



KWA COMPETITION MANIPULATION AND SPORT WAGERING POLICY

V1.1 MARCH 2022

SUMMARY

The manipulation of sporting competitions and related activities undermines the integrity of sport. Manipulating sporting competitions can be a crime and punishable under law. This Policy prescribes prohibited conduct constituting a policy breach, as well as offences which must be reported to Kung Fu Wushu Australia (KWA).

The risks of competition manipulation are increasing rapidly in a global environment where communication can be essentially instantaneous, and where small sports, small competitions and results which have little apparent external relevance may prove of great interest to criminal and other elements in our society¹.

¹ Interpol IOC Handbook on protecting Sport from Competition Manipulation

Match fixing in other sports has certainly been reported in Australia. KWA aims, through this Policy, to minimise the risks of competition manipulation in the sport of Kung Fu Wushu – including Tai Chi and Sanda, in order to ensure that our core values and good reputation are maintained.

Competition Manipulation is an identified risk in KWA's Risk Management Strategy. This Policy is a key element in this Strategy.

Under this Policy, KWA has not entered into and will not enter into any agreement, of any kind, with any betting or wagering organisation.

1. Definitions

The following words have the corresponding meanings:

Benefit Any advantage, not limited to property or money

Competition Manipulation 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 aforementioned sports competition with a view to obtaining an undue advantage for oneself or for others.

Corruption Any course of action or failure to act by individuals or organisations, public or private, in violation of law or trust for profit or gain. Competition manipulation is a form of corruption. It occurs when a person offers, promises or grants an unjustified advantage to a sports organisation, a player, an official or any other third party, within or outside the organisation, on behalf of him/herself or a third party in an attempt to incite them to violate the regulations of the organisation.

Inside Information Information relating to the conduct, management or organisation of 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.

National Integrity Manager See **Single Point of Contact**

Policy This Competition Manipulation Policy

Prohibited Conduct Conduct proscribed under Clause 3 of this Policy

Relevant Person A Relevant Person in this Policy refers to any person who is a member of or employed by a Relevant Organisation.

Relevant Organisation KWA, any of its Member Associations, or any club or other organisation which is a member of a Member Association, or which is otherwise engaged in a competition under the auspices of KWA, IWUF, OWUF or any Associate or Full Member of KWA.

Single Point of Contact An individual designated by his/her sports federation/organisation to act on all matters related to competition manipulation. The primary responsibilities of a SPoC typically include:

- Establish and maintain integrity initiatives within the sports organisation;
- Receive information related to competition manipulation including from IBIS;
- Conduct inquiries as a 'fact-finder' or appoint a responsible individual;
- Serve as a contact person for KWA and other entities;
- Conduct, by mandate, fact-finding inquiries for, or in close cooperation with the independent judicial body of the sports organisation;
- Liaise with relevant authorities such as police or law enforcement agencies.

Is known as the National Integrity Manager for KWA.

- This person's details are to be published on KWA and KWA Member Association websites.

Wagering Service Provider Any company or other undertaking that promotes, brokers, arranges or conducts any form of wagering activity in relation to Kung Fu Wushu (including Tai Chi and Sanda) in Australia.

2. Jurisdiction

2.1 This Policy applies to all:

- a. Relevant Persons
- b. Relevant Organisations

3. Prohibited Conduct

3.1 Wagering by a Relevant Person on any competition approved or organised by IWUF, KWA or any Associate Member of KWA is totally prohibited. Any such activity will constitute a breach of this Policy.

3.2 A Relevant Person commits a breach of this Policy when they, either alone or in conjunction with another or others, engage in any of the following conduct:

- a. participate (whether by act or omission) in improperly altering the result or the course of an Activity in order to remove all or part of the unpredictable nature of the Activity to obtain a Benefit for themselves or others by:
 - (i) the direct, pre-meditated or planned interference with the natural course of an Activity or element of an Activity²;
 - (ii) providing modified or false information related to an athlete's identity or personal information;
 - (iii) intentionally modifying playing surfaces, equipment or athlete's physiology to improperly influence the natural course of the event³; or
 - (iv) providing or receiving any Benefit that might reasonably be expected to bring the Relevant Person, KWA, or Kung Fu Wushu into disrepute;
- b. bet, or enter into any other form of financial speculation on any Activity, or on any incident or occurrence in an Activity, connected with KWA, whether or not they are participating in the Activity.

For the avoidance of doubt:

- (i) any bets placed by a betting syndicate or group, such as a 'punter's club', of which the Relevant Person is a member;
- (ii) an interest in any bet, including having someone else place a bet on their behalf; or
- (iii) allowing another person to place a bet using a Relevant Person's account,

shall be treated as if the bet was placed by the Relevant Person as an individual;

- c. facilitate or assist with the making of a bet on any Activity or part of any Activity including communicating in any way, such as by using a mobile phone, computer

² Examples may include, but are not limited to: intentionally conceding points, pre-arranging the outcome of a competition, deliberate underperformance (also known as 'tanking') in any manner (through selections or not playing to a person's merits), influencing athlete selections and strategy, or intentional unfair or incorrect officiating

³ For the avoidance of doubt, this does not include any matters dealt with under other relevant policies relating to anti-doping, eligibility, gender identity or selection criteria.

