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## Model Rules for Major Event Organisers

### to assist in implementing the Olympic Movement Code on the Prevention of the Manipulation of Competitions

These Model Rules have been developed by the Olympic Movement Unit on the Prevention of the Manipulation of Competitions to assist Major Event Organisers in implementing Rules compliant with the Olympic Movement Code on the Prevention of the Manipulation of Competitions (OM Code PMC).<sup>1</sup>

Two Options are available for sports organisations to ensure compliance with the Code (Preamble, para. e):

Option 1: Incorporation of the Code by reference

Option 2: Implementation of regulations consistent with the Code or more stringent than the Code.

All Major Event Organisers should consider what status the Code has within its own constitution and legal structure. The Constitutions or By-laws may provide that its Board may pass “regulations in furtherance of these By-laws” or wording to that effect in which case, these Rules must be properly adopted as a regulation under the organisation’s Constitution or By-laws.

The OM Code PMC Implementation Support Framework is available [here](#).

Email: [OMUnitPMC@olympic.org](mailto:OMUnitPMC@olympic.org)

## MODEL RULES

### OPTION 1: IMPLEMENTATION BY REFERENCE

Sports organisations may choose to incorporate the Code by reference.

EXAMPLE:

- a. These Regulations incorporate by reference the Olympic Movement Code on the Prevention of the Manipulation of Competitions of 8 December 2015 as well as any amendments made thereafter by the IOC;
- b. These Regulations specifically prohibit betting in relation to any event of the [insert name of Major Event] in which he/she is a participant;
- c. Every reference to “Sporting Organisation” in the Code shall mean [insert name of Major Event].

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<sup>1</sup> <https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/IOC/What-We-Do/Protecting-Clean-Athletes/Competition-manipulation/Code-Prevention-Manipulation-Competitions.pdf>



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COMMENT:

Incorporation by reference implies that the sports organisation fulfils all requirements with regards to the Code i.e.

- **anonymous reporting is facilitated** (as required in art. 3.5) e.g. through reference to the IOC Integrity and Compliance Hotline ([www.olympic.org/integrityhotline](http://www.olympic.org/integrityhotline)) or to the sports organisations own reporting mechanism;
- **an appropriate appeal framework is provided** (as required in art. 3.6) through reference directly in the Regulations or to another document of the Sports Organisation which provides for such an appeals framework.

## OPTION 2: IMPLEMENTATION BY ADOPTION

Sports organisations may choose to implement regulations consistent with the Code or more stringent than the Code.

COMMENT:

- Text in **red** is considered mandatory (directly from the OM Code PMC);
- Text in *italics* is recommended;
- It is recommended to insert name of Major Event Organiser whenever **[insert name of Major Event]** is indicated.

EXAMPLE:

### **[Sports Organisation] Code on the Prevention of the Manipulation of Competitions**

#### **Preamble**

- Acknowledging the danger to sports integrity from the manipulation of sports competitions, the [insert name of Major Event Organiser] restate their commitment to safeguarding the integrity of sport, including the protection of clean athletes and competitions as stated in Olympic Agenda 2020;**
- Due to the complex nature of this threat, the [insert name of Major Event Organiser] recognises that they cannot tackle this threat alone, and hence cooperation with public authorities, in particular law enforcement and sports betting entities, is crucial;**
- The [insert name of Major Event Organiser] declares their commitment to support the integrity of sport and fight against the manipulation of competitions by adhering to the standards set out in the Olympic Movement Code on the Prevention of the Manipulation of Competitions.**

COMMENT:

Major Event Organisers may also wish to include the following articles:

#### **Application and Scope**

- This Code will come into force on [insert date].*
- It shall be the personal responsibility of every Participant to make himself or herself aware of this Code including, without limitation, what conduct constitutes a violation of this Code and to comply with those requirements. Participants should also be aware that conduct prohibited under this Code may also constitute a criminal offence and/or a breach of other applicable laws and regulations. Participants must comply with all applicable laws and regulations at all times.*



