

IN THE MOTORSPORT SOUTH AFRICA COURT OF APPEAL

COURT OF APPEAL NO. 498

MUHAMMAD WALLY (Kart 299)

First Appellant

MAYSURAH WALLY (Entrant)

Second Appellant

THE STEWARDS OF THE MEETING

First Respondent

**JESSE SWART (Kart 267), RIAAN SWART and CHEREEN SWART
(Entrant)**

Swart Respondents

JUDGMENT

Court	Alexis Apostolidis (President); Wayne Field and Stuart White (Members)
Event	2026 SARMC National Round 3 and African Open, Zwartkops, 2-4 July 2026
Hearing	18 August 2026 at 18:00, electronically via Zoom
Official reports	Stewards' and Clerk of the Course reports supplied on 17 August 2026
Decision date	28 August 2026

A. What this appeal is about and the outcome

1. This appeal concerns a ten-position penalty imposed on Muhammad Wally, driving kart 299, after contact with Jesse Swart, driving kart 267, during Senior Max Race 2 at the 2026 SARMC National Round 3 and African Open. The penalty form describes the infringement as 'Edge into kart 267' under SSR 39.22.
2. In ordinary language, the decisive question is narrow. When kart 299 moved alongside kart 267 on the inside, did kart 299 already lack enough usable track, counting the kerb? If it did, SSR 39.22 was infringed. If an adequate inside route existed and was only narrowed later as the karts turned through the corner, the

rule charged against Wally is not proved merely because contact ultimately occurred.

3. The Court finds that the footage proves the attempted inside overtake, substantial overlap, side contact, the lifting and destabilisation of kart 267, and a resulting position change. At the hearing the Swart respondents expressly accepted that sufficient drivable section existed when the overtaking move began. The evidence does not prove, on a balance of probabilities, that kart 299 lacked enough drivable section at the relevant stage. The penalty under SSR 39.22 must therefore be set aside.
4. That conclusion does not automatically make Swart guilty. The evidence strongly supports a later narrowing of Wally's inside corridor and establishes the overlap required by SSR 39.21, but it does not prove the further element that the narrowing forced kart 299 partially or completely out of the drivable section. The broader alternatives raised under SSR 39.2 and GCR 172 are also not established as properly notified first-instance charges on this record.
5. The appeal consequently succeeds on its central merits ground. The requests for a penalty against kart 267, a finding based on an alleged yellow-flag overtake, an investigation of the Stewards, and a continuing direction that Vanessa Wood may not adjudicate future matters involving Wally are refused for the reasons given below.

B. The decision, the appeal and the material before the Court

6. The General Karting Penalty Form identifies the event as NAT3/AO at Zwartkops International Kart Raceway, the class as Senior Max, and the relevant race as Heat 2. It records a hearing with the competitor and guardian, cites SSR 39.22, and imposes a ten-position penalty. The official Race 2 result implements a '+10p' penalty against kart 299 and classifies kart 299 twelfth and kart 267 sixth.
7. The formal appeal now before the Court is signed at Johannesburg on 14 July 2026 by Maysurah Wally and Mohamed Wally on behalf of Muhammad Wally. The bundle also contains a bank-generated payment report showing a validated R30,000 payment to MSA on 14 July 2026 with the reference 'CAT99 GROUP'. The Stewards' report records that an intention to appeal had been mentioned at the meeting, although no paperwork or fee had then been received.
8. GCR 212A requires a detailed formulated appeal and the R30,000 fee within seven working days after delivery of a Steward's decision. The meeting ended on Saturday, 4 July 2026. Counting from Monday, 6 July, 14 July was the seventh working day. The appeal is in writing, identifies the decision and grounds, cites the rules relied upon and is signed. No respondent has raised a contrary admissibility case, and MSA processed the matter and convened this Court. The Court accordingly finds the appeal admissible under GCRs 212A, 214A, 219 and 220.
9. The formal appeal attacks the penalty on both merits and procedural grounds. In substance, the appellants contend that the relevant footage shows a legitimate

inside move and substantial overlap; that Wally did not progressively squeeze Swart; that the Stewards did not explain their conclusion or their alleged departure from the Clerk of the Course's initial view; that the footage was not properly evaluated or reconsidered; and that Vanessa Wood's participation gave rise to a reasonable apprehension of bias. It seeks the setting aside of the penalty, a refund of the appeal fee, a finding against kart 267 under broader safety provisions, an investigation, and a direction disqualifying Wood from future Wally matters.

