtaking • Cockpit lights	Existence of a breach (yes)	• F1 Sporting Regulations (article 16.3) • F1 Technical Regulations (article 8.4)	30-Sep-07	12-Oct-07	• Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: non-respect of a yellow flag - Sanction? Yes - Irrelevance of the fact that the GPS system went out: the cockpit lights does not authorize drivers to substitute these signals for flag signals; the absence of a green flag could not give the driver reason to think that he was no longer bound by the obligations of the yellow flag
ICA-2007-08	Real Federación Española de Automovilismo (RFEDA) On behalf of the competitor RSV Motorsport		International Open GT Championship	Even run at Magny-Cours (France)	Appeal inadmissible	Appeal inadmissible		• Content of the notification of appeal	ICA Rules of Procedure (article 14)	15-Jul-07	7-Nov-07	• Notification of appeal - Content - Absence of confirmation by written letter of appellant's intention to appeal
ICA-2007-05	Motor Sports Association (MSA) (Great Britain) On behalf of its competitor Vodafone McLaren Mercedes	FIA	FIA World F1 Championship	Hungarian Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal	Non-respect of the timing during the pit stop			4-Aug-07	12-Oct-07	
ICA-2007-06	Motor Sports Association (MSA) (Great Britain) On behalf of its competitor Vodaphone McLaren Mercedes	FIA			Withdrawal of Appeal	Withdrawal of Appeal				26-Jul-07	12-Oct-07	
ICA-2007-04	Royal Automobile Club de Belgique (RACB) On behalf of its licence holder PK Racing	FIA	FIA GT Championship	Event run at Oschersleben (Germany)	Appeal admissible	Mix	• Maximum quantity of fuel carried on board • Method of measurement of fuel (temperature)	• Competence of ICA (relation between ICA and the Stewards) • Time-limit for the payment of the appeal deposit • Equality of chances • Existence of a breach (yes) • Control of non-compliance with technical regulations (measuring method)	• ICA Rules of Procedure (article 15) • International Sporting Code (Appendix J, article 258.6.5.1)	8-Jul-07	24-Jul-07	• Competence of ICA - Relation between ICA and the Stewards - ICA is the only competent judge to rule on the admissibility or inadmissibility of an appeal - Stewards in no circumstances has the ability or the right to substitute for the ICA • Appeal deposit - Time-limit for the payment - Same time-limit as for notifying the appeal to the ICA - Deposit should have been paid at the time of notification of the intention to appeal? No: the deposit can be demanded only on notification not of the intention to appeal but of the appeal itself • Non-compliance with technical regulations - Principle - Strict application of the regulations in order to respect the equality of chances between competitors • Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: fuel - Maximum quantity of fuel carried on board - Breach and sanction? Yes • Control of non-compliance with technical regulations - Measuring method - Measurement of fuel carried on board - Absence of text governing the measurement (question of the temperature at which the sample should be taken) - Consequence? Appellant not allowed to cite any additional measurement that he may have taken unilaterally
ICA-2007-03	Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) On behalf of its competitor SEAT Sport Italia	FIA	FIA World Touring Car Championship	Event run at Porto (Portugal)	Appeal admissible	Mix	• Yellow flag (ignored) • Collision • Aggressive language and abusive behaviour by a driver towards another driver	• Proportionality of the sanction • Interpretation of sporting regulations • Responsibility of the collision (no) • Quantum of the sanction • ICA's power • Absence at the hearing	• International Sporting Code (Appendix H, article 4.1.2.b.) • WTCC Sporting Regulations (article 42) • International Sporting Code (article 151.c)	7-Jul-07	23-Jul-07	• Hearing - Absence of the driver regrettable, in order to assume his own defence and to bring his statements • Interpretation of sporting regulations - Text must be strictly interpreted in the vital interests of competitors and of motor sport events • Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: caused a collision/pushed away another driver - Sanction? No: The driver didn't push away deliberately another competitor - Accident inevitable and the collision not attributable solely to one driver • Proportionality of the sanction - Nature of the breach in the case: to ignore a yellow flag - Sanction imposed: fine (1.500 €) and a drop of 10 places for the start of a race of the next event) - Sanction disproportionate? No: when the waved of yellow flag is shown it is mandatory to slow down because of the existence of a danger that could cause an accident • ICA's power - Limits - ICA can only review the decision appealed by the competitor - Consequence: it is pointless for the defence of a competitor to maintain that a decision is illegitimate, if it does not concern the case before the ICA: this decision is definitive both in its reasoning and in the penalties which it has imposed • Quantum of the sanction - ICA's power - Power to increase the sanction and double it
ICA-2007-09	Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) On behalf of its licence-holder Prema Power Team	Royal Automobile Club de Belgique (RACB)	Formula Renault 2000 Eurocup	Even run at Zolder (Belgium)	Appeal inadmissible	Appeal inadmissible		Time limit for appealing	ICA Rules of Procedure (article 17)	22-Apr-07	8-Nov-07	• Time limit for appealing - Appeal before the ICA - Appellant did not formulate his appeal within 7 days of the notification of the decision - Consequence? Appeal inadmissible
ICA-2007-02	UAMK CR (Ustredni Automobilklub České Republiky)	Autoclub of the Czech Republic (ACCR)			Appeal partially not admissible	Decision(s) upheld	Delegation of the Sporting power	• Proof • Delegation of the Sporting power • Sporting Power holder	FIA Statutes (articles 4 and 5)	29-Mar-06	30-Jan-07	• Dispute about who has the sporting power - Competence of ICA? Yes, competence for settling any dispute of a sporting nature arising between members of the FIA, which is the case • Delegation of the Sporting Power - The Sporting Power cannot be delegated to an organisation other than that designated by the FIA General Assembly and without prior authorisation from the General Assembly - In the case: Sporting Power transferred de facto to a commercial company in violation of the FIA rules? No proof • Sporting Power holder - One organisation per country - International sporting power held by the FIA General Assembly, which designates, for each country, the Club or Association that will exercise that sporting power
ICA-2006-07	Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) On behalf of its competitor Vortex Srl	FIA	CIK-FIA World Karting Championship	Event run at Angerville (France)	Appeal admissible	Decision(s) upheld	• Authorized work on the Kart (only the changing of the tyres or the wheels and the checking of the tyre pressure) • Number of mechanics allowed	• Rights of the defence • Motivation of the contested decision • Nature of the proof (use of video evidence) • Assessment of a race incident	• International Sporting Code (article 179 bis) • CIK-FIA Regulations (article 2.19.H) • CIK-FIA Sporting Regulations (article 51) • CIK-FIA Specific Prescriptions (articles 10 and 11)	17-Nov-06	4-Dec-06	• Rights of the defence before the adoption of the contested decision - Violation of the rights of defense? No: even if the summons could have been more explicit, the competitor was perfectly aware of the charges; it had discussed them before the Stewards; the summons specified that the competitor could be supported by a person of its choice • Motivation of the contested decision - Obligation to sufficiently describe grievances in the summons - Insufficiency of motivation in the case? No, because the summons referred to the discovery of new elements and, even if the summons could have been more explicit, the competitor was perfectly aware of the charges • Nature of the proof - Assessment of a race incident - Use of any video evidence by the Stewards - Irrelevance of the origin of the video

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Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
<a href="#">ICA-2023-02</a>	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEdA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2007-01</a>	Referral by the President of FIA	<ul style="list-style-type: none"> <li>Royal Automobile Club of Belgium (RACB)</li> <li>Competitor CRG S.p.A.</li> </ul>	CIK-FIA World Cup Super ICC	Event at Mariembourg (Belgium)	Appeal admissible	Decision(s) quashed	False start (moving before the starting signal)	<ul style="list-style-type: none"> <li>Submission of the memorandum of appeal (time-limit)</li> <li>ICA's power / role of ICA</li> <li>Proceedings of the contested decision (hearing of the Race director)</li> <li>Existence of a breach and sanction (yes)</li> <li>Equality of chances</li> </ul>	<ul style="list-style-type: none"> <li>Rules of the ICA (articles 18 and 19)</li> <li>CIK-FIA General Prescriptions (articles 2.20-K and 2.24)</li> <li>International Sporting Code (articles 92 and 94)</li> <li>International Sporting Code (article 174-e)</li> </ul>	3-Sep-06	11-Jan-07	<ul style="list-style-type: none"> <li>Submission of the memorandum of appeal - Time-limit - New time-limits set for the FIA and the competitor because of the request of the competitor to postpone the hearing - Consequence - Inadmissibility of the appeal because the FIA did not respect the initial time limits? No</li> <li>Proceedings of the contested decision - Stewards have to hear the Race director - Irrelevance of the fact that the Race director did not manifest himself - Consequence of the absence? Decision quashed</li> <li>Role of ICA - ICA cannot leave unsanctioned an infraction - Right to summon a case before a lower court and inflict on the competitor a penalty</li> <li>Concrete evaluation of non-compliance in the case - Nature of the alleged breach: false start - Sanction? Yes - Irrelevance of the subjective reasons given by the driver to explain his behaviour (no intention to commit the infringement): seeing that the car had moved from its spot before the starting signal was given is an objective fact - Accepting the slightest excuse from a competitor would have as a direct consequence the destruction of the principles set out by the regulations and thus would clearly undermine the equality of chances</li> </ul>
