



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

[www.motorsport.co.za](http://www.motorsport.co.za)

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## MSA COURT OF ENQUIRY 1267

**HEARING WAS HELD VIA ZOOM ON 12 OCTOBER 2023 AT 17H00**

<b>Court:</b>	Mr Wayne Riddell	-	Court President
	Mr Ian Richards	-	Court Member
	Ms Samantha van Reenen	-	Court Member
<b>Attendance:</b>	Mr Cyril Jacobs Snr	-	Defendant – Father of minor competitor Cyril Jacobs Jnr
	Mr Cyril Jacobs Jnr	-	Defendant – Competitor
	Mr Ruan Goosen	-	Father of minor competitor Jayden Goosen
	Mr Jayden Goosen	-	Competitor
	Mr Schultz Swanepoel	-	Clerk of the Course
	Mr Vic Maharaj	-	MSA Sporting Services Manager
	Mrs Allison Vogelsang	-	MSA Circuit Sport Coordinator

## BACKGROUND AND PRELIMINARY

1. These are the findings of a court of enquiry, which was held virtually, using the Zoom platform. At the outset of the hearing the parties were asked whether there was any objection to the court as constituted. No such objection was received, and the matter proceeded.
2. It is a court of enquiry instituted by MSA convening a formal enquiry in terms of the provisions of GCR 211, into the incident involving competitor Cyril Jacobs Jnr and competitor Jayden Goosen during the Inex Legends race at the Historic Tour event held on 23 September 2023 at Zwartkops Raceway.
3. The enquiry is based on MSA's receipt of:
  - i. The clerk of the course's report,
  - ii. The relevant video footage.

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



Directors: A. Roux (Chairman), A. Scholtz (Chief Executive Officer), R. Beekun (Financial),  
Mrs. D Abrahams, Mrs. D. Ballington, K. Govender, Ms. T. Human, FC. Kraamwinkel, Mrs. S Labuscagne Jonck, M. Rowe, G. Waberski  
Honorary President: R. Schilling

4. The enquiry was tasked to:
  - i. investigate all aspects of the incident and determine whether the abovementioned defendant/s were guilty of breaching any of MSA's regulations – non-exhaustive reference is made here to, inter alia, GCR 172 vii), SSR 49 and SSR 51 i).
  - ii. determine what action to take in response to its findings with regard to item (i) above.
5. The applicable extracts of the relevant article of the regulations set out as follows:

**GCR**

**172. BREACH OF RULES**

*Any of the following offences in addition to any other offences specifically referred to previously or hereafter, shall be deemed to be a breach of these rules...*

*vii) Reckless or careless driving during the course of any competition or practice...*

**SSR**

**49. RACING CONDUCT**

*No competitor shall indulge in foul language and unfair or dangerous conduct. Breach of this regulation may render the guilty party liable to exclusion.*

**51. SAFE DRIVING/RIDING**

*i) A competitor shall at all times drive/ride in a manner compatible with general safety and may be halted by the Clerk of the Course for failure to do so. Any penalty incurred under these regulations shall not prevent any further appropriate action by MSA. (Refer also to SSR 17). Cars: A driver may not maintain contact with or push a car in front of his own during a race.*

6. It is common cause that the competitors acknowledge that the CoC called them into a meeting and that he did address them both on the matter.
7. It is also common cause that the drivers that both drivers acknowledge that the contact took place.
8. The evidence of the incident on the video supplied to the court was led by both drivers' fathers, as both the competitors were minors racing in the Young Lions Class for competitors younger than 16 years of age.
9. The court also heard evidence that the one competitor only turned 12 on the 15<sup>th</sup> of September.

**THE FINDINGS**

10. The court viewed footage of the accident. In it, the court noted 2 incidents.
  - i. The first incident was contact by car #96 Cyril Jacobs Jnr on car #53 Mr Jayden Goosen in a straight line between Turn 1 and Turn 2.
  - ii. The second incident was again contact between the two competitors. However, this time car #53 was stationary in front of car #96 when car #96 accelerated into car #53 and attempted to drive over car #53. The car #96 almost succeeded had the 2 cars not hooked together in this attempt.

**OTHER MATTERS – THE CLERK OF THE COURSE**

11. The court found that, unfortunately, the CoC failed to take any action when he had the opportunity to do so during his “impromptu” meeting he held with all the drivers concerned.
12. The court is of the view that Car #96 Cyril Jacobs Jnr is in violation of the following regulations:
  - i. GCR 172 (vii)
  - ii. Circuit Racing SSR 17
  - iii. Circuit Racing SSR 49
  - iv. Circuit Racing SSR 51 (i)

**PENALTY IMPOSED BY THE COURT**

13. The court imposes a race exclusion of car #96 Cyril Jacobs Jnr from race 3 of the Inex Legends on the day in question.
14. MSA is ordered to re-score the relevant race results and resulting championship.
15. Competitor Cyril Jacobs Jnr is placed under observation for the remaining races of the calendar year.
16. The competitor is ordered to pay costs of R2000 to MSA.
17. MSA are instructed to meet with the promotor of the Inex Legends and to revisit the minimum age of competitors in this series and class. The court is of the opinion that the lack of racing experience contributed heavily to this situation and a repeat situation could have far more dangerous consequences.

The parties are reminded of their rights as per GCR 212 B

The findings are issued via email on the 31 October 2023

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