



FEDERATION INTERNATIONALE DE L'AUTOMOBILE

## PRACTICE DIRECTIONS

### COMPETITOR'S STAFF REGISTRATION SYSTEM FIA FORMULA ONE WORLD CHAMPIONSHIP

Since the FIA General Assembly of 5 November 2010, the main members of a Competitor's staff have to register with the FIA if they take part in an FIA World Championship. This system, which is based on disciplinary and safety considerations, is part of the FIA International Sporting Code (herein referred to as the 'ISC').

The objective of this system is to preserve and protect the FIA Formula One World Championship by depriving, temporarily or definitively, any duly registered member of a Competitor's staff guilty of conduct contrary to the FIA Code of Good Standing of the right to access the Reserved Areas at events forming part of any FIA World Championship (see Article 30bis of the ISC).

#### **I. INTRODUCTION**

These Practice Directions have been introduced by the FIA to clarify certain aspects of the new system of certificate of registration for the staff of Competitors entered in the FIA Formula One World Championship and the way in which the FIA intends to implement the system with regard to the FIA Formula One World Championship.

However, these Practice Directions do not amend the ISC or the FIA Judicial and Disciplinary Rules in any way. Nor do these Practice Directions limit the discretion of the FIA International Tribunal (herein referred to as 'IT') or the FIA International Court of Appeal (herein referred to as 'ICA').

These Practice Directions will be made available on the FIA website and that in relation to, and at the time of, any determination being made by the IT or the ICA the FIA will submit a copy of these Practice Directions to the applicable FIA court.

#### **II. REGISTERED MEMBERS OF COMPETITOR' STAFF**

A minimum of 6 persons shall in principle be registered per Competitor:

- Team Principal: the competitor's most important decision-maker;
- Sporting Director: ensures the compliance of the Competitor with the sporting regulations;
- Technical Director: ensures the compliance of the Competitor with the technical regulations;
- Team Manager: holds the operational responsibility of the Competitor at the events;
- 2 Race Engineers responsible for the Competitor's cars.

The name of a member of staff may appear in two places on the Competitor registration form, on condition that the relevant Competitor justifies to the satisfaction of the FIA, by producing its organisational chart, that the individual concerned is indeed performing these two sets of duties. In that event an individual would only need one registration.

### **III. REGISTRATION PROCESS**

In the FIA World Championships, it is the responsibility of the Competitors to communicate to the FIA the list of the members of their staff who are to be registered as Competitor's Staff.

Each duly registered member of a Competitor's staff will be given, via the Competitor, a Competitor's Staff Certificate of Registration with the FIA (see Appendix 4), a document that is drawn up and issued by the FIA and that remains the property of the FIA.

- (i) **Entry closing date:** When applying to enter an FIA World Championship, the Competitor must communicate to the FIA the list of the members of their staff who are to be registered as Competitor's Staff by providing the FIA with the form drawn up specifically for that purpose (see Appendix 4), duly signed and completed.
- (ii) **Renewal date:** 1st of January of each year
- (iii) **Modification of the list of members of the staff:** The Competitor must inform the FIA of this within the 7 days following that change and submit an updated list within the same deadline, while returning to the FIA the Competitor's Staff Certificates of Registration of the persons who have ceased to perform their role.

The FIA will follow the same procedure for applications during the course of a season as that applicable for annual applications.

The FIA will not charge a fee for issuing or renewing a Competitor's Staff Certificate of Registration.

### **IV. REFUSAL TO ISSUE A COMPETITOR'S STAFF CERTIFICATE OF REGISTRATION** (see applicable procedure in Appendix 1)

The FIA reserves the right to refuse to issue a Competitor's Staff Certificate of Registration to any person who is under a disciplinary sanction imposed by the IT and/or the ICA or is in breach of the FIA Code of Good Standing (see Appendix B to the ISC).

