

**MOTORSPORT SOUTH AFRICA
IN THE COURT OF ENQUIRY NO.: 1298
HELD VIRTUALLY ON 31 AUGUST 2026 AT 18H30**

COURT COMPOSITION:

Mr Marinus Barnard	Court President
Mr Ian Richards	Court Member
Mr Luan Oelofse	Court Member

ADMINISTRATIVE ATTENDANCE:

Mrs Allison Vogelsang	MSA Sport Coordinator (Circuit and Karting)
Mrs Carmen Hill	MSA Sporting Services Manager

ATTENDANCE:

Ms Melanie Spurr	Complainant / Respondent
Mr Charl Weyers	Complainant / Respondent
Mr Ernest Heather	Witness
Mr Mike O'Sullivan	Witness
Ms Gigi Bussey	Witness
Mr Lloyd Brown	Witness / Clerk of the Course
Mr Neels Vosloo	Witness / MSA Steward
Mr Roger Stephen	Witness / Club Steward

JUDGMENT

INTRODUCTION:

1. This Court of Enquiry (*"the Court"*) was convened by Motorsport South Africa (*"MSA"*) in terms of GCR 154 read with GCR 211.
2. The matter was set down by notice dated 20 August 2026 for hearing electronically on 31 August 2026 at 18h30 via Zoom, to be conducted in accordance with GCR 220, to the extent relevant.
3. The Court was convened pursuant to written complaints submitted by Ms Melanie Spurr and Mr Charl Weyers arising from an incident at the 111 Sports & Saloons event held at Aldo Scribante Raceway on 8 August 2026.

4. The issues referred to the Court by MSA were whether Mr Charl Weyers contravened, *inter alia*, GCR 172(iv) by allegedly directing abusive, threatening, intimidating and/or otherwise inappropriate conduct toward Ms Melanie Spurr during the event, and whether the racing incident between Ms Melanie Spurr and Mr Charl Weyers warranted any further investigation or action by this Court.
5. In terms of GCR 208(v) and GCR 208(viii), read with GCR 211(ii), the Court heard the matter de novo as a court of first instance.
6. The Court was therefore not bound by the earlier findings of the Clerk of the Course or the Stewards, although those findings properly formed part of the evidential material placed before it.

PROCEDURAL HISTORY:

7. The event giving rise to this matter was the NR Extreme Festival Round 4, held at Aldo Scribante Raceway under MSA Permit No. MSA-2026205 on 8 August 2026.
8. The matter arose from an on-track incident in Race 1 involving car no. 64, driven by Ms Melanie Spurr, and car no. 97, driven by Mr Charl Weyers.
9. Following that incident, Ms Spurr submitted an incident report in which she alleged, *inter alia*, that during the red-flag period Mr Weyers approached her on the grid, pointed his finger at her, and said: “*This is a warning.*”
10. Both Ms Spurr and Mr Weyers were thereafter summoned to appear before the Clerk of the Course on 8 August 2026.
11. The Clerk of the Course, Mr Lloyd Brown, thereafter issued a penalty against Mr Charl Weyers under GCR 172(iv) in respect of intimidation of a competitor, and imposed a reprimand.
12. Ms Spurr was dissatisfied with that outcome and accordingly lodged a protest.
13. The protest was heard by the Stewards, namely Mr Neels Vosloo and Mr Roger Stephen.
14. The Stewards found the protest to be admissible and further found that Mr Weyers had approached Ms Spurr on the grid, pointed at her, and addressed her in an accusatory manner, and that such conduct could reasonably be perceived as intimidation within the meaning of GCR 172(iv).
15. The Stewards accordingly confirmed the reprimand and increased the sanction by imposing an additional fine of R 3 000, payable within forty-eight (48) hours.

16. Mr Weyers thereafter submitted written correspondence to MSA in which he alleged, *inter alia*, that the racing incident was deliberate or premeditated, that the witness evidence was unreliable, and that he denied threatening or intimidating Ms Spurr.
17. Ms Spurr likewise addressed written correspondence to MSA setting out her concerns in fuller detail, including allegations that Mr Weyers had behaved in an aggressive and intimidating manner both on the grid and during the event-level hearings.
18. It was in those circumstances that MSA convened the present Court of Enquiry.