<a href="#">ICA-2006-05</a>	<ul style="list-style-type: none"> <li>Svenska Bilsportförbundet (SBF)</li> <li>On behalf of its competitor Per-Gunnar Andersson</li> </ul>	FIA	FIA Junior Rally Championship	Rally of Turkey	Appeal admissible	Decision(s) upheld	Prohibited work on the car during the race by the mechanic (dismounted and re-installed the air filter)	<ul style="list-style-type: none"> <li>Decision subject to appeal</li> <li>Proof in the case</li> <li>Existence of non-compliance (yes)</li> </ul>	WRC Regulations	15-Oct-06	27-Nov-06	<ul style="list-style-type: none"> <li>Decision subject to appeal - Decisions taken by the Stewards within the framework of the Junior Rally Championship - Why? FIA Junior Rally Championship is part of the FIA World Rally Championship; Decision of the World Motor Sport Council send before the ICA appeals against decisions taken by the Stewards within the framework of the FIA World Rally Championship</li> <li>Proof in the case - Proof of the material accuracy of the facts (absence of a breach)? No - Testimony insufficient by itself to dispute the conclusive value of the Scrutineer's report</li> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: work on the car during the race by the mechanic - Sanction? Yes: Testimony insufficient by itself to dispute the conclusive value of the Scrutineer's report</li> <li>ICA's power - Power to summon a case pending before a lower court (as highest jurisdiction in the judicial hierarchy)</li> <li>Power of the Stewards - General principle of absolute power - Difference between a penalty and a sanction: the penalty necessarily being of an individual nature; a sanction having a whole other scope because it concerns any measure made necessary for an entire group and concerning the outcome of an event</li> <li>Power of the Stewards - Power to annul the results of the race - Confusion at the end of the event makes it impossible to establish a fair classification (the Clerk of the Course, instead of waving a red flag at the finish line, notified competitors there would be an additional lap to run, and at the end of that lap, waved a checkered flag) - Annulment justified? Yes, in order to avoid any unfair treatment with regard to the competitors or the drivers</li> </ul>
<a href="#">ICA-2006-03</a>	Referral by the FIA	French Federation of Motor Sport (FFSA)	CIK-FIA Formula A European Championship	Event run at Varennes sur Allier (France)	Appeal admissible	Decision(s) quashed: confirmation of the contested stewards' decision	<ul style="list-style-type: none"> <li>Wrong flag waved</li> <li>Annulment of the results of the event</li> </ul>	<ul style="list-style-type: none"> <li>Power of the Stewards</li> <li>ICA's power</li> </ul>	International Sporting Code (article 141)	25-Jun-06	9-Nov-06	<ul style="list-style-type: none"> <li>Control of non-compliance with technical regulations (when?)</li> <li>Doubts about compliance with technical regulations</li> <li>Modification of a part/technical innovation</li> <li>Existence of non-compliance (yes)</li> </ul>
<a href="#">ICA-2006-02</a>	Referral by the FIA	Mild Seven Renault F1	FIA F1 World Championship	Grand Prix of Germany	Appeal admissible	Decision quashed and replaced by a more severe sanction	Tuned mass damper (TMD)	<ul style="list-style-type: none"> <li>Rights of defence and adversarial principle</li> <li>Conditions of junction</li> <li>Principle of "ne ultra petita"</li> <li>Proof in the case</li> </ul>	F1 Technical Regulations (articles 1.14, 1.4, 2.4, 2.6 and 3.15)	28-Jul-06	22-Aug-06	<ul style="list-style-type: none"> <li>Control of non-compliance with technical regulations - When? - Competitor obliged to ensure the conformity of its car any time during the whole competition</li> <li>Doubts about compliance with technical regulations - Modification of a part/technical innovation - Competitors expected to seek all the necessary clarifications, to ask confirmation before implementing their solution or to make contact with the FIA or other regulating authority before any competition</li> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: tuned mass dampers (TMD) - Device with impact on the aerodynamic efficiency of the car, whatever the benefit may be - Device not part of the suspension - Breach? Yes</li> </ul>
<a href="#">ICA-2006-06</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its competitor /licence-holders Draco Multiracing USA, R.C. Motorsport and Prema Powerteam Srl</li> </ul>	Royal Automobile Club of Belgium (RACB)	World Series by Renault	Event run at Zolder (Belgium)	Appeal admissible	Decision(s) quashed: confirmation of the contested stewards' decision	Cut of a chicane	<ul style="list-style-type: none"> <li>Rights of defence and adversarial principle</li> <li>Conditions of junction</li> <li>Principle of "ne ultra petita"</li> <li>Proof in the case</li> </ul>		30-Apr-06	28-Nov-06	<ul style="list-style-type: none"> <li>Interest to act - Appeal lodged in order to contest the penalty inflicted on another driver (absence or considered as insufficient) - In the case: Appellant concerned by the classification but he did not file a protest against the classification - Consequence? Appeal inadmissible</li> <li>Rights of the defence before the National Court of appeal - Violation of the rights of defence and of the adversarial principle? Yes - Consequence? Ruling of the National Court of appeal quashed</li> <li>Decision of the National Court of Appeal - Junction of 2 appeals which concerned different decisions and different races - Consequence? Decision quashed</li> <li>Decision of the National Court of Appeal - NCA failed to answer the appeal formulated by the Appellant; the cancellation of the event was not requested - Violation of the principle of "ne ultra petita" in the case? Yes - Consequence? Decision quashed</li> <li>Proof in the case - Proof of the material accuracy of the facts (existence of a breach)? No</li> </ul>
<a href="#">ICA-2006-04</a>	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund (DMSB)</li> <li>On behalf of its competitor Vitaphone Racing Team Bartels + Motor Sport GmbH</li> </ul>	FIA	FIA GT Championship	Event run at Brno (Czech Republic)	Withdrawal of Appeal	Withdrawal of Appeal				28-May-06	9-Nov-06	
<a href="#">ICA-2005-22</a>	<ul style="list-style-type: none"> <li>French Federation of Motor Sport (FFSA)</li> <li>On behalf of competitor Larbre Competition</li> </ul>	FIA	FIA GT Championship	Event run in Bahrain	Appeal admissible	Decision(s) quashed	Fuel (removing an additional amount of fuel so as to obtain 3 liters: requirement for the taking of fuel samples)	Existence of non-compliance (doubt)	<ul style="list-style-type: none"> <li>GT Sporting Regulations (article 60 d)</li> <li>GT Technical Regulations (article 2.6)</li> <li>International Sporting Code (Appendix J, article 258)</li> </ul>	25-Nov-05	8-Dec-05	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance in the case - Nature of the alleged breach: failing to contain the required 3 liters of petrol at the end of the race for the taking of fuel samples - Sanction? No: Doubts as to the possibility of removing an additional amount of fuel from the tank so as to obtain 3 liters and as to the precise manner in which to remove the required fuel</li> </ul>
<a href="#">ICA-2005-21</a>	<ul style="list-style-type: none"> <li>Motor Sports Association (MSA) (Great Britain)</li> <li>On behalf of its competitor Chevrolet</li> </ul>	FIA	FIA World Touring Car Championship	Event run in Macao (China)	Withdrawal of Appeal	Withdrawal of Appeal				20-Nov-05	8-Dec-05	
<a href="#">ICA-2005-20</a>	Referral by the FIA	<ul style="list-style-type: none"> <li>French Federation of Motor Sport (FFSA)</li> <li>Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> </ul>	CIK-FIA European Intercontinental A Championship	Event at La Conca (Italy)	Appeal admissible	Decision(s) quashed	Weight of the car (minimum)	<ul style="list-style-type: none"> <li>Rights of the defence</li> <li>Role of ICA</li> <li>Proof in the case</li> <li>Existence of a breach (yes)</li> <li>Absence of reasons of force majeure</li> </ul>	<ul style="list-style-type: none"> <li>FIA-CIK Technical Regulations (articles 1.3, 4.2 and 10)</li> <li>General Prescriptions (article 12 A c)</li> </ul>	21-Aug-05	7-Nov-05	<ul style="list-style-type: none"> <li>Rights of the defence before the adoption of the Stewards' contested decision - Violation of the rights of defence? Yes: No defence presented to the Stewards - Decision notified 1hour after it was handed down</li> <li>Role of ICA - ICA cannot let a decision which goes against the regulations go unsanctioned without considering the possibility of the existence of such a violation and which would be possible after an examination of the facts themselves - Final ruling on the case if possible</li> <li>Proof in the case - Proof of the material accuracy of the facts (absence of a breach)? No: attestations cannot be taken into consideration because they contradict the reports and declarations made by officials at the hearing</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: weight of the car - Weight must be at least 150 kg - Breach and sanction? Yes - Existence of reasons of force majeure? No: Irrelevance of the loss of liters of water because the water was not a part of the kart itself</li> </ul>
<a href="#">ICA-2006-01</a>	Narodny Automotoklub Slovenskej Republiky (NAMK) (Slovakia)	FIA			Appeal admissible	Decision(s) upheld		<ul style="list-style-type: none"> <li>Failure of a party to attend a ICA hearing</li> <li>Striking off the rolls of Members of the FIA (Reasons why)</li> <li>Financial obligations of FIA Members</li> </ul>	FIA Statutes (article 25)	31-Mar-05	28-Feb-06	<ul style="list-style-type: none"> <li>Hearing - Absence of the Appellant - Failure of the parties to attend the hearing shall not interrupt the course of the proceedings</li> <li>Exclusion or striking off the rolls of Members of the FIA - Reasons why - Financial obligations: debts of the Member in question (NAMK) toward other Members of the FIA which remain unpaid for numerous years despite the repeated demands - Alleged distinction between the private association NAMK and a business company NAMK AC should be ruled out: assuming that it is legally separate, the FIA is represented by NAMK and therefore NAMK is the sole organisation responsible for honouring the obligations contracted, whether directly or through the intermediary of an ancillary organization - Striking off the rolls justified? Yes</li> </ul>
<a href="#">ICA-2005-17</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of Alfa Romeo Racing Team</li> </ul>	FIA	FIA World Touring Car Championship	Event run at Spa (Belgium)	Withdrawal of Appeal	Withdrawal of Appeal	Racing incident			30-Jul-05	13-Sep-05	
<a href="#">ICA-2005-18</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its licence-holder and competitor Alfa Romeo Racing Team (driver Augusti Farfus)</li> </ul>	FIA	FIA World Touring Car Championship	Event run at Spa (Belgium)	Appeal admissible	Decision(s) upheld	Racing incident involving the behaviour of 3 drivers (for the competitors Alfa Romeo Racing Team; BMW Team Deutschland; BMW Team Italy-Spain)	Racing incident		30-Jul-05	13-Sep-05	

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Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
