

BETWEEN DRUG FREE SPORT NEW ZEALAND

Applicant

AND PETER MARTIN

Respondent

AND PARALYMPICS NEW ZEALAND

Interested Party

DECISION OF TRIBUNAL

Dated 6th August 2012

Tribunal: Barry Paterson QC (Chairman)
Sir Bruce Robertson (Deputy Chairman)
Ron Cheatley

Hearing: By telephone conference on 6 August 2012

Present: Peter Martin, respondent
Michael Smyth, counsel for Peter Martin
Dr Singh, witness for Peter Martin
Paul David, counsel for Drug Free Sport New Zealand
Graeme Steel and Jayne Kernohan, Drug Free Sport New Zealand
Fiona Allan and Mark Copeland, Paralympics New Zealand
Rebecca Hooper, counsel for Paralympics New Zealand

Registrar: Brent Ellis

1. This decision is given without reasons because of time exigencies. Reasons will follow.

Decision

2. The Respondent has established to the comfortable satisfaction of the Tribunal under the provisions of r 14.4 of the Sports Anti-Doping Rules 2012 that the substance was not intended to enhance the Respondent's sports performance or mask the use of a performance enhancing substance.
3. The sanction is a reprimand. No period of ineligibility is imposed.

Dated 6th August 2012



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B J Paterson QC
Chairman