



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF APPEAL 449

HEARING HELD AT THE MSA OFFICE IN CAPE TOWN ON THURSDAY 15th OCTOBER 2020

In the appeal of

CHARL VISSER – APPELLANT & FATHER OF MINOR COMPETITOR CHARL VISSER (JNR)

relating to Mr Aldrin van Zijl's breach of findings of COE 1230.

Present:	Richard Vaughan	-	Court President
	Trevor Hodges	-	Court Member
	Frank Creese	-	Court Member
	Charl Visser	-	Appellant and Father of minor competitor Charl Visser (Jnr)
	Aldrin van Zijl	-	Defendant and Father of minor competitor Kai van Zijl
	Malaika Motlekar	-	Observer
In attendance:	Lizelle van Rensburg	-	MSA Scribe

1. The members of the court and all attendees introduced themselves and the parties were afforded the opportunity to indicate any objection to the composition of the court. No objections were offered.
2. The parties were informed that the proceedings were being digitally recorded by MSA.
3. The appeal is against Mr Aldrin van Zijl for breaching point 17 of the findings of COE 1230.
4. The factual background to the appeal is as follows:
 - a. Mr van Zijl was seen at the track by the appellant after the findings of COE 1230 was published.
 - b. This was reported to MSA who then in turn informed Mr van Zijl that he was in breach of point 17 of the findings of COE 1230.
 - c. Mr van Zijl was seen at the track again after this, a fact that Mr van Zijl does not deny.

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



Directors: A. Roux (Chairman), A. Scholtz (Chief Executive Officer), A. Taylor (Financial), F. Alibhai, R. Beekun, FC. Kraamwinkel, G. Hall, A. Harri, Dr G. Mills, E. Murray, M. Rowe, R. Schilling, Ms M. Spurr, S. Themba, S. Van der Merwe

- d. Mr van Zijl stated that this was not a challenging act. From email correspondence between himself and MSA, Mr van Zijl understood that he was in breach of point 17 of the findings and he understood that it meant he cannot act as an entrant for his son which he has complied with.

FINDINGS:

1. The court finds Mr Aldrin van Zijl contravened point 17 of the findings of MSA COE 1230.
2. Mr Aldrin van Zijl acknowledged his wrong doing in regard to the assault and contravention of point 17 of MSA Court of Enquiry 1230 and apologized to Mr Charl Visser.
3. Mr Charl Visser accepted Mr van Zijl's apology and requested the court's leniency in regard to the judgement.
4. Mr van Zijl is hereby suspended from being an entrant at **ANY** MSA sanctioned event for a period of 12 months starting from the date of these findings.
5. Mr van Zijl is further suspended from participation as a member of any team entered at **ANY** MSA sanctioned event until 31 December 2020. Mr van Zijl is reminded that under the current COVID-19 regulations spectators may not be present at MSA sanctioned events.
6. In the circumstance inasmuch as this appeal has succeeded, the court directs that the appeal fee be refunded to the appellant, save for administrative costs. These administrative costs in this instance are restricted to the minimum permissible under Appendix R to the GCR's in an amount of R1000.00.

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

These findings are published via email on 19 October 2020.

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