<a href="#">ICA-2023-02</a>	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEDA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2005-19</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of Alfa Romeo Racing Team</li> </ul>	Competitor Proteam Motorsports	FIA World Touring Car Championship	Event run on 26 to 31 July 2005 at Spa (Belgium)	Appeal inadmissible	Appeal inadmissible		<ul style="list-style-type: none"> <li>Interest to act</li> <li>Appeal lodged to contest the penalty inflicted on another driver</li> </ul>	International Sporting Code (articles 174, d) and 185.2)	30-Jul-05	13-Sep-05	<ul style="list-style-type: none"> <li>Interest to act - Appeal lodged in order to contest the penalty inflicted on another driver (absence or considered as insufficient) - In the case: Appellant concerned by the classification but he did not file a protest against the classification - Consequence? Appeal inadmissible</li> </ul>
<a href="#">ICA-2005-10</a>	<ul style="list-style-type: none"> <li>Motor Sports Association (MSA) (Great Britain)</li> <li>On behalf of its competitor Williams GP Engineering</li> </ul>	FIA	FIA F1 World Championship	US Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal	Suitable tyres (7 Michelin teams)			29-Jun-05	13-Sep-05	
<a href="#">ICA-2005-11</a>	<ul style="list-style-type: none"> <li>Motor Sports Association (MSA) (Great Britain)</li> <li>On behalf of its competitor Red Bull Racing</li> </ul>	FIA	FIA F1 World Championship	US Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal	Suitable tyres (7 Michelin teams)			29-Jun-05	13-Sep-05	
<a href="#">ICA-2005-12</a>	<ul style="list-style-type: none"> <li>Motor Sports Association (MSA) (Great Britain)</li> <li>On behalf of its competitor McLaren Racing</li> </ul>	FIA	FIA F1 World Championship	US Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal	Suitable tyres (7 Michelin teams)			29-Jun-05	13-Sep-05	
<a href="#">ICA-2005-13</a>	<ul style="list-style-type: none"> <li>Motor Sports Association (MSA) (Great Britain)</li> <li>On behalf of its competitor competitor British American Racing (BAR) GP</li> </ul>	FIA	FIA F1 World Championship	US Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal	Suitable tyres (7 Michelin teams)			29-Jun-05	13-Sep-05	
<a href="#">ICA-2005-14</a>	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund (DMSB)</li> <li>On behalf of its competitor Panasonic Toyota Racing</li> </ul>	FIA	FIA F1 World Championship	US Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal	Suitable tyres (7 Michelin teams)			29-Jun-05	13-Sep-05	
<a href="#">ICA-2005-15</a>	<ul style="list-style-type: none"> <li>French Federation of Motor Sport (FFSA)</li> <li>On behalf of its competitor Renault F1 Team</li> </ul>	FIA	FIA F1 World Championship	US Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal	Suitable tyres (7 Michelin teams)			29-Jun-05	13-Sep-05	
<a href="#">ICA-2005-16</a>	<ul style="list-style-type: none"> <li>Auto Sport Suisse (ASS) (Switzerland)</li> <li>On behalf of its competitor Sauber Petronas</li> </ul>	FIA	FIA F1 World Championship	US Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal	Suitable tyres (7 Michelin teams)			29-Jun-05	13-Sep-05	
<a href="#">ICA-2005-08</a>	Alfa Romeo Racing Team	FIA	FIA World Touring Car Championship	Event run at Silverstone (UK)	Other (Reject of the withdrawal of Appeal)	Other (Reject of the withdrawal of Appeal)		<ul style="list-style-type: none"> <li>Appeal must be lodged by the competitor's ASN</li> <li>Confirmation of the intention of appeal</li> <li>Withdrawal of the appeal</li> </ul>	International Sporting Code (articles 185.2 and 186)	15-May-05	19-Jul-05	<ul style="list-style-type: none"> <li>Notification of appeal - Appeal must be lodged by the competitor's ASN - In the case: appeal lodged by the competitor and not confirmed after - Consequence? Withdrawal of the appeal formulated by the competitor not accepted; authority of res judicata for the Stewards' decision</li> </ul>
<a href="#">ICA-2005-06</a>	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund (DMSB)</li> <li>On behalf of its competitor Panasonic Toyota Racing (driver Ralf Schumacher)</li> </ul>	FIA	FIA F1 World Championship	San Marino Grand Prix (Imola)	Withdrawal of Appeal	Withdrawal of Appeal				24-Apr-05	3-May-05	
<a href="#">ICA-2005-07</a>	Referral by the FIA	Motor Sports Association (MSA) Competitor Lucky Strike BAR Honda (driver Jenson Button)	FIA F1 World Championship	San Marino Grand Prix (Imola)	Appeal admissible	Decision quashed and replaced by a more severe sanction	Weight of the car (minimum)	<ul style="list-style-type: none"> <li>Control of non-compliance with technical regulations (When?)</li> <li>Existence of a breach (yes)</li> </ul>	<ul style="list-style-type: none"> <li>F1 Technical Regulations (articles 1.9, 1.10, 2.4 and 4.1)</li> <li>F1 Sporting Regulations (articles 77-a-4, 77-b and 77-c)</li> <li>International Sporting Code (article 151-c)</li> </ul>	24-Apr-05	4-May-05	<ul style="list-style-type: none"> <li>Control of non-compliance with technical regulations - When? - Competitor obliged to ensure the conformity of its car any time during the whole competition</li> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: weight of the car - Weight must be at least 600 kg, whether or not the driver is weighed separately, and with its fuel tank completely empty - Breach and sanction? Yes (severe sanction due to the highly regrettable negligence and the lack of transparency, if not a deliberate fraud)</li> </ul>
<a href="#">ICA-2005-09</a>	<ul style="list-style-type: none"> <li>Motor Sports Association (MSA) (Great Britain)</li> <li>On behalf of its competitor Aston Martin Racing</li> </ul>	FIA	Mobil 1 Twelve Hours	53rd Annual Mobil 1 Twelve Hours of Sebring	Withdrawal of Appeal	Withdrawal of Appeal				21-Apr-05	19-Jul-05	
<a href="#">ICA-2005-05</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its licence-holder Minardi F1 Team</li> </ul>	FIA	FIA F1 World Championship	Australian Grand Prix	Withdrawal of Appeal	Withdrawal of Appeal				4-Mar-05	3-May-05	
<a href="#">ICA-2005-02</a>	<ul style="list-style-type: none"> <li>Confederation of Australian Motor Sport Ltd (CAMS)</li> <li>On behalf of its competitor Team Dynamik PTY. LTD.</li> </ul>		V8 Supercar		Withdrawal of Appeal	Withdrawal of Appeal				19-Nov-04	24-Feb-05	

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Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
<a href="#">ICA-2023-02</a>	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEaA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2005-04</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its competitor Victory Engineering</li> </ul>	FIA	Eurocup Formula Renault V6	Event of Dubai	Withdrawal of Appeal	Withdrawal of Appeal				6-Oct-04	24-Feb-05	
<a href="#">ICA-2004-06</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of GPC Sport srl</li> </ul>	FIA	FIA GT Championship	Event of Imola (Italy)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Air boxes</li> <li>Restrictors blocking the air feeding the engine</li> </ul>	<ul style="list-style-type: none"> <li>Absolute and objective responsibility</li> <li>Irrelevance of the good faith</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (Appendix J, article 257-5.3.2)</li> <li>International Sporting Code (articles 141, 153 and 158)</li> </ul>	5-Sep-04	21-Sep-04	<ul style="list-style-type: none"> <li>Non-compliance with technical regulations - Principles - Absolute and objective responsibility of the competitor - Irrelevance of the good faith of the competitor</li> </ul>
<a href="#">ICA-2004-07</a>	<ul style="list-style-type: none"> <li>Auto Sport Suisse (ASS)</li> <li>On behalf of its competitor, Jenzer Motorsport GmbH</li> </ul>		Formula Renault V6 Championship	Event run at Donington (Great Britain)	Withdrawal of Appeal	Withdrawal of Appeal	<ul style="list-style-type: none"> <li>Collision</li> <li>Yellow flag (ignored)</li> </ul>			26-Jun-04	3-Nov-04	
<a href="#">ICA-2004-05</a>	<ul style="list-style-type: none"> <li>Motor Sports Association (MSA) (Great Britain)</li> <li>On behalf of competitor BAR GP Ltd</li> </ul>	FIA	FIA F1 World Championship	Event of Hockenheim (Germany)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Electro hydraulic software controlled device</li> <li>Brake system</li> </ul>		FIA F1 Technical Regulations (articles 2.4, 8.1.1, 11.1.3 and 11.1.4)	24-Jul-04	9-Aug-04	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: brake system – Electro hydraulic software controlled device which connects the front wheels via drive shafts and allows controlled torque transfer from a faster wheel to a slower wheel even under braking - Authorized? No</li> <li>Doubts about compliance with technical regulations - Modification of a part/technical innovation - Competitors expected to seek all the necessary clarifications, to ask confirmation before implementing their solution or to make contact with the FIA or other regulating authority before any competition</li> <li>Control of non-compliance with technical regulations - When? - Competitor obliged to ensure the conformity of its car any time during the whole competition</li> <li>Electronic system – Inspection by FIA Technical Department prior to the start of the season – Obligation to notify any changes</li> </ul>
<a href="#">ICA-2004-08</a>	<ul style="list-style-type: none"> <li>Automobile Club du Grand-Duché de Luxembourg (ACL)</li> <li>On behalf of competitor Jama Investments Luxembourg</li> </ul>		Spanish Formula Junior 1600 Championship	Event of Valencia (Spain)	Appeal admissible	Decision(s) quashed	Braking system	<ul style="list-style-type: none"> <li>Existence of a breach (no)</li> <li>Procedural irregularities alleged</li> <li>Rights of the defence</li> <li>Scrutineering procedure</li> <li>Modification of the classification of the event</li> </ul>	<ul style="list-style-type: none"> <li>F1600 Technical Regulations (articles 2.6 and 11.2.1)</li> <li>International Sporting Code (articles 136 and 177)</li> <li>F1600 Sporting Regulations (article 40.5)</li> </ul>	20-Jun-04	3-Nov-04	<ul style="list-style-type: none"> <li>Procedural irregularities alleged by the Appellant - Principle: Irregularities cured by the devolutive effect of the appeal before the ICA - exception: impact too important of the irregularities - In this case: Irregularities not cured</li> <li>Rights of the defence before the adoption of the contested Stewards' decision - No defence presented to the Stewards - Absence of an official representative of the Appellant during the inspection of the car - Violation of the rights of defence? Yes</li> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: brake pads - Type of brake pads authorized but not marked by the organiser of the Championship - Breach and sanction? No</li> <li>Scrutineering procedure - Conditions - Conditions to place a part under seal: not possible until an infringement has been noted during a check; Presence of an official representative of the competitor during the scrutineering is required - Consequence of the non-respect of these conditions? Invalidity of the scrutineering performed</li> <li>Modification of the classification of the event - Conditions – Modification if a protest has been made in the time limit (30') - Provision concerning modification - Consequences of the modification of a definitive classification? Decision invalid</li> </ul>
