



1. Drug Free Sport New Zealand has brought an application for provisional suspension arising out of an adverse analytical finding for the prohibited substance 1,3-dimethylpentylamine arising from an in-competition drug test on 3 November 2012.
2. Mr Tafatu has asked for the B sample to be tested. The result of that test will likely not be known for two weeks or so.
3. In the meantime the Tribunal has before it the adverse analytical finding in respect to the A test. In those circumstances it is appropriate that the Tribunal should impose a provisional suspension commencing from today's hearing date of 5 December 2012.
4. The result of the test of the B sample will no doubt determine what course Drug Free Sport New Zealand will then follow. The Tribunal will assist in the early determination of any further application.
5. It became apparent from a discussion at the hearing that if an application for substantive suspension is brought by Drug Free Sport New Zealand that there will be some issues in respect to which Mr Tafatu's position may benefit from a sharing of information with Drug Free Sport New Zealand and from him obtaining some legal advice. We have suggested Mr Tafatu contact the Tribunal's Registrar, Brent Ellis, in respect to the latter.

Dated: 5 December 2012



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**A R Galbraith QC**  
**(Deputy) Chairperson**