



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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## COURT OF ENQUIRY 1161

### HEARING HELD IN THE MSA BOARDROOM ON WEDNESDAY 28<sup>th</sup> OCTOBER 2015 AT 18H00

<b>Present:</b>	Vito Bonafede	-	Court President
	Darryn Lobb	-	Court Member
	Wally Pappas	-	Court Member
	Mauro Munaretto	-	Competitor Luca Munaretto Father
<b>In Attendance:</b>	Wayne Riddell	-	MSA Sporting Services Manager
	Allison Atkinson	-	MSA Scribe

#### INTRODUCTION

The court members and attendees were introduced and no objections were lodged against the composition of the court. It was noted that the Clerk of Course Mr Eldrid Diedericks had tendered his apology to attend the court, as well as Technical Consultant Mr Maurice Rosenberg.

#### THE HEARING

This enquiry had been instituted by MSA following on from a technical report received by the Technical Consultant Mr Maurice Rosenberg. It was noted on the report that competitor Luca Munaretto was excluded from the results of race 2, at the Northern Regions karting round 7 at Zwartkops on the 12<sup>th</sup> September 2015. It was noted in the report that the exhaust manifold was oversized. The size was 27mm internal diameter instead of the 25mm allowed in the regulations. Mr Rosenberg stated in his report that a definite advantage was gained.

Mr Riddell stated MSA requested the Court to be convened as there seemed to be on more than one occasion where Luca was excluded for technical infringements, these were the 23<sup>rd</sup> May at the 3<sup>rd</sup> round of the regional championship, the 3<sup>rd</sup> July at the Rok National Championship and the 26<sup>th</sup> September at the SARMC National Championship. These dates were excluding the September 12<sup>th</sup> event.

Upon questioning Mr Munaretto as to why Luca was excluded for the technical infringements mentioned above, Mr Munaretto stated that there was no excuse. He profusely apologised and stated that he is not someone who is technically minded and believed that it was errors made by his team mechanic Mr Wesleigh Orr. Mr Munaretto stated that he had on more than one occasion spoken to his mechanic about the technical infringements. He advised the court that he would go back and advise his team about the seriousness of the infringements.

Mr Munaretto further stated that he realised that all these technical infringements were negatively impacting on his son's performance in both the regional as well as the national championships.

Mr Munaretto had agreed there where all these technical infringements over the past months.

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



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Sport and Recreation South Africa  
REPUBLIC OF 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

**FINDINGS**

After hearing all evidence presented by the parties present, the court finds as follows:

1. As Mr Munaretto is the entrant for Luca he is therefore held responsible for all technical infringements.
2. Technical infringements were tantamount to cheating and cheating will not be tolerated in any form of Motorsport. The court hereby instructs MSA to exclude Luca Munaretto for 3 rounds of the Northern Regions Regional Karting Championship as envisaged in GCR 176 b). Since the 2015 championship is nearing completion, should there not be enough rounds left to preclude, MSA are to exclude retrospectively for events the competitor took part in.
3. Luca is to be placed under observation for the entire 2016 racing season. Any technical infringements incurred during the 2016 season will result in competitor Luca Munaretto's licence been withdrawn for a period of no less than 6 months.
4. Mr Munaretto is ordered to pay a fine in the sum of R2500.00 as well as court costs in the sum of R2000.00

Mr Munaretto is cautioned by this court, that it feels that it has acted rather lightly on Luca, as it believed that the competitor as a minor was not actually party to the infringements but those of his technical crew, who most certainly are not minor's. If this type of infringement persists, it will not hesitate to take a more harsher approach in future.

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 11:40 on 6<sup>th</sup> November 2015

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