10. The Swart respondents' counter-statement supports the Stewards' decision. Its central case is that kart 299 attempted an inside pass without sufficient room, that the ensuing contact and lifting of kart 267 confirm the insufficiency of the gap, and that SSR 39.22 does not require proof of a deliberate steering movement. It also disputes the attempt to transfer liability to kart 267 and raises contextual allegations, including a yellow-flag overtake.

11. The appellants' later final and supplementary submissions answer that case and identify SSR 39.21 ('Cut in') as the rule more closely directed to an outside kart narrowing an established inside corridor. At the hearing the Swart respondents raised no objection to the Court considering that alternative submission and all parties addressed it fully. The Court has nevertheless remained mindful of the distinction between deciding the appeal and imposing a new first-instance penalty under a different or broader provision.

12. The Court has considered the formal appeal and its annexures, the preliminary contextual notice, the Swart respondents' counter-statement, the appellants' final

and supplementary submissions, the penalty form, official results and lap chart, the participant and Court notices dated 31 July 2026, the Clerk of the Course and Stewards' reports supplied on 17 August 2026, the stills submitted by the appellants and respondents, the supplied video files, the oral evidence and submissions at the hearing on 18 August 2026, the 2026 GCRs and Rotax regulations, and COA 495 together with the other prior material included for context.

13. The Court's technical conclusions are necessarily limited by the nature of the media. The record does not contain raw synchronised camera files, telemetry or steering-angle data, surveyed corner geometry, a calibrated lens model, a mechanical inspection report, or expert accident-reconstruction evidence. At the hearing Wood confirmed that the only footage available to the Stewards was the on-board footage associated with karts 299 and 267. No clearer or independently calibrated source was identified. The actual still mentioned in relation to the collateral yellow-flag allegation and any marshal flag log are also not identifiable in the record.

14. The hearing was held electronically by Zoom on 18 August 2026. The appellants and the Swart respondents appeared and addressed the Court personally. Vanessa Wood, Werner Trollip and Marlene Swanepoel addressed the Court concerning the original Stewards' process. The Clerks of the Course did not attend the hearing.

15. No party objected to the composition of this Court, to the evidential material supplied, or to the use of the competitors' names. The parties confirmed that the

Court could proceed on the written submissions and then dealt with the identified issues and media in detail.

16. Where the GCRs and/or SSRs are silent on legal, procedural and/or evidentiary standards or legal aspects, the Court reverts to the law of South Africa, informed by civil procedure, the law concerning evidence and the common law as currently developed.

C. The rules that decide the case

17. Under GCR 208(viii), an appeal hearing is *de novo*. This Court must determine the issues afresh on the evidence before it. The absence of detailed reasons on the penalty form does not itself decide the appeal. Wood explained the Stewards' factual reasoning orally at the appeal hearing, but that explanation is evidence to be assessed rather than a finding to which this Court must defer.

18. SSR 39.22 is headed 'EDGED-INTO'. It applies when Kart 2 drives next to Kart 1, for example to begin an overtake, without possessing enough drivable section, including kerbs. It expressly says that it is irrelevant whether Kart 2 is partly or completely off the track.

19. Applied here, kart 299 is Kart 2 and kart 267 is Kart 1. The Stewards (and not the Clerks of the Course) therefore had to establish two matters:

(a) first, that kart 299 drove next to kart 267; and

(b) second, that kart 299 did so without enough drivable section, with the kerb counted.

