

Közlemény
MNASZ
Gokart Bizottsága

Dátum: 2024. szeptember 18.

Tárgy: K-0471 / 13.06.2024. számú irat közzététele

A fellebbezés elbírálásáról szóló határozat (K-0471 / 13.06.2024.) 2024. júniusában érintett nevező részére kiküldésre került. Információink szerint a nevező részéről fellebbezés az MNASZ-hez illetve a CIK-FIA részére nem érkezett. Fontosnak tartjuk a CEE versenysorozat rendezőjét és résztvevőit a következő forduló előtt tájékoztatni a fellebbezésről és annak eredményéről, ezért annak hivatalos dokumentumát ezúton közzétesszük.

Kiadta: az MNASZ Gokart Bizottsága

Notice
by the Karting Committee of the
National Automobilsport Federation of Hungary (MNASZ)

Date: 2024-09-18

Subject: Publication of document no. K-0471 / 13.06.2024.

The decision (no. K-0471 / 13.06.2024.) on the appeal has been sent to the concerned entrant in June 2024. According to our information, no appeal has been lodged by the entrant with the MNASZ or the CIK-FIA. We consider it important to inform the organiser and the participants of the CEE series of the appeal and its outcome before the next round. Therefore, the official document of the appeal is published herewith.

Published by the Karting Committee of MNASZ

Decision of the First Instance Court of Appeal

**NATIONAL COURT OF APPEAL
of the National Automobilsport Federation of Hungary**

**Appeal brought by Competitor KRK RACING
Against the
Decision No. 2 dated 4 May 2024 of the Stewards of the RMC
International CEE II. Event**

Case MNASZ: K-0471/13.06.2024.

**Hearing of 6 June 2024
Decision of 11 June 2024**

1. REMINDER OF THE FACTS

- a. An RMC International CEE II. event was held on 4/5 May 2024 at the SlovakiaRing, with among others the category of the MICROMAX.
- b. According to the Stewards' Decision No. 2 (DOC 80) signed by the Competitor on 4 May 2024, at 17:11 the Panel of the Stewards disqualified the Driver No. 11 (Rackowski Maksymilian) from the race 8 (Session: Pre-Final).
- c. The Competitor KRK RACING brought an *Appeal* against the Stewards' Decision No. 2 at 17:36 (4 May 2024) and paid the deposit fee of 515 Euro at 17:39.
- d. Decision No. 34 of the Karting Commission of the National Automobilsport Federation of Hungary (29/05/2024):

"During the round of the RMC International CEE II. event held on 4/5 May 2024. the KRK Racing has brought an intention of appeal. The race of the concerned MicroMax category is a national event with international participation.
The Karting Commission of the National Automobilsport Federation of Hungary assigns a National court of appeal (of the organising ASN) as a first instance of appeal as follows:
Mr. Kálmán Pintér – Chairperson of the of the National court of appeal
Ms. Boglárka Budai – Member of the National court of appeal
Mr. László Szűcs – Member of the National court of appeal
The Karting Commission of the National Automobilsport Federation of Hungary asks the Sports Council to extend the decision deadline for the Appeal by 15 days."
- e. Decision No. 69 of the Sports Council by e-vote (30/05/2024): The Sports Council approves the request of the Decision No. 34 of the Karting Commission (29/05/2024) for a 15-day extension of the appeal decision deadline.
- f. The appeal decision deadline calculated from the above: 30+15 days from 04 May 2024 is 18 June 2024.
- g. Details of the Competitor
Name: KRK RACING (Adrián Rozycki)
Address: 5901. KRAKOW SOLTYSOWSKA 54
Email: adi18028@gmail.com

2. EXAMINED DOCUMENTS

- a. The report of Mr. Michel GUIGNARD, Chairperson of the Stewards, that contains 10 documents is listed below as follows:
 1. Report of scrutineers (Doc 69)
 2. Summon (Doc 71)
 3. Decision N° 2 (Doc 80)
 4. Intention of appeal
 5. Appeal
 6. Testimony of the officials who noted the infringement (doc 375)
 7. The CEE Sporting Regulation Article 6.16 A
 8. The RMC Global Regulation Article 15
 9. 3 pictures of the Pregrid and Service park
 10. Video

- b. The following documents among the 2.a. are given priority: point 1, Report of scrutineers (Doc 69) and point 5, Appeal.
- c. Online hearing of the Competitor on 6 June 2024 (The Competitor's representative Mr. Filip Kicinski, Registration number of the MNASZ: K-0427/2024)
- d. Information from the Clerk of the Course
- e. E-mail and telephone interviews of the officials and workers in the Pre-grid area.

3. HEARING

- a. During the online Hearing (via Zoom) with the Competitor held 6 June 2024 at 6:30 pm the Competitor stated that the repair was done only by his own (1 person) mechanic, that the persons visible around their kart and included in the reports did not come into physical contact with their kart.

4. CONCLUSIONS OF THE COURT

- a. Having considered the Stewards' Decision, the Court confirms that the Decision was well-founded, and it is based on the documents listed above. The deadlines and the measures taken were in conformity with the concerning rules.
- b. Several of the officials working in the pre-grid stated (by phone and email) that more than 1 person touched the kart and repaired it. The officials agreed their former statements and reports on the day of the competition.
- c. The Court has examined all the documents and evidences listed above considered matter extensively and determined the Breach of Article 6.16 of the CEE RMC Sporting Regulation as there were more persons (mechanics) touched and repaired the kart of the Driver (Starting No. 11.) at the pre-grid.

5. COSTS

- a. The Court declares that no additional costs were incurred by the Court during the procedure.

6. DECISION

ON THESE GROUNDS,

THE NATIONAL COURT OF APPEAL:

- a. Declares the appeal admissible.
- b. Rejects the Appeal of Stewards' Decision No. 2 of the RMC International CEE II. event.
- c. Upholds the Stewards' Decision No. 2 that disqualified the Driver Raczowski Maksymilian (Starting No. 11) from the race 8 of the Pre-Final session (Competitor: KRK RACING (Adrián Rozycki).
- d. Orders to hold the deposit fee according to the Article 15.5.4. of the FIA International Sporting Code.

Pursuant to point 35.4.1 of the MNASZ General Sports Rules and Regulations (2024), the decision of the National Court of Appeal can be appealed to the MNASZ Sports Council as a Second Instance Court of Appeal within 7 days of receiving the decision. The appeal fee to be paid is HUF 500,000 or its equivalent in euros.

Budapest, 13 June 2024

First Instance Court of Appeal:

Kálmán Pintér
Chairperson of the National
court of appeal

Boglárka Budai
Member of the National
court of appeal

László Szűcs
Member of the National
court of appeal

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