



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MOTORSPORT SOUTH AFRICA **IN THE COURT OF ENQUIRY NO. 1292**

HELD VIRTUALLY VIA ZOOM ON TUESDAY, 28 APRIL 2026 AT 17H30

COURT COMPOSITION:

Mr Wayne Field	Court President
Mr Steve Miller	Court Member
Mr Alexis Apostolidis	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 Neville Loosemore	Complainant
Mr Ruan Goosen	Father of Jayden Goosen (Defendant)
Mr Jayden Goosen	Competitor Polo Cup (Defendant)
Mr Eric Schultz	Clerk of Course Polo Cup

INTRODUCTION

1. This Court of Enquiry (“the Court”) was duly convened by Motorsport South Africa (“MSA”) in terms of General Competition Rule (“GCR”) 211. The proceedings were conducted in accordance with GCR 220, read with the MSA Safeguarding Policy (“the Policy”), noting that none of the participants in the Court of Enquiry are minors.
2. The Court sat as an independent adjudicative forum mandated to enquire into the relevant jurisdictional requirements, facts, to assess compliance with the applicable regulatory framework and to determine such findings and if required, consequential measures as may be warranted.
3. The Court’s mandate is to investigate the complaint of Neville Loosemore (“Loosemore”), an MSA licence holder and father of Polo Cup competitor, Jason Loosemore, dated 30 March 2026 in which he alleges a breach of MSA National Standing Supplementary Regulations (“SSR’s), namely the National Polo Cup Sporting Regulations (SR’s) and in particular SR 55 thereof relating to data sharing.

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

4. The complaint was described by the Complainant as follows:

“The complaint concerns the unlawful distribution and dissemination on social media, on Saturday 28 March 2026, of SupaCup competitor telemetry / data from the 2025 season by Mr Ruan Goosen, father of competitor Jaden (sic) Goosen.”

The Court is to determine whether there is any conduct on the part of an MSA licence holder which did not comply with the GCR’s, the SR’s for Polo Cup or the Policy.

5. Where breaches are established, the Court is further required to determine appropriate steps / sanctions which are fair, proportionate and consistent with the objectives of safety, integrity, deterrence and a protection of minors (where applicable).
6. Pursuant to the complaint of Loosemore, these proceedings were initiated and the Court convened by MSA.

JURISDICTION

7. GCR 208(i) provides as follows:

“MSA, through its National Court of Appeal, constitutes for its own licence holders a final court of judgment empowered to settle finally any dispute or appeal which occurs in its own territory.” (emphasis added)

8. GCR 211(ii) provides as follows:

“In the first instance, such a Court of Enquiry shall be convened as an MSA Court of Appeal and any decision may be considered by the National Court of Appeal, subject to leave having been granted as documented in GCR 212.”

9. Accordingly, a Court of Enquiry (“COE”) has jurisdiction over the same parties as a National Court of Appeal, namely its own licence holders, in relation to any dispute (or appeal) which occurs within MSA’s territory. Accordingly, the jurisdiction of this Court is the same as the National Court of Appeal as to parties, namely it has jurisdiction over MSA licence holders.
10. The converse naturally also applies, if a party is not an MSA licence holder, then a COE shall have no jurisdiction over that party.
11. As regards the parties to this dispute, Ruan Goosen, father of Jayden Goosen, and one of the Defendants in this matter holds no MSA licence. Furthermore, his son, a competitor in the current Polo Cup Series and the holder of an MSA licence, is over the age of 18 and accordingly the deeming provision contained in GCR 22 which deems the parent, step-parent, adoptive parent or legal guardian of a minor to be the entrant, does not apply.
12. The Court finds that it has no jurisdiction over Ruan Goosen.

IS JAYDEN GOOSEN ABLE TO BE HELD RESPONSIBLE FOR HIS FATHER’S ALLEGED BREACH?

13. GCR 113(xiv) provides that the entrant (who is the competitor in the absence of a separate entrant) shall, *“have the prime responsibility for all acts and omissions of all persons connected with his entry (notably his driver/s, mechanic/s, pit personnel, and service crews) and for ensuring that they comply with the rules and regulations and be responsible for the payment of any fines levied on such persons.”*
14. The complaint in this matter does not relate to an entry, nor does it relate to a specific competition / event. The dissemination of the impugned information by Ruan Goosen (which is not denied by him) took place two weeks after the previous Polo Cup event at Killarney on 14 March 2026 and did not in any way relate to that event, any other Polo Cup event or any other event in any other series in 2026. It is the view of this Court that it could not have been the intention of the GCR’s to hold the competitor responsible for a family member (who in this matter undeniably is a member of his team), for something which they did outside of competition and the information in question being far removed in time from any 2026 Polo Cup event. In this regard it was the evidence of both Defendants, that Jayden Goosen had no prior knowledge of the dissemination of the 2025 SupaCup data by Ruan Goosen until some time after that dissemination had taken place.
15. In the circumstances this is not a situation contemplated in GCR 113(xiv) where Jayden Goosen, as the entrant (and competitor) can be held liable on the basis of this regulation for the conduct of his father, Ruan Goosen.
16. In the circumstances, this Court is satisfied that even if Ruan Goosen had breached Polo Cup SR 55 as alleged by the Complainant (noting that this Court has made no such finding), it is the Court’s view that Goosen Junior could in the circumstances not have been held liable for the actions of Goosen Senior and that he is not guilty by virtue of GCR 113(xiv) of any breach of Polo Cup SR 55 on account of his father’s actions.
17. The abovementioned findings are in the Court’s view sufficient to be dispositive of the complaint against Ruan Goosen and Jayden Goosen for the reasons set out above. Notwithstanding this, and so that the parties can fully understand that even if the Court has not decided the issue of jurisdiction and Jayden Goosen’s lack of responsibility as it has above, that the complaint lacks merit on at least one other fundamental ground which is dealt with immediately below.

