

## Anti-Match-Fixing Policy

### I. Policy Name

1. This policy shall be referred to as the Anti-Match-Fixing Policy or “The Policy”.

### II. Purposes

2. The purposes of this Policy are:

- i. protect and maintain the integrity of all IBSA sports;
- 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. To provide the necessary authority to IBSA to involve any local law enforcement authorities to enforce the criminal law or any other laws or regulations that may relate to illegal betting or match-fixing in the jurisdiction where an IBSA Sanctioned Event occurs.

3. This Policy is intended to supplement the local laws in the jurisdiction where the IBSA sanctioned event occurs. 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 that apply at every competition they attend.

4. While betting itself is legal in many jurisdictions, illegal or fraudulent betting is not. Fraudulent betting on sporting events is a critical issue being faced by many sports organizations, law enforcement, national governments and the betting industry alike. IBSA needs to do its part to ensure that its sports remain clean and free from outside influencers who are attempting to manipulate the results of our competitions for their own personal gain.

5. IBSA has zero tolerance for match-fixing. This Policy provides IBSA’s Executive Director and/or the Executive Board, as the case may be, with good and sufficient authority to retain whatever expertise is required to enforce and administer this policy in each situation when it is triggered.

### III. Who is Governed By This Policy?

6. The following groups are bound by this Policy at IBSA Sanctioned events:
- a) IBSA members,
  - b) athletes competing at the event,
  - c) teams of athletes, support personnel and coaches who participate at an IBSA Sanctioned Event on behalf of an IBSA member;
  - d) coaches coaching at the event,
  - e) support personnel of an IBSA Member;
  - f) officials officiating at the event,
  - g) members of local host organizing committees,
  - h) IBSA Executive Board members,
  - i) IBSA employees or contractors and
  - j) IBSA sports committee members.

These groups are collectively defined as the “affected individuals.”

### IV. Binding Effect

7. This policy is made by the IBSA Executive Board and is binding on the Affected Individuals. It may be amended from time-to-time by the IBSA Executive Board. If this policy is breached by an Affected Individual, the version of the Policy that is in force at the time of the breach will govern the resolution of the matter.

### V. Prohibited Conduct

8. No Affected Individual shall, alone or in conjunction with another or others engage in any of the following acts of prohibited conduct:
- i. bet, gamble or enter into any other form of financial speculation on any Competition or on any IBSA Sanctioned Event connected with any IBSA sport to which they are affiliated; or
  - ii. participate (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 the Sport into disrepute; or
- g) engaging in conduct that relates directly or indirectly to any of the conduct described in Clauses 8 I., II. A. through f. above and
- h) is prejudicial to the interests of the IBSA Sport or which bring an Affected Individual or the Sport into disrepute.

9. 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.

10. If An Affected Individual 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.

11. The Board may refer any of the breaches of any of the provisions of this section to law enforcement officials in the jurisdiction where the policy breach occurred if there is reasonable grounds to believe a breach of the law has occurred.

12. It is a breach of this Policy for anybody to report an Affected Individual for breaching this Policy when the reporter knew or ought to have known through the exercise of reasonable diligence that the allegations were false. In such a case, the reporter of the false information may face the same penalties as if the offence they reported had actually occurred.

## VI. Duty to Notify

13. Any Affected Individual to whom this policy applies must promptly notify the Executive Director 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 Affected Individual 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.

14. If an affected Individual wishes to report the Executive Director for involvement in conduct that is Prohibited Conduct under this Policy then the Relevant Person to which this Section VI applies may report the conduct to the Chair of the Board.

15. Notification by an Affected Individual under this Section VI must be made in writing. This report may be submitted in confidence if there is a genuine concern of reprisal. However, the Executive Director (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 Affected Individual for presentation to the Board.

16. Any report by an affected Individual under this Section VI will be dealt with confidentially by the Sport 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.

17. An Affected Individual 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 Affected Individual's prior knowledge or suspicion has already been reported.

## VII. Investigations

18. If the Executive Board or Executive Director receives a report or information that an Affected Individual 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 an investigator with expertise in investigating the types of allegations covered by this policy. For the purpose of greater clarity, the Alleged Offender is the Affected Individual who is alleged to have breached this Policy.

19. If the investigator concludes after reviewing the relevant documentation and interviewing the relevant witnesses that there are reasonable grounds to believe an offence has been committed, the Executive Board shall refer the matter to a hearing before the Legal and Ethics Committee or a panel thereof.

