

MSA COURT OF APPEAL No. 384

13th MAY 2011

Held in the MSA Offices at Killarney Cape Town

IN ATTENDANCE:

B.JEFFRIES	COURT PRESIDENT
D.MALAN	COURT MEMBER
P.HAUPT	COURT MEMBER
E.DIEDERICKS	MSA STEWARD
P.LINDENBERG	REPRESENTING F.van NIEKERK
A.MURRAY	SCRUTINEER
J.SMITH	CLERK OF THE COURSE

NOT PRESENT:

B.HOFFMAN	APPELLANT
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Those in attendance were satisfied with the composition of the Court.

The "Incident Reports" from F van Niekerk (21), J.Allison (15) and B.Hoffman (6) to the C O C were read out as was the subsequent Protest from F van Niekerk.

The C of C advised that before he was able to take any form of action on the Incident reports, the protest from F van Niekerk was received. The Protest and all relevant documentation was passed to the Stewards for action.

The Scrutineer gave a technical overview of his assessment of the cars involved which gave detailed clarity of the state of car No.6's rear wheel upright.

Mr Diedericks on behalf of the Stewards for the day of the Event in question, advised on the Protest Hearing held. He also presented the Court with "On Car" video footage which clearly showed the incident involving Shelby Can Am cars 21, 15, and 6. Said footage was viewed several times by the Court and others present in order to ensure complete understanding of the incident.

Mr Lindenberg, representing F van Niekerk (21) also gave his brief assessment of the incident.

The Court finds that with minor changes detailed below, the Protest Findings of the Pro Tour Round 2 Meeting held at Zwartkops on 18/19 March 2011, stand. The detailed penalties applied with immediate effect are:

1. Competitor 21 - as per the Stewards findings.
2. Competitor 6 is suspended from all racing facets from 13th May 2011 to 12th Aug 2011. Plus, B Hoffman will be placed under observation - including qualifying, at the next three (3) Events in which he competes.

These Findings were read out to those present at 9am on 13th May 2011.



B. JEFFRIES



D. MALAN



P. HAUPT

