

# **Tenpin Bowling Australia Limited**

## **National Policy on Match-fixing**

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## **1. INTRODUCTION**

- 1.1. Tenpin Bowling Australia Limited recognises that betting is a legitimate pursuit, however illegal or fraudulent betting is not. Fraudulent betting on sport and the associated Match-fixing is an emerging and critical issue globally, for sport, the betting industry and governments alike.
- 1.2. Tenpin Bowling Australia Limited and its Member Organisations have a major obligation to address the threat of Match-fixing and the corruption that flows from that.
- 1.3. Tenpin Bowling Australia Limited and its Member Organisations have a zero tolerance for illegal gambling and Match-fixing.
- 1.4. Tenpin Bowling Australia Limited will engage the necessary technical expertise to administer, monitor and enforce this Policy.
- 1.5. The purpose of the National Policy on Match-fixing is to:
  - 1.5.1. protect and maintain the integrity of Tenpin Bowling
  - 1.5.2. protect against any efforts to impact improperly the result of any match or event
  - 1.5.3. establish a uniform rule and consistent scheme of enforcement and penalties
  - 1.5.4. adhere to the National Policy on Match-fixing in Sport as agreed by Australian Governments on 10 June 2011.
- 1.6. 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**

- 2.1.1. This Policy is made by the Tenpin Bowling Australia Limited Board and is binding on all Relevant Persons. It may be amended from time to time by the Board.
- 2.1.2. 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.
- 2.1.3. By virtue of their ongoing membership, employment or other contractual relationship with Tenpin Bowling Australia Limited, Relevant Persons are automatically bound by this Policy and required to comply with all of its provisions.

### **2.2. Who this policy applies to?**

- 2.2.1. 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:
  - 2.2.1.1. Members: Any person competing in any Tenpin Bowling Australia Limited accredited tournament/event

- 2.2.1.2. Athletes: State team representatives (President shield, Youth Teams Challenge, Restricted, Senior and Rachuig) and National Teams (Schools, Youth, Adult and Senior)
- 2.2.1.3. Coaches & Officials: All registered Tenpin Bowling Australia Coaches and team managers
- 2.2.1.4. Persons who hold governance positions with Tenpin Bowling Australia Limited or its Member Organisations
- 2.2.1.5. Team Selectors: State and National teams
- 2.2.2. All Relevant Persons are automatically bound by and required to comply with all of the provisions of this Policy. Accordingly, all Relevant Persons shall be deemed to accept all terms set out herein and have agreed.

### **2.3. Education**

- 2.3.1. All Relevant Persons must complete appropriate education and training programs as directed by Tenpin Bowling Australia Limited from time to time.
- 2.3.2. All Relevant Persons as at the commencement of this Policy must undertake Tenpin Bowling Australia's education program.
- 2.3.3. All persons who become Relevant Persons after the commencement of this Policy must undertake the online education program as part of their induction:
  - 2.3.3.1. prior to competing in any Event or Competition, or
  - 2.3.3.2. within two months of commencing employment (whether paid or voluntary).

The online education program available at: <http://elearning.sport.gov.au/>

### **2.4. Code Of Conduct**

- 2.4.1. In addition to this Policy, all Relevant Persons are bound by Tenpin Bowling Australia Limited's code of conduct (see Annexure C), as amended from time to time, which is underpinned by the following 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. PROHIBITED CONDUCT

