



# Integrity By-Laws

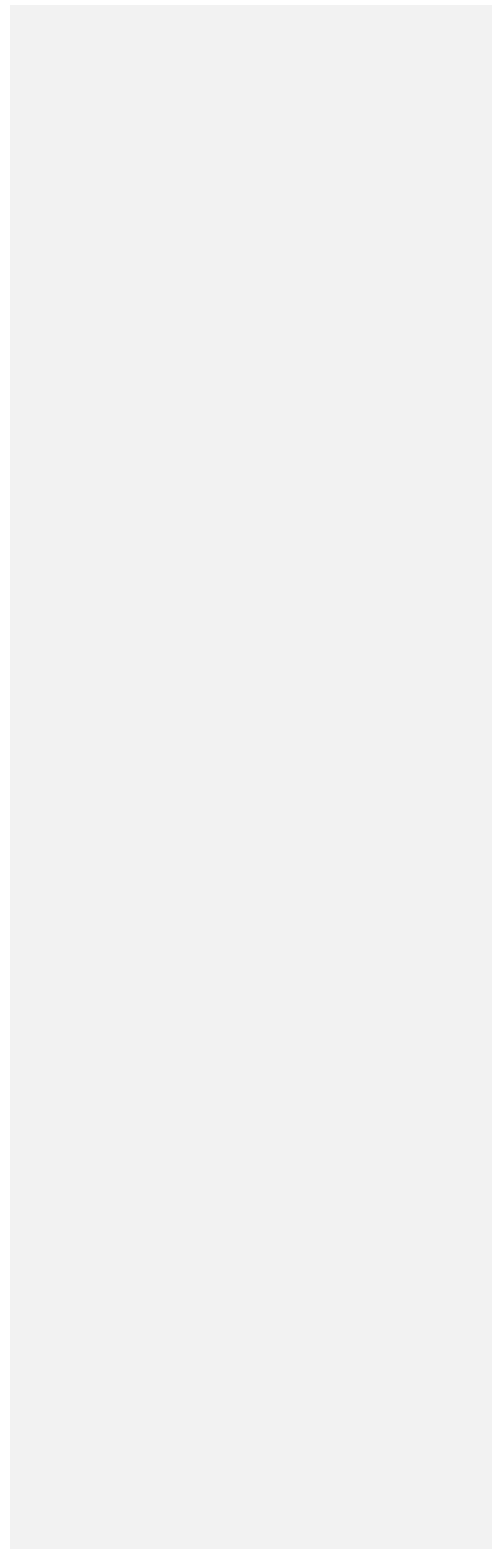


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## 1. Adoption of By-laws

These By-laws are made under the Basketball Victoria ("BV") constitution and are known as the "Integrity By-laws" and come into operation on 1 April 2016 and are binding on all members of BV and other persons who or organisations which submit themselves to the jurisdiction of BV.

## 2. Introduction

- a. BV recognises that whilst betting may be a legitimate pursuit in certain circumstances, sport must safeguard against illegal or fraudulent betting. Fraudulent betting on sport and the associated match-fixing is an emerging and critical issue globally, for sport, the betting industry and governments alike.
- b. BV and its Leagues, Commissions and Affiliated Associations have an obligation to address the threat of match-fixing and the corruption that flows from it.
- c. BV and its Leagues, Commissions and Affiliated Associations have a zero tolerance for illegal gambling and match-fixing.
- d. BV will engage the necessary technical expertise to administer, monitor and enforce this By-law.
- e. The purpose of this By-law on Match-Fixing is to:
  - i. Protect and maintain the integrity of BV
  - ii. Protect against any efforts to impact improperly the result of any match or event
  - iii. Establish a uniform rule and consistent scheme of enforcement and penalties, and
  - iv. Adhere to this By-law on Match-Fixing in Sport as agreed by Australian Governments on 10 June 2011.
- f. The conduct prohibited under this By-law may also be a criminal offence and/or a breach of other applicable laws or regulations. This By-law is intended to supplement such laws and regulations. It is 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 must comply with all applicable laws and regulations at all times.

