



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MOTORSPORT SOUTH AFRICA
IN THE COURT OF ENQUIRY NO. 1293
HELD VIRTUALLY VIA ZOOM ON WEDNESDAY, 6 MAY 2026 AT 18H30

COURT COMPOSITION:

Mr Steve Harding	Court President
Adv Marcia Davids	Court Member
Mr Eric Schultz	Court Member
Ms Arlene Brown	Court Member

ADMINISTRATIVE ATTENDANTS:

Mrs Carmen Hill	MSA Sporting Services Manager
Mr Richard van Heerde	MSA KZN Regional Committee Chaiman
Mr Rashaad Monteiro	MSA Medical Coordinator
Mrs Karin Brittion	MSA Senior Operations and Sport Coordinator

PARTIES IN ATTENDANCE:

Mr Dean Rice	Respondent and Clerk of the Course
Mrs Michelle Nicol	Respondent and MSA Steward
Mr Roger Stern	Respondent and Club Steward
Mr Barry Neal	Respondent
Ms Natusja Bennett	Respondent
Mr Wesley Orr	Complainant
Mr Kyle Bennett	Complainant
Mr Luan Oelofse	Complainant

PRELIMINARY MATTERS

1. These are the written findings of Motorsport South Africa (“MSA”) Court of Enquiry 1293 which was heard on 6 May 2026.
2. The hearing was conducted virtually utilising the Zoom platform.
3. The members of the Court were introduced to the parties. The Court President asked whether there was any objection to the composition of the Court. No objection was indicated and the Court proceeded accordingly.

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



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4. The Court was convened in terms of the provisions of GCR 211, following the receipt by MSA of various complaints after completion of Round 2 of the KZN Regional and KZN Kart Club Karting Championships, hosted at Idube Kart Track, Camperdown on 12 April 2026.
5. The Court was mandated to:
 - 5.1 Investigate the alleged contravention by the Clerk of the Course of, *inter alia*, GCR 156.
 - 5.2 Investigate the alleged contravention by the Steward(s) of, *inter alia*, GCR 151 and/or GCR 152.
 - 5.3 Investigate the alleged contravention of GCR 286 – Course Direction.
 - 5.4 Determine what further action, if any, should be taken in the light of the findings arising from the items listed in 5.1, 5.2, and 5.3 above.
6. Given the fact that a number of other issues which included questions surrounding the results of a number of heats of the Bambino class karts and the general safety of the circuit were raised by the complainants it is important to note that this Court of Enquiry was not empowered to make any findings in the above regard. The Court trusts that these issues will be resolved by MSA in appropriate fora.
7. In order to give proper context to one of the major issues confronting this Court of Enquiry it is important to note that a previous extremely serious incident involving a collision between a recovery vehicle and a competing kart occurred at this circuit two years earlier. The full circumstances relating to this incident are recorded In MSA Court of Enquiry 1261 which can be found at the following link <https://www.motorsport.co.za/wp-content/uploads/2023/04/COE-1261-Findings.pdf>. It was in consequence of the recommendations contained in paragraph 31 of these findings that GCR 286 was added to the GCRs.
8. GCR 286 reads as follows:

286. COURSE DIRECTION

It is specifically prohibited for any vehicle (2-wheeled or 4-wheeled), be it a competition vehicle or any other vehicle, to travel on a circuit or race route or pitlane, at any time, in a direction opposed to race direction, unless:

 - i) The driver/rider of said vehicle/s has received the express approval of the Clerk of the Course after the latter has satisfied himself/herself that it is completely safe to allow same;*
 - and*
 - ii) Under the direct supervision of the Clerk of the Course.*
9. It is also important by way of background to note that karting in South Africa is conducted under two different regulatory regimes, colloquially referred to as ROTAX and ROK regs. The principal difference between the two being that ROTAX, as a feeder series to an international series, follows the international practice in terms of which disciplinary matters are dealt with in the first instance by the Stewards of the event and not by the Clerk of the Course.¹ In the majority of other categories of the sport, as exercised in South Africa including the ROK championship, the primary disciplinary

¹ Refer SSR 14 - 2026 MSA National Standing Supplementary Regulations - National ROTAX Karting Championship read with SR 3 of the Supplementary Regulations for the event

jurisdiction is vested in the Clerk of the Course. In practice the ROTAX rules should free the Clerk of the Course to devote all of his attention to the operational aspects of the race meeting and direct his focus to the running of the individual races forming part of the event.