If the FIA, after having received an application for a Competitor's Staff Certificate of Registration, intends to refuse to grant a Competitor's Staff Certificate of Registration, it will, within 8 days after the receipt of such application, inform the relevant person and Competitor of such proposed refusal, giving its written detailed reasons, and then give the person and the Competitor an opportunity to make representations to it in writing (including by email) regarding such refusal within 8 days after having received notification of the intended refusal.

If the FIA, having duly considered any representations made by the relevant person and/or the Competitor, still intends to refuse to grant a Competitor's Staff Certificate of Registration, it may then, not later than 8 days after receiving any such representations, or, if no such representations are made, after the last date for receiving any such representations, make a decision to the effect that the Competitor's Staff Certificate of Registration should not be granted (herein referred to as 'Refusal Decision') and in that event forthwith inform the relevant person and Competitor in writing of the Refusal Decision.

Any Refusal Decision of the FIA may be appealed by the relevant person to the ICA in accordance with the FIA Judicial and Disciplinary Rules.

With regard to the refusal to issue a competitor's staff certificate of registration, the FIA will use its best endeavours to procure that the ICA will hear and decide on any appeal prior to the beginning of the season (not applicable for applications during the course of a season).

If the ICA overturns the Refusal Decision, the Refusal Decision shall cease to have any effect and the FIA shall forthwith proceed to grant the Competitor's Staff Certificate of Registration to the relevant person.

## V. WITHDRAWAL AND SUSPENSION OF A COMPETITOR'S STAFF CERTIFICATE OF REGISTRATION

The FIA will have regard at all times to the materiality of the breach and safety considerations.

FIA administrative and disciplinary proceedings are subject to the French law, and in particular to the principle of proportionality and the free speech principle.

### (i) Exercise of the disciplinary power by the FIA: (see Appendix 2, item 1)

According to the new FIA disciplinary system (see Appendix 3), the President of the FIA, in his capacity as prosecuting body, may take the matter before the IT in accordance with the FIA Judicial and Disciplinary Rules.

The IT will, therefore, be competent to establish the existence, or not, of a breach of the FIA regulations and to impose any sanction upon the person and Competitor concerned (see the process governed by the FIA Judicial and Disciplinary Rules).

The President of the FIA, in its capacity as prosecuting authority, will ask, in respect of every disciplinary procedure:

- for the imposition of a suspension upon Competitor's Staff Certificate of Registration holders who have contravened the FIA Code of Good Standing or the withdrawal of the Competitor's Staff Certificate of Registration (any withdrawal can only be imposed for the remaining period of the current season of the FIA Formula One World Championship); and
- that these same people not be fined.

The person and/or Competitor sanctioned may bring an appeal before the ICA against the IT's decision.

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The FIA will inform the relevant Competitor of any proceedings instigated against any member of its staff. It is the responsibility to the relevant Competitor to send the IT a written request to be heard, and if granted, it shall be permitted to submit written observations. The FIA undertakes to support before the IT and/or the ICA any request from the Competitor to intervene as a third party within the framework of a disciplinary procedure.

The right to deprive any duly registered member of a Competitor's staff of access to the Reserved Areas at events forming part of the FIA Formula One World Championship is subject to the procedure set forth in the FIA Judicial and Disciplinary Rules.

The Stewards during the course of an Event or otherwise will have no authority to suspend or withdraw a Competitor's Staff Certificate of Registration for any breach or alleged breach of the FIA Code of Good Standing.

