

DECISION IN RESPECT OF NATIONAL COURT OF APPEAL NUMBER 187 LODGED BY LEON BOSHOF AND ZAC BOSHOF IN CONNECTION WITH FINDINGS OF COE 1287

The NCA appeal was heard at the Virtual Zoom Meeting on, 7 July 2026.

PRESENT:

Advocate P Carstensen SC
Attorney J Geyser
Attorney S Harding
Mr Leon Boshoff
Mr Zac Boshoff
Advocate P de Waal
Mr Michael North
Ms Allison Vogelsang

Court President
Court Member
Court Member
Appellant & Appellant' Father
Appellant
Legal Representative: Appellant
Legal Representative: Appellant
MSA Sport Coordinator

Remaining Attendees: as per attendance register: Annex "A"

1. INTRODUCTION

- 1.1 The National Court of Appeal President introduced the court and welcomed everybody, who introduced themselves.
- 1.2 There were no preliminary matters or objections to the jurisdiction of the NCA, the process or the constitution of the court.
- 1.3 All parties were ready to proceed with the appeal.

2. APPEALS PROCEDURE

- 2.1 The appeal hearing took place virtually by Zoom Meeting at 18h00 on 7 July 2026, after hearing the representations judgment was reserved.
- 2.2 Proceedings were recorded.
- 2.3 Attendance is as per the attached attendance register.
- 2.4 The NCA 187 Court Bundle had been circulated to all parties.
- 2.5 All parties have been given notice of the appeal hearing.

3. **BACKGROUND FINDINGS**

- 3.1 The appeal is against the findings of Court of Enquiry 1287.
- 3.2 The material facts are not in dispute.
- 3.3 The appeal was not opposed, including by MSA or by any interested party.
- 3.4 This appeal concerns the penalties that were imposed on Zac and his father (the applicant) for Zac's physical altercation with competitor Wharton in parc ferme near the scale area ("the incident") after heat 1 of the Rotax Regional Karting Event held on 19 July 2025 at Killarney kart circuit.
- 3.5 Following the hearing, the Stewards penalised Zac for the incident as follows:
 - 3.5.1 he was given what the Stewards term a "stern reprimand";
 - 3.5.2 he was excluded from heat 1;
 - 3.5.3 he was placed under observation for the remainder of the 2025 kart racing season (which at that time was for a remaining period of approximately 6 months).
- 3.6 The COE 1287, in essence, imposed the following sanctions:
 - 3.6.1 *The Court directs that Zac be suspended from participation in all Motorsport South Africa sanctioned events for a period of six {6} months, effective immediately from 01 January 2026. His competition licence shall be withdrawn for the same duration.*
 - 3.6.2 Against MR L Bosshoff: *a financial penalty of Fifty*

Thousand Rand (R 50 000.00), payable to Motorsport South Africa within fourteen (14) days of the date of this judgment.

3.6.3 *The Court directs that both Mr. Boshoff and Zac complete an MSA-approved safeguarding awareness program prior to any application for reinstatement.*

3.6.4 *The Court further directs that Mr. Boshoff submit a formal written apology for the conduct in question within seven (7) days of this judgment. This apology shall be addressed to Motorsport South Africa and distributed by MSA to the affected parties, including the complainant, as part of restorative measures aimed at reinforcing respect and accountability within the sport.*

4. **FINDINGS OF NCA 187**

4.1 The members of NCA 187 are unanimous in the view that:

4.1.1 COE 1287 had no jurisdiction to impose the findings, sanctions or any penalties against Mr L Boshoff, as set out by this court in NCA 165, and

4.1.2 COE 1287 had no basis to interfere in the findings of the Stewards in respect of Zac Boshoff,

4.2 This court heard no submissions to contradict these views.

4.3 This court agrees that the appeals must succeed.

5. **RULING**

5.1 Consequently, the appeals by both Mr L Boshoff and Zac Boshoff are upheld and consequently the findings, sanctions, penalties

imposed by COE 1287 are set aside.

- 5.2 The findings of the Stewards remain unchanged and are reinstated but it is noted that the sanctions imposed have been served.
- 5.3 The financial penalty imposed on L Boshoff, if paid to MSA, must be repaid.
- 5.4 No finding as to costs is made in connection with the matter.
- 5.5 The appellant's appeal fees in respect of the leave to appeal and NCA appeal are to be refunded less the 10% administrative fee.

DATED AT SANDTON ON THIS 3RD DAY OF AUGUST 2026.

I confirm that this is the unanimous decision of the National Court of Appeal 187.

PL Carstensen
PL Carstensen (signed electronically)
ADV P L CARSTENSEN SC

(msa.3.08.2026)

APPENDIX A – PARTIES IN ATTENDANCE

Mrs. Stefanie Wharton	-	Respondent and Entrant for minor competitor Liam Wharton
Mrs. Joy Dolinschek	-	MSA Steward
Mrs. Carmen Hill	-	MSA Sporting Services Manager
Mr. Rashaad Monteiro	-	MSA Safeguarding Officer