<a href="#">ICA-2004-03</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its licensee-holder Coloni Motorsport (car N° 8, driver Can Artam)</li> </ul>	FIA	FIA F3000 Championship	Event run at Magny-Cours (France)	Withdrawal of Appeal	Withdrawal of Appeal	Yellow flag (ignored)			3-Jul-04	20-Jul-04	
<a href="#">ICA-2004-04</a>	<ul style="list-style-type: none"> <li>Automobile Club de Monaco (ACM)</li> <li>On behalf of JMB Racing, (car N° 17, driver Karl Wendlinger)</li> </ul>	FIA	FIA GT Championship	Event of Donington (Great Britain)	Appeal admissible	Decision quashed and replaced by a less severe sanction	Stop in the pit lane of the end of the race (obligation to proceed directly to the parc fermé without stopping)	Proportionality of the sanction	<ul style="list-style-type: none"> <li>International Sporting Code (General Prescriptions, article 21-c)</li> <li>GT Sporting Regulations (article 158)</li> </ul>	27-Jun-04	20-Jul-04	<ul style="list-style-type: none"> <li>Proportionality of the sanction for non-compliance with sporting regulations - Nature of the breach in the case: stop in the pit lane at the end of the race instead of proceeding directly to the parc fermé - Sanction imposed: time penalty (5') - Sanction disproportionate? Yes - Stop resulted of a case of force majeure? Congestion in the pit lane? No ; Medical reasons? Yes, even the driver could not provide proof that his condition was liable to prevent him from reaching the parc fermé - Consequence: mitigation of the sanction (15.000 \$ fine)</li> </ul>
<a href="#">ICA-2004-02</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of competitor, BMS Scuderia Italia spa (driver Gabriele Gardel in Ferrari car N° 1)</li> </ul>	FIA	FIA GT Championship	Event run at Magny-Cours (France)	Appeal admissible	Decision(s) upheld	Collision	Existence of a breach (yes)		2-May-04	12-May-04	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: caused a collision - Sanction? Yes - The driver unwisely attempted to force his way through at a particularly delicate point on the circuit and caused a collision which could have been avoided and which was ascribable to the conduct of the driver alone</li> </ul>
<a href="#">ICA-2004-01</a>	<ul style="list-style-type: none"> <li>Knac Nationale Autosport Federatie (KNAF)</li> <li>On behalf of competitor Carly Motors B.V. (driver Duncan Huisman)</li> </ul>	Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) (ASN)	European Touring Cars Championship	Event run at Monza (Italy)	Appeal admissible	Decision quashed and replaced by a more severe sanction	Collision	<ul style="list-style-type: none"> <li>Limits of the ICA's competence</li> <li>Interest to act</li> <li>Procedural irregularities alleged</li> <li>Limits of ICA's power</li> <li>Existence of a breach (yes)</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (articles 47 and 182)</li> <li>International Sporting Code (Appendix L, Chapter IV, article 2 c) and d))</li> <li>International Sporting Code (articles 152 and 153)</li> </ul>	19-Oct-03	12-Feb-04	<ul style="list-style-type: none"> <li>Limits of the ICA's competence - Validity of a license - Verification of the regularity of the procedure by which an ASN issued a competitor's license - Competence of the ASN concerned</li> <li>Interest to act - Reject of a protest against another competitor - Interest in filing this protest? Yes: A competitor is able to protest against incorrect or unfair conduct on the part of another driver, not only to obtain compensation but also to avoid any repetition of such an offence - In the case: Appeal admissible? Yes</li> <li>Procedural irregularities alleged by the Appellant - Principle: Irregularities cured by the devolutive effect of the appeal before the ICA - In this case: Irregularities cured (National Court of Appeal have authorised, the viewing - to the exclusion of all others - of a video cassette, have refused to hear the knowledgeable parties, etc. ; decision of the National Court of Appeal not signed by the President of the Court)</li> <li>ICA's power - Limits - Event cannot be run again - Consequence? ICA can't impose a penalty on a driver involved in an incident when the Stewards have rejected the protest against the competitor</li> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: caused a collision - Sanction? Yes: sanction of the 2 drivers concerned: even if no deliberate manoeuvre can be attributed to either one of the drivers, at the least they both displayed a particularly unfortunate lack of attentiveness or even negligence at a crucial moment during the event which leads to conclude that one as much as the other carried out manoeuvres likely to substantially hinder the other drivers</li> </ul>
<a href="#">ICA-2003-09</a>	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund (DMSB)</li> <li>On behalf of Aqua Nova Racing Team Kadach (driver Wolf Henzler)</li> </ul>	<ul style="list-style-type: none"> <li>Competitor Infineon Farnbacher</li> <li>FIA</li> </ul>	Porsche Michelin Supercup	Event of Indianapolis (United States)	Appeal admissible	Decision(s) quashed: confirmation of the contested stewards' decision	<ul style="list-style-type: none"> <li>Collision</li> <li>Braking manoeuvre</li> </ul>	<ul style="list-style-type: none"> <li>Abusive use of the brakes</li> <li>Responsibility of the collision</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (Appendix L, chapter IV, article 2 c)</li> <li>International Sporting Code (article 189)</li> </ul>	28-Sep-03	3-Dec-03	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the breach: caused a collision - Abusive use of the brakes – Sanction ? Yes</li> </ul>
<a href="#">ICA-2003-10</a>	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund (DMSB)</li> <li>On behalf of its licensee-holder Aqua Nova Racing Team Kadach (driver Wolf Henzler)</li> </ul>	Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)	Porsche Michelin Supercup	Event of Monza (Italy)	Appeal admissible	Decision(s) upheld	Weight of flywheel	<ul style="list-style-type: none"> <li>Applicable regulations</li> <li>Modification of a part/technical innovation</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (article 24 b)</li> <li>Technical Regulations (article 1)</li> </ul>	17-Sep-03	3-Dec-03	<ul style="list-style-type: none"> <li>Applicable regulations - ICA bound by the only regulation of the event approved by the FIA - Precedence of the FIA regulations over Porsche's internal manual</li> <li>Modification of a part/technical innovation - Interdiction to modify a homologated part (after the homologation) without explicit authorization</li> </ul>

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Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
<a href="#">ICA-2023-02</a>	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEDA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2003-08</a>	• Motor Sports Association (MSA) • On behalf of Lister Racing, (driver Jamie Cambell-Walter)	• Automobile Club de Suisse (competitor Force One Racing) • FIA	FIA GT Championship	Event run of Oschersleben (Germany)	Appeal admissible	Decision(s) upheld	• Collision • Obstructive manoeuvres	• Responsibility of the collision • Obstructive manoeuvres	• International Sporting Code (Appendix L, chapter IV, article 2 c) • GT Sporting Regulation	21-Sep-03	21-Oct-03	• Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the breach: caused a collision - Sanction ? Yes (driver moved of his line)
<a href="#">ICA-2003-07</a>	• Federação Portuguesa de Automobilismo e Karting (FPAK) • On behalf of Mitsubishi Motors of Portugal S.A.	• Automobile Club of Monaco (competitor Coil & Cie) • FIA	FIA World Cup for Cross-Country Rallies	Rallye d'Orient (Cappadocia)	Appeal admissible	Decision quashed and replaced by a more severe sanction	Itinerary of the Road book	Non-respect of the itinerary indicated on the Road Book	• Rallye d'Orient Supplementary Regulations (article 10 P) • FIA Standard Regulations (article 3) • Regulations for Off Road Rallies (article 10.1)	16-Aug-03	7-Oct-03	• Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: non-respect of the itinerary indicated on the Road Book - Sanction? Yes - Obligation to remain within 3,3km of the GPS zones complementary to the obligation to follow the itinerary (interpretation of cumulative, and not alternative, conditions)
<a href="#">ICA-2003-06</a>	• Motor Sports Association (MSA) • On behalf of its licence-holder Williams Grand Prix Engineering Ltd	FIA	FIA F1 World Championship	German Grand Prix run at Hockenheim	Appeal admissible	Decision quashed and replaced by a less severe sanction	Collision	• Responsibility of the collision • ICA's power • Proportionality of the sanction	FIA F1 Sporting Regulations (article 59)	3-Aug-03	19-Aug-03	• ICA's power - Full power to review the case: all the decision-making powers of the authority that took the contested decision - Consequence: power to decide on any type of sanctions • Proportionality of the sanction for non-compliance with sporting regulations - Nature of the breach in the case: contact driving - Sanction imposed: drop of 10 grid positions at the starting grid of the next Grand Prix - Sanction disproportionate? Yes - Consequence: mitigation of the sanction (50.000 \$ fine)
<a href="#">ICA-2003-05</a>	• Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) • On behalf of competitor BMS Scuderia Italia	FIA	FIA GT Championship	Event of Rome (Italy)	Appeal admissible	Decision(s) quashed	• Cylinder block • Dry sump	• Existence of a breach (no) • Modification of a part	• International Sporting Code (Appendix J, GT Technical Regulations, article 258-5.2.1) • International Sporting Code (Appendix J, article 251-2.3.7)	7-Jul-03	15-Jul-03	• Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: cylinder block and dry sump - Alterations made but no infringements
<a href="#">ICA-2005-01</a>	• Austrian Automobile Club (ÖAMTC) • On behalf of driver Robert Lechner • Knac Nationale Autosport Federatie (KNAF) • On behalf of Zwaans Racing	FIA	International 31st ADAC Zurich 24 Hours	Event run on the Nürburgring circuit	Withdrawal of Appeal	Withdrawal of Appeal				1-Jun-03	24-Feb-05	
