



ATHLETICS AUSTRALIA

Policy Document

National Policy on Anti-Match-fixing in Athletics

Board Endorsed December 2016

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PRINCIPAL PARTNER

National Policy on Anti-Match-Fixing in Athletics

Review History of Athletics Australia Anti-Match-Fixing Policy

Version	Date Reviewed	Date Endorsed	Content Reviewed/Purpose
Original	December 2016	December 8 2016	<ul style="list-style-type: none">• Original Version• Required by ASC Sport Investment Agreement

1. INTRODUCTION

The essence of the sport of Athletics is a contest between competing athletes as a fair and honest test of skill, strength, and ability, the outcome of which is determined by (and only by) the contestants' relative sporting merits.

Any conduct that might undermine public confidence in the integrity of the athletics contest is fundamentally at odds with the essence of the sport.

Athletics Australia (**AA**) has therefore adopted this Integrity policy on anti-match-fixing in athletics as the basis for preserving the integrity of the Athletics by:

- prohibiting conduct by participants that may undermine public confidence in the integrity of Athletics; and
- assessing the internal and external risks faced by athletics participants in relation to match-fixing and developing protective measures to combat those risks; and
- Establishing effective mechanisms for enforcement of this Policy and sanction for breach of this Policy.

AA adopts the following position:

- I. AA recognises that betting is a legitimate pursuit, however, illegal or fraudulent betting is not. Fraudulent betting on sport and the associated match-fixing is an emerging and critical issue globally, for sport, the betting industry and governments alike.

- II. AA and its Member Associations have a major obligation to address the threat of match-fixing and the corruption that flows from that.
- III. AA and its Member Associations have a zero tolerance for illegal gambling and match-fixing.
- IV. AA will use reasonable efforts to administer, monitor and enforce this Policy.
- V. The purpose of the National Policy on Match-Fixing is to:
 - i. protect and maintain the integrity of AA;
 - ii. protect against any efforts to impact improperly the result of any match or event;
 - iii. establish a uniform rule and consistent scheme of enforcement and penalties; and
 - iv. Adhere to the National Policy on Match-Fixing in Sport as agreed by Australian Governments on 10 June 2011.
- VI. The conduct prohibited under this Policy may also be a criminal offence and/or a breach of other applicable laws or regulations. This Policy is intended to supplement such laws and regulations. It is not intended, and should not be interpreted, construed or applied, to prejudice or undermine in any way the application of such laws and regulations. Relevant Persons must comply with all applicable laws and regulations at all times.

2. APPLICATION

2.1 Application of Policy

- a) This Policy is made by the AA Board and is binding on all Relevant Persons. It may be amended from time to time by the Board.
- b) The Board may, in its sole discretion, delegate any or all of its powers under this Policy, including but not limited to the power to adopt, apply, monitor and enforce this Policy.
- c) By virtue of their ongoing membership, employment or other contractual relationship with AA, Relevant Persons are automatically bound by this Policy and required to comply with all of its provisions.
- d) Relevant Persons shall remain bound by this Policy throughout their membership, employment or other contractual relationship period with AA and the Policy provisions continue to bind the Relevant persons through until 6 months after the Relevant Person's last participation in an Event or Competition. However, AA shall continue to have jurisdiction over the individual(s) after this time to enforce the Policy against Relevant Persons in respect of matters that occurred during the Relevant Persons participation in the sport. Further, AA's jurisdiction over any Relevant Persons under this Policy

shall survive any purported retirement of the individual(s), whether such retirement takes place before or after any investigation has been opened in relation to him/her and/or proceedings have been instituted against him/her under this Policy.

2.2 Relevant Persons

- a) This Policy applies to any Relevant Person as defined from time to time by the Board. For clarity, this includes but is not limited to:
- i. Athletes that are:
 - A. National Athlete Support Scheme (NASS) supported athletes
 - B. Athlete members of AA junior high performance programs
 - C. Athletes selected to an AA supported team
(including but not limited to: NASS supported athletes, Olympic and Paralympic Games, Olympic Youth, IAAF World Championships, IAAF World Indoor Championships, World Youth, World Junior, IPC World Championships, Commonwealth Games, Commonwealth Youth Games, World Relay Championships, World Cross Country Championships and Oceania Championships teams)
 - ii. Coaches that are:
 - A. AA employed or contracted coaches
 - B. NASS personal coaches
 - C. Junior/Para/Senior team member personal coaches
 - iii. Officials that are:
 - A. Team officials appointed by AA to any national team
 - B. Accredited Officials under the AA Officials' Education Scheme appointed to any event sanctioned by AA or the IAAF
 - C. Any other staff member, consultant, contractor or person in any way appointed or otherwise engaged with AA HP programs
 - iv. Employees of AA;
 - v. Directors and Board sub-committee members of AA;
 - vi. Directors/Committee members of AA's Member Associations
 - vii. Selectors appointed by AA or one of its Member Associations

Note: International athletes competing in Events conducted by AA will not be subject to the education requirements pursuant to this policy.