- 3.1. A Relevant Person to whom this Policy applies must not directly or indirectly, alone or in conjunction with another or others breach this Policy of the Sport's code of conduct by:
  - 3.1.1. betting, gambling or entering into any other form of financial speculation on any Competition or on any Event connected with Tenpin Bowling Australia Limited , or
  - 3.1.2. participating (whether by act or omission) in Match-fixing by:
    - 3.1.2.1. Deliberately underperforming or 'tanking' as part of an arrangement relating to betting on the outcome of any contingency within a Competition or Event.
    - 3.1.2.2. 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.
    - 3.1.2.3. 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.
    - 3.1.2.4. 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 commitment.
    - 3.1.2.5. Ensuring that a particular incident, that is the subject of a bet, occurs.
    - 3.1.2.6. Providing or receiving any gift, payment or benefit that might reasonably be expected to bring the Relevant Person or Tenpin Bowling Australia Limited into disrepute.
    - 3.1.2.7. Engaging in conduct that relates directly or indirectly to any of the conduct described in clauses 3.1.1, 3.1.2.1 to 3.1.2.6 above and is prejudicial to the interests of Tenpin Bowling Australia or which bring a Relevant Person or Tenpin Bowling Australia into disrepute.
- 3.2. 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.
- 3.3. 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.
- 3.4. Nothing in this section 3 prevents the Board from enforcing any other Rules and Regulations or referring any Prohibited Conduct to a relevant law enforcement agency.

For the relevant criminal legislation in each state and territory, visit:

[www.regional.gov.au/sport/national\\_integrity/index.aspx](http://www.regional.gov.au/sport/national_integrity/index.aspx)

## **4. REPORTING PROCESS**

- 4.1. A Relevant Person to whom this policy applies must promptly notify the Chief Executive Officer if he or she;
  - 4.1.1. 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
  - 4.1.2. is approached by another person to engage in conduct that is Prohibited Conduct
  - 4.1.3. knows or reasonably suspects that another person has engaged in conduct, or been approached to engage in conduct that is Prohibited Conduct
  - 4.1.4. 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.
- 4.2. 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.
- 4.3. 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.
- 4.4. Any report by a Relevant Person under this section 4 will be dealt with confidentially by Tenpin Bowling Australia Limited 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.
- 4.5. 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**

- 5.1.1. 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 Tribunal Hearing Panel.
- 5.1.2. 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 accredited by Tenpin Bowling Australia or a Member Organisation.

- 5.1.3. Nothing in this section 5 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. Investigation process**

If an investigation needs to be conducted to gather more information the following steps will be followed:

- 5.2.1. We will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The investigator will:
- 5.2.1.1. Interview any person/s implicated in allegations and record the interview/s in writing.
  - 5.2.1.2. Convey full details of the allegations to the respondent(s) so that they can respond.
  - 5.2.1.3. Interview the respondent to allow them to answer the allegations, and record the interview in writing.
  - 5.2.1.4. Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
  - 5.2.1.5. Make a finding as to whether the allegations are:
    - substantiated (there is sufficient evidence to support the allegations);
    - inconclusive (there is insufficient evidence either way);
    - unsubstantiated (there is sufficient evidence to show that the evidence is unfounded); and/or
    - mischievous, vexatious or knowingly untrue.
  - 5.2.1.6. Provide a report to the state association documenting the allegations, investigation process, evidence finding and, if requested, recommendations.
  - 5.2.1.7. We will provide a report to the complainant and the respondent(s) documenting the allegations, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
  - 5.2.1.8. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO).
  - 5.2.1.9. The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation.

## **5.3. Confidentiality and reporting**

- 5.3.1. 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.

- 5.3.2. Tenpin Bowling Australia must not disclose any specific facts of an allegation of Prohibited Conduct or breach of this Policy.
- 5.3.3. 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, Tenpin Bowling Australia and any other interested party of its decision. Such disclosure will be by way of an official release by Tenpin Bowling Australia.
- 5.3.4. 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.
- 5.3.5. 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.
- 5.3.6. Clauses 5.3.1 to 5.3.5 do not apply if the disclosure is required by law or Tenpin Bowling Australia determines to refer information to a law enforcement agency.

#### **5.4. Criminal offences**

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.

#### **5.5. Privilege**

- 5.5.1. 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.
- 5.5.2. Clause 5.5.1 does not limit the Board from enforcing any other Rules and Regulations.

### **6. DISCIPLINARY PROCESS**

The following will be followed by hearings tribunals established by TBA and its affiliated associations to hear complaints that have been referred to it by the CEO or Board.