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## Article 1 - Definitions

- 1.1 “Benefit” means the direct or indirect receipt or provision of money or the equivalent such as, but not limited to, bribes, gains, gifts and other advantages including, without limitation, winnings and/or potential winnings as a result of a wager; the foregoing shall not include official prize money, appearance fees or payments to be made under sponsorship or other contracts;
- 1.2 “Competition” means any sports competition, tournament, match or event, organised in accordance with the rules of the [insert name of Major Event] or its affiliated organisations;
- 1.3 “Inside Information” means information relating to any competition that a person possesses by virtue of his or her position in relation to a sport or competition, excluding any information already published or common knowledge, easily accessible to interested members of the public or disclosed in accordance with the rules and regulations governing the relevant Competition;
- 1.4 “Participant” means any natural or legal person belonging to one of the following categories:
- “athlete” means any person or group of persons participating in the [insert name of Major Event];
  - “athlete support personnel” means any coach, trainer, manager, agent, team staff, team official, medical or paramedical personnel working with or treating athletes participating in or preparing for sports competitions, and all other persons working with the athletes;
  - “official” means any person who is the owner of, a shareholder in, an executive or a staff member of the entities which organise and/or promote sports competitions, as well as referees, jury members and any other accredited or engaged persons. The term also covers the executives and staff of [insert name of Major Event Organiser], or where appropriate, other competent sports organisation or club that recognises the major event.

### COMMENT:

The definition of ‘Participant’ or Covered Persons may differ depending on your organisation’s terminology. Change accordingly throughout Model Rules.

- 1.5 “Sports Betting, Bet or Betting” means any wager of a stake of monetary value in the expectation of a prize of monetary value, subject to a future and uncertain occurrence related to a sports competition.

## Article 2 – Violations

The following conduct as defined in this Article constitutes a violation of this Code:

### 2.1 Betting

Betting in relation to any event of this [insert name of Major Event], in which he/she is a Participant.



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## 2.2 Manipulation of sports competitions

An intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a sports competition in order to remove all or part of the unpredictable nature of the sports competition with a view to obtaining an undue Benefit for oneself or for others.

## 2.3 Corrupt conduct

Providing, requesting, receiving, seeking, or accepting a Benefit related to the manipulation of a competition or any other form of corruption.

## 2.4 Inside information

2.4.1. Using Inside Information for the purposes of Betting, any form of manipulation of sports competitions or any other corrupt purposes whether by the Participant or via another person and/or entity.

2.4.2. Disclosing Inside Information to any person and/or entity, with or without Benefit, where the Participant knew or should have known that such disclosure might lead to the information being used for the purposes of Betting, any form of manipulation of competitions or any other corrupt purposes.

2.4.3 Giving and/or receiving a Benefit for the provision of Inside Information regardless of whether any Inside Information is actually provided.

## 2.5 Failure to report and reporting mechanism

2.5.1 Failing to report to the [insert name of Major Event Organiser] or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any approaches or invitations received by the Participant to engage in conduct or incidents that could amount to a violation of this Code.

2.5.2 Failing to report to the [insert name of Major Event Organiser] concerned or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any incident, fact or matter that comes to the attention of the Participant (or of which they ought to have been reasonably aware) including approaches or invitations that have been received by another Participant to engage in conduct that could amount to a violation of this Code.

### COMMENT:

It is recommended to insert details of the reporting mechanism within the organisation immediately following article 2.5.2 as a newly added 2.5.3 e.g. online report, email or telephone or, if no reporting mechanism exists, by including reference to the IOC's Integrity and Compliance Hotline available at: [www.olympic.org/integrityhotline](http://www.olympic.org/integrityhotline).

## 2.6 Failure to cooperate

2.6.1 Failing to cooperate with any investigation carried out by the [insert name of Major Event Organiser or its designate] in relation to a possible breach of this Code, including, without limitation, failing to provide accurately, completely and without undue delay any information and/or documentation and/or access or assistance requested by the [insert name of Major Event Organiser or its designate] as part of such investigation.

2.6.2 Obstructing or delaying any investigation that may be carried out by the [insert name of Major Event Organiser or its designate] in relation to a possible violation of this Code, including without limitation concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation.



