

2018 EDITION

UIPM BETTING AND ANTI-CORRUPTION RULES

EFFECTIVE AS OF 10 NOVEMBER 2018



BETTING AND ANTI-CORRUPTION RULES

ARTICLE 1: INTRODUCTION

- 1.1 The integrity of sport depends on the outcome of sporting events and competitions being based entirely on the competing merits of the participants involved. Any form of corruption that might undermine public confidence in the integrity of a sporting contest is fundamentally contrary to the spirit of sport and must be eradicated.
- 1.2 The Union Internationale de Pentathlon Moderne ("UIPM") has adopted these rules ("Rules") as a means of safeguarding the integrity of the sport of Modern Pentathlon (the multi-disciplinary sport comprising fencing, swimming, horse riding, shooting and running or any combination thereof) 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 corrupt conduct, place the integrity of fencing at risk.
- 1.3 In these Rules "Modern Pentathlon" includes, as far as the context permits, every combination of the five sports including World School Biathlon (running and swimming), Biathle (continuous run/swim/run), Laser Run (running and shooting combined event) Triathle (any 3 sports) and Tetrathlon (any 4 sports).
- 1.4 UIPM is committed to taking all practical and reasonably possible steps within its power to prevent corrupt practices that would undermine the integrity of the sport of fencing. This commitment shall include:
- raising awareness of these Rules at all levels, including using existing and/or suitably adapted educational programmes and tools to provide information and educational materials to the widest possible target audience;
 - establishing the best means of monitoring sports betting at International competitions, including monitoring any irregular betting patterns that may occur;
 - establishing the best means for the receipt of third party information on a confidential basis, for example, by establishing an information 'hot-line';
 - establishing and, where appropriate, making use of effective channels for the exchange of intelligence and information related to the investigation and/or

prosecution of violations under these Rules;

e) co-operating with competent national and international authorities where information in its possession may also amount to or evidence infringements of other applicable laws or regulations; and

f) exchanging information with partners in the Olympic Movement (through ASOIF or otherwise) on acknowledged areas of best practice in relation to combatting corruption in sport.

ARTICLE 2: APPLICATION AND SCOPE

- 2.1 These Rules shall apply to all participants who participate or assist in an International competition and each Participant shall be automatically bound by, and be required to comply with, these Rules by virtue of such participation or assistance.
- 2.2 It shall be the personal responsibility of every participant to make himself aware of these Rules including, without limitation, what conduct constitutes a violation of the Rules and to comply with those requirements. Participants should also be aware that conduct prohibited under these Rules 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.
- 2.3 Each Participant submits to the exclusive jurisdiction of UIPM (through the UIPM Disciplinary Panel and the UIPM Court of Arbitration) to hear and determine charges brought by UIPM and to the exclusive jurisdiction of CAS to determine any appeal from a UIPM Court of Arbitration decision.
- 2.4 Each Participant shall be bound by these Rules until a date 6 months following his/her last participation or assistance in a competition. Each participant shall continue to be bound by these Rules in respect of his/her participation or assistance in competitions taking place prior to that date.
- 2.5 It is recommended that Members and Continental Confederations put in place similar rules and regulations to safeguard the integrity of competitions held under their respective jurisdictions.
- 2.6 Notice under these Rules to a Participant who is under the jurisdiction of a Member or Continental Confederation may be accomplished by delivery of the notice to the Member or Continental Confederation concerned. The Member or Continental Confederation shall be responsible for making immediate contact with the participant to whom the notice is applicable.

ARTICLE 3. RULE VIOLATIONS

The following conduct shall constitute a violation of these Rules (in each case whether effected directly or indirectly):

3.1 Betting

(a) Participation in, support for, or promotion of, any form of betting related to an event or competition (whether one in which the Participant is directly participating or is otherwise taking place in the Participant's sport or is taking place in another sport at an International competition hosted by a Major event Organisation in which the Participant is participating), including betting with another person on the result, progress, outcome, conduct or any other aspect of such an event or competition.

