



National Framework for Ethical Behaviour and Integrity in Basketball – Appendix 2

Gambling and Match-Fixing Policy

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1. Introduction

- 1.1 Basketball Australia recognises that whilst betting may be a legitimate pursuit in certain circumstances, sport must safeguard against illegal or fraudulent betting and match-fixing. Fraudulent betting on sport and the associated match-fixing is an emerging and critical issue globally, for sport, the betting industry and governments alike.
- 1.2 Basketball Australia, Member Organisations and Authorised Providers have an obligation to address the threat of match-fixing and the corruption that flows from it.
- 1.3 Basketball Australia, Member Organisations and Authorised Providers have zero tolerance for illegal gambling and match-fixing.
- 1.4 The purpose of this Gambling and Match-Fixing Policy is to:
 - 1.4.1 protect and maintain the integrity of the sport of basketball in Australia;
 - 1.4.2 protect against any efforts to impact improperly the result of any match or event;
 - 1.4.3 establish uniform rules and a consistent scheme of enforcement and penalties;
 - 1.4.4 educate Participants and Clubs about the potential risks associated with gambling and match-fixing;
 - 1.4.5 ensure Participants and Clubs are aware of their responsibilities with regard to safeguarding the integrity of basketball; and
 - 1.4.6 adhere to the National Policy on Match-Fixing in Sport as agreed by Australian Governments on 10 June 2011.

2. Application of Policy

- 2.1 This policy is to be read with the provisions set out in the Basketball Australia *National Framework for Ethical Behaviour and Integrity in Basketball* ('the Framework') and all definitions in the Framework apply to this policy.

3. Who is bound by this Policy

- 3.1 This policy applies to any Participant or Club involved in any Competitions or Events that attracts or is likely to attract a betting market whether domestic or overseas. For clarity, this includes, but is not limited to:
 - 3.1.1 Athletes;
 - 3.1.2 Coaches;
 - 3.1.3 Officials, including but not limited to Referees, Statisticians and Score-table;

- 3.1.4 Directors, Employees and Volunteers of Basketball Australia, Member Organisations and Authorised Providers;
- 3.1.5 Administrators;
- 3.1.6 Selectors; and
- 3.1.7 Athlete and Team Support Personnel, including but not limited to, doctors, physiotherapists and team managers.

4. Education

- 4.1 For the purposes of Clause 10 of the Framework, Basketball Australia will develop and implement a gambling and match-fixing education strategy.
- 4.2 The current education requirements for Participants at each level of basketball shall be published on the Basketball Australia Website and may be amended from time-to-time.
- 4.3 All new Employees and Volunteers of Basketball Australia, Member Organisations or Authorised Providers may also be required to complete a gambling and match-fixing education program as directed by Basketball Australia.

5. Prohibited Conduct

- 5.1 For the purposes of Clause 13 of the Framework, a Participant or Club to whom this policy applies is prohibited from engaging in any of the following conduct, directly or indirectly, alone or in conjunction with another or others:
 - 5.1.1 betting, gambling or entering into any other form of financial speculation on any Competition or on any Event, or on any incident or occurrence in a Competition or Event;
 - 5.1.1.1. For the avoidance of doubt, any bets placed by a betting syndicate or group, such as a 'Punter's Club', of which the Participant is a member, shall be treated as if the bet was placed by the Participant as an individual.
 - 5.1.2 communicating in any way, including by using a mobile phone, computer or other device, information that might give another person an unfair advantage if they were to engage in gambling related to that information, other than as required as part of acquitting official duties; or
 - 5.1.3 participating (whether by act or omission) in match-fixing or attempted match-fixing by:
 - 5.1.3.1. deliberately underperforming or 'Tanking', or over-performing or 'Stacking', as part of an arrangement relating to betting on the outcome of, or any contingency within, a Competition or Event;

