

## P4 COMPETITION MANIPULATION AND SPORTS WAGERING POLICY

Scheduled Reviewed

Triennially or as required

(Replaces Policy 42 Competition Fixing Policy)

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### Background

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 Karting Association Ltd ('KA').

Through this Policy, KA 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 been defined in, and have the meaning given to them, in the KA "Australian Karting Manual – National Competition Rules" (**NCR**), KA Constitution and KA Integrity Framework (**KIF**). In this Policy the following words have the corresponding meaning:

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

**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.

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

### 2. Jurisdiction

This Policy applies to:

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

### 3. 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>;
  - ii. providing modified or false information related to a driver's identity or personal information;
  - iii. intentionally modifying playing surfaces, equipment, or driver'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, KA, or Karting 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 KA, 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 KA'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 KA'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

<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 driver selections and strategy, or intentional unfair or incorrect officiating

<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.

Relevant Person who makes a report anonymously is responsible for keeping a record that will allow them to confirm that they have met their obligations under clause 4.1(a).

- d. KA 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. KA and Sport Integrity Australia may share information (including Personal Information as defined in the *Privacy Act 1988* (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. KA must share the following information with Sport Integrity Australia:
- c. Any notification received from a Relevant Person under clause 4.1; and
- d. Any information received from Wagering Service Providers under clause 4.3.
- e. In sharing information, KA will remain bound by the legal obligations contained in the *Privacy Act 1988* (Cth) and KA's Privacy Policy.

## 4.3 Monitoring by Wagering Service Providers

- a. Relevant Persons must disclose information to KA 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. KA will work with Wagering Service Providers to ensure the ongoing integrity of Activities under the auspices of KA and Karting Organisations.
- c. KA 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, KA may, from time to time and subject to any terms and conditions imposed by KA (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 KA 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, KA 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 KA 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 Karting

- a. KA 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 KA. Such consent may be withheld at the discretion of KA where the proposed commercial arrangement:

- i. conflicts with an existing commercial arrangement made between KA and a Wagering Service Provider(s); and/or
  - ii. is with a Wagering Service Provider with whom KA 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 KA; or
  - iii. promote or endorse a Wagering Service Provider.

## 5. Complaints and Discipline of Members By-law

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The Complaints and Discipline of Members By-law applies to any alleged Prohibited Conduct, including reports of breaches of this Policy.

## 6. KA Integrity Framework

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



## COMPETITION MANIPULATION AND SPORTS WAGERING POLICY- CODE OF CONDUCT

### 1. PREAMBLE

- a. Karting Australia recognises that betting is a legitimate pursuit, however illegal or fraudulent betting is not. Fraudulent betting on Sport and the associated competition-fixing (also known as match-fixing) is an emerging and critical issue globally, for Sport, the betting industry, and governments alike.
- b. Karting Australia, its Member States and its Affiliated Clubs have a major obligation to address the threat of competition-fixing and the corruption that flows from that.
- c. Karting Australia, its Member States and its Affiliated Clubs have a zero tolerance for illegal gambling and competition-fixing.
- d. Karting Australia has developed a national policy on competition-fixing (Policy) to:
  - (i) protect and maintain the integrity of the Sport;
  - (ii) protect against any efforts to impact improperly the result of any Event; and
  - (iii) adhere to the National Policy on Match-fixing in Sport.
- e. This code of conduct forms a part of the Policy. A complete copy of the Policy can be obtained from Karting Australia and is available on the Karting Australia website. Karting Australia may engage necessary technical expertise to administer, monitor and enforce this Policy.

### 2. APPLICATION

The Policy, as amended from time to time, includes a defined list of Relevant Persons to whom this code of conduct applies. In this code of conduct, a reference to you means a reference to a Relevant Person. Defined and capitalised terms used in this code of conduct have the meaning given to those terms in the Policy unless stated otherwise.

### 3. PRINCIPLES AND RULES OF BEHAVIOUR

This code of conduct sets out Karting Australia's guiding principles and rules for all Relevant Persons on the issues surrounding the integrity of Sport and betting.

#### 3.1 Guiding 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.

#### 3.2 Be Smart: Know the Rules

- a. Find out the Sport's rules, including those in relation to betting integrity prior to each season, so that you are aware of the Sport's most recent position regarding betting.
- b. 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.

