Australian Government
Sport Integrity Australia

SPORT INTEGRITY AUSTRALIA

NATIONAL INTEGRITY FRAMEWORK

Competition Manipulation and Sport Gambling Policy

MOTORCYCLING AUSTRALIA LIMITED

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1. Policy Intent

The purpose of this Policy is to protect the integrity of Motorcycle sport through the prevention, detection, and enforcement of rules relating to the manipulation of Motorcycle sports competitions and associated illicit sports betting activity. Through this Policy, Motorcycling Australia (**MA**) aims to ensure that its core values, good reputation and positive behaviours and attitudes are maintained.

2. Definitions

In this Policy the following words have the corresponding meaning:

Activity means a sporting contest, match, competition, event, or activity (including training), whether on a one-off basis or as part of a series, league, or competition, sanctioned or organised by a Relevant Organisation.

Athlete means a person who is registered with or entitled to participate in an Activity.

Benefit means any advantage and is not limited to property[1].

Club means any club that enters a Team to participate in an Activity.

Complaints, Disputes and Discipline Policy means the policy adopted by MA for the handling and resolution of allegations regarding Prohibited Conduct.

Contractor means any person or organisation engaged to provide services for, or on behalf of, a Relevant Organisation. This includes agents, advisers and subcontractors of a Relevant Organisation and Employees, officers, Volunteers, and agents of the Contractor or subcontractor.

Employee means a person employed by a Relevant Organisation.

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.

Member means a member of a Relevant Organisation.

(a) **Member Organisations**, which means each company or incorporated association that is a member of MA - including each:

  i. state, territory, and Club Member; and

  ii. affiliate that is a member of a state or territory Member.

(b) **Individual Members**, which means individuals who are individuals registered with a Relevant Organisation.

Motorcycle sport means the sport of motorcycling, as governed by MA and FIM from time to time

National Integrity Framework or NIF means the National Integrity Framework as developed by Sport Integrity Australia (**SIA**) consisting of the following five policies:

(a) Safeguarding Children and Young People Policy;

(b) Competition Manipulation and Sport Gambling Policy;

(c) Improper Use of Drugs and Medicine Policy;

(d) Member Protection Policy; and

[1] A benefit can include, but not limited to; profiting from betting; obtaining an easier draw in the next round of competition; prize money; gifts; winning a title; or ranking points.

(e) Complaints, Disputes and Discipline Policy.

Participant means:

(a) Athletes;

(b) coaches appointed to train an Athlete or Team in an Activity;

(c) administrators who have a role in the administration or operation or Activity of a Relevant Organisation, including owners, directors, committee members or other persons;

(d) officials; including referees, umpires, technical officials, or other officials appointed by a Relevant Organisation, or any league, competition, series, Club or Team sanctioned by a Relevant Organisation;

(e) support personnel. who are appointed in a professional or voluntary capacity by a Relevant Organisation, or any league, competition, series, Club or Team sanctioned by a Relevant Organisation including sports science sports medicine personnel, team managers, agents, selectors, and team staff members.

Policy means this Competition Manipulation and Sport Gambling Policy and any appendices.

Prohibited Conduct means the conduct proscribed at clause 4 of this Policy.

Relevant Organisation means any of the following organisations:

(a) MA;

(b) Member Organisations; or

(c) any other organisation who has agreed to be bound by the National Integrity Framework and/or the Relevant Policies.

Relevant Person means any of the following persons:

(a) Individual Member;

(b) Participant;

(c) Employee;

(d) Contractor;

(e) Volunteer; and

(f) any other individual who has agreed to be bound by the National Integrity Framework and/or Relevant Policies.

Team means a collection or squad of Athletes, registered with a Relevant Organisation or entitled to participate in an Activity.

Use of Inside Information means using Inside Information for betting purposes.

Volunteer means any person engaged by a Relevant Organisation in any capacity who is not otherwise an Employee or Contractor, including directors and office holders, coaches, officials, administrators and team and support personnel.

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

Any capitalised term not defined in this Policy has the meaning given to it in the Complaints, Disputes and Discipline Policy.

3. Jurisdiction

This Policy applies to:

(a) Relevant Persons; and

(b) Relevant Organisations.

4. Prohibited Conduct

4.1 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 including by[2]:

i. the direct, pre-meditated or planned interference with the natural course of an Activity or element of an Activity[3];

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[4];

(b) Place, or facilitate or assist with the making of[5], a bet, or enter into any other form of financial speculation, on any Activity, or on any incident or occurrence in an Activity connected with a Relevant Organisation, 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) Disclosure of Inside Information or Use of Inside Information, other than as required as part of their official duties;

(d) Accept, request, seek, offer, or provide a Benefit to incite, cause or contribute to any breach of this Policy, or which might reasonably be expected to bring the Relevant Person, Relevant Organisation, or Motorcycle Sport into disrepute;

(e) Facilitate, assist, aid, abet, encourage, induce, cover-up or be complicit in any Prohibited Conduct;

(f) Agree, conspire, plan or attempt to engage in any conduct which would be Prohibited Conduct if successful; or

(g) Fail to promptly report, to the fullest extent of their knowledge (or of which they ought to have been reasonably aware) to the MA or responsible Relevant Organisation if they:

(i) are interviewed as a suspect, charged, or arrested by a law enforcement body in respect of conduct that falls within the definition of Prohibited Conduct[6];

(ii) have been approached by another person, whether or not that person is bound by this policy, to engage in Prohibited Conduct;

(iii) know or reasonably suspect, that another person has engaged in Prohibited Conduct, or has been approached to engage in Prohibited Conduct;

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[2] 'Improperly' in this context means ***not*** in accordance with standard sets of behaviour accepted in the participant's sport. Some practices in a sport may, when applying a strict interpretation without context, be seen as Prohibited Conduct, however, given the behaviour is culturally acceptable among participants and spectators of the sport, this conduct is, therefore, deemed not 'improper'. Refer to Appendix A for examples of acceptable and improper practices.