<a href="#">ICA-2003-04</a>	• Automobile Club de Suisse (ACS) • On behalf of competitor Loris Kessel Racing	FIA	FIA GT Championship	Event of Donington Park (Great Britain)	Appeal admissible	Decision(s) upheld	• Rear window • Ventilation system • Cockpit	• Existence of a breach (yes) • Modification of a part	• International Sporting Code (Appendix J, GT Technical Regulations, articles 258-3.4, 13.2.1 and 15.3) • GT Sporting Regulations (article 59) • International Sporting Code (article 145)	29-Jun-03	15-Jul-03	• Modification of a part/technical innovation - Interdiction to modify a part, even insignificantly • Modification of a part/technical innovation - Obligation to re-presented the car by the competitor for scrutineering approval
<a href="#">ICA-2005-03</a>	• Automobile Club de Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) • On behalf of BMS Scuderia Italia	FIA	National GT Championship	Event run at Mugello (Italy)	Withdrawal of Appeal	Withdrawal of Appeal	Incident involving the alleged opening of a fire extinguisher in a competitor's car by a Steward			13-Apr-03	24-Feb-05	
<a href="#">ICA-2003-03</a>	• Motor Sports Association (MSA) • On behalf of its licence-holder Team Maranello Concessionnaires	FIA	FIA GT Championship	Event of Enna Pergusa (Italy)	Appeal admissible	Decision(s) upheld	• Air box • Retrictors blocking the air feeding the engine	• Existence of a breach (yes) • Irrelevance of the good faith • Control of non-compliance with technical regulations (When?)	• International Sporting Code (Appendix J, GT1 Technical Regulations, articles 258-5.3.2) • International Sporting Code (Appendix J, GT1 Technical Regulations, articles 258-2.6) • International Sporting Regulations (article 5) • International Sporting Code (article 16-b)	11-May-03	21-May-03	• Non-compliance with technical regulations - Principles - Absolute and objective responsibility of the competitor - Irrelevance of the good faith of the competitor or its team • Control of non-compliance with technical regulations - When? - Competitor obliged to ensure the conformity of its car any time during the whole competition - Consequence? Non-compliance can be detected before, during or after an event
<a href="#">ICA-2003-02</a>	• Deutscher Motor Sport Bund E.V. (DMSB) • On behalf of competitor X-raid GmbH (car N°221, team ALPHAND/STEVENSON)	FIA	Rally of Dakar		Appeal admissible	Decision(s) quashed	• Time control (clocking of time cards) • Reach a checkpoint	No sanction (fault of organisation)	Special Regulations (article 17P1)	6-Jan-03	5-Mar-03	• Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: non-respect of a checkpoint on time - Sanction? No: Checkpoint moved by officials - Consequence: number of competitors were delayed in passing the checkpoint - Circumstances are not due to any fault of the competitor or of the drivers, but solely due to the organisation
<a href="#">ICA-2002-06</a>	• Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) • On behalf of competitor Coloni (driver Pantano)	• Knac Nationale Autosport Federatie (KNAF) (competitor Arden International) • ASN of Denmark (competitor Petrobass) • FIA	FIA F3000 International Championship	Event of Monza (Italy)	Appeal admissible	Decision(s) quashed	• Rear wing (bodywork and dimension) • Anti-roll bar (removed)	• Existence of a breach (yes) • Modification of a part/technical innovation	• F3000 Technical Regulations (articles 3.1.1 and 3.16) • F3000 Technical Regulations (articles 2.4 and 10.1.7)	14-Sep-02	3-Oct-02	• Concrete evaluation of non-compliance in the case - Element of the car concerned: rear wing – Inversion (mounted upside down) - Breach? Yes • Modification of a part/technical innovation - Interdiction to modify the part without written permission of the FIA - Removal of the part by the FIA-designated manufacturer of the chassis for the Championship in question without written permission - Sanction? No, because if the manufactured transgressed the mandate of the FIA, the competitors and drivers could legitimately have thought that the authorisation had been given by the FIA
<a href="#">ICA-2002-05</a>	• Knac Nationale Autosport Federatie (KNAF) • On behalf of Team Carsport Holland • Deutscher Motor Sport Bund (DMSB) • On behalf of its licence-holder Freisinger Motorsport	FIA	FIA GT Championship GT	Event of Jarama (Spain)	Appeal admissible	Decision(s) quashed		• Author of the sporting decision (formalities) • Rights of the defense before the adoption of the contested decision	International Sporting Code (articles 153, 154 and 175)	21-Jun-02	9-Jul-02	• Author of the sporting decision - Formalities - Decision must be signed by 3 stewards - Consequence of non-respect of this formality? Decision quashed • Fundamental rights – Rights of the defense before the adoption of the contested decision - Sanction? No, because if the manufactured transgressed the mandate of the FIA, the competitors and drivers could legitimately have thought that the authorisation had been given by the FIA
<a href="#">ICA-2002-04</a>	• Knac Nationale Autosport Federatie (KNAF) • On behalf of its licence-holder Freisinger Motorsport	FIA	FIA GT Championship	Event run at Nevers Magny-Cours (France)	Withdrawal of Appeal	Withdrawal of Appeal				20-Apr-02	9-Jul-02	
<a href="#">ICA-2002-03</a>	Driver Christian Chemin	FIA	FIA World Rally Championship	38th Rally of Catalunya (Spain)	Appeal inadmissible	Appeal inadmissible		• Notification of appeal • Appeal must be lodged by the competitor's ASN	International Sporting Code (articles 180, 185.2 and 186)	24-Mar-02	30-Apr-02	• Notification of appeal - Appeal must be lodged by the competitor's ASN - In the case: absence - Consequence?
<a href="#">ICA-2002-02</a>	• Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI) • On behalf of competitor and driver Angelo Proietti	FIA	FIA World Rally Championship	38th Rally of Catalunya (Spain)	Appeal inadmissible	Appeal inadmissible		• Appeal deposit • Time-limit	International Sporting Code (articles 185.2 and 186)	21-Mar-02	29-Apr-02	• Appeal deposit - Time-limit for the payment - Same time-limit as for notifying the appeal to the ICA - Consequence of the non-respect? Inadmissibility of the appeal - Irrelevance of an error caused by a possible statement by the Stewards of the meeting



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<a href="#">ICA-2023-02</a>	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEdA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2002-01</a>	<ul style="list-style-type: none"> <li>Royal Automobile Club Motor Sports Association (MSA) (Great Britain)</li> <li>On behalf of Allen Lloyd</li> </ul>	French Federation of Motor Sport (FFSA)	FIA European Challenge for Historic Touring Cars	Event of Dijon-Prenois (France)	Appeal admissible	Decision(s) quashed	Track measurement method	<ul style="list-style-type: none"> <li>Methods of measurement by the scrutineers</li> <li>Form of the contested decision</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (Appendix K, article 11.10)</li> <li>International Sporting Code (articles 174, d, and e), 175 and 177)</li> </ul>	23-Sep-01	4-Feb-02	<ul style="list-style-type: none"> <li>Methods of measurement by the scrutineers - Obligation to use the same methods of measurement in all competitions -Why? To preserve the equality of chances</li> <li>Methods of measurement by the scrutineers - Track measurement method - Measurements not taken in accordance with FIA prescriptions - Consequence? Decision quashed</li> <li>Authors of the contested decision - Stewards - Mention of the names of the stewards concerned - Absence - Signatures of the stewards concerned - Absence (signature of the President only) - Consequence? Decision quashed</li> </ul>
<a href="#">ICA-2001-11</a>	<ul style="list-style-type: none"> <li>Magyar Nemzeti Autósport Szövetség (MNASZ)</li> <li>On behalf of its licence-holder Intermedia Motorsport Association</li> </ul>	Hungary ASN	FIA European Rally Championship	15th International Michelin Rally of Budapest of 2001 (Hungary)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Pump flow measurements (maximum l/min)</li> <li>Conditions in which the measurements must be taken (filter or not)</li> </ul>	Existence of a breach (yes)		3-Oct-01	8-Jan-02	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: Fuel - Flow from the fuel pump - Flow could be calculated with or without the filter - Measurement above the maximum permitted by the homologation form - Breach and sanction? Yes</li> </ul>
<a href="#">ICA-2001-08</a>	<ul style="list-style-type: none"> <li>Royal Irish Automobile Club (RIAC) (Ireland)</li> <li>On behalf of B&amp;H Jordan Honda</li> </ul>	FIA	FIA F1 World Championship	Grand Prix run at Indianapolis (United States)	Appeal admissible	Decision(s) quashed	Thickness of the skid-block	<ul style="list-style-type: none"> <li>Author of the sporting decision</li> <li>Rights of the defence</li> </ul>	<ul style="list-style-type: none"> <li>Technical Regulations (article 3.13.1.d)</li> <li>International Sporting Code (article 134)</li> </ul>	30-Sep-01	26-Oct-01	<ul style="list-style-type: none"> <li>Author of the sporting decision - Decision must be taken by 3 stewards (Panel) and 3 stewards have to hear the competitor - Consequence of the non-respect? Decision quashed</li> <li>Rights of the defence before the adoption of the Stewards' contested decision - Violation of the rights of defence in the case? Yes</li> </ul>
<a href="#">ICA-2001-05 and ICA-2001-06</a>	<ul style="list-style-type: none"> <li>Referral by the President of FIA</li> <li>Petitioner: Automobile Club of Monaco (on behalf of the competitor Coli &amp; Cie)</li> </ul>	French Federation of Motor Sport (FFSA) (on behalf of the competitor MMC Sales)	FIA World Cup for Cross-Country Rallies	Rallye Orpi-Maroc	Appeal admissible	Other	<ul style="list-style-type: none"> <li>Reconnaissance of the route (forbidden)</li> <li>Possession of notes about the circuit other than those of the organiser</li> </ul>		<ul style="list-style-type: none"> <li>Standard Regulations for FIA Cross-Country Rallies (article 10.1)</li> <li>International Sporting Code (article 171-174)</li> </ul>		22-Oct-01	