- or other electronic or other device, information that might give another person an unfair advantage if they were to engage in betting related to that information, other than as required as part of their official duties;
- d. disclose Inside Information, other than as required as part of their official duties;
 - e. accept a Benefit to incite, cause or contribute to any breach of this Policy;
 - f. facilitate, assist, aid, abet, encourage, induce, cover-up or be complicit in any Prohibited Conduct;
 - g. attempt to engage in any conduct which would be Prohibited Conduct if successful; or
 - h. fail to promptly report to KWA's National Integrity Manager any of the matters listed in clause 4.1(a) and (b).

4. Additional Obligations

4.1 Reporting

- a. A Relevant Person must, where permitted by law, promptly notify KWA's National Integrity Manager if he or she:
 - (i) is interviewed as a suspect, charged, or arrested by a law enforcement body in respect of conduct that falls with the definition of Prohibited Conduct;
 - (ii) has been approached by another person to engage in Prohibited Conduct
 - (iii) knows or reasonably suspects that another person has engaged in Prohibited Conduct or has been approached to engage in Prohibited Conduct, or
 - (iv) has received or is aware or reasonably suspects that another person has received, actual or implied threats of any nature in relation to any past or proposed Prohibited Conduct.
- b. A Relevant Person has a continuing obligation to report any new knowledge or suspicion regarding any Prohibited Conduct under this Policy, even if the Relevant Person's prior knowledge or suspicion has already been reported.
- c. Notification by a Relevant Person under this clause 4.1 may be made verbally or in writing by the Relevant Person and may be made anonymously if there is a genuine concern of reprisal. A Relevant Person who makes a report anonymously is responsible for keeping a record that will allow them to confirm that they have met their obligations under clause 4.1(a).
- d. The NSO and Relevant Persons should be aware of relevant Commonwealth, State and Territory legal requirements to report criminal activity in relation to the manipulation of sporting competitions (matchfixing) and Inside Information.

4.2 Information Sharing

- a. KWA and Sport Integrity Australia may share information (including Personal Information as defined in the *Privacy Act 1998* (Cth)) at any time relating to Relevant Persons or Relevant Organisations with Wagering Service Providers, law enforcement agencies, government agencies or other sporting organisations to prevent, identify and investigate alleged Prohibited Conduct.
- b. KWA must share the following information with Sport Integrity Australia:
 - (i) Any notification received from a Relevant Person under clause 4.1; and
 - (ii) Any information received from Wagering Service Providers under clause 4.3.
- a. In sharing information, KWA will remain bound by the legal obligations contained in the *Privacy Act 1998* (Cth).

4.3 Monitoring by Wagering Service Providers

- a. Relevant Persons must disclose information to KWA and Sport Integrity Australia regarding all of their commercial agreements, interests and connections with Wagering Service Providers. For the avoidance of doubt, this does not include the disclosure of accounts that Relevant Persons may hold with Wagering Service Providers.
- b. KWA will work with Wagering Service Providers to ensure the ongoing integrity of Activities under the auspices of KWA and Kung Fu Wushu Organisations.
- c. KWA or Sport Integrity Australia may request Wagering Service Providers to monitor and conduct regular audits of their 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 Prohibited Conduct under this Policy.
- d. To enable the Wagering Service Provider to conduct such audits, KWA may, from time to time and subject to any terms and conditions imposed by KWA (including in relation to confidentiality and privacy), provide to Wagering Service Providers details of Relevant Persons who are precluded by this Policy from engaging in Prohibited Conduct.
- e. Wagering Service Providers may provide KWA 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 Prohibited Conduct.
- f. All requests for information or provision of information by Sport Integrity Australia, KWA or a Wagering Service Provider 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 by this Policy, is permitted by KWA or Wagering Service Provider, or where information is already in the public domain other than because of a breach of this Policy.

4.4 Sponsorship within Kung Wushu

- a. KWA will NOT enter into a commercial arrangement with any Wagering Service Provider.
- b. NO Relevant Person or Organisation may
 - (i) enter into a commercial arrangement with a Wagering Service Provider;
 - (ii) enter into any form of commercial arrangement with a Wagering Service Provider;
 - (iii) induce, advertise or promote betting on an Activity, or
 - (iv) promote or endorse a Wagering Service Provider.
 - (v) wager on any competition associated with IWUF, KWA, KW Oceania.

5. Complaints Management Procedures

5.1 The KWA Complaints Management Procedures apply to any alleged Prohibited Conduct, including reports of breaches, of this Policy.