[3] 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. Refer to Appendix A for examples.

[4] 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.

[5] Facilitating or assisting includes communicating in any way, including but not limited to in-person communication, using a mobile phone, computer or other electronic 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.

[6] This does not apply if the reporting is not permitted by law.

(iv) have, 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; or

(v) have or obtain any new knowledge or suspicion regarding any possible Prohibited Conduct under this Policy, even if the Relevant Person's prior knowledge or suspicion has already been reported.

5. Reporting and Complaints

(a) Allegations of Prohibited Conduct under this Policy should be submitted to MA.

(b) Allegations of Prohibited Conduct under this Policy will be managed in accordance with the MA Complaints, Disputes and Discipline Policy.

(c) Notification by a Relevant Person under clause 4.1(g) 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 record that will allow them to confirm that they have met their obligations under clause 4.1(g).

6. Other Matters

6.1 Education

(a) To prevent breaches of this policy, build positive behaviours in sport and protect participants from competition manipulation and associated sports gambling threats, MA is responsible for developing and implementing an education plan addressing the content and subject matter of this Policy.

(b) MA should engage SIA to assist in the design, implementation, and maintenance of the education plan and to determine priority education groups and associated interventions.

(c) A Relevant Organisation may, from time to time, direct certain Participants to undertake education, which will be relevant and proportionate to their level of participation in Motorcycle sport and the associated integrity risks.

(d) SIA has developed a range of education resources and training material to support the NIF which can be found here. MA has no responsibility for these resources.

6.2 Information sharing

(a) A Relevant Organisation may share information (including Personal Information as defined in the *Privacy Act 1988 (Cth)*) at any time relating to Relevant Persons with Wagering Service Providers, law enforcement agencies, government agencies or other sporting organisations to prevent, identify and investigate alleged Prohibited Conduct, or to comply with relevant state and territory or national regulation or legislation, subject to the Privacy Act.

(b) A Relevant Organisation may share information they receive relating to competition manipulation and sports betting with SIA to enable SIA to effectively perform its functions.

(c) In sharing information, Relevant Organisations will remain bound by the legal obligations contained in the *Privacy Act 1988 (Cth)* and the Relevant Organisation's Privacy Policy.

(d) Relevant Persons must disclose information to MA 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.

(e) A Relevant Organisation may request information from Wagering Service Providers to identify incidents of suspicious or prohibited 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.

(f) To enable the Wagering Service Provider to provide such information, a Relevant Organisation may, from time to time and subject to any terms and conditions imposed by a Relevant Organisation (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.

(g) All requests for information or provision of information by a Relevant Organisation 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 the responsible Relevant Organisation or Wagering Service Provider, or where information is already in the public domain other than because of a breach of this Policy.

6.3 Gambling Sponsorship within Motorcycle Sport

(a) MA 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 MA. Such consent may be withheld at the discretion of MA where the proposed commercial arrangement:

(i) conflicts with an existing commercial arrangement made between MA and a Wagering Service Provider(s); and/or

(ii) is with a Wagering Service Provider with whom MA has not entered into an integrity agreement as required under any applicable state/territory gambling legislation.

(iii) is, in MA's opinion, contrary to the interests of the Motorcycle Sport.

(c) Subject to clause 6.3(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 MA; or

(iii) promote or endorse a Wagering Service Provider.

Appendix A: Examples of Prohibited Conduct

1. For the purposes of clause 4.1(a)i. of this Policy, examples of Prohibited Conduct whereby a Relevant Person participates (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 include, but are not limited to:

    (a) intentionally conceding points;

    (b) pre-arranging the outcome, or the course of a competition, including through influencing athlete selections and strategy;

    (c) deliberate underperformance (also known as 'tanking') in any manner (through selections or not playing to a person's merits), including for the intention to progress to an easier draw, or for the intention of benefiting a 'friendly' opponent;

    (d) intentional unfair or incorrect officiating.

2. However, ***'improperly'*** in this context means ***not*** in accordance with standard sets of behaviour accepted in Motorcycle sport. Some practices in Motorcycle sport may, when applying a strict interpretation without context, be seen as Prohibited Conduct; however, that conduct is in accordance with standard sets of behaviour accepted in Motorcycle sport. The following does not constitute Prohibited Conduct, include, but are not limited to:

    (a) drafting, for example, in an open water swimming race or in a triathlon race;

    (b) selecting specific athletes for a qualification event to maximise entry quotas of the associated club or representative team/squad;

    (c) resting players/athletes for a legitimate competitive objective such as the development of the team or other players, or the management of player fatigue or injuries;

    (d) resting players/athletes from a match or race of a competition to maximise a team performance in the finals; or

    (e) not selecting a player for an entire series or tour to provide them with an extended rest period in preparation for a future series or tour.