



FIM Moto3™ Junior World Championship Regulations



For the purposes of simplicity and convenience/utility these Regulations also include the:

European Moto2™ Championship Regulations



& European Talent Cup Regulations



EDITION 2019

YEAR 2019		
Version	Applicable as from	Modified paragraphs
0	01.01.2019	<p><u>Sporting</u> 1.2.5, 1.2.7; 1.2.8; 1.3.1; 1.3.5; 1.3.7; 1.4.1; 1.8.3; 1.9.2; 1.10; 1.10.2; 1.13.1; 1.13.3; 1.14.2; 1.14.3; 1.15.1 vi); 1.15.2; 1.15.3; 1.15.4; 1.16.2; 1.16.3; 1.16.6; 1.16.7; 1.18; 1.18.1.1); 2); 7); 13); 16); 17); 1.18.2. 2); 3); 4); 1.19.1; 1.21.3); 4); 7); 8); 13); 1.22.1; 1.22.2; 1.24.2; 1.24.4; 1.25.1; 1.25.5; 1.26.4 ii); 1.26.6 c); 1.27; 1.29.1; 1.30.4; 1.33; 1.34.1;</p> <p><u>Technical</u> Moto3 Jr 2.3.2.7.5); 2.3.3.3.3); 2.3.3.8; 2.3.4 Appendices 1 - 4 1. Chain drive models 2. Mandatories Engine Management features 3. Recommended Engine Management features 4. Initial ECU Mapping and Set Up Procedure Moto2 Appendix 5 3.3; 3.10.3; 3.13; 3.16.5; 3.19; 3.20; 3.21 600STK Appendix 6 4.6.4; 4.6.5 e); 4.6.6; 4.6.8.1 f); 4.6.8.2; 4.6.8.12 ii); 4.6.8.19; 4.6.10.16 h); 4.6.14.2; 4.6.14.18; 4.6.15; 4.6.16 ETC Appendix 7 5.6.4 f); 5.6.5; 5.6.7.1 e); 5.6.7.19; 5.6.8.10 m); 5.6.9; 5.6.9.2.f); 5.6.9.3.d); 5.6.9.5 g); 5.6.9.10.k); 5.6.10 e); 5.6.12.2; 5.6.14; 5.6.15 Appendix 8. Dashboards General Appendices 9 - 14 9. Motorcycle frame 10. Transponder installation 11. Fuel specifications 12. Rider's equipment 13. Helmets standards 14. Procedure for Technical control <u>Disciplinary & Arbitration</u> 3.2; 3.2.1; 3.3.3.3; 3.3.4.3; 3.4.1.1; 3.4.1.2; 3.4.2.1; 3.4.2.2</p>
1	23.04.2019	<p><u>Sporting</u> 1.11.2; 1.15.5; 1.18.1. 13) & 15); 1.18.2.4</p>
2	29.04.2019	<p><u>Sporting</u> 1.16.3</p>
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4	xx.06.2019 Subject to FIM Europe approval	<p><u>Disciplinary & Arbitration</u> 3.4.2.1; 3.4.2.2.1 & 3</p>

Articles amended as from the 1ST January 2019 are in bold
Articles amended during the 2019 season are in bold and red type or ~~double-strike-through~~

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3. DISCIPLINARY AND ARBITRATION CODE

1.1 PRINCIPLES

3.1.1 The obligations incumbent upon the participants, officials and organisers are set out in the Regulations published by the FIM. Proven violation or non-observance of these obligations will be subject to the penalties laid down in this chapter.

3.1.2 For Moto2 European Championship and European Talent Cup, the obligations incumbent upon the participants, officials and organisers are set out in the Regulations published by the FIM Europe. Proven violation or non-observance of these obligations will be subject to the penalties laid down in this chapter.

The duties powers and responsibilities of the bodies and delegates of the FIM Europe are set out in FIM Europe Statutes and By Laws. In case of any provision not foreseen in FIM Europe Statutes or By Laws, FIM Codes and By Laws are to be applied.