(b) Inducing, instructing, facilitating or encouraging a Participant to commit a violation set out in this Rule 3.1.

3.2 Manipulation of results

(a) Fixing or contriving in any way or otherwise improperly influencing, or being a party to fix or contrive in any way or otherwise improperly influence, the result, progress, outcome, conduct or any other aspect of an event or competition.

(b) Ensuring or seeking to ensure the occurrence of a particular incident in an event or competition which occurrence is to the Participant's knowledge the subject of a Bet and for which he or another Person expects to receive or has received a benefit.

(c) 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 an event or competition.

(d) Inducing, instructing, facilitating or encouraging a Participant to commit a violation set out in this Rule 3.2.

3.3 Corrupt Conduct

(a) Accepting, offering, agreeing to accept or offer, a bribe or other benefit (or the legitimate expectation of a benefit, irrespective of whether such benefit is in fact given or received) to fix or contrive in any way or otherwise to influence improperly the result, progress, outcome, conduct or any other aspect of an event or competition.

(b) Providing, offering, giving, requesting or receiving any gift or benefit (or the legitimate expectation of a

benefit, irrespective of whether such benefit is in fact given or received) in circumstances that the Participant might reasonably have expected could bring him or the sport into disrepute.

(c) Inducing, instructing, facilitating or encouraging a Participant to commit a violation as set out in this Rule 3.3.

3.4 Inside Information

(a) Using Inside Information for betting purposes or otherwise in relation to betting.

(b) Disclosing Inside Information to any person with or without benefit where the Participant might reasonably be expected to know that its disclosure in such circumstances could be used in relation to betting.

(c) Inducing, instructing, facilitating or encouraging a Participant to commit a violation set out in this Rule 3.4.

3.5 Other violations

(a) Any attempt by a Participant, or any agreement by a Participant with any other person, to engage in conduct that would culminate in the commission of any violation of this Rule 3 shall be treated as if a violation had been committed, whether or not such attempt or agreement in fact resulted in such violation. However, there shall be no violation under this Rule 3 where the Participant renounces his/her attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement.

(b) Knowingly assisting, covering up or otherwise being complicit in any acts or omissions of the type described in Rule 3 committed by a Participant.

(c) Failing to disclose to UIPM 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 would amount to a violation as set out in this Rule 3.

(d) Failing to disclose to UIPM or other competent authority (without undue delay) full details of any incident, fact or matter that comes to the attention of the Participant that may evidence a violation under this Rule by a third party, including (without limitation) approaches or invitations that have been received by any other party to engage in conduct that would amount to a Violation of this Rule;

(e) Failing to cooperate with any reasonable investigation carried out by UIPM or other competent author-

ity in relation to a possible breach of these Rules, including failing to provide any information and/or documentation requested by UIPM or competent competition authority that may be relevant to the investigation.

3.6 The following are not relevant to the determination of a violation of these Rules:

(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.

ARTICLE 4. BURDEN AND STANDARD OF PROOF

4.1 UIPM or other prosecuting authority shall have the burden of proving that a violation has occurred under these Rules. The standard of proof shall be whether UIPM or other prosecuting authority has proved a violation to the comfortable satisfaction of the Disciplinary Panel, a standard which is greater than the mere balance of probability but less than proof beyond a reasonable doubt.

4.2 Where these Rules place the burden of proof on the Participant alleged to have committed a violation to prove facts or circumstances, the standard of proof shall be by a preponderance of the evidence.

4.3 The Disciplinary Panel shall not be bound by judicial rules governing the admissibility of evidence and facts may be established by any reliable means, including but not limited to, admissions, evidence of third parties, witness statements, expert reports, documentary evidence and other analytical information.

4.4 The Disciplinary Panel shall have discretion to accept any facts established by a decision of a court or professional disciplinary tribunal of any competent jurisdiction which is not subject to a pending appeal as irrefutable evidence against the Participant to whom the decision relates unless the Participant establishes that the decision violated the principles of natural justice.

