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## Chapter 12 Doping Provisions

### § 12-1. Scope

(1) The doping provisions apply to:

- a) Individual members and organisational units.
- b) an athlete who participates in a sports event organized by an organisational unit within the NIF. A sports event includes competition and organized training.
- c) an athlete who represents an organisational unit in competitions or training.
- d) a coach, leader, official, medical personnel or other person who assists an athlete or an organizational unit in connection with a sports activity.
- e) an athlete or other person who has committed him-/herself towards an organisational unit to obey the doping provisions.

(2) An organisational unit is obligated to inform about the doping provisions and may stipulate as a condition for participation in the organisational units activity that an athlete or other person signs an agreement on observance of the doping provisions.

(3) The doping provisions apply to rule violations committed in Norway and abroad.

(4) A person who resigns from a sports club within the NIF is obligated to be subject to doping control for one year after resignation.

(5) These doping provisions regulate every aspect concerning anti-doping work and are in conformity with the World Anti-Doping Code (Code) and the International Standards issued by the World Anti-Doping Agency (WADA). For all aspects not directly regulated by these doping provisions, the World Anti-Doping Code and the International Standards shall apply automatically and be considered as part of these doping provisions. In case of conflict between the World Anti-Doping Code/the International Standards and these doping provisions, the World Anti-Doping Code/the International Standards shall have precedence.

(6) The NIF will recognise final decisions made by international sports organisations, national anti-doping organisations and the Court of Arbitration for Sports (CAS) which are in compliance with the WADC.

(7) Organisational units within the NIF may not adopt their own doping provisions. If international federations delegate authority to national federations with respect to doping cases, such cases shall be handled pursuant to the NIF's doping provisions.

(8) The Executive Board may adopt regulations to chapter 12.

(9) The Executive Board may adopt specific rules concerning doping of horses and dogs. If such rules are not adopted, the rules on doping of horses and dogs shall be the rules adopted by the relevant national or international federation. If

specific rules are not adopted by the Executive Board, an athlete or a person may be sanctioned pursuant to § 11-3 et seq. for the violation of rules adopted by the international or national federation.

### **§ 12–2. Control and prosecuting authority in doping cases**

(1) The control and prosecuting authority in doping cases is assigned to the Foundation Anti-Doping Norway (Anti-Doping Norway).

(2) With control authority is meant that persons mentioned in § 12-1 are obligated to accept doping control as determined by Anti-Doping Norway.

(3) With prosecuting authority is meant that Anti-Doping Norway has the authority to make prosecutory decisions pursuant to the doping provisions, including the right to investigate possible rule violations and to act as a party in doping cases. The prosecuting authority also includes cases involving doping of horses and dogs.

(4) Anti-Doping Norway may adopt procedures for the anti-doping work in accordance with WADA's international standards.

### **§ 12–3. Rule violations**

(1) The following constitute rule violations:

- a) presence of a prohibited substance, its metabolites or indicators in an athlete's sample.
- b) use of a prohibited substance or method.
- c) evading, refusing or failing to submit to sample collection.
- d) three whereabouts failures within a twelve-month period, cf. the NIF regulations.
- e) to tamper with any part of doping control, or to give false or inaccurate information, or otherwise impede a doping control.
- f) possession of a prohibited substance or a prohibited method (such as importing, acquiring or being in possession of a prohibited substance or method for personal use).
- g) trafficking (including traffic, produce, import, export, store, distribute, send or transfer a prohibited substance or a prohibited method to a third party).
- h) to administer to any athlete in-competition any prohibited substance or prohibited method, or administer or attempt to administer to any athlete out-of-competition any prohibited substance or prohibited method that is prohibited out-of-competition.
- i) to associate professionally or sports related with any athlete support personnel who is serving a period of ineligibility or to associate professionally or sports related with any athlete support personnel who is found to have violated criminal, disciplinary, professional or civil laws/regulations that would have constituted a violation of anti-doping rules, in accordance with WADC art. 2.10.