### (ii) Provisional Suspension: (see Appendix 2, item 2)

In an emergency and where there are exceptional circumstances (which the FIA has the burden of establishing), the FIA has the right to suspend provisionally a Competitor's Staff Certificate of Registration in accordance with Article 12 of the FIA Judicial and Disciplinary Rules:

- *If the protection of the participants in an event organised under the aegis of the FIA so requires, for reasons of public order or in the interest of motor sport, **the IT may, at the request of the President of the FIA, provisionally suspend** in particular any authorisation, licence or approval issued by the FIA, within the framework of a race, competition or other event organised by the FIA. This measure cannot exceed a period of three months, renewable once.*

- *The measure of provisional suspension **cannot be pronounced unless the person accused has been heard by the IT, or summoned at least 10 days in advance**, unless circumstances are such that it is necessary to shorten this time limit.*
- *Unless otherwise stated, the proceedings for hearings under this Article 12 shall be the same for hearings under Article 11.*
- *Provisional suspension, in particular of any authorisation, licence or approval issued on behalf of or by the FIA, is **not a disciplinary sanction** but a safety measure implemented for the protection of persons, public order or the interest of motor sport. It **does not prevent a disciplinary procedure from being instigated, if applicable, for the purpose of imposing sanctions for the same acts.***
- *The person whose provisional suspension is under consideration is summoned to a hearing of the IT, convened in an extraordinary meeting as a matter of urgency. This summons contains the factual and legal justification for the hearing, and informs the person concerned that he has a period of 8 days to submit his observations, that he may be assisted by the lawyer of his choice, and that if he fails to appear a decision will be taken on the sole basis of the dossier enclosed with the summons. The documents justifying the envisaged measure of suspension are appended to the summons.*

The FIA will forthwith inform the relevant Competitor of such proceedings. It is the responsibility to the relevant Competitor to send the IT a written request to be heard, and if granted, it shall be permitted to submit written observations. The FIA undertakes to support before the IT and/or the ICA any request from the Competitor to intervene as a third party within the framework of this procedure.

- *The decision of suspension is **fully enforceable as soon as it has been pronounced**, and an appeal before the ICA does not suspend the enforcement of this sanction.*
- *The person who has had his authorisation, licence or approval provisionally suspended must abstain from any act that is liable to circumvent the measure of suspension.*
- *The person who is the subject of a provisional suspension may bring an **appeal before the ICA.***

If the ICA overturns the IT's decision, the IT's decision shall cease to have any effect.

- *The President of the FIA may request that the IT put an end to the provisional suspension at any time, either on his own initiative or at the request of the party concerned, unless the measure has been confirmed by the ICA.*

## **VI. OBLIGATIONS OF THE REGISTERED MEMBERS OF THE COMPETITOR'S STAFF**

The registered members of the Competitor's staff must observe the FIA Code of Good Standing.

The following sets out examples of the type of behaviours which might constitute an infringement of the FIA Code of Good Standing (non-exhaustive list of examples) in relation to a person who is subject to the Code of Good Standing:

- giving instructions to a driver or other member of a Competitor's staff with the intention or with the likely result of causing an accident, collision or crash or a race to be stopped or suspended;
- any action which is likely to endanger or materially compromise the safety of any driver, other members of the Competitor's staff, other participants in a race, Officials or any spectators or other members of the public who attend an event;
- giving instructions to make any changes to a car in breach of any safety requirements or regulations;
- giving instructions to tamper with or adversely affect the set-up or performance of the car of any other Competitor;

- giving instructions to a driver or otherwise taking any action by which the result or course of a race may be influenced or affected for the purpose of profiting or assisting someone to profit through betting on the outcome of a race or any part of a race; or
- being convicted of a criminal offence (other than a driving offence) which carries a maximum prison sentence of five years.

## **VII. AMENDMENTS TO THE COMPETITOR'S STAFF REGISTRATION SYSTEM**

The FIA will not make any amendments with regard to the Competitor's Staff Registration System, either to the International Sporting Code or to the Practice Directions, prior consultation with the Competitors entered in the FIA Formula One World Championship and adequate opportunity to provide input on the proposed amendments.

