



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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## MSA COURT OF ENQUIRY 1089

**ENQUIRY INTO THE ALLEGED CONTRAVENTION OF GCR 172 (IV) AND THE KARTING STANDING SUPPLEMENTARY REGULATIONS SECTION B 15 (VII) (a), (c) and (d), AT THE REGIONAL KARTING EVENT HELD AT IDUBE RACEWAY ON 5 FEBRUARY 2012. HEARING HELD AT THE MSA KZN OFFICE, 30 BLUE HEIGHTS CENTRE, 7 WESTVILLE ROAD, WESTVILLE, AT 17H30 ON WEDNESDAY 22 FEBRUARY 2012.**

<b>Present:</b>	Kas Moodley	-	Court President
	Rob Spencer	-	Court Member
	Jack Cheney	-	Court Member
	Bob West	-	Court Member
	Gary Sherratt	-	Father of Jordyn Sherratt
	Gordon Swanepoel	-	Father of Matthew Swanepoel
	Julian Lurie	-	Clerk of the Course
	Willie Bloem	-	MSA Steward
	Stuart Prinsloo	-	Witness (Matthew Swanepoel)
	Leigh Dewar	-	MSA – Court Scribe
<b>Apologies:</b>	Jordyn Sherratt	-	Competitor
	Matthew Swanepoel	-	Competitor



The President introduced himself and the Court Members. There were no objections to the composition of the Court.

The Court was informed that competitors Jordyn Sherratt and Matthew Swanepoel had tendered their apologies and informed the Court Scribe that they would not be attending the hearing.

### The Hearing

The Court received a statement prior to the hearing from Mr. Sherratt. The Court then afforded the opportunity to Mr. Swanepoel of addressing the Court on the alleged Contravention of GCR 172 (iv), Karting SSR Section B 15 (vii) (a), (c) and (d).

The Court then heard statements from Mr. Julian Lurie, Willie Bloem and Mr. Stuart Prinsloo.

The Court considered the evidence, by Mr. Sherratt, Mr. Swanepoel, Mr. Julian Lurie, Mr. Willie Bloem and Mr. Stuart Prinsloo. In considering the elements and evidence, the Court takes cognisance of the provisions of GCR 211 and GCR 220.



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Directors: J.F. Pretorius (Chief Executive Officer), A. Taylor (Financial), J. du Toit, M. du Toit, P. du Toit, D. Lobb, S. Miller, N. McCann, C. Pienaar, B. Sipuka, D. Somerset, L. Steyn – Hon. Presidents : T. Kilburn, Mrs. B. Schoeman

**Findings:**

The Court after having heard the evidence and the submissions finds that there was disorderly conduct and failure to obey an official's instructions, interference and interruption of the Clerk of the Course in the execution of his duties. However there was insufficient evidence to suggest that there was wild or disorderly driving.

The competitors Jordyn Sherratt and Matthew Swanepoel, are hereby given a three month suspended sentence which suspension is suspended for 6 months on condition that they are not found to have contravened the provisions of GCR 172 (iv), the Karting SSR Section B 15(vii), (a), (c) and (d). This suspension is to run from the date of the publication of these findings up to and including 24<sup>th</sup> August 2012.

The Court hereby requests that the MSA Steward of the event Mr. Willie Bloem to investigate the following:

1. The allegations made by Mr. Sherratt against the Clerk of the Course Mr. Julian Lurie and the Club Chairman Mr. Swawnepoel, as per the written submission by Mr. Sherratt to MSA.
2. The fact that Matthew Swanepoel was not eligible to compete in the Junior Max Class.

These findings were read at the Court Of Enquiry 1089

**All parties are advised of their rights to appeal to a MSA Court of Appeal**

These findings distributed at .... on February 24, 2012

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