20. Only after both are proved does the consequence determine the recommended sanction. A gain by Kart 2 or a same-lap position loss, retirement or qualifying damage suffered by Kart 1 gives rise to the 'with advantage' recommendation of ten positions.
21. The formal appeal by the appellants frequently describes the alleged offence as an 'edge out' and proposes additional ideas such as progressive removal of room, corner entitlement and the absence of a reasonable alternative. Those ideas may help describe racing geometry, but they are not the elements written into SSR 39.22. Conversely, the Swart respondents are correct that SSR 39.22 does not require proof of intent and that Wally's own track-limit position is not decisive. The Court applies the text actually published, not either party's reformulation of it.
22. SSR 39.21 addresses the converse situation. It applies when Kart 1 constricts the drivable section toward the curve centre and thereby forces Kart 2 partly or completely to leave the drivable section while passing the curve. Contact is irrelevant. Kart 2 must, however, be at least one-third alongside, described as its front tyres being next to Kart 1's rear tyres.
23. SSR 39.2 is a broader catalogue provision for driving incompatibly with general safety, for example causing an accident. GCR 172 identifies general breaches of the rules. Those provisions do not permit the Court to bypass the elements and notice requirements of the specific driving-standard charges. GCRs 175, 210(vii) and 220 require fair and capacity-specific notice before a person is exposed to a first-instance penalty.

24. The GCRs do not state a special standard of proof for an ordinary driving-standards penalty. The Court applies the ordinary balance of probabilities. This means that an infringement must be more probable than not on the whole record; a serious consequence or a possible explanation cannot substitute for proof of each required element.

D. What the cameras and results show

25. The principal evidence consists of three useful perspectives. Two are 360-derived or reframed on-board views associated with karts 267 and 299. The third is a more distant following-kart view. Several supplied files are exact duplicates or shorter exports of the same source and have not been counted as independent corroboration.

26. The kart 267 view is strongest on the physical interaction. It shows kart 299's front or nose region meeting the left-side or sidepod region of kart 267. Kart 267's bodywork rises and the kart becomes visibly unsettled. Because the view is tightly cropped and reframed, it is poor evidence of the whole track width available before contact.

27. The kart 299 view confirms the close inside run, sustained contact and immediate aftermath. It is also dominated by the two karts and does not continuously display both track boundaries. It cannot, by itself, measure the width of the inside corridor at the moment the overlap developed.

28. The following-kart view is the best evidence of overall placement. It shows kart 299 advancing on the inside near the red-and-white kerb, kart 267 on the

outside, a visible initial corridor, increasing overlap, and a reduction of the separation as the corner develops. Its distance, resolution and unknown camera orientation prevent a reliable measurement in centimetres. The respondents attribute this view to Tristan du Plessis while the supplied filename identifies Tristan Botha. The entry list confirms that both competed. The Court therefore calls it the “following-kart view” and makes no finding about the camera driver's identity.

29. The stills supplied by both the appellants and respondents are useful markers within that moving sequence, but they do not create new camera sources. Nor may they be treated as a scaled survey. A single frame can conceal speed, steering corrections and perspective changes; the incident must be read as a continuous sequence. The stills also appear to suffer from a “fish-bowl” distortion, making it difficult to make accurate findings regarding a driver's body language and/or movements.

30. Two clips bearing 16.49.49 filenames reproduce a visible 2024 broadcast and cannot prove the 2026 incident. The 16.49.41 clips show a different sequence without a reliable demonstrated link to the charged contact. They receive no weight on liability. The 16.50.44 to 16.50.46 group is considered only for surrounding chronology and the collateral yellow-flag allegation.

31. The exports have no demonstrated common clock and were not synchronised. Clip-relative times are useful only for locating frames within an individual file. The Court has therefore not treated different export timestamps as proof that one steering input occurred before another across cameras.