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## 2.7 Application of Articles 2.1 to 2.6

2.7.1 For the determination of whether a violation has been committed, the following are not relevant:

- a. Whether or not the Participant is participating in the Competition concerned;
  - b. The outcome of the Competition on which the Bet was made or intended to be made;
  - c. Whether or not any Benefit or other consideration was actually given or received;
  - d. The nature or outcome of the Bet;
  - e. Whether or not the Participant's effort or performance in the Competition concerned were (or could be expected to be) affected by the acts or omission in question;
  - f. Whether or not the result of the Competition concerned was (or could be expected to be) affected by the acts or omission in question;
  - g. Whether or not the manipulation included a violation of a technical rule of the [insert name of Major Event Organiser or its affiliated organisation];
  - h. Whether or not the competition was attended by the competent national or international representative of the [insert name of Major Event Organiser or its affiliated organisation];
- 2.7.2 Any form of aid, abetment or attempt by a Participant that could culminate in a violation of this Code shall be treated as if a violation had been committed, whether or not such an act in fact resulted in a violation and/or whether that violation was committed deliberately or negligently.

## Article 3 - Disciplinary Procedures

### 3.1. Investigations

3.1.1 The Participant who is alleged to have committed a violation of this Code must be informed of the alleged violations that have been committed, details of the alleged acts and/or omissions, and the range of possible sanctions.

#### COMMENT:

Major Event Organisers may wish to include the following article e.g.

*Notice to a Participant may be accomplished by delivery of the notice to the Member Federation concerned. If the Participant concerned by a breach of these rules is an athlete or member of a National Olympic Committee (NOC) or National Team delegation, the NOC President/Secretary General/Chef de Mission or National Team Chef de Mission must be notified. The Member Federation and/or the NOC shall be responsible for immediately communicating the notice to the Participant.*

The timing of the notice is at the prerogative of the Major Event Organiser.

3.1.2 Upon request by the [insert name of Major Event Organiser or its designate], the concerned Participant must provide any information which the [insert name of Major Event Organiser or its designate] considers may be relevant to investigate the alleged violation, including records relating to the alleged violation (such as betting account numbers and information, itemised telephone bills, bank statements, internet service records, computers, hard drives and other electronic information storage devices), and/or a statement setting out the relevant facts and circumstances around the alleged violation.



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**COMMENT:**

You may wish to include reference to the disciplinary process within your organisation e.g. *Where following investigation, the [insert name of Major Event Organiser] decides to charge a Participant with a violation of this Code, the [insert name of Major Event Organiser] shall transfer any such matter to the [insert name of disciplinary panel] for determination in accordance with the Rules of the [insert name of Major Event Organiser].*

### **3.2 Rights of the concerned person**

In all procedures linked to violations of the present Code, the following rights must be respected:

- 3.2.1 The right to be informed of the charges; and
- 3.2.2 The right to a fair, timely and impartial hearing either by appearing personally in front of the [insert name of Major Event Organiser disciplinary panel] and/or submitting a defence in writing; and
- 3.2.4 The right to be accompanied and/or represented.

### **3.3 Burden and standard of proof**

The [insert name of Major Event Organiser] shall have the burden of establishing that a violation has been committed. The standard of proof in all matters under this Code shall be the balance of probabilities, a standard that implies that on the preponderance of the evidence it is more likely than not that a breach of this Code has occurred.

**COMMENT:**

Since the approval of this Code in December 2015 by the IOC Executive Board, CAS jurisprudence has established the standard of proof in such cases as 'comfortable satisfaction' if no standard of proof is provided.<sup>2</sup> The Code may be amended at the next revision and hence it is recommended that sports organisations adopt the standard of proof as 'comfortable satisfaction', a standard which is defined as being greater than a mere balance of probability but less than proof beyond a reasonable doubt.

### **3.4 Confidentiality**

The principle of confidentiality must be strictly respected by the [insert name of Major Event Organiser] during all the procedure; information should only be exchanged with entities on a need to know basis. Confidentiality must also be strictly respected by any person concerned by the procedure until there is public disclosure of the case.

### **3.5 Anonymity of the person making a report**

Anonymous reporting is facilitated through the [insert name of Major Event Organiser] anonymous reporting mechanism].