20. If the Executive Board has referred a matter in clause above to a hearing before the Legal and Ethics Committee, the Board may, in its discretion and pending determination by the Hearing Panel, suspend the Alleged Offender from any future IBSA sanctioned events until such time as the hearing has been completed. If an athlete is under suspension, the investigation, the hearing and any subsequent appeals shall be completed before the commencement of the next IBSA sanctioned event the Affected Individual is eligible to attend.

21. Nothing in this section will prevent the Board or the Executive Officer from enforcing any other Rules and Regulations or referring any Prohibited Conduct to a relevant law enforcement agency. However, all proceedings under this policy must cease if the local law enforcement agency is of the opinion that further action by IBSA under this Policy may prejudice any actual or potential criminal prosecution against the same Alleged Offender.

22. Subject to any delays caused by having to complete the criminal process first, all investigations under this Policy must be completed within 90 days. The time that is taken to complete the criminal investigation and the disposition of any criminal charges is not included when calculating the 90 day timeframe.

23. This 90 day time period for completing an investigation can be extended or abridged on motion by the Executive Board. If such a motion is made, the motion and the reasons why it was granted shall be provided to the Alleged Offender.

#### VIII. Confidentiality and Reporting

24. To maintain the confidentiality of the process, neither IBSA, any affected IBSA member, IBSA Sports Committee or Alleged Offender will publically announce the existence of, comment on or share the results of any of their activities concerning an investigation, hearing or appeal until all steps in the investigative and hearing process have been concluded. This does not prevent the Executive Board from providing a general description of how a complaint is processed. An exception can be made for the executive board to communicate any interim measures to any other individuals who need to know about the measures taken to perform their duties.

25. The identity of An Affected Individual against whom a finding of Prohibited Conduct is made may only be publicly disclosed after the Hearing Panel has notified the Relevant Person, IBSA and any other interested party of its decision. Such disclosure will be by way of an official release by IBSA.

26. Where any public announcement may be considered detrimental to the wellbeing of An Affected Individual, the Board will determine the most appropriate course of action in its sole discretion based on the circumstances of the Relevant Person.

27. 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.

28. Clauses 24 to 27 do not apply if the disclosure is required by law or the Sport determines to refer information to a law enforcement agency.

#### IX. Privilege

29. Notwithstanding anything else in this Policy, An Affected Individual 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 Executive Board or to any investigator appointed by the Executive Board if they establish that to do so would breach any privilege against self-incrimination, or legal professional privilege in the jurisdiction where the alleged criminal offence occurred.

#### X. Prehearing Procedures

30. If the Executive Board decides to refer a matter to a hearing, The Executive Board shall direct the Executive Director to :

- a. Appoint a prosecutor;
- b. Contact the chair of the Legal and Ethics Committee to request her or him to appoint a panel of at least three Legal and Ethics Committee members to hear the case;
- c. Provide a Notice of Hearing to the parties which sets out the time and place of the hearing, the method of hearing (in person or by video conference), the allegations that the Alleged Offender, must answer to at the hearing and the contact information for the prosecutor and the chair of the Legal and Ethics Committee in the event the documentary evidence needs to be exchanged in advance of the hearing.

31. The date for the hearing must be no more than 90 days after the Notice of Hearing is served.

32. Once the prosecutor is appointed, he or she must review the investigation report, any criminal investigation reports that have been obtained from a local police service and any other documentary evidence in the possession of the Executive Director to determine what documentary evidence should be disclosed to the Alleged Offender. The prosecutor is required to disclose all documentary evidence that is relevant to the charges that have been laid. If the Alleged Offender has concerns regarding the sufficiency of the disclosure, the Alleged Offender may make an application to the Legal and Ethics Committee panel who will be hearing the case to request that additional disclosure be provided. This application shall be brought, if required, within 30 days of receiving the disclosure package from the prosecutor. This time period may be extended or abridged at the discretion of the panel hearing the case. The prosecutor shall charge the Alleged Offender if he has reasonable grounds to believe there is sufficient evidence to lay a charge under this policy.

33. At the direction of the chair of the Legal and Ethics Committee, the parties may be required to attend a prehearing conference in an attempt to narrow the issues to be determined during the hearing, to determine if the outstanding matters can be resolved and or to discuss any other issues which will assist both the parties and the panel in the presentation of the evidence. If a prehearing conference is held, it shall be held before a member of the Legal and Ethics Committee who is not assigned to hear the evidence at the hearing itself.

