



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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## COURT OF ENQUIRY 1147 HEARING HELD IN THE MSA BOARDROOM ON 5<sup>th</sup> AUGUST 2015 AT 18H45

<b>Present:</b>	Paddy Venske	-	Court President
	Wally Pappas	-	Court Member
	Dick Shuttle	-	Court Member
	Terry Stidworthy	-	MSA Steward
	Philip Pantazis	-	Competitor – Present via Skype
	Andre Diedericks	-	Competitor
	Francois Pretorius	-	Representative for Philip Pantazis
	Dominique Nel	-	Observer
	Matthew Nash	-	Witness
<b>In Attendance:</b>	Wayne Riddell	-	MSA Sporting Services Manager
	Allison Atkinson	-	MSA Scribe
<b>Apologies:</b>	Piet Swanepoel	-	Clerk of the Course
	Ken Cromarty	-	Club Steward

### INTRODUCTION

It is noted that Mr Diedericks arrived 45 minutes late for the Court, which was scheduled to start at 18:00. The Court felt they would wait for Mr Diedericks to arrive before proceedings started, in order to afford him the opportunity of a fair hearing. No apologies were offered from Mr Diedericks upon his arrival for his unpunctuality. Unfortunately, added to this, upon his arrival into the court, Mr Diedericks, without provocation launched into a verbal diatribe against the people present, some of the court members as well against senior MSA staff members. After the court president firmly reprimanded Mr Diedericks, were proceedings allowed to get underway.

The court members and attendees were introduced and no objections were lodged against the composition of the court. The court further welcomed Mr Pantazis via skype conference video in Europe and also noted apologies from Piet Swanepoel and Ken Cromarty.

### THE HEARING

This enquiry had been instituted by MSA following on from a report received by Mr Pantazis who was the complainant. The court was tasked with investigating two incidents.

The first incident which took place was the on track contact between Mr Pantazis and Mr Diedericks and the second incident which took place was the alleged reckless and dangerous driving by Mr Diedericks upon entering pit lane.

Evidence was led by both parties with competitor Pantazis stating that the two competitors enjoyed a relative trouble free close racing event up until the resultant contact at turn 6 at the Zwartkops event. He further stated that he had every intention to continue with the race but he had sustained damage to his steering that

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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. President: T. Kilburn

resulted from the contact with Mr Diedriecks. This made entry into the pits slow and dangerous as he only had steering on the left wheel of the car. While entering the pits he was hit repeatedly from behind by competitor Diedricks, who seemed to be determined in effecting retribution for the accident that had just taken place. Competitor Pantaziz told the court that he felt that the continued hitting from behind was not just deliberate but also caused further unnecessary damage to his race car. He finished off stating that competitor Diedricks pushed his way past and raced into the pit complex.

Competitor Diedricks stated that he felt that competitor Pantaziz was the cause of the initial contact that took both of the drivers out of the race. He continued by adding that the contact had caused damage to his brake pipe which in turn caused his brakes to fail when entering the pits. He denied hitting competitor Pantaziz repeatedly on purpose. He also denied overtaking and racing into the pit complex.

The court then took the opportunity to view video footage submitted by Mr Pantaziz showing both the incidents in question. This footage was the footage supplied to all the parties prior to the hearing.

After the viewing of the footage, the court president took the opportunity to cross question competitor Diedricks again as the court felt there were a few incorrect statements previously made. This seemed to agitate competitor Diedricks again and he once again aggressively dished out a tirade of uncouth statements and insults to court members and senior MSA staff. Mr Diedricks was then asked to leave the court by the court president. He was escorted off the premises by Mr Riddell.

#### **FINDINGS**

After viewing the video footage extensively and hearing all evidence presented by all parties, the court finds as follows:

1. Incident one is deemed to be an avoidable racing incident, therefore Mr Pantaziz is found to be in breach of SSR 50 (i) (c). Mr Pantaziz is reprimanded for this incident, and placed under observation for the rest of the 2015 season.
2. Mr Pantaziz is order to pay court costs in the amount of R 1000-00.
3. The second incident is found to be deliberate and reckless driving by Mr Diedericks upon entering pit lane. This is in contravention of GCR 172 vii, SSR 49 and 51. Mr Diedericks licence is hereby withdrawn for a period of 18 months without the option of a suspended portion of the sentence.
4. It is further noted that upon Mr Diedericks arrival at the court and towards the end of the proceeding's, he become verbally abusive towards the court members and parties present. These profanity-laden outbursts and verbal threats of violence will not be tolerated by the court or in motorsport in general, and therefore the court advises MSA to remove Mr Diedericks licence and the prescribed notifications thereof for a further period of not less than 5 Year's. Note: the effect of this is that Mr Diedricks may not hold a competition licence for any form of motorsport until January 2022.
5. Mr Diedricks is ordered to pay court costs in the amount of R 2500-00.
6. The Clerk of Course is severely reprimanded for not issuing any formal documentation to the competitors after a hearing noting date and time, thus prejudicing their rights to protest.

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 09:00 on 19<sup>th</sup> August 2015

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