



18<sup>th</sup> August 2011

Attention: Mr. Enver Mall  
Prof. Denver Hendricks  
Dr. M'Zwake Qobose

**Re: Ratio decidendi Frylinck**

In the matter of Mr. Robbie Frylinck a written decision and written reasons for such a decision by the Chairperson of the South African Institute for Drug-Free Sport Anti-Doping Disciplinary Committee has not been rendered to date. Article 8.3.8.3 of The Rules of 2009 stipulates that the Committee must "***issue written reasons for the decision within thirty (30) days of the notification date.***"

Mr. Frylinck was charged with an anti-doping rule violation in terms of Article 2.1 of the 2009 Anti-Doping Rules of the South African Institute for Drug-Free Sport (SAIDS).

Mr. Frylinck provided a urine sample (A2531521) on the 09 February 2011 during an in-competition test after the Lions vs Knights match as per the normal procedure for drug testing in sport. Upon analysis, the South African Doping Control Laboratory at the University of Free State reported the presence of prohibited substances in the sample.

The substances identified in the urine sample (A2531521) were Hydroxyl(isopropyl)-bis-norsibutramine and Hydroxy(cyclobutane)-bis-norsibutramine, metabolites of Sibutramine, which is classified as a Specified Substance and falls under the Class S6b, "Specified Stimulants" on the World Anti-Doping Code 2011 Prohibited List International Standard.

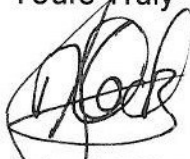
The athlete was **notified on the 11<sup>th</sup> March 2011** of the result of the urine sample (A2531521) test performed by the South African Doping Control Laboratory at the University of Free State. Subsequent to which an anti-doping disciplinary hearing was convened on Monday, 28 March 2011 at the Life Hotel.

SAIDS requests that, in the absence of a written decision and written reasons for such a decision by the Committee's chairperson more than 5 months after the date of notification, the following be confirmed by the members of the Committee by return e-mail:

- a) The Committee is satisfied that Mr Frylinck has established how the Specified Substances, Hydroxyl(isopropyl)-bis-norsibutramine and Hydroxy(cyclobutane)-bis norsibutramine, entered his body and how he came into its possession;
- b) The Committee is satisfied that Mr Frylinck provided sufficient corroborating evidence to demonstrate the absence of an intent to enhance his sport performance or mask the use of a performance enhancing substance;
- c) The decision by the Committee in the Frylinck case is that a warning would suffice as an appropriate sanction after the application of Article 10.4 of the Rules of 2009.

Please confirm the above mentioned by return of e-mail before close of business (16h30) on Thursday 25<sup>th</sup> August 2011.

Yours Truly



**Adv NG Kock**  
Legal Counsel for SAIDS