32. Taken together, the reliable views establish the following sequence. Kart 299 attempted an inside overtake. A visible tarmac and curbed route initially existed between kart 267 and the inside boundary. As kart 299 advanced, its overlap increased. By the time the inside corridor narrowed, kart 299's front-wheel or nose region had reached approximately the rear-wheel or axle region of kart 267, satisfying the one-third threshold on a balance of probabilities.
33. The hearing examined a possible light touch during the first part of the double-left sequence, inferred from a movement of kart 299's front bumper. Wally denied such contact, while the Stewards said that this movement had informed their decision. The footage does not resolve whether that touch occurred or, if it did, whether it displaced kart 267 sufficiently to create the later corridor. The Swart respondents did not contend that any such touch forced kart 267 wide and expressly accepted that sufficient drivable section existed when the move began.
34. The corridor later narrowed and the kart envelopes intersected. Side contact became sustained, kart 267 lifted and destabilised, and the pair lost momentum. What the images do not reliably identify is a single path change as the exclusive cause: kart 267 moving toward the curve centre, kart 299 moving outward, ordinary convergence through the corner, understeer or steering correction, the effects of contact, or a combination of those movements.
35. The official lap chart corroborates the sporting consequence. On lap 14 kart 267 was fourth and kart 299 fifth; by lap 15 kart 299 was third and kart 267 seventh. This proves a gain and loss relevant to the penalty catalogue, but only if the underlying infringement is first established.

36. The respondents point to open tarmac beside the pair. In the following-kart view most of that width lies beyond kart 267 on the outside, identified in the hearing as the darker coloured tarmac where there is more grip. It was not a corridor available to kart 299 because kart 267 lay between Wally and that surface. The correct measurement question is the route accessible to kart 299 between kart 267 and the inside boundary, counting the kerb as SSR 39.22 requires.

37. Post-contact motion cannot safely answer the pre-contact question. Once bodywork and wheel or bumper regions interact, lift, yaw, momentum transfer and steering correction affect both paths. The fact that kart 267 was more visibly disturbed proves the severity and consequence of contact, not which kart was solely responsible for the preceding convergence.

E. Why SSR 39.22 is not proved

38. The first element “a” in paragraph 19 above is common cause and proved: kart 299 drove next to kart 267 while attempting to pass on the inside. The position gain and loss are also proved. The appeal turns on the remaining question whether kart 299 lacked enough drivable section, including the kerb, at the relevant stage of that move.

39. The best placement evidence does not establish that proposition. It shows a discernible inside route as kart 299 advanced. At the hearing Riaan Swart expressly accepted on behalf of the Swart respondents that sufficient drivable section existed when the move started. The Court members and the other participants then proceeded on that common premise. That route may have been

demanding and may have afforded little margin, but SSR 39.22 does not make every ambitious inside attempt an offence. The Court would have to find that the available section was insufficient, not merely close.

40. The route narrowed later. That later narrowing is important to the alternative SSR 39.21 analysis, but it does not prove that no adequate route existed at the earlier point when Wally began driving next to Swart. The footage cannot safely identify the precise instant at which the route became inadequate or attribute the reduction exclusively to kart 299.

41. The Swart respondents argued that adequate drivable section had to remain between the karts so as to avoid contact. Even if SSR 39.22 is read as applying throughout the period in which the karts drove next to each other, rather than only when the overtaking move began, the same evidential problem remains. The footage does not prove the point at which the section became insufficient, that it did so before contact dynamics affected the paths, or that the insufficiency was attributable to kart 299 rather than later convergence. Contact is not a substitute for those findings.

42. At the hearing Wood gave the Stewards' evidential route more precisely: they treated the apparent first bumper movement as contact, inferred that there was insufficient room at that stage, and considered that the touch may itself have created the room visible afterwards. That is a possible explanation, but the footage does not establish the assumed contact-and-displacement sequence. Nor can later contact, lifting and displacement fill that gap. Those consequences prove that the kart envelopes eventually intersected; they do not distinguish

between entry into an insufficient gap and the later reduction of an initially existing gap through one or both karts' paths, ordinary corner geometry, or contact dynamics.

43. The short interval between overlap and contact does not close the evidential gap. SSR 39.22 prescribes no minimum duration for lawful side-by-side running. A rapidly developing manoeuvre may increase risk, but speed of development is not one of the rule's stated elements.
44. Nor can the position change carry the missing element. Advantage determines which recommended penalty applies after liability is proved. It cannot itself prove that Wally lacked enough drivable section at the relevant time.
45. The Court therefore finds that the decisive second element of SSR 39.22 is not established on a balance of probabilities. Under GCR 221 the finding and ten-position penalty must be waived and set aside.