- j) to assist, encourage, aid, abet, conspire, cover up or any other type of intentional complicity involving an anti-doping rule violation, attempted anti-doping rule violation or attempted violation of imposed ineligibility, cf. § 12-8 (10) by another person.

(2) Attempted violation of § 12-3 (1) b, e), g) and h) is deemed equal to a committed violation.

(3) The prohibited list comprises prohibited substances and methods. The prohibited list specifies certain substances (hereinafter referred to as specified substances). The prohibited list enters into force upon WADA's decision. The prohibited list applies and is enforced until a new list enters into force.

#### **§ 12–4. Doping control**

(1) Anti-Doping Norway may carry out doping controls without notice in and out of competition.

(2) Doping controls may also be undertaken by other organisations when so is stated in an agreement with Anti-Doping Norway, or in international rules.

(3) An athlete on the registered testing pool who retires and then wishes to return to active participation in competitions must be available for doping control for six months prior to the competition. WADA may grant an exemption to the six month period, cf. WADC art. 5.7.1. An athlete who participates before the six months provision expires automatically loses his/her results in such competitions.

(4) An athlete serving a period of ineligibility has a duty to accept doping controls during the ineligibility period.

#### **§ 12–5. Guilt requirements**

(1) The athlete has a duty to ensure that no prohibited substance enters the athlete's body and that no prohibited method is used. An athlete is without any demonstration of guilt responsible for any prohibited substance found to be present in the athlete's doping sample, or use of a prohibited substance or method, cf. § 12-3 (1) a) and b).

(2) Ignorance of the doping provisions is not a reason for acquittal or a reduced sentence.

#### **§ 12–6. Proof**

(1) Anti-Doping Norway has the burden of establishing that a rule violation has occurred. The standard of proof to be applied shall be whether Anti-Doping Norway has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt.

(2) If the doping rules require an athlete or a person to prove a special fact or circumstance, the standard of proof shall be by a balance of probability.

(3) Facts related to rule violations may be established by any reliable means.

(4) Deviation from procedures adopted by Anti-Doping Norway in accordance with WADA's International standards § 12-2 (4), which have not caused an adverse analytical finding or other rule violation shall not invalidate such evidence or results. WADA-accredited laboratories are presumed to have conducted analysis and custody of doping samples in accordance with WADA's international standard

for Laboratories. If a preponderance of evidence indicates a deviation from the International Standard for Laboratories or other International Standards that could reasonably have caused a an adverse analytical finding, Anti-Doping Norway must prove that the deviation did not cause the positive test or the rule violation. In such cases, Anti-Doping Norway must fulfil the burden of proof as mentioned in the first paragraph.

#### **§ 12–7. Automatic disqualification of prizes, championships and results**

A rule violation in connection with a positive test automatically leads to the disqualification of prizes, championships and results obtained by the athlete in the competition concerned.

#### **§ 12–8. Sanctions**

(1) An anti-doping rule violation discovered during an event may lead to disqualification of prizes, championships and results from all the competitions in that event. If the athlete establishes that he or she bears no fault in connection with the rule violation, the athlete's results in the other competitions in that event shall be retained, unless the rule violation may have affected the other competition results.

(2) Unless fairness requires otherwise, the athlete forfeits prizes, championships and results obtained in the period after the doping rule violation occurred until a provisional suspension or period of ineligibility enters into force.

(3) Ineligibility involves loss of right to participate in competitions and organised training, and the loss of the right to be an elected or appointed officer.

(4) Violation of § 12-3 (1) a), b) and f) shall be sanctioned with a four year ineligibility where:

- a) the rule violation does not involve a specified substance and the athlete or person can not establish that the rule violation was not intentional or committed by gross negligence cf WADC art. 10.2,
- b) the rule violation involves a specified substance and Anti-Doping Norway can establish that the rule violation was intentional or committed by gross negligence cf WADC art. 10.2.

If a) and b) do not apply, the period of ineligibility shall be two years.

(5) Violation of § 12-3 (1) c) and e) shall be sanctioned with a four year ineligibility. If the athlete when failing to submit to sample collection can establish that the rule violation was not intentional or committed with gross negligence, the period of ineligibility shall be two years, cf WADC art. 10.3.1.

