

27th May 2019

Mr. Moegamat Labib Kannameyer

[...]

[...]

[...]

Dear Mr. Kannameyer

CHARGES: ANTI-DOPING RULE VIOLATION: CONSEQUENCES: WRITTEN DECISION

Introduction

1. Our previous letter and notice dated 15th April 2019 refers. The South African Institute for Drug Free Sport (SAIDS) and all participants in sport are required to act in accordance with the South African Institute for Drug Free Sport Anti-Doping Rules 2016 and World Rugby Anti-Doping Regulations (“the Rules”).
2. You have been notified of an Anti-Doping Rule Violation in terms of Article 2.1. of the Rules for the presence of Benzoyllecgonine, metabolite of Cocaine in respect of a sample (sample number 4416212) collected on the 18th March 2019.
3. You did not request that your B sample be analysed or dispute the adverse analytical findings but rather confirmed via your legal representative that you accept the anti-doping rule violation (ADRV), the consequences thereto and do not request a hearing.
4. You are consequently deemed to have waived the right to a hearing, and to have accepted the Consequences that are mandated by the Rules.¹

¹ Article 7.10.1 of the Rules

5. SAIDS is required, in circumstances where there is no dispute²:-
- a. to issue a written decision confirming the commission of the Anti-Doping Rule Violation and the Consequences imposed;
 - b. to set out the reasons for the period of Ineligibility imposed and (if applicable) a justification as to why the maximum period of Ineligibility was not imposed;
 - c. to send copies of the decision to other Anti-Doping Organizations, viz. South African Rugby Union (SARU), World Rugby and the World Anti-Doping Agency (WADA) with a right of appeal and to make Public Disclosure.
6. SAIDS has assessed the facts of your case, has arrived at a decision, and this letter sets out that decision and the reasons it has been arrived at. In view of your early admission and the information that your attorneys have elected to record the sanction in writing.

The Anti-Doping Rule Violation

7. You have committed and are guilty of the Anti-Doping Rule Violation referred to above. In other words of the Anti-Doping Rule Violation set out in point 2.

Consequences

8. The Consequences that the Rules contemplate distinguish between Prohibited Substances that are Specified Substances and those that are not. The Consequences for the use of Prohibited Substances that are not Specified will in most instances include a four (4) year period of ineligibility. Where a substance is Specified, the player can also be ineligible for such a period if SAIDS demonstrates that the Anti-Doping Rule Violation was intentional.

² Article Rule 7.10.3 of the Rules

9. Where SAIDS does not demonstrate intentional use then the period of ineligibility the Rules provide for is two (2) years. The period of two (2) years can be reduced in certain specified circumstances which require you to show that you bore no significant fault or negligence here.

10. SAIDS considers that in these circumstances the appropriate Consequences should be a period of *Ineligibility* of eighteen (18) months. You were provisionally suspended. In your correspondence dated 15th April 2019, you admitted to the ADRV, therefore your period of suspension is effective as of the 15th April 2019.

11. The reasons for the imposition of these Consequences are that: -

- a. the substance in question is Benzoylcegonine, metabolite of Cocaine which is Prohibited, is considered a recreational substance and you have demonstrated that there was no intention to cheat. You have provided early admission and cooperated with SAIDS
- b. SAIDS is not required, in the circumstances, to prove anything more than presence and no factors have been advanced by you that would suggest there is a basis for reducing the period of ineligibility and doing so would be unfairly discriminatory towards other athletes;
- c. there is no basis for SAIDS to conclude that you were not negligent in these circumstances without the matter being placed before an Independent Tribunal.

Sanction Period

12. The period of ineligibility will commence on 15th April 2019 until and including 14th October 2020.

Yours faithfully



Wafeekah Begg
(Legal Manager)

I, Moegamat Labib Kannameyer have read and acknowledged the sanction issued against me by South African Institute for Drug-Free Sport. I hereby accept the decision recorded above as rendered by South African Institute for Drug- Free Sport.

Print Name: _____

Signature: _____

Date: _____

