



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF ENQUIRY 1102

INTO AN ALLEGED CONTRAVENTION IN TERMS OF GCR 172 BY COMPETITOR HEINRICH RHEEDER. HEARING HELD IN THE MSA BOARDROOM ON THE 28th NOVEMBER 2012 AT 18H00

Present:	Vito Bonafede	-	Court President
	Frank de Greef	-	Court Member
	Alan Kernick	-	Court Member
	Heinrich Rheeder	-	Competitor
	Vic Rich	-	Witness
	Julieann Kayser	-	Complainant
	Dick Shuttle	-	Clerk of the Course
	Peter Lanz	-	National Class Representative
	Jacques Bierman	-	Witness
	Erich Flowerday	-	Witness
	Terry Stidworthy	-	Club Steward
	Allison Atkinson	-	MSA – Court Scribe

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

The Hearing

The court was informed that the MSA Steward, Mr. Piet Swanepoel, had tendered his apologies and informed the court scribe that he would not be attending the hearing.

The court afforded the opportunity to Mr. Rheeder of addressing the court on the alleged contravention in terms of GCR 172.

The court then heard statements from all parties present and considered the evidence of the aforementioned witnesses. In considering the elements and evidence, the court takes cognisance of the provisions of GCR 211 and GCR 220.

Findings:

After having heard the evidence and the submissions by all parties present, the court finds as follows.

1. Competitor Rheeder admitted to the use of foul language. While subjective, it is clear that there was an altercation between Competitor Rheeder and Mr. Vic Rich. Competitor Rheeder is accordingly given a one (1) race meeting ban, suspended for the first three (3) national race meetings of 2013. Said ban will therefore only come into effect should he be found guilty of another infringement in terms of GCR 172 during the intervening period.
2. The court orders Competitor Rheeder to pay costs of R500 to MSA in connection with this hearing.
3. The court finds the Clerk of Course's decision for the pace car to be parked in the front of the pit entrance to have been incorrect. He is reprimanded in this regard.
4. Even though Mr. Vic Rich was a spectator at the event, notwithstanding his years of involvement in motor sport and his link to the meeting via the use of his pace car, the court finds his actions pertaining to the matter concerning Mr. Rich is hereby reprimanded for his actions. Should a matter of a similar nature arise in the future, these findings will be taken into consideration.



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Directors: S. E. Miller (Chairman), A. Taylor (Financial), 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

All parties are advised of their rights of appeal to the MSA National Court of Appeal.

These findings were conveyed verbally at the time of the hearing and issued in writing on 06th December 2012.

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