



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF APPEAL 443

HEARING HELD IN THE MSA BOARDROOM AT 17h30 ON THURSDAY 12 SEPTEMBER 2019

Present:	Tony Taylor	-	Court President
	Gennaro Bonafede	-	Court Member
	Mark Cronje	-	Court Member
	Ruan Goosen	-	Appellant
	Serice Goosen	-	Mother of Jayden Goosen
Apologies:	Cheryl Snyman	-	Competitor Troy Snyman Mother
	Troy Snyman	-	Competitor
In attendance:	Allison Atkinson	-	MSA Sport Coordinator
	Adrian Scholtz	-	MSA CEO

INTRODUCTION

The court members and attendees were introduced and no objections were raised against the composition of the court.

THE HEARING

The appeal is against the findings of the Stewards of the Rok National meeting held at Idube on 17th August 2019, more specifically the penalties applied against competitor Troy Snyman in Heats 1 and 2.

The appeal is based on the following factors:

1. In heat, 1 the appellant maintains that competitor Snyman should have been penalised with a five second penalty; and
2. In heat 2, competitor Snyman should have been penalised with a ten second penalty and not found to be "not responsible for the incident;

FINDINGS

Having heard the Appellant and reviewed the video footage of both incidents the court finds as follows:

In both incidents, competitor Snyman is deemed to have contravened Rule 3.2.2 of the "Driver Conduct and Penalties (161754)" document in that he had "deliberately crowded competitor Goosen's kart beyond the edge of the track".

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



Directors: A. Roux (Chairman), A. Scholtz (Chief Executive Officer), A. Taylor (Financial), F. Alibhai, R. Beekum, FC. Kraamwinkel, G. Hall, A. Harri, Dr G. Mills, E. Murray, M. Rowe, R. Schilling, Ms M. Spurr, S. Themba, S. Van der Merwe

- 1 The finding of the stewards whereby a three second penalty was imposed on competitor Snyman in heat 1 is upheld. Rule 4 of the "Driver Conduct and Penalties (161754)" document prescribes a three second penalty for a first offence involving rule 3.2.2.
- 2 The finding by the Stewards that competitor Snyman was "not responsible" for the incident is hereby set aside. A penalty of five seconds is hereby imposed on Competitor Snyman in heat 2 - Rule 4 of the "Driver Conduct and Penalties (161754)" document prescribes a five second penalty for a second offence involving rule 3.2.2.
- 3 The Stewards of the meeting are reprimanded for not ensuring that neither competitor Goosen nor his parents were present during the hearing following their "protest" in respect of heat 1.
- 4 Given that the appeal is partially successful, the appeal fee is to be refunded less R500.00 for administrative costs.

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

These findings are distributed via email on 20 September 2019 at 11:30am

Ref. 162021/158