(6) Violation of § 12-3 (1) d) shall be sanctioned with a two year ineligibility, with the possibility of a reduction down to one year depending on the degree of fault, cf WADC 10.3.2.

(7) Violation of § 12-3 (1) g) and h) shall be sanctioned with a four year ineligibility with the possibility of imposing up to a lifetime ineligibility depending on the seriousness of the matter. Violations of § 12-3 (1) g) and h) involving minors shall be considered a particularly serious offense which shall result in a lifetime ineligibility if committed by support personnel and not involving a specified substance, cf. WADC art. 10.3.3.

(8) Violation of § 12-3 (1) i) shall be sanctioned with a two year ineligibility with the possibility of a reduction down to one year depending on the degree of fault and the circumstances of the matter, cf WADC art. 10.3.5.

(9) Violation of § 12-3 (1) j) shall be sanctioned with two to four years ineligibility, depending on the seriousness of the matter, cf. WADC art. 10.3.4

(10) In case of violation of an imposed ineligibility, a previously imposed ineligibility shall start over from the time of the violation of the imposed ineligibility as decided by Anti-Doping Norway. A new ineligibility may be reduced depending on the athlete's degree of fault and the circumstances of the matter cf. WADC art. 10.12.3. Anti-Doping Norway's decision may be appealed under § 12-23.

(11) The Executive Board may impose the following sanctions on organisational units violating the doping rules:

- a) reprimands
- b) fines not exceeding the limits stated in § 11-1
- c) reduction of economic support

#### **§ 12–9. Elimination of the period of ineligibility where there is no fault or negligence**

If the athlete or person proves that a violation is caused without fault or negligence, ineligibility imposed shall be eliminated. The violation does not count as a first time violation in cases where this may be of relevance.

#### **§ 12-10. Reduction of ineligibility in case of no significant fault or negligence**

(1) If the violation of § 12-2 (1) a) b and f) involves a specified substance and the athlete or other person can prove that the rule violation was caused with no significant fault or negligence, the sanction shall be minimum a warning and maximum two years ineligibility. The degree of fault shall be decisive for the determination of the ineligibility period.

(2) If the violation of § 12-2 (1) a) b and f) involves a contaminated product containing prohibited substances and the athlete or other person can prove that the rule violation was caused with no significant fault or negligence, and the prohibited substance is not disclosed on the product or by a reasonable internet search, the sanction shall be minimum a warning and maximum two years ineligibility. In addition, the athlete or person must prove that the rule violation was caused with no significant fault or negligence. The degree of fault shall be decisive for the determination of the ineligibility period.

(3) If the athlete can prove that the rule violation was caused by no significant fault or negligence in other cases than those covered by the first and second paragraph, then, subject to further reduction or elimination as provided in §§ 12-11 to 12-13, the ineligibility may be reduced to no less than one half of the period of ineligibility otherwise applicable. If the otherwise applicable period of ineligibility is a lifetime ban, the reduced ineligibility period may be no less than eight years. The degree of fault shall be decisive for the determination of the ineligibility period.

#### **§ 12-11. Reduction of ineligibility on account of prompt admission prior to notice of a doping control or a rule violation**

Admission of a rule violation prior to notice of a doping control, or prior to a notice of a violation of § 12-3 (1) b) to j) is given according to § 12-18 (2), where the admission at that time constitutes the only evidence for the violation, may lead to a reduction of the ineligibility up to one half.

#### **§ 12-12. Reduction of ineligibility on account of prompt admission after a notice of a rule violation**

An athlete who has committed a rule violation which otherwise would be sanctioned with four years ineligibility pursuant to § 12-8 (4) and (5), may have the ineligibility reduced down to a minimum of two years with the consent of WADA and Anti-Doping Norway if the admission is submitted immediately after notice of a rule violation is given. The seriousness of the matter and degree of fault shall be decisive for the determination of the ineligibility period.

