



Netball Australia

COMPETITION MANIPULATION & SPORTS WAGERING POLICY FOR COMMUNITY NETBALL

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NETBALL AUSTRALIA COMPETITION MANIPULATION & SPORTS WAGERING POLICY FOR COMMUNITY NETBALL

In the spirit of Reconciliation, Netball Australia acknowledges Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of this ancient unceded land where we live, work and play netball on.

We honour the continuing cultures, languages, and heritage of Aboriginal and Torres Strait Islander peoples whose cultural, spiritual, and ancestral connections to the lands, sky, and waters has endured since time immemorial.

We pay our respects to Elders past and present, and we acknowledge and value the significant and continuing contributions Aboriginal and Torres Strait Islander peoples make within our community.

Netball Australia is committed to Reconciliation. We acknowledge the need to reflect on our shared history in order to build a vision for a reconciled and prosperous future for all within our sport. One built on mutual respect, equity, authentic collaboration, and genuine truth-telling.

Where relevant, in this Policy – reference to Netball Australia includes Suncorp Super Netball. Netball Australia acknowledges the guidance of Sport Integrity Australia and template policy documents used in the preparation of this Policy.

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A. Purpose

The manipulation of sporting competitions and related activities undermines the integrity of sport.

Manipulation of sporting competitions and matches can be a crime and punishable by law.

The Competition Manipulation and Sports Wagering Policy for Elite Programs and this Policy are intended to supplement Commonwealth and State and Territory laws and regulations with further rules of professional conduct for those involved in the sport of netball.

These policies are not intended, and should not be interpreted, construed or applied, to prejudice or undermine in any way the application of such laws and regulations.

Relevant Persons and Relevant Organisations must comply with all applicable laws and regulations at all times.

These policies form the foundation of the fight against corruption in the sport of netball in Australia, recognising that World Netball has in place the World Netball Ethics and Anti-Corruption Code (March 2019) that applies to International Netball.

These policies recognise the following imperatives of World Netball, which are shared and held by NA:

- a) all netball Matches are to be contested on a level playing field, with the outcome to be determined solely by the respective sporting merits of the competing teams and to remain uncertain until the match is completed. It is this essential characteristic that gives netball its unique appeal; and
- b) public confidence in the authenticity and integrity of the sporting contest and in the uncertainty of its outcome is vital. If that confidence is undermined, the very essence of netball is compromised.

This Policy prescribes Prohibited Conduct which constitutes a breach for Affiliate Persons and Affiliates, as well as offences which must be reported in accordance with the Netball Integrity Policy Framework, Conduct and Disciplinary Policy.

B. Scope and Exclusions

This Policy applies to Affiliate Persons and Affiliates.

Participants, NA and Netball Organisations are bound by the Competition Manipulation and Sports Wagering Policy for Elite Programs.

C. Definitions

Defined terms not otherwise defined in this Policy have been defined in, and have the meaning given to them in the Netball Integrity Policy Framework, Conduct & Disciplinary Policy.

In this Policy, the following definitions apply:

Activity means a netball contest, Match, competition, event (which for the avoidance of doubt includes any awards presentation, season launch, and other events conducted by NA or a Netball Organisation), or activity, including training, whether on a one-off basis or as part of a series, league or competition, sanctioned or organised by NA or a Netball Organisation, whether that Activity takes place in Australia or overseas.

Affiliate means:

- a) Associations, which means any netball association that is not a Netball Organisation that conducts Activities and is affiliated to a MO;
- b) Clubs, which means any netball club that is not a Netball Organisation that enters a team to participate in an Activity and is affiliated to an Association and/or MO;
- c) Authorised Provider, which means any non-MO authorised to conduct Activities sanctioned by NA or a Netball Organisation;
- d) any other netball organisation who has agreed to be bound by the Policies, and has notified NA or an MO in writing.

Affiliate Person means any Individual Member that is not a Participant and is registered with an Affiliate.

ANPA means Australia Netball Players' Association.

Athlete includes any person who:

- a) holds any playing Contract with NA as a member of an Australian Representative Squad);
- b) holds a playing Contract with an SSN Club;
- c) holds a playing Contract with an SSN Club or MO (including any Contract with NA) to participate in the SN Reserves and/or NNC; and
- d) holds a playing Contract to participate in any other Activity that is sanctioned and/or controlled by NA.

Athlete Support Personnel includes any coach, trainer, team manager, player agent, selector, team staff, official, doctor, physiotherapist, dietitian or other health related advisor and any other person employed by, contracted to, representing or otherwise affiliated to a team or squad that is chosen to represent NA or a Netball Organisation in an Elite Program, including any match in that Elite Program.

Ban is a prohibition from participating in certain activities for a specified period. The Participant remains subject to all policies and rules of NA during the Ban.