THE FUNDAMENTAL MISDIRECTION

18. Without going into any of the background history of this complaint (which definitely exists in relation to certain events which transpired during SupaCup 2025), there is a fundamental misdirection on the part of the Complainant which is in the view of the Court also dispositive of the matter. It is dealt with to avoid the time of the Court being occupied with the

information placed before it regarding the background and detailed facts of the complaint itself.

19. In the complaint, the Complainant describes his complaint in an expanded written complaint (undated) submitted to MSA as follows:

*"I hereby formally lodge a complaint against Competitor **Jaden** (sic) **Goosen**, arising from the actions of his father, **Mr Ruan Goosen**, relating to the unauthorised dissemination of SupaCup competitor telemetry/data from the 2025 season."*

The Complainant continues to state, correctly so, that Regulation 55 of the SR's for National Polo Cup state that shared competitor data is strictly for the exclusive use of the competitor and their team and may not be distributed or shared in any public or informal domain including social media.

20. Herein lies the disconnect. The breach complained of, namely the sharing of what the Complainant describes as competitor data relates to the 2025 SupaCup season. The regulation upon which he relies is not the SupaCup SR's (which were not relied upon before this COE) but on the Polo Cup SR's. For the sake of completeness, Polo Cup SR Regulation 55 reads as follows:

"DATA SHARING

Competitors will be allowed access to the data of the fastest lap set in each practice and qualifying session. The competitor whose data is shared with fellow competitors may choose the fastest lap data from anybody he or she chooses in that particular session. It is the responsibility of that competitor (Fastest in that session) to come and inform the Data Technician of whose data they request. This must be requested from the Data Technician within 30 minutes after that session. Where Qualifying is on Day 2, the data will be available after Qualifying before the start of Race 1. Race data from Race 1, 2 and 3 will be available after the races before the end of the day. The competitor that posts the fastest lap in the specific race, will have his/her data shared. Data shared with competitors are for their and their team's sole use and may not be subsequently shared by any party to any public and / or social media. Any competitor (or his / her team members) who is found guilty of such breach will be excluded from the results of the event in question and precluded from the next round of Championship."

21. In his written submissions to the COE, Ruan Goosen, points out that the complaint relates exclusively to an alleged breach of Polo Cup SR Regulation 55. He continues in those submissions to state as follows:

"The rule referred to has had an amendment regarding the sharing of data added in March 2026 and there is no such rule amendment in SupaCup."

22. During the virtual COE sitting, the Court members pointed out this contradiction to the Complainant and gave him an opportunity to explain how the sharing of competitor data arising from SupaCup during 2025 could be in breach of the SR's relevant to another series, namely Polo Cup? With all due respect to the Complainant, he could not provide any meaningful explanation and the Court is thus unconvinced that the Polo Cup SR's are applicable to the SupaCup Series.
23. Whilst the SupaCup SR's contain a similar provision, Regulation 55 in the Polo Cup SR's does not apply to SupaCup and accordingly the complaint is misdirected and one which cannot succeed for this reason alone. As aforesaid, the SupaCup SR's applicable on 28 March 2026 were not relied upon or placed before this COE.
24. Based on the conclusion reached in this regard, it is not necessary for the Court to consider any of the other facts placed before it in the form of documentary or oral evidence. There are other issues which could potentially have led the Court to the same decision as regards the dismissal of the complaint, but for the aforesaid reasons, they are not dealt with any further.

THE FINDING

25. The Court has no jurisdiction over Ruan Goosen.
26. The Court finds that Jayden Goosen cannot be held liable for his father's conduct, complained of by the Complainant.
27. The Court finds, as regards the framing of the complaint and the attempt by the Complainant to utilise the provisions of the Polo Cup SR's to complain about the conduct of the two Defendants arising from the dissemination of alleged competitor data during the 2025 SupaCup, discloses no cause of action. Accordingly, the complaint is dismissed and no sanction is imposed upon any party to these proceedings.
28. The Court recommends that the Polo Cup and SupaCup SR's be amended to explicitly regulate data sharing in respect of their own series only.
29. All participants are reminded of their rights in terms of the GCRs.

This judgment was handed down on 14 May 2026.