

# “Olympic Movement Code on the Prevention of the Manipulation of Competitions”

## Introduction

The World Curling Federation and its Member Associations recognize the threat to the integrity of curling posed by the manipulation of sports competitions. This is contrary to the ‘Spirit of Curling’ which is highlighted in the Rules of Curling. The Members of the World Curling Federation agreed to follow and be bound by the “Olympic Movement Code on the Prevention of the Manipulation of Competitions” at the Annual General Assembly of the World Curling Federation, held in Bled, Slovenia in September 2017.

## Preamble

- a. Acknowledging the danger to sports integrity from the manipulation of sports competitions, all sports organisations, in particular the International Olympic Committee (IOC), all International Federations, National Olympic Committees and their respective members at the Continental, Regional and National level and IOC recognised organisations (hereinafter, ‘Sports Organisations’), restate their commitment to safeguarding the integrity of sport, including the protection of clean athletes and competitions as stated in Olympic Agenda 2020;
- b. Due to the complex nature of this threat, Sports Organisations recognise that they cannot tackle this threat alone, and hence cooperation with public authorities, in particular law enforcement and sports betting entities, is crucial;
- c. The purpose of this Code is to provide all Sports Organisations and their members with harmonised regulations to protect all competitions from the risk of manipulation. This Code establishes regulations that are in compliance with the *Council of Europe Convention on the Manipulation of Sports Competitions*,<sup>1</sup> in particular Article 7. This does not prevent Sports Organisations from having more stringent regulations in place;
- d. In the framework of its jurisdiction as determined by Rule 2.8 of the Olympic Charter, the IOC establishes the present Olympic Movement Code on the Prevention of the Manipulation of Competitions, hereinafter the Code;
- e. Sports Organisations bound by the Olympic Charter and the IOC Code of Ethics declare their commitment to support the integrity of sport and fight against the manipulation of competitions by adhering to the standards set out in this Code and by requiring their members to do likewise. Sports Organisations are committed to take all appropriate steps within their powers to incorporate this Code by reference, or to implement regulations consistent with or more stringent than this Code.

## Article 1 - Definitions<sup>2</sup>

- 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 a Sports Organisation or its affiliated organisations, or, where appropriate, in accordance with the rules of any other competent sports organisation;

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<sup>1</sup> The *Council of Europe Convention on the Manipulation of Sports Competitions* is open for signatories from non-European states.

<sup>2</sup> When definitions are provided by the *Council of Europe Convention on the Manipulation of Sports Competitions*, such definitions are used in this Code to minimise the risk of misinterpretation.

- 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:
- a. “athlete” means any person or group of persons, participating in sports competitions;
  - b. “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;
  - c. “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 the sports organisation, or where appropriate, other competent sports organisation or club that recognises the competition.
- 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 either:

- a. to a Competition in which the Participant is directly participating; or
- b. to the Participant’s sport; or
- c. to any event of a multisport Competition in which he/she is a participant.

### **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**

2.5.1 Failing to report to the Sports Organisation concerned 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 Sports Organisation 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.

## 2.6 **Failure to cooperate**

2.6.1 Failing to cooperate with any investigation carried out by the Sports Organisation 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 competent Sports Organisation as part of such investigation.

2.6.2 Obstructing or delaying any investigation that may be carried out by the Sports Organisation 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.

## 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. Whether or not 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 respective Sports Organisation
- h. Whether or not the competition was attended by the competent national or international representative of the Sports 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**

The contents of this Article are minimum standards which must be respected by all Sports Organisations.

### **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.

3.1.2 Upon request by the competent Sports Organisation, the concerned Participant must provide any information which the Organisation 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.

### **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 competent Sports Organisation 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 Sports Organisation 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.

### **3.4 Confidentiality**

The principle of confidentiality must be strictly respected by the Sports Organisation 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 must be facilitated.

### **3.6 Appeals**

3.6.1 The Sports Organisation shall have an appropriate appeal framework within their organisation or recourse to an external arbitration mechanism (such as a court of arbitration).

3.6.2 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.

#### **Article 4 - Provisional Measures**

- 4.1 The Sports Organisation 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.

#### **Article 5 - Sanctions**

- 5.1 Where it is determined that a violation has been committed, the competent Sports Organisation 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.
- 5.2 When determining the appropriate sanctions applicable, the Sports Organisation 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.

#### **Article 6 - Mutual recognition**

- 6.1 Subject to the right of appeal, any decision in compliance with this Code by a Sporting Organisations must be recognised and respected by all other Sporting Organisations.
- 6.2 All Sporting Organisations must 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.

#### **Article 7 - Implementation**

- 7.1 Pursuant to Rule 1.4 of the Olympic Charter, all Sports Organisations bound by the Olympic Charter agree to respect this Code.<sup>3</sup>
- 7.2 These Sports Organisations are responsible for the implementation of the present Code within their own jurisdiction, including educational measures.
- 7.3 Any amendment to this Code must be approved by the IOC Executive Board following an appropriate consultation process and all Sports Organisations will be informed.<sup>4</sup>

#### **Related Documents**

Olympic Agenda 2020

- <https://www.olympic.org/olympic-agenda-2020>

Council of Europe Convention on the Manipulation of Sport Competition

- <https://rm.coe.int/16801cdd7e>

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<sup>3</sup> Following its approval of this Code by the IOC Executive Board.

<sup>4</sup> For all information concerning this Code, contact IOC Ethics and Compliance.