

21<sup>st</sup> November 2019

Mr. Stefan Marais

2041 The Rest  
Nelspruit  
1200

Dear Mr. Marais

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

### **Introduction**

1. 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 2019 (“the Rules”).
2. You have been notified of the following Anti-Doping Rule Violations:
  - i. Article 2.2 – Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method.
  - ii. Article 2.3 - Evading, Refusing or Failing to Submit to a Sample Collection.<sup>1</sup>
3. We confirm that we communicated with you, on the 23<sup>rd</sup> October 2019 of the abovementioned violations. However, to date we have not received a response from you in writing. We have spoken to you via teleconference on 5<sup>th</sup> November 2019 to which you have admitted to the following:

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<sup>1</sup> Article 2.3 of the Rules reads: Evading *Sample* collection, or without compelling justification, refusing or failing to submit to *Sample* collection after notification as authorised in these Anti-Doping Rules or other applicable anti-doping rules.

**BOARD MEMBERS: JUDGE L. MPATI (CHAIRPERSON), MR. G. ABRAHAMS, DR. H. ADAMS, MR. D. BAYEVER, DR. S. MANJRA, DR. M. PEENZE, DR. M. QOBOSE, MR. M. QUINN, PROF. L. SKAAL, DR. P. ZONDI, MR. K. GALANT (CEO)**



- i. You submitted yourself in part to sample collection on the 14<sup>th</sup> September 2019 at the IFBB South African Championships.
  - ii. That you refused to complete the sample collection session.
  - iii. That at the time of the sample collection session you admitted that your sample would test positive for prohibited substances and admitted that you take steroids specifically.
  - iv. That you acknowledge that there shall be some form of suspension for not co-operating with SAIDS for not completing the sample collection session.
  - v. not to submit your sample for analysis at a WADA accredited laboratory.
4. Correspondence dated 23<sup>rd</sup> October 2019 from SAIDS thus confirm that you do not dispute the Anti-Doping Rule Violation/s (ADRV), acknowledge the use of prohibited substances and accepting the consequences of your actions.
5. SAIDS is required, in circumstances where there is no dispute<sup>2</sup>:-
- 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 Organisations, viz. South African Sports Confederation and Olympic Committee (SASCOC), International Federation of Bodybuilding South Africa (IFBBSA) 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.

### **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**

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<sup>2</sup> Article Rule 7.10.3 of the Rules

8. The Consequences that the Rules contemplate *for violations of Article 2.3 are that the period of Ineligibility shall be four (4) unless, in the case of failing to submit to Sample collection, the Athlete can establish that the commission of the anti-doping rule violation was not intentional (as defined in Article 10.2.3), in which case the period of Ineligibility shall be two (2) years.*<sup>3</sup>
9. SAIDS considers that in these circumstances the appropriate Consequences should be a period of *Ineligibility* of 3 years and 9 months for prompt admission. You were provisionally suspended, therefore your period of suspension is effective as of 23<sup>rd</sup> October 2019

### **Sanction Period**

10. The period of ineligibility will be applicable as of 23<sup>rd</sup> October 2019 until and including 22<sup>nd</sup> July 2023.

### **Your Right to a Hearing**

11. Although you have waived your right to a hearing you have made an early admission and have made representations and sought assistance and guidance and consequently you are invited to consider these Consequences and decide whether you wish to be afforded a hearing to focus only on the question of the Consequences.
12. Should you elect to have a hearing on this aspect you should notify SAIDS and email me ([wafeekah@said.org.za](mailto:wafeekah@said.org.za)) by no later than **13h00 on Friday, 29<sup>th</sup> November 2019**, that you wish to have a hearing.

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<sup>3</sup> See Article 10.3.1 of the Rules.

13. Should you elect to have a hearing one will be convened and you should indicate which of the following Cities i.e. Cape Town, Bloemfontein, Port Elizabeth, East London, Durban, Johannesburg you wish your hearing to be heard in.

14. Should you not elect to have a hearing the Consequences will be as set out above

Yours faithfully

A handwritten signature in black ink, appearing to read 'W Begg', written in a cursive style.

**Wafeekah Begg**  
**(Legal Manager)**