## 3. Application

### 3.1 Application of By-law

- a. This By-law is binding on all Relevant Persons. It may be amended from time to time.
- b. The BV Board may, in its sole discretion, delegate any or all of the powers under this By-law, including but not limited to the power to apply, monitor and enforce this By-law.
- c. By virtue of their ongoing membership, employment or other contractual relationship with BV, Relevant Persons are automatically bound by this By-law and required to comply with all of its provisions.

### 3.2 Relevant Persons

- a. This By-law applies to any Relevant Person as defined from time to time by the Board. For clarity this includes, but is not limited to:
  - i. Agents
  - ii. Athletes
  - iii. Coaches
  - iv. Officials
  - v. BV, Leagues, Commissions and Affiliated Associations staff and volunteers
  - vi. persons who hold governance positions with BV or its Leagues, Commissions and Affiliated Associations
  - vii. Administrators
  - viii. Selectors, and
  - ix. Squad Support Staff, including but not limited to, doctors, physio-therapists, team managers.

### 3.3 Education

- i. BV will endeavour to inform all relevant persons of these By-laws and their obligation under them.

### 3.4 Code of Conduct

- a. In addition to this By-law, all Relevant Persons are bound by BV's Anti-Match-Fixing Code of Conduct (AMF Code of Conduct) (see Annexure D), as amended from time to time, which is underpinned by the following principles:
  - Be smart: know the rules
  - Be safe: never bet on your sport

- Be careful: never share sensitive information
- Be clean: never fix an event
- Be open: tell someone if you are approached

## 4. Prohibited Conduct

- a. A Relevant Person to whom this By-law applies must not directly or indirectly, alone or in conjunction with another or others breach this By-law or BV's AMF Code of Conduct.
- b. The following conduct is a breach of this By-law and is Prohibited Conduct:
  - i. Betting, gambling or entering into any other form of financial speculation on any Competition or on any Event, or on any incident or occurrence in a Competition or Event, connected with BV, Victoria or its Leagues, Commissions and Affiliated Associations where the relevant person is involved in or has any relevant knowledge of the activity;
  - ii. Communicating in any way, including by using a mobile phone, computer or other device, information that might give another person an unfair advantage if they were to engage in gambling related to that information, other than as required as part of acquitting official duties; or
  - iii. Participating (whether by act or omission) in match-fixing or attempted match-fixing by:
    - Deliberately underperforming or 'tanking' as part of an arrangement relating to betting on the outcome of, or any contingency within, a Competition or Event;
    - Deliberately fixing, or exerting any undue influence on, any occurrence within any Competition or Event, as part of an arrangement relating to betting on the outcome of, or any contingency within, a Competition or Event;
    - Inducing or encouraging any Relevant Person to deliberately underperform as part of an arrangement relating to betting on the outcome of, or any contingency within, a Competition or Event;
    - Providing Inside Information that is considered to be information not publicly known and likely to be valuable, such as Team or its members configuration (including, without limitation, the Team's actual or likely composition, tactics, or the form of individual athletes or their playing or injury status) other than in connection with bona fide media interviews and commitments;
    - Ensuring, or unduly influencing, that a particular incident, that is the subject of a bet, either does or does not occur;
    - Providing or receiving any gift, payment or benefit that might reasonably be expected to bring the Relevant Person or BV into disrepute;
    - Facilitating, assisting, aiding or abetting, encouraging, covering-up or any other type of complicity involving Prohibited Conduct; and
    - Engaging in conduct that relates directly or indirectly to any of the conduct described in this clause 3 above and is prejudicial to the interests of BV or which either brings, or is reasonably likely to bring, a Relevant Person or BV into disrepute.
- c. For the avoidance of doubt, betting, gambling and financial speculation includes payment or reward, whether monetary or not, on, or to influence or effect, the occurrence of an incident or outcome, as well as the receipt of payment or reward whether monetary or not, on, or to influence or effect, the occurrence of an incident or outcome.