<a href="#">ICA-2001-10</a>	<ul style="list-style-type: none"> <li>Svenska Bilspportförbundet (SBF)</li> <li>On behalf of Citroën Sweden (concerning Car driven by Kenneth Hansen)</li> </ul>	Norwegian ASN (Kongelig Norsk Automobilklub)	FIA European Championship for Rallycross Drivers	Event run on 1 & 2 September 2001 In Lyngas (Norway)	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Obstructive manoeuvres</li> <li>Overtaking outside track limits</li> </ul>	<ul style="list-style-type: none"> <li>Rights of the defence</li> <li>Procedural irregularities alleged</li> <li>Form of the contested decision</li> <li>Existence of a breach (no)</li> </ul>	<ul style="list-style-type: none"> <li>Regulations of the FIA European Championship for Rallycross Drivers (article 17)</li> <li>International Sporting Code (Appendix L, Chapter IV, article 2)</li> <li>International Sporting Code (article 134)</li> </ul>	2-Sep-01	30-Oct-01	<ul style="list-style-type: none"> <li>Procedural irregularities alleged by the Appellant - Principle: Irregularities cured by the devolutive effect of the appeal before the ICA - Exception: Impact too important of the irregularities - In this case: Irregularities not cured (Stewards' decision: it does not show in the text of the contested decision that there was any defence of the parties present or any witnesses; decision of the National Court of Appeal: an organisation did not have to intervene or to be heard during the hearing / the decision did not mention the name of a representative of the Norwegian ASN)</li> <li>Authors of the contested decision - Stewards - Mention of the names of the stewards concerned - Signatures of the stewards concerned - Absence - Consequence? Decision quashed</li> <li>Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: caused a collision/pushed away another driver - Sanction? No: another driver refused to allow any passing by the driver, which had caught up, and as a result pushed it off the track: sanction of the first driver (fine)</li> </ul>
<a href="#">ICA-2001-07</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of Tony Kart Racing</li> </ul>	FIA	?	?	Withdrawal of Appeal	Withdrawal of Appeal				26-Aug-01	22-Oct-01	
<a href="#">ICA-2001-09</a>	Wedian Automobile Club (WAC) (Egypt)	FIA			Appeal admissible	Decision(s) upheld		<ul style="list-style-type: none"> <li>Competence of ICA / Role of ICA</li> <li>Striking off the rolls of Members of the FIA (procedure)</li> </ul>	FIA Statutes (article 25)	18-Jun-01	26-Nov-01	<ul style="list-style-type: none"> <li>Exclusion or striking off the rolls of Members of the FIA - Reasons why - Not up to ICA to judge regarding the substance of these reasons (only competent body: FIA General Assembly), solely regarding the procedure</li> <li>Exclusion or striking off the rolls of Members of the FIA - Recommendation of the World Council for Touring and the Automobile to the General Assembly that a Member be struck from the rolls - Control of the ICA: control of regularity - In the case: competence of WCA; procedure duly respected; no evident errors of appreciation: no direct and evident violation of the Statutes: no abuse of power or violation of the rights of defence</li> </ul>
<a href="#">ICA-2001-04</a>	<ul style="list-style-type: none"> <li>Royal Automobile Club Motor Sports Association</li> <li>On behalf of Lister Storm Racing (Campbell-Walter/Coronel)</li> </ul>	FIA	FIA GT Championship	Event run on 20 May 2001 in Zolder (Belgium)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Air feeding of the engine</li> <li>Restrictors</li> <li>Airbox</li> </ul>	<ul style="list-style-type: none"> <li>Irrelevance of the good faith</li> <li>Control of non-compliance with technical regulations (When?)</li> <li>Existence of "exceptional circumstances" (no)</li> <li>Proof</li> </ul>	<ul style="list-style-type: none"> <li>GT Technical Regulations (Appendix J (articles 258.2.6 and 258.5.3.2)</li> <li>GT Sporting Regulations (article 5)</li> </ul>	20-May-01	12-Jun-01	<ul style="list-style-type: none"> <li>Non-compliance with technical regulations - Principles - Absolute and objective responsibility of the competitor - Irrelevance of the good faith of the competitor or its team</li> <li>Control of non-compliance with technical regulations - When? - Competitor obliged to ensure the conformity of its car any time during the whole competition</li> <li>Nature of the sanction - Principle: Disqualification - Exception - Conditions not met in the case (absence of proof): Appellant claimed the existence of a direct cause and effect relationship between the incident during the race (collision) and the damages noted (non-conformity with technical regulations)</li> </ul>
<a href="#">ICA-2001-03</a>	<ul style="list-style-type: none"> <li>Royal Automobile Club Motor Sports Association</li> <li>On behalf of its licence-holder British American Racing GP Ltd</li> </ul>	FIA	FIA F1 World Championship	Grand Prix run in Spielberg (Austria)	Appeal admissible	Decision(s) upheld	Overtaking in a yellow and green flag zone	<ul style="list-style-type: none"> <li>Intervention (condition)</li> <li>Assessment of a race incident</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (Annexe H, article 4.1.2.b)</li> <li>International Sporting Code (articles 149-c, 149-e, 149-f and 176)</li> </ul>	13-May-01	1-Jun-01	<ul style="list-style-type: none"> <li>Intervention - Condition - Direct and significant interest regarding the possible consequences of the decision to be taken - Intervention admissible in the case? No</li> <li>Assessment of a race incident - Principle: definitive decision of the judges of fact - Exception: use of video evidence - Possibility for the Stewards to rule against the judges of fact if the evidence available is reliable (sure and irrefutable) in comparison to the evidence the judges of fact had - In the case? ICA cannot find absolute proof of full overtaking, so the decision of the first judges cannot be overturned</li> </ul>
<a href="#">ICA-2001-01</a>	<ul style="list-style-type: none"> <li>Automobile Club de Monaco (ACM)</li> <li>On behalf of its competitor Coli &amp; Cie</li> </ul>	FIA	FIA World Cup for Cross-Country Rallies	Paris/Dakar event	Appeal admissible	Decision(s) upheld	Order of the departures	<ul style="list-style-type: none"> <li>Notification of appeal</li> <li>Competence of the ICA</li> <li>Competition National Court of Appeal</li> <li>Waivers</li> <li>Rules not complying with FIA regulation</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (articles 56, 81, 180, 182, 184.2, 185 and 186)</li> <li>Specific Race Regulations (articles 1P1 and 3)</li> </ul>	20-Jan-01	5-Mar-01	
<a href="#">ICA-2000-04</a>	<ul style="list-style-type: none"> <li>French Federation of Motor Sport (FFSA)</li> <li>On behalf of its licence-holder Eddy Benezet</li> </ul>	Svenska Bilspportförbundet (Sweden)	FIA European Championship for Rallycross Drivers	Event run at Buxtehude (Germany)	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Driver's behaviour (bumping at the first curve after the start)</li> <li>Valve springs and pistons</li> </ul>			1-Oct-00	11-Dec-00	
<a href="#">ICA-2001-02</a>	Wedian Automobile Club (WAC) (Egypte)	FIA			Appeal admissible	Decision(s) quashed		<ul style="list-style-type: none"> <li>Competence of ICA / Role of ICA</li> <li>Striking off the rolls of Members of the FIA (procedure)</li> </ul>	FIA Statutes (article 25)	6-Oct-00	19-Mar-01	<ul style="list-style-type: none"> <li>Exclusion or striking off the rolls of Members of the FIA - Reasons why - Not up to ICA to judge regarding the substance of these reasons (only competent body: FIA General Assembly), solely regarding the procedure</li> <li>Exclusion or striking off the rolls of Members of the FIA - Procedure - The World Council for Touring and the Automobile have to issue an opinion ("a recommendation" or "a proposal"); then the General Assembly must rule on whether to strike the Member in question off the rolls - In the case: absence of decision taken by the WCTA - Consequence? Decision of the General Assembly quashed</li> </ul>
<a href="#">ICA-2000-05</a>	<ul style="list-style-type: none"> <li>Deutscher Motor Sport Bund (DMSB)</li> <li>On behalf of its licence-holder Reiter Engineering</li> </ul>	FIA	FIA GT Championship	Event run on the Eurospeedway circuit Lausitzring (Germany)	Withdrawal of Appeal	Withdrawal of Appeal				31-Aug-00	18-Dec-00	

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Case N°	Appellant(s)	Respondant	Championships/Cup s/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
<a href="#">ICA-2023-02</a>	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEdA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
<a href="#">ICA-2000-03</a>	FIA (International Karting Commission - CIK)	Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)	Formula C and Intercontinental C of the CIK-FIA European Championship	Event run at Valvibrata (Italy)	Appeal admissible	Decision(s) quashed	Broken seal on the engine	<ul style="list-style-type: none"> <li>Referral by the FIA</li> <li>Time limit for appealing</li> <li>Rights of the defence</li> <li>Irregularities</li> <li>Principle of equality of chances</li> <li>Breach and sanction (yes)</li> </ul>	International Sporting Code (articles 153, 174-e, 175, 180 and 184)	14-May-00	28-Sep-00	<ul style="list-style-type: none"> <li>Referral by the FIA - FIA may appeal decisions of the National Courts of Appeal in either an incidental or a principal appeal</li> <li>Time limit for appealing - Appeal before the ICA - Intention of appeal must be given within 1 hour of the publication of the decision - Suspension of the time limit</li> <li>Rights of the defence before the adoption of the contested Stewards' decision - Violation of the rights of defence in the case? Yes: Neither the competitor nor the Clerk of the Course were summoned, and no mention is made of any defence which could have been presented by the competitor</li> <li>Authors of the sporting decision - Formalities - Report from the Technical Delegate - Report must be signed by 3 stewards - Consequence of the non-respect? Report null and void</li> <li>Irregularities surrounding the decision of the National Court of Appeal - In the case: the NCA did not judge the grounds, or lack of grounds, for the appeal, but only declared the appeal admissible; the NCA declared the reinstatement of the competitor in the classification, which is impossible - Consequence? Decision quashed</li> <li>Principle of equality of chances - Consequence - Strict application of the technical regulations</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: seals - before the start of the race, the seals must be present and intact - Breach and sanction? Yes</li> </ul>
<a href="#">ICA-2000-02</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its licence-holder Vergani Racing</li> </ul>	Real Federación Española de Automovilismo (RFEdA)	International Series "Open Telefónica 2000"	Event run on the Circuit of Cataluña (Spain)	Appeal admissible	Decision(s) quashed	Wheels (wholes in hub carriers)	<ul style="list-style-type: none"> <li>Appeal fee before the National Court of Appeal</li> <li>Rights of the defence</li> <li>Proof in the case</li> </ul>	Open Telefónica 2000 Regulations (articles 11.19 and 11.20)	16-Apr-00	12-Jul-00	<ul style="list-style-type: none"> <li>Appeal fee before the National Court of Appeal - The payment or non-payment of the fee have no influence on the admissibility of appeal before the ICA</li> <li>Rights of the defence before the adoption of the Stewards' contested decision - Understanding of the contested decision - Language used for the communication of the statement regarding the infraction (Spanish) - Competitor's attitude revealed that he was aware of the statement's content - Violation of the rights of defence in the case? No</li> <li>Proof in the case - Proof of the material accuracy of the facts (existence of a breach)? No</li> </ul>