JURISDICTION AND PROCEDURE:

19. The Court is satisfied that it was properly convened under GCR 154 read with GCR 211.
20. The parties and witnesses were duly given written notice of the hearing, the capacity in which they were required to attend, and the date, time and method by which the hearing would be conducted.
21. The proceedings were conducted electronically in accordance with GCR 220, to the extent applicable.
22. The Court records that this matter is a Court of Enquiry. It is neither a protest hearing nor an appeal against the Stewards' decision, although the findings made at event level by the Clerk of the Course and the Stewards properly form part of the evidential record before this Court.
23. The Court further records that any indication by the parties that they may have resolved matters between themselves did not, in the circumstances, operate automatically to terminate the enquiry, which had already been convened by MSA.

REGULATORY FRAMEWORK:

24. The regulatory framework applicable to this matter is derived principally from GCR 154, GCR 172(iv), GCR 173, GCR 175, GCR 177, GCR 180, GCR 208(v) and (viii), GCR 210, GCR 211, GCR 220, GCR 221 and GCR 222.
25. In terms of GCR 154, MSA is empowered, where it appears that there has been, *inter alia*, a breach of the GCRs, SSRs or SRs, or some other irregularity, to enquire into the matter and, after affording the interested parties an opportunity to be heard, to make such order as it deems proper. It is by virtue of that power, read with GCR 211, that the present Court of Enquiry was convened.
26. The substantive provision central to the first issue before this Court is GCR 172(iv). That rule provides that any proceeding or act prejudicial to the interests of MSA or motorsport

generally constitutes a breach of the rules, and expressly includes intimidation, verbal and/or physical abuse, and acts, comments or gestures reasonably regarded as offensive or inappropriate.

27. In terms of GCR 173, any person involved in motorsport who commits a breach of the GCRs may be penalised by the relevant disciplinary authority. The available range of penalties is set out in GCR 177, while GCR 180 regulates the payment of any fine or costs imposed.
28. The procedural character of this Court is informed by GCR 208(v) and GCR 208(viii), which establish that a Court of Enquiry acts as a court of first instance and that hearings under the GCRs are conducted de novo. The Court has therefore considered the issues afresh on the evidence before it.
29. The notice and hearing requirements are governed by GCR 175, while GCR 210, read with GCR 220, regulates the conduct of proceedings before a formal MSA court, including the position on representation and the conduct of hearings by electronic means.
30. In terms of GCR 211, MSA may, at its discretion, convene a Court of Enquiry to investigate a breach of the rules, whether or not that breach has been the subject of a protest and/or appeal. Such Court is empowered to impose any of the penalties contemplated in the GCRs, SSRs and SRs.
31. GCR 220 further recognises that hearings are to be conducted electronically unless MSA directs otherwise. GCR 221 and GCR 222 regulate the consequences and administration of orders made, including the payment of fines, costs and other monies.
32. This matter concerns a circuit racing incident arising from the 111 Sports & Saloons category. The Court has accordingly determined the issues under the GCRs and the event-level documentation relevant to the matter before it, and not by reference to unrelated provisions.

EVIDENCE:

33. In reaching its determination, the Court had regard to the documentary material placed before it, including the incident report(s), the summonses issued to Ms Spurr and Mr Weyers, the Clerk of the Course penalty document, the protest lodged by Ms Spurr, the Stewards' report and finding, the Clerk of the Course report, the written submissions and email correspondence exchanged by Ms Spurr and Mr Weyers, and the MSA notices convening this Court of Enquiry.

34. In addition to the documentary material, the Court heard oral evidence from Ms Melanie Spurr, Mr Charl Weyers, Mr Ernest Heather, Mr Mike O'Sullivan, Ms Gigi Bussey, Mr Lloyd Brown, Mr Neels Vosloo and Mr Roger Stephen.
35. The Court considered both the documentary record and the *viva voce* evidence presented at the hearing in assessing the factual disputes before it and in determining the issues referred by MSA.