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- d. Any attempt or any agreement to act in a manner that would culminate in Prohibited Conduct shall be treated as if the relevant Prohibited Conduct had occurred, whether or not the Prohibited Conduct actually occurred as a result of the attempt or agreement to act.
- e. If a Relevant Person knowingly assists or is a party to 'covering up' Prohibited Conduct, that Relevant Person will be treated as having engaged in the Prohibited Conduct personally.
- f. Nothing in this clause prevents BV from enforcing any other rules and regulations or referring any Prohibited Conduct to a relevant law enforcement agency.

## 5. Reporting Process

- a. A Relevant Person to whom this By-law applies must promptly notify the Chief Executive Officer of BV (CEO) if he or she:
  - i. Is interviewed as a suspect, charged, or arrested by police in respect of conduct that would amount to an allegation of Prohibited Conduct under this By-law
  - ii. Is approached by another person to engage in conduct that is Prohibited Conduct
  - iii. Knows or reasonably suspects that another person has engaged in conduct, or been approached to engage in conduct that is Prohibited Conduct
  - iv. Has received, or is aware or reasonably suspects that another person has received, actual or implied threats of any nature in relation to past or proposed conduct that is Prohibited Conduct.
- b. If a Relevant Person wishes to report the CEO for involvement in conduct that is Prohibited Conduct under this By-law then the Relevant Person to which this clause 4 applies may report the conduct to the Chair of the Board (Chairman).
- c. Notification by a Relevant Person under this clause 4 can be made verbally or in writing at the discretion of the Relevant Person and may be made confidentially if there is a genuine concern of reprisal. However, the CEO (or the Chair of the Board as the case may be) must record the fact of the reporting of Prohibited Conduct and particulars of the alleged Prohibited Conduct in writing within 48 hours of the report from the Relevant Person for presentation to the Board.
- d. Any report by a Relevant Person under this clause 4 will be dealt with confidentially by BV unless disclosure is otherwise required or permitted under this By-law, in agreements regulating betting, or if the allegation of the Prohibited Conduct is already in the public domain.
- e. A Relevant Person has a continuing obligation to report any new knowledge or suspicion regarding any conduct that may amount to Prohibited Conduct under this By-law, even if the Relevant Person's prior knowledge or suspicion has already been reported.

## 6. Investigations

### 6.1 Allegations of Prohibited Conduct

- a. BV will establish a Tribunal which will have the power to investigate the alleged Prohibited Conduct and determine an appropriate sanction in accordance with this By-law, and will be required to report their findings to the CEO, Chairman and any relevant law enforcement agency.
- b. If the CEO receives a report or information that a Relevant Person has allegedly breached this By-law including by engaging in actual or suspected Prohibited Conduct, the CEO must, as soon as reasonably practicable refer that report or information and any documentary or other evidence that is available to it in relation to the alleged Prohibited Conduct by the Alleged Offender to the Tribunal.
- c. The CEO may, in their sole discretion, elect to not refer matters to the Tribunal until after they discloses the allegations of Prohibited Conduct to the Police or other such relevant regulatory agency.
- d. If the CEO has referred to the Tribunal a report or information that an Alleged Offender has allegedly breached this By-law including by engaging in actual or suspected Prohibited Conduct, the CEO may, in their discretion and pending determination by the Tribunal provisionally suspend the Alleged Offender from any Event or activities sanctioned by BV or a Member Organisation until the outcome of any Tribunal determination under section 6 of this By-law.
- e. Nothing in this clause 5 prevents BV from enforcing any other rules and regulations or referring any Prohibited Conduct to a relevant law enforcement agency.

