

Approved Date: 20 February, 2021

## 1. Position Statement

- (a) Motorsport 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) Relevant Persons have a major obligation to address the threat of competition-fixing and the corruption that flows from that.
- (c) Motorsport Australia has a zero tolerance for illegal gambling and competition-fixing.
- (d) Motorsport Australia recognises that in limited circumstances Team Orders may be given and acted upon, but not for illegitimate purposes.
- (e) Motorsport Australia may engage the necessary technical expertise to administer, monitor and enforce this Policy.
- (f) The purpose of this Policy is 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.
- (g) 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. Interpretation and Definitions

### 2.1 Interpretation

The rules of interpretation stated in the NCR will apply to this Policy unless stated otherwise.

### 2.2 Definitions

In this Policy and unless stated otherwise, capitalised terms have the meaning stated in the NCR and below:

- (a) **Affiliated Club** means a body engaged in motoring activities and which is affiliated with Motorsport Australia;
- (b) **Betting Operator** means any company or other undertaking that promotes, brokers, arranges or conducts any form of betting activity in relation to the Sport;

- (c) **Board Members** means the directors of Motorsport Australia and includes the President of Motorsport Australia;
- (d) **CEO** means the chief executive officer of Motorsport Australia;
- (e) **Code of Conduct** means the code of conduct attached as schedule 1 to this Policy;
- (f) **Commercial Partnership** means a partnership, agreement, arrangement or understanding;
- (g) **Event** has the meaning given to that term in the NCR;
- (h) **Inside Information** means any information relating to any Event that a Relevant Person possesses by virtue of his or position within the Sport. Such information includes, but is not limited to, factual information regarding the Participants in the Event, tactical considerations or any other aspect of the Event but does not include such information that is:
  - (i) already published or a matter of public record;
  - (ii) readily acquired by an interested member of the public; or
  - (iii) disclosed according to the rules and regulations governing the relevant Event;
- (i) **Motorsport Australia** means the Confederation of Australian Motor Sport Ltd. trading as Motorsport Australia;
- (j) **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, as may be amended from time to time;
- (k) **NCR** means the 'National Competition Rules' as published by Motorsport Australia and as may be amended from time to time;
- (l) **Official** means any officials working at an Event expressly appointed by the Event organiser, or by Motorsport Australia, and whether those officials are licensed by Motorsport Australia or otherwise;
- (m) **Participant** means a competitor, driver, co-driver, crew member, navigator or other person who participates in an Event;
- (n) **Policy** means this 'Motorsport Australia National Policy on Competition-Fixing' as amended from time to time;
- (o) **President** means the President of Motorsport Australia;
- (p) **Relevant Person** means any of the following:
  - (i) Motorsport Australia licensed Participants, Officials, team managers, crew members and pit crew, directors, category managers, Event promoters and Event organisers (including those affiliated with or permitted by Motorsport Australia);

- (ii) employees, contractors and others who work directly for Motorsport Australia and its related entities;
  - (iii) Affiliated Clubs;
  - (iv) Teams;
  - (v) Board Members, commissions, councils, committees, working groups and panels;
  - (vi) persons who hold governance positions within Motorsport Australia, its related entities and its Affiliated Clubs;
  - (vii) any individual or organisation nominated by Motorsport Australia to whom this Policy applies; and
  - (viii) any other person involved in the organisation administration or promotion of Motorsport Australia, whose involvement in gambling would bring Motorsport Australia into disrepute;
- (p) **Sport** means motorsport;
- (q) **Team** means any pit crew, staff, manager, Participant, director or member of a team competing in an Event;
- (r) **Team Order** has the meaning given to that term in clause 3.5 of the Code of Conduct.

### 3. Application and Scope of Policy

#### 3.1 Application

This Policy is made by Motorsport Australia and is binding on all Relevant Persons. It may be amended from time to time by Motorsport Australia.

#### 3.2 Scope

By virtue of their ongoing membership, holding of a Motorsport Australia licence, participating in an Event, employment or other contractual relationship with Motorsport Australia, Participants are automatically bound by this Policy and required to comply with all of its provisions.

#### 3.3 Delegation

Motorsport Australia 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 and monitor this Policy.

#### 3.4 Code of Conduct

All Relevant Persons must comply with the Code of Conduct.

### 4. Prohibited Conduct

- (a) A Relevant Person must not directly or indirectly, alone or in conjunction with another or others, breach this Policy.

