



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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## COURT OF APPEAL 432

**TO APPEAL THE FINDINGS OF THE STEWARDS REGARDING COMPETITOR TROY DOLINSCHKEK AT  
THE KARTING EVENT HELD AT KILLARNEY INTERNATIONAL RACEWAY 01<sup>st</sup> APRIL 2017  
APPEAL HELD AT MSA OFFICES, KILLARNEY CIRCUIT, 10<sup>th</sup> MAY 2017**

<b>Present:</b>	Clint Rieper	-	Court President
	Arlene Brown	-	Court Member
	Roy Pheiffer	-	Court Member
	Tim Bishop	-	Father of Competitor and Appellant
	Bertus du Toit	-	Clerk of the Course
	John Green	-	MSA Steward
	Yvette Heineman	-	Club Steward
	Wynand Strydom	-	Technical Consultant
	Wally Dolinschek	-	Father of Competitor
<b>In attendance:</b>	Lizelle van Rensburg	-	MSA Scribe

### INTRODUCTION

The Court President introduced himself and the court members, no objections were lodged against the composition of the court.

### THE HEARING

All parties had an opportunity to give evidence, a multitude of paperwork was presented by Mr Bishop.

### FINDINGS

1. Competitor Troy Dolinschek's kart was in breach of the Maxterino Class Regulations, 2017 Karting Regulations Section J 23.1. e) and Section J 23.12 a) and c).
2. Although competitor Troy Dolinschek's kart was illegal the court agrees with the Technical Consultant that no advantage was gained.
3. In this standardized form of racing, competitors may not manufacture their own parts and standard available parts must be used exclusively as indicated in the "ASN approved documents".

*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), P. du Toit, D. Easom, J. Fourie, G. Hall, A. Harri, M. Rowe, R. Schilling, Ms N. Singh, Ms M. Spurr

4. The court further finds that the original penalty (“no penalty”) imposed by the Stewards was not adequate (refer 2017 Karting Regulations Section A Article 11 ii)) and instructs that Kart number 17 (Troy Dolinschek) is to be excluded for the entire event of the 01<sup>st</sup> April 2017.
5. The appeal is therefore successful and the appeal fee must be returned to the appellant together with the R200 protest fee that was retained.
6. Competitor Dolinschek is fined the amount of R500 in terms of GCR 176.
7. Competitor Dolinschek is ordered to pay court costs in the amount of R1000.

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

These findings were distributed via email on 12/06/2017.

**161224/098**