

**BETWEEN            DRUG FREE SPORT NEW ZEALAND**

**Applicant**

**AND                 ANDREW CIANCIO**

**Respondent**

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**PROVISIONAL SUSPENSION DECISION  
DATED 4 June 2014**

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**Hearing**            4 June 2014 by telephone conference

**Tribunal**            Sir Bruce Robertson (Chair)  
Dr Jim Farmer QC (Deputy Chair)  
Rob Hart

**Present**            Paul David and David Bullock, counsel for Drug Free Sport  
New Zealand  
Jude Ellis, Drug Free Sport New Zealand

**Registrar**           Brent Ellis

1. Drug Free Sport New Zealand (DFS) filed an application for the provisional suspension of weight lifter Andrew Ciancio.
2. Mr Ciancio resides in Australia and is currently subject to separate anti-doping proceedings before the Court of Arbitration for Sport in Australia. Mr Ciancio has been provisionally suspended by Australian anti-doping authorities in relation to the alleged violations in those proceedings.
3. The present application for provisional suspension relates to the separate allegations by DFS that Mr Ciancio has committed anti-doping violations.
4. DFS alleges Mr Ciancio committed various violations of Rules 3.3 and 3.5 of the Sports Anti-Doping Rules 2014 (SADR). DFS submits that the evidence it has filed, together with the Form 1 Application for Anti-Doping Rule Violation Proceedings, establishes a prima facie case that violations under Rules 3.3 and 3.5 of the SADR have been committed and that it is appropriate for the Tribunal to impose a provisional suspension.
5. A hearing by teleconference was convened today to hear the provisional suspension application.
6. DFS was represented at the hearing. Mr Ciancio failed to participate despite having been notified of the hearing. He indicated he was concentrating on the Australian matter which has a hearing date of 25 June. That is his choice but he had clear knowledge of this hearing.

### **Decision**

7. The Tribunal is satisfied there is no substantive reason why provisional suspension should not be imposed under Rule 12.8 and orders that Mr Ciancio is provisionally suspended from today's date.

### **Further matters**

8. The Tribunal draws Mr Ciancio's attention to Rules 12.9 and 14.10.1 of the SADR. Under Rule 12.9, while provisionally suspended, Mr Ciancio may not take part in any way in any event or activity organised, sanctioned or authorised by Olympic Weightlifting New Zealand (OWNZ) or any member organisation or club of OWNZ or by any person in any way

connected with OWNZ. Rule 12.9 further states that "a person subject to provisional suspension shall be *Ineligible* as set out in Rule 14.10.1". Rule 14.10.1 adds further qualifications including prohibiting participation in competitions organised by any professional league or any international or national level event organisation.

9. In accordance with Rule 12.7 of the SADR, this provisional decision is to remain confidential until the Tribunal makes a final decision in relation to the alleged violations.
10. The matter is adjourned until noon (NZ time) on 24 July 2014, when there will be a further teleconference between the Tribunal and the parties. We anticipate there will have been a decision on the Australian matter by then.

Dated 4 June 2014



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**Sir Bruce Robertson (Chair)**