

# CODE ON THE PREVENTION OF THE MANIPULATION OF COMPETITIONS

In Force:

19/07/2020. Version 2.0



## PREAMBLE

The Badminton World Federation (BWF) acknowledges the danger to sports integrity from the manipulation of sports competitions and restates its commitment to safeguarding the integrity of sport, including the protection of clean athletes and competitions as stated in Olympic Agenda 2020.

Due to the complex nature of this threat, the BWF recognises that they cannot tackle this threat alone, and hence cooperation with public authorities, in particular law enforcement, betting regulators and sports betting entities, is crucial.

The BWF declares its 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, to those of the BWF Constitution and the Judicial Procedures, and by requiring its members to do likewise.

## 1. DEFINITIONS & INTERPRETATION

### 1.1. Definitions

- 1.1.1. **“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.
- 1.1.2. **“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 Tournament;
- 1.1.3. **“Participant”** means any natural or legal person belonging to one of the following categories:
  - a) **“Players”** means any player who enters or participates in any badminton Tournament ;
  - b) **“Related Person”** means any coach, trainer, therapist, physician, management representative, agent, family member, tournament guest, business associate or other affiliate or associate of any Player, or any other person who receives accreditation at a badminton Tournament at the request of the Player or any other Related Person;
  - c) **“Official”** includes the elected officials, candidates for elections, executives, commission members and staff (paid or unpaid). This term also refers to any person who is an executive or a staff member of the entities which organise and/or promote Tournaments, as well as technical officials, or any similarly situated person at a Tournament or at the request of an Official.

- 1.1.4. **“Restricted Participants”** means any natural or legal person belonging to one of the following categories:
- a) **“Restricted Players”** means any Player with a World Ranking;
  - b) **“Restricted Related Person”** means any coach, trainer, therapist, physician, management representative, agent, family member, tournament guest, business associate or other affiliate or associate of any Restricted Player, or any other person who receives accreditation at a badminton Tournament at the request of the Restricted Player or any other Restricted Related Person;
  - c) **“Restricted Official”** includes the elected officials and staff (paid or unpaid) of the BWF and its Continental Confederations. This term also refers to any person who is a BWF or Continental Confederation Accredited or Certificated Referee or Umpire, or any similarly situated person at a Tournament or at the request of a Restricted Official.
- 1.1.5. **“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.
- 1.1.6. **“Sports organisations”** mean, in particular the International Olympic Committee, all International Federations, National Olympic Committees and their respective members at the Continental, Regional and National level and IOC recognised organisations.
- 1.1.7. **“Tournament”** refers to badminton tournaments recognised by the BWF in accordance with the General Competition Regulations (BWF Statutes, Section 5.1);

## 1.2. Interpretation

- 1.2.1. In the event of conflict between this Code and the Judicial Procedures, the provisions of this Code shall prevail.
- 1.2.2. The Judicial Procedures shall apply on any question where this Code is silent.
- 1.2.3. This Code replaces the “Code of Conduct in relation to Betting, Wagering and Irregular Match Results” (BWF Statutes, Section 2.4) and all references to it shall be understood at referring to this Code.

## 2. APPLICATION AND SCOPE

- 2.1. Every Participant is bound by this Code and will be deemed to have read and understood it.
- 2.2. 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 other regulations of the BWF.

## 3. OFFENCES

It shall be a breach of this Code to engage in:

### 3.1. Betting

- 3.1.1. For Participants, betting in relation either:

3.1.1.1. to a Tournament in which the Participant is directly participating; or

3.1.1.2. to any event of a multisport competition in which he/she is a participant such as the Olympic Games.

3.1.2. For Restricted Participants, betting in relation to any badminton Tournament.

### **3.2. 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.

*[Comment to Article 2.2: An “intentional arrangement, act or omission” includes for athletes not to use their best efforts to win a match, or to fail to complete a match without good reason.]*

### **3.3. Corrupt conduct**

Providing, requesting, receiving, seeking, or accepting a Benefit related to the manipulation of a competition, or any other form of corruption, including making threats.

### **3.4. Inside information**

3.4.1. 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.

3.4.2. 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.

3.4.3. Giving and/or receiving a Benefit for the provision of Inside Information regardless of whether any Inside Information is actually provided.

### **3.5. Failure to report and reporting mechanism**

3.5.1. Failing to report to the BWF Integrity Unit ([integrity@bwfbadminton.org](mailto:integrity@bwfbadminton.org)) 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.

3.5.2. Failing to report to the BWF Integrity Unit ([integrity@bwfbadminton.org](mailto:integrity@bwfbadminton.org)) 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.

### **3.6. Application of Articles 3.1 to 3.5**

3.6.1. For the determination of whether a violation has been committed, the following are not relevant:

- 3.6.1.1. Whether or not the Participant is participating in the Tournament concerned;
  - 3.6.1.2. The outcome of the Tournament on which the Bet was made or intended to be made;
  - 3.6.1.3. Whether or not any Benefit or other consideration was actually given or received;
  - 3.6.1.4. The nature or outcome of the Bet;
  - 3.6.1.5. Whether or not the Participant's effort or performance in the Tournament concerned were (or could be expected to be) affected by the acts or omission in question;
  - 3.6.1.6. Whether or not the result of the Tournament concerned was (or could be expected to be) affected by the acts or omission in question;
  - 3.6.1.7. Whether or not the manipulation included a violation of a technical rule of the BWF;
  - 3.6.1.8. Whether or not the competition was attended by the competent national or international representative of the BWF.
- 3.6.2. 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

#### **4. DISCIPLINARY PROCEDURES**

- 4.1. Investigations, disciplinary proceedings, hearings and appeals shall be conducted in accordance with the Judicial Procedures.

#### **5. SANCTIONS**

##### **5.1. General**

Where it is determined that a violation has been committed, the BWF Independent Hearing Panel 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, and may include a Fine.

##### **5.2. Aggravating and Mitigating Circumstances**

When determining the appropriate sanctions applicable, the BWF Independent Hearing Panel 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. Such circumstances include:

##### **General**

- 5.2.1. The general aggravating and mitigating circumstances listed in the Judicial Procedures (BWF Statutes, Section 3.1).

##### **For Betting:**

- 5.2.2. Whether the Participant is betting on a competition she/he is competing in.
- 5.2.3. Number and size of bets.

**For Failure to Report**

- 5.2.4. Significance, content and amount of information that should have been reported or was purposefully concealed or destroyed during the investigation.
- 5.2.5. Availability of a reporting/whistleblowing mechanism and promotion of such mechanism.
- 5.2.6. Culture of reporting and protection available.

**For Inside Information**

- 5.2.7. Nature and amount of information.

**5.3. Substantial assistance**

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. Continuous application of this Code**

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.

**6. REINSTATEMENT**

Once the period of the Participant's ineligibility has expired, he or she will become automatically re-eligible to participate in badminton provided that he or she has:

- 6.1. completed to the BWF's satisfaction any official integrity education imposed on him or her as a sanction by the BWF Independent Hearing Panel;
- 6.2. has paid, in full, any fine imposed under this Code and/or any order of costs made against him or her by the BWF Independent Hearing Panel; and
- 6.3. has agreed to subject himself or herself to any reasonable and proportionate monitoring of his or her future activities in connection with badminton as the BWF may reasonably consider necessary given the nature and scope of the violation that he or she has committed.

**7. MUTUAL RECOGNITION**

- 7.1. 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 BWF.
- 7.2. The BWF will recognize 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.