Bet/Betting means any wager, bet, or other form of speculation for consideration, and Betting is the carrying out of such activity, including pay to play fantasy leagues/competitions and tipping competitions.

Benefit means the direct or indirect receipt or provision of money, property or any other advantage, such as (without limitation), bribes, gains, gifts or another advantage including (without limitation) winnings and/or potential winnings as a result of a Bet (other than prize money and/or payments made under a legitimate and registered endorsement, sponsorship or other contract).

Contractor means any person or organisation engaged to provide services for or on behalf of NA or a Netball Organisation, who is not an Athlete Support Personnel, and includes agents, advisors and subcontractors of NA or a Netball Organisation and employees, officers and agents of a contractor or subcontractor.

Contract includes the Standard Player Contract, Standard Training Partner Contract, Permanent Replacement Player Contract, the Scholarship Contract, Employment Agreement, Contractor Agreement, Participation Agreement or any other agreement between the Participant and NA or Netball Organisation.

Director means each member of the NA Board and each member of any Netball Organisation Board as the case may be.

Elite Program means the following:

- a) Australian representative squads (Australia Netball Diamonds squad, Australian Development Squad, Australian 21/U squad and any other Australian program determined by NA from time to time, the Australian Representative Squads);
- b) SSN competition, including pre-season matches and training programs;
- c) SN Reserves, including pre-season matches and training programs;
- d) NNC, including pre-season matches and training programs;
- e) competition or tournament played by a MO team, SSN Club team or invitational representative Australian team against a touring international team in Australia that is sanctioned and/or controlled by NA.

Employee means a person employed by NA or a Netball Organisation who is not an Athlete Support Personnel.

Inside Information means any information relating to any Activity that a Participant possesses by virtue of their position within or in relation to the sport of netball, including (without limitation) factual information regarding the competitors the conditions, tactical considerations or any other aspect of the Activity, but not including such information that is already published or a matter of public record, readily acquired by an interested member of the public, or disclosed according to the rules and regulations of the Activity and/or NA.

Match means a netball match of any format and duration in length in which two netball teams compete against each other, played anywhere in the world.

Match Delegate/Technical Official/Match Official means any person holding that role, from time to time, in respect of any Match.

Member means a member of NA or a MO under its constitution, including:

- a) each MO;
- b) any Affiliate that is a member of an MO;
- c) **Individual Members**, which means individuals who are registered with an MO.

MO means each of the NA member organisations, being:

- a) ACT Netball Association Incorporated;
- b) The New South Wales Netball Association Limited;
- c) Netball NT Incorporated;
- d) Netball Queensland Limited;
- e) South Australia Netball Association Incorporated;

- f) Tasmania Netball Association Incorporated;
- g) Victoria Netball Association Incorporated; and
- h) Netball WA (Incorporated).

NA Board means the NA Board of Directors.

Netball means the sport of netball, as governed by NA and WN from time to time, and a reference to Netball means collectively NA, Netball Organisations and Affiliates.

Netball Organisation means each MO and SSN Club.

Netball Organisation Board means each Board of Directors of the Netball Organisation.

NNC means the National Netball Championships and any subsequent or successor competition substantially similar to the National Netball Championships that is conducted by NA.

NA means Netball Australia Limited.

NA CEO means the person holding that position at NA from time to time, including any person acting in that position.

NA General Manager – Legal & Integrity means the person holding that position at NA from time to time, including any person acting in that position.

Non Member Person means:

- a) any parent or guardian of an Individual Member or Participant; and/or
- b) any person attending or associated with an Activity.

Participant means an Athlete, Athlete Support Personnel, Contractor, Employee, Director, Match Delegate/Technical Official/Match Official, Umpire or Umpire Support Personnel.

Prohibited Conduct means the conduct proscribed at clause 1 of this Policy.

Relevant Organisation means any of the following organisations:

- a) NA;
- b) Netball Organisations;
- c) Affiliates.

Relevant Person means any of the following persons:

- a) **Affiliate Person**;
- b) **Participant**;
- c) **Volunteer**, which means any person engaged by NA or Netball Organisation in any capacity who is not otherwise a Participant;
- d) **Non-Member Person**;
- e) any other person who has agreed to be bound by the Policies, and has notified NA.

SN Reserves means the reserves competition for the Suncorp Super Netball (SSN) or other name given to that competition by NA, with each of the SSN Clubs and/or MOs participating in the competition.

SSN means the Suncorp Super Netball competition or such other name given to that competition by NA.

SSN Clubs means the Australia Netball teams owned by Team Owners that have been granted licences to participate in the SSN competition by NA in accordance with the terms of a Team Participation Agreement which, as at the date of this Code of Conduct, are:

- a) NSW Swifts;
- b) Giants Netball;
- c) Queensland Firebirds;
- d) Adelaide Thunderbirds;
- e) Melbourne Vixens;
- f) West Coast Fever;
- g) Melbourne Mavericks; and
- h) Sunshine Coast Lightning.