#### **6.1. Preparation for tribunal hearing**

- 6.1.1. A Tribunal Panel will be constituted following the rules outlined in TBA's By Laws to hear a complaint that has been referred to it by the CEO or affiliated association. The number of Tribunal members required to be present throughout the hearing will be *a minimum number of 3 members*.



- 6.1.2. The Tribunal members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the affiliated association relating to the complaint/allegations.
- 6.1.3. The Tribunal will be scheduled as soon as practicable, but must allow adequate time for the person being complained about (respondent(s)) to prepare their case for the hearing.
- 6.1.4. The Tribunal will not include any person who has any actual or perceived conflict of interest, or bias regarding the matter.
- 6.1.5. The affiliated association will inform the respondent(s) in writing that a tribunal hearing will take place. The notice will outline:
- That the person has a right to appear at the tribunal hearing to defend the complaint/allegation;
  - Details of the complaint, and details of all allegations and the clause of any policy or rule allegedly breached;
  - The date, time and venue of the tribunal hearing;
  - That they can make either verbal or written submissions to the Tribunal;
  - That they may arrange for witnesses to attend the Tribunal in support of their position (statutory declarations of witnesses not available or from character witnesses may also be provided to the Tribunal);
  - An outline of any possible penalties that may be imposed if the complaint is found to be true; and
  - That legal representation will not be allowed. If the respondent is a minor, they should have a parent or guardian present.

A copy of any information / documents that have been given to the Tribunal (e.g. investigation report findings) will also be provided to the respondent.

The respondent(s) will be allowed to participate in all TBA and affiliated associations activities and events, pending the decision of the Tribunal, including any available appeal process, unless the affiliated association believes it is necessary to exclude the respondent(s) from all or some TBA and affiliated associations activities and events, after considering the nature of the complaint.

- 6.1.6. The affiliated association will notify the complainant in writing that a tribunal hearing will take place. The notice will outline:
- That the person has a right to appear at the tribunal hearing to support their complaint;
  - Details of the complaint, including any relevant rules or regulations the respondent is accused of breaching
  - The date, time and venue of the tribunal hearing;
  - That they can make either verbal or written submissions to the Tribunal;

- That they may arrange for witnesses to attend the Tribunal in support of their position (or provide statutory declarations from witnesses unable to attend); and
- That legal representation will not be allowed. *[If complainant is a minor, they should have a parent or guardian present.]*

A copy of any information / documents that have been given to the Tribunal (e.g. investigation report findings) will also be provided to the complainant.

- 6.1.7. If the complainant believes the details of the complaint are incorrect or insufficient they should inform the affiliated state association as soon as possible so that the respondent and the Tribunal Panel members can be properly informed of the complaint.
- 6.1.8. It is preferable that the Tribunal include at least one person with knowledge or experience of the relevant laws/rules (e.g. Discrimination).

## **6.2. Tribunal hearing procedure**

- 6.2.1. The following people will be allowed to attend the Tribunal Hearing:
- The Tribunal members;
  - The respondent(s);
  - The complainant;
  - Any witnesses called by the respondent;
  - Any witnesses called by the complainant;
  - Any parent / guardian or support person required to support the respondent or the complainant.
- 6.2.2. If the respondent(s) is not present at the set hearing time and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal hearing will continue subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been met.
- 6.2.3. If the Tribunal Chairperson considers that a valid reason for the non-attendance of the respondent(s) has been presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal will be rescheduled to a later date.
- 6.2.4. The Tribunal Chairperson will inform the affiliated association of the need to reschedule, and the affiliated association will organise for the Tribunal to be reconvened.
- 6.2.5. The Tribunal Chairperson will read out the complaint, ask the respondent(s) if they understand the complaint and if they agree or disagree with the complaint.
- 6.2.6. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal Panel when determining any disciplinary measures (penalty).