34. If the prosecutor, in consultation with the Secretary General, and the respondent on behalf of an accused person, are able to negotiate a plea arrangement, such plea arrangement must be accepted by the panel of the Legal and Ethics Committee scheduled to decide the complaint before it is effective.

#### XI. Hearings

35. All hearings under this policy will either take place in person or by video conference.

36. All of the hearings conducted under this policy are to be presided over by a minimum of three members of the IBSA Legal and Ethics Committee. No member of the Legal and Ethics Committee may preside over a hearing if she or he is from the same country as the Prosecutor, any of the witnesses, or the Alleged Offender.

37. The following individuals will have standing to appear at the hearing, examine and cross-examine witnesses and make opening and closing statements:

- a. The prosecutor appointed by IBSA who will argue the case in support of the charges to be laid; and
- b. The Alleged Offender who may be represented by their IBSA member, by legal counsel or both.

38. All of the evidence given at the hearing shall be recorded, and transcribed if necessary if an appeal is filed. The costs of producing a transcript for any appeal will be paid by IBSA.

39. At the commencement of the hearing, the Alleged Offender on their own behalf or through her/his legal counsel, shall enter a plea to all of the outstanding charges.

40. The hearing will be divided into two phases: the liability phase and the penalty phase.

41. During the liability phase of the hearing, the prosecution will present its case first. The case will consist of an opening statement and the examination in chief by the prosecutor of each witness, cross examination by the respondent and reply evidence given by each of the prosecution's witnesses.



42. If an accused person has been found guilty of a criminal offense arising out of the same incident which forms the basis for the hearing, evidence of the conviction is automatically admissible for the truth of its contents at the hearing without any further proof of the conviction being required.
43. After the prosecution's case has concluded, the Alleged Offender her/himself or with the assistance of legal counsel and/or her/his IBSA member, will lead evidence on behalf of the Alleged Offender. The respondent's case presentation will consist of an opening statement and the examination in chief by the respondent, cross examination by the prosecutor and reply evidence by any witnesses the respondent chooses to call.
44. Both the Victim and the accused person are both compellable and competent to testify as witnesses at the hearing. Any evidence given by any witness at the hearing or documents introduced at the hearing by any party may be used by IBSA for investigation of any other breaches of this Policy.
45. After all of the evidence has been introduced, each party will be given an opportunity to make closing arguments. The prosecution shall proceed first, followed by the Alleged Offender. The prosecution will have the final word in reply to address any new issues that have been raised by the Alleged Offender for the first time in their closing argument.
46. The burden of proof of a policy breach under this policy falls on the prosecution. The prosecution must show on the balance of probabilities that the conduct of the Alleged Offender or the respondent is in breach of the policy.
47. Upon conclusion of the closing statements, the members of the Legal and Ethics Committee who have heard the evidence shall adjourn the proceeding to render a decision supported by written reasons indicating whether the charges made against the Alleged Offender have been proven. The panel hearing the case shall deliver its reasons to both parties as soon as they are finalized.
48. If the charges have not been proven, the hearing is concluded. If the charges have been proven, the matter will proceed to the penalty phase.
49. At the penalty phase, the parties will re-attend before the same panel of the Legal and Ethics Committee who rendered their decision at the liability phase of the hearing. Evidence during the penalty phase will be presented in the same fashion as it was during the liability phase of the proceeding.

50. At the conclusion of the penalty phase of the hearing, the members of the Legal and Ethics Committee who have heard the evidence will render a decision supported by written reasons describing the penalty to be imposed. After these reasons are released to the parties, the hearing is concluded.

## XII. Penalties

51. If an individual is found guilty of breaching this policy, he or she may face one or more of the following penalties:

- a. A reprimand;
- b. A suspension from participating in, attending, volunteering at or officiating at any IBSA events for up to four years;
- c. A lifetime ban from participating in, attending, volunteering at or officiating at any IBSA events;
- d. An order to pay all or a portion of the costs of the hearing and related investigation;
- e. An order requiring the person convicted to take a course –on his/her own expense- in any one or more of the following areas: anti-match-fixing, ethics in sport, anti-corruption in sport or any other courses which, in the opinion of the panel hearing the case, may be relevant to the allegations for which the individual has been found guilty.

52. If an individual is required to take a course as set forth in article 51 sub e above, the individual required to take such a course will have their privileges to participate in IBSA sanctioned events suspended until such time as satisfactory evidence of the courses completion has been provided to the Executive Director of IBSA.

53. If any penalties are imposed against an individual under this section, IBSA shall provide copies of the reasons for judgment to any other relevant sports governing bodies that may be appropriate in the circumstances if there is a legal or competition related reason to do so.