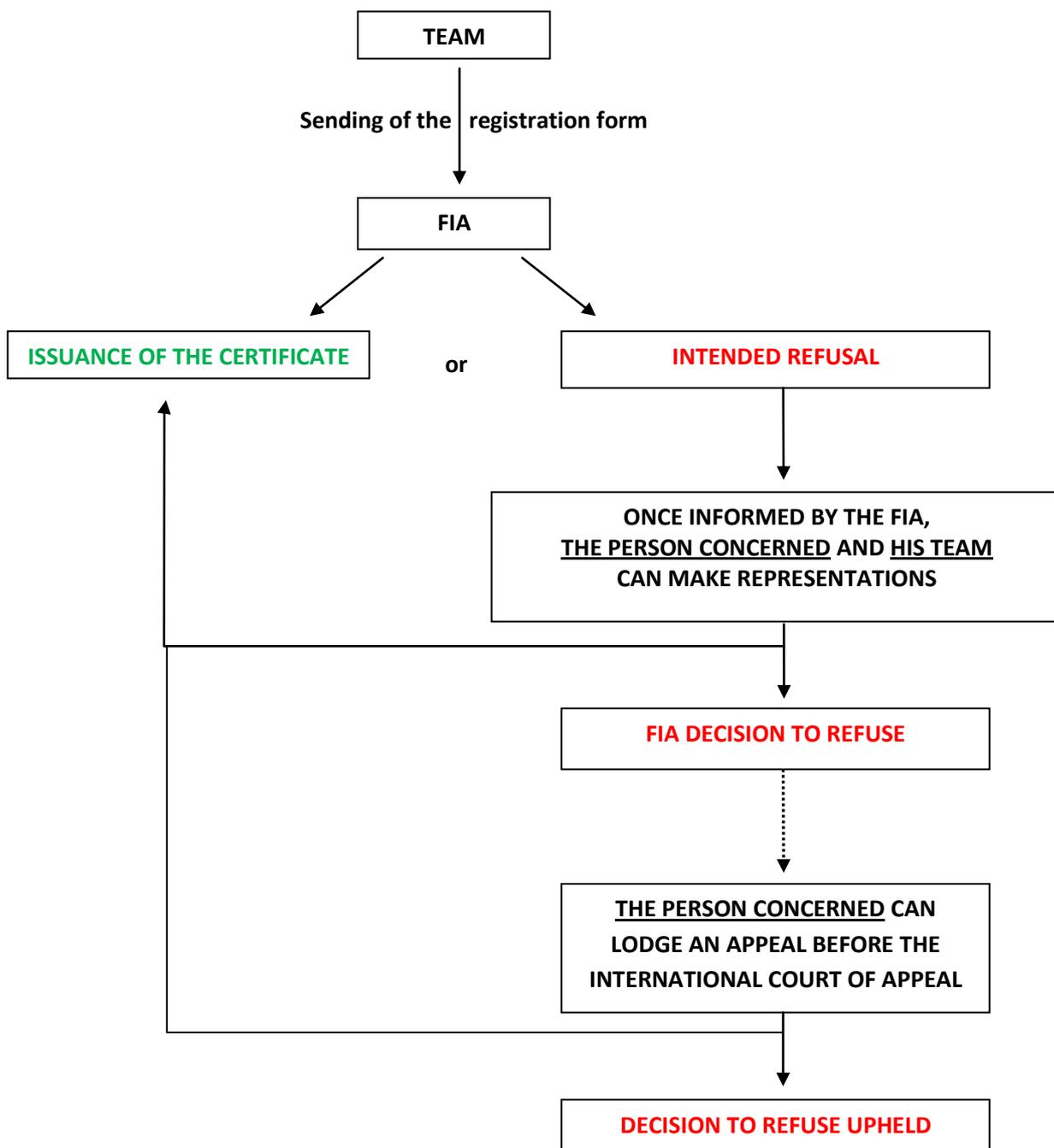


FEDERATION INTERNATIONALE DE L'AUTOMOBILE

**APPENDIX 1**

**ISSUANCE OF REGISTRATION CERTIFICATE FOR STAFF OF TEAMS TAKING PART  
IN THE FIA FORMULA ONE WORLD CHAMPIONSHIP**

*Procedure applicable within the context of a 1<sup>st</sup> request or a renewal*