- 6.2.7. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
- Reference may be made to brief notes.
  - The complainant may call witnesses.
  - The respondent(s) may question the complainant and witnesses.
- 6.2.8. The respondent(s) will then be asked to respond to the complaint.
- Reference may be made to brief notes.
  - The respondent may call witnesses.
  - The complainant may ask questions of the respondent and witnesses.
- 6.2.9. Both the complainant(s) and respondent(s) may be present when evidence is presented to the Tribunal. Witnesses may be asked to wait outside the hearing until required.
- 6.2.10. The Tribunal may:
- Consider any evidence, and in any form, that it deems relevant.
  - Question any person giving evidence.
  - Limit the number of witnesses presented to those who provide any new evidence.
  - Require (to the extent it has the power to do so) the attendance of any witness it deems relevant;
  - Act in an inquisitorial manner in order to establish the truth of the issue/case before it.
- 6.2.11. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
- 6.2.12. If the Tribunal considers that at any time during the Tribunal Hearing that there is any unreasonable or intimidatory behaviour from anyone the Chairperson may deny further involvement of the person in the hearing.
- 6.2.13. After all of the evidence has been presented the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has been substantiated on the balance of probabilities (i.e. more probable than not). As the seriousness of the allegation increases, so too must the level of satisfaction of the Tribunal that the complaint has been substantiated. The respondent will be given an opportunity to address the Tribunal on disciplinary measures which might be imposed. Disciplinary measures imposed must be reasonable in the circumstances.
- 6.2.14. All Tribunal decisions will be by majority vote.
- 6.2.15. The Tribunal Chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed, or may advise those present that the decision is reserved and will be handed down in written form at a later time.
- 6.2.16. Within 48 hours, the Tribunal Chairperson will:

- Forward to the affiliated association a notice of the Tribunal decision including any disciplinary measures imposed.
- Forward a letter to the respondent(s) reconfirming the Tribunal decision and any disciplinary measures imposed. The letter should also outline, if allowed, the process and grounds for an appeal. Where the matter is of unusual complexity or importance, the Tribunal Chairperson may inform the parties in writing within 48 hours that the decision will be delayed for a further 48 hours.

6.2.17. The Tribunal does not need to provide written reasons for its decision.

### **6.3. Appeals procedure**

- 6.3.1. A complainant or a respondent(s) who is not satisfied with the decision of a Complaints Manager, the outcome of mediation or a Tribunal decision can lodge one appeal to TBA or its affiliated associations on one or more of the following bases:
- That a denial of natural justice has occurred; or
  - That the disciplinary measure(s) imposed is unjust and/or unreasonable.
  - That the decision was not supported by the information/evidence provided to the Complaints Manager/Mediator/Tribunal;
- 6.3.2. A person wanting to appeal in accordance with Clause 6.3.1 must lodge a letter setting out the basis for their appeal with the national MPIO within [14] days of the relevant decision. An appeal fee of \$100 shall be included with the letter of intention to appeal.
- 6.3.3. If the letter of appeal is not received by the national MPIO within the time period the right of appeal lapses. If the letter of appeal is received but the appeal fee is not received by the relevant time, the appeal lapses.
- 6.3.4. The letter of appeal and notice of tribunal decision 6.2.16 will be forwarded to the CEO or affiliated association for review and decide whether there are sufficient grounds for the appeal to proceed. The CEO or affiliated association may invite any witnesses to the meeting it believes are required to make an informed decision.
- 6.3.5. If the appellant has not shown sufficient grounds for appeal in accordance with Clause 6.3.1, then the appeal will be rejected. The appellant will be notified with reasons. The appeal fee will be forfeited.
- 6.3.6. If the appeal is accepted an Appeal Tribunal with a new panel will be convened to rehear the complaint, and the appeal fee will be refunded.
- 6.3.7. The Tribunal Procedure shall be followed for the appeal.
- 6.3.8. The decision of an Appeal Tribunal will be final.

## **7. PENALTIES**

### **7.1. Disciplinary Measures**

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. Any disciplinary measure imposed under this policy must:

- Be applied consistent with any contractual and employment rules and requirements;
- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach;  
and
- Be determined in accordance with our Constitution, By Laws, this policy and/or Rules of the sport.

