

APPENDIX 5 – COMPETITION MANIPULATION, BETTING AND ANTI-CORRUPTION CODE

1. Introduction

- a. World Sailing has adopted this Code as a means of safeguarding the integrity of the sport of sailing by (i) prohibiting any conduct that may impact improperly on the outcome of its events and competitions and (ii) establishing a mechanism of enforcement and sanction for those who, through their conduct, place the integrity of the sport at risk.
- b. Acknowledging the danger to sports integrity from the manipulation of sports competitions, World Sailing restates its commitment to safeguarding the integrity of sport, including the protection of clean athletes and competitions as stated in Olympic Agenda 2020 and the Olympic Agenda 2020+5.
- c. Due to the complex nature of this threat, World Sailing recognises that it cannot tackle this threat alone, and hence cooperation with public authorities, in particular law enforcement and sports betting entities is crucial.
- d. World Sailing declares its 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 in this Code, and by strongly encouraging the World Sailing Member National Authorities (MNAs), World Sailing Classes and World Sailing Special Events to do likewise.

2. Definitions

In addition to the definitions in the Regulations, in this Code the following terms have the following meanings:

- 2.1 "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; Sporting advantage is also a benefit;
- 2.2 "Competition" means any international sailing competition, regatta, match, race or event, organised in accordance with the rules of World Sailing by World Sailing or its affiliated organisations (including MNA, Classes and Special Events) which requires World Sailing Eligibility in accordance with Regulation 19 Eligibility Code;
- 2.3 "Inside Information" means information relating to any Competition that a person possesses by virtue of their position in relation to a 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;

2.4 "Major Multi-Sport Organisation" means any international multi-sport organisation that acts as the overall ruling body for any continental, regional or other Competition

2.5 "Participant" means any natural or legal person belonging to one of the following categories:

- a. "athlete" means any person or group of persons, competing or accredited to compete in a Competition;
- b. "athlete support personnel" means any coach, trainer, manager, athlete representative, agent, team staff member, team official, medical or para-medical personnel working with or treating athletes participating in or preparing for competitions, family member or any other person employed by or working with an Athlete or the Athlete's Member National Authority participating in a Competition;
- 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 competitions, including but not limited to referees, umpires, jury members and any other contracted persons accredited to officiate or administrate at a Competition. The term also covers the executives and staff of World Sailing or where appropriate, executives and staff of other competent sports organisations or clubs that are part of the competition organisation.

2.6 "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 Competition.

3. Application and Scope

- 3.1 This Code shall apply to all Participants who participate or assist in a Competition and each Participant shall be automatically bound by, and be required to comply with, this Code by virtue of such participation or assistance.
- 3.2 It shall be the personal responsibility of every Participant to make themselves aware of this Code including, without limitation, what conduct constitutes a Violation of the Code and to comply with the requirements within the Code. 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.
- 3.3 Each Participant submits to the exclusive jurisdiction of World Sailing to hear and determine any charges brought and to the exclusive jurisdiction of CAS to determine any appeal from any final decision made by World Sailing.
- 3.4 Each Participant shall be bound by this Code until a date six months following their last participation or assistance in a Competition. Each Participant shall continue to be bound by this Code in respect of their participation or assistance in a Competition taking place prior to that date.
- 3.5 Member National Authorities must use their best endeavours to assist World Sailing in making immediate contact with the Participants on whom World Sailing may wish to serve a notice under this Code.

4. Code Violations

The following conduct shall constitute a Violation of this Code (in each case whether effected directly or indirectly):

- 4.1 Betting:

- (a) Participation in, support for, or promotion of, any form of Betting related to:
 - (i) a Competition in the Participant's sport; or
 - (ii) any sport of a multi-sport event or competition hosted by a Major Multi-Sport Organisation in which they are accredited to participate.

(and this includes Betting with another Participant on the result, progress, outcome, conduct or any other aspect of such Competition).

4.2 Manipulation of results:

- (a) An intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a 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 and/or for others (irrespective of whether such Benefit is in fact given or received).
- (b) Failing in return for a Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) to perform to the best of one's abilities in a Competition.

4.3 Corrupt Conduct:

- (a) Providing, requesting, receiving, seeking, or accepting a Benefit related to the manipulation of the result, progress, outcome, conduct a Competition or any other form of corruption (irrespective of whether such Benefit is in fact given or received).

4.4 Inside Information:

- (a) Using Inside Information for the purposes of Betting, any form of manipulation of competitions or any other corrupt purposes whether by the Participant or via another person and/or entity.
- (b) 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.
- (c) Giving and/or receiving a Benefit for the provision of Inside Information regardless of whether any Inside Information is actually provided.