<a href="#">ICA-2000-01</a>	<ul style="list-style-type: none"> <li>Royal Automobile Club Motor Sports Association</li> <li>On behalf of its licence-holder West McLaren Mercedes</li> </ul>	FIA	FIA F1 World Championship	Brazilian Grand Prix (Interlagos)	Appeal admissible	Decision(s) upheld	Minimal height between the reference plane and the step plane	<ul style="list-style-type: none"> <li>Existence of a breach (yes)</li> <li>Irrelevance of the good faith</li> <li>Control of non-compliance with technical regulations</li> <li>Tolerance after measurement</li> <li>Sanction (no "force majeure")</li> </ul>	<ul style="list-style-type: none"> <li>FIA F1 Technical Regulations (articles 3.7, 3.12.5, 3.12.6 and 3.15)</li> <li>FIA F1 Technical Regulations (articles 2.4, 2.7 and 7)</li> </ul>	26-Mar-00	3-Apr-00	<ul style="list-style-type: none"> <li>Non-compliance with technical regulations - Principle - Strict application of the regulations in order to achieve the indisputable consistency of the results of the event</li> <li>Non-compliance with technical regulations - Principles - Absolute and objective responsibility of the competitor - Irrelevance of the fault (intention or negligence) of the competitor - Irrelevance of the good faith of the competitor or its team</li> <li>Concrete evaluation of non-compliance in the case - Element of the car concerned: plane - Minimal height between the reference plane and the step plane - Breach? Yes: there can be no rotation or the slightest reorientation of the parts concerned and every precaution must be taken by the competitor to avoid any incident or accident</li> <li>Control of non-compliance - When? - Competitor obliged to ensure the conformity of its car any time during the whole competition</li> <li>Control of non-compliance - Tolerance after measurement - Only the tolerance in the Regulations - In any case the tolerance must not be taken for a rule</li> <li>Nature of the sanction - Principle: Disqualification - Exception - Conditions not met in the case (absence of "force majeure") : to explain the non-respect of the imposed height between the two planes of the car, the Appellant claimed force majeure resulting from the layout and profile of the circuit (bumps) - Force majeure? No: all the competitors had been subjected to the rigours of this circuit</li> </ul>
<a href="#">ICA-1999-06</a>	<ul style="list-style-type: none"> <li>Petition by the President of FIA</li> <li>Petitioner: Royal Automobile Club Motor Sports Association (UK) on behalf of British American Racing GP Ltd</li> </ul>		FIA F1 World Championship		Appeal admissible	Other	Livery of the car		<ul style="list-style-type: none"> <li>Statutes of FIA-France (article 11)</li> <li>F1 Sporting Regulations (article 62)</li> </ul>		15-Nov-99	<ul style="list-style-type: none"> <li>Definition - Livery of a car: variety of elements, including the colour of the car paint, with all the graphic and advertising inscriptions which are affixed to it, and which determine the car's aspect as well as the team to which the car belongs - Obligation for the cars to be presented in substantially the same livery - In this case: not the same livery</li> </ul>
<a href="#">ICA-1999-05</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its licence-holder Scuderia Ferrari Malboro</li> </ul>	FIA	FIA F1 World Championship	Grand Prix in Kuala Lumpur (Malaysia)	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Deflector panels</li> <li>Reference plane or step plane</li> </ul>	<ul style="list-style-type: none"> <li>Accuracy of the text</li> <li>Evaluation of the non-compliance</li> <li>Measuring instruments</li> </ul>	F1 Technical Regulations (articles 3.12.1 and 3.12.6)	17-Oct-99	22-Oct-99	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: planes and deflector panels (which have to lie on either the reference plane or the step plane) - Lack of accuracy of the text: no explanation given on how to define a reference plane or a step plane, nor at what distance one should observe the car from below; no mention of any projection in respect of these surfaces - Consequence? Impossibility to ascertain the compliance or non-compliance</li> <li>Measuring instruments - Degree of accuracy necessary such as not to leave any doubts with respect to the regulations' requirements</li> <li>Measuring instruments - Single graduated ruler - In the case: the use of a square corner in relation to the determined plane might have provided a different result within the tolerance - Consequence? Stewards' decision quashed</li> </ul>
<a href="#">ICA-1999-07</a>	<ul style="list-style-type: none"> <li>Croatian Auto &amp; Karting Federation (CAKF)</li> <li>On behalf of its licence-holder Ivan Pokos</li> </ul>			Petrol Prize Opel (Croatia)	Appeal inadmissible	Appeal inadmissible		<ul style="list-style-type: none"> <li>Limits of the ICA's competence (Pure national case)</li> <li>Notification of appeal</li> <li>Time limit for appealing</li> </ul>	International Sporting Code (articles 180, §1, 184, §2, and 185 b)	25-Jul-99	20-Dec-99	<ul style="list-style-type: none"> <li>ON ADMISSIBILITY:</li> <li>Limits of the ICA's competence - Pure national case - In the case: Croatian national event run on Croatian territory with a Croatian driver and appeal lodged via the national ASN, the Croatian Federation - Consequence? Inadmissibility of the appeal</li> <li>Appeal deposit - No payment - Consequence? Inadmissibility of the appeal</li> <li>Notification of appeal - Obligation to show a clear and significant intention to lodge an appeal before the ICA - In the case: absence - Consequence? Inadmissibility of the appeal</li> <li>Time limit for appealing - Appeal before the ICA - Appellant did not formulate his appeal within 7 days of the notification of the decision - Consequence? Appeal inadmissible</li> </ul>
<a href="#">ICA-1999-04</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its licence-holder Coloni Motorsport SRL</li> </ul>	FIA	F3000 International Championship	Event A-1 Ring Circuit (Austria)	Appeal admissible	Decision(s) upheld	<ul style="list-style-type: none"> <li>Weight of the car (minimum)</li> <li>Alleged missing oil</li> </ul>	Existence of a breach (yes)	<ul style="list-style-type: none"> <li>Technical Regulations (article 4.1)</li> <li>F3000 Sporting Regulations (article 75-d)</li> </ul>	23-Jul-99	14-Sep-99	<ul style="list-style-type: none"> <li>Non-compliance with technical regulations - Principle - Irrelevance of the good faith of the competitor or its team</li> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: weight of the car - Weight must be at least 635 kg - Breach and sanction? Yes - No certainty about the cause and effect relationship between the missing 3 kg in the weight and the alleged 3.4 kg of missing oil</li> </ul>
<a href="#">ICA-1999-02</a>	<ul style="list-style-type: none"> <li>Royal Automobile Club Motor Sports Association</li> <li>On behalf of its licence holder Ford Motor Company Ltd</li> </ul>	FIA	?	Rally of Monte Carlo (Monaco)	Appeal admissible	Decision(s) upheld	Position of the water pump on the blocs	Existence of a breach (yes)	International Sporting Code (Appendix J, articles 252.1.1, 255.5.1.13)	17-Jan-99	1-Feb-99	<ul style="list-style-type: none"> <li>Concrete evaluation of non-compliance with technical regulations in the case - Element of the car concerned: water pump - Breach and sanction? Yes - Irrelevance of the fact that the Appellant, with the FIA acting as intermediary, requested modifications in the regulations governing water-pump</li> </ul>
<a href="#">ICA-1999-03</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its licence-holder Osella SARL</li> </ul>	FIA	European Hill Climb Championship	27th Subida Internacional Al Fito (Spain)	Appeal inadmissible	Appeal inadmissible		Time limit for appealing	<ul style="list-style-type: none"> <li>International Sporting Code (Appendix J, articles 259, §14.4.1 and 259, §3.7.10)</li> <li>International Sporting Code (articles 182, 183, §2, and 185)</li> </ul>	4-Oct-98	15-Feb-99	<ul style="list-style-type: none"> <li>ON ADMISSIBILITY:</li> <li>Time limit for appealing - Appeal before the National Court of Appeal of the ASN competent or the ICA - Appellant announced his intention to appeal the contested decision but did not lodge an appeal before the National Court of Appeal within the 48-hour time limit nor the ICA within the 7-day limit after notification of the decision - Consequence? Appeal inadmissible - Irrelevance of the fact that the Appellant waited for a joint decision of both ASNs</li> </ul>
<a href="#">ICA-1999-01</a>	<ul style="list-style-type: none"> <li>Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>On behalf of its licence-holders CRG SRL and Nicola Gianniberti</li> </ul>	FAMS (Federazione Auto Motoristica Sammarinese)	FIA European Karting Championship	San Marino Trophy	Appeal admissible	Decision(s) quashed	<ul style="list-style-type: none"> <li>Circuit (presence of tyres / lengths of the straights / Guard rails / absence of chicanes in the deceleration lane)</li> </ul>	<ul style="list-style-type: none"> <li>Procedural irregularities</li> <li>Rights of the defence</li> <li>Organizers' duty</li> </ul>	<ul style="list-style-type: none"> <li>International Sporting Code (articles 175 and 174-e)</li> <li>FMK's International Karting Regulations (article 45-a-2)</li> </ul>	12-Jun-98	18-Jan-99	<ul style="list-style-type: none"> <li>Procedural irregularities - Federal Council of the Federazione Auto Motoristica Sammarinese - Not a National Court of Appeal - No hearing - Not a chance to call any witnesses - Names of the judges not mentioned - Parties deprived of their right to appeal against the decision - Consequence? Decision quashed</li> <li>Rights of the defence before the adoption of the contested decision - Violation of the rights of defence in the case? Yes: Violation of the principle of due hearing of the parties: No mention that the competitors were present or that the Race Director was heard - Refusal to hear witnesses</li> <li>Organizers' duty - Circuit not in conformity with the regulation: length of the track; no chicanes in the deceleration lane; one chicane on the circuit blocking the view of the competitors - Safety issues - Irrelevance of the fact that the circuit had been (or not) homologated - Consequence: Annulment of the event itself</li> </ul>
<a href="#">ICA-1998-01</a>	<ul style="list-style-type: none"> <li>Royal Automobile Club of Great Britain - RAC Motor Sports Association</li> <li>On behalf of its licence-holder West McLaren Mercedes</li> </ul>	FIA		British Grand Prix, Silverstone (United Kingdom)	Appeal admissible	Decision(s) upheld	Communication of a time penalty during the race	Communication of the sanction during the race (time-limit)	F1 Sporting Regulations (article 57)	12-Jul-98	27-Jul-98	<ul style="list-style-type: none"> <li>Communication of the sanction during the race - Time-limit - In the case: sanction (stop and go within 3 laps) had not been communicated within the period of 25' following the incident - Consequence? No sanction</li> </ul>

