



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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## MSA COURT OF ENQUIRY 1088

THE COE, ACTING IN ACCORDANCE WITH THE PROVISIONS OF GCR 220 AND 211, INVESTIGATED ISSUES ARISING FROM THE BORDER 100 EVENT HELD AT THE BMSC GRAND PRIX CIRCUIT ON 10<sup>TH</sup> DECEMBER 2011

<b><u>PRESENT:</u></b>	Ray Brooks	Court President
	Pieter v d Vyver	Court Member
	Sheldon Ball	Court Member
	Andrew Karshagan	MSA Steward
	Craig Martin	Clerk of Course
	Wesley Skinner	Competitor
	Carl Boshoff	Competitor

NO OBJECTION WAS MADE TO THE COMPOSITION OF THE COURT

## Findings:

After listening to and reading all the testimony presented and taking into consideration all relevant issues arising from the Border 100 event held at BMSC Grand Prix Circuit on the 10<sup>th</sup> December 2011, the Court makes the following findings :

### **With regard to BMSC as organisers:**

BMSC (organisers) were in violation of:-

1. GCR 140 (v) (no notification of creating additional classes issued as per GCR140 (v))
2. GCR 149 ( Only one Stewards on day)
3. GCR 141(i), (vi) (Stewards and classes not as per SR's and no final instructions posted or compiled to amend SR's)
4. GCR 152 (ii) Appointing a MSA Steward on the day who was also chairman of organizers, responsible for organizing event and had executive duty in connection with event
5. Documentation submitted to MSA not fully completed and has different info as to documentation on event file at BMSC. Refer Officials Register, Stewards report, COC's report regarding club steward and assistant COC.
6. Prize giving and awarding of trophies left a bad vibe with certain competitors and did not promote the participation of away competitors at future events.
7. Poor event administration and disregard of GCR's lead to most of the problems during the event.

### **With regard to MSA Steward:**

1. MSA Steward (Andrew Karshagan) Guilty of not implementing GCR 152 (vi) did not appoint an additional steward. No club steward appointed or reflected on register of officials and not recorder on steward's and COC's reports which are on record at MSA. Competitor's right to a fair protest hearing was therefore severely compromised. Incurring of responsibility to MSA also compromised.
2. MSA steward disregarded GCR 152 (ii). Acted as MSA steward knowing full well he was chairman of the organizing club, responsible for organizing event and having executive duty in connection with event. Competitor's right to a fair protest hearing was therefore severely compromised. Incurring of responsibility to MSA also compromised.



*Motorsport South Africa is the only recognised motorsport Federation in South Africa*

Directors: S. E. Miller (Chairman), A. Taylor (Financial), 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

**With regard to the COC:**

1. With reference to GCR 156. The COC failed to take any action after a serious breach of the safety regulation in SR's for Border 100 Enduro. Race Rules no. 5.1 Drivers must vacate vehicles while re-fueling is in progress was reported to him.
2. COC acted outside of his Duties and Authority as stipulated in GCR 156 by taking the decision to create an additional class refer GCR 140 (v) for correct procedure for the Lotus sevens. The drivers were only informed about this at drivers briefing.
3. COC was not consistent with his reason of safety for creating a separate class for the 7's in sprint race as they were then combined with the other classes for the Enduro event.

**With regard to MSA:**

1. Incomplete event documentation accepted by MSA

**Penalties imposed by COE 1088****COC and MSA Steward:**

A serious reprimand for both COC and MSA steward and it is suggested that they both refresh their knowledge and understanding of MSA GCR's and SSR's before they make themselves available to do duties as MSA officials.

**Border Motorsport Club.**

1. R5000.00 fine suspended for 12 months as from 22 March 2012 on condition that BMSC are not found to be in contravention of any MSA GCR's, SSR's or SR's during the period of suspension.

ALL PARTIES WERE REMINDED OF THEIR RIGHT TO APPEAL.

THESE FINDINGS WERE READ AT 20:15, TO ALL PARTIES, ON THE 22 March 2012