

24<sup>th</sup> October 2018

Mr. Barend van Rooyen

[...]  
[...]  
[...]  
[...]

Dear Mr. van Rooyen

## **ANTI-DOPING RULE VIOLATION: CONSEQUENCES: WRITTEN DECISION**

### **Introduction**

1. Our previous letter dated 18 October 2018 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 (“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 Hydrochlorothiazide in your A sample (sample number 4010805 ) collected on the 2<sup>nd</sup> December 2017.
3. You did not request to have your B sample analysed. Furthermore, we received a substantive presentation from your attorneys dated 19 October 2018 wherein the adverse analytical finding of the presence of Hydrochlorothiazide was admitted wherefore you accepted the consequences of your actions.
4. SAIDS is required, in circumstances where there is no dispute<sup>1</sup>:-
  - a. To issue a written decision confirming the commission of the Anti-Doping Rule Violation and the Consequences imposed.

---

<sup>1</sup> Article Rule 7.10.3 of the Rules

- b. To set out the reasons for the period of Ineligibility imposed.
  - c. To send copies of the decision to other Organisations, viz. South African Sports Confederation and Olympic Committee (SASCOC), Boxing South Africa (BSA) and the World Anti-Doping Agency (WADA) with a right of appeal and to make Public Disclosure.
5. SAIDS has assessed the facts of your case, has arrived at a decision negotiated with your attorney, and this letter sets out that decision and the reasons it has been arrived at.

### **The Anti-Doping Rule Violation**

6. 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**

7. 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 athlete can also be ineligible for such a period if SAIDS demonstrates that the Anti-Doping Rule Violation was intentional.
8. 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.
9. After careful consideration of all the material facts in the circumstances, SAIDS holds the view that the appropriate *Consequences* should be a period of Ineligibility of twelve (12) months. You were provisionally suspended, therefore your period of suspension is antedated and effective as of 18 January 2018.

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

- a. The substances in question i.e. Hydrochlorothiazide which is Specified Substances;
- b. SAID has considered a plea and sanction agreement with your attorney after the SAIDS Appeal Panel had referred your matter back to the Tribunal Panel for a hearing to be tried *de novo*.
- c. The terms of the agreed sanction are recorded below.

### Terms of Sanction

11. You have pleaded guilty to the violation of Article 2.1 referred to in point 2 above.
12. The period of ineligibility (suspension) will be applicable as of 18<sup>th</sup> January 2018 until and including 17<sup>th</sup> January 2019.
13. You may return to active training from 17<sup>th</sup> November 2018 notwithstanding the above suspension period.
14. You vacate your title and rankings and return any medal/belt/trophies awarded to you on the 2<sup>nd</sup> December 2017 or thereafter if any.
15. You return any prize money received as a result of the event on 2<sup>nd</sup> December 2017.

Yours faithfully



**Wafeekah Begg  
(Legal Manager)**