### **7.2. Individual**

Subject to contractual and employment requirements, if a finding is made by a Tribunal that an individual has breached this policy, one or more of the following forms of discipline may be imposed:

- 7.2.1. A direction that the individual make a verbal and/or written apology;
- 7.2.2. A written warning;
- 7.2.3. A direction that the individual attend counselling to address their behaviour;
- 7.2.4. A withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or accredited by TBA;
- 7.2.5. A demotion or transfer of the individual to another location, role or activity;
- 7.2.6. A suspension of the individual's membership or participation or engagement in a role or activity;
- 7.2.7. Termination of the individual's membership, appointment or engagement;
- 7.2.8. A recommendation that TBA terminate the individual's membership, appointment or engagement;
- 7.2.9. In the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- 7.2.10. A fine;
- 7.2.11. Any other form of discipline that the state association considers appropriate.

### **7.3. Organisation**

If a finding is made that an affiliated local or state association has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by the CEO or state associations;

- 7.3.1. A written warning;
- 7.3.2. A fine;
- 7.3.3. A direction that any rights, privileges and benefits provided to that organisation by TBA be suspended for a specified period;
- 7.3.4. A direction that any funding granted or given to it by TBA or peak association/s cease from a specified date;
- 7.3.5. A direction that TBA cease to accredit events held by or under the auspices of that organisation;
- 7.3.6. A recommendation to TBA that its membership/affiliation to the national body be suspended or terminated in accordance with the relevant constitution or rules; and/or
- 7.3.7. Any other form of discipline that TBA or its affiliated associations considers to be reasonable and appropriate.

#### **7.4. Factors to consider**

The form of discipline to be imposed on an individual or organisation will depend on factors such as:

- Nature and seriousness of the breach;
- If the person knew or should have known that the behaviour was a breach;
- Level of contrition;
- The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences;
- If there have been relevant prior warnings or disciplinary action;
- Ability to enforce discipline if the person is a parent or spectator (even if they are bound by the policy); and/or
- Any other mitigating circumstances.

## **8. INFORMATION SHARING**

Tenpin Bowling Australia may share personal information of relevant persons with betting operators, law enforcement agencies, government agencies and or other sporting organisations to prevent Match-Fixing incidents whilst endeavouring to comply with its legal obligations under the Privacy Act 1988 (Cth).

### **8.1. Monitoring by Betting Operators**

- 8.1.1. Relevant Persons to whom this Policy applies must disclose information to Tenpin Bowling Australia of all their business interests, and connections with Betting Operators.
- 8.1.2. Tenpin Bowling Australia will work with Betting Operators to help ensure the ongoing integrity of the Competitions and Events played under the auspices of Tenpin Bowling Australia and Authorised Providers.

- 8.1.3. 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.
- 8.1.4. In order to enable the Betting Operator to conduct such audits, Tenpin Bowling Australia may, from time to time and subject to any terms and conditions imposed by Tenpin Bowling Australia (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.
- 8.1.5. 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.
- 8.1.6. All requests for information or provision of information by Tenpin Bowling Australia 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 already in the public domain other than as a result of a breach of this Policy.

## **8.2. Sponsorship**

- 8.2.1. Tenpin Bowling Australia acknowledges that betting is a legal activity, and recognises that Betting Operators may wish to enter Commercial Partnerships to promote their business.
- 8.2.2. Tenpin Bowling Australia may enter Commercial Partnerships with Betting Operators from time to time, subject to any applicable legislative requirements.
- 8.2.3. A Member Organisation or any Team may enter into a Commercial Partnership with a Betting Operator with the written consent of Tenpin Bowling Australia. Such consent may be withheld at the discretion of Tenpin Bowling Australia and specifically where the proposed Commercial Partnership:
  - 8.2.3.1. conflicts with an existing Commercial Partnership held between Tenpin Bowling Australia and a Betting Operator(s), and/or
  - 8.2.3.2. is with a Betting Operator with whom Tenpin Bowling Australia Limited 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.
- 8.2.4. Subject to Clause 8.2.3 above, a Relevant Person shall not be permitted to:
  - 8.2.4.1. enter into any form of Commercial Partnership with a Betting Operator, or
  - 8.2.4.2. promote a Betting Operator, or
  - 8.2.4.3. have any form of commercial relationship with a Betting Operator