10. Given the nature of Courts of Enquiry there is no fixed or laid down procedure for their conduct which therefore falls to be determined by the Court. The Court heard evidence from a number of parties, these included, as complainants, Mr Luan Oelofse, Mr Kyle Bennett and Mr Wesleigh Orr; the respondents including the Clerk of the Course, Mr Dean Rice, the MSA Steward Mrs Michelle Nichol, Mr Barry Neal the Chief Marshal, and Ms Natusja Bennett, the Medical Controller. The Court also heard from and is grateful for the contribution of Mr Richard van Heerde the KZN Regional Committee Chairman of MSA.

THE COMPLAINANTS

11. The Court heard firstly from Mr Luan Oelofse whose written request to MSA for the convening of a Court of Enquiry is included in the court bundle. Although Mr Oelofse's initial attendance at the race meeting was not in any official capacity it is important to note that Mr Oelofse is an experienced A grade Clerk of the Course, for both circuit racing and karting, and that his attendance was at least partially motivated by the desire to familiarise himself with the circuit ahead of a SARMC National Championship event which was scheduled to take place two weeks later at the venue and for which he had been appointed as Clerk of the Course.
12. Mr Oelofse testified that during the course of the day he was approached on behalf of the ROTAX promoter to assist the officials as several incidents had occurred and the program was running significantly behind schedule. In consequence of this Mr Oelofse was appointed as an Assistant Clerk of the Course for the event by way of a bulletin.
13. Mr Oelofse's written request to MSA included a number of observations in regard to various heats of the Bambino class. As recorded in paragraph 6 of these findings above this Court is not mandated to deal with the issues relating to the results of the Bambino class in any way. Nonetheless, we record that the report of Mr Oelofse indicates an array of problems within this class which include questions relating to a jumpstart in heat one in respect of no action was taken, issues of nose cone penalties incorrectly being imposed, and issues of incorrect procedures in relation to incident reports and protests. In the opinion of the Court this latter issue relating to incident reports and protests demonstrates a lack of understanding on the part of senior officials at this event of the distinction between karting events run under ROTAX regulations and other karting events.
14. In heat two of the Bambino class, it would appear that a kart jumped the start and commenced racing before the signal to start had been given and that this resulted in a red flag after which the offending competitor continued racing for a further three laps under red flag conditions before entering the pits. From the documentation handed in at the conclusion of the event it would appear that this was the only infringement penalised by the Stewards.
15. In heat three of the same class multiple tramline infringements were observed however no action was taken by the Stewards.

16. Mr Oelofse expressed the opinion that the Clerk of the Course was not fully equipped to manage an event on the scale of this event, which had attracted a large entry including many competitors from outside of the province who were treating the event as a so-called “pre-national”. The Clerk of the Course, who holds a B grade licence, was placed in the unfortunate position of not having any appointed deputy or assistants. In fairness to the Clerk of the Course it should be noted that his father passed away two days before the event and was perhaps for this reason less capable of handling the event than he otherwise would have been.
17. Mr Oelofse observed that the Stewards were ill-equipped for the event as they did not have access to the applicable regulations, were uncertain as to the application of penalties, and did not demonstrate confidence in dealing with the parents of junior competitors, instead being inclined to take a defensive approach. Both the MSA and Club Steward indicated a reluctance to be involved in karting because of the hostility of parents. In addition, Mr Oelofse complained that the MSA Steward was taking video footage and becoming directly involved in the running of races in a variety of ways.
18. Other observations made by Mr Oelofse included that welding and grinding work was being undertaken in the pits in close proximity to fuel, that karts were being driven up and down the paddock to and from prerace and that he had significant safety concerns in regard to the circuit. He also recorded the incident of an ambulance being deployed on circuit in a contraflow direction.
19. The observations of Mr Oelofse were echoed in the testimony of Mr Kyle Bennett and Mr Wesleigh Orr as well as in the written complaint to MSA from Michael and Chris Danks who were unable to attend the hearing as they were in transit between the Cape and Gauteng at the time of the hearing. All of these complaints placed particular attention on the issue of the safety of the circuit and the ambulance incident. While we deal with the ambulance incident the circuit safety concerns fall outside of the mandate of this Court as indicated in paragraph 6 above.