Similarly, the obligations incumbent upon the participants, officials and organisers of sporting and touring events under FIM Europe control are set out in the rules of the different sporting and touring disciplines or in any other rules and regulations which are or may be introduced and published by the FIM Europe. All people involved in the activity of the FIM Europe, both sporting and non-sporting, as well as the member of its organs, must adhere to its rules and keep an irreproachable behaviour in the carrying out of their respective duties, so as to avoid any possible prejudice to the honourableness of the FIM Europe and of its members. Proven violation or non-observance of these obligations will be subjected to the penalties laid down in the FIM Europe Disciplinary and Arbitration Code.

3.2 PENALTIES

The penalties are:

- warnings
- fines
- change of position
- ride through
- **long lap penalty**
- time penalties
- grid penalty
- disqualification
- withdrawal of Championship points
- suspensión
- exclusion

3.2.1 Definition and application of penalties

Warnings: can be made privately or publicly, and can be made without a hearing.

Fines: cash penalty up to 50'000€
A fine of up to 1'000 €uros can be imposed without a prior hearing being necessary.
However, the right of protest remains as set out in Art.3.4.1 for Moto3 Jr WC and Art. 3.4.9 for Moto2

	EC and European TC.
Change of position:	the rider must go back the number of positions decided by the Race Direction.
Ride through:	the rider must complete the ride through procedure via de pit lane as defined in Art. 1.19
Long lap penalty:	the rider must complete the pre-defined route of the Long Lap under the conditions as defined in Art. 1.19.1
Time penalties:	the imposition of time affecting the rider's actual result up to 2 minutes and the cancellation of time.
Grid penalty:	the imposition of a drop of any number of grid positions or the imposition of starting the race from the pit lane exit at the rider's next race or next event. A grid positions penalty may be imposed without a prior hearing being necessary. However, the right of protest remains as set out in Art.3.4.1 for Moto3 Jr WC and Art. 3.4.9 for Moto2 EC and European TC.
Disqualification:	entails automatically and independently of any other penalty, the invalidation of the results obtained in an event, practice, race or ranking. An immediate disqualification from a practice session or a race may also be pronounced by means of a black flag or a black flag with orange disc.
Withdrawal of championship points:	the loss of points from the Championship races already run.
Suspension:	entails the loss of rights to participate for a specified period of time in any activity under FIM/FIM Europe control. The application of this penalty may also be applied in the Championship to one or more practice sessions (or part thereof), or races.
Exclusion:	the final and complete loss of all rights of participation in any activity under FIM/FIM Europe control.

3.2.2 Plurality of penalties

Any offender may have several penalties pronounced against him according to the circumstances.

3.3 THE DISCIPLINARY AND ARBITRATION BODIES

3.3.1 The disciplinary and arbitration bodies of the FIM for Moto3 Junior World Championship, qualified to deal with disciplinary and arbitration matters, are:

- The Race Direction
- The FIM Stewards
- The International Disciplinary Court (CDI)

3.3.2 The disciplinary and arbitration bodies of the FIM Europe for Moto2 European Championship and for European Talent Cup, qualified to deal with disciplinary and arbitration matters, are:

- The Race Direction
- The FIM Stewards
- The FIM Europe Disciplinary Commission
- The International Disciplinary Court (CDI)

3.3.3 The Race Direction

3.3.3.1 Constitution

The Constitution of the Race Direction is in accordance with the requirements laid down in Art. 1.6.

3.3.3.2 Authority and Competence

The Race Direction has the authority to penalise automatically riders, teams' personnel, officials, promoters/organisers and all the persons involved in any capacity whatsoever in an event or in the Championship, without the necessity of a hearing in the case of minor offences, for :

- infringements of the Regulations.
- any voluntary or involuntary action or deed accomplished by a person or a group of persons during a meeting, contrary to the current Regulations or instructions given by an official of the meeting.
- any corrupt or fraudulent act, or any action prejudicial to the interests of the meetings or of the sport, carried out by a person or a group of persons occurring during an event.
- any voluntary or involuntary action of Officials and Promoters/Organisers for having been unable to ensure the smooth and efficient running of the event or for serious breaches of the Regulations and Protocols covering the event organisation.

The Race Direction is competent to adjudicate upon a protest relating to infringements of the Regulations.

