



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF APPEAL 417

HEARING HELD IN THE MSA BOARDROOM AT 17H30 ON 3rd JUNE 2015

Present:	Wally Pappas	-	Court President
	Mandy Griffin	-	Court Member
	Alan Kernick	-	Court Member
	Hector North	-	Observer
	Shameer Variawa	-	Appellant
	Hanifa Variawa	-	Witness
	Vaughn Williams	-	Representative of Mr. Variawa
	Adrian Scholtz	-	MSA CEO
	Allison Atkinson	-	MSA Scribe

INTRODUCTION

The court members and attendees were introduced and no objections were raised against the composition of the court.

THE HEARING

This appeal, lodged by Mr. Variawa on behalf of his minor son Saood Variawa, arises from a protest lodged by him during the National Karting Championship event held in Cape Town on 24th April 2015.

Having perused all the documentation provided (protest documents and findings, Karting Regulations, the appeal document and video footage), the Court finds as follows:

FINDINGS

The driver of kart number 2, Blaine Rademeyer, was on the inside line and it would appear that he turned too early into the corner. This resulted in him going over the kerbing, losing control and colliding with competitor No 36, Aidan Strydom, and competitor No 2, Saood Variawa, causing both of these competitors' races to be compromised.

Competitor Blaine Rademeyer's actions were in direct contravention of Karting Regulations and Specifications Section E Article 18, and he is consequently excluded from the results of heat 1 on the day in question.

An amount of R4500.00 of the appeal fee paid by Mr. Variawa is to be refunded to him, with the balance of R500.00 being retained as court costs (this being the minimum permitted in terms of Appendix R).

All parties are reminded of their rights in terms of GCR 212 B).

These findings were distributed at 10:30 on the 9th June 2015

MOTORSPORT SOUTH AFRICA IS THE ONLY RECOGNISED MOTORSPORT FEDERATION IN SOUTH AFRICA



Directors: Adv. G. T. Avvakoumides (Chairman), A. Scholtz (Chief Executive Officer), A. Taylor (Financial), M. du Toit, P du Toit, D. Easom, J. Fourie, G. Hall, M. Rowe, Ms N. Singh, T. Sipuka – Hon. Presidents: T. Kilburn, Mrs. B. Schoeman