## 9. INTERPRETATIONS AND DEFINITIONS

### 9.1. Interpretation

- 9.1.1. 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 prefer.
- 9.1.2. Words in the singular include the plural and vice versa.
- 9.1.3. References to 'including' and similar words are not words of limitation.
- 9.1.4. Words importing a gender include any other gender.
- 9.1.5. A reference to a clause is a reference to a clause or subclause of this Policy.
- 9.1.6. 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.
- 9.1.7. 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.
- 9.1.8. 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 Tenpin Bowling Australia athlete pathway as amended and updated from time to time.
- c. **Authorised Providers** means Tenpin Bowling Australia'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 Tenpin Bowling Australia Limited).
- d. **Betting Operator** means any company or other undertaking that promotes, brokers, arranges or conducts any form of Betting activity in relation to Tenpin Bowling Australia Limited.
- e. **Complainant** means a person making a complaint.
- f. **Coaches** means any person described in Tenpin Bowling Australia's coach pathway as amended and updated from time to time. Tiers include Instructor, Level 1 and Level 2.
- g. **Competition** means a Tenpin Bowling accredited competition, event or activity measuring performance against an opponent, oneself or the environment either once off or as part of a series.
- h. **Event** means a one off Competition, or series of individual Competitions conducted by Tenpin Bowling Australia.



- i. **Hearing Panel** means the Panel appointed by the Board to hear and determine allegations of Prohibited Conduct.
- j. **Inside Information** means any information relating to any Competition or Event that a Relevant Person possesses by virtue of his or position within Tenpin Bowling Australia. 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.
- k. **Member** means a current financial registered player of Tenpin Bowling Australia Limited.
- l. **Member Organisations** means those entities recognised by Tenpin Bowling Australia's constitution as its member organisations.
- m. **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.
- n. **Official** means any person identified within Tenpin Bowling Australia's Officials Accreditation as amended and updated from time to time.
- o. **Policy** means the Sport's National Policy on Match-Fixing as amended from time to time.
- p. **Prohibited Conduct** means conduct in breach of clause 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 Tenpin Bowling, whose involvement in Gambling would bring Tenpin Bowling into disrepute.
- r. **Respondent** means the person who is being complained about.
- s. **Team** means a collection of Athletes and includes a national representative team, National, State or Territory or members organisation team that competes in Competitions or events
- t. **Tenpin Bowling Australia Limited** Tenpin Bowling Australia is the National Sporting Organisation as recognised by the Australian Sports Commission and the World Tenpin Bowling Association.
- u. **Tenpin Bowling** is a sport for all, with no age, size, speed or strength limitations. It is scored objectively and is adaptable to any schedule or number of participants. Requiring mental and physical precision, stamina and skill, bowling is a safe, inclusive, family/community oriented LIFETIME sport.

## **ANNEXURE A - ATHLETE FRAMEWORK**

The classes of athletes to whom this policy applies are as follows;

Any athlete that competes:

- In TBA accredited competitions which has significant prize money attached (in excess of \$3000 for the winner)
- In any TBA accredited event (e.g. Ranked events, Rachuig Trophy, Seniors Challenge, Restricted Challenge, Youth Teams Challenge & President Shield)
- At international competitions or events (such as world championships or one off international competitions)
- At any other competition or event that attracts or is likely to attract a betting market either domestically or internationally.