3.3.3.3 Penalties that may be pronounced by the Race Direction

The following penalties may be pronounced by the Race Direction:

- a warning
- a fine
- a change of position
- a ride through

- **a long lap penalty**
- a time penalty
- a grid penalty
- a disqualification
- a withdrawal of Championship points
- a suspension

Furthermore, for Moto3 Junior World Championship, the Race Direction can refer the case to the International Disciplinary Court (CDI) in order to impose a higher penalty than the Race Direction is empowered to do.

For Moto2 European Championship and European Talent Cup, the Race Direction may refer the case to the FIM Europe Disciplinary Commission in order to impose a higher penalty than the Race Direction is empowered to do.

Any fines must be paid in full by the rider's Federation via bank transfer to the FIM Europe bank account before the next event in the Championship series and in any case within 4 weeks. If the full amount of the fine is not paid within these time limits, the rider will automatically be suspended from participation in all FIM Europe activities until such time as the full payment has been received by the FIM Europe.

3.3.4 The FIM Stewards Panel

3.3.4.1 Constitution

The Constitution of the FIM Stewards Panel is in accordance with the requirements laid down in Art. 1.7)

3.3.4.2 Authority and Competence

The FIM Stewards Panel will hear any appeals against decisions taken by the Race Direction.

3.3.4.3 Penalties that may be pronounced by the FIM Stewards Panel only following an appeal:

- a warning
- a fine
- a change of position
- a ride through
- **a long lap penalty**
- a time penalty
- a grid penalty
- a disqualification
- a withdrawal of Championship points
- a suspension

Furthermore, for Moto3 Junior World Championship, the FIM Steward Panel can refer the case to the International Disciplinary Court (CDI) in order to impose a higher penalty than the FIM Stewards Panel is empowered to do.

For Moto2 European Championship and European Talent Cup, the FIM Steward Panel can refer the case to the FIM Europe Disciplinary Commission in order to impose a higher penalty than the FIM Europe Stewards Panel is empowered to do.

3.3.5 The International Judicial Panel

The International Judicial Panel (CJI) is composed of qualified persons from which the members of the CDI are nominated.

3.3.5.1 Constitution

The International Judicial Panel shall consist of members nominated by FMNs. Each FMN may nominate one or several members having the nationality of that FMN. The appointments shall be confirmed by the General Assembly for 4-year periods.

3.3.5.2 Qualifications

In order to qualify for appointment to the International Judicial Panel, a candidate must be in possession of a diploma in Law studies of University level. He must be able to express himself in at least one of the official languages of the FIM. He cannot however be an officer or a licence holder of the FIM.

3.3.6 The FIM Europe Judicial Panel

3.3.6.1 Constitution

The Panel is composed of five jurists, elected by the General Assembly and proposed by the Management Council, for a period of four years.

The Chairman will be nominated by the Management Council from the members of the Panel. The Panel may appoint one Vice-Chairman amongst its members (SEE Art. 11.7 of FIM Europe Statutes).

3.3.6.2 Qualifications

In order to qualify for appointment to the FIM Europe Judicial Panel, a candidate must be in possession of a diploma in Law studies of University level. He must be able to express himself in at least one of the official languages of the FIM Europe.

3.3.7 The FIM Europe Disciplinary Commission

3.3.7.1 Authority

The FIM Europe Disciplinary Commission will hear appeals against decisions taken by the FIM Stewards following a protest. The FIM Europe Disciplinary Commission may impose sanctions without any restrictions of amount or of time based on the previous decisions taken by the FIM Stewards as provided for in Art. 3.2.

3.3.7.2 Composition and Procedure

The President of the Judicial Panel, after having established that the procedures have been followed and/or that the case can be heard, will appoint members to form the appropriate Disciplinary Commission. For each case, the FIM Europe Disciplinary Commission is made up of 1 or 3 judges.

The names of the members appointed must be communicated to all interested parties in the case, who have the right to refuse with due justification totally or partially the composition of the Court, within three days after having received the information. If the President considers that a

reasonable refusal is made, he must appoint the necessary replacements among other judges of the Judicial Panel. Otherwise he will have to justify his decision. During all procedures brought to the FIM Europe Disciplinary Commission it will be possible for the FIM Europe to express its position in a written report.