- viii. Any other relevant person who acts in a volunteer capacity to support any AA High Performance Program at a national or international Competition or Event sanctioned by AA or the IAAF.

Note: AA will use its best endeavours to ensure volunteers falling under this category complete the education requirements of this policy.

2.3 Education

Subject to the Notes in 2.2 (a)i, and 2.2 (a)ix above:

- a) AA will use its best endeavours to ensure all Relevant Persons as at the commencement of this Policy undertake AA's education program as soon as is reasonably practicable.
- b) It is expected, all persons who become Relevant Persons after the commencement of this Policy will undertake AA's education program as part of their induction and prior to:
1. competing in any Event or Competition; or
 2. Within two months of commencing employment with AA.

It is expected that all Relevant Persons undertake the online education program available at e-learning.sport.gov.au

2.4 Code of Conduct

- a) In addition to this Policy, all Relevant Persons are bound by AA's Code of Conduct (see Annexure D), as amended from time to time, which is underpinned by the following principles:
- Be Smart: know the rules
 - Be Safe: never bet on your sport
 - Be Careful: never share sensitive information
 - Be Clean: never fix an event
 - Be Open: tell someone if you are approached

3. PROHIBITED CONDUCT

- a) A Relevant Person to whom this Policy applies must not directly or indirectly, alone or in conjunction with another or others breach this Policy or AA's Code of Conduct by:
- i. betting, gambling or entering into any other form of financial speculation on any Competition or on any Event connected with AA; or
 - ii. participating (whether by act or omission) in Match-Fixing by:
 - A. deliberately underperforming or 'tanking' as part of an arrangement relating to betting on the outcome of any contingency within a Competition or Event;

- B. deliberately fixing, or exerting any undue influence on, any occurrence within any Competition or Event as part of an arrangement relating to betting on the outcome of any contingency within a Competition or Event;
 - C. Inducing or encouraging any Relevant Person to deliberately underperform as part of an arrangement relating to betting on the outcome of any Competition or Event;
 - D. providing Inside Information that is considered to be information not publicly known such as individual fitness or form, Team or its members configuration (including, without limitation, a Team's actual or likely composition or the form or fitness of an individual athlete or tactics) other than in connection with bona fide media interviews and commitments;
 - E. ensuring that a particular incident, that is the subject of a bet, occurs;
 - F. providing or receiving any gift, payment or benefit that might reasonably be expected to bring the Relevant Person or AA into disrepute; or
 - G. Engaging in conduct that relates directly or indirectly to any of the conduct described in Clauses 3 a)(ii)(A)(i) to A(vi) above and is prejudicial to the interests of AA or which bring a Relevant Person or AA into disrepute.
 - H. Any attempt or any agreement to act in a manner that would culminate in Prohibited Conduct shall be treated as if the relevant Prohibited Conduct had occurred, whether or not the Prohibited Conduct actually occurred as a result of the attempt or agreement to act.
- b) If a Relevant Person knowingly assists or is a party to "covering up" Prohibited Conduct, that Relevant Person will be treated as having engaged in the Prohibited Conduct personally.
 - c) Nothing in this section prevents the Board from enforcing any other Rules and Regulations or referring any Prohibited Conduct to a relevant law enforcement agency.

All Relevant Persons are to be aware of the criminal offences relating to Match-Fixing, which may carry up to a maximum sentence of 10 years imprisonment.

4. REPORTING PROCESS

- a) A Relevant Person to whom this policy applies must promptly notify the Chief Executive Officer if he or she:
 - i. is interviewed as a suspect, charged, or arrested by police in respect of conduct that would amount to an allegation of Prohibited Conduct under this Policy;
 - ii. is approached by another person to engage in conduct that is Prohibited Conduct;

- iii. knows or reasonably suspects that another person has engaged in conduct, or been approached to engage in conduct that is Prohibited Conduct;
 - iv. has received, or is aware or reasonably suspects that another person has received, actual or implied threats of any nature in relation to past or proposed conduct that is Prohibited Conduct.
- b) If a Relevant Person wishes to report the Chief Executive Officer for involvement in conduct that is Prohibited Conduct under this Policy then the Relevant Person to which this Section 4 applies may report the conduct to the Chair of the Board.
- c) Notification by a Relevant Person under this Section 4 can be made verbally or in writing in the discretion of the Relevant Person and may be made confidentially if there is a genuine concern of reprisal. However, the Chief Executive Officer (or the Chair of the Board as the case may be) must record the fact of the reporting of Prohibited Conduct and particulars of the alleged Prohibited Conduct in writing within 48 hours of the report from the Relevant Person for presentation to the Board.
- d) Any report by a Relevant Person under this Section 4 will be dealt with confidentially by AA unless disclosure is otherwise required or permitted under this Policy, by law, or if the allegation of the Prohibited Conduct is already in the public domain.
- e) A Relevant Person has a continuing obligation to report any new knowledge or suspicion regarding any conduct that may amount to Prohibited Conduct under this Policy, even if the Relevant Person's prior knowledge or suspicion has already been reported.

