



FIA FORMULA 1 WORLD CHAMPIONSHIP



2024 CHINESE GRAND PRIX

19 - 21 April 2024

From	The Stewards	Document	52
To	The Team Manager, Aston Martin Aramco F1 Team	Date	20 April 2024
		Time	21:20

Title Decision - Aston Martin Protest

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Enclosed CHN DOC 52 - Decision - Aston Martin Protest.pdf

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Decision of the Stewards

1. Aston Martin Aramco F1 Team (“**Aston**”) submitted a protest to the Stewards of the 2024 Chinese Grand Prix.
2. The protest stated, among other things, as follows:

“Aston Martin Aramco F1 Team, by means of this document, formally files a protest against car number 55 driven by Carlos Sainz of the Scuderia Ferrari Team whilst competing in the 2024 Formula 1 Lenovo Chinese Grand Prix at the Shanghai International Circuit on the 20th Day of April 2024.

Aston Martin Aramco F1 Team claims that the above car is in breach of Article 39.6 of the 2024 Formula One Sporting Regulations due to the fact that Car number 55 clearly stopped on track causing a red flag which in turn caused the qualifying session to be stopped.”

Admissibility

3. The protest, in writing, together with the protest fee of 2000 euros was paid by Aston within the time contemplated by the International Sporting Code (**ISC**).

Facts

4. The following facts are undisputed:
 - a. Car 55 lost control at Turn 16 and came to a halt after hitting the wall at the main straight at 15:33.05.
 - b. Car 55 was able to restart without any assistance and make its way back to the pits at 15:34.22.
 - c. Meanwhile, Race Control issued a Red Flag for the race at 15:33.16.
 - d. Page 3 of the Race Control messaging system stated that:

“Car 55(SAI) stopped on start/finish straight”
 - e. Race Control permitted Car 55 to participate in the remainder of the qualifying session.

Issues

5. The Protest relies on Article 39.6 of the Formula One Sporting Regulations which states:

“Any driver whose car stops on the track during the qualifying session...will not be permitted to take any further part in that session”

6. The breach that is alleged is that Car 55 stopped on the track during the qualifying session and therefore should not have been permitted to take any further part in that session.

Hearing

7. As required under 13.6.1 of the ISC, a hearing was held with the parties concerned in attendance. In addition, a number of the teams requested to be present at the hearing, which we permitted.

8. At our request, the FIA officials who were in Race Control were present. In addition, Nikolas Tombazis, the Single Seater Director of the FIA requested to be present and we permitted that. He did not participate in the hearing.

Decision

9. We heard Aston, the other team managers who were present at the hearing and the FIA delegates and reached the following decision on the Protest:

- a. It is clear that the plain language of Art. 39.6 suggests that so long as a car “**stops**” on the track during a qualifying session, that car should not be permitted to take further part in the session.
- b. However, it was clear from the examples cited by a number of the team managers present and the FIA, that this was not how this rule was applied by the teams and the FIA in the past.
- c. The FIA team explained that so long as the car was able to restart and continue from a stopped position within a reasonable time, that would ordinarily be permitted. The typical time would be around 30 seconds, though that varied depending on the circumstances. The teams themselves said that they had previously attempted to agree what they considered to be a reasonable length of time before a car would be considered “*stopped*”. Unfortunately, they were not able to come to a final agreement on the maximum time allowed.
- d. In the FIA’s view, what was crucial was that the car would not receive any outside assistance in order to restart (e.g. from marshals).
- e. Aston also accepted that there were prior examples of cars stopping on track and being allowed to continue, despite the plain wording of Article.39.6. However, they felt that stopping, in this case, for 1minute and 17 seconds was too long and therefore should not have been permitted.
- f. The issue then became one of duration: Was 1 minute 17 seconds too long?
- g. Absent clear guidance in the regulations or an agreed, established practice of when too long was too long, we considered that this was a discretion best left to Race Control.
- h. We considered examples in Canada, in Monaco and in Baku where cars had “*stopped*” (and therefore would have been in breach of Article 39.6) but were permitted to continue and take further part in the session, without complaint from the teams.

- i. Aston also argued that the fact that the messaging system suggested that the car had “*stopped*” conclusive of that fact for Article 39.6. Race Control clarified that the language was standard language used in the system and therefore did not convey what Aston was suggesting. Indeed, we saw an example of Alexander Albon in Montreal in 2022 where he stopped for 40-odd seconds and restarted without complaint from any teams and the messaging system similarly showed that the car had “*stopped*”. So, we did not think that the messaging system was indicative of a decision on the part of Race Control for the purposes of Article 39.6.
- j. There was therefore a clear pattern of past practice in the sport whereby this rule was read to allow a car to restart and continue, so long as it did not receive outside assistance to do so.
- k. We were also shown minutes of the Formula One Commission Meeting held in Spa-Belgium on 28th July 2023, where Article 39.6 was specifically discussed. The conclusion reached at that meeting appeared to be, among other things, that:

“It was agreed to add ‘outside assistance’ to Article 39.6”

- l. We were informed that the above change to Article 39.6 was not in fact made, so we did not rely on these minutes, beyond noting that there appeared to be an agreement at least among those attending that meeting on that day, that was consistent with the approach that Race Control was adopting.
- m. In the above circumstances, taking into account the numerous examples where cars had stopped for different lengths of time and were permitted to restart and continue to participate in the session concerned, we considered that the decision taken by Race Control was not inconsistent with past practice nor in breach of Article 39.6.
- n. We considered that even if the plain wording of Article 39.6 warranted a more stark conclusion, the consistent practice in the sport to date did not warrant a setting aside of the discretion exercised by Race Control by us as Stewards.

10. We accordingly dismissed the Protest.

11. The Protest fees will be therefore not be returned.

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.

Decisions of the Stewards are taken independently of the FIA and are based solely on the relevant regulations, guidelines and evidence presented.

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