## **ANNEXURE B - Coach's & Team Managers Framework**

The classes of Coaches to whom this policy applies are as follows;

Any Coach, including head coaches and assistant coaches of athletes and teams which compete:

- In TBA accredited competitions which has significant prize money attached (in excess of \$3000 for the winner)
- In any TBA accredited events (e.g. Ranked events, Rachuig Trophy, Seniors Challenge, Restricted Challenge, Youth Teams Challenge & President Shield)
- At international competitions or events (such as world championships or one off international competitions)
- At any other competition or event that attracts or is likely to attract a betting market either domestically or internationally.

# ANNEXURE C - Code of Conduct (Match-Fixing)

## Introduction

Tenpin Bowling Australia recognises that betting is a legitimate pursuit, however illegal or fraudulent betting is not. Fraudulent betting on sport and the associated Match-fixing is an emerging and critical issue globally, for sport, the betting industry and governments alike.

Accordingly, Tenpin Bowling Australia and its Member Organisations have a major obligation to address the threat of Match-fixing and the corruption that flows from that.

Tenpin Bowling Australia and its Member Organisations have a zero tolerance for illegal gambling and Match-fixing.

Tenpin Bowling Australia has developed a National Policy on Match-fixing to:

- protect and maintain the integrity of Tenpin Bowling
- protect against any efforts to impact improperly the result of any match
- establish a uniform rule and consistent scheme of enforcement and penalties
- adhere to the National Policy on Match-fixing in Sport as agreed by Australian Governments on 10 June 2011.

A copy of the National Policy can be obtained from Tenpin Bowling Australia Sport upon request, and is available on our website [www.tenpin.org.au](http://www.tenpin.org.au)

Tenpin Bowling Australia will engage necessary technical expertise to administer, monitor and enforce this

## Application

The National Policy, as amended from time to time, includes a defined list of Relevant Persons to whom this code of conduct applies.

## Rules of Behaviour

This code of conduct sets out the guiding principles for all Relevant Persons on the issues surrounding the integrity of sport and betting.

## Guiding Principles

### 1. Be smart: know the rules

Find out the Sports betting integrity rules of the Sport (set out in the Sports National Policy) prior to each season, so that you are aware of the Sport's most recent position regarding betting.

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.

## **2. Be safe: never bet on your sport**

Never bet on yourself, your opponent or your sport. If you, or anyone in your entourage (coach, friend, family members etc), bet on yourself, your opponent or your sport you risk being severely sanctioned. It is best to play safe and never bet on any events within your sport including:

- never betting or gambling on your own matches or any competitions in your sport; including betting on yourself or your team to win, lose or draw as well as any of the different spot bets (such as first goal scorer, MVP etcetera)
- never instructing, encouraging or facilitating any other party to bet on sports you are participating in
- never ensuring 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
- never giving or receiving any gift, payment or other benefit in circumstances that might reasonably be expected to bring you or your sport into disrepute.

## **3. Be careful: never share sensitive information**

As a Relevant Person you will have access to information that is not available to the general public, such as knowing that team mate is injured or that the coach is putting out a weakened side. 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.

There is nothing wrong with you having sensitive information; it is what you do with it that matters. Most Relevant Persons know that they should not discuss important information with anyone outside of their club, team or coaching staff (with or without reward) where the Relevant Person might reasonably be expected to know that its disclosure could be used in relation to betting.

## **4. Be clean: never fix an event**

Play fairly, honestly and never fix an event or part of an event. Whatever the reason, do not make any attempt to adversely influence the natural course of an event or competition, or part of an event or competition. Sporting contests must always be an honest test of skill and ability and the results must remain uncertain. Fixing an event or competition, or part of an event or competition goes against the rules and ethics of sport and when caught, you may receive a fine, suspension, lifetime ban from your sport, and/or even a criminal prosecution.

Do not put yourself at risk by following these simple principles:

- Always perform to the best of your abilities.
- Never accept to fix a match. 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.

- Seek treatment for addictions and avoid running up debts as this may be a trigger for unscrupulous individuals to target you to fix competitions. Get help before things get out of control.

**5. 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 match then you must tell someone at the Sport (this person is stipulated in the National Policy) 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. The Sport has developed the National Policy and the procedures contained in it to help.