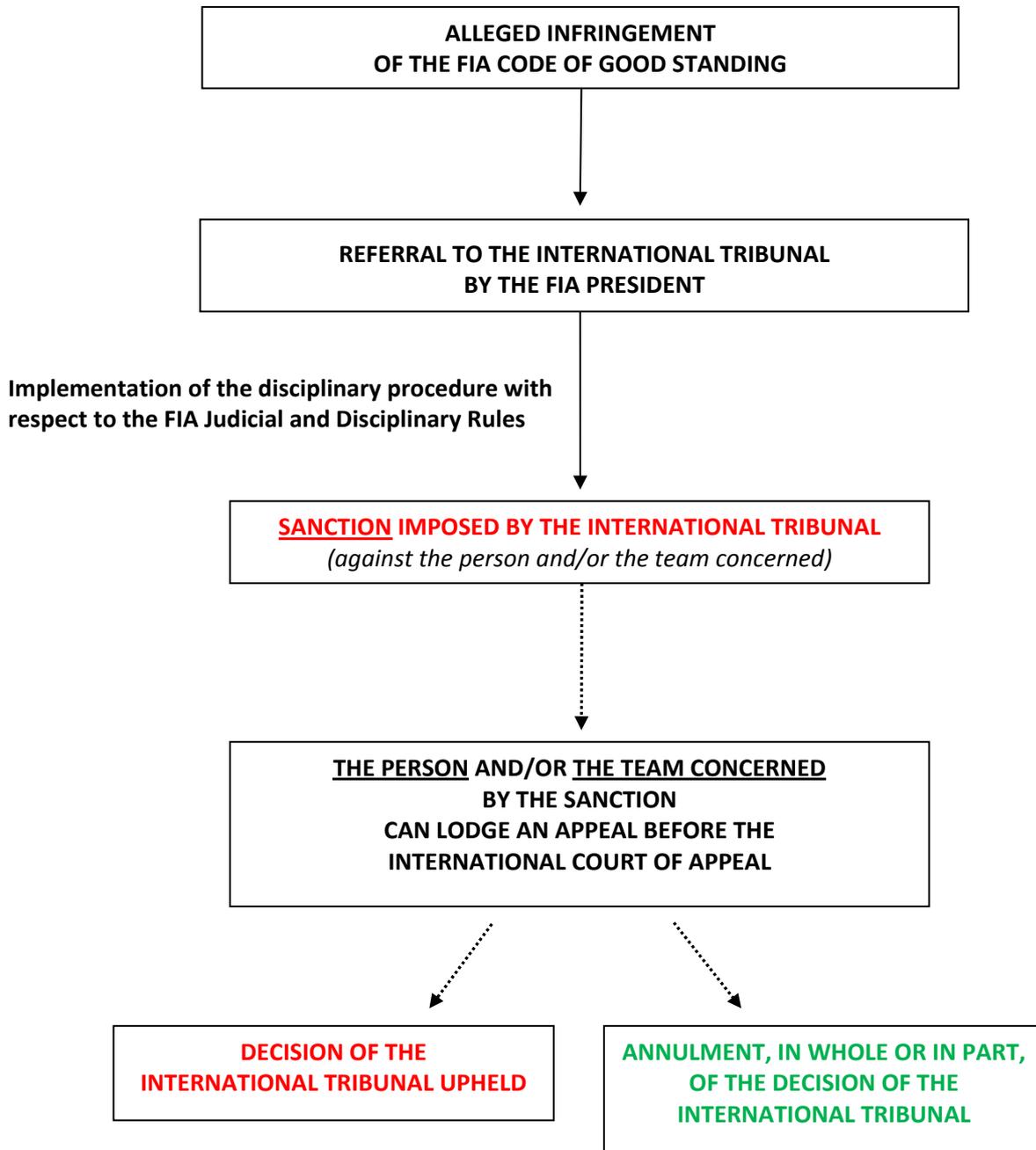


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