#### **§ 12-13. Substantial assistance in discovering or establishing rule violations**

If an athlete or a person substantially assists Anti-Doping Norway, the police or a professional disciplinary body, that results in the disclosure of a violation of the doping rules, general legislation or provisions committed by another person, Anti-Doping Norway may suspend up to three-quarters of an imposed ineligibility cf. WADC 10.6.1.1. to 10.6.1.3. If the relevant ineligibility for the violation is ineligibility for life the non-suspended part of the ineligibility may not be less than eight years. After a final judgment, an imposed ineligibility may only be suspended with the consent of WADA and the relevant international federation.

#### **§ 12-14. Sentencing when multiple grounds for reduction of sanction apply**

A sanction shall be assessed pursuant to §§ 12-8 to 12-10, before the sanction is made suspended or further reduced pursuant to §§ 12-11 to 12-13. If an athlete or a person is entitled to a reduction of ineligibility, or a suspended sanction pursuant to §§ 12-11 to 12-13, the ineligibility may not be reduced or made suspended by more than three-quarters of the ineligibility that otherwise would have been imposed.

#### **§ 12–15. Multiple rule violations**

(1) For the second rule violation the ineligibility shall be the greater of:

- a) six months,
- b) one-half of the imposed sanction for the first rule violation, without taking into account any reduction under § 12-11 to 12-13, or
- c) twice the sanction that would have been imposed if it were a first rule violation, without taking into account any reduction under § 12-11 to 12.13.

Sanctions calculated under a – c above may be reduced pursuant to § 12-11 to 12.13.

(2) For the third violation an ineligibility for life shall always be imposed unless §§ 12-9 or 12-10 apply, or there is a violation of § 12-3 (1) d). In such cases an ineligibility of minimum 8 years and up to lifetime shall be imposed.

(3) It is considered as multiple rule violations if it is demonstrated that the later rule violation was committed by an athlete or a person after he/she was notified

about the previous rule violation, or after it may be demonstrated that there was made a reasonable attempt to notify him/her about the previous violation. If it may be determined that both rule violations were committed prior to the notification was given or attempted given, it will be considered as one rule violation, and the most severe ineligibility period shall be imposed.

(4) If facts related to a rule violation that took place before the athlete or person was notified of the previous violation are disclosed after a final judgment has been made, the case shall be brought for the adjudication committee for issuance of an additional sanction where the most severe ineligibility period shall be imposed. In such cases the athlete shall lose prizes, championships and results of § 12-8 (2).

(5) In order for (1) to (4) to apply it is a precondition that the rule violations took place in the same 10 year period.

### **§ 12–16. Provisional suspension**

(1) When an adverse analytical finding for a prohibited substance or a prohibited method, other than a specified substance is received, a provisional suspension shall be imposed after the procedure under § 12-20 is completed. Such suspension is decided by Anti-Doping Norway. A provisional suspension may apply for up to two months at a time. The total suspension period must not exceed the time during which it is assumed that the person in question will lose his or her rights pursuant to a final judgement. Anti-Doping Norway's decision may be appealed under § 12-23. The suspension may be eliminated if the person involved demonstrates to the adjudication committee that the violation is likely to have involved a contaminated product. The adjudication committee's decision not to eliminate the suspension may not be appealed further. Sub-section 3 to 6 shall apply.

(2) If there are reasons for assuming that an athlete or person will be convicted pursuant to these rules, the adjudication authority hearing the case may in other cases than covered by the first sub-section, decide that the person in question shall be provisionally suspended. A provisional suspension may apply for up to two months at a time. The total suspension period must not exceed the time during which it is assumed that the person in question will lose his or her rights pursuant to a final judgement.

(3) Provisional suspension implies that the athlete or person is excluded pursuant to § 12-8 (3). A respected period of provisional suspension shall be deducted from any penalty that may be imposed.

(4) The person who is provisionally suspended shall be notified of the decision immediately and informed of his or her right to appeal the decision.

(5) The person concerned may for suspension other than suspension imposed according to sub-section 1, request an oral hearing concerning the question of provisional suspension either before or directly after the decision is made.