#### 3.3 Be Safe: Never Bet on Your Sport

- a. As a Licence Holder, you must never bet on yourself or your opponents in an Event. As an Official or other Relevant Person you must never bet on any Licence Holder, occurrence or outcome in an Event in which you are involved. If you bet on any aspect of an Event in which you are involved, you, your opponent, the Licence Holder or the Sport risk being severely sanctioned.
- b. You must never:
  - i. bet or gamble on your own Events or any other Events in which you are involved, including betting on yourself or others to win, lose or draw as well as any of the different spot bets (such as fastest lap, most valuable participant, et cetera);
  - ii. instruct, encourage or facilitate any other party to bet on an Event in which they are participating;

- iii. ensure 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
- iv. give or receive any gift, payment or other benefit in circumstances that might reasonably be expected to bring you, Karting Australia or the Sport into disrepute.

### 3.4 Be Careful: Never Share Sensitive Information

- a. You will have access to information that is not available to the general public on an Event. 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.
- b. There is nothing wrong with you having sensitive information; it is what you do with it that matters.
- c. You must not discuss important information with anyone outside of your Team with or without reward where you might reasonably be expected to know that its disclosure could be used in relation to betting.
- d. You must not provide 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 participants or tactics)) other than in connection with bona fide media interviews and commitment.

### 3.5 Be Clean: Never Fix an Event

#### a. General

Except to the extent that Team Orders are given in accordance with this clause 3.5, you must:

- (i) participate fairly, honestly and never fix an Event or part of an Event; and,
- (ii) not make any attempt to adversely influence the natural course of an Event, or part of an Event.
- b. Sporting contests must always be an honest test of skill and ability and the results must remain uncertain.
- c. Except where Team Orders are given in accordance with this clause 3.5, fixing an Event, or part of an Event goes against the rules and ethics of the Sport and when caught, you may receive a penalty including but not limited to a fine, suspension, lifetime ban from the Sport, and/or even a criminal prosecution.
- d. Do not put yourself at risk. Save where Team Orders are given or received, you:
  - (i) should always perform to the best of your ability;
  - (ii) must 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;
  - (iii) should seek treatment for addictions and avoid running up debts as this may be a trigger for unscrupulous individuals to target you to fix Events. Get help before things get out of control;
  - (iv) must not deliberately underperform or 'tank' as part of an arrangement relating to betting on the outcome of any contingency within an Event;
  - (v) must not deliberately fix, or exerting any undue influence on, any occurrence within any Event as part of an arrangement relating to betting on the outcome of any contingency within any Event; and
  - (vi) must not induce or encourage others to deliberately underperform as part of an arrangement relating to betting on the outcome of any Event.

#### Team Orders

- a. A Team Order is a direction from a Team in an Event to a Licence Holder who is part of that Team to deviate from the practice of maximising their individual performance at an Event (Team Order).
- b. Where you are participating in an Event, you are allowed to give or follow a Team Order so long as that order or direction may be reasonably considered to be to the advantage of you, a team member, your team or some other related or strategic party, and, so long as to do so would not otherwise:
  - (i) put you in breach of this code of conduct;
  - (ii) create a potential or actual health or safety risk; or
  - (iii) breach any other rule, regulation or policy imposed by Karting Australia or which applies to your Event (including but not limited to those which relate to bringing motor sport into disrepute.)

### 3.6 Information Sharing

- a. Karting Australia acknowledges that betting is a legal activity and recognises that Betting Operators may wish to enter Commercial Partnerships to promote their business. Karting Australia may enter Commercial Partnerships with Betting Operators from time to time, subject to any applicable legislative requirements.
- b. You may only:
  - i. enter into a Commercial Partnership with a Betting Operator;
  - ii. promote a Betting Operator; or
  - iii. have any form of commercial relationship with a Betting Operator, with the written consent of Karting Australia. Such consent may be withheld at the discretion of Karting Australia and specifically where the proposed Commercial Partnership:
    - iv. conflicts with an existing Commercial Partnership held between Karting Australia or another and a Betting Operator(s); or
    - v. is with a Betting Operator with whom Karting Australia 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.

### 4. 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 competition, then you must tell the CEO 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. Karting Australia has developed the Policy and the procedures contained in it to help.

