

**SAIDS**

**DISCIPLINARY HEARING**

DISCIPLINARY PANEL	ADV J LUBBE SC (CHAIRPERSON)
	PROFESSOR DENVER HENDRICKS
	DR NICOLAS THERON
ATHLETE	MARNUS JURRIUS
PROSECUTOR	ADV N KOCK
PLACE OF HEARING	BLOEMFONTEIN
DATE OF HEARING	11 OCTOBER 2012

[1] Marnus Jurrius (the Athlete) has been charged with an anti-doping rule violation in terms of Article 2.3 of the 2009 Anti-Doping Rules of the South African Institute for Drug Free Sport (SAIDS) in that he refused/failed to submit for sample collection after he was notified of his selection for an in-competition doping control test after completion of his event at the South African Powerlifting Championship on 23 June 2012.

[2] The Athlete was given notice of the hearing by SAIDS in Bloemfontein. He replied to the said notice as follows:

*“Good day*

*Thank you for the package and all the information.*

*I am not going to attend the hearing, I put almost everything in the report and I will say all that I have to in the following:*

*I understand that a lack of knowledge isn't an excuse for anything, and I know it was a mistake on my side. I just think all athletes need to be more informed on exactly what is drugs that can't be used in competition.*

*As I stated in my report - it came to my attention a bit late that Dimethylhexinamine was on the banned list, and I used it near competition time. I changed my pre-workout before the competition and used Shotgun from VPX in competition which I heard was safe to use.*

*Powerlifting South-Africa issued us with a form we had to sign if we were tested positive for any banned substances in competition, we would be fined R5000. I don't have that*

*money, so I decided it would be best if I didn't take the test, then I couldn't be tested positive for dimethylhexinamine. I still don't know how long it stays in your system and if it would have given me an advantage, but I couldn't take the chance to be tested positive.*

*Hope this report is in order*

*Marnus Jurrius*

- [4] Notwithstanding the response of the Athlete, he was again invited by SAIDS to attend the hearing to put his case to the panel but he did not attend the hearing.
- [3] According to written statements obtained from the officials appointed to perform the testing, the Athlete was fully informed of his rights and obligations to provide a sample for testing. He took an informed decision not to provide a sample for testing as is also stated in his response to SAIDS.
- [4] In terms of Article 8.4.5 a failure by a party to attend a hearing after notification will be deemed to be an abandonment of the right to a hearing. The panel is satisfied that the Athlete was properly notified of the hearing and took an informed decision not to attend.
- [5] On the facts the panel is satisfied that the Athlete is guilty of an anti-doping rule violation of Article 2.3 of the said Rules.
- [6] The following sanction is imposed:
  - 6.1 An anti-doping rule violation in terms of Article 2.3 of the said Rules has been established.
  - 6.2 The Athlete shall be subjected to a period of ineligibility of two (2) years from all sport calculated from 4 July 2012 up to and including 3 July 2014.

J Lubbe SC

For and on behalf of the Panel

11 October 2012

