



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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## MSA COURT OF APPEAL 413

### COURT OF APPEAL LODGED BY MR JONATHAN THOMAS (COMPETITOR) AGAINST THE FINDINGS OF THE STEWARDS AFTER A REGIONAL KARTING EVENT HELD AT THE WPMC KARTING CIRCUIT ON THE 13<sup>th</sup> SEPTEMBER 2014.

HEARING HELD IN THE MSA CAPE TOWN OFFICE ON THURSDAY, 30<sup>TH</sup> OCTOBER AT 18H00

#### **Present:**

Jan Thorsen	-	Court President
Clint Rennard	-	Court Member
Paul Simon	-	Court Member
Johan Grundlingh	-	Clerk of the Course
Neva van der Merwe	-	MSA Steward
Albertus du Toit	-	Club Steward
Carl Vismer	-	Scrutineer
Jonathan Thomas	-	Competitor
Leon Coetzer	-	Competitors Mechanic
Max Houliston	-	Competitors Father
Celeste Chatton	-	MSA Scribe

The Court President introduced himself and the Court Members; there were no objections to the composition of the Court.

The competitor, Jonathan Thomas, felt the penalty imposed by the Stewards was too harsh as the technical infringement gave him no advantage and as per the 2014 Karting Regulations 11.ii, if no advantage is gained this would allow for an exception to the rule of being excluded for a technical infringement.

#### **After having heard the evidence presented by all parties, the court finds as follows:**

The Court finds in favour of the appellant and the penalty imposed by the Stewards is hereby set aside. The Court hereby directs that Jonathan Thomas (competitor 84) be re-instated into the results for race 2 and 3. The Regional Championship points are to be amended as per the revised results and the competitor is to be awarded any awards due to him.

**MOTORSPORT SOUTH AFRICA IS THE ONLY RECOGNISED MOTORSPORT FEDERATION IN SOUTH AFRICA**  
Directors: S. E. Miller (Chairman), A. Scholtz (CEO – Operations), A. Taylor (Financial), K. G. Doig, J. du Toit, M. du Toit, P. du Toit, D. Lobb, N. McCann,  
C. Pienaar, B. Sipuka, L. Steyn – Hon. Presidents : T. Kilburn, Mrs. B. Schoeman



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REPUBLIC OF SOUTH AFRICA



The Court reminded the competitor of GCR 172 (x) that reads as follows:

*Abuse of officials by competitors and/or their family members and/or members of their pit crew. Such breach of the rules may result in the competitors concerned, if found guilty following a hearing, being suspended for a period of up to six months or for up to six events (which is more appropriate), for a first offence.*

The appeal fee, less 25% for a fine for the infringement and administrative costs, is to be returned to the appellant.

All parties are reminded of their rights to appeal to the MSA National Court of Appeal.

These findings were emailed on Friday, 31<sup>st</sup> October 2014 as .....

**159479/98**

**31<sup>st</sup> October 2014**