54. If an IBSA member or an IBSA member's team is convicted of an offense under this policy, the respondent may receive one or more of the following penalties:

- a. A reprimand;
- b. Disqualification from the IBSA Sanctioned Event where the offence occurred;



- c. An order requiring it to pay all or a portion of the costs of the hearing and related investigation;  
or
- d. A suspension of its IBSA membership privileges for up to four years

### XIII. Appeals

55. Either the prosecutor in consultation with the Executive Director or the Alleged Offender, may appeal the decision of the Legal and Ethics Committee panel on the issue of liability, penalty or both to IBSA's Executive Board. The appeal must be commenced within 30 days of the date on which the decision being appealed is issued.

56. Any penalty rendered by the Legal and Ethics Committee is stayed pending the result of the appeal.

57. Appeals on liability will not be heard by the Executive Board where an Alleged Offender is found guilty until the Legal and Ethics Committee's decision on penalty has been rendered and all appeal periods related to it have expired or the Appellant has also appealed the penalty.

58. The Executive Board as a whole shall review the record of the proceedings held before the Legal and Ethics Committee and here the legal arguments presented by the prosecutor and the Respondent to determine if the decision made by the Legal and Ethics Committee was reasonable in the circumstances. If the Executive Board determines that the decision is reasonable, the decision of the Legal and Ethics Committee stands. If the Board determines that the decision is unreasonable, the Board may substitute its own decision for that of the Legal and Ethics Committee on the matters under appeal.

59. The Board may not impose a penalty against an Alleged Offender if it reverses the decision of the Legal and Ethics Committee panel to acquit the Alleged Offender. Instead, the Board shall remit the matter back to the Legal and Ethics Committee panel that originally heard the case to conduct the penalty phase of the hearing. If any party is unhappy with the penalty decision which results, they may appeal the penalty decision in accordance with Section XII of this Policy.

60. When making a decision on an appeal, The Board may render the same penalties as the Legal and Ethics Committee may render under section XII of this policy.

61. When the appeal is argued, the party who has appealed the decision of the Legal and Ethics Committee shall proceed first with its legal argument. The respondent will then have an opportunity to make its argument with the appellant having an opportunity to reply. Neither party may educe any new evidence on appeal unless then can demonstrate that the new evidence was not available at the time of the original hearing through the exercise of reasonable diligence.

62. Once the Executive Board has made its determinations on the issues involved, it will render a decision to the parties supported by written reasons.

#### Exception

63. No member of the Executive board who is a member of the Legal and Ethics Committee panel that rendered the decision at first instance shall participate as a member of the Executive Board on any appeals filed under this policy. No board member who is from the same country as the prosecutor or alleged Offender may participate in the appeal.

#### XIII. Further Appeals

64. If either the prosecutor in consultation with the Secretary General or the respondent is still dissatisfied with the result, they may appeal the decision to the World Court of Arbitration for Sport in Switzerland. Any appeals to that body will be conducted in accordance with the rules of that organization. The World Court of Arbitration For Sport has the same authority to reverse or affirm decisions and to render penalties as the Board has under article 60 of this policy.

65. No appeals may be made under this section until all appeals on both liability and penalty, where applicable, have been disposed of by IBSA's Executive Board.

#### XIV. Information Sharing

66. IBSA may share personal information of Affected Individuals who have been investigated by IBSA with Betting Operators, law enforcement agencies, government agencies and/or other sporting organisations to prevent and investigate match-fixing incidents. This information may only be shared, received, used and stored in accordance with the privacy legislation that is in force in the jurisdiction where the alleged offence occurred and of the domicile of IBSA.



#### XV. Sponsorship by Betting Organizations

67. IBSA forbids sponsorships by betting organizations of any kind.

#### XVI. Powers of the Executive Director

68. The Board may delegate any or all of its powers under this Policy to the Executive Director by motion and the Executive Director is empowered to carry out such tasks as the motion may prescribe.

#### XVII. Education Program

69. The Executive Director shall design or hire others to design an appropriate education program to inform all Affected Individuals about the policy and their obligations there under. This education program must be taken by all Affected Individuals before they attend or participate in any IBSA sanctioned event. Proof of completion of the education program by each Affected Individual shall be recorded in ISAS. All Affected Individuals will be required to re-take the education program if any material changes to this Policy are made with such completion of the education program to take place within twelve months, or before the Affected Individual attends the next IBSA Sanctioned event, whichever is earlier.