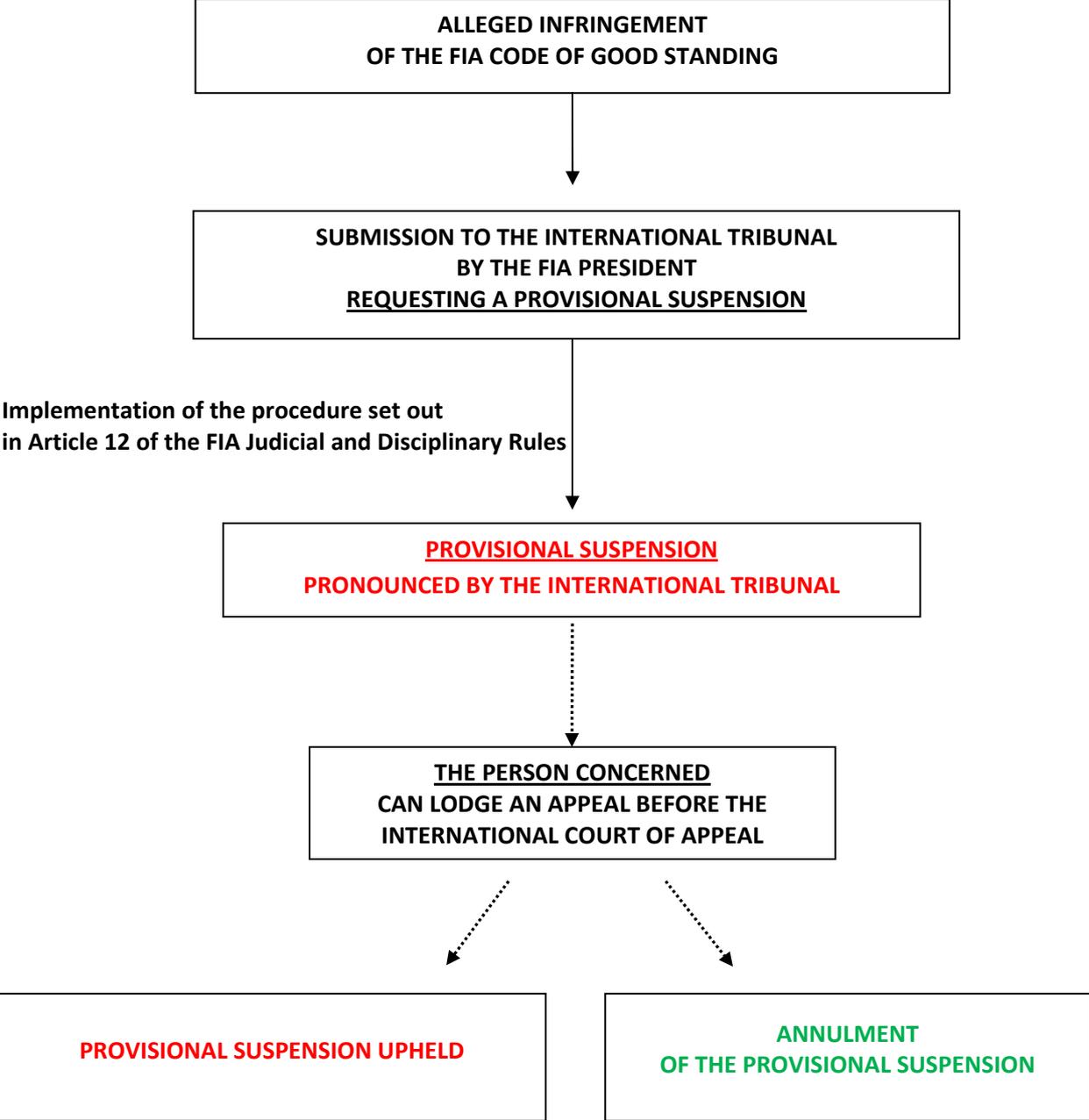
## APPENDIX 2