Team means any team of a Netball Organisation that is participating in an Activity and/or that Contracts a Participant.

Umpires includes any person who:

- a) holds an umpire contract (permanent or casual) with NA; or
- b) enters into a participation agreement with NA in respect of a Pathways Program.

Umpires Support Personnel includes any person who is appointed by NA to support the role of Umpires in the Elite Programs.

Wagering Service Provider means any company or other undertaking that promotes, brokers, arranges or conducts any form of wagering activity in relation to netball in Australia.

D. Other Related Policies and Documents

The following policies and documents also apply to the application of this Policy and must be adhered to at all times:

- a) Netball Integrity Policies; and
- b) Netball Integrity Policy Framework, Conduct & Disciplinary Policy.

The Competition Manipulation and Sports Wagering Policy for Elite Programs applies to Participants, NA and Netball Organisations.

1. Prohibited Conduct

- 1.1 An Affiliate 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:
- 1.2 Manipulation of or interference with an Activity
- 1.2.1 Fixing or contriving in any way or otherwise influencing improperly (or being a party to the fixing, contriving or other improper influence of), the result, progress, outcome, conduct or any other aspect of any Activity for themselves or others;
- 1.2.2 Seeking, accepting, offering, or agreeing to accept or offer, any bribe or other Benefit for themselves or others to fix or contrive in any way or otherwise to influence improperly the result, progress, outcome, conduct or any other aspect of any Activity (whether or not such offer or bribe is given or received);
- 1.2.3 Failing to perform to one's best abilities in an Activity, for an offer, bribe or Benefit or the expectation of an offer, bribe or Benefit for themselves or others (whether or not such offer, bribe or Benefit is in fact given or received), or further to an agreement with a third party;
- 1.2.4 Ensuring the occurrence of a particular incident or outcome in an Activity for a Betting or other corrupt purpose (with or without a Benefit);
- 1.2.5 Directly or indirectly soliciting, inducing, enticing, instructing, persuading, encouraging or facilitating (with or without Benefit):
- 1.2.5.1 any Participant to commit an offence under any of the foregoing provisions of this Clause 1.2.5; and/or
- 1.2.5.2 any other person to do any act that would be an offence if that person were a Participant.
- 1.2.6 Engaging in any other form of corrupt conduct (with or without Benefit) in relation to any Activity.
- 1.3 Inside Information
- 1.3.1 Using Inside Information for Betting purposes or otherwise in relation to Betting;
- 1.3.2 Disclosing Inside Information to any party (for Benefit or otherwise) where the Affiliate Person knew or should have known that the Inside Information might be used for Betting purposes or otherwise in relation to Betting, or any form of improper influence over any aspect of any Activity, or for any other improper purpose;

Note: Any potential offence under this Clause will be considered on its own set of facts and the particular circumstances surrounding any relevant disclosure. For example, it may be an offence under this Clause to disclose Inside Information: (a) to journalists or other members of the media; and/or (b) on social networking websites where the Affiliate knew or should reasonably have known that such disclosure might lead to the information being used in relation to Betting. However, nothing in this Clause is intended to prohibit any such disclosure made within a personal relationship (such as to a member of the Affiliate

Person's family) where it is reasonable for the Affiliate Person to expect that such information can be disclosed in confidence and without being subsequently used for Betting.

- 1.3.3 Directly or indirectly soliciting, inducing, enticing, instructing, persuading, encouraging or facilitating (with or without Benefit):
 - 1.3.3.1 any Affiliate Person to commit an offence under any of the foregoing provisions of this Clause 1.3; and/or
 - 1.3.3.2 any other person to do any act that would be an offence if that person were an Affiliate Person.
- 1.4 Other offences
 - 1.4.1 Providing, offering, giving, requesting or receiving any gift or Benefit in circumstances that the Affiliate Person knew or should have known could undermine public confidence in the integrity of an Activity or the sport of Netball (regardless of whether such gift or Benefit is in fact given or received);
 - 1.4.2 Failing to disclose to the Affiliate, without delay, full details of all knowledge concerning:
 - 1.4.2.1 any approach or invitation received by the Affiliate Person that would amount to Prohibited Conduct; and
 - 1.4.2.2 any incident, fact or matter that comes to the attention of the Affiliate Person (or of which the Affiliate Person sought reasonably to have been aware) that may evidence potential Prohibited Conduct by a third party to engage in conduct that would amount to Prohibited Conduct;
 - 1.4.3 Failing or refusing, without compelling justification, to cooperate with any investigation carried out in accordance with the Netball Integrity Policy Framework, Conduct & Disciplinary Policy in relation to possible Prohibited Conduct (by any Affiliate Person), including without limitation, failing to provide accurately, honestly or completely any information and/or documentation requested as part of such investigation;
 - 1.4.4 Obstructing or delaying any investigation carried out in accordance with the Netball Integrity Policy Framework, Conduct & Disciplinary Policy in relation to possible Prohibited Conduct, including without limitation, concealing, tampering with or destroying any documentation or other information that may be relevant to that investigation and/or that may be evidence of or may lead to the discovery of evidence of conduct that would amount to Prohibited Conduct;
 - 1.4.5 Failing or refusing to cooperate with any proceedings brought against any Affiliate Person under this Policy.
 - 1.4.6 Accepting a Benefit to incite, cause or contribute to any breach of this Policy;
 - 1.4.7 Committing any other act that could undermine public confidence in the integrity of an Activity or the sport of Netball; or
 - 1.4.8 Facilitating, assisting, aiding, abetting, encouraging, inducing, covering-up or being complicit in any Prohibited Conduct.