F. Why the Court does not transfer the penalty to kart 267

46. The formal appeal alleges that Swart opened the inside route and then turned toward Wally, while the final submissions rely specifically on SSR 39.21. That rule is the closer textual fit where an outside kart is said to constrict an established inside corridor. The Swart respondents raised no objection to that issue being considered and were given a full opportunity to answer it.
47. The required one-third overlap is established by the time of the material narrowing. At the hearing the Swart respondents accepted that Swart knew Wally was fully alongside. The following-kart footage and revised still sequence also

strongly support the conclusion that the inside corridor reduced toward the curve centre.

48. A complete SSR 39.21 infringement nevertheless requires more. The constriction must force kart 299 partly or completely to leave the drivable section. Wally could not independently recall whether he used the kerb, but the footage shows kart 299 at or on the inside kerb before and during the critical phase. The Swart respondents accepted that the following-kart view showed Wally remaining on the track and maintained that space remained between kart 267 and the apex. Dust or a more pronounced off-line position becomes apparent only at or after contact, when the collision itself affects both trajectories. It was conceded during the hearing that the inside line would be dusty as it is not the typical line one would follow and that dust being raised does not necessarily mean that kart 299 was off the drivable section of the tarmac.

49. The regulations supplied do not define 'drivable section'. SSR 39.22 expressly says that kerbs are included; SSR 39.21 does not repeat that parenthetical. The Court cannot invent a track-limit definition or infer a forced departure merely from kerb use. On this evidence it remains reasonably possible that Wally remained within the relevant drivable section until impact dynamics displaced the karts.

50. It is not necessary to prove that Swart intended to cut in. SSR 39.21 is expressed objectively. Swart's explanation that he followed a defensive line, encountered dust and understeer, and applied additional steering may explain the visible convergence but does not itself answer the objective rule. It does, however, reinforce the uncertainty about the causal sequence, particularly because the

more severe steering change may have followed contact. In any event, the complete offence is not proved because the forced-departure element remains uncertain. The Court therefore makes no finding that Swart deliberately turned into Wally.

51. The official lap chart further shows that kart 299 gained rather than lost positions.

There is no proved damage to kart 299 causing a same-lap position loss or retirement. Even if the underlying SSR 39.21 offence had been established, its 'with advantage' limb would not have been shown.

52. The formal appeal also invokes GCR 172 and SSR 39.2, the general safety provision. Kart 267 was not expressly summoned as a defendant to either charge, and the evidence does not establish reckless or deliberately unsafe conduct beyond the unresolved geometry already analysed under the specific rules. A broad provision cannot be used as a substitute for an unproved specific charge without focused notice and proof.

53. No penalty is therefore imposed on kart 267. This is not a finding that Swart's line was ideal, nor that Wally was entitled to unlimited room. It means only that the evidence does not prove every element required to penalise either driver under the charges and alternatives placed before the Court.

G. The procedural and contextual complaints

54. The penalty form records the conclusion and sanction but contains no intelligible written reasons explaining why the Stewards considered the available section insufficient. Wood testified that the Stewards discussed the footage and their

conclusion with the competitors at the time. At the appeal hearing she identified their reasoning as the possible early contact-and-gap theory described above. Even accepting that an oral explanation was given, the theory remains an inference that this Court must test against the full record. In a de novo appeal neither the lack of written reasons nor the later explanation determines the merits.

55. The formal appeal says that Clerk of the Course Mitch Coetzee initially regarded the contact as a '50/50 racing incident'. Neither Coetzee nor the other Clerk of the Course attended the hearing. Wood was unaware of the alleged remark. Riaan Swart did not recall the words 'racing incident' and understood the discussion, at most, to concern a close or evenly balanced decision about the overtake. The official reports are also silent on such an assessment. The Court therefore cannot find that the quoted remark was made. If it was, it remained an investigative view; SSR Article 14 makes the Stewards the decision-makers not the Clerks of the Course.

56. The hearing established that the Stewards who dealt with this incident were Vanessa Wood, Werner Trollip and Marlene Swanepoel. Wood led the hearing and participated in the decision. Trollip and Swanepoel confirmed that, after the competitors left, all three discussed the matter and reached the decision collectively. The Court therefore assesses the procedural and bias grounds on that proved basis, rather than on the earlier uncertainty about the panel.