5. INVESTIGATIONS

5.1 Allegations of Prohibited Conduct

- a) If the Chief Executive Officer (or the Chair of the Board as the case may be) receives a report or information that a Relevant Person has allegedly breached this Policy including by engaging in actual or suspected Prohibited Conduct, the Chief Executive Officer (or the Chair of the Board) will, as soon as reasonably practicable refer that report or information and any documentary or other evidence that is available to it in relation to the alleged Prohibited Conduct by the Alleged Offender to the Chair of the Integrity Panel. If a referral pursuant to this paragraph (a) is made by the Chief Executive Officer, the Chief Executive Officer must notify the Board that an allegation of breach of this Policy has occurred at the same time that the Chief Executive Officer makes the relevant referral.
- b) If a matter has been referred to the chair of the Integrity Panel that an Alleged Offender has allegedly breached this Policy including by engaging in actual or suspected Prohibited Conduct, the CEO or Board may, in its

discretion and pending determination by the Integrity Panel impose a Provisional Suspension on the Alleged Offender.

- c) In order for a Provisional Suspension to be imposed, the Alleged Offender must have first been issued with a Notice of the charge. The Provisional Suspension can be imposed from the date of receipt of the Notice of the charge by the Alleged Offender. The Provisional Suspension notice must also be sent to the IAAF chief executive officer and the Alleged Offender's Member Organisation's chief executive officer. During the period of a Provisional Suspension, the Alleged Offender may not participate, or be involved in any manner with any AA or Member Association Event or Competition.
- d) An Alleged Offender who is subject to a Provisional Suspension has the right:
 - i. to have any Integrity Panel proceedings expedited so that the charge(s) against him/her is determined as quickly as possible, consistent with the requirements of due process; and / or
 - ii. to apply to the Integrity Panel for an order lifting the Provisional Suspension. On such application, it shall be the Integrity Panel's burden to establish that:
 - A. there is a reasonable prospect that the charge(s) will be upheld; and
 - B. in such circumstances, there is a real risk that the integrity of AA could be seriously undermined if the Alleged Offender was not provisionally suspended.
- e) The Integrity Panel shall determine, in their sole discretion, the procedure to be followed on such application (including whether to convene a hearing or to determine the application on the papers), provided always that the parties are afforded a fair and reasonable opportunity to present their evidence and to make submissions to the Integrity Panel.
- f) Notice of the Integrity Panel's decision on the application shall be sent to the persons to whom notice of the original imposition of the provisional suspension was sent. There shall be no appeal from the Integrity Panel's decision on this issue.
- g) An Alleged Offender who receives a Notice of charge, but is not advised of a Provisional Suspension by AA, may at any time notify AA that he/she elects a Voluntary Provisional Suspension. Such Voluntary Provisional Suspension will come into effect only upon receipt by the AA of written notice from Alleged Offender of his/her decision to undertake a Voluntary Provisional Suspension
- h) No admission of guilt may be inferred, or other adverse inference may be drawn, from either:

- i. an Alleged Offender's decision to not challenge a Provisional Suspension; or
 - ii. an Alleged Offender's decision to undertake a Voluntary Provisional Suspension.
- i) Any period of Provisional Suspension or Voluntary Provisional Suspension which is served by an Alleged Offender shall be credited against any period of Ineligibility subsequently imposed on the Alleged Offender.
 - j) Nothing in this section prevents the Board or Chief Executive Officer from enforcing any other Rules and Regulations or referring any Prohibited Conduct to a relevant law enforcement agency.

5.2 Confidentiality and Reporting

- a) To maintain the confidentiality of the process, no parties will publically announce, comment on or confirm any of its investigative or subsequent hearings or appeals activities. Notwithstanding this provision, however, a general description of a process that may be instigated under this policy is permissible.
- b) AA must not disclose any specific facts of an allegation of Prohibited Conduct or breach of this Policy.
- c) The identity of a Relevant Person against whom a finding of Prohibited Conduct is made may only be publicly disclosed after the Integrity Panel has notified the Relevant Person, AA and any other interested party of its decision. Such disclosure will be by way of an official release by AA.
- d) Where any public announcement may be considered detrimental to the wellbeing of a Relevant Person, the Board will determine the most appropriate course of action in its sole discretion based on the circumstances of the Relevant Person.
- e) All parties must maintain all information received in the course of any report, notice, hearing or appeal (other than a notice of decision by the Appeals Panel or an appeal tribunal) in relation to an allegation of conduct that is Prohibited Conduct as strictly confidential.
- f) Clauses 5.2 a) to e) do not apply if the disclosure is required by law or AA determines to refer information to a law enforcement agency.