- (b) Any attempt or any agreement to act in a manner that may be likely to culminate in a breach of this Policy shall be treated as if the relevant breach had occurred, whether or not the breach actually occurred as a result of the attempt or agreement to act.
- (c) If a Relevant Person knowingly assists or is a party to 'covering up' a breach of this Policy, that Relevant Person will be treated as having engaged in the breach personally.
- (d) Nothing in this clause 4 prevents Motorsport Australia from taking any other action, including but not limited to enforcing any other Motorsport Australia rules and regulations or referring any breach of this Policy to a relevant law enforcement agency.

## 5. Reporting Process

- (a) A Relevant Person must promptly notify the CEO if they:
  - (i) are interviewed as a suspect, charged, or arrested by police in respect of conduct that would amount to an allegation of a breach of this Policy;
  - (ii) are approached by another person to engage in conduct that is in breach of this Policy;
  - (iii) know or reasonably suspect that another person has engaged in conduct, or been approached to engage in conduct that is a breach of this Policy; or
  - (iv) have received, or are aware or reasonably suspect that another person has received, actual or implied threats of any nature in relation to past or proposed conduct that is a breach of this Policy.
- (b) If a Relevant Person wishes to report the CEO for involvement in conduct that is in breach of this Policy, the Relevant Person to which this clause 5 applies may report the conduct to the President.
- (c) Notification by a Relevant Person under this clause 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 CEO (or the President as the case may be) must record the fact of the reporting of a breach of this Policy and particulars of the alleged breach of this Policy in writing within 48 hours of the report from the Relevant Person for presentation to the CEO (or the President as the case may be).
- (d) Any report by a Relevant Person under this clause 5 will be dealt with confidentially by Motorsport Australia unless disclosure is otherwise required or permitted under this Policy, by law, or if the allegation of the breach of this Policy is already in the public domain.
- (e) A Relevant Person has a continuing obligation to report any new knowledge or suspicion regarding any conduct that may amount to a breach of this Policy,

even if the Relevant Person's prior knowledge or suspicion has already been reported.

## 6. Breaches of Policy

Any breach of this Policy (except for clause 7) will be considered to be a breach of the NCR. Relevant Persons may be subject to investigation by Motorsport Australia or the imposition of a penalty in accordance with the NCR, by Motorsport Australia or its judicial bodies.

## 7. Education

- (a) Relevant Persons identified by Motorsport Australia must be provided with appropriate education and training programs as directed by Motorsport Australia from time to time in relation to competition-fixing. Any such education and training by Motorsport Australia to those persons must:
  - (i) make reference to this Policy; and
  - (ii) where provided online, include a web link to this Policy.
- (b) Where a Relevant Person identified under clause 7(a) is an employee of Motorsport Australia (whether paid or voluntary), that Relevant Person must undertake Motorsport Australia's education program in relation to competition-fixing as part of their induction within two months of commencing employment with Motorsport Australia.

## 8. General

The Policy Manager is the Motorsport Australia Integrity Officer to whom any questions in relation to this Policy should be directed.

Policy Creation Date	26 June, 2015
Policy Review Date	18 December, 2019
Policy Review Date	20 February, 2021
Policy Review Date	November, 2021

# Schedule 1 – Code of Conduct

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## 1. Preamble

- (a) Motorsport 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) Motorsport Australia and its Affiliated Clubs have a major obligation to address the threat of competition-fixing and the corruption that flows from that.
- (c) Motorsport Australia and its Affiliated Clubs have a zero tolerance for illegal gambling and competition-fixing.
- (d) Motorsport 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 Motorsport Australia and is available on the Motorsport Australia website. Motorsport 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 Motorsport Australia's guiding principles and rules for all Relevant Persons on the issues surrounding the integrity of Sport and betting.

### 3.1 Guiding principles

- (a) Be smart: know the rules.
- (b) Be safe: never bet on your Sport.
- (c) Be careful: never share sensitive information.
- (d) Be clean: never fix an Event.

- (e) 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 competitor, 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 competitor, 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 competitor 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, Motorsport 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**

#### **General**

- (a) 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**

- (e) A Team Order is a direction from a Team in an Event to a Participant who is part of that Team to deviate from the practice of maximising their individual performance at an Event (Team Order).
- (f) Where you are a participant 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 Motorsport 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) Motorsport Australia acknowledges that betting is a legal activity, and recognises that Betting Operators may wish to enter Commercial Partnerships to promote their business. Motorsport 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 Motorsport Australia. Such consent may be withheld at the discretion of Motorsport Australia and specifically where the proposed Commercial Partnership:
    - (iv) conflicts with an existing Commercial Partnership held between Motorsport Australia or another and a Betting Operator(s); or
    - (v) is with a Betting Operator with whom Motorsport 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. Motorsport Australia has developed the Policy and the procedures contained in it to help.