

BETWEEN DRUG FREE SPORT NEW ZEALAND

Applicant

AND ROCKY MASOE

Respondent

AND NEW ZEALAND RUGBY LEAGUE

Interested Party

**PROVISIONAL SUSPENSION DECISION
DATED 2 DECEMBER 2013**

Hearing 26 November and 2 December 2013 by telephone conference

Tribunal Sir Bruce Robertson (Chair)
Anna Richards
Ron Cheatley

Present
(26 November) Paul David, counsel for Drug Free Sport New Zealand
Graeme Steel, Drug Free Sport New Zealand
Jude Ellis, Drug Free Sport New Zealand
Kevin Bailey, New Zealand Rugby League

Registrar Brent Ellis

1. Drug Free Sport New Zealand (DFS) brought an application for the provisional suspension of rugby league player Rocky Masoe.
2. DFS alleges that, after playing a Pirtek National Rugby League match for the Wellington Orcas on 7 October 2013, Rocky Masoe refused or failed to submit to a sample collection after notification under Rule 3.3 of the Sports Anti-Doping Rules 2013 (SADR) and that he therefore committed an anti-doping rule violation.
3. Rule 12.8 of the SADR provides that where notice has been given of an (alleged) anti-doping rule violation under Rules 3.2 to 3.8, a provisional suspension may be imposed where the Sports Tribunal considers that there is a prima facie case that a violation has been committed and it is appropriate to impose a provisional suspension.
4. On 26 November the Tribunal received an informal communication that Mr Masoe had just suffered a bereavement and we adjourned the matter until 2 December.
5. On 29 November we received advice that Mr Masoe accepted the need for a provisional suspension effective immediately which related to all sports including rugby league. This was orally confirmed in a conversation between our Registrar and Jason Hemson, General Manager of Wellington Rugby League, on behalf of Mr Masoe.
6. On the basis of all the material available we are satisfied that an order should be made and is made effective immediately from today's date.
7. Mr Masoe has advised that he does not dispute the facts alleged and therefore admits the offence alleged. The Registrar will arrange at the earliest available date a substantive hearing when Mr Masoe will be heard in explanation and mitigation.

Dated 2 December 2013

A handwritten signature in black ink, appearing to read 'Bruce Robertson', with a long horizontal stroke extending to the right.

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Sir Bruce Robertson (Chair)