



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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<http://www.motorsport.co.za> First Floor, No. 9 Monza Close, Kyalami Park, Midrand. P.O. Box 11499 Vorna Valley, 1686  
e-mail: [allison@motorsport.co.za](mailto:allison@motorsport.co.za) Telephone (011) 466-2440 Fax: 086 610 4616 National Number: 0861 MSA MSA (0861 672 672)

## MSA COURT OF ENQUIRY 1126

### TO INVESTIGATE THE ALLEGED BREACH OF GCR 172 BY MR JACQUES STEYN HEARING HELD IN THE MSA BOARDROOM, 9 MONZA CLOSE, KYALAMI PARK AT 17:00 ON THE 3<sup>rd</sup> MARCH 2014

<b>Present:</b>	Dick Shuttle	-	Court President
	Neil Harran	-	Court Member
	Graeme Nathan	-	Court Member
	Eddie Piner	-	Witness
	Rob Webber	-	Witness
	Mandy Griffin	-	Northern Regions Circuit Car Representative
	Alan Kernick	-	Northern Regions Sub Committee Chairman
	Andrew Eva	-	SASA
	Tony Taylor	-	SCC SA
	Terry Stidworthy	-	Witness
	Wally Pappas	-	Northern Regions Committee Chairman
	Jacques Steyn	-	SAMCA

The court president introduced himself and the other court members. There were no objections to the composition of the court.

The Court President set out the reasons for the court and the circumstances which had prevailed. *Inter Alia*, that Mr Jacques Steyn had brought MSA into disrepute (refer: GCR 172). Various members of the MSA regional committee fraternity had been implicated in documentation by Mr Jacques Steyn and were therefore requested by MSA to attend the court proceedings to confirm or deny these implications.

Mr Steyn was asked to explain why, in the first instance he had issued a set of Supplementary Regulations (SR's) for a Track Day at Lichtenburg Track for the 18<sup>th</sup> January, despite being advised by email on the 08<sup>th</sup> January by MSA (Allison Atkinson) that:

- No MSA permit will be issued
- All references to MSA must be removed

Mr Steyn stated that he believed he had a waiver permit, a fact he put into an email to his contact database and forwarded by Eddie Piner to a broader database on the 09<sup>th</sup> January 2014.

On this basis, Mr Steyn had proceeded to request the help of Kyalami Marshals, i.e. Mr Rob Webber, and had attempted to include Mr Terry Stidworthy for a track inspection and also listed Mr Andrew Eva for scrutineering. Added to the above, the following was listed on the SR's with reference to MSA as follows:

- The MSA logo on the front page (Entry Form)
- Reference to GCR's 93, 94, 113, 121 and 122 of the MSA Handbook. (Entrant declarations).
- Reference to SCC Lichtenburg as the Promoter. Further SR's were then issued for a second track day at Lichtenburg for the 29<sup>th</sup> March 2014 by Mr Steyn.

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



sport & recreation  
Department:  
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REPUBLIC OF SOUTH AFRICA



**Directors: S. E. Miller (Chairman), A. Scholtz (CEO – Operations), A. Taylor (Financial), K. G. Doig, J. du Toit, M. du Toit, P. du Toit, D. Lobb, N. McCann, C. Pienaar, B. Sipuka, D. Somerset, L. Steyn – Hon. Presidents : T. Kilburn, Mrs. B. Schoeman**

Again, the same references to MSA existed on these regulations as per the above.

Mr. Steyn then presented the court with modified SR's for the 18<sup>th</sup> January, which he claims were the one's issued and also for the 29<sup>th</sup> March 2014, which he stated were the correct ones.

In the SR's presented to the court for the 18<sup>th</sup> January, the ones purported to be the issued ones, a reference to the promoters as SCC Lichtenburg still showed. In the SR's presented to the court for the 29<sup>th</sup> March 2014, again, (purported to be the issued ones), a reference to the MSA GCR's and Handbook again existed (**Our Emphasis**), although the SCC Lichtenburg reference as the Promoter had been removed. Despite knowledge of this Court to be held.

In the SR's for the 18<sup>th</sup> January, listed as officials were Chief Scrutineer, (Andrew Eva) and Marshals (Kyalami Marshals). Both these inclusions were removed in the SR's for the 29<sup>th</sup> March 2014.

