



CODE ON THE PREVENTION OF THE MANIPULATION OF COMPETITION

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Preamble

- a. Acknowledging the danger to sports integrity from the manipulation of sports competitions, the Papua New Guinea Olympic Committee restates 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, the Papua New Guinea Olympic Committee recognises 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 Papua New Guinea Olympic Committee 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, this Code and by requiring their members to do likewise.

National Olympic Committee Roles and Responsibilities

Under this Code, the Papua New Guinea Olympic Committee has the following roles and responsibilities:

- a. *to ensure that all member organisations implement regulations in compliance with the Olympic Movement Code on the Prevention of the Manipulation of Competitions (OM Code PMC);*
- b. *to require each of its National Federations to establish rules requiring each Participant in a Competition or activity authorised or organised by a National Federation or one of its member organisations to agree to be bound by rules in conformity with the OM Code PMC as a condition of such participation;*
- c. *to require as a condition of membership or recognition that policies and rules are compliant with the aforementioned Code;*
- d. *to require members to report any information suggesting or relating to a violation of competition manipulation rules and to cooperate with investigations conducted by any organisation with authority to conduct the investigation;*
- e. *to vigorously pursue all potential competition manipulation rule violations within the jurisdiction of the Papua New Guinea Olympic Committee;*
- f. *to cooperate with relevant national organisations and agencies, particularly law enforcement;*
- g. *to promote integrity related education, including requiring National Federations to conduct integrity education in coordination with the applicable International Federations education programme;*
- h. *to require as a condition of participation in the Olympic Games that longlisted Athletes undertake an educational programme provided either by the IOC, NOC, International or National Federation;*

- i. to withhold some or all funding, during any period of his or her ineligibility, to any Participant who has violated rules or laws related to the prevention of competition manipulation.*
- j. to withhold some or all funding to its member or recognised National Federations that are not in compliance with the OM Code PMC.*

Application and Scope

- a. This Code will come into force on October 13th 2021*
- b. This Code applies to:*
 - The Papua New Guinea Olympic Committee;*
 - Participants;*
 - Any other person under the [NOC]'s authority, and*
 - National Federations.*

Obligations

- a. It shall be the personal responsibility of every Participant and person/body to whom this Code applies to make himself/herself aware of this Code including, without limitation, what conduct constitutes a violation of this Code and to comply with those requirements.*
- b. 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(including International and National Federation regulations, multi-sport Games regulations). Participants must comply with applicable laws and regulations at all times.*
- c. Each National Federation shall:*
 - comply with this Code, and implement Rules compliant with the OM Code PMC;*
 - cooperate with and help the Papua New Guinea Olympic Committee to fulfil its obligations under this Code;*
 - report any information suggesting or relating to a competition manipulation offence to the Papua New Guinea Olympic Committee and cooperate with any investigation;*
 - require all Participants to agree to be bound by rules in conformity with the OM Code PMC as a condition of such participation;*
 - require as a condition of membership that the policies, rules and programmes of its members or clubs are in compliance with the OM Code PMC;*
 - take appropriate action to discourage non-compliance with the OM Code PMC;*
 - recognise and respect a finding of a rule violation by its International Federation, the Papua New Guinea Olympic Committee, a criminal court or any other organisation*

without the need for a hearing, provided the finding is consistent with the OM Code PMC and within the authority of the body concerned;

- promptly notify the Papua New Guinea Olympic Committee of the finding of any rule violation by, and the imposition of any sanction for a violation on any Participant under its authority;*
- promote integrity education in coordination with the Papua New Guinea Olympic Committee.*

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 International Olympic Committee, Association of National Olympic Committees, Oceania National Olympic Committee, Commonwealth Games Federation, Pacific Games Council or its affiliated organisations or, where appropriate, in accordance with the rules of any other competent sports organisation;
- 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 Papua New Guinea Olympic Committee, 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:

- a. to a Competition in which the Participant is directly participating that is organised under the jurisdiction of the Papua New Guinea Olympic Committee;
- b. To [the Olympic Games, Youth Olympic Games, Commonwealth Games, Commonwealth Youth Games, Pacific Games, Pacific Mini-Games] 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 and reporting mechanism

- 2.5.1 Failing to report to the Papua New Guinea Olympic Committee 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 Papua New Guinea Olympic Committee 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 Papua New Guinea Olympic Committee 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 Papua New Guinea Olympic Committee or its designate as part of such investigation.

2.6.2 Obstructing or delaying any investigation that may be carried out by the Papua New Guinea Olympic Committee 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.

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 relevant international or national sports federations;
- h. Whether or not the competition was attended by the competent national or international representative of the Papua New Guinea Olympic Committee.

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.
- 3.1.2 *Notice to a Participant may be accomplished by delivery of the notice to the Member Federation concerned. The Member Federation shall be responsible for immediately communicating the notice to the Participant.*
- 3.1.3 The timing of the notice is at the prerogative of the sports organisation.
- 3.1.4 Upon request by the Papua New Guinea Olympic Committee or its designate, the concerned Participant must provide any information which the Papua New Guinea Olympic Committee 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.

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 Papua New Guinea Olympic Committee or the competent National Federations and/or submitting a defence in writing; and
- 3.2.3 The right to be accompanied and/or represented.

3.3 Burden and standard of proof

The Papua New Guinea Olympic Committee 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 Papua New Guinea Olympic Committee 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 International Olympic Committees Integrity and Compliance Hotline available at: www.olympic.org/integrityhotline

The Papua New Guinea Olympic Committee encourages the disclosure of personal information via the International Olympic Committees integrity hotline to enable an appropriate follow up when a report is made.

3.6 Appeals

1. The International Olympic Committee has an appropriate appeal framework within the organisation [available at www.olympic.org/integrityhotline] or recourse to an external arbitration mechanism (such as a court of arbitration).
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].

Article 4 – Provisional Measures

- 4.1 The Papua New Guinea Olympic Committee 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 Papua New Guinea Olympic Committee 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.

Applicable sanctions may be include, but not be limited to:

- Written warning
 - Financial Sanctions
 - Disqualification of results
 - Forfeiture of prizes/medals won
 - Termination of education opportunities/scholarships
 - Life Ban
- 5.2 When determining the appropriate sanctions applicable, the Papua New Guinea Olympic Committee 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.

- 5.4 *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.*
- 5.5 *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 sport] provided that he or she has:

- o completed to the Papua New Guinea Olympic Committee's satisfaction any official integrity education imposed on him or her as a sanction by the Papua New Guinea Olympic Committee's disciplinary body;*
- o has paid, in full, any fine imposed under this Code and/or any order of costs made against him or her by the Papua New Guinea Olympic Committee disciplinary body; and*
- o has agreed to subject himself or herself to any reasonable and proportionate monitoring of his or her future activities in connection with [insert sport] as the Papua New Guinea Olympic Committee 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 Papua New Guinea Olympic Committee.
- 6.2 The Papua New Guinea Olympic Committee 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.

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. The Papua New Guinea Olympic Committee is bound by the Olympic Charter and therefore agrees to respect the Code.
- 7.2 The Papua New Guinea Olympic Committee commits to the implementation of the present Code within its own jurisdiction, including educational measures.