## 6.2 Confidentiality and reporting

- a. To maintain the confidentiality of the process, no Relevant Person, BV, or any other party will publically announce, comment on or confirm any details of investigations or subsequent hearings or appeals except in accordance with this clause 5.2.
- b. The identity of a Relevant Person against whom a finding of Prohibited Conduct has been made by the Tribunal may only be publicly disclosed after the Tribunal has notified the Relevant Person, BV and any other interested party of its decision. Thereafter, such public disclosure will be by way of an official release by BV in its sole discretion.
- c. For the avoidance of doubt, in circumstances where a finding is made by the Tribunal against a Relevant Person, and the Relevant Person subsequently appeals, BV is not prohibited from making a public disclosure as set out in this clause prior to the Appeal being finalised.
- d. In circumstances where the Tribunal or Appeals Tribunal finds in favour of the Relevant Person against whom allegations of Prohibited Conduct have been made, BV may only make such public disclosure with the consent of the Relevant Person.

- e. BV must not disclose any specific facts of an allegation of Prohibited Conduct or breach of this By-law prior to determination by a Tribunal. Notwithstanding this clause, however, a general description of a process that may be instigated under this By-law is permissible.
- f. Where any public announcement may be considered detrimental to the wellbeing of a Relevant Person, BV will determine the most appropriate course of action in its sole discretion based on the circumstances of the Relevant Person.
- g. All parties must maintain all information received in the course of any report, notice, hearing or appeal (other than a notice of decision by the Tribunal or an Appeal Tribunal in relation to an allegation of conduct that is Prohibited Conduct as strictly confidential.
- h. Clauses 5.2 (a) to (e) do not apply if the disclosure is required by law or BV determines to refer information to a law enforcement agency.

### 6.3 Criminal offences

- a. Any alleged Prohibited Conduct by an Alleged Offender which is considered by the CEO as a prima facie unlawful offence will be reported to the Victoria Police force and/or the Australian Federal Police.

### 6.4 Privilege

- a. Notwithstanding anything else in this By-law, a Relevant Person who is interviewed under suspicion, charged or arrested by a law enforcement agency in respect of a criminal offence that is, or may be considered to be conduct that is Prohibited Conduct under this By-law shall not be required to produce any information, give any evidence or make any statement to BV if they establish that to do so would breach any privilege against self-incrimination, or legal professional privilege.
- b. Clause 5.4(a) does not limit BV from enforcing any other rules and regulations.

## 7. Disciplinary Process

### 7.1 Commencement of proceedings

- a. The Tribunal shall be a Tribunal as if it was established under BV's Member Protection By-laws.
- b. On receipt of a referral from the BV of an actual or suspected contravention of this By-law by an Alleged Offender, the Secretary of the Tribunal must issue a notice to the Alleged Offender detailing:
  - i. The alleged offence including details of when and where it is alleged to have occurred
  - ii. The date, time and place for the proposed hearing of the alleged offence which shall be as soon as reasonably practicable after the Alleged Offender receives the Notice



- iii. Information advising the Alleged Offender of their rights and format of proceedings
  - iv. The potential penalties in the event that the Tribunal makes a finding that the Alleged Offender engaged in the Prohibited Conduct
  - v. A copy of the referral and any documentary or other evidence that was submitted to the Tribunal in relation to the alleged Prohibited Conduct by the Alleged Offender. ('the Notice').
- c. Within fourteen business days of the date of the Notice, the Alleged Offender must notify the Tribunal in writing of:
- i. Whether or not he or she wishes to contest the allegations, and
  - ii. If the Alleged Offender does not wish to contest the allegations and accedes to the imposition of penalty, he or she may so notify the Tribunal in writing, in which case no hearing shall be conducted and the Tribunal will consider and determine the imposition of a penalty, or
  - iii. If the Alleged Offender does not wish to contest the allegations, but wishes to make submissions disputing and/or seeking to mitigate the penalty, he or she must notify the Tribunal either:
    - That he or she wishes to make those submissions at a hearing before the Tribunal, in which case, the Hearing will proceed in accordance with clause 6.2 below; or
    - That he or she wishes to make those submission in writing, in which case the Tribunal will, on receipt of those submissions, consider and determine the imposition of a penalty (giving due consideration to those written submissions)
  - iv. If the Alleged Offender does not admit or denies the alleged Prohibited Conduct and notifies the Tribunal that he or she wishes to contest the allegations, the Alleged Offender, is, by that notice, taken to have consented to the determination of the allegations in accordance with the procedure outlined in this By-law, and if the Tribunal finds that the Alleged Offender breached this By-law including by engaging in Prohibited Conduct, to the imposition of a penalty.
- d. If the Alleged Offender fails to respond to the Notice within fourteen business days of the date of the Notice, the Alleged Offender shall be deemed to have:
- i. Waived their entitlement to a hearing in accordance with this By-law, and
  - ii. Admitted to the Prohibited Conduct specified in the Notice, and
  - iii. Acceded to the imposition of a penalty by the Tribunal, and
  - iv. The Tribunal will impose a penalty in the Tribunal's Discretion in accordance with this clause.
- e. Notwithstanding any of the above, an Alleged Offender shall be entitled at any stage to admit they have engaged in the Prohibited Conduct specified in the Notice and to accede to penalties determined by the Tribunal.

