

BETWEEN DRUG FREE SPORT NEW ZEALAND

Applicant

AND BATUHAN YAZICI

Respondent

AND GYMNASTICS NEW ZEALAND

Interested Party

**PROVISIONAL SUSPENSION ORDER AND
MINUTE OF TELEPHONE CONFERENCE
DATED 15 November 2019**

Present: Josie Beverwijk & Adam McDonald, counsel for Applicant
Batuhan Yazici, Respondent
Andrew McCormick, counsel for Respondent

Chairman: Sir Bruce Robertson

Registrar: Mike Selwyn

1. Batuhan Yazici is a gymnast, and his sport has adopted the 2019 Sports Anti-Doping Rules (SADR) promulgated by Drug Free Sport New Zealand (DFSNZ) as its anti-doping policy.
2. On 8 November 2019, DFSNZ filed an Application for the Provisional Suspension of Mr Yazici. On 11 November 2019, DFSNZ confirmed service on Mr Yazici.
3. A telephone conference was convened by the Tribunal Chairman on 15 November 2019 in respect of the Provisional Suspension Application. Mr Yazici advised that he did not oppose the application, however he wished to have his “B” sample analysed. He confirmed that he did not want to be present for the opening of the sample.
4. Accordingly, and being satisfied that there was no substantive reason why provisional suspension should not be imposed, the Tribunal Chairman ordered the provisional suspension of Mr Yazici with immediate effect from 15 November 2019. Mr Yazici may not take part in any way in any event or activity, organised, sanctioned or authorised by the Gymnastics New Zealand or by any other sporting organisation which is a signatory to the SADR.
5. The Tribunal determined that a reasonable time should be allowed for the testing of Mr Yazici’s “B” sample, which meant that a teleconference should take place at 9am on Friday 13 December 2019 – at which point the result of the testing should be known.
6. A copy of this Provisional Suspension Order and Minute will be sent to the parties but otherwise should remain confidential until publication of the final decision on the Anti-Doping Rule Violations. All other process steps under the SADR should similarly remain confidential.

Dated: 15 November 2019



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Sir Bruce Robertson
Chairman