(6) An athlete or person may accept a provisional suspension in writing without the question being brought before the adjudication committee or Anti-Doping Norway. The person concerned shall be informed about voluntarily provisional suspension when the notice of a rule violation is given.

### **§ 12–17. Commencement of ineligibility period**

(1) The ineligibility becomes effective from the day ineligibility is imposed.

(2) If there has been a significant delay in the procedure, which is not attributable to the athlete or person, the adjudication authority may determine an earlier commencement of the ineligibility period. The ineligibility may commence as early at the sample collection date in relation to a positive test, or at the time of another anti-doping rule violation. The athlete shall lose prizes, championships and result from the time the ineligibility takes effect.

(3) If an athlete or a person admits to a rule violation directly after having been informed of the rule violation pursuant to § 12-20 (2), the adjudication authority may decide that the period of ineligibility shall commence as early at the sample collection date in relation to a positive test, or at the time of another anti-doping rule violation. Nevertheless, the athlete or person must serve at least one half of the imposed ineligibility. This section does not apply when the ineligibility is already reduced pursuant to § 12-12.

### **§ 12-18. Status during ineligibility**

(1) An ineligible athlete loses the right to participate in competitions and organised training, and the right to be an elected or appointed officer cf. § 12-8 (3).

(2) An athlete or person who has been sentenced to a longer period of ineligibility than four years, may after four years and for the remaining period of ineligibility, participate in sports on a local level within other sports than the one the athlete/person participated in when the rule violation was committed. This does not include competitions which may qualify for national or international championships.

(3) An athlete who wishes to re-enter sports after the ineligibility period must during a provisional suspension period and during the ineligibility be available for doping control and upon request submit required athlete whereabouts information.

(4) The NIF and its organisational units shall fully or partly withdraw financial support to a person who is ineligible due to violation of the rules stated in § 12-3. This rule does not apply if §§ 12-9 or 12-10 applies.

(5) An ineligible athlete may participate in organized training the last two months of the imposed ineligibility, or the last quarter of the imposed ineligibility if such period is shorter.

### **§ 12-19 Statute of limitations**

The statute of limitations is 10 years. The limitation period commences on the date the rule violation occurred. The limitation period is interrupted when the person has been notified of the anti-doping rule violation as provided in § 12-20 (2), or notification has been reasonably attempted.

### **§ 12-20 Procedure prior to a charge is filed**

(1) The procedure in doping cases shall be proper and in compliance with the World Anti-Doping Code and the applicable International Standards adopted by WADA.

(2) The athlete or person shall be informed of a rule violation as soon as possible after Anti-Doping Norway has undertaken the required investigation. The athlete/person shall be informed about his/her rights.



(3) Anti-Doping Norway has according to § 12-2 the authority to file charges with a demand that a case is opened for violation of the doping provisions.

(4) The charges shall be filed in writing to the NIF's adjudication committee as soon as possible after the required investigation has been completed.

#### **§ 12-21 Simplified procedure in cases where a rule violation has been admitted**

(1) Anti-doping Norway may give an athlete or person who has admitted a rule violation the possibility to choose a simplified procedure through acceptance of a sanction without a hearing. Simplified procedure may only be used when asking for an ineligibility of four years or less.

(2) The person concerned shall receive all information in the case before a simplified procedure is offered. When offering a simplified procedure the person concerned shall receive a draft reasoned decision, and be given 14 days to accept the sanction. The person may within 14 days after the sanction has been accepted withdraw his or her acceptance, and demand a hearing.

(3) An accepted sanction has the same effect as an ordinary sanction, and may not be appealed by the person concerned or Anti-Doping Norway. Other parties may appeal the decision according to § 12-23 et seq.

#### **§ 12-22. Procedure after a charge is filed**

(1) The adjudication committee shall send the charges as soon as possible and within 14 days to the person concerned. The person concerned shall be given at least 21 days to give remarks to the charges. The person concerned shall, by the time the charges are sent to him/her, be informed that the case may be determined on grounds of the written charges if he or she does not give remarks within the stipulated term.

