



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF ENQUIRY 1258

**HEARING HELD IN THE MSA BOARDROOM AND ELECTRONICALLY VIA ZOOM ON MONDAY 24th
OCTOBER 2002 AT 17H30**

Present:	Richard Vaughan	-	Court President
	Miranda du Plessis	-	Court member
	Michael Stephen	-	Court member
	Derick Irving	-	Defendant
	Craig Matin	-	Complainant / Technical Consultant
	Damian Ramsami	-	Complainant / Assistant Technical Consultant
	Jackie Schreiber	-	Complainant / Event Liaison
	Greg Billau	-	Father of Competitor Logan Billau
	Shaun Neill	-	Father of Competitor Oliver Neill
	Derryn Van Staden	-	Mother of Competitor Riley Van Staden
	Rui Antunes	-	Father of Competitor Diego Antunes
	Eldrid Diedericks	-	Clerk of the Course
	Mike Frade	-	Witness for Derick Irving
	Llewellyn Tait	-	Witness for Derick Irving
	Garth Waberski	-	Karting Management Group - Chairman
	Vic Maharaj	-	MSA Sporting Manager
	Allison Vogelsang	-	MSA Circuit Sport Coordinator

1 INTRODUCTION

The Court of Enquiry document 1258 was read out. The court members were introduced and no objections were raised against the composition of the court.

2 THE HEARING

2.1 The court proceedings commenced at 17h35 after all required confirmed they were present, and the rules of engagement were explained.

2.2 Mr Maharaj presented the complainants' case and questioned Mr Martin, Mr Ramsami and Mrs Schreiber. All provided the same evidence that Mr Irving had used offensive language towards Mr Martin and Mr Ramsami and accused Mr Martin of "stealing from the kids". All confirmed that competitors and their teams were present in *parc ferme* at this time and that many children witnessed the abuse.

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, Mrs. D. Ballington, K. Govender, M. Hashe, FC. Kraamwinkel, Dr G. Mills, C. Oates, S. Themba, G. Waberski
Honorary President: R. Schilling

- 2.3 Mr Irving admitted that he had sworn at the officials and accused them of “stealing from the kids”. He apologized for this and offered an explanation as to why he had lost his temper. His explanation stemmed from his lack of confidence in the technical officials and their lack of correctly handling the issues he had raised. Witnesses were called to further explain that many competitors are unhappy with the technical procedures and checks being carried out at events.
- 2.4 Some technical discussion relating to the reasons given for Mr Irving’s frustration was raised, but this was cut short as it added little to the facts of the matter.
- 2.5 Both parties were given the opportunity to make a closing statement.

3 FINDING

- 3.1 The facts of this matter are not in dispute by the parties.
- 3.2 The court has taken Mr Irving’s apology into account, and that no other incidents of abuse from Mr Irving were noted. However, abuse of MSA’s officials cannot and will not be tolerated. Further, at no stage did Mr Irving make use of the various procedures available to him to challenge or protest the officials.
- 3.3 The court finds the defendant in contravention of GCR 172 x) and he is hereby suspended from attending Motorsport South Africa-sanctioned events for 6 (six) months, effective from the date of these findings. This suspension is in turn suspended for a period of 6 (six) months on condition that he does not contravene any published regulation in any form of motor sport in that 6 (six) month period.
- 3.4 In addition, the defendant is fined an amount of R5 000-00. Should this fine not be paid to Motorsport South Africa within the prescribed time period, this will be considered a breach of finding 3.3 above, causing the suspension from attending events to be invoked immediately.
- 3.5 Competitors are reminded that GCR 113 xiv) makes the entrant responsible for fines levied on their mechanics, pit personnel and service crew.

4 RECOMMENDATION

The technical specification sheet for the Kid Rok class must be updated and the various technical components, including, inter alia, the fuel pump spring dimensions must be clearly specified.

Motorsport South Africa and its Northern Regions karting structure are strongly encouraged to initiate discussions with the Kid Rok community, and possibly other competitors, relating to their clear dissatisfaction with the technical regulations and their current enforcement. Clarity on the regulations and method of enforcement will result in more respectful competition.

All parties are reminded of their rights in terms of GCR212 B.

These findings are distributed via e mail on 1 November 2022 at 13h00