EVALUATION:

ISSUE 1: WHETHER MR CHARL WEYERS CONTRAVENED GCR 172(IV):

36. The first issue for determination is whether the conduct of Mr Charl Weyers, following the on-track incident, amounted to abusive, threatening, intimidating and/or otherwise inappropriate conduct within the meaning of GCR 172(iv).
37. In determining that issue, the Court considered the incident report submitted by Ms Spurr, the event-level findings of the Clerk of the Course and the Stewards, the written submissions advanced by both parties, the witness evidence, and the oral evidence presented before this Court.
38. Having considered that material as a whole, the Court is satisfied, on a balance of probabilities, that Mr Weyers approached Ms Spurr on the grid following the incident, pointed at her, addressed her in an accusatory manner, and did so in an angry and confrontational fashion. The Court is further satisfied that such conduct was reasonably capable of being perceived as intimidating and/or otherwise inappropriate.
39. The Court accepts that the evidence is not entirely consistent as to the exact words spoken by Mr Weyers at the time.
40. That inconsistency is not, in the present circumstances, decisive. The Court does not consider it necessary to determine the precise wording with exactitude in order to decide whether GCR 172(iv) was contravened.
41. On the totality of the evidence, the Court finds that Mr Weyers' conduct exceeded what is acceptable between competitors in the aftermath of an on-track incident and fell outside the bounds of proper sporting conduct.
42. The Court agrees with the Stewards that the evidence does not justify a separate finding of an express or serious threat of violence.
43. That, however, does not avail Mr Weyers. GCR 172(iv) is not confined to express threats. It expressly includes intimidation, as well as acts, comments and gestures reasonably considered offensive or inappropriate.

44. The Court accordingly finds that Mr Charl Weyers contravened GCR 172(iv).

ISSUE 2: WHETHER THE RACING INCIDENT WARRANTS FURTHER INVESTIGATION OR ACTION:

45. The second issue before the Court is whether the on-track incident between Ms Spurr and Mr Weyers warrants any further investigation or disciplinary intervention by this Court.

46. In considering that issue, the Court had regard to the competing versions advanced by the parties. Ms Spurr's position was, in essence, that the contact constituted a racing incident. Mr Weyers, by contrast, contended that the contact was deliberate or premeditated.

47. On the material before the Court, there is no dispute that contact occurred between the vehicles. The issue is whether the available evidence justifies a finding of a more serious nature, as contended for by Mr Weyers.

48. Having considered the documentary record and the evidence as a whole, the Court is not satisfied that there is sufficient objective material before it to justify a finding that the incident was deliberate or premeditated.

49. The Court is likewise not satisfied that the evidential threshold has been met for any further disciplinary action in respect of the on-track incident itself.

50. In those circumstances, the Court finds that the racing incident between Ms Spurr and Mr Weyers does not warrant any further action by this Court.

FINDINGS:

51. For all of the reasons set out above, the Court makes the following findings. First, Mr Charl Weyers contravened GCR 172(iv) by engaging in intimidating and/or otherwise inappropriate conduct toward Ms Melanie Spurr following the on-track incident.

52. Secondly, the finding of the Stewards in respect of that conduct was, in the Court's view, correct and falls to be confirmed.

53. Thirdly, the racing incident between Ms Melanie Spurr and Mr Charl Weyers does not warrant any further investigation or action by this Court.

SANCTION:

54. In considering the appropriate sanction, the Court has taken into account the nature of the misconduct, the circumstances in which it occurred, the penalty already imposed at event level, and the overarching requirement of proportionality.
55. Having done so, the Court is satisfied that there is no proper basis upon which to interfere with the penalty imposed by the Stewards.
56. The Court accordingly confirms the sanction imposed by the Stewards, being a reprimand together with a fine of R 3 000, payable within forty-eight (48) hours.
57. No further sanction is imposed in relation to the racing incident itself.

ORDER:

58. In the result, the Court orders as follows.
59. The finding of the Stewards in relation to the conduct of Mr Charl Weyers is confirmed. Mr Charl Weyers is found guilty of contravening GCR 172(iv).
60. The Stewards' penalty of a reprimand together with a fine of R 3 000 is confirmed and remains of full force and effect. No further action is taken by this Court in relation to the racing incident between Ms Melanie Spurr and Mr Charl Weyers.
61. Any fine remains payable in accordance with GCR 180.
62. In terms of GCR 211(ii) read with GCR 212, any party aggrieved by this decision may apply for leave to appeal within the prescribed period.

DATE OF JUDGMENT: 30 SEPTEMBER 2026

Signed electronically: Mr Marinus Barnard
Court President

Mr Ian Richards
Court Member

Mr Luan Oelofse
Court Member