



**drug free sport**  
new zealand

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30 September 2019

Dear Stakeholder

At the same time as seeking your comments on the proposed Sports Anti-Doping Rules 2020 (the **Rules**), we would like to take the opportunity to seek feedback from you on a significant policy change we are proposing in how DFSNZ approaches the application of these Rules.

Under the Rules (and the World Anti-Doping Code) DFSNZ is required to initiate proceedings where it believes a potential anti-doping rule violation (**ADRV**) has been committed and to date, we have adopted an orthodox approach where we pursue all potential ADRVs we identify where we are of the view that there is sufficient evidence to establish that a violation has occurred.

However, our recent experience investigating purchases of prohibited substances from the NZ Clenbuterol website, which involved some lower level athletes, has drawn our attention (and the attention of our stakeholders) to perceived inequities in how the Rules are applied.

While the Rules will continue to apply at all levels of sport, the attached discussion document proposes an alternative approach, whereby DFSNZ could exercise discretion in certain circumstances as to whether or not it initiates ADRV proceedings against lower level athletes.

We welcome your feedback on the approach outlined in the attached document, in particular, please tell us:

- a) whether you agree that DFSNZ should adopt such a policy; and if so,
- b) what factors we should take into account when considering whether to exercise our discretion (and not initiate ADRV proceedings).

Please provide your feedback by **29 October 2019** to:

**Discretion Policy consultation**  
Drug Free Sport New Zealand  
PO Box 1745, Greenlane, Auckland 1546  
or  
[feedback@drugfreesport.org.nz](mailto:feedback@drugfreesport.org.nz)

We look forward to receiving your feedback.

Yours faithfully

**Hon J Warwick Gendall**  
Chair

**Nick Paterson**  
Chief Executive