



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF ENQUIRY 1109 INTO ALLEGED CONTRAVENTION OF GCR 172 ii) b) BY THE NORTHERN REGIONS 125 GP CLASS OF KARTING. HEARING HELD IN THE MSA BOARDROOM AT 17H00 ON THE 18th MARCH 2013

Present:	Wally Pappas	-	Court President
	Hanko Swart	-	Court Member
	Greg Higgins	-	Court Member
	Mike Venske	-	125GP Competitor
	Philip Swanepoel	-	125GP Competitor
	Laurance Jones	-	125GP Class Representative
	Kevin de Wit	-	MSA Steward
	Hector North	-	Observer
	Neal Robertson	-	Scrutineer
	Eldrid Diedericks	-	Clerk of Course
	Peter Lanz	-	Witness
	Marius Swanepoel	-	125GP Competitor
	Allison Atkinson	-	MSA – Court Scribe

The Court President introduced himself and the other court members. There were no objections to the composition of the court.

Hearing

The court afforded Mr. Jones an opportunity to address it on the alleged contravention as a result of the class running non-specified tyres.

The court then heard from all the witnesses present.

The court considered the evidence of the aforementioned witnesses.

In considering the elements and evidence, the court takes cognisance of the provisions of GCR 211 and GCR 220.

Findings:

It is clear from the evidence that all 125GP karting competitors competed on Bridgestone tyres, rather than the stipulated Vega tyres, at the karting event which took place on the 9th February 2013. No prior permission was obtained from MSA to run the Bridgestone tyres in contravention of the regulations.

The court recognises that the 125GP class representative is working with the Karting Commission and tyre importer, albeit belatedly, to address the tyre concerns that led to the incorrect tyres being used.

Under the circumstances, the court is of the view that it would be unfair to penalize the competitors too harshly for using the incorrect tyres and therefore severely reprimands them for 'taking the law into their own hands'.



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. Doig, J. du Toit, M. du Toit, P. du Toit, D. Lobb, N. McCann, C. Pienaar, B. Sipuka, D. Somerset, L. Steyn – Hon. Presidents : T. Kilburn, Mrs. B. Schoeman

The offending competitors are furthermore warned that any repeat of this non-compliance issue may well render them liable to firmer action being taken against them.

No order is made as to costs.

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

Findings were read out at the end of the hearing and these written findings are distributed via e-mail on the 27th March 2013, at 11:30

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