The court assumes that this was because on 20<sup>th</sup> February, when Mr. Eva sent an email to Mr Steyn, confirming a discussion at MSA with Wayne Riddell whereby he confirmed that his inclusion had not been confirmed by Mr Steyn or had permission been granted to Mr. Steyn to have his name in the SR's of the 18<sup>th</sup> January.

In an email dated, 14<sup>th</sup> January 2014, Mr. Webber from Kyalami Marshals confirmed to Mr. Steyn that due to his track day not being covered by an MSA permit and therefore not covered by MSA insurance, the Kyalami Marshals would be withdrawing their services.

In his mail to Mr Steyn of the 20<sup>th</sup> February, Mr Eva stated that he had encouraged Mr Steyn to contact MSA to discuss this entire issue. , Miss Atkinson sent Mr. Steyn an email requesting him to attend a meeting with MSA in an attempt to rectify this situation. Mr. Steyn then sent a mail to MSA, stating he had work commitments, and therefore he could not come to the MSA offices at all.

When questioned on this issue, Mr. Steyn said he was not given the opportunity to come and discuss the matter with MSA. Miss Atkinson, when questioned on this issue, stated that Mr. Steyn was asked to come forward with an alternative time and date for a meeting which he did not do until much later after/until which time a CoE had already been called.

Mr. Tony Taylor, Chairman of SCC was asked for his input. Mr. Taylor stated that SCC Lichtenburg does not exist as an entity as stated. 'Lichtenburg Motor Club' is a branch of SCC Jhb and the current guardian of Lichtenburg circuit. He further stated that Mr. Steyn had applied to Lichtenburg Motor Club to rent the circuit but had not been given permission to list them or make any reference to SCC, (an email from Mr Tony Taylor confirmed this).

Other parties such as Messrs. Piner, Kernick and Mrs. Mandy Griffin all involved in regional circuit car racing all stated that whilst they commended Mr. Steyn's attempts to encourage new participants in racing, none of them were actively involved in either of the track days in question as Mr. Steyn had suggested in his various pieces of correspondence.

When questioned about the inclusion of MSA references on his documentation, Mr. Steyn's comment was that the inaccuracies "must have slipped through".

With regard to the use of Lichtenburg SCC, as the Promoter, Mr. Steyn maintains that this was agreed with the Club. No correspondence was forthcoming in this regard.

### **Findings:**

The court finds that despite Mr. Steyn's assertion that he did not understand the definition of a waiver permit, the issuing of SR's for a Track Day, displaying the various references to MSA was a clear attempt to mislead or create the impression to would be competitors that MSA had indeed sanctioned the event.

The use of the SCC Lichtenburg reference was also a clear attempt to qualify the day's proceedings as an official event.

The court further finds Mr Steyn's written comments such as "*and we can get away with two trainee marshals/three.....*" and "*we've at Kyalami before ran a test day with three people*", to be reckless and irresponsible.

Mr. Steyn clearly states in his mail which was forwarded to the broader Motorsport fraternity by Eddie Piner, "We have a waiver permit and therefore don't need any MSA licences etc."

*The court takes a very serious view of this fraudulent statement by Mr. Steyn and is concerned that Mr. Eddie Piner was unwittingly drawn into distributing it, thereby possibly affording the statement unwarranted credibility in the eyes of the recipients. Mr. E Piner is exonerated from any perception that he endorsed the contents thereof.*

All of these references clearly implicate MSA as being associated with what is ostensibly a private track day where SR's are not required. The court finds this to be fraudulent and designed to mislead and therefore orders the following:

- Mr Steyn must return all documents which associate him with MSA.
- These documents include:
  - MSA accreditation card 2014
  - MSA scrutineers licence 2014
  - MSA environmental licence 2014

Failure to return these items within 10 days of the findings being issued will result in a R5000.00 fine being imposed for each document card not returned. (For a point of clarity, should Mr. Steyn return his three document cards, he will not be liable to pay the R15 000-00 fine)

These fines will be imposed on SAMCA of which Conty Car Club, (which Mr. Steyn purports to be the Chairman of), is affiliated to SAMCA, who in turn is an MSA affiliated organisation and will therefore be held responsible for Mr. Steyn's sanction should he fail.

Mr. Steyn is further prevented from holding any MSA licence or accreditation for a period of 2 years, after which time the court proposes that MSA determine what involvement Mr. Steyn may have in motorsport.

All parties are reminded of their rights of appeal as per GCR 212

Findings distributed electronically via email 19<sup>th</sup> March 2014 at 12:30