(2) Every case shall be decided as quickly as possible. The adjudication body shall ensure that the case is not unduly delayed and may set deadlines, exclude evidence and carry out other preparatory proceedings. Every case shall be thoroughly considered before a decision is made. Parties are entitled to demand an oral hearing unless the adjudication committee agrees unanimously that this is unnecessary. If oral statements are taken from parties or witnesses, the parties shall be notified and be entitled to be present with an advisor if necessary. The decision shall be based exclusively on the evidence submitted in the case and of which both parties have been informed. If the athlete or person charged does not speak Norwegian, an interpreter shall be provided.

(3) No person in the adjudication body may participate in the preparation of, or deciding the case if he or she is an interested party, has submitted a complaint or participated in the proceedings at a lower level, previously has publicly made known his or her opinion on the case, or if there are other reasons likely to undermine confidence in his or her impartiality.

(4) The decision shall be reasoned. An account shall be given of which matters are deemed to have been proven and which penal provisions have been applied.

(5) Notification of the decision, with reasons, shall be sent to the prosecuting authority and the person concerned, as well as to any anti-doping organisation with a right to appeal. He or she shall at the same time be informed of the deadline for appealing the decision and the relevant address for where to send the appeal.

(6) The adjudication committee shall be set with three members during the handling of every case, so that either the chairperson or deputy chairperson shall be present. If the adjudication committee has decided on a provisional suspension, the committee shall for the further handling of the case if possible be set with other members than the ones who decided the provisional suspension.

(7) The appeal committee shall be set with three members during the handling of every case, in a way that either the chairperson or deputy chairperson shall be present. If the appeal committee has decided on a provisional suspension, the committee shall for the further handling of the case if possible be set with other members than the ones who decided the provisional suspension.

### **§ 12-23 Decisions subject to appeal**

The following decisions may be appealed:

- a) decisions made by the NIF's adjudication committee
- b) decisions made by Anti-Doping Norway under §§ 12-8 (10), 12-13, 12-16 and 12-21
- c) other decisions mentioned in WADC art. 13.2.

### **§ 12–24. Legitimate appellants**

(1) Legitimate appellants are;

- a) athlete or person concerned,
- b) Anti-Doping Norway
- c) WADA,
- d) the relevant international federation,
- e) the national anti-doping organisation in the country where the athlete or other person concerned is domiciled or in the countries where the athlete or other person concerned is a national or licence holder,
- f) The International Olympic Committee (IOC) and the International Paralympic Committee (IPC), as applicable, when the decision may have implications for the Olympic or Paralympic Games.

(2) A decision imposing a provisional suspension may only be appealed by an athlete or person concerned.

### **§ 12-25. Appeal procedure**

(1) Appeals on decisions made by Anti-Doping Norway under §§ 12-8 (10), 12-13, 12-16, and 12-21 are treated by the adjudication committee. Sub-section 2 to 11 shall apply as applicable for the adjudication committees treatment of such appeals.

(2) Appeals on decisions made by the NIF's adjudication committee are determined as follows:

- a) decisions concerning international level athletes as defined by the international federations or decisions related to an international event,

may be appealed directly to CAS without being treated by the NIF's appeals committee,

b) WADA may appeal all decisions directly to CAS without treatment in NIF's appeal committee,

c) other appeals are handled by the NIF's appeals committee.

(3) WADA, IOC, IPC or the relevant international federation may appeal decisions made by the NIF's appeals committee to CAS.

(4) The appeal to the NIF's appeal committee must be submitted in writing no later than 14 days after the party was informed of the decision. The appeal is to be submitted to the NIF's adjudication committee and sent by the adjudication committee together with the documents of the case to the NIF's appeals committee

(5) An appeal submitted after the deadline for appeal shall be dismissed unless the NIF's appeals committee finds that the failure to meet the deadline should not be blamed on the appellant, or it is nevertheless found reasonable to consider the appeal.