3.3.8 The Court of Appeal

In the case of an appeal against a decision taken by the Disciplinary Commission, the Court of final jurisdiction shall be the International Disciplinary Court (CDI) of the FIM.

3.3.9 The International Disciplinary Court (CDI)

3.3.9.1 Appointment of the Members

The Director of the International Judicial Panel of the FIM will appoint each time, the President and the members who will constitute the CDI.

3.3.9.2 Procedures

The names of the members appointed must be communicated to all interested parties in the case, who have the right to make a duly documented objection to the composition of the Court, either in total or in part, within three days after having received the information. If the Executive Board of the FIM considers that a reasonable objection is made, they must appoint the necessary replacements. Otherwise they reject the objection and fix the date for the hearing.

The court may request the opinion of an expert or summon a witness who it considers useful.

3.3.9.3 Authority and Competences

The CDI will hear any appeals against decisions taken by the FIM Stewards. The CDI adjudicates upon request of the Race Direction or the FIM Steward Panel.

The President of the FIM, the Executive Board or the Board of Directors may, within 4 days after an Event, refer to the CDI, matters of violation or infringement of the FIM regulations not concerning sporting or technical regulations.

3.3.10 The FIM as a Party in the Legal Proceedings

3.3.10.1 Function

For all the appeals to the CDI, the FIM is entitled to assert its interests or to explain its position by means of a prosecution address.

3.3.10.2 Appointment

The Executive Board shall appoint in each case, the person who will represent the FIM.

3.3.10.3 Procedure

The intervention of the FIM is optional and is left to the appreciation of the Executive Board. As a party, the FIM enjoys the same rights and obligations as the other parties. The FIM may be present in person at a hearing or may present its claims in writing.

3.3.10.4 Cases concerning behaviours of an exceptional gravity

In case of a behaviour of an exceptional gravity, the President of the FIM, the FIM Executive Board may refer the case to the FIM CDI which will hear such a case according to the procedures and time limits laid down by the General FIM Disciplinary and Arbitration Code.

3.4 PROTESTS AND APPEALS

3.4.1 For FIM Moto3 Junior World Championship

3.4.1.1 Right of protest

Any legal entity or any individual, rider, team, manufacturer, official etc. affected by a decision taken under the authority of the FIM, has the right to protest against that decision.

No protest may be lodged against a decision of the Race Direction entailing or not:

- a fine for speeding in the pit lane, pit lane exit violation, or practice start violation
- a change of position.
- a ride through.
- **a long lap penalty.**
- a time penalty given in lieu of **any penalty not subject to protest**
- a cancellation of the lap time concerned for a rider exceeding the track limits during practice
- a disqualification from the practice sessions or races by means of a black flag or black flag with orange disc.
- a grid penalty for the race of the event

No protest may be lodged against a decision of whether a rider is actively competing in the case of an interrupted race.

No protest may be lodged against a decision of the Race Direction based on a photo finish.

3.4.1.2 Right of appeal

The rules concerning appeals against FIM disciplinary decisions are:

1. To the FIM Stewards against a decision of the Race Direction

No appeal may be lodged against a decision entailing or not:

- a fine for speeding in the pit lane, pit lane exit violation, or practice start violation
- a change of position.
- a ride through.
- **a long lap penalty.**
- a time penalty given in lieu of **any penalty not subject to appeal**
- a cancellation of the lap time concerned for a rider exceeding the track limits during practice
- a disqualification from the practice sessions or races by means of a black flag or black flag with orange disc.
- **a disqualification from the practice sessions or the race following a positive results to the breath alcohol test carried out at such event.**
- a grid penalty for the race of the event

No appeal may be lodged against a decision of whether a rider is actively competing in the case of an interrupted race.

No appeal may be lodged against a decision based on a photo finish.

When no appeal may be lodged the decision of the Race Direction is final.

2. To the CDI against a decision of the FIM Stewards.

No appeal may be lodged if the FIM Stewards confirm the previous decision of the Race Direction. In this case, the decision of the FIM Stewards is final.

When no appeal may be lodged the decision of the CDI is final.