5.3 Criminal offences

Any alleged Prohibited Conduct by an Alleged Offender which is considered by the Board or Chief Executive Officer as a prima facie unlawful offence will be reported to the police force in the jurisdiction the offence is alleged to have occurred and/or the Australian Federal Police.

5.4 Privilege

- a) Notwithstanding anything else in this Policy, a Relevant Person who is interviewed under suspicion, charged or arrested by a law enforcement agency in respect of a criminal offence that is, or may be considered to be conduct that is Prohibited Conduct under this Policy shall not be required to produce any information, give any evidence or make any statement to the Board if they establish that to do so would breach any privilege against self-incrimination, or legal professional privilege.
- b) Clause 5.4 a) does not limit the Board from enforcing any other Rules and Regulations.

6. DISCIPLINARY PROCESS

6.1 Commencement of Proceedings

- a) The Integrity Panel must comprise three persons to whom this policy does not apply, and with appropriate skills and experience appointed by the Board for such time and for such purposes as the Board thinks fit. The Board will appoint one of the members of the Integrity Panel to act as its Secretary.
- b) Within 48 hours of the Chair of the Integrity Panel receiving a referral from the Board or CEO of an actual or suspected contravention of this Policy by an Alleged Offender, the chair of the Integrity Panel must issue a notice to the Alleged Offender detailing:
 - i. the alleged offence including details of when and where it is alleged to have occurred
 - ii. the date, time and place for the proposed hearing of the alleged offence which shall be as soon as reasonably practicable after the Alleged Offender receives the Notice;
 - iii. information advising the Alleged Offender of their rights and format of proceedings;
 - iv. the potential penalties in the event that the Integrity Panel makes a finding that the Alleged Offender engaged in the Prohibited Conduct;
 - v. a copy of the referral from the Board and any documentary or other evidence that was submitted to the Integrity Panel by the Board in relation to the alleged Prohibited Conduct by the Alleged Offender.
("the Notice").
- c) Within fourteen business days of the date of the Notice, the Alleged Offender must notify the Integrity Panel in writing of:
 - i. whether or not he or she wishes to contest the allegations; and

- ii. if the Alleged Offender does not wish to contest the allegations and accedes to the imposition of penalty, he or she may so notify the Integrity Panel in writing, in which case no hearing shall be conducted and the Integrity Panel will remit the matter to the Board for the Board's consideration and imposition of a penalty; or
- iii. if the Alleged Offender does not wish to contest the allegations, but wishes to make submissions disputing and/or seeking to mitigate the penalty, he or she may notify the Integrity Panel:
 - A. that he or she wishes to make submissions at a hearing before the Integrity Panel, in which case, the Hearing will proceed in accordance with clause 6.2 below; or
 - B. that he or she wishes to make those submissions in writing, in which case the Integrity Panel will, on receipt of those submissions, remit the matter to the Board for the Board's consideration and imposition of a penalty (giving due consideration to those written submissions), taking into account the penalties prescribed under this Policy;
- d) If the Alleged Offender does not admit or denies the alleged Prohibited Conduct and notifies the Integrity Panel that he or she wishes to contest the allegations, the Alleged Offender, is, by that notice, taken to have consented to the determination of the allegations in accordance with the procedure outlined in this Policy, and if the Integrity Panel finds that the Alleged Offender breached this Policy including by engaging in Prohibited Conduct, to the imposition of a penalty.
- e) If the Alleged Offender fails to respond to the Notice within fourteen business days of the date of the Notice, the Alleged Offender shall be deemed to have:
 - i. waived their entitlement to a hearing in accordance with this Policy; and
 - ii. admitted to the Prohibited Conduct specified in the Notice; and
 - iii. acceded to the imposition of a penalty by the Board; and
 - iv. the Integrity Panel will remit the Alleged Offender's Prohibited Conduct to the Board, informing the Board, by notice in writing, of the Alleged Offender's failure to respond to the Notice and requesting the Board to impose a penalty in the Board's discretion in accordance with this section.
- f) Notwithstanding any of the above, an Alleged Offender shall be entitled at any stage to admit they have engaged in the Prohibited Conduct specified in the Notice and to accede to penalties recommended by the Integrity Panel and determined by the Board
- g) Personnel covered by AA or a Member Organisation Employee Collective Agreement will be subject to relevant Clauses, including Dispute, Hearings,

Appeals and Termination Clauses contained in such Agreement, and if applicable the *Fair Work Act 2009 (Australia)*.