**COMMENT:**

If your organisation does not have a reporting mechanism where it is possible to make an anonymous report, it is recommended that reference is made to the IOC's Integrity and Compliance Hotline available at: [www.olympic.org/integrityhotline](http://www.olympic.org/integrityhotline). However, it is recommended to encourage that personal information is disclosed to enable appropriate follow up when reports are made.

### **3.6 Appeals**

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<sup>2</sup> <https://jurisprudence.tas-cas.org/Shared%20Documents/4558.pdf>



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1. The [insert sports organisation] has an appropriate appeal framework within the organisation [insert details of appeal framework] or recourse to an external arbitration mechanism (such as a court of arbitration) [insert details of external arbitration mechanism].
2. The general procedure of the appeal framework shall include provisions such as, but not limited to, the time limit for filing an appeal and the notification procedure for the appeal [insert details of the appeal framework procedure].

**COMMENT:**

Insert details of the appeal framework within your sport or what recourse to an external arbitration mechanism is possible including the time limit for filing an appeal and the notification procedure for the appeal.

**Article 4 - Provisional Measures**

- 4.1 The [insert name of Major Event Organiser] may impose provisional measures, including a provisional suspension, on the participant where there is a particular risk to the reputation of the sport, while ensuring respect for Articles 3.1 to 3.4 of this Code.
- 4.2 Where a provisional measure is imposed, this shall be taken into consideration in the determination of any sanction which may ultimately be imposed.

**COMMENT:**

Examples of other provisional measures may include the decision to video record a competition, the decision to change the referee or judges just prior to the commencement of a competition etc.

**Article 5 - Sanctions**

- 5.1 Where it is determined that a violation has been committed, the [insert name of Major Event Organiser] shall impose an appropriate sanction upon the Participant from the range of permissible sanctions, which may range from a minimum of a warning to a maximum of life ban.

**COMMENT:**

Each sports organisation may indicate the sanction applicable for each violation e.g. financial sanctions, disqualification of results, forfeiture of medals or prizes won, education, costs etc.<sup>3</sup>

- 5.2 When determining the appropriate sanctions applicable, the [insert name of Major Event Organiser] shall take into consideration all aggravating and mitigating circumstances and shall detail the effect of such circumstances on the final sanction in the written decision.
- 5.3 Substantial assistance provided by a Participant that results in the discovery or establishment of an offence by another Participant may reduce any sanction applied under this Code.

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<sup>3</sup> The Olympic Movement Unit on the Prevention of the Manipulation of Competitions will provide, upon request, 'Guidelines on the Sanctioning of Competition Manipulation by Sports Organisations', email: OMUnitPMC@olympic.org



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**COMMENT:**

An organisation may like to include the following articles:

- *If a Participant violates any prohibition on participation in a Competition imposed in accordance with this Code, such Participant shall be disqualified immediately from the relevant Competition and the period of ineligibility originally imposed in accordance with this Code shall recommence from the date of such violation.*
- *This Code shall continue to apply to any ineligible Participant and any violation committed during a period of ineligibility shall be treated as a distinct violation and separate proceedings may be brought against the Participant in accordance with this Code.*

**Reinstatement**

- *Once the period of the Participant's ineligibility has expired, he or she will become automatically re-eligible to participate in [insert name of Major Event] provided that he or she has:*
  - *completed to [insert name of Major Event Organiser]'s satisfaction any official integrity education imposed on him or her as a sanction by the [insert name of Major Event Organiser] disciplinary body;*
  - *has paid, in full, any fine imposed under this Code and/or any order of costs made against him or her by the [insert name of Major Event Organiser] disciplinary body; and*
  - *has agreed to subject himself or herself to any reasonable and proportionate monitoring of his or her future activities in connection with his/her sport as the [insert name of Major Event Organiser] may reasonably consider necessary given the nature and scope of the violation that he or she has committed.*

**Article 6 - Mutual recognition**

- 6.1 *Subject to the right of appeal, any decision in compliance with this Code by any other Sporting Organisation will be recognised and respected by the [insert name of Major Event Organiser].*
- 6.2 *The [insert name of Major Event Organiser] will recognise and respect the decision(s) made by any other sporting body or court of competent jurisdiction which is not a Sporting Organisation as defined under this Code.*