- 1.5 Attempt or agreement to breach, and other involvement in Prohibited Conduct
- 1.5.1 Any attempt by an Affiliate Person, or any agreement by an Affiliate Person with any other person or entity, to engage in conduct that would culminate in the commission of Prohibited Conduct will be treated as if such breach had been committed (whether or not such attempt or agreement in fact resulted in such Prohibited Conduct) unless the Affiliate Person renounces the attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement;
- 1.5.2 An Affiliate Person who authorises, causes, knowingly assists, encourages, aids, abets, covers up or is otherwise complicit in any act or omission by the Participant's coach, trainer, manager, family member, guest or other affiliate or associate that would have amounted to Prohibited Conduct, if committed by the Affiliate Person themselves, will be treated as if they committed such act or omission and will be held liable accordingly for the Prohibited Conduct;
- 1.5.3 An Affiliate Person who solicits, induces, entices, instructs, persuades, encourages or facilitates another Affiliate Person to engage in Prohibited Conduct, or knowingly assists, covers up or is otherwise complicit in another Affiliate Person's Prohibited Conduct, will be treated as if they committed such breach themselves and will be held liable accordingly for the Prohibited Conduct.

2. Reporting

- 2.1 An Affiliate Person must, where permitted by law, promptly notify the Affiliate and NA if they:
- 2.1.1 are interviewed as a suspect, charged, or arrested by a law enforcement body in respect of conduct that falls with the definition of Prohibited Conduct;
- 2.1.2 has been approached by another person to engage in Prohibited Conduct;
- 2.1.3 knows or reasonably suspects that another person has engaged in Prohibited Conduct, or has been approached to engage in Prohibited Conduct; or
- 2.1.4 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.
- 2.2 An Affiliate Person has a continuing obligation to report any new knowledge or suspicion regarding any Prohibited Conduct under this Policy, even if the Affiliate Person's prior knowledge or suspicion has already been reported.
- 2.3 Notification by an Affiliate Person under this Clause 2 may be made verbally or in writing by the Affiliate Person and may be made anonymously. An Affiliate 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 2.1.
- 2.4 NA will remain informed of relevant Commonwealth, State and Territory legal requirements to report criminal activity in relation to the manipulation of sporting competitions (match-fixing) and Inside Information.

- 2.5 Affiliate Persons should be aware of relevant Commonwealth, State and Territory legal requirements to report criminal activity in relation to the manipulation of sporting competitions (match-fixing) and Inside Information.

3. Information sharing

- 3.1 NA and Sport Integrity Australia may share information (including Personal Information as defined in the *Privacy Act 1998* (Cth)) at any time relating to Affiliates and Affiliate Persons with Wagering Service Providers, law enforcement agencies, government agencies or other sporting organisations to prevent, identify and investigate alleged Prohibited Conduct.

4. Monitoring by Wagering Service Providers

- 4.1 NA will work with Wagering Service Providers to ensure the ongoing integrity of Activities under the auspices of NA and Netball Organisations.
- 4.2 Wagering Service Providers may provide NA 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 Affiliate Persons have engaged in Prohibited Conduct.
- 4.3 All requests for information or provision of information by NA 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 NA or Wagering Service Provider, or where information is already in the public domain other than because of a breach of this Policy.

5. Netball Integrity Policy Framework, Conduct & Disciplinary Policy

- 5.1 The Netball Integrity Policy Framework, Conduct & Disciplinary Policy applies to any alleged Prohibited Conduct, including reports of breaches of this Policy.
- 5.2 When interpreting this Policy, any provisions inconsistent with the Netball Integrity Policy Framework, Conduct & Disciplinary Policy apply to the extent of that inconsistency.

END

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