57. The appeal further alleges that Wood refused to revisit the footage after the decision and suggested that reconsideration required Swart's consent or would

jeopardise the right of appeal. There is no contemporaneous written decision or recording proving the precise exchange. More importantly, SSR Article 14 provides that a Steward's decision at a National event is not protested but appealed. No supplied rule creates a right to compel an informal rehearing after a concluded decision.

58. COA 495 does not create such a right. It dealt with officials later revisiting a concluded sanction without adequate notice to affected parties. It supports the need for notice if a decision is reopened; it does not oblige Stewards to reopen a matter at one party's request. Wally's proper remedy was the appeal that is now before this Court.

59. GCRs 145 and 151(ii) require disclosure of relevant conflicts and an impartial judicial body. The formal appeal and preliminary notice rely on historical correspondence, prior Wally matters, the institutional relationship between MSA and Ed Murray Racing, and the administration and remuneration of Rotax officials. The preliminary notice itself accepts that the agreement does not, by itself, establish misconduct.

60. The applicable question is whether the proved facts would create a reasonable apprehension that Wood would not bring an impartial mind to the matter. The memorandum shows an operational and appointment framework for SARMC Rotax events. It does not show that Wood had a personal financial, family, employment or other interest in the result of this appeal or the incident. The older 2021 material and COA 480/494 concern different disputes and do not establish

a present disqualifying interest. Prior disagreement with a competitor, without more, is not proof that an official cannot decide a later case impartially.

61. The appellants added that they were not invited at the original hearing to object to Wood's participation. No supplied regulation has been identified as requiring the Stewards to issue such an invitation in every matter. More importantly, the absence of an invitation does not establish the objective facts necessary for a reasonable apprehension of bias. The oral evidence that the three Stewards deliberated and decided collectively also contradicts the suggestion that Wood alone made the decision, although it does not make the panel's merits conclusion correct.

62. The Clerk's report records that MSA instructed him to remove the expression 'aero tuck' from the final instructions because no rule prohibited it, while maintaining that driving incompatible with general safety could still be dealt with. It also records a telephone call from the MSA CEO reminding him that the Wallys should be treated fairly. Coetzee regarded the call as irregular and said that he treated all competitors alike. These entries establish that communications occurred and that the Clerk was concerned about perceived interference. They do not prove that Wood or the Stewards decided the Race 2 incident adversely because of those communications.

63. The same report records that Wally and his mother expressed dissatisfaction with Steward decisions and contacted MSA. The Stewards' report records only an intention to appeal at the event, with no paperwork or fee then submitted. None of those administrative facts prove the charged driving infringement or a

disqualifying bias. The subsequent formal appeal and fee were submitted within the GCR 212A period, as already found.

64. The black-and-white flag issued during qualifying and warnings or penalties involving other competitors cannot be used as propensity evidence that Wally committed SSR 39.22 in Race 2. SSR 41.6 concerns identified unsporting behaviour in the relevant session. At the hearing the Swart respondents accepted that the aero-tuck material had been mentioned only because it appeared in the written exchanges and that this case should stand on its own merits. The correspondence may explain the appellants' distrust of the process, but it does not answer the geometry of this incident.

65. The collateral yellow-flag allegation also falls outside the charge on the penalty form. Wood testified that the Stewards noted a stationary kart and marshal but could not verify that a yellow flag was displayed and therefore did not consider a yellow-flag infringement. The appellants and Swart respondents agreed that the supplied footage did not establish one. Without a flag log, marshal report or other reliable evidence, no infringement under SSR 41.8 can responsibly be found.

66. The Court accepts that repeated disciplinary disputes involving a minor competitor can cause understandable concern and may affect confidence in the sport. That concern cannot alter the elements of the rules or the evidential standard. Each incident must be decided on its own proved facts.

67. The apprehended bias and investigation grounds therefore do not provide an additional basis for relief on the present record. The Court also declines to make

a prospective order barring Wood from every future matter involving Wally. Any future appointment must be assessed under GCR 145 on the circumstances then existing, not prohibited indefinitely on the evidence in this appeal.

