



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

www.motorsport.co.za

2nd Floor, Meersig 1, Cnr. Upper Lake Lane & Constantia Boulevard, Constantia Kloof, Roodepoort
e-mail: msa@motorsport.co.za Telephone (011) 675 2220

MSA COURT OF ENQUIRY 1249

HEARING HELD ELECTRONICALLY VIA ZOOM ON TUESDAY 9th MARCH 2021 AT 17h30

Present:	Richard Vaughan	-	Court President
	Ian Richards	-	Court Member
	Frank Creese	-	Court Member
	Charl Visser Jnr	-	Driver / Defendant
	Charl Visser Snr	-	Entrant / Defendant
	Jason Coetzee	-	Driver / Defendant
	John Coetzee	-	Defendant
	Joy Dolinschek	-	Clerk of the Course
	Neva van der Merwe	-	Assistant Clerk of the Course
	Callie Steyn	-	Assistant Clerk of the Course
	Phil Herholdt	-	MSA Steward
	Johann Grundlingh	-	Club Steward
	Chantal Pieters	-	Event Secretary
In Attendance:	Lizelle van Rensburg	-	MSA Sport Coordinator
	Vic Maharaj	-	MSA Sporting Services Manager

INTRODUCTION

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

THE HEARING

The court was convened to investigate the following:

1. The on-track conduct of competitors Visser and Coetzee during race 3 of the Senior Max class during the MSA Karting event held at Killarney on 13th February 2021.

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



Department:
Sport, Arts and Culture
REPUBLIC OF SOUTH AFRICA

Directors: A. Roux (Chairman), A. Scholtz (Chief Executive Officer), R. Beekun (Financial), Mrs. D Abrahams, A. Harri, M. Hashe, FC. Kraamwinkel, Dr G. Mills, C. Oates, R. Schilling, Ms M. Spurr, S. Themba

2. The validity of protest hearing convened at Killarney on the same day by the Stewards of the meeting.
3. The conduct of Mr John Coetzee following the above hearing.

After hearing from the court attendees and reviewing the footage taken at the event from course cameras and on kart go pro footage presented, all participants were allowed an opportunity to raise issues and ask questions relating to the on-track incident.

Further representations were heard relating to the validity of the protest hearing convened on the day and again questions were heard from all participants.

Finally, the matter of Mr John Coetzee`s conduct after the protest hearing was discussed and various views and opinions were presented by the court attendees. Mr Coetzee apologised to the court for his behaviour at the event and admitted that he lost control after a long and emotional day.

FINDINGS

1. Following its deliberations, the court finds the two karts did in fact make contact with each other and that Jason Coetzee (competitor 246) is responsible for the contact. Section D Article 9 d BUMP, applies and competitor Coetzee is penalised with a 5 place penalty in race 3. Heat 3 results to be revised.

Further, given the obvious volatile nature of the competition between competitors Coetzee and Visser, both drivers are to be placed under observation for the next two events.

2. The matter of the validity of the protest hearing was then considered. GCR 198 iii) requires `The time of receipt and acknowledgement of payment of the correct fee must be noted thereon by the person with whom it is lodged`. In the absence thereof, the lodging of the protest fails. According to GCR201 iv) a protest may not be heard unless it is accompanied by the correct fee. Clearly the fee was not received when the protest hearing started, nor when the findings were announced, as stated on the protest hearing findings. The hearing is therefore found by this court to be invalid and the outcome of the hearing is null and void.

The Stewards of the meeting are hereby reprimanded and advised to carefully review the MSA GCR`s regarding the requirements of a protest hearing.

Further, MSA to issue a notice to all race secretaries to ensure they have the correct MSA banking details available should a competitor wish to eft a protest fee in future.

3. Mr John Coetzee admitted to breaching GCR 172 x). Accordingly, he is found guilty of this breach. Mr John Coetzee is not an MSA licence holder nor an entrant, therefore his actions are linked to Mr Jason Coetzee as envisaged in GCR 113 xiv). Given the severity of the abuse the court hereby suspends Mr. Jason Coetzee for a period of 6 (six) months from the date of these findings. However, as Mr. John Coetzee showed remorse and regret for his actions, this penalty is suspended for a period of 6 (six) months. If Mr Jason Coetzee or any member of his team as envisaged in GCR 113 xiv) is found guilty of a further breach of GCR 172 x) within the next 6 (six) months, the 6 (six) month suspension shall apply automatically.

4. Finally, administration costs of R2000 are levied against Mr John Coetzee.

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

These findings are distributed via email on 18 March 2021.

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