



## Match Manipulation Policy

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### **PURPOSE**

1. The manipulation of sports competition threatens the integrity of sport. The involvement of organized crime in the manipulation of sports is a serious and increasing concern. In response, the International Olympic Committee (IOC) created the Olympic Movement Code on the Prevention of Manipulation of Competitions (IOC Code). The IOC Code is the international framework for a harmonized effort to eliminate the manipulation of sports competitions.
2. The World Curling Federation recognizes the threat to the integrity of curling posed by the manipulation of sports competitions. This is contrary to the 'Spirit of Curling' which is highlighted in the Rules of Curling. The Members of the World Curling Federation agreed to follow and be bound by the IOC Code at the 2017 Annual General Assembly.
3. This Match Manipulation Policy (the "Policy") provides the necessary tools and resources to prevent, deter and detect the manipulation of sports competitions in Canada to protect the integrity of the sport of curling in Canada.
4. Curling Canada maintains a longstanding commitment to fair and ethical sport. The adoption and implementation of this Policy by Curling Canada will help ensure that the Canadian curling system is prepared to pre-emptively deter and robustly respond to corrupt attacks on the integrity of the sport of curling.
5. This Policy establishes rules and a consistent scheme of enforcement and sanctions applicable to all Organizational Participants who are subject to the Policy.

## **APPLICATION OF THIS POLICY**

6. Curling Canada is committed to protecting the integrity of sport of curling in Canada. This Policy is applicable to all Organizational Participants.
7. This Policy applies to the conduct of all Organizational Participants during the business, activities, and Events of a Curling Organization including, but not limited to competitions, practices, evaluations, treatment, or consultations (e.g., massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings.
8. This Policy also applies to the conduct of all Organizational Participants outside of the business, activities, and Events of a Curling Organization when such conduct adversely affects a Curling Organization's relationships (and the work and sport environment) or is detrimental to the image and reputation of Curling Canada or a Curling Organization. Such applicability will be determined by Curling Canada, at its sole discretion.
9. This Policy applies to Organizational Participants active in the sport of curling or who have retired from the sport where any claim regarding a potential breach of this Policy occurred when the Organizational Participant was active in the sport.

## **RULES**

### **RULE 1 APPLICATION**

#### **1.1 Application**

These rules shall apply to all Organizational Participants.

Organizational Participants are deemed to know they are subject to this Policy and have accepted and agreed to be bound by this Policy.

It is the responsibility of every Organizational Participant to understand their obligations under this Policy.

#### **1.2 Other Applicable Laws or Regulations**

Organizational Participants should be aware that the conduct prohibited in the Policy may also constitute a criminal offence and/or a breach of other applicable laws or regulations.

Organizational Participants must comply with all applicable laws and regulations.

### **RULE 2 CORRUPTION OFFENCES**

Organizational Participants may not, in any manner, attempt to directly or indirectly control, impact, or influence the outcome or any other aspect of a Curling Competition in an improper manner.

Allegations regarding a possible Corruption Offence shall be dealt with as a Complaint under Curling Canada's *Discipline and Complaints Policy*.

Doing so is a Corruption Offence under the Policy.

The following are examples of Corruption Offences:

#### **2.1 Betting**

2.1.1 Betting by the Organizational Participant in relation:

- a) to a Curling Competition in which the Organizational Participant is directly taking part or when the Organizational Participant has access to information unavailable to the public that could provide an unfair advantage; or
- b) to any event of a multi-sport event that includes a Curling Competition in which the Organizational Participant is taking part or has access to information unavailable to the public that could provide an unfair advantage; or

c) to any Curling Competition in which the Organizational Participant has influence over the field of play; or

2.1.2 No Organizational Participant shall, directly or indirectly, solicit, encourage, or facilitate any other person to Wager on the outcome or any other aspect of any Curling Competition on the Organizational Participant's behalf.