3. To the CAS

No appeal may be lodged against a decision entailing or not:

- a fine for speeding in the pit lane, pit lane exit violation, or practice start violation
- a change of position.
- a ride through.
- **a long lap penalty.**
- a time penalty given in lieu of **any penalty not subject to appeal**
- a cancellation of the lap time concerned for a rider exceeding the track limits during practice
- a disqualification from the practice sessions or races by means of a black flag or black flag with orange disc.
- a grid penalty for the race of the event

No appeal may be lodged against a decision of whether a rider is actively competing in the case of an interrupted race.

No appeal may be lodged against a decision based on a photo finish.

3.4.1.4 Procedure and time limit for protests

All protests must be submitted and signed only by the person directly concerned. Each protest must refer to a single subject only and the intention to protest must be notified to Race Direction within 30 minutes of the publication of the results in the case of Sporting Regulation protests, and before the chequered flag of the session in the case of Technical Regulation protests. The protest must then be confirmed in writing or withdrawn within 1 hour at the latest after the publication of the results. Protests must be handed to a responsible official (Clerk of the Course, Race Director, FIM Stewards or Secretary of the Meeting) together with the security deposit of 660 Euros or equivalent.

A protest against the eligibility of a rider, team or a motorcycle to enter a class or event must be made before the start of the official practice. A protest against a machine on technical control compliance grounds (eg. weight, noise, materials, etc.) may be made after the start of official practice, and must be informed to Race Direction or to an FIM Steward before the chequered flag of the practice session or race concerned.

3.4.1.5 Hearing of a protest

After an immediate hearing, the Race Direction must make a decision on any protest presented. The protest has to be judged according to the provisions of the Regulations.

3.4.1.6 Effect of the decision upon a protest

The decision of the Race Direction of determination of penalty is immediate.

3.4.1.7 Time limits for the lodging of an appeal

The time limit for lodging a statement of appeal is:

against a decision of the Race Direction	- 30 Minutes
against a decision of the FIM Stewards	- 5 days
statement of appeal before the Court of Arbitration for Sports (CAS)	- 5 days

The time limits shall be taken from the date and time of receipt of the decision by the appellant.

3.4.1.8 Lodging of an appeal

To be admissible, the statement of appeal must be submitted in writing (appeal before the FIM Stewards) or submitted or sent by registered letter or special courier or by electronical mail to the FIM Administration and postmarked (appeal before the CDI).

The correct security deposit for appeal must be paid to the FIM Stewards (appeal before the FIM Stewards) or paid in to the FIM Administration (appeal before the CDI), as the case may be.

Within 10 days following the statement of appeal before the CDI, the appellant assigns to the FIM Executive Secretariat a brief of appeal stating the facts.

If the appeal was not lodged and/or the security deposit for appeal not paid within the dead line specified in Art. 3.4.1.7, the appeal will be declared inadmissible without hearing.

3.4.1.9 Security deposit for appeals

The amount of the security deposit is 1'320 Euros.

3.4.1.10 Security deposit payable upon an adjournment

If an adjournment to call further witnesses is ordered upon the request of one of the parties involved, this party must provide an additional financial guarantee within a time limit to be fixed by the disciplinary body. The hearing will not be continued until this guarantee has been paid. In case of no provision of the guarantee within the time limit, the disciplinary body will make a determination on the appeal based on the evidence of the original witness.

3.4.1.11 Time limits to be observed for appeal hearings

The FIM Stewards must be convened to examine an appeal immediately after the brief of appeal is received.

The CDI must be convened to examine an appeal not later than 6 weeks after the brief of appeal is received.

The FIM Stewards and the CDI must in all cases pronounce a decision.

3.4.1.12 Effect of an appeal

On request of the appellant, the FIM Stewards Panel may decide a stay of the provisional execution adjudicated by the Race Direction by injunction or in its decision.

On request of the appellant, the International Disciplinary Court (CDI) may decide a stay of the provisional execution adjudicated by the FIM Stewards Panel by injunction or in its decision.

3.4.2 Moto2 European Championship and European Talent Cup

3.4.2.1 Right of protest

Any legal entity or any individual, rider, team, manufacturer, official etc. affected by a decision taken under the authority of the FIM Europe, has the right to protest against that decision.