6.2 Procedure of the Integrity Panel

- a) This section applies if the Alleged Offender contests the allegation(s) that he or she has engaged in the Prohibited Conduct specified in the Notice, and there is a hearing of the allegations by the Integrity Panel.
- b) The purpose of the hearing shall be to determine whether the Alleged Offender has engaged in the Prohibited Conduct specified in the Notice and, if the Integrity Panel considers that the Alleged Offender has engaged in Prohibited Conduct, for the imposition any penalty in the Integrity Panel's discretion.
- c) The Integrity Panel may conduct the hearing as it sees fit and, in particular, shall not be bound by the rules of evidence or unnecessary formality. The Integrity Panel must determine matters in accordance with the principles of procedural fairness, such as a hearing appropriate to the circumstances; lack of bias; inquiry into matters in dispute; and evidence to support a decision.
- d) The hearing shall be inquisitorial in nature and the Integrity Panel may call such evidence as it thinks fit in its discretion and all Relevant Persons subject to this Policy must, if requested to do so by the Integrity Panel, provide such evidence as they are able.
- e) The hearing must be conducted with as much expedition as a proper consideration of the matters permit. However, the Integrity Panel may adjourn the proceedings for such reasonable time as it considers it necessary.
- f) Notwithstanding the above, the Alleged Offender:
 - i. is permitted to be represented at the hearing (at their own expense);
 - ii. may call and question witnesses;
 - iii. has the right to address the Integrity Panel to make their case; and
 - iv. is permitted to provide written submissions for consideration by the Integrity Panel (instead of or as well as appearing in person). If the Alleged Offender provides any written submissions, the Integrity Panel must consider those submissions in its deliberations.
- g) The hearing shall be closed to the public. Only persons with a legitimate interest in the hearing will be permitted to attend. This will be at the sole discretion of the Integrity Panel.
- h) The Integrity Panel must determine whether the Alleged Offender engaged in the Prohibited Conduct on the balance of probabilities.



- i) The decision of the Integrity Panel shall be a majority decision and must be recorded in writing. The decision must, at a minimum, set out and explain:
 - i. the Integrity Panel's findings, on the balance of probabilities and by reference to the evidence presented or submissions made, as to whether the Alleged Offender engaged in Prohibited Conduct; and
 - ii. if the Integrity Panel makes a finding that the Alleged Offender engaged in Prohibited Conduct, what, if any, penalties it considers appropriate.
- j) Subject only to the rights of appeal under Clause 6.3, the Integrity Panel's decision shall be the full, final and complete disposition of the allegations of Prohibited Conduct by the Alleged Offender and will be binding on all parties.
- k) If the Alleged Offender or their representative does not appear at the hearing, after proper notice of the hearing has been provided, the Integrity Panel may proceed with the hearing in their absence.

6.3 Appeals

- a) The Alleged Offender, AA and/or the Member Associations have a right to appeal the decision of the Integrity Panel.
- b) The available grounds of appeal are:
 - i. where the decision of the Integrity Panel is wrong having regard to the application of this Policy or the Code of Conduct;
 - ii. where new evidence has become available;
 - iii. where natural justice has been denied; or
 - iv. in respect of the fairness of a penalty imposed.
- c) The Appeals Tribunal must be made up of the Appeals Tribunal Panel members appointed by the Board. The Appeals Tribunal must:
 - i. be comprised of three persons to whom this Policy does not apply, and with appropriate skills and experience to hear the matter;
 - ii. include at least one person who has considerable previous experience in the legal aspects of a disciplinary/hearings tribunal and dispute resolution; and
 - iii. shall not include any members who sat on the Integrity Panel, who's decision is the subject of the appeal to be heard by the Appeal Tribunal.

The Board shall appoint one of the members of the Appeals Tribunal to act as the Appeals Tribunal chair.

- d) A notice of appeal must be made in writing, lodged with the Board, through AA's Chief Executive Officer, within fourteen business days of the Integrity Panel's decision. The notice of appeal must specify the grounds for the appeal.
- e) Any hearing of the appeal must be held within thirty days of the notice of appeal being received by the Chair of the Appeals Tribunal or if this is not possible, at a practical time at the discretion of the Appeals Tribunal.
- f) Any decision of the Integrity Panel that is appealed to the Appeal Tribunal will remain in effect while under appeal unless the Board orders otherwise.
- g) The hearing before the Appeals Tribunal is not a rehearing of the matter, but a hearing of the issue under appeal only.
- h) The Appeals Tribunal may conduct the appeal as it sees fit. However, any party to the appeal can be represented at and make written and oral submissions to the Appeal Tribunal subject to the discretion of the Appeal Tribunal.
- i) The Appeals Tribunal may, in its discretion:
 - i. affirm the decision of the Integrity Panel and the penalty imposed;
 - ii. affirm the decision of the Integrity Panel but decide to impose an alternative penalty; or
 - iii. revoke the decision of the Integrity Panel and the penalty imposed.
- j) The decision of the Appeal Tribunal shall be a majority decision and must be recorded in writing and be communicated to AA's Chief Executive Officer and appellant as soon as practicable.
- k) The decision of Appeals Tribunal shall be final, non-reviewable, non-appealable and enforceable. No claim, arbitration, lawsuit or litigation concerning the dispute shall be brought in any other court or tribunal. Note: This provision does not prevent any law enforcement agency taking action. The Board shall enforce such decision.