H. Conclusion and order

68. The incident was close and consequential. Kart 299 attempted an inside pass, the karts became substantially alongside, their available separation reduced, contact lifted and destabilised kart 267, and positions changed. Those facts explain why the incident required investigation. They do not prove the precise element selected by the Stewards: that Wally drove next to Swart without enough drivable section, including the kerb. The Swart respondents' express acceptance that sufficient section existed when the move began makes the absence of that element clear on the present record.

69. The appeal succeeds because the charged infringement was not proved, not because the Court has affirmatively found Swart solely responsible. The evidence supports parts of the appellants' alternative account but stops short of proving the forced-departure element of SSR 39.21 or a properly notified broader safety offence.

70. For those reasons, the following order is made:

71. The appeal is declared admissible under GCRs 212A, 214A, 219 and 220.

72. The appeal is upheld insofar as it challenges the finding and ten-position penalty imposed on kart 299 under SSR 39.22.

73. The Stewards' finding 'Edge into kart 267' and the ten-position penalty against kart 299 are set aside and waived under GCR 221.

74. MSA timing is directed to amend the official Senior Max Race 2 result and all consequential championship or event points by removing that penalty while preserving any unrelated penalties.

75. The requests for a finding or penalty against kart 267 under SSR 39.21, SSR 39.2 or GCR 172 are dismissed on the present record.

76. No finding is made against kart 299 under SSR 41.8 or on any other collateral allegation not charged on the penalty form.

77. The requests for an investigation of the Stewards and for a continuing direction disqualifying Vanessa Wood from future Wally matters are refused.

78. Under GCR197 read with GCR219(iv), the appeal fee is to be refunded, less a 10% administration fee, and paid to the party who paid the appeal fee. No further order as to costs is made.



Court President: Alexis Apostolidis – signed electronically

Court Members: Wayne Field and Stuart White concurring

Date: 28 August 2026.

Appendix A - Media inventory and evidential treatment

Durations are file durations, not common event-clock times. 'Duplicate' means byte-for-byte identity. The table records the treatment already reflected in the judgment.

File	Duration	Classification	Treatment
Video 1 - 267 on board.mp4	12.527 s	Principal 267 incident view	Contact interface and consequence; limited track-width view.
Video 2 - 299 on board.mp4	10.957 s	Principal 299 incident view	Inside run, contact and aftermath; limited full-width geometry.
WhatsApp ...15.18.52(2).mp4	10.957 s	Exact duplicate of Video 2	Not counted twice.
Video 3 - Tristan Botha.mp4	23.233 s	Following-kart view	Best relative placement view; recorder identity and orientation unresolved.
WhatsApp ...15.19.22(1).mp4	23.233 s	Exact duplicate of Video 3	Not counted twice.
WhatsApp ...15.18.52 (1)(1).mp4	43.677 s	Longer incident/player export	Corroborates sequence; derived/reframed rather than calibrated.

File	Duration	Classification	Treatment
WhatsApp ...15.19.22 (1)(2).mp4	7.367 s	Short following-view export	Corroborative edited export only.
WhatsApp ...16.49.41 (1).mp4	8.243 s	Different on-board sequence	No demonstrated nexus; no liability weight.
WhatsApp ...16.49.41.mp4	8.777 s	Different on-board sequence	No demonstrated nexus; no liability weight.
WhatsApp ...16.49.49 (1).mp4	44.256 s	Visible 2024 broadcast	Different event and year; no liability weight.
WhatsApp ...16.49.49.mp4	39.410 s	Visible 2024 broadcast	Different event and year; no liability weight.
WhatsApp ...16.50.44.mp4	12.142 s	Surrounding sequence	Chronology and collateral yellow allegation only.
WhatsApp ...16.50.45.mp4	12.142 s	Surrounding sequence	Chronology and collateral yellow allegation only.
WhatsApp ...16.50.45-2.mp4	12.142 s	Exact duplicate of 16.50.45	Not counted twice.
WhatsApp ...16.50.46.mp4	48.382 s	Longer surrounding sequence	No discernible yellow in the relevant field; cannot prove absence outside it.