No protest may be lodged against a decision of the Race Direction entailing or not:

- a change of position.

- a ride through.

- **a long lap penalty**

- **a time penalty given in lieu of any penalty not subject to protest**

- **a cancellation of the lap time concerned for a rider exceeding the track limits during practice.**

- a disqualification from the practice sessions or races by means of a black flag or black flag with orange disc.

- **a grid penalty for the race of the event**

- a fine for speeding in the pit lane, **pit lane exit violation, or practice start violation.**

No protest may be lodged against a decision of whether a rider is actively competing in the case of an interrupted race.

No protest may be lodged against a decision of the Race Direction based on a photo finish.

3.4.2.2 Right of appeal

The rules concerning appeals against FIM Europe disciplinary decisions are:

1. To the FIM Stewards against a decision of the Race Direction

No appeal may be lodged against a decision entailing or not:

- a change of position

- a ride through

- **a long lap penalty**

- **a time penalty given in lieu of any penalty not subject to appeal**

- **a cancellation of the lap time concerned for a rider exceeding the track limits during practice.**

- a disqualification from the practice sessions or races by means of a black flag or black flag with orange disc.

- **a disqualification from the practice sessions or the race following a positive results to the breath alcohol test carried out at such event.**

- **a grid penalty for the race of the event**

- a fine for speeding in the pit lane, **pit lane exit violation, or practice start violation.**

No protest may be lodged against a decision of whether a rider is actively competing in the case of an interrupted race.

No appeal may be lodged against a decision based on a photo finish.

When no appeal may be lodged the decision of the Race Direction is final.

2. To the FIM Europe Disciplinary Commission against a decision of the FIM Stewards.
The decision of the FIM Europe Disciplinary Commission is final.

No appeal may be lodged if the FIM Stewards confirm the previous decision of the Race Direction. In this case, the decision of the FIM Stewards is final.

3. To the International Disciplinary Court (CDI) of the FIM.

No appeal may be lodged against a decision entailing or not:

- a change of position

- a ride through

- **a long lap penalty**

- **a time penalty given in lieu of any penalty not subject to protest**

- **a cancellation of the lap time concerned for a rider exceeding the track limits during practice.**

- a disqualification from the practice sessions or races by means of a black flag or black flag with orange disc.

- **a disqualification from the practice sessions or the race following a positive results to the breath alcohol test carried out at such event.**

- **a grid penalty for the race of the event**

- a fine for speeding in the pit lane, **pit lane exit violation, or practice start violation.**

No protest may be lodged against a decision of whether a rider is actively competing in the case of an interrupted race.

No appeal may be lodged against a decision based on a photo finish.

The decisions of the FIM Europe Disciplinary Commission / the CDI, shall be final unless one of the parties involved in the case can bring to light new documents or proof which could not have been taken into consideration at the time of the original hearing and which might have a bearing on the verdict. In such cases, the CDI itself shall decide whether a new hearing is necessary. If so, it shall forward all the documents to the FIM EUROPE General Secretary with a view to appointing a new hearing and pursuing the matter further.

3.4.10 Procedure and time limit for protests

All protests must be submitted and signed only by the person directly concerned. Each protest must refer to a single subject only and must be notified to Race Direction within 30 minutes after the publication of the results in the case of Sporting

Regulation protests, and before the chequered flag of the session in the case of Technical Regulation protests. The protest must then be confirmed in writing or

withdrawn within 1 hour at the latest after the publication of the results. Protests must be handed to a responsible official (Clerk of the Course, Race Director or Secretary of the Meeting) together with the security deposit of 660€uros or equivalent.

A protest against the eligibility of a rider, team or a motorcycle to enter a class or event must be made before the start of the official practice. A protest against a machine on technical control compliance grounds (eg. weight, noise, materials, etc.) may be made after the start of official practice, and must be informed to Race Direction before the chequered flag of the practice session or race concerned.

3.4.11 Hearing of a protest

After a hearing, the Race Direction must make a decision on any protest presented. The protest has to be judged according to the provisions of the Regulations.

After a hearing, Race Direction must make a decision on any protest presented during a meeting. The protest has to be judged according to the provisions of these Regulations.

3.4.12 Effect of the decision upon a protest

The decision of the Race Direction of determination of penalty is immediate.