THE RESPONDENTS

20. The Court heard evidence from Mr Dean Rice, the Clerk of the Course for the event. Mr Rice holds licenses from MSA as a Steward in Karting and as a “B” Grade Clerk of the Course. This grading allows him to act in the capacity of Clerk of the Course at all events other than events which include a round of a national championship,² and he was accordingly appropriately licensed to take control of the event.
21. Mr Rice testified that the event had been beset by problems from the start. An electrical failure of one of the phases supplying electricity to the circuit had failed on Friday afternoon followed by the failure of the entire connection to the grid. An unexpectedly large entry had caused delays in the initial process of administrative checking. Rainy conditions in the morning affected qualifying and caused additional delays. Racing started late and on track events such as red flags caused it to run later. Mr Rice was also critical of the general driving standards on the day with excessively aggressive driving causing a lot of incidents.

² See GCR 158

22. In respect of the incident involving the release of the ambulance counterflow onto the circuit Mr Rice was willing to accept responsibility for the incident on the basis that he would defend the actions of his officials. The background and history of the introduction of GCR 286 is detailed in paragraphs 7 and 8 of these findings. It is clear that the deployment of the ambulance did not take place with “...*the express approval of the Clerk of the Course after the latter has satisfied himself/herself that it is completely safe to allow same;*” nor was this intervention conducted “...*under the direct supervision of the Clerk of the Course.*”³ In fact at the time that the ambulance was deployed the Clerk of the Course was busy with the bulletin for the appointment of Mr Oelofse and the deployment took place without his authority, knowledge or awareness.
23. Before dealing with the evidence of the Stewards of the event the Court makes the following observations in regard to their licensing. While both Stewards held licenses as karting Stewards neither of them held licences as karting Clerks of the Course. GCR 151 provides expressly and adds emphasis by way of bold type that for “*national and regional championship events it is compulsory for at least the MSA appointed steward*” ... (Mrs Nicol in this instance) “...*to hold a Clerk of the Course Licence valid for that specific category of sport.*” Mrs Nicol, while holding an impressively large number of licenses was not the holder of a Clerk of the Course licence for karting and accordingly was not qualified for appointment to this position.
24. Mrs Nicol was also appointed as Environmental Steward for the event. GCR 144 provides that “...*no senior official shall hold more than one position during an event, unless specific approval to the contrary has been granted by MSA prior to the event following a formal request.*” This Court has no information as to whether or not any such request was made or approved. While there are certainly circumstances in which the nature of the anticipated duties of the officials could justify such a dual appointment, in the opinion of the Court however the circumstances of a national or regional karting meeting, particularly one held under ROTAX rules (see paragraph 9 above), where the Stewards of the event are directly involved, in the exercise of discipline over the event, are certainly not conducive to the holding of such a dual role.
25. Mrs Nicol, while directing a question to Mr Oelofse, in regard to his complaint of her direct involvement, in taking video of the starts and the running of the event indicated that this was specifically encouraged in the mandatory training of senior officials such as Stewards and Clerks of the Course where the trainer specifically encouraged Stewards not to be passive and wait for matters to be referred to them, but in contrast to adopt a proactive approach to their own duties on the event. In the opinion of the Court this advice was misconstrued by Mrs Nicol. GCR 144 provides expressly that “... *an official... shall not perform any duties other than those attached to (her) appointment...*”. In addition, GCR 151 which deals expressly with the roles and responsibilities of the Stewards of the meeting provides that the Stewards should not interfere with the Clerk of the Course in the exercise of his duties, nor should they assume duties or responsibilities which are properly those of the Clerk of the Course.⁴ In the opinion of the Court the correct interpretation of the training is that Stewards are encouraged to adopt a proactive approach to their own duties by actively observing the event, investigating transgressions of the regulations and drawing to the

³ GCR 286

⁴ GCR 151 iii)

attention of the Clerk of the Course any shortcomings in his management of the event. It is not to be interpreted as an invitation to take on roles which should rightfully be performed by other officials under the direction of the Clerk of the Course. This is even more so the case in karting events run under ROTAX regulations.

