

AUSTRALIAN UNIVERSITY SPORT

Anti-Match-fixing Policy

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AUSTRALIAN UNIVERSITY SPORT

National Policy on Match-Fixing

1. INTRODUCTION

Australian University Sport (AUS) is committed to ensuring the principles of integrity and fairness are upheld in participation and competition in university sport at all times. In particular, AUS considers that inappropriate betting on competitions and/or events and the practice of “Match Fixing” to provide a participant, athlete or team with an unfair advantage are unacceptable. AUS and its Members have a zero tolerance for illegal gambling and match fixing. As such and where required, AUS will engage the necessary technical expertise to administer, monitor and enforce this Policy.

The purpose of the National Policy on Match-Fixing is to:

- (i) protect and maintain the integrity of AUS;
- (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.

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 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 AUS, Relevant Persons are automatically bound by this Policy and required to comply with all of its provisions.

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;
- (ii) Coaches;
- (iii) Officials;
- (iv) Event Medical Personnel
- (v) Event Volunteers
- (vi) Employees and Board Members of AUS;Unirooms Support Staff.

2.3. Education

- a) All Relevant Persons involved with AUS representative teams (Unirooms) must complete appropriate education and training programs as directed by AUS from time to time.
- b) All Relevant Persons as at the commencement of this Policy must undertake AUS's education program.
- c) All persons who become Relevant Persons after the commencement of this Policy must undertake AUS's education program as part of their induction:
 - (i) prior to competing in any Event or Competition; or
 - (ii) within two months of commencing employment (whether paid or voluntary).

2.4. Code of Conduct

- a) In addition to this Policy, all Relevant Persons are bound by AUS's Code of Conduct (see Annexure D), as amended from time to time

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 AUS'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 AUS; 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 Team or its members configuration

(including, without limitation, the Team's actual or likely composition, the form of 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 AUS into disrepute; or
 - G. engaging in conduct that relates directly or indirectly to any of the conduct described in Clauses 3 a)(ii)(A) to (F) above and is prejudicial to the interests of AUS or which bring a Relevant Person or AUS into disrepute.
- b) 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.
 - c) 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.
 - d) 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.

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 AUS 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 Board or Chief Executive Officer receives a report or information that a Relevant Person has allegedly breached this Policy including by engaging in actual or suspected Prohibited Conduct, the Board must, 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 Hearing Panel.
- b) If the Board or Chief Executive Officer has referred to the Hearing Panel a report or information that an Alleged Offender has allegedly breached this Policy including by engaging in actual or suspected Prohibited Conduct, the Board may, in its discretion and pending determination by the Hearing Panel suspend the Alleged Offender from any Event or activities sanctioned by AUS or a Member Organisation.
- c) 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) AUS 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 Hearing Panel has notified the Relevant Person, AUS and any other interested party of its decision. Such disclosure will be by way of an official release by AUS.
- 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 Hearing 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 AUS determines to refer information to a law enforcement agency.

5.3. Criminal offences

- a) 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

7. SANCTIONS

7.1. Penalties

8. INFORMATION SHARING

8.1. Monitoring by Betting Operators

- a) Relevant Persons to whom this Policy applies must disclose information to AUS of all their business interests, and connections with Betting Operators.
- b) AUS will work with Betting Operators to help ensure the ongoing integrity of the Competitions and Events played under the auspices of AUS and Authorised Providers.
- c) Betting Operators will 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, AUS may, from time to time and subject to any terms and conditions imposed by AUS (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) Betting Operators must 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 AUS 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) AUS acknowledges that betting is a legal activity, and recognises that Betting Operators may wish to enter Commercial Partnerships to promote their business.
- b) AUS may enter Commercial Partnerships with Betting Operators from time to time, subject to any applicable legislative requirements.
- c) A Member Organisation or any Team may enter into a Commercial Partnership with a Betting Operator with the written consent of AUS. Such consent may be withheld at the discretion of AUS and specifically where the proposed Commercial Partnership:
 - (i) conflicts with an existing Commercial Partnership held between AUS and a Betting Operator(s); and/or
 - (ii) is with a Betting Operator with whom AUS 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:

- a) **Alleged Offender** means a person accused of engaging in Prohibited Conduct under this Policy, prior to a determination by the Hearing Panel.
- b) **Athlete** means any person identified within AUS's athlete framework (Annexure A) as amended and updated from time to time.
- c) **Authorised Providers** means AUS's Member Organisations, 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 AUS).
- d) **Betting Operator** means any company or other undertaking that promotes, brokers, arranges or conducts any form of Betting activity in relation to AUS
- e) **Coaches** means any person described in AUS's coach framework (Annexure B) as amended and updated from time to time.
- f) **Competition** means an AUS contest, event or activity measuring performance against an opponent, oneself or the environment either once off or as part of a series.
- g) **Event** means a one off Competition, or series of individual Competitions conducted by AUS or an Authorised Provider (for example International Test Matches, National Championships, or domestic leagues)
- h) **Hearing Panel** means the Panel appointed by the Board to hear and determine allegations of Prohibited Conduct.
- i) **Inside Information** means any information relating to any Competition or Event that a Relevant Person possesses by virtue of his or position within AUS. 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.
- j) **Member Organisations** means those entities recognised by AUS's constitution as its member organisations.

- k) **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.
- l) **Official** means any person identified within AUS's Officials Accreditation Framework (Annexure C) as amended and updated from time to time.
- m) **AUS** means Australian University Sport Ltd.
- n) **AUS** means the events endorsed by AUS as determined by AUS and the International Association with such variations as may be recognised from time to time.
- o) **Policy** means AUS's National Policy on Match-Fixing as amended from time to time.
- p) **Prohibited Conduct** means conduct in breach of section 3 of this Policy.
- q) **Relevant Person** means any of the persons identified in Clause 2.2, or any other person involved in the organisation administration or promotion of AUS, whose involvement in Gambling would bring AUS into disrepute.
- r) **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.

10. ANNEXURE A - ATHLETE FRAMEWORK



11. ANNEXURE B - COACHES FRAMEWORK

- World University Summer and Winter Games
- World university Championships
- All Australian University Championships

12. ANNEXURE C- OFFICIALS FRAMEWORK

List here all classes of officials to whom the Policy applies.

This should include any officials, including umpires and technical officials that officiate:

- in professional domestic leagues,
- at international benchmark competitions or events (such as world championships, world cups, or one-off international competitions; and
- at any other competition or event that attracts or is likely to attract a betting market (this would include competitions and events that have no domestic betting markets but attract overseas betting markets).

This framework should be reviewed regularly and amended as appropriate.

13. ANNEXURE D- CODE OF CONDUCT

AUSTRALIAN UNIVERSITY SPORT
Anti-Match Fixing Code of Conduct

Anti-Match-Fixing Code of Conduct

CODE OF CONDUCT

SANCTIONS

6.4 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 Hearing 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 AUS;
 - (iii) be banned from participating in any Competition or Event connected with AUS;
 - (iv) be reprimanded for their involvement in the Prohibited Conduct;
 - (v) lose accreditation to continue their involvement in AUS;
 - (vi) be ineligible, for life, from participating in any Competition or Event connected with AUS or from any other involvement in AUS;
 - (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 AUS and the Relevant Person, have that contract terminated.
- b) Notwithstanding the provisions of clause 7.1, the Board, the Hearing Panel or the Appeal 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 Hearing Panel or the Appeal 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 Hearing Panel or the Appeal 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 AUS for use by AUS for the development of integrity programs or as otherwise deemed appropriate.