## **2.2 Bribery**

2.2.1 No Organizational Participant shall, directly or indirectly, solicit or accept any Benefit for the purpose of directly or indirectly influencing the outcome of a Curling Competition.

2.2.2 No Organizational Participant shall, directly or indirectly, solicit or accept any Benefit with the intention of influencing an athlete's best efforts in any Curling Competition.

2.2.3 No Organizational Participant shall, directly or indirectly, offer or provide any Benefit to any other Organizational Participant with the intention of influencing an athlete's performance in any Curling Competition.

## **2.3 Manipulation of a Curling Competition**

2.3.1 No Organizational Participant shall engage in the Manipulation of a Curling Competition, directly or indirectly, using any means, by attempting to control, impact or influence the outcome or any other aspect of a Curling Competition.

2.3.2 No Organizational Participant shall, directly or indirectly, solicit or influence any athlete to not use their best efforts in any Curling Competition.

2.3.3 No Organizational Participant shall, directly or indirectly, solicit or request any other person to attempt to control, impact or influence the outcome or any other aspect of a Curling Competition.

2.3.4. No Organizational Participant shall provide, request, receive, seek, or accept a Benefit related to the Manipulation of a Curling Competition

## **2.5 Inside Information**

2.5.1 Using Inside Information for the purposes of Betting or for any form of Manipulation of a Curling Competition whether by the Organizational Participant or via another person and/or entity. This includes disclosing Inside Information where the Organizational Participant knew or should have known that such disclosure might lead to the information being used for the purposes of Betting or for any form of Manipulation of a Curling Competition.

2.5.3 Giving, offering and/or receiving a Benefit for providing Inside Information regardless of whether any Inside Information is actually provided.

2.5.4 There is no restriction on using Information in the Public Domain and the use of such information on its own is not a Corruption Offence.

## **2.6 Failure to Cooperate**

2.6.1 An Organizational Participant may not obstruct or delay any investigation by Curling Canada in relation to a possible Corruption Offence. This includes concealing, tampering with, or destroying any documentation or other information that may be relevant to the investigation. Doing so may result in additional disciplinary action. Organizational Participants are required to cooperate with any Curling Organization investigation.

## **2.7 Deemed Corruption Offence**

2.7.1 Any aid, abetment or an attempt by an Organizational Participant that could result in a Corruption Offence shall be treated as if a Corruption Offence had been committed, whether a Corruption Offence occurred and/or whether the Corruption Offence was committed deliberately or negligently.

2.7.2 An Organizational Participant shall be responsible for any Corruption Offence committed by any other party if the Organizational Participant, either:

- a) had knowledge of a Corruption Offence and failed to report to Curling Canada; or
- b) assisted in the commission of a Corruption Offence.

Curling Canada has the right to assert that an Organizational Participant breached their obligations in the Policy. If allegations of deemed Corruption Offences are proven by Curling Canada at a hearing under its *Discipline and Complaints Policy*, the Discipline Committee may impose sanctions on an Organizational Participant to the same extent as if an Organizational Participant had committed the Corruption Offence.

## **RULE 3 REPORTING OBLIGATIONS**

### **3.1 Direct Knowledge**

An Organizational Participant has an obligation to report a possible Corruption Offence as soon as possible. This includes if an Organizational Participant is approached by any person who offers or provides any type of Benefit to that Organizational Participant to:

- a) influence the outcome or any other aspect of any Curling Competition; or
- b) to provide Inside Information.

### **3.2 Indirect Knowledge or Suspicion**

In the event the Organizational Participant knows, suspects, or becomes aware of any incident, fact, or matter (or of which they ought to have been reasonably aware) that any other Organizational Participant or other Organizational Participant has committed a Corruption Offence, including approaches or invitations received by another Organizational Participant to engage in conduct that could amount to a Corruption Offence, the Organizational Participant must report this knowledge or suspicion to Curling Canada as soon as possible.

### **3.3 Continuing Obligation**

An Organizational Participant has a continuing obligation to report any new knowledge or suspicion regarding any Corruption Offence even if the Organizational Participant's prior knowledge or suspicion has already been reported.

