

ANADO Legal Note 17

**Interesting Recent Decisions:**

**(1) Methylhexaneamine and *Lex Mitior***

**(2) Violating a Period of Ineligibility**

(1) There has been a rash of anti-doping rule violations involving the stimulant methylhexaneamine this year, including multiple positives at both the Commonwealth Games and the Asian Games in recent months. Practitioners will find a new decision of the Sport Tribunal of New Zealand helpful in dealing with such cases: **Drug Free Sport New Zealand v Rangimaria Brightwater-Wharf** (ST 14/10) Decision 29 November 2010; Provisional Suspension Decision 27 July 2010. (<http://www.sportstribunal.org.nz/decisions-10/index.html#bright>). In particular, the decision illustrates application of the principle *lex mitior* in determining the appropriate period of ineligibility.

(2) There have also been an increasing number of cases addressing violation of a period of ineligibility. A recent decision of the International Tennis Federation's Tennis Anti-Doping Programme deals with this issue and provides a helpful summary of other recent decisions: **Decision in the Case of Andrej Plotniy**, 20 September 2010. ([http://www.itftennis.com/shared/medialibrary/pdf/original/IO\\_52202\\_original.PDF](http://www.itftennis.com/shared/medialibrary/pdf/original/IO_52202_original.PDF))

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