

19<sup>th</sup> July 2019

Mr. Roberspeare Bopda

[...]

[...]

Dear Mr. Bopda

## **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 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 Furosemide A sample (sample number 4416151) collected on the 18<sup>th</sup> May 2019.
3. You did not request to have your B sample analysed. Furthermore, we received correspondence from you where you do not dispute the adverse analytical finding, acknowledged the presence and use of Furosemide accepting 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.

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

- 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. Bodybuilding South African (IFBBSA) Bodybuilding International Federation (IFBB) 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, 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. SAIDS considers that in these circumstances the appropriate Consequences should be a period of *Ineligibility* of fourteen (14) months. You were provisionally suspended, therefore your period of suspension would be effective from the date of notification of your adverse analytical finding Furosemide i.e. 13<sup>th</sup> June 2019.

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

- a. The substances in question Furosemide a Specified Substance;
- b. You began participating in competitive sport in 2018 and have demonstrated that you have had no anti-doping education.
- c. You have provided prompt admission and co-operation.
- d. You have disclosed Diuretic on your doping control form and have further revealed in your statement how the prohibited substance was administered and why.
- e. You also provided us with a photograph of the medication you administered.
- f. You have also explained that you did not know that this Diuretic was a prohibited substance in sport.

## Sanction Period

11. The period of ineligibility will be applicable as of 13<sup>th</sup> June 2019 until and including 12<sup>th</sup> August 2020.

12. You have a right to appeal this matter as per the below mentioned and the process is as follows:

- a) You must give notice of your appeal in writing to SAIDS to the SAIDS Legal Manager, Wafeekah Begg at e-mail address [wafeekah@saisd.org.za](mailto:wafeekah@saisd.org.za) within **21 (twenty-one) days i.e. 21 calendar days as of the date of this**

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)



**notice, therefore should you want to appeal, your Notice of Appeal is due by the 17:00 on Friday 9<sup>th</sup> August 2019;**

- b) Your notice must incorporate or be accompanied by your grounds of appeal and must include an address (email, fax number, and/or street address) for SAIDS to provide you with an invoice in respect of appeals **(the appeal fee is R1000.00)**;
- c) Upon receipt of the notice and grounds SAIDS will provide you an invoice in respect of the appeal and the appeal fee must be paid and proof of payment provided to SAIDS within **seven (7) days** of the date of the invoice;
- d) The failure to comply with these procedural rules will mean the appeal will not proceed.

13. The appeal hearings may be heard in Johannesburg or Cape Town or Durban. You need to confirm with us which of the regions will be suitable for you should the appeal proceed.

14. Please acknowledge receipt of this letter.

Yours sincerely

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

**Wafeekah Begg  
(Legal Manager)**