- 5.1.3.2. deliberately fixing, or exerting any undue influence on any occurrence within any Competition or Event, as part of an arrangement relating to betting on the outcome of, or any contingency within, a Competition or Event;
 - 5.1.3.3. inducing or encouraging any Participant or Club to deliberately underperform as part of an arrangement relating to betting on the outcome of, or any contingency within, a Competition or Event;
 - 5.1.3.4. providing Inside Information that is considered to be information not publicly known, such as Team selection or its member's configuration (including, without limitation, the Team's actual or likely composition, tactics, or the form of individual athletes or their playing or injury status), whether for betting purposes or not, other than in connection with bona fide media interviews and commitments;
 - 5.1.3.5. ensuring, or unduly influencing, that a particular incident, that is the subject of a bet, either does or does not occur; or
 - 5.1.3.6. facilitating, assisting, aiding, abetting, encouraging, covering-up or being complicit in any other way in Prohibited Conduct.
- 5.2 For the avoidance of doubt, betting, gambling and financial speculation includes, but is not limited to any payment or reward, whether monetary or not, on or to influence or effect, the occurrence of an incident or outcome.
- 5.3 Any attempt or any agreement to act in a manner that would culminate in Prohibited Conduct shall be treated as if the relevant Prohibited Conduct had occurred, whether or not the Prohibited Conduct actually occurred as a result of the attempt or agreement to act.
- 5.4 If a Participant or Club knowingly assists or is a party to 'covering up' Prohibited Conduct, that Participant or Club will be treated as having engaged in the Prohibited Conduct personally.

6. Reporting Process

- 6.1 All instances of Prohibited Conduct pursuant to Clause 5 should be reported in accordance with Clause 14 of the Framework.

7. Investigations

- 7.1 Investigations into behaviour that may constitute Prohibited Conduct will be conducted in accordance with Clause 15 of the Framework.

- 7.2 An Independent Investigator maybe be appointed to conduct or assist with an investigation if necessary.

8. Information sharing

- 8.1 Basketball Australia may share personal information relating to Participants with Betting Operators, law enforcement agencies, government agencies or other sporting organisations to prevent and investigate match-fixing incidents.
- 8.2 In sharing information Basketball Australia will remain bound by the legal obligations contained in the *Privacy Act 1998* (Cth) and Basketball Australia's Privacy Policy.

9. Monitoring by betting operators

- 9.1 Basketball Australia will work with Betting Operators to help ensure the ongoing integrity of the Competitions and Events played under the auspices of Basketball Australia, Member Organisations and Authorised Providers.
- 9.2 Participants and Clubs to whom this policy applies must declare to Basketball Australia all of their business interests and connections with Betting Operators.
- 9.3 Basketball Australia will request Betting Operators 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 Participants have engaged in conduct that is Prohibited Conduct under this policy.
- 9.4 In order to enable the Betting Operators to conduct such audits, Basketball Australia may, from time to time and subject to any terms and conditions imposed by Basketball Australia (including in relation to confidentiality and privacy), provide to Betting Operators details of Participants for the purposes of assisting Betting Operators in detecting Prohibited Conduct.
- 9.5 Basketball Australia will request that Betting Operators provide the Board 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 Participants have engaged in conduct that is Prohibited Conduct under this policy.
- 9.6 All requests for information or provision of information by Basketball Australia or a Betting Operator 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 where information is already in the public domain other than as a result of a breach of this policy, and all Basketball Australia contracts agreements with Betting Operators must contain provisions to this effect. For the avoidance of doubt, any information gathered by or reported to Basketball Australia may be used to enforce this policy.

10. Sponsorship

- 10.1 Basketball Australia acknowledges that betting is a legal activity, and recognises that Betting Operators may wish to enter commercial agreements to promote their business.
- 10.2 Basketball Australia may enter commercial agreements with Betting Operators from time to time, subject to any applicable legislative requirements.
- 10.3 Any sponsorship or partnership agreements between Basketball Australia and Betting Operators will be entered into subject to due consideration of Basketball Australia's values and principles as set out in the Framework and will include terms and conditions to support and maintain the integrity of basketball competitions.
- 10.4 A Member Organisation or Club may enter into a commercial arrangement with a Betting Operator only with the prior written consent of Basketball Australia. Such consent may be withheld at the discretion of Basketball Australia and specifically where the proposed commercial arrangement:
 - 10.4.1 conflicts with an existing commercial arrangement held between Basketball Australia and a Betting Operator(s); or
 - 10.4.2 is with a Betting Operator with whom Basketball 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, or
 - 10.4.3 is contrary to the interests of the sport of basketball.
- 10.5 A Participant shall not be permitted to:
 - 10.5.1 enter into any form of commercial arrangement with a Betting Operator; or
 - 10.5.2 promote a Betting Operator; or
 - 10.5.3 have any form of commercial arrangement with a Betting Operator.