26. Mrs Nichol acknowledged that she was not in possession of the regulations as required in terms of GCR 151 i) as she did not have her laptop with her. She testified that she was not responsible for the deployment of the ambulance onto the track but that the two karts which were stranded in turn three and turn nine were totally under control at all times.
27. The Club Steward Mr Roger Stern declined the opportunity to give evidence and did not participate in the hearing in any way.
28. Mr Barry Neal the Chief Marshal testified that he was the person responsible for the dispatch of the ambulance and for authorising it to proceed contraflow to the race direction. He testified that he was satisfied that this could be performed safely in that the two karts which were stranded on the circuit were under the control of marshals who had been directed to inform the drivers of the presence of the ambulance on the track and instruct them to proceed slowly and to proceed into the pits, the location of which was prior to the position of the ambulance location. He conceded that with the benefit of hindsight that it may have been better to have requested the marshals to hold the stranded competitors in position until the ambulance departed the track, albeit that he suggested that this would cause delay. Mr Van Heerde made the unhelpful suggestion in this regard that depriving these competitors of the opportunity to work on their karts could be construed as placing them at an unfair disadvantage.
29. Mr Neal specifically stated that he was Race Control on the day, in the view of the Court this perpetuates a misunderstanding of the actual function of race control. It is as is clearly pointed out in the findings of Court of Enquiry 1261⁵ at paragraph 27 *"Race control can never be a function assigned solely to a chief marshal, and the clerk of the course, (or a deputy or assistant clerk of the course, suitably qualified) should at all times, when the track is live, -- be in overall charge of race control. This does not necessarily mean that the officials comprising race control need to be physically together in a single venue but they do need to be actively monitoring the race and in radio contact with one another."* Clearly, in regard to the deployment of the ambulance the authority of the Clerk of the Course was neither sought nor given before the ambulance was authorised to proceed counter flow nor was the attention of the Clerk of the Course drawn to the fact that his direct supervision was required for such deployment. While Mr Neal is a highly experienced motorsport official and Chief Marshal who exercised his own judgement that the exercise could be completed in safety it constituted a direct infringement of GCR 286 and given the previous incident at Idube caused considerable distress to parents and spectators.
30. Mr Neal testified that the driving on the day was ridiculously aggressive; that incidents and accidents were taking place in spots where they had never occurred in the past; that the starts were difficult to manage because the leading competitors failed to slow adequately on the approach to

⁵ See link in Para 7 above

the start line to allow competitors further down in the starting order to catch up. He testified that yellow flags were being ignored to the extent that competitors were doing their best lap times on laps where yellow flags were displayed.

31. Mr Van Heerde testified and made some observations in his capacity as the MSA regional chairman. He was appointed as a Judge of Fact on the day and watched in that capacity every lap of racing closely because the club had a concern with driver standards. His general observation was the driver standards were shocking in every single class and that this contributed to the large amount of mayhem on the day. After red flags, and while karts were in *parc fermé* parents and mechanics were endeavouring to assist with repairs despite this being in contravention of the regulations and taking no notice of officials. He referred to the situation on the day as mayhem, anarchy when nobody took responsibility for their own actions, be they drivers, mechanics or parents.

