



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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## MSA COURT OF ENQUIRY 1214

**HEARING HELD AT THE MSA OFFICE IN CAPE TOWN AT 18:00 ON 10<sup>th</sup> OCTOBER 2018**

<b>Present:</b>	Clint Rieper	-	Court President
	Jan Thorsen	-	Court Member
	Chris Aberdein	-	Court Member
	Troy Dolinschek	-	Minor Competitor (Defendant)
	Wally Dolinschek Jnr	-	Cited in his representative capacity as the natural parent of Troy Dolinschek and deemed as the competitor in terms of GCR 19. Cited in his personal capacity as the Entrant of Troy Dolinschek in terms of GCR22
	Joseph Oelz	-	Minor Competitor (Defendant)
	Alex Oelz	-	Cited in his representative capacity as the natural parent of Joseph Oelz and deemed as the competitor in terms of GCR 19. Cited in his personal capacity as the Entrant of Joseph Oelz in terms of GCR 22
	Bertus du Toit	-	Clerk of the Course
	Ian Long	-	MSA Steward
	Brendon van Eeden	-	Club Steward
	Chantal Pieters	-	Race Secretary
	John Coetzee	-	Chairman WPMC Karting Section
	Aldrin van Zyl	-	Junior Max Class Representative
<b>In attendance:</b>	Lizelle van Rensburg	-	MSA Scribe

### INTRODUCTION:

The Court President introduced himself and the other court members. Mr Oelz wanted to know if any of the court members have any business or social connections to the Dolinschek family. All members answered no. There were no objections to the composition of the court.

### 1. THE HEARING

Motorsport South Africa has convened a Court of Enquiry in terms of GCR 211 to investigate, inter alia:

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



- a) The Oelz / Dolinschek on track incident at the WPMC Karting event that took place on the 08<sup>th</sup> September 2018.
- b) How the Oelz / Dolinschek on track incident was dealt with by the race officials.
- c) The conduct of Mr Wally Dolinschek Jnr towards the race officials at the WPMC Karting event on the 08<sup>th</sup> September 2018.

## **2. EVIDENCE LED**

The court listened to evidence from all members present and viewed various video footage clips of the incident.

- a) Mr Oelz and Joseph Oelz took the court members through the various video clips, explaining how they saw the incident and that Troy Dolinschek had acted incorrectly.
- b) Troy Dolinschek took the court members through his version of events and explained that he felt he had not done anything wrong.
- c) With regard to the handling of the incident by the race officials, there was a long discussion about procedure and when the official's decision is actually given and published. It is noted by the court that Mr John Coetzee was very condescending towards the race day officials in the hearing.
- d) Mr Wally Dolinschek Jnr admitted to being in an aggravated state on the day when dealing with the race officials and apologised for his conduct.

## **3. COURT FINDINGS**

- a) The court finds that Troy Dolinschek did in fact crowd Joseph Oelz in the first incident resulting in contact between the drivers, which is in contravention of article 18 iv) of the Karting Regulations. Furthermore, after going straight over the grass and re-entering the circuit, Troy made no effort to enter the circuit safely and proceeded to go straight back onto the racing line and once again crowded Joseph who decided to avoid contact between the karts and took to the grass which resulted in him crashing. Troy Dolinschek is excluded from the race heat for crowding and disorderly driving, as per article 11 of the karting regulations.
- b) Officials had a difficult job on the day, but did follow the correct procedures and published results correctly.
- c) Mr Wally Dolinschek Jnr is advised that race officials need to be treated with respect and he should be calm when addressing the officials. Thus the court places him under observation for the next 12 months and should there be any breach, GCR 172 (x) is to be evoked.
- d) This court further recommends that the WPMC main club arrange a meeting with Mr John Coetzee and some of the more senior race officials that do duty at the circuit, with the view to trying to find some common ground and understanding between him as Karting Chairman, the officials and the parents of competitors. The court feels that if the understanding of the rules and attitudes towards the officials does not improve, that there will be no officials who will be prepared to do duty at karting events.
- e) The protest fee paid by Mr Oelz – the protest did not require hearing due to the COE taking place - is to be refunded.
- f) Court costs of R1000-00 are to be paid by Mr Wally Dolinschek Jnr.

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

These findings are published via email on the 15<sup>th</sup> October 2018.

**161656/098**