

## 2023 MELBOURNE EVENT

30 March to 2 April 2023

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<b>From</b>	The Stewards	<b>Document</b>	51
<b>To</b>	The Team Manager, MP Motorsport	<b>Date</b>	01 April 2023
		<b>Time</b>	17:59

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The Stewards, having received a report from the Technical Delegate, have considered the following matter and determine the following:

**No / Driver** 10 - Franco Colapinto

**Competitor** MP Motorsport

**Time** 15:22

**Session** Race 1

**Fact** During parc ferme checks following the Sprint Race the keel of the bodywork on Car 10 was different in its geometry from the spare parts catalogue and not in conformity with the Dallara User Manual

**Offence** Breach of Articles 1.3 and 2.5 of the FIA Formula 3 Technical Regulations

**Decision** Disqualification of Car 10 from the Classification of the Sprint Race.  
Cancellation of all times set by Car 10.  
All Cars originally classified behind Car 10 are moved up one place in the Sprint Race Classification.

**Reason** The Stewards examined the keel removed from Car 10 following parc ferme technical checks and compared it to the equivalent approved spare part. They summoned and heard from the team representative (document 40) and heard from the Technical Delegate. The Technical Delegate's report (Document 38) also concerned Cars 11 and 12 and the team was summoned in respect of those 2 Cars in addition to Car 10. The team representative agreed that the matters involving Cars 10, 11 and 12 could be heard together.

The Technical Delegate explained the difference observed between Car 10's keel and the approved keel manufactured in accordance with the approved drawing and spare parts catalogue number F31903A001, specifically that the outer edges of the keel had been modified/repared and in so doing, widened and cut. The team representative agreed that the geometry of the keel removed from Car 10 did not conform with the geometry of the authorised part. He could not explain how the difference arose. He indicated that the keel originally supplied had been repaired by the team but suggested that the repairs had not altered the geometry of the keel supplied by the manufacturer.

The keel is designated in the spare parts catalogue as a Type 2 part. Article 2.5 of the FIA Formula 3 Technical Regulations provides that a Type 2 part may only be

modified or repaired in the range described in the relevant spare parts catalogue. Page 116 of the catalogue provides that *“very minor repairs to bodywork components classified as “Type 2” may be made by the competitor provided the damage does not affect an area greater than 150mm at its maximum dimension and does not affect a fixing or fixing area”* Additionally, *“It must be clear that a repair must not modify the geometry...”* .

A comparison of the keel removed from Car 10 with the approved spare part revealed that the entire length of the edges on each side of the keel spanning more than 150mm had been repaired or modified and the geometry was not consistent, both as to the width and the keel edge and its shape.

The Stewards were reminded by consistent jurisprudence of the FIA International Court of Appeal that whether a non-conformity was known or unknown to the Competitor and whether they resulted in a performance enhancement are irrelevant matters. Further, the Stewards are reminded by judgments of the same court that it is the Competitor’s responsibility to ensure that its car conforms with the relevant technical regulations. If, as the team suggests, the non-conforming keel was as supplied by the manufacturer, the differences between the approved part as shown in the manual and the keel removed from Car 10 are apparent to the naked eye and ought to have been recognised by the team. In the circumstances, the Stewards determined to disqualify Car 10.

Competitors are reminded that they have the right to appeal certain decisions of the Stewards, in accordance with Article 15 of the FIA International Sporting Code and Chapter 4 of the FIA Judicial and Disciplinary Rules, within the applicable time limits.

**Andrew Mallalieu**

**Mazen Al-Hilli**

**Matthew Selley**

**The Stewards**