4.5 Other Violations:

- (a) Any form of aid, abatement or attempt by a Participant, or any agreement by a Participant with any other person, to engage in conduct that could culminate in the commission of any Violation of this Code must be treated as if a Violation had been committed, whether or not such attempt or agreement in fact resulted in such Violation and/or whether that Violation was committed deliberately or negligently.
- (b) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation of this Code.
- (c) Knowingly assisting, covering up or otherwise being complicit in any acts or omissions of the type described in this Code committed by a Participant.
- (d) Failing to disclose to World Sailing or other competent authority (without undue delay) 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.
- (e) Failing to disclose to World Sailing or other competent authority (without undue delay) 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.

- (f) Failing to cooperate with any reasonable investigation carried out by World Sailing or other competent authority in relation to a possible breach of this Code, including failing to provide any information and/or documentation requested by World Sailing or any other competent authority that may be relevant to the investigation.
 - (g) Obstructing or delaying any investigation that may be carried out by World Sailing or any other competent authority 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.
- 4.6 The following are not relevant to the determination of a Violation of this Code:
- (a) Whether or not the Participant was participating, or a Participant assisted by another Participant was participating, in the specific Event or Competition;
 - (b) The nature or outcome of any Bet in issue;
 - (c) The outcome of the Event or Competition on which the Bet was made;
 - (d) Whether or not the Participant's efforts or performance (if any) in any Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question;
 - (e) Whether or not the results in the Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question.

5. Reports Concerning Violations

- 5.1 Any report concerning a Violation (or alleged Violation) shall be made to the Chief Executive Officer who must refer it to the Investigations Panel. The Investigations Panel shall act in accordance with Regulation 35.
- 5.2 The International Olympic Committee (IOC) also operates an Integrity and Compliance Hotline. This web-based hotline offers an alternative reporting mechanism for potential cases of competition manipulation, betting and/or corruption. Reports can be made anonymously, and all information received is dealt with confidentially <https://ioc.integrityline.org/>
- 5.3 Any World Sailing Investigation in accordance with Regulation 36 may be conducted in conjunction with relevant competent national or international authorities (including criminal, administrative, professional and/or judicial authorities) and all Participants must co-operate fully with such investigations. World Sailing has discretion, where it deems it appropriate, to stay its own investigation pending the outcome of investigations conducted by other competent authorities.
- 5.4 World Sailing may, pending the outcome of investigations and/or disciplinary process in accordance with Regulation 35, impose provisional measures, including a provisional suspension, on the Participant where there is a particular risk to the reputation of the sport. Where a provisional measure is imposed, this must be taken into consideration in the determination of any sanction which may ultimately be imposed.
- 5.5 As part of any such Investigation, if World Sailing reasonably suspects that a Participant has committed a Violation of this Code, it may make a written demand to such Participant for information that is related to the alleged Violation and/or require the attendance of such Participant for interview, or a combination of the two. Any interview will be at a time and place to be determined by World Sailing and the relevant Participant will be given reasonable notice in writing of the requirement to attend. Interviews must be recorded and the Participant is entitled to have legal counsel and an interpreter present and is entitled to a copy of the recording.
- 5.5 By participation in an International Competition, each Participant shall be deemed to have agreed for the purposes of applicable data protection laws and other laws, and for all other purposes, to have consented to the collection, processing, disclosure or any other use of

information relating to his activities (including without limitation personal information) to the extent permitted under this Code and must confirm such agreement in writing upon demand.

6. Disqualification of Results

- 6.1 Subject to any appeal in accordance with Regulation 35, a proven Violation of this Code by a Participant automatically leads to disqualification of the result obtained by a boat of which the Participant is a single crew member in that Competition with all resulting consequences, including forfeiture of any medals, points and prizes.
- 6.2 If a Participant is a crew member of a boat having a crew of two or more crew members and he/she is found to have committed a Violation of this Code during a Competition, (the Event Disciplinary Investigation Officer process/Event Jury process) does not apply. Instead, the boat may be subject to such disciplinary action by World Sailing as it deems appropriate. If there have been proven Violations of this Code by more than one Participant who is a crew member of (or is associated with) the boat and World Sailing is satisfied there has been a resulting material advantage to such boat in breach of this Code, or such breaches have been organized or condoned by other Participants being crew members of the boat or those charged with managing the boat, then subject to any appeal in accordance with Regulation 35 this shall lead to disqualification of the result obtained by the boat,. Such disqualification shall carry all resulting consequences, including forfeiture of any medals, points and prizes.

7. Recognition of Decisions

- 7.1 Member National Authorities must comply with, recognise and take all necessary and reasonable steps within their powers to enforce and give effect to this Code and to all decisions and Sanctions imposed hereunder.
- 7.2 Final decisions of a Major Event Organisation in relation to a Participant that are within the Major Event Organisation's jurisdiction and based on the same or similar betting and anti-corruption rules as this Code must be recognised and respected by World Sailing upon receipt of notice of the same. Any disciplinary process, so far as determining a Participant's Sanction beyond the sanction imposed by the Major Event Organisation is concerned, shall be determined by World Sailing in accordance with this Code.