CONCLUSIONS

32. it is clear to the Court that the officials at this event had completely lost control of the event. From the testimony of Mr Oelofse, Mr Rice, Mrs Nicol, Mr Neal and Mr Van Heerde the Court heard of multiple contraventions of the regulations and yet surprisingly the Stewards only investigated and took action in regard to a single incident on the day. No reports were made to the Stewards for possible action other than in that one single instance nor did the Stewards exercise their own initiative in this regard.
33. The appointment of Mrs Nichol as MSA Steward without her holding the necessary licence as a Clerk of the Course for karting and the issues surrounding her dual appointment as MSA and Environmental Steward should be investigated internally by MSA and the necessary corrective steps taken to ensure that permits are not issued where the appointment of officials are not in compliance with the regulations.
34. The positions of Clerk of the Course and Steward for karting are particularly challenging ones for officials. These officials have to balance dealing appropriately with young children and juveniles, requiring empathy and understanding, without losing respect and authority, while at all times having regard to the relevant safeguarding regulations. At the same time they are required to deal with, frequently excessively aggressive parents/entrants, many of them having little understanding of the regulations and displaying scant respect for the authority of officials, or where those parents/entrants have studied the rules they try to manipulate them to their advantage. It is unsurprising that many senior motorsport officials are reluctant to act as Stewards in the case of karting, indeed, in this instance the Stewards were inclined to question the wisdom of their agreeing to officiate at the event. If these duties are difficult at other circuits the challenges facing a Clerk of the Course or Steward at Idube are even more so given the design and layout of the circuit.
35. In the opinion of the Court the difficulties encountered on the day were materially attributable to the absence of a sufficient number of suitably senior and experienced officials available to fulfil the required positions in the region. That shortage appears to have resulted in the MSA Steward not being properly qualified for the role and being appointed in a dual capacity. It also appears to have resulted in the Clerk of the Course being required to perform his functions without the support of

a deputy or assistant, notwithstanding that such support was plainly necessary in the circumstances.

36. Notwithstanding the systemic difficulties referred to above, the Court is satisfied that clear contraventions of the applicable regulations occurred. In particular the deployment of the ambulance by the Chief Marshal, Mr Neal, constituted a contravention of GCR 286. The Clerk of the Course, Mr Rice, contravened GCR 156, inter alia, in failing to maintain adequate control of the running of the event. Mrs Nichol, while acting as Steward undertook actions which were inappropriate to that position and inconsistent with the duties of a MSA Steward, in contravention of GCR 151 iii).
37. Having concluded that there were breaches of the rules the Court is confronted with the question of what action or sanctions are appropriate in the circumstances.
38. The Court is reluctant to impose punitive sanctions, particularly financial penalties, on officials who give freely of their time and labour for no financial reward, save in some instances for a modest contribution towards expenses. The imposition of fines in circumstances such as these may do little to improve future compliance and may instead deter volunteers from making themselves available, thereby aggravating an already apparent shortage of suitably qualified officials.
39. It is imperative that all racing on this circuit takes place under the active supervision of the Clerk of the Course or a suitably qualified deputy or assistant whose full attention is devoted to the racing at all times when the track is live. To this end MSA is directed not to approve any Supplementary Regulations for a Regional or National kart meeting at Idube circuit unless at least one suitably qualified deputy or assistant Clerk of the Course is appointed.
40. Aside from directing MSA to investigate the issues surrounding the approval of the regulations, including the incorrect appointment of officials as referred to in paragraph 33 above, and directing that Mrs Nichol must obtain a karting Clerk of the Course licence before again being appointed as MSA Steward, the Court is not persuaded that any further sanction would serve a constructive purpose. On the contrary, additional sanctions may well be counter-productive and may fail to address the underlying causes of the shortcomings identified.
41. In the circumstances, the Court considers that the only constructive and proportionate course is to recommend that MSA ensure that, before and in conjunction with the next karting event at this venue, a senior Clerk of the Course and an experienced Steward be deputised or appointed to provide advance training and practical, hands-on guidance to the Clerk of the Course, any deputies or assistants, and the Stewards appointed for the event. Such training and guidance should include the proper operation of race control, the respective duties and responsibilities of race officials, and the procedural differences between events conducted under so-called ROTAX regulations and other motorsport events in South Africa.

The Parties are reminded of their rights in terms of GCR 212B.