



## **COMPETITION MANIPULATION AND SPORTS WAGERING POLICY**

**Australian Sailing  
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## Summary

The manipulation of sporting competitions and related activities undermines the integrity of sport.

Manipulating sporting competitions can be a crime and punishable by law.

This Policy prescribes prohibited conduct which constitutes a breach, as well as offences which must be reported to Australian Sailing.

Through this Policy, Australian Sailing aims to ensure that its core values, good reputation and positive behaviours and attitudes are maintained.

## 1. Definitions

Defined terms not otherwise defined in this Policy have the meaning given to them in the National Integrity Framework. In this Policy the following words have the corresponding meaning:

**Benefit** means any advantage and is not limited to property

**Wagering Service Provider** means any company or other undertaking that promotes, brokers, arranges or conducts any form of wagering activity in relation to Sailing in Australia.

**Inside Information** means any information connected to the conduct, management or organisation of a sporting event that is not generally available and if it were generally available, the information, would, or would be likely to, influence a person's decision to bet on the sporting event or in making any other betting decision.

**Policy** means this Competition Manipulation and Sport Wagering Policy.

**Prohibited Conduct** means conduct proscribed by clause 3 of this Policy.

## 2. Jurisdiction

This Policy applies to:

- (a) Relevant Persons; and
- (b) Relevant Organisations.

## 3. Prohibited Conduct

### 3.1 Prohibited Conduct

A Relevant Person commits a breach of this Policy when they, either alone or in conjunction with another or others, engage in any of the following conduct:

- (a) participate (whether by act or omission) in improperly altering the result or the course of an Activity in order to remove all or part of the unpredictable nature of the Activity to obtain a Benefit for themselves or others by:
  - (i) the direct, pre-meditated or planned interference with the natural course of an Activity or element of an Activity<sup>1</sup>;

<sup>1</sup> Examples may include, but not limited to, intentionally conceding points, pre-arranging the outcome of a competition, deliberate underperformance (also known as 'tanking') in any manner (through selections or not playing to a person's merits), influencing athlete selections and strategy, or intentional unfair or incorrect officiating

- (ii) providing modified or false information related to an athlete's identity or personal information;
- (iii) intentionally modifying playing surfaces, equipment or athlete's physiology to improperly influence the natural course of the event<sup>2</sup>; or
- (iv) providing or receiving any Benefit that might reasonably be expected to bring the Relevant Person, Australian Sailing, or Sailing into disrepute;
- (b) bet, or enter into any other form of financial speculation on any Activity, or on any incident or occurrence in an Activity, connected with Australian Sailing, whether or not they are participating in the Activity. For the avoidance of doubt:
  - (i) any bets placed by a betting syndicate or group, such as a 'punter's club', of which the Relevant Person is a member;
  - (ii) an interest in any bet, including having someone else place a bet on their behalf; or
  - (iii) allowing another person to place a bet using a Relevant Person's account, shall be treated as if the bet was placed by the Relevant Person as an individual;
- (c) facilitate or assist with the making of a bet on any Activity or part of any Activity including communicating in any way, such as by using a mobile phone, computer or other electronic or other device, information that might give another person an unfair advantage if they were to engage in betting related to that information, other than as required as part of their official duties;
- (d) disclose Inside Information, other than as required as part of their official duties;
- (e) accept a Benefit to incite, cause or contribute to any breach of this Policy;
- (f) facilitate, assist, aid, abet, encourage, induce, cover-up or be complicit in any Prohibited Conduct;
- (g) attempt to engage in any conduct which would be Prohibited Conduct if successful; or
- (h) fail to promptly report to the Australian Sailing's National Integrity Manager any of the matters listed in clause 4.1(a) and (b).

## 4. Obligations

### 4.1 Reporting

- (a) A Relevant Person must, where permitted by law, promptly notify the Australian Sailing's National Integrity Manager if he or she:
  - (i) is interviewed as a suspect, charged, or arrested by a law enforcement body in respect of conduct that falls with the definition of Prohibited Conduct;
  - (ii) has been approached by another person to engage in Prohibited Conduct;
  - (iii) knows or reasonably suspects that another person has engaged in Prohibited Conduct, or has been approached to engage in Prohibited Conduct; or
  - (iv) has received or is aware or reasonably suspects that another person has received, actual or implied threats of any nature in relation to any past or proposed Prohibited Conduct.
- (b) A Relevant Person has a continuing obligation to report any new knowledge or suspicion regarding any Prohibited Conduct under this Policy, even if the Relevant Person's prior knowledge or suspicion has already been reported.
- (c) Notification by a Relevant Person under this clause 4.1 may be made verbally or in writing by the Relevant Person and may be made anonymously if there is a genuine concern of reprisal. A Relevant Person who makes a report anonymously is responsible for keeping a