3.4.13 Time limits for the lodging of an appeal

The time limit for lodging a statement of appeal is:

- against a decision of the Race Direction - 30 Minutes
- against a decision of the FIM Stewards - 5 days
- against a decision of the FIM Europe Disciplinary Commission - 5 days
- statement of appeal before the Court of Arbitration for Sport (CAS) - 5 days

The time limits shall be taken from the date and time of receipt of the decision by the appellant.

3.4.14 Lodging of an appeal

To be admissible, the statement of appeal must be submitted by letter (appeal before the FIM Europe Stewards) or sent by registered letter or special courier to the FIM Europe General Secretariat and postmarked (appeal before the FIM Europe Disciplinary Commission).

The correct security deposit for appeal must be handed to the FIM Europe Chief Steward (appeal before the FIM Europe Stewards) or paid in to the FIM Europe General Secretariat (appeal before the FIM Europe Disciplinary Commission), as the case may be.

Within 10 days following the statement of appeal before the FIM Europe Disciplinary Commission, the appellant assigns to the FIM Europe General Secretariat a brief of appeal stating the facts.

If the appeal was not lodged and/or the security deposit for appeal not paid within the dead line specified in article 3.4.6, the appeal will be declared inadmissible with out hearing.

3.4.14.1 Security deposit for appeals

The amount of the security deposit is 1'320 €uros

3.4.14.2 Security deposit payable upon an adjournment

If an adjournment to call further witnesses is ordered upon the request of one of the parties involved, this party must provide an additional financial guarantee within a time limit to be fixed by the disciplinary body. The hearing will not be continued until this guarantee has been paid. In case of no provision of the guarantee FIM Europe within the time limit, the disciplinary body will make a determination on the appeal based on the evidence of the original witness.

3.4.14.3 Time limits to be observed for appeal hearings

The FIM Europe Stewards must be convened to examine an appeal immediately after the brief of appeal is received.

The FIM Europe Disciplinary Commission must be convened to examine an appeal not later than 2 months after the brief of appeal is received.

The FIM Europe Stewards and the FIM Europe Disciplinary Commission must in all cases pronounce a decision.

3.4.15 Effect of an appeal

On request of the appellant, the FIM Europe Stewards Panel may decide a stay of the provisional execution adjudicated by the Race Direction by injunction or in its decision.

On request of the appellant, the FIM Europe Disciplinary Commission may decide a stay of the provisional execution adjudicated by the FIM Europe Stewards Panel by injunction or in its decision.

3.5 PROCEDURE BEFORE ALL DISCIPLINARY AND ARBITRATION BODIES

3.5.1 Right to a hearing

It shall be the unquestionable right of any person or body charged with any offence under the Regulations to defend themselves, either in person or by proxy.

Any party convened before a disciplinary or arbitration body has the right to be represented by one defense counsel of its own choice and at its own expense. Adequate notice of this intention must be given in order that this may also be notified to all other parties in the case. Failure to do so may result in the disciplinary or arbitration body upholding an objection to such representation.

If any of the parties duly convened do not appear, judgment can be rendered by default.

The disciplinary or arbitration bodies may decide that the hearing take place by means of a telephone conference call or through any other means of communication using a telephone or electronic device. Such a method of conducting a hearing shall only take place with the consent of all parties involved.

3.5.2 The hearing

The hearing shall be public unless the disciplinary or arbitration body itself decides otherwise in exceptional circumstances.

The hearing shall be conducted in one of the official languages of the FIM. Should one of the parties wish to use another language, it shall provide the necessary interpreters at its own costs.

The appellant must be present or duly represented, failing which, the protest will not be admissible and the costs shall be borne by the appellant.

Once the Chief Steward has opened the proceedings, he will invite the parties involved to state their respective cases without the witnesses being present.

After statements of the parties concerned, the disciplinary or arbitration body shall hear the various witnesses and experts in order to complete the evidence. The parties involved in the case shall have the right to question all witnesses and experts on their evidence.

Any member of the disciplinary or arbitration body may, at any time during the hearing and with the Chief Steward's approval, question any of the parties involved, the witnesses and experts.

