



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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COURT OF ENQUIRY 1141

ENQUIRY HELD IN THE MSA BOARDROOM ON THE 24th MARCH 2015 AT 17H00

Present:	Vito Bonafede	-	Court President
	Eldrid Diedericks	-	Court Member
	Paddy Venske	-	Court Member
	Wally Pappas	-	Clerk of Course
	Rick Wall	-	Technical Consultant
	Kevin Hepburn	-	Series Promoter
	Sean Chandler	-	Series Secretary
	Rudy Myburgh	-	Competitor
	Llewellyn Myburgh	-	Competitor
	Divan Myburgh	-	Competitor
	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

MSA had called for this Court of Enquiry following on from a report received by the Clerk of Course. The court was tasked with investigating certain issues that had arisen during the INEX Legends club race meeting held at Red Star Raceway on 14th March 2015.

The court was provided with a full update by Mr. Rick Wall as to the events of the day. Mr. Wall's evidence was confirmed by Mr. Wally Pappas as well as by Messrs. Kevin Hepburn and Sean Chandler.

It was evident to the Court that Mr. Wall had informed, via word of mouth, certain competitors that they may use 'dry ice' to cool the rear cylinders of their race cars during the first race of the day. He had also informed these competitors that they may not do the same for the second race of the day. However, at no time had the Clerk of Course's approval been obtained for this arrangement and it had consequently not been documented or published anywhere, as should have happened.

Upon questioning, Mr. Wall conceded that the 'dry ice allowance' carried with it a potential 'performance benefit' in that it afforded the competitors making use of it the opportunity to ensure better longevity of their engines. By definition, a competitor whose race engine lasts longer due to being given an allowance by race officials must have an advantage over fellow competitors not afforded the same opportunity.

The Court wishes to highlight the following provision as contained in 2015 INEX Legends Circular NR 31/2015, Regulation D1:

MOTORSPORT SOUTH AFRICA IS THE ONLY RECOGNISED MOTORSPORT FEDERATION IN 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

“If this rulebook does not specifically say that you can change/modify/add/remove something then you must consider the change/modification/addition/removal to be illegal. Any questions about the legality of a change/modification/addition/removal not covered in this rulebook, must be answered by ILSA in writing and presented to the tech inspector upon request. If you have a request for a change/modification/addition/removal please contact ILSA before making the change/modification/addition/removal.”

FINDINGS

Having perused all the evidence provided, both written and verbal, the Court finds that Mr. Rick Wall, in verbally granting permission to certain competitors to use ‘dry ice’ without following the specified procedures, had contravened both the rules for INEX Legends Racing as well as the GCRs.

The Court further notes that Mr. Wall has had many years of experience in racing, as well as in technical matters, so he should have known better. In addition, the onus rests on him to have a sound knowledge and understanding of the rules he is supposed to enforce as a licenced Technical Consultant.

In the circumstances, Mr. Wall’s MSA Technical Consultant licence is withdrawn for a period of six (6) months. This withdrawal of licence is however suspended for a period of twenty four (24) months and will only come into effect should Mr. Wall be found guilty of further contravening the motorsport regulations during the intervening period.

The series promoter, Mr. Kevin Hepburn, is severely reprimanded for his part in allowing the regulations and procedures of the series he is responsible for, to be abused.

In light of the fact that no official protests were lodged on the race day, the Court confirms that the race results as published remain unchanged.

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

These findings were distributed at 09:40 on the 31st March 2015