7. SANCTIONS

7.1 Penalties

- a) If a Relevant Person admits they engaged in Prohibited Conduct or there is a finding that a Relevant Person has engaged in conduct that is Prohibited Conduct under this Policy or the Code of Conduct, the Board, the Integrity Panel or the Appeal Tribunal, as the case may be, may order that the Relevant Person:

- i. be fined;
 - ii. be suspended from participating in any Competition or Event connected with AA;
 - iii. be banned from participating in any Competition or Event connected with AA;
 - iv. be reprimanded for their involvement in the Prohibited Conduct;
 - v. lose accreditation to continue their involvement in AA;
 - vi. be ineligible, for life, from participating in any Competition or Event connected with AA or from any other involvement in AA;
 - vii. be counselled and/or required to complete a course of education related to responsible gambling and harm minimisation; or
 - viii. subject to the terms and conditions of any contract between AA and the Relevant Person, have that contract terminated.
- b) Notwithstanding the provisions of clause 7.1, the Board, the Integrity Panel or the Appeals Tribunal may impose any other such penalty as they consider appropriate in their discretion.
- c) In addition to the penalties set out above, the Board, the Integrity Panel or the Appeals Tribunal may impose any combination of these penalties in their absolute discretion taking account of the gravity of the Prohibited Conduct.
- d) Further, the Board, the Integrity Panel or the Appeals Tribunal may, depending on the circumstances of the Prohibited Conduct, suspend the imposition of a penalty in their absolute discretion.
- e) All fines received pursuant to this Policy must be remitted to AA for use by AA for the development of integrity programs or as otherwise deemed appropriate.

7.2 Disqualification of Results

For the avoidance of doubt, neither the Integrity Panel nor the Appeals Tribunal shall have any jurisdiction to adjust, reverse or amend the results of any Competition or Event.

If it is determined that two or more Alleged Offender's combined to breach this Policy in connection with a Competition or Event, and as a result tainted the results of such Competition or Event, the Integrity Panel or the Appeals Tribunal (as applicable) shall refer the matter to the Board, which shall have discretion to disqualify the results, deduct points, or take such other remedial measure as it sees fit.

8. INFORMATION SHARING

8.1 Monitoring by Betting Operators

- a) Relevant Persons to whom this Policy applies must disclose information to AA of all their business interests, and connections with Betting Operators.
- b) AA will work with Betting Operators to help ensure the ongoing integrity of the Competitions and Events played under the auspices of AA and Authorised Providers.
- c) AA may request Betting Operators to monitor and conduct regular audits of its databases and records to monitor the incidents of suspicious betting transactions (including single or multiple betting transactions or market fluctuations) that may indicate or tend to indicate that Relevant Persons have engaged in conduct that is Prohibited Conduct under this Policy.
- d) In order to enable the Betting Operator to conduct such audits, AA may, from time to time and subject to any terms and conditions imposed by AA (including in relation to confidentiality and privacy), provide to Betting Operators details of Relevant Persons who are precluded by virtue of this Policy from engaging in Prohibited Conduct.
- e) AA may request Betting Operators to provide the Board with regular written reports on incidents of suspicious betting transactions (including single or multiple betting transactions or market fluctuations) that may indicate or tend to indicate that Relevant Persons have engaged in conduct that is Prohibited Conduct under this Policy.
- f) All requests for information or provision of information by AA or a Betting Operator shall be kept strictly confidential and shall not be divulged to any third party or otherwise made use of except where required by law or where information is already in the public domain other than as a result of a breach of this Policy.

8.2 Sponsorship

- a) AA acknowledges that betting is a legal activity, and recognises that Betting Operators may wish to enter Commercial Partnerships to promote their business.
- b) AA may enter Commercial Partnerships with Betting Operators from time to time, subject to any applicable legislative requirements.
- c) A Member Association or any Team may enter into a Commercial Partnership with a Betting Operator with the written consent of AA. Such consent may be withheld at the discretion of AA and specifically where the proposed Commercial Partnership:

- i. conflicts with an existing Commercial Partnership held between AA and a Betting Operator(s); and/or
 - ii. is with a Betting Operator with whom AA has not entered into an integrity agreement as required under the National Policy on Match-Fixing in Sport and recognised by the applicable state gambling regulator.
- d) Subject to clause 8.2 c) above, a Relevant Person shall not be permitted to:
- i. enter into any form of Commercial Partnership with a Betting Operator; or
 - ii. promote a Betting Operator; or
 - iii. have any form of commercial relationship with a Betting Operator.

