



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF ENQUIRY 1171

ENQUIRY TO INVESTIGATE ALLEGATIONS FOR ILLEGAL EQUIPMENT USED AT THE OVERBERG 200 IN THE 85cc JUNIOR BIKE CLASS.

HEARING HELD AT THE MSA OFFICE IN CAPE TOWN AT 18H00 ON 24 April 2016

PRESENT:

Joy Dolinschek	-	Court President
David Bolding	-	Court Member
Clint Rennard	-	Court Member
Jan Thorsen	-	Clerk of the Course
Charmaine Haupt	-	MSA Steward
Clive Crouse	-	Club Steward
Simon Ledgerwood	-	Father of Competitor
Dave Gouws	-	Father of Competitor
Lizelle van Rensburg	-	MSA Scribe

The Court President introduced herself and the other court members. There were no objections to the composition of the court.

Mr. Ledgerwood made an opening statement that he also wanted the Enduro held on the 12th of March 2016 investigated as he believed the same illegal equipment had been used. The Court President indicated that the Court would first deal with the event on the 27th of February 2016.

Mr. Dave Gouws, father of competitor Shain was given the opportunity to tender his version of what had taken place at the event on the 27 February 2016. He explained that he has two sons; one participates in the 85cc class, while the other has a 105cc bike. On the day in question, they were running late and Shain's bike was not ready as the foot pedal had cracked. Mr. Gouws requested permission to use the other bike, which permission was granted. There appears to have been some confusion at the time regarding the preserved cubic capacity of the second bike and certainly the person granting permission would not have been aware of the issue. Mr. Gouws concedes that the bike used by Shain on the day in question was not compliant.

The bike was rebuilt some 10 days after the event. Mr. Ledgerwood was however of the opinion that the 2009 bottom end which was not rebuild remained illegal and was therefore also challenging the results of the Enduro held on the 12th of March 2016.

When asked how all of this had come to light so long after the event, both parties agreed that a conversation between them while discussing the eligibility of 85cc/105cc were legal for 2016, they had discussed same.

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

Honorary Presidents – Mrs B Schoeman, T Kilburn

Court Ruling:

1. The Court finds that Shain Gouws did indeed participate using a non-compliant bike on the 27th of February 2016 and is excluded from the results of the day.
2. The Court finds that allegations of the 2009 bottom end not being compliant are unfounded and Shain Gouws retains his points for the 12th March 2016 event.
3. The organisers are instructed to apply these findings.

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

These findings are published via email on 25/05/2016.

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