



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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## COURT OF ENQUIRY 1144 ENQUIRY HELD IN THE MSA BOARDROOM ON 03<sup>rd</sup> JUNE 2015 AT 16H00

<b>Present:</b>	Wally Pappas	-	Court President
	Alan Kernick	-	Court Member
	Mandy Griffin	-	Court Member
	Tristan Purdon	-	Competitor
	Jason Visser	-	Competitor
	Morne Visser	-	Husqvarna MX Team Principal & parent of competitor Jason Visser
	Fred Fensham	-	Brand Manager - Husqvarna Motorcycles
	Sacha Naude	-	Witness
	Andre Potgieter	-	Witness
	Charl van Eeden	-	Witness
	Laren van der Westhuizen	-	Witness
	Adrian Scholtz	-	MSA CEO
	Carmen Hill	-	MSA Scribe

### INTRODUCTION

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

### FINDINGS

After hearing all the evidence from the competitors, the competitors' representatives and the witnesses, as well as perusing the additional statements handed to the court members by Tristan Purdon and Mr Morne Visser, the court unanimously finds as follows:

Competitor Purdon stated that, after the on track incident between them, he had wanted to apologize to competitor Visser. However, when he approached competitor Visser, he tripped and fell on top of competitor Visser, who began hitting him. They then continued to scuffle with each other on the ground.

The court could not accurately determine who had started the fighting between competitors Visser and Purdon, as nobody present could bear witness in this regard. However the witnesses confirmed having seen competitor Purdon on top of competitor Visser. Mr Morne Visser admitted that he had pulled competitor Purdon off his son by his (Purdon's) helmet, which had the effect of separating the two competitors. Mr Morne Visser said that he had then been attacked by other individuals (unknown to him) who were in the vicinity of the incident between his son and competitor Purdon. Competitor Visser admitted that he had been inclined to continue the altercation with competitor Purdon but had been prevented from doing so by the intervention of various other parties. Mr Morne Visser also admitted to using abusive language as mentioned in the court documents.

Mr Morne Visser commented during the hearing that he was unaware of the seriousness of the court proceedings and he was under the impression that the parties involved had been called in for a meeting to sort out their differences and carry on racing. He extended his apologies for the incident to competitor Purdon and stated that he would like to renew a friendship that had now been tainted.

The court urged and supported the members to repair their relationship, but reminded them that the matter under investigation was of a serious nature and had definitely brought motorsport into disrepute.

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



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 – Hon. Presidents: T. Kilburn, Mrs. B. Schoeman

In terms of its findings the court rules as follows:

1. The competition licences of competitors Visser and Purdon are withdrawn for a period of two (2) years. Said withdrawal of licences is however suspended from the date of publication of these findings until end June 2016, and will only come into effect should competitor Visser and/or competitor Purdon be found guilty of a similar infringement during the intervening period.
2. Competitors Visser and Purdon are each fined an amount of R2000, payable within 48 hours of the publication of these findings as per GCR 180.
3. Mr Morne Visser is reprimanded for involving himself (both as a parent and the Team Principal of the Husqvarna MX Team) in the altercation between the riders and warned that similar actions on his part in the future could result in him being barred from attendance at race events. This course of action is not implemented in this instance due to the mitigating factor of the formal open letter of apology issued by Husqvarna Motorcycles' Brand Manager Mr Fensham. In the circumstances, Mr Morne Visser is fined an amount of R7 500 for his part in the incident that brought the sport into disrepute. This fine is also payable within 48 hours as per GCR 180.

All parties are reminded of their rights in terms of GCR 212 B).

These findings were distributed via email at 15:00 on the 10<sup>th</sup> June 2015

**159875/098**