### **3.4 Reporting Process**

Any person may report a possible Corruption Offence to Curling Canada according to Curling Canada's *Discipline and Complaints Policy*.

Reports may also be submitted to the CCES by calling or texting 1-888-441-2237 or by emailing [integrity@cces.realresponse.com](mailto:integrity@cces.realresponse.com). Curling Canada may, in its sole discretion, initiate the complaint process and act as the Complainant.

## **RULE 4 ADDITIONAL MATTERS**

### **4.1 Matters Not Relevant**

For the determination of whether a Corruption Offence has been committed, the following are not relevant:

- a) whether the Organizational Participant is taking part in the Curling Competition concerned;
- b) whether the outcome or the aspect of the Curling Competition on which the Bet was made or intended to be made was favourable;
- c) whether or not any Benefit was actually given or received;
- d) the nature or outcome of the Bet;
- e) whether the Organizational Participant's effort or performance in the Curling Competition concerned were (or could be expected to be) affected by the acts or omission in question;

- f) whether the result of the Curling Competition concerned was (or could be expected to be) affected by the acts or omission in question; and
- g) whether the manipulation included a violation of a technical rule of the respective Sport Organization.

#### **4.2 Offer or Solicitation**

For a Corruption Offence to be committed, it is sufficient that an offer or solicitation was made, regardless of whether any Benefit was actually paid or received.

#### **4.3 Evidence of Effort**

Evidence of an athlete's lack of efforts or poor performance during a Curling Competition may be offered to support allegations that an Organizational Participant committed a Corruption Offence, but the absence of such evidence shall not preclude an Organizational Participant from being sanctioned for a Corruption Offence.

#### **4.4 Valid Defence**

A valid defence may be made to a charge of a Corruption Offence if the Organizational Participant alleged to have committed the Corruption Offence:

- a) reported such conduct to Curling Canada immediately or as soon as reasonably possible, and
- b) demonstrates that such conduct was the result of imminent peril or danger, that the Organizational Participant had no reasonable alternative other than to conduct the Corruption Offence, and that the conduct was proportional to the peril or danger avoided.

### **RULE 5 INVESTIGATION**

#### **5.1 Right to Investigate**

After receiving a report of a possible Corruption Offence or after initiating the complaint process, Curling Canada may order an investigation into the circumstances. This investigation will follow the requirements of Curling Canada's *Investigation Policy*, with necessary modifications determined at the discretion of the investigator.

### **RULE 6 PROVISIONAL MEASURES**

#### **6.1 Provisional Measures**

Curling Canada may in its discretion impose reasonable and proportionate provisional measures, including a provisional suspension, on an Organizational Participant where

there is a particular ongoing risk to the sport under section 44 of Curling Canada's *Discipline and Complaints Policy*.

## **RULE 7            Process**

Once a report is submitted, Curling Canada will follow the process as set out in the *Discipline and Complaints Policy*, except where specifically modified by this Policy. In the event of conflict between these policies, this Policy shall apply.

## **RULE 8            SANCTIONS**

### **8.1            Sanctions**

The Panel appointed per the *Discipline and Complaints Policy* will determine sanctions, if any.

### **8.2            Reporting to Other Authorities**

Curling Canada may report Corruption Offences that also violate other laws and regulations to the competent administrative, professional, or judicial authorities.

### **8.3            Subsequent Corruption Offence**

If any Organizational Participant commits a Corruption Offence during a period of ineligibility, it shall be treated as a separate Corruption Offence under the Policy, but the initial Corruption Offence will be considered when determining sanctions.

### **8.4            Breach of Sanction**

The Panel appointed per the *Discipline and Complaints Policy* will determine the consequences of an Organizational Participant breaching sanctions.

## **RULE 9            APPEALS**

### **9.1            Decisions Subject to Appeal**

The appeal of a Discipline Panel decision must be made according to the terms of Curling Canada's *Appeal Policy*.

