



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MOTORSPORT SOUTH AFRICA
IN THE COURT OF APPEAL NO. 494
HELD VIRTUALLY VIA ZOOM ON WEDNESDAY, 13 MAY 2026 AT 18H00

COURT COMPOSITION:

Mr Jacques van der Merwe	Court President
Mrs Jackie Schreiber	Court Member
Mrs Chantelle De Sousa	Court Member

ADMINISTRATIVE ATTENDANTS:

Mrs Carmen Hill	MSA Sporting Services Manager
Mrs Allison Vogelsang	MSA Sporting Co-Ordinator - Circuit and Karting

PARTIES IN ATTENDANCE:

Mr Mohamed Wally	Appellant and Father of Muhammad Wally
Mrs Maysurah Wally	Mother of Muhammad Wally
Master Muhammad Wally	Competitor
Mrs Vanessa Wood	MSA Steward

INTRODUCTION

- 1.1 The Appeal was heard remotely using the Zoom platform on Wednesday, 13 May 2026 at 18h00. The Appeal was originally scheduled to be heard at 17h30 but was delayed to accommodate the Appellant, Mr Mohamed Wally, because of personal reasons.
- 1.2 Mr Wally Snr was asked whether he had any objections to any of the Court members. He indicated that he had an objection to Mr Claudio Piazza Musso as a member of the Court panel, citing a previous conflict between the parties. The Court President accepted the objection, and Mr Claudio Piazza Musso was excused from further attendance. The Court of Appeal thereafter proceeded with the President and the remaining two Court members present.

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



sport, arts & culture

Department:
Sport, Arts and Culture
REPUBLIC OF SOUTH AFRICA

Chairperson: Ms. C. Low, Directors: V. Maharaj (Chief Executive Office), P. Zeelie (Financial),
Ms. T. Human, Mrs. S. Labuscagne-Jonck, Ms. K. Mohun, D. Ramchander, Ms. M. Spurr
Interim Appointed Directors: X. Letlaka, N. Townsend

2. THE APPEAL

- 2.1 The Appeal is brought by Mr Wally Snr on behalf of his minor son, Master Mohammad Wally, against the findings of the stewards following a protest lodged by him at the Rotax National Championship Event held at Killarney Kart Circuit on 28 March 2026. Mr Wally Snr's protest was in respect of GCR172 "reckless and careless driving and unsportsmanship (SIC) and dangerous behaviour". It was alleged that Competitor 296 overtook a few karts and drove in front of Master Wally and slammed on the brakes in front of him.
- 2.2 The Stewards found the following, and I quote: "It is established that no contact was made and that all drivers should have been slowing down to enter the Pits. Protest is lost. Fee retained. Both competitors were reminded to be aware of each other and other competitors around them. Mr Wally has been reminded not to interfere".

3. THE APPEAL

- 3.1 The Appeal was filed on 9 April 2026 and within the prescribed time period laid down by the provisions of GCR212.
- 3.2 The grounds of appeal are as follows:
- a. Incorrect application of GCR172;
 - b. Inconsistent and unequal application of the Rules;
 - c. Differing treatment of competitors.
- 3.3 The Appellant sought the following relief:
- a. Accept and uphold this Appeal;
 - b. Set aside the decision of the Stewards;
 - c. Find that Kart 296 breached GCR172;
 - d. Impose an appropriate sanction in line with the GCRs, including a time penalty, exclusion of any other sanction deemed appropriate,

- e. Direct that the conduct of the Stewards, particularly in relation to
 - (1) the refusal to consider relevant and available evidence; and (2)
 - (2) Inconsistent application of the Rules be formally investigated by Motorsport South Africa.
- f. That Ms Vanessa Woods be recused from adjudicating any matters involving Mohammad Wally on the basis that there exists a reasonable apprehension of bias.

4. **SUMMARY OF EVIDENCE**

- 4.1 Both the appellant and Mr Wilson submitted evidence bundles prior to the hearing. Mr Wilson, competitor 299, submitted evidence and statements but opted not to be present for the hearing, citing travel as the reason. It is unfortunate that neither Master Wilson nor his parents/guardians were in attendance to assist with the appeal panel as promote the spirit of sportsmanship.
- 4.2 Mr Wally Snr, and Me Wally, argued the matter whilst Master Wally gave evidence as to the incident being examined. He explained that he had overtaken Master Wilson during the race, slowing down lap at the end of the race Master Wilson overtook him and drove in front of him and slammed on the brakes. This had the effect that another kart collided into Master Wally. It appeared as if Master Wilson was breaking aggressively, and it could be reasonably construed as a deliberate brake test and caused Master Wally a nosecone penalty.
- 4.3 It was submitted that another competitor, Jude Stuart, was given a warning and placed under observation for Heat 3 without a hearing. This was for “overtaking after the race was completed”.
- 4.4 Clear video footage of the incident was played, and Master Wally explained his version of the aforementioned events. There was only one video angle to the incident, taken from Master Wally’s Kart.

- 4.5 From the documentation supplied by Mr Wilson Snr, it appears that the Wilsons had deleted the video footage from their Kart as well as the telemetry data. This crucial evidence was therefore not available for the Court.
- 4.6 At the hearing of the protest, Mr Wally Snr. expressly requested that the live stream footage he had be reviewed as the camera angle was positioned in a manner that would clearly capture the incident. This request was dismissed.
- 4.7 As set out above, Master Wally had a clear view of what transpired, namely that Master Wilson was braking aggressively in front of him.
- 4.8 From the evidence, it also appears that competitor 296, Wilson, braked hard and cut in front of competitor 299, Wally. The Court viewed the footage on at least three occasions to ascertain the above.

5. **FINDINGS**

5.1 The Court finds as follows:

- 5.1.1 The version of the incident, as evidenced by Master Wally, is accepted, and Master Wilson, competitor 296, is guilty of contravening GCR 172.
- 5.1.2 The Stewards were correct in their finding that there was no contact between Master Wally and Master Wilson. There was, however, contact between Master Wally and another Kart.
- 5.1.3 The Stewards erred in not allowing additional footage to be produced by Mr Wally Snr, at the hearing of the protest.
- 5.1.4 The allegations regarding the stewards and specifically Me Woods need no further investigation as there are not sufficient grounds to do so.

6. **JUDGEMENT:**

6.1 In the circumstances, the appeal against the decision of the Stewards to dismiss the protest in respect of the overtaking at the end of the race by competitor 296 succeeds with the following consequences:

6.1.1 That Master Wilson be issued with a warning and be placed under observation for the first heat of the next race he competes in as part of the Rotax National Championships of 2026.

6.1.2 The Appeal fee is to be refunded to the Appellant, less an amount of 10%, which shall be retained by MSA in respect of administrative costs.

The decision of the Court is unanimous.

All participants are reminded of their rights in terms of the GCRs.

This judgment was handed down via email on 21 May 2026.