3.5.3 Witnesses and Experts

Each party is responsible for the convening and appearance of its own witnesses, as well as their expenses unless decided otherwise by the Court.

The disciplinary or arbitration body has no authority to oblige the witnesses to swear on oath; therefore, testimony shall be given freely. The witnesses may only testify to the facts they know and shall not be allowed to express an opinion, unless the disciplinary or arbitration body should regard them as experts on a particular subject and should ask them to do so.

After having made their statements, the witnesses may not leave the Courtroom and shall not be allowed to speak to any other witness who has still to give evidence.

The Court may summon experts.

3.5.4 Judgement

Decisions of all disciplinary or arbitration bodies will be reached in camera by a simple majority of votes. All members will have equal voting rights which must be exercised when a decision is required. Abstention is not permitted.

Each member of the disciplinary or arbitration body binds himself to keep all deliberations secret.

3.5.5 Notification of judgements

The decisions of the Race Direction or of the FIM Stewards must be notified directly at the event venue, or failing that, addressed by registered letter with acknowledgement of receipt or by electronic mail.

All judgements of the International Disciplinary Court (CDI) or FIM Europe Disciplinary Commission must be notified, in writing, by registered letter with acknowledgement of receipt or by electronic mail in order to inform all the parties concerned.

3.5.6 Publication of judgements

The disciplinary or arbitration body imposing a penalty or adjudicating a protest or an appeal must have its findings published and quote the names of all parties concerned. The persons or bodies quoted in these statements have no right of action against the FIM/FIM Europe nor against any person having published the statement.

Furthermore, final decisions will be published by Press Release (in the Media Centre) and in the FIM/FIM Europe Website unless the Court itself decides otherwise.

3.6 COSTS OF PROCEDURE

The costs of a disciplinary or arbitration decision will be assessed by the FIM Administration/FIM Europe General Secretariat and will be awarded against the losing party, unless the Court decides otherwise.

3.6.1 Payment of fines and costs

3.6.1.1 If the penalty is definitive, all fines must be paid into the Benevolent Fund before the beginning of the first practice of the second round following the final decision. The costs must be paid to the FIM Administration/FIM Europe General Secretariat within 30 days of notification of the judgement decision according to Art. 3.5.5.

The person or body affected by the decision shall be automatically suspended from participation in all FIM/FIM Europe activities, until such time as full payment has been received.

3.6.1.2 For Moto2 European Championship and European Talent Cup

If the penalty is definitive and either the fine and/or costs are not paid within 30 days of notification of the judgement decision according to Art.3.5.5, the person or body affected by the decision shall be automatically suspended from participation in all FIM Europe activities, until such time as full payment has been received by the FIM Europe General Secretariat.

3.7 RECIPROCITY OF PENALTIES

3.7.1 For Moto3 Junior World Championship only

As a consequence of the agreement of reciprocity concluded on April 30th, 1949 between the 4 organisations controlling motorised sports internationally, i.e. in addition to the FIM, namely:

- the Fédération Internationale de l'Automobile (FIA)
- the Fédération Aéronautique Internationale (FAI)
- the Union Internationale Motonautique (UIM)

penalties of suspension or exclusion may also be applied to one or another of the sports represented by the above organisations, upon request of the FIM.

3.8 LAW OF MERCY

3.8.1 For Moto3 Junior World Championship only

The FIM Board of Directors, after consultation with the CJI Director or upon his proposal, may mitigate or completely forgive the penalty of a person or group of persons after having exhausted all the appeal procedures.

3.9 ARBITRATION CLAUSE

3.9.1 For Moto3 Junior World Championship

Final decisions made by the disciplinary bodies (exception Art. 3.4.2.3 or Art. 3.4.9.2) or the General Assembly of the FIM may be submitted exclusively to the Court of Arbitration for Sport by way of appeal within the time limit as laid down in Art. 3.4.6 or Art. 3.4.13, which shall have exclusive authority to impose a definitive settlement in accordance with the Code of Arbitration applicable to sport.

3.9.2 For Moto2 European Championship and European Talent Cup

Final decisions handed down by the jurisdictional organs or the General Assembly of the FIM Europe shall not be subjected to appeal in the ordinary courts.