



NATIONAL APPELATION COURT

APPELLATION AWARD

No. NOS 1/2025

National Appellation Court of the AUTOKLUB of the Czech Republic (hereinafter referred to as “NAC”) composed of **JUDr. Martin Maisner, PhD., MCI Arb.**, as a Chairman of the NAC tribunal, **JUDr. Jaromír Bláha**, as a member of the NAC tribunal and **JUDr et Mgr. Barbora Vlachová, PhD, LL.M.**, as a member of the NAC tribunal have reviewed the joint appeal of Maffi Racing, Mathilda Racing, Zengo Motorsport & Renauer Motorsport represented by Maffi Racing against the Decision No. 3.4. issued on 31.5.2025 determining the reprimand for possible speeding under red flag. The tribunal had reviewed submitted documents and came to the following conclusions:

- I. The appealed decision and procedure suffers so many formal faults that it does not make any sense to summon a hearing.**
- II. The decision is hereby declared invalid null and void.**
- III. The appeal fees shall be returned to the appellant.**

R e a s o n i n g :

1. The appealed decision No. 3.4. determined the reprimand against “Driver and Car No. 23,24,48 and 144 – N. Cortes, J. Herrera, G. Trappa and M. Karhan, Competitor Jenzer Motorsport”. The Disciplinary Procedural Order does not mention any form of Joint procedure for several offenders. NAC is of the opinion, that it is not possible to perform disciplinary proceedings against more than one offender and that even in case that more than one driver commits offence during one race and even during one incident, each of the offenders has to be treated in separate procedure and receive separate decision. Even this formal fault alone makes the decision invalid.
2. The further fault of the decision is also formal. According to the provision

3.3. of the Disciplinary Procedural Order determines, that the decision by which the reprimand is ordered has to contain exact wording of the reprimand and the how the reprimand has to be published. If the decision does not contain this information, it has to be deemed as incomplete and should be deemed as invalid.

3. The Stewards are obliged to follow the basic principles of the disciplinary procedure particularly the rule determined under the 5.1.3. *“The decision of the disciplinary authorities must be based on the reliably verified status of the matter”* The decision describes the offence as *“probable speeding during the red flag with no clear evidence to prove it”*. To accept such situation as a base for disciplinary sanction is against all principles of any proceedings of the kind. Apart from the fact that the language indicates somewhat confusing situation during the decision process it is clear that if the potential offence is referred to as *“probable”* it is not only proven that such offence happened but there is a reasonable doubt. In such case it would be correct, if Stewards would abstain from issuing formal reprimand but would decide to choose less formal approach.
4. It has to be stressed that if the decision is faulty, the formal appeal contains also several details at least questionable. Firstly – a joint appeal is also an institute unknown to the procedural rules. Secondly – the prescribed formal letter was signed just by one of the declared appellants (as their representative) but without any power of attorney. Since there are many other reasons to declare the decision invalid null and void, NOS decide not to pursue the potential faults of the appeal further.

Notification:

This award is final and is not subject to any further appeal.

In Prague, October 30, 2025



JUDr. Martin Maisner, PhD, MCI Arb
Chairman
National Appellation Court