<sup>2</sup> For the avoidance of doubt, this does not include any matters dealt with under other relevant policies relating to anti-doping, eligibility, gender identity or selection criteria.

record that will allow them to confirm that they have met their obligations under clause 4.1(a).

- (d) The NSO and Relevant Persons should be aware of relevant Commonwealth, State and Territory legal requirements to report criminal activity in relation to the manipulation of sporting competitions (match-fixing) and Inside Information.

#### **4.2 Information sharing**

- (a) Australian Sailing and Sport Integrity Australia may share information (including Personal Information as defined in the *Privacy Act 1998* (Cth)) at any time relating to Relevant Persons or Relevant Organisations with Wagering Service Providers, law enforcement agencies, government agencies or other sporting organisations to prevent, identify and investigate alleged Prohibited Conduct.
- (b) Australian Sailing must share the following information with Sport Integrity Australia:
  - (i) Any notification received from a Relevant Person under clause 4.1; and
  - (ii) Any information received from Wagering Service Providers under clause 4.3.
- (c) In sharing information, Australian Sailing will remain bound by the legal obligations contained in the *Privacy Act 1998* (Cth) and Australian Sailing's Privacy Policy.

#### **4.3 Monitoring by Wagering Service Providers**

- (a) Relevant Persons must disclose information to Australian Sailing and Sport Integrity Australia regarding all of their commercial agreements, interests, and connections with Wagering Service Providers. For the avoidance of doubt, this does not include the disclosure of accounts that Relevant Persons may hold with Wagering Service Providers.
- (b) Australian Sailing will work with Wagering Service Providers to ensure the ongoing integrity of Activities under the auspices of Australian Sailing and Sailing Organisations.
- (c) Australian Sailing or Sport Integrity Australia may request Wagering Service Providers to monitor and conduct regular audits of their 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 Prohibited Conduct under this Policy.
- (d) To enable the Wagering Service Provider to conduct such audits, Australian Sailing may, from time to time and subject to any terms and conditions imposed by Australian Sailing (including in relation to confidentiality and privacy), provide to Wagering Service Providers details of Relevant Persons who are precluded by this Policy from engaging in Prohibited Conduct.
- (e) Wagering Service Providers may provide Australian Sailing 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 Prohibited Conduct.
- (f) All requests for information or provision of information by Sport Integrity Australia, Australian Sailing or a Wagering Service Provider 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 by this Policy, is permitted by Australian Sailing or Wagering Service Provider, or where information is already in the public domain other than because of a breach of this Policy.

#### **4.4 Sponsorship within Sailing**

- (a) Australian Sailing may enter into a commercial arrangement with a Wagering Service Provider from time to time, subject to any applicable legislative requirements.
- (b) A Relevant Organisation may enter into a commercial arrangement with a Wagering Service Provider with the written consent of Australian Sailing. Such consent may be withheld at the discretion of Australian Sailing where the proposed commercial arrangement:
  - (i) conflicts with an existing commercial arrangement made between Australian Sailing and a Wagering Service Provider(s); and/or

- (ii) is with a Wagering Service Provider with whom Australian Sailing has not entered into an integrity agreement as required under any applicable state/territory Wagering legislation.
- (c) Subject to clause 4.4(b), a Relevant Person or Relevant Organisation must not:
  - (i) enter into any form of commercial arrangement with a Wagering Service Provider;
  - (ii) induce, advertise or promote betting on an Activity, without the prior permission of Australian Sailing; or
  - (iii) promote or endorse a Wagering Service Provider.

## 5. Complaints, Disputes & Discipline Policy

The Complaints, Disputes and Discipline Policy applies to any alleged Prohibited Conduct, including reports of breaches of this Policy.

## 6. National Integrity Framework

The National Integrity Framework applies to this Competition Manipulation and Sport Wagering Policy. When interpreting this Policy, any provisions inconsistent with the National Integrity Framework apply to the extent of that inconsistency.