9. INTERPRETATIONS AND DEFINITIONS

9.1 Interpretation

- a) Headings used in this Policy are for convenience only and shall not be deemed part of the substance of this Policy or to affect in any way the language of the provisions to which they refer.
- b) Words in the singular include the plural and vice versa.
- c) Reference to “including” and similar words are not words of limitation.
- d) Words importing a gender include any other gender.
- e) A reference to a clause is a reference to a clause or subclause of this Policy.
- f) Where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.
- g) In the event any provision of this Policy is determined invalid or unenforceable, the remaining provisions shall not be affected. This Policy shall not fail because any part of this Policy is held invalid.
- h) Except as otherwise stated herein, failure to exercise or enforce any right conferred by this Policy shall not be deemed to be a waiver of any such right nor operate so as to bar the exercise or enforcement thereof or of any other right on any other occasion.

9.2 Definitions

In this Policy unless the context requires otherwise these words mean:

AA means Athletics Australia

Alleged Offender means a person accused of engaging in Prohibited Conduct under this Policy, prior to a determination by the Integrity Panel.

Appeals Tribunal means the appeals tribunal appointed by the Board in accordance with clause 6.3(c) of this Policy

Athlete means any person identified within AA's athlete framework (Annexure A) as amended and updated from time to time.

Athletics means the sport and competition of Track and Field as determined by AA and the International Association with such variations as may be recognised from time to time.

Authorised Providers means AA's Member Associations, Affiliates, or other organisations from time to time that conduct Events (for example the Australian Commonwealth Games Association or a private event management company operating an Event on behalf of AA).

Board means the board of directors of Athletics Australia

Betting Operator means any company or other undertaking that promotes, brokers, arranges or conducts any form of betting activity in relation to AA

Chief Executive Officer means the chief executive officer of Athletics Australia

Coaches means any person described in AA's coach framework (Annexure B) as amended and updated from time to time.

Competition means an Athletics contest, event or activity measuring performance against an opponent, oneself or the environment either once off or as part of a series.

Employee means an employee of Athletics Australia or a Member Organisation

Event means a one off Competition, or series of individual Competitions conducted by AA or an Authorised Provider (for example International Test Matches, National Championships, or domestic leagues)

Integrity Panel means the Panel appointed by the Board to hear and determine allegations of Prohibited Conduct.

IAAF means the International Association of Athletics Federations, which is the governing international body for athletics.

Inside Information means any information relating to any Competition or Event that a Relevant Person possesses by virtue of his or position within AA. Such information includes, but is not limited to, factual information regarding the competitors in the Competition or Event, tactical considerations or any

other aspect of the Competition or Event but does not include such information that is already published or a matter of public record, readily acquired by an interested member of the public, or disclosed according to the rules and regulations governing the relevant Competition or Event.

Member Associations means those entities recognised by AA's constitution as its Member Associations.

National Policy on Match-Fixing in Sport means the Policy endorsed, on 10 June 2011, by all Australian Sports Ministers on behalf of their governments, with the aim of protecting the integrity of Australian sport.

Notice of charge means the written notice detailed in section 6.1(b) to be provided to the Alleged Offender upon confirmation of a charge.

Official means any person identified within AA's Officials Accreditation Framework (Annexure C) as amended and updated from time to time.

Policy means AA's National Policy on Match-Fixing as amended from time to time.

Prohibited Conduct means conduct in breach of section 3 of this Policy.

Provisional Suspension means a provisional suspension which applies to participation in any Event, Competition or activities sanctioned by AA or one of its Member Associations.

Relevant Person means any of the persons identified in Clause 2.2, or any other person involved in the organisation administration or promotion of Athletics, whose involvement in Gambling would bring Athletics into disrepute.

Selectors means Coaches or Squad Support Staff who are responsible for the athletes chosen to represent the Team at an Event

Squad means Athletes, Coaches, Officials, Staff and Volunteers representing Athletics Australia at an Event in an official capacity, be that volunteer or otherwise

Squad Support Staff means any person who is involved with the Team and Athletes at an Event in an official capacity, be that volunteer or otherwise.

Team means a collection of Athletes and includes a national representative team, National Institute Network Teams, including the Australian Institute of Sport and State/Territory Institutes/Academies' of Sport or Member Organisation team that competes in Competitions or Events.

Volunteer means person who acts in a volunteer capacity for AA at a national or international Competition or Event sanctioned by AA or the IAAF.

10. ANNEXURE A - ATHLETE FRAMEWORK

10.1 This Policy applies to the following classes of athletes:

- All National Athlete Support Scheme NASS supported athletes
- Athletes members of AA junior high performance programs
- Athletes selected to an AA supported team.

