



MOTORSPORT SOUTH AFRICA NPC

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MSA COURT OF ENQUIRY 1075:

TO INVESTIGATE VARIOUS ALLEGED INCIDENTS WITHIN THE SUPERSALOONS CLASS DURING AN EVENT HELD AT ZWARTKOPS RACEWAY ON 28TH MAY 2011. HEARING HELD IN THE MSA BOARDROOM, 9 MONZA CLOSE, KYALAMI PARK AT 18H30 ON WEDNESDAY, 03RD AUGUST 2011.

Present:	Christo Reeders	-	Court President
	Grant Shearer	-	Court Member
	Piet Swanepoel	-	Court Member
	Schultz Swanepoel	-	Clerk of Course
	Anton Brits	-	Competitor
	Susann Brits	-	Competitor
	George Smith	-	Competitor
	Dawie Olivier	-	Competitor
	Adrian Scholtz	-	MSA
	Maria Buys	-	MSA

Proceedings

Evidence was led by the parties present before the court adjourned after advising that findings in the matter would be issued at a later stage.

Findings

1. Although competitor Smith was a complainant, the evidence before the court revealed that his on-circuit conduct contributed significantly to the subsequent off-course confrontation. Hence, both competitors Dawie Olivier and George Smith were found guilty of an on-track incident between them.
2. Competitor Dawie Olivier was found guilty of conduct unbecoming post the event in that he used foul language in the presence of fellow competitors/race officials, specifically Mrs Susann Brits.
3. Clerk of the Course Schultz Swanepoel was found guilty of dereliction of his duties in that he failed or otherwise neglected to take appropriate measures to address several breaches of the GCR's and SSR's which were brought to his attention on the day of the event.

Penalties

1. In respect of finding 1 above, the competition licences of competitors Olivier and Smith are withdrawn for a period of three (3) months. Said withdrawal of licences is however suspended until end 2011 and will only take effect should either, or both, of them be found guilty of untoward driving tactics in the intervening period.
2. In respect of finding 2 above, competitors Olivier's competition licence is withdrawn for a period of six (6) months. Said withdrawal of licence is however suspended until end 2012 and will only take effect should he found guilty of conduct unbecoming in the intervening period.
3. In respect of finding 3 above, and in view of Mr Swanepoel already having a previous conviction, his clerk of the course licence is withdrawn for a period of 18 months. Said withdrawal of licence is backdated to the 30th June 2011 and the latter twelve (12) month portion of the licence withdrawal is suspended until end 2013. During the period of the actual licence withdrawal (i.e. until end 2011) he shall not be permitted to act in the capacity of clerk of the course or assistant clerk of the course. Mr Swanepoel may resume duties on 01st January 2012 but he stands to lose his clerk of the course licence for a further period of one year should he be found guilty of a similar offence during 2012/2013.

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



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Directors: G. Nyabadza (Chairman), J.F. Pretorius (Chief Executive Officer), A. Taylor (Financial), J. du Toit, M. du Toit, P. du Toit, D. Lobb, E. Mafuna, S. Miller, N. McCann, C. Pienaar, B. Sipuka, B. Smith, D. Somerset, L. Steyn, P. Venske – Hon. President : T. Kilburn, Mrs. B. Schoeman