



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF APPEAL 401

APPEAL LODGED BY MR CORRIE BEZUIDENHOUT (FATHER OF JUNIOR KARTING COMPETITOR CLINTON BEZUIDENHOUT) AGAINST FINDINGS OF THE STEWARDS AT THE REGIONAL KARTING EVENT HELD IN VEREENIGING ON THE 20th JULY 2013. HEARING HELD IN THE MSA BOARDROOM ON THE 13th AUGUST 2013 AT 16h30.

Present:

Glenn Rowden	- Court President
Iain Pepper	- Court Member
Graeme Nathan	- Court Member
Kevin de Wit	- Clerk of Course
Dick Shuttle	- MSA Steward
Hennie de Beer	- Club Steward
Wayne Robertson	- Technical Consultant
Corrie Bezuidenhout	- Appellant
Allison Atkinson	- MSA Scribe

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

After having heard and examined the evidence presented by all parties, the court finds as follows:

With reference to GCR 175, the appellant stated that he was not afforded a hearing by the Clerk of Course. While the court is sympathetic regarding the Clerk of Course's workload on the day, he should have given the competitor a hearing when he signed the penalty document, which occurred some 5 minutes after the appellant had already signed for the penalty.

In terms of the protest hearing, the Stewards erred with regard to the provisions of GCR 152, parts (xxii) and (xxvi).

It is evident that Section K Art. 30 B 2 d) of the *2013 Karting Regulations & Specifications* was transgressed by competitor Clinton Bezuidenhout. The Court is however satisfied that no advantage was gained - refer Section A Art. 11 (ii) of the *2013 Karting Regulations & Specifications*.

The court therefore sets aside the original penalty imposed by the Stewards, and instead substitutes it with a fine of R1500.00 as per GCR 176 (a). Additionally, court costs in the amount of R1000.00 are awarded against the appellant.

In view of the partial success of the appeal, the appeal fee is returned.

The court directs that the relevant race results be amended in accordance with these findings. As a casual remark, the court recommends that both regional karting clubs in future appoint an assistant Clerk of Course for their events.

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

Findings were given verbally on the night of the hearing and thereafter distributed in writing via email.

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



Department:
Sport and Recreation South Africa
REPUBLIC OF SOUTH AFRICA



Directors: S. E. Miller (Chairman), A. Scholtz (CEO – Operations), A. Taylor (Financial), K. G. 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