11. ANNEXURE B - COACHES FRAMEWORK

11.1 This Policy applies to the following coaches involved with AA or any Member Association:

- AA employed or contracted coaches
- NASS personal coaches
- Junior/Para/Senior team coaches
- State Institute of Sport or State Academy of Sport Coaches through our partnership agreements
- Coaches employed by or contracted by AA

12. ANNEXURE C- OFFICIALS FRAMEWORK

This Policy applies to the following officials involved with AA or any Member Association:

- Team officials appointed by AA to any National team
- Accredited Officials under the AA Officials' Education Scheme appointed to any event sanctioned by AA or the IAAF
- Any other staff member, consultant, contractor or person in anyway appointed or otherwise engaged with AA HP programs

13. ANNEXURE D- CODE OF CONDUCT

Athletics Australia

("AA")

Code of Conduct

Anti-Match-Fixing Code of Conduct



CODE OF CONDUCT

Preamble

AA recognises that betting is a legitimate pursuit, however illegal or fraudulent betting is not. Fraudulent betting on sport and the associated match-fixing is an emerging and critical issue globally, for sport, the betting industry and governments alike.

Accordingly, AA and its Member Associations have a major obligation to address the threat of Match-Fixing and the corruption that flows from that.

AA and its Member Associations have a zero tolerance for illegal gambling and Match-Fixing.

AA has developed a National Policy on Match-Fixing to:

- Protect and maintain the integrity of AA
- Protect against any efforts to impact improperly the result of any match.
- Establish a uniform rule and consistent scheme of enforcement and penalties.
- Adhere to the National Policy on Match-Fixing in Sport as agreed by Australian Governments on 10 June 2011.

A copy of the National Policy can be obtained from AA upon request, and is available on AA's website.

AA will engage necessary technical expertise to administer, monitor and enforce this Policy.

Application

The National Policy, as amended from time to time, will apply to the Relevant Persons including athletes and coaches at elite level, officials, AA employees and persons who hold governance positions at AA, support personnel, selectors and any other person who works in a contractor or volunteer capacity for AA or a Member Association at an Event or Competition.

Code of Conduct Principles/ Rules of Behaviour

This Code of Conduct sets out the guiding principles for all Relevant Persons on the issues surrounding the integrity of sport and betting.

Guiding Principles

1. Be Smart: know the rules
2. Be Safe: never bet on your sport
3. Be Careful: never share sensitive information
4. Be Clean: never fix an event
5. Be Open: tell someone if you are approached

1. Be Smart: know the rules

Find out AA's betting integrity rules of AA (set out in AA's National Policy) prior to each season, so that you are aware of AA's most recent position regarding betting.

If you break the rules, you will be caught and risk severe punishments including a potential lifetime ban from your sport and even being subject to a criminal investigation and prosecution.

2. Be Safe: never bet on your sport

Never bet on yourself, your opponent or your sport. If you, or anyone in your entourage (coach, friend, family members etc.), bet on yourself, your opponent or your sport you risk being severely sanctioned. It is best to play safe and never bet on any events within your sport including:

- never betting or gambling on your own events or any competitions in your sport; including betting on yourself or your team to win, lose or draw as well as any of the different spot bets;
- never instructing, encouraging or facilitating any other party to bet on sports you are participating in;
- never ensuring the occurrence of a particular incident, which is the subject of a bet and for which you expect to receive or have received any reward; and
- never giving or receiving any gift, payment or other benefit in circumstances that might reasonably be expected to bring you or your sport into disrepute.

3. Be Careful: never share sensitive information

As a Relevant Person you will have access to information that is not available to the general public, such as knowing that an athlete is injured or that the athlete is competing just for fitness. This is considered sensitive, privileged or inside information. This information could be sought by people who would then use that knowledge to secure an unfair advantage to make a financial gain.

There is nothing wrong with you having sensitive information; it is what you do with it that matters. Most Relevant Persons know that they should not discuss important information with anyone outside of their club, team or coaching staff (with or

without reward) where the Relevant Person might reasonably be expected to know that its disclosure could be used in relation to betting.

4. Be Clean: never fix an event

Play fairly, honestly and never fix an event or part of an event. Whatever the reason, do not make any attempt to adversely influence the natural course of an event or competition, or part of an event or competition. Sporting contests must always be an honest test of skill and ability and the results must remain uncertain. Fixing an event or competition, or part of an event or competition goes against the rules and ethics of sport and when caught, you may receive a fine, suspension, lifetime ban from your sport, and/or even a criminal prosecution.

Do not put yourself at risk by following these simple principles:

- Always perform to the best of your abilities.
- Never accept to fix an event. Say no immediately. Do not let yourself be manipulated - unscrupulous individuals might try to develop a relationship with you built on favours or fears that they will then try to exploit for their benefit in possibly fixing an event. This can include the offer of gifts, money and support.
- Seek treatment for addictions and avoid running up debts as this may be a trigger for unscrupulous individuals to target you to fix competitions. Get help before things get out of control.

5. Be Open: tell someone if you are approached

If you hear something suspicious or if anyone approaches you to ask about fixing any part of a match then you must tell someone at AA (this person is stipulated in the National Policy) straight away. If someone offers you money or favours for sensitive information then you should also inform the person specified above. Any threats or suspicions of corrupt behaviour should always be reported. The police and national laws are there to protect you. AA has developed the National Policy and the procedures contained in it to help.