4.5 The Disciplinary Panel shall be entitled to draw an adverse inference against any Participant who is accused of committing a violation if that Participant fails to appear in front of the Disciplinary Panel if requested to do so a reasonable time in advance of the hearing, or fails to comply with any information request that has been submitted in accordance with these Rules.

ARTICLE 5. INVESTIGATING AND ADJUDICATING A BREACH

5.1 Any allegation or suspicion of a violation of these Rules shall be reported to UIPM for investigation and possible charge in accordance with the UIPM Code of Ethics, except as specifically stated herein.

5.2 No action may be commenced under these Rules against a Participant for a violation of these Rules unless such action is commenced within three (3) years from the date on which the violation occurred.

ARTICLE 6. AMENDMENTS AND INTERPRETATION

6.1 These Rules may be amended from time to time by UIPM.

6.2 Betting and anti-corruption rules are, by their nature, competition rules governing the conditions under which the sport of Modern Pentathlon as well as other UIPM multi-discipline sports are to be held. They are not intended to be subjected to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and standards set out in these Rules as a basis for the fight against corruption in the sport represent a broad consensus of those with an interest in fair sport and should be respected by all courts and adjudicating bodies.

6.3 These Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes, except UIPM Statutes.

6.4 The headings and sub-headings in these Rules are for convenience only and shall not be deemed to be part of the substance of these Rules or to affect in any way the language of the provisions to which they refer.

6.5 The Definitions in Article 7 shall be considered an integral part of these Rules.

6.6 All references to the masculine gender in these Rules shall also include references to the feminine.

6.7 If any Rule or provision of these Rules is held to be invalid, unenforceable or illegal for any reason, it shall be deemed to be deleted and the Rules shall

otherwise remain in full force and effect.

6.8 These Rules shall come into full force and effect on the date specified by UIPM General Assembly adopting these rules.

ARTICLE 7. DEFINITIONS

"Athlete" means any athlete who participates or is selected to participate in an event or competition;

"Athlete Support personnel" means any coach, trainer, manager, athlete representative, agent, team staff member, official, medical or para-medical personnel, family member or any other person employed by or working with an Athlete or the Athlete's Member participating in a competition.

"Benefit" means the direct or indirect receipt or provision (as relevant) of money or money's worth (other than prize money and/or contractual payments to be made under endorsement, sponsorship or other contracts);

"Bet" means a wager of money or any other form of financial speculation;

"Betting" means making, accepting, or laying a bet and shall include, without limitation, activities commonly referred to as sports betting such as fixed and running odds, totalisator/toto games, live betting, betting exchange, spread betting and other games offered by sports betting operators;

"CAS" means the Court of Arbitration for Sport in Lausanne, Switzerland;

"Competition" means an event or series of events conducted over one or more days under one ruling body (e.g., regional Championships);

"Disciplinary Panel" means the members of the UIPM Disciplinary Panel appointed by UIPM pursuant to the UIPM Code of Ethics to perform the functions assigned to it in these Rules;

"Event" means a single, race, match or contest;

"Inside Information" means any information relating to any competition or Event that a Participant possesses by virtue of his/her position within the sport. Such information includes, but is not limited to, factual information regarding the competitors, the conditions, tactical considerations or any other aspect of the competition or Event, but does not include 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 governing the relevant competition or event;

"International competition" means any official competition of UIPM or other competition under its jurisdiction;

"Member" means the member of UIPM to which a Participant under these Rules is affiliated directly or through a club or another body affiliated to the member;

"Major event Organisation" means any international multi-sport organisation that acts as the ruling body for any continental, regional or other International competition;

"Participant" means any athlete, athlete support personnel, judge, referee, delegate, commissioner, jury of appeal member, competition official, Member team or delegation member and any other accredited person;

"Person" shall include natural persons, bodies corporate and unincorporated associations and partnerships (whether or not any of them have separate legal personality);

"Sanction" means any sanction that the Disciplinary Panel has the right to impose in accordance with UIPM Code of Ethics;

"Violation" means a violation of these Rules as set out in Rule 3.



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