(6) If there is a significant delay when deciding on whether or not an athlete or person has committed a violation, WADA may submit the case to CAS.

(7) The appeal shall be dealt with as soon as possible. The provisions in § 12-22 apply correspondingly.

(8) The NIF's appeals committee may:

- a) dismiss the case on grounds of formal error,
- b) quash the decision of the subordinate body, send the case back for a new hearing and provide guidelines for this,
- c) uphold the appealed decision,
- d) pass a new judgment.

(9) The appealed decision shall remain in effect while under appeal unless the appellate body decides otherwise.

(10) The time to file an appeal to CAS shall be twenty-one days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings that led to the decision being appealed:

(a) Within fifteen days from notice of the decision, such party/ies shall have the right to request a copy of the case file from the body that issued the decision.

(b) If such a request is made within the fifteen-day period, then the party making such request shall have twenty-one days from receipt of the file to file an appeal to CAS.

(11) The above notwithstanding, WADA's time of appeal expires at the latest time of either 21 days after the last day of the ordinary time of appeal or 21 days after WADA's receipt of the decision and the complete file relating to the decision.

## **§ 12–26. Publication. Confidentiality**

(1) A doping case is not public until it has been decided to file charges. Anti-Doping Norway may decide that the decision to file charges is made public, after notice has been provided to the athlete or person and to the applicable anti-doping organization, cf WADC art. 14.3.

(2) Proceedings in the adjudicative bodies are public unless the adjudicative body decides otherwise, or they at the request of one of the parties find that proceedings shall be held behind closed doors.

(3) The reasoned decision is public. However, the adjudication body dealing with the case may, under special circumstances, decide that only the judgment shall be public.

(4) Anti-Doping Rule violations are published according to WADC art. 14.3 cf. 14.6.

### **§ 12–27. Appointment of defense lawyer and covering of expenses**

(1) The parties shall as a main rule cover their own costs. If the person concerned is acquitted in whole or in part, the adjudication body may award costs. Similarly, the person concerned may under special circumstances be ordered to pay the costs of the case.

(2) The adjudication body may in special cases appoint and cover the costs for a defence lawyer and expert witnesses.

(3) Costs related to the appointed defence lawyer will be covered insofar as they are deemed reasonable and necessary. Lawyers' fees shall be calculated according to the same rules as those applying to court-appointed defence lawyers in municipal courts. The adjudication body approves the fees. The adjudication committee's stipulation of the fees may be separately appealed to the appeals committee by the parties or the NIF within 14 days after having been informed of the decision. When the NIF's appeals committee has determined the costs related to an appeal case, the NIF shall be given the opportunity to comment on the costs before the final decision is made.

(4) Necessary expenses for witnesses will only be covered if the witnesses have been summoned by the adjudication body. Expense for expert witnesses will only be refunded if the expert witnesses have been appointed by the adjudication body and the costs are deemed reasonable.

(5) When a party is present at oral proceedings at the request of the adjudication body, the adjudication body may decide to cover his or her travelling and subsistence expenses in accordance with the rates for public sector employees. Loss of earnings will not be compensated.

### **§ 12–28. Reopening of a case**

(1) For the benefit of a person on whom a sanctions has been imposed, a case that has otherwise been finally decided by the NIF's adjudicative bodies, may be reopened if information becomes available that it is assumed would have led to a different result. To the prejudice of a person found not guilty, a case that has otherwise been finally decided may be reopened if, on the grounds of the person's own admission or other new information or evidence, it is highly probable that the person in question is guilty of a rule violation.

(2) A petition for the reopening of a case shall be sent to the body that last decided the case. If the petition for reopening is rejected, the rejection may be overruled, except for rejections dealt with by the NIF's appeals committee.

(3) If the petition for reopening is granted, the reopening body decides how the case is to be dealt with and may decide the case.

(4) The provisions in § 12-22 shall apply insofar as they are appropriate.

**§ 12–29. Pardon**

On application and where special circumstances are in favour of so doing, the Executive Board may grant a pardon for ineligibility related to the right to hold elected or appointed honorary posts.