



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF APPEAL 445

HELD AT THE MSA HEAD OFFICE TUESDAY 29TH OCTOBER 2019 AT 17H30

In the appeal of

ANTHONIE POTGIETER - APPELLANT

relating to his protest against the findings of the Stewards of the 2019 TRANC4 National Rally Championship event held at Bronkhorstspuit on 28th September 2019.

PRESENT:	Wally Pappas	Court President
	Iain Pepper	Court Member
	Mark Cronje	Court Member
	Ian Richards	Court Member
	William Louw	Clerk of Course
	Willie du Plessis	MSA Steward
	Tony Crowder	Club Steward
	Fred Language	Technical Delegate for event
	Kevin Clark	Scrutineer
	Anthonie Potgieter	Appellant
	Trevor Bland	Representative of A. Potgieter
	Graham Nathan	Observer

APOLOGY:	Johannes Potgieter	Protestor
	Wammy Haddad	MSA Rally Steering Committee Technical Delegate

IN ATTENDANCE:	Adrian Scholtz	MSA Chief Executive Officer
	Karin Britton	MSA Senior Operations & Sport Coordinator
	Poka Lehapa	MSA Sport & Development Coordinator

INTRODUCTION:

The court members were introduced and there were no objections to the composition of the court.

MSA granted leave to appeal to competitor AC Potgieter (competitor # 2) against the decision taken by the Stewards at a protest hearing held on 28th September 2019 during Round 6 of the 2019 National Rally Championship held at Bronkhorstspuit.

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. Beekum, FC. Kraamwinkel, G. Hall, A. Harri, Dr G. Mills, E. Murray, M. Rowe, R. Schilling, Ms M. Spurr, S. Themba, S. Van der Merwe

PROCEEDINGS:

All parties involved were given the opportunity to present their arguments relevant to the appeal document provided to the court.

1. According to the Technical Delegate (Mr Language), it was ruled that the modification of the bumper was non-compliant as it contravened the homologation of the car and constituted a performance enhancement.
2. A set of homologation documents was supplied to the Technical Delegate, who confirmed he had these documents in his possession at the event. He stated that, although the issue in dispute (front bumper modified air inlet) was stated on the document, there was no photo (photo no 19) to go with the statement and therefore he found it to be non-compliant.
 - a. Homologation documents with no A-143/12 Extension no 25/20 VR2N dated 24/09/19 were presented to the court as evidence. A reference on the right hand bottom corner of the document indicated - VW POLO RS2 A143_ 12 25_ 20 VR2N 24.09.19 _2. This document had been sent prior to the event.
 - b. The court also had in its possession homologation documents with reference no A-143/12, Extension no 25/20 VR2N dated 29/03/2019 and dated 11/10/19, in which the item for the Front Bumper Modified Air Inlet was not reflected. On the right hand bottom corner of the document indicated - VW POLO RS2 A143_ 12 25_ 20 VR2N 24.09.19 _3. This document had been sent post the event.

FINDINGS:

It is clear to the court that this vehicle is busy being homologated during the 2019 year and, as can be seen from the homologation documents, this process is ongoing and the homologation document is being changed as technical changes and parts are being added or removed.

The findings of the Stewards, whereby the # 2 car driven by competitor AC Potgieter was excluded from the results of the event, are set aside in their entirety and the # 2 car is to be reinstated in the event results.

The appeal fee paid, less 25% for administrative costs in line with the provisions of Appendix R, is to be refunded to the appellant.

All parties are reminded of their rights as per GCR 212B.

Findings distributed electronically on 04th November 2019

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