### PROCEDURE FOR THE WITHDRAWAL OR THE SUSPENSION OF THE REGISTRATION CERTIFICATE FOR STAFF OF TEAMS TAKING PART IN THE FIA FORMULA ONE WORLD CHAMPIONSHIP

#### 1. Exercise of the disciplinary power by the FIA



2. Provisional suspension of the Registration Certificate

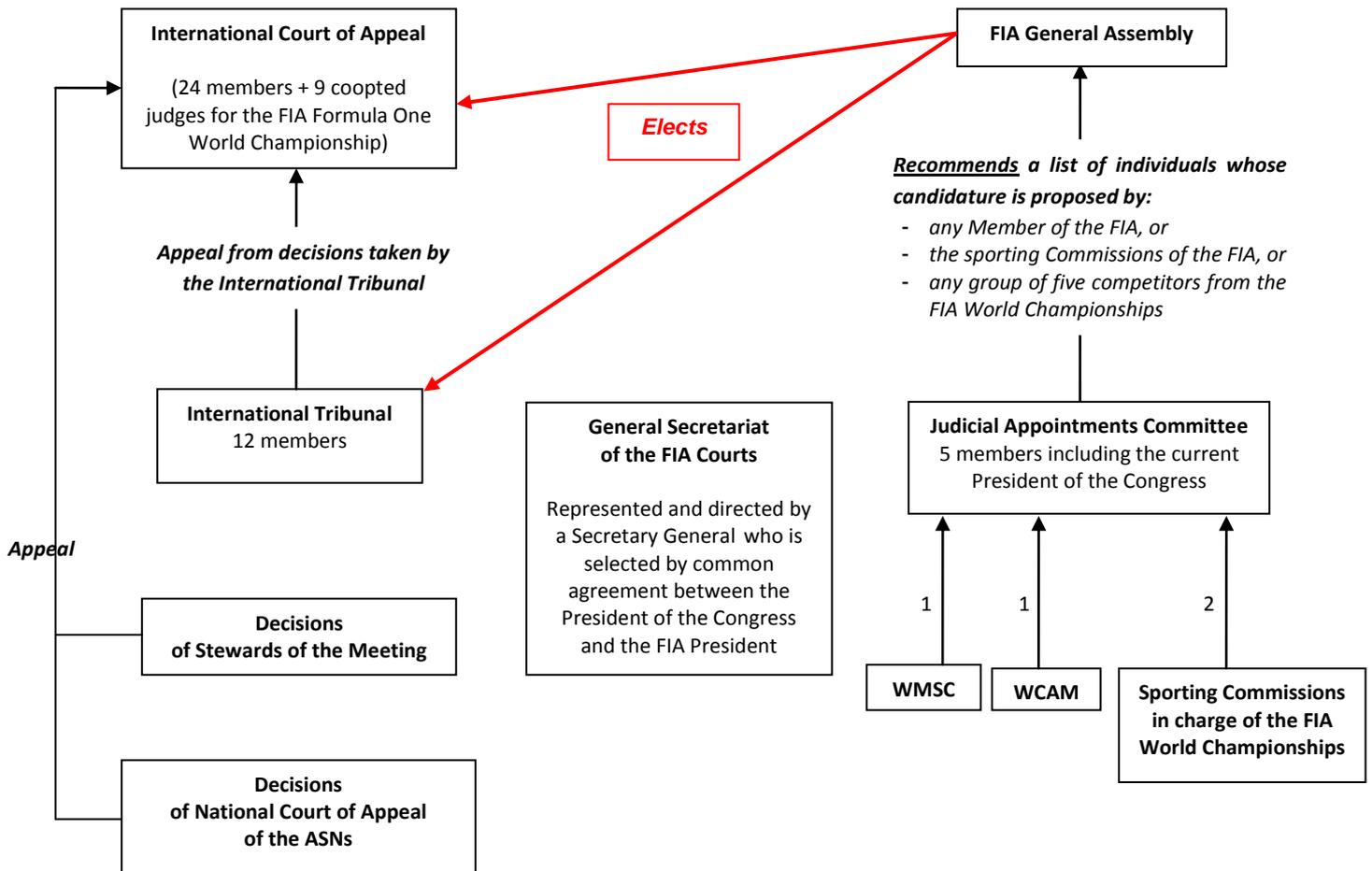




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**APPENDIX 3**

**NEW FIA DISCIPLINARY SYSTEM**



<sup>1</sup> In the field of anti-doping, the decisions of the Anti-Doping Committee – FIA Medical Commission can be appealed only before the Court of Arbitration for Sport.



**2011 FORMULA ONE WORLD CHAMPIONSHIP  
REGISTRATION OF COMPETITOR'S STAFF**

**THE APPLICANT**

Full Company Name .....  
Country of Incorporation .....  
Registration Number .....  
Date of Incorporation .....  
Country of Residence .....  
Registered Office .....  
.....  
.....  
.....

**CONSTRUCTOR'S DETAILS OF ENTRY**

National Competitor Licence Number ..... Issued By .....  
Team Name .....

We hereby nominate for the purpose of Article 47bis of the FIA International Sporting Code:

Team Principal            First name / Surname: .....  
                                  Nationality: .....  
                                  Date of Birth: .....  
                                  Address: .....

Sporting Director        First name / Surname: .....  
                                  Nationality: .....  
                                  Date of Birth: .....  
                                  Address: .....

Technical Director      First name / Surname: .....  
                                  Nationality: .....  
                                  Date of Birth: .....  
                                  Address: .....

Team Manager            First name / Surname: .....  