## **RULE 10          MUTUAL RECOGNITION**

### **10.1          Recognition of Decisions**

Curling Canada shall recognize and respect the final decisions made by another sporting body or a court of competent jurisdiction in matters substantially pertaining to the subject matters of the Policy.



Curling Canada may inform other Organizational Participants or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, etc., of any decisions rendered in accordance with this Policy

## **RULE 11      GENERAL**

### **11.1    Waiver of Rights**

Except as otherwise stated herein, failure to exercise or enforce any right conferred by the Policy shall not be deemed to be a waiver of any such right nor operate to bar the exercise or enforcement of any other right on any other occasion.

### **11.2    Time Periods**

Unless otherwise specified, time periods in the Policy are total consecutive days irrespective of weekends or holidays. When a deadline falls on a weekend or statutory holiday, the next business day shall be the deadline for the purpose of the Policy.

### **11.3    Effective Date**

The Policy is applicable prospectively to Corruption Offences occurring on or after the date that the Policy becomes effective. The Policy comes into full force and effect on June 30, 2022 (the Effective Date).

The Rules in the Policy shall not apply retroactively to any matters pending before the Effective Date.

## **DEFINITIONS**

10.    The following terms have these meanings in this Policy:

- a.    **“Benefit”**- the direct or indirect receipt of money or other Consideration, including, but not limited to, bribes, gains, gifts, and other advantages including, without limitation, preferential treatment, winnings and/or potential winnings because of a Wager. This does not include official prize money, appearance fees or payments made under sponsorship or other contracts.
- b.    **“Bet or Betting”**- any form of speculation involving a stake of monetary value in the expectation of a prize of monetary value, subject to a future and uncertain occurrence related to a Curling Competition.
- c.    **“Consideration”** - anything of value, except for money.
- d.    **“Corruption Offence”**- any conduct by an Organizational Participant to improperly impact the outcome of a Curling Competition.

- e. **“Curling Competition”**- any sports competition, tournament, game, match, or event, organized, recognized, or sanctioned by a Curling Organization.
- f. **“Curling Organization”**- collectively Curling Canada, a Member Association (defined in the Curling Canada By-laws), Affiliate Organization (defined in the Curling Canada By-laws) or its affiliated curling clubs.
- g. **“Organizational Participants”** – refers to all categories of individual members and/or registrants defined in the By-laws of a Curling Organization and any individual who is employed by, contracted by, registered with, associated with or otherwise engaged in activities with a Curling Organization, including, but not limited to:
  - 1) Athletes;
  - 2) Coaches;
  - 3) Agents;
  - 4) Officials;
  - 5) Volunteers;
  - 6) Managers;
  - 7) Administrators;
  - 8) Committee members;
  - 9) Parents and guardians of minor athletes;
  - 10) Trainers;
  - 11) IST Support;
  - 12) Contractors; and
  - 13) Employees, Directors, Officers, and Governors.
- h. **“Information in the Public Domain”**- information which has been published or is a matter of public record or can be readily acquired by a member of the public and/or information which has been disclosed according to the rules or regulations of a Curling Competition.
- i. **“Inside Information”**- information about the likely participation or likely performance of an athlete in a Curling Competition or concerning the conditions, status, outcome, or any other aspect of a Curling Competition which is known by an Organizational Participant by virtue of their position in relation to a Curling Organization or a Curling Competition and is not Information in the Public Domain or accessible to the public.
- j. **“Manipulation of a Curling Competition”**- an intentional arrangement, act or omission aimed at an improper alteration of the result, the course of or any aspect of a Curling Competition to remove all or part of the unpredictable nature of the competition with a view to obtaining a Benefit for the Organizational Participant or for others.
- k. **“Sport Organization”**- any of the following entities: a national sport governing body; a national multi-sport organization; a National Sport Centre; a National Sport Institute; and any other sport organization in Canada.

- I. ***Wager***- A Bet involving money or Consideration or any other form of financial speculation.