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Case N°	Appellant(s)	Respondant	Championships/Cups/Series	Event	Decision of ICA on Admissibility	Decision of ICA on the contested decision	Technical Keywords of the case	Legal Keywords of the case	Relevant rules	Date of the first contested act(s)	Date of the ICA's decision	Essential points of law of the decision of ICA
ICA-2023-02	Barone Rampante / Torcello S.R.L.	Real Federación Española de Automovilismo (RFEDA)	International GT open	Red Bull Ring (race 2) (Austria)	Withdrawal of Appeal	Withdrawal of Appeal	Use of the safety car			8-Sep-23	8-Nov-23	
ICA-1998-02	<ul style="list-style-type: none"> <li>• UAMIC (Osterreichischer Automobil-, Motorrad- und Touring Club)/ OSK (Oberste National Sportkommission für den Kraftfahrtsport)</li> <li>• On behalf of Karl Barron</li> </ul>	Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)	Ferrari Challenge 1997	Event of Pergusa autodrome (Italy)	Appeal inadmissible	Appeal inadmissible	Brake fluid		<ul style="list-style-type: none"> <li>• Notification of appeal</li> <li>• Appeal not lodged by the competitor's ASN</li> </ul>	13-Nov-97	5-Oct-98	<p>ON ADMISSIBILITY:</p> <ul style="list-style-type: none"> <li>• Notification of appeal - Appeal must be lodged by the competitor's ASN - In the case: Lawyer of the Appellant also commissioned by the ASN (stamp at the bottom of the last page) - Request for an appeal must come from the ASN and must be set out in writing and signed by a representative of that ASN - Consequence? Inadmissibility of the appeal</li> </ul>
ICA-1997-05	<ul style="list-style-type: none"> <li>• Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>• On behalf of its licence-holder Draco Engineering</li> </ul>	FIA	F3000 International Championship	Event run at Jerez de la Frontera (Spain)	Appeal admissible	Decision(s) upheld	Parc fermé (connection forbidden)	<ul style="list-style-type: none"> <li>• Knowledge of the applicable regulations</li> <li>• Principle of equality of chances</li> <li>• Breach and sanction (yes)</li> </ul>	<ul style="list-style-type: none"> <li>• International Sporting Code (article 42.b)</li> <li>• F3000 Sporting Regulation (articles 145 and 146)</li> </ul>	25-Oct-97	24-Nov-97	<ul style="list-style-type: none"> <li>• Knowledge of the applicable regulations - Appellant could not or should not have been unaware of the applicable regulation which he had to respect as did all the competitors</li> <li>• Concrete evaluation of non-compliance in the case - Nature of the alleged breach: parc fermé (connection forbidden) - Breach and sanction? Yes - Extenuating circumstances? No: this could detract from the very nature of Parc Fermé, which is to stop a competitor or anyone from working on a car which has competed in the event, and who could have modified data - Risk to affect the fairness of the verification procedure and each competitor's equality of chances - Infraction aggravated by the competitor's refusal to heed the warning of the Technical Delegate</li> </ul>
ICA-1997-04 (joined with ICA-1997-03)	FIA	<ul style="list-style-type: none"> <li>• Royal Automobile Club of Great Britain - RAC Motor Sport Association</li> <li>• On behalf of its licence-holder West McLaren Mercedes</li> </ul>	FIA F1 World Championship	Belgian Grand Prix (event of Spa Francorchamps)	Appeal admissible	Decision quashed and replaced by a more severe sanction				23-Aug-97		
ICA-1997-03 (joined with ICA-1997-04)	<ul style="list-style-type: none"> <li>• Royal Automobile Club of Great Britain - RAC Motor Sport Association</li> <li>• On behalf of its licence holder West McLaren Mercedes</li> <li>• FIA</li> </ul>	<ul style="list-style-type: none"> <li>• FIA</li> <li>• Royal Automobile Club of Great Britain - RAC Motor Sport Association</li> </ul>	FIA F1 World Championship	Belgian Grand Prix (event of Spa Francorchamps)	Appeal admissible	Decision quashed and replaced by a more severe sanction	Fuel	<ul style="list-style-type: none"> <li>• Principle of equality of chances</li> <li>• Breach and sanction (Yes)</li> <li>• Sporting consequences of the rejection of the appeal and the lifting of its suspensive effect</li> <li>• Appeal frivolous</li> </ul>	<ul style="list-style-type: none"> <li>• F1 Technical Regulations (articles 2.6 and 16)</li> <li>• International Sporting Code (article 58)</li> <li>• F1 Sporting Regulations (article 7)</li> </ul>	23-Aug-97	3-Sep-97	<ul style="list-style-type: none"> <li>• Non-compliance with technical regulations - Principle - Irrelevance of the lack of sporting/performance advantage related to the breach</li> <li>• Principle of equality of chances - Consequence - Strict application of the technical regulations</li> <li>• Concrete evaluation of non-compliance in the case - Element of the car concerned: fuel (composition) - Breach and sanction? Yes</li> <li>• Sporting consequences of the rejection of the appeal and the lifting of its suspensive effect - Confirmation of the sanction by the ICA - Penalty imposed by the Stewards (obligation to start from the last lane instead of the third line) cannot be applied (infringement committed during the practice session) - Consequence? Exclusion from the event</li> <li>• Appeal frivolous - Appeal frivolous in the case? No - Why? Bad faith of the Appellant cannot be established</li> </ul>
ICA-1997-02	FIA	Competitor Super Nova Racing Ltd	FIA F3000 International Championship	Event in Silverstone (United Kingdom)	Appeal admissible	Decision quashed and replaced by a more severe sanction	Gearbox	<ul style="list-style-type: none"> <li>• Burden of proof</li> <li>• Responsibility of the competitor</li> <li>• Value of the report of the FIA Technical Delegate</li> <li>• Existence of a breach (yes)</li> </ul>	<ul style="list-style-type: none"> <li>• F3000 technical Regulation (articles 2.4, 2.6, 9.1, 9.1.3 and 9.3.1)</li> <li>• International Sporting Code (article 145)</li> </ul>	10-May-97	9-Jun-97	<ul style="list-style-type: none"> <li>• Burden of proof - Proof as to a car's compliance with the technical regulations - Principle: burden of proof borne by the Appellant</li> <li>• Non-compliance with technical regulations - Principles - Absolute and objective obligation/responsibility of the competitor</li> <li>• Concrete evaluation of non-compliance in the case - Element of the car concerned: gearboxes - Breach and sanction? Yes</li> <li>• Report of the FIA Technical Delegate - Conclusive value - Must be considered accurate unless proof is introduced that the Technical Delegate was mistaken or acted in bad faith</li> </ul>
ICA-1997-01	<ul style="list-style-type: none"> <li>• French Federation of Motor Sport (FFSA)</li> <li>• On behalf of its affiliate the Motor Sport Association of Nevers Magny-Cours</li> </ul>	FIA			Appeal admissible	Decision quashed and replaced by a less severe sanction	Fire	<ul style="list-style-type: none"> <li>• Organizers' duty</li> <li>• Safety regulations</li> </ul>	<ul style="list-style-type: none"> <li>• International Sporting Code (article 152)</li> <li>• International Sporting Code (Annex H, articles 8.1 and 8.2)</li> </ul>	6-Dec-96	20-Feb-97	<ul style="list-style-type: none"> <li>• Organizers' duty - Safety regulations - Fire on a car - Rules about the interventions to bring the fire under control: use of extinguishers and call to the Fire-Fighting Services (timing) - Breach and Sanction? Yes: in the case, there is also negligence</li> </ul>
ICA-1996-01	<ul style="list-style-type: none"> <li>• Royal Automobile Club (RAC) Motor Sport Association of Great Britain</li> <li>• On behalf of its licence-holder/competitor Super Nova Racing</li> </ul>	FIA	F3000 International Championship	Grand Prix of Hockenheim (Germany)	Appeal admissible	Decision quashed and replaced by a less severe sanction	Black flag (ignored)	<ul style="list-style-type: none"> <li>• Knowledge of the applicable regulations</li> <li>• Assessment of a race incident</li> <li>• Existence of a breach (yes)</li> <li>• Proportionality of the sanction</li> </ul>	<ul style="list-style-type: none"> <li>• Regulations of the F3000 International Championship (articles 87 and 88)</li> <li>• International Sporting Code (Annex H, article 4.1.1)</li> </ul>	12-Oct-96	7-Nov-96	<ul style="list-style-type: none"> <li>• Knowledge of the applicable regulations - The driver's ignorance of the the regulations contained in the International Sporting Code constitutes an extremely serious offence</li> <li>• Assessment of a race incident - Principle: Best position of the Stewards (best knowledge of the relevant facts)</li> <li>• Concrete evaluation of non-compliance with sporting regulations in the case - Nature of the alleged breach: caused a collision - Sanction? Yes the driver without any valid reason drove close to another driver to prevent him from following his best path to negotiate the bend</li> <li>• Proportionality of the sanction - Nature of the breach in the case: black-flag ignored - Sanction imposed: exclusion and fine - Sanction disproportionate? Yes: Fine disproportionate in the light of the severity of the first penalty of exclusion, which deprived the driver not only of his possible victory in the event but also the possibility of winning the Championship - Consequence? Fine reduced</li> </ul>
ICA-1995-02 (joined with ICA-1995-01)	<ul style="list-style-type: none"> <li>• Royal Automobile Club (RAC) Motor Sports Association</li> <li>• On behalf of its licence holder/competitor Benetton Formula Ltd</li> </ul>	FIA	FIA F1 World Championship	Brazilian Grand Prix in Interlagos						26-Mar-95		
ICA-1995-01 (joined with ICA-1995-02)	<ul style="list-style-type: none"> <li>• Royal Automobile Club (RAC) Motor Sport Association of Great Britain</li> <li>• On behalf of its licence-holder/competitor Williams Grand Prix Engineering</li> </ul>	FIA	FIA F1 World Championship	Brazilian Grand Prix in Interlagos	Appeal admissible	Decision quashed and replaced by a less severe sanction	Fuel			26-Mar-95	13-Apr-95	
ICA-1994-02	<ul style="list-style-type: none"> <li>• Automobile Club of Italia /Commissione Sportiva Automobilistica Italiana (ACI-CSAI)</li> <li>• On behalf of its licence-holder/competitor Team Minardi Spa</li> </ul>	FIA	FIA F1 World Championship	Australian Grand Prix at Adelaide (Australia)	Appeal admissible		<ul style="list-style-type: none"> <li>• Chassis</li> <li>• Entry form</li> </ul>		International Sporting Code (article 73)	11-Nov-94		
ICA-1994-01	<ul style="list-style-type: none"> <li>• Oberste Nationale Sportkommission für den Automobilsport in Deutschland (ONS)</li> <li>• On behalf of driver Michael Schumacher</li> </ul>	FIA	FIA F1 World Championship	British Grand Prix (United Kingdom)	Appeal admissible	Decision(s) upheld	Black flag (ignored)			26-Jul-94	30-Aug-94	