                                  Nationality: .....  
                                  Date of Birth: .....  
                                  Address: .....

Race Engineer (1)      First name / Surname: .....  
Nationality: .....  
Date of Birth: .....  
Address:.....

Race Engineer (2)      First name / Surname: .....  
Nationality: .....  
Date of Birth: .....  
Address:.....

We understand and agree that any changes must be notified to the FIA in writing within 7 days of such change.

SIGNED BY ..... (SIGNATURE)  
..... (PRINT NAME OF THE PERSON SIGNING)  
being a person duly authorized to sign for and on behalf of  
..... (PRINT FULL NAME OF APPLICANT)

Date.....



**2011 FORMULA ONE WORLD CHAMPIONSHIP  
REGISTRATION OF COMPETITOR'S STAFF**

**Team Name** .....

Team Principal                      First name / Surname: .....  
Date : .....  
Signature:.....

Sporting Director                      First name / Surname: .....  
Date : .....  
Signature:.....

Technical Director                      First name / Surname: .....  
Date : .....  
Signature:.....

Team Manager                      First name / Surname: .....  
Date : .....  
Signature:.....

Race Engineer (1)                      First name / Surname: .....  
Date : .....  
Signature:.....

Race Engineer (2)                      First name / Surname: .....  
Date : .....  
Signature:.....

WITHIN THE FRAMEWORK OF ARTICLE 47BIS OF THE FIA INTERNATIONAL SPORTING CODE WE HEREBY UNDERTAKE TO OBSERVE:

- (i) the Statutes of the FIA;
- (ii) the FIA International Sporting Code;
- (iii) the FIA Code of Good Standing; and
- (iv) all regulations governing the FIA Formula One World Championship and its individual events such as may be duly amended or supplemented from time to time.