



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

[www.motorsport.co.za](http://www.motorsport.co.za)

2nd Floor, Meersig 1, Cnr. Upper Lake Lane & Constantia Boulevard, Constantia Kloof, Roodepoort. P.O. Box 6677, Weltevreden, 1715  
e-mail: [allison@motorsport.co.za](mailto:allison@motorsport.co.za) Telephone (011) 675 2220 Fax: (011) 675 2219, National Number: 0861 MSA MSA (0861 672 672)

## COURT OF ENQUIRY 1152 HEARING HELD IN THE MSA BOARDROOM ON 18<sup>th</sup> AUGUST 2015 AT 17H30

<b>Present:</b>	Eldrid Diedricks	-	Court President
	Jeff van Roon	-	Court Member
	Westley Pappas	-	Court Member
	Robert Gearing	-	Lotus Challenge Representative
	Sean Allen	-	Competitor
	Neil de Later	-	Competitor
<b>In Attendance:</b>	Wayne Riddell	-	MSA Sporting Services Manager
	Allison Atkinson	-	MSA Scribe

### INTRODUCTION

The court members and attendees were introduced and no objections were lodged against the composition of the court.

### THE HEARING

This enquiry had been instituted by MSA following on from a report received by Mr Robert Gearing. The report received from Mr Gearing, stated that Mr Sean Allen broke out of his allocated times in Class C at the Regional event held on the 6<sup>th</sup> June 2015. He was thus erroneously awarded the overall win in Class C.

Mr Gearing stated that he had written to Mr Riddell in order to ask how the scores could be corrected. Mr Riddell stated that the scores could only be corrected once all competitors sign and acknowledge that the correction needed to be made. This was the only solution due to no protest submitted on the day.

Mr Gearing stated he then went about with the agreement for all competitors to sign. Mr Allen refused to sign the agreement. Mr Allen stated that he refused to sign due to he felt singled out at the Phakisa event. As the Lotus representative it was up to Mr Gearing to double check the scores which he failed to do. Mr Allen felt that an apology was owed to him in his unfair treatment by Mr Gearing.

Mr Gearing stated it was not his intention to single anyone out or to blame anyone. He only wanted to correct the scores. He also stated that he could not double check the points on the day as he was busy in the pits with his racing team.

It was felt that Mr Allen had a sportsman's duty to check his results as much as anyone else and by accepting the award in its own was prejudicial to the interests of motorsport.

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



sport & recreation  
Department:  
Sport and Recreation South Africa  
REPUBLIC OF SOUTH AFRICA



Directors: Adv. G. T. Avvakoumides (Chairman), A. Scholtz (Chief Executive Officer), A. Taylor (Financial), M. du Toit, P du Toit, D. Easom, J. Fourie, G. Hall, M. Rowe, Ms N. Singh, T. Sipuka

Honorary Presidents – Mrs B Schoeman, T Kilburn

After hearing all evidence presented by the parties present, the court finds as follows:

1. Mr Gearing is hereby directed to amend the scores and re submit them to MSA.
2. Mr Gearing should find an assistant to verify the breakout times if he is too busy on race days.
3. Mr Allen is hereby ordered to pay R500.00 in costs to the Court.
4. Mr Gearing is hereby ordered to pay R500.00 in costs to the Court

All parties are advised of their rights to Appeal to the National Court of Appeal subject to the successful application of GCR 212 B.

These findings distributed at 10:00 on 16<sup>th</sup> September 2015

160145/144