- f. Personnel covered by BV or a Member Organisation Employee Collective Agreement will be subject to relevant clauses, including clauses relating to disputes, hearings, appeals and termination contained in such agreements, and if applicable, the Fair Work Act 2009 (Cth).

## 7.2 Procedure of the Tribunal

- a. This clause applies if the Alleged Offender contests the allegation(s) that he or she has engaged in the Prohibited Conduct specified in the Notice, and there is a hearing of the allegations by the Tribunal.
- b. The purpose of the hearing shall be to determine whether the Alleged Offender has engaged in the Prohibited Conduct specified in the Notice and, if the Tribunal considers that the Alleged Offender has engaged in Prohibited Conduct, for the imposition any penalty in the Tribunal's discretion.
- c. The Tribunal may conduct the hearing as it sees fit and, in particular, shall not be bound by the rules of evidence or unnecessary formality. The Tribunal must determine matters in accordance with the principles of procedural fairness, such as a hearing appropriate to the circumstances; lack of bias; inquiry into matters in dispute; and evidence to support a decision.
- d. The hearing shall be inquisitorial in nature and the Tribunal may call such evidence as it thinks fit in its discretion and all Relevant Persons subject to this By-law must, if requested to do so by the Tribunal, provide such evidence as they are able.
- e. The hearing must be conducted with as much expedition as a proper consideration of the matters permit. However, the Tribunal may adjourn the proceedings for such reasonable time as it considers it necessary.
- f. Notwithstanding the above, the Alleged Offender:
  - i. Is permitted to be represented at the hearing (at their own expense);
  - ii. May call and question witnesses;
  - iii. Has the right to address the Tribunal to make their case; and
  - iv. Is permitted to provide written submissions for consideration by the Tribunal (instead of or as well as appearing in person).

If the Alleged Offender provides any written submissions, the Tribunal must consider those submissions in its deliberations.

- g. The hearing shall be closed to the public. Only persons with a legitimate interest in the hearing will be permitted to attend. This will be at the sole discretion of the Tribunal.
- h. The Tribunal must determine whether the Alleged Offender engaged in the Prohibited Conduct on the balance of probabilities, and must be "comfortably satisfied" on the weight of the evidence, and bearing in mind the potential serious nature of the allegations and repercussions of any finding.
- i. The decision of the Tribunal shall be a majority decision and must be recorded in writing. The decision must, at a minimum, set out and explain:

- i. The Tribunal's findings, on the balance of probabilities and by reference to the evidence presented or submissions made, as to whether the Alleged Offender engaged in Prohibited Conduct, and
  - ii. If the Tribunal makes a finding that the Alleged Offender engaged in Prohibited Conduct, what, if any, penalties it considers appropriate.
- j. Subject only to the rights of appeal under clause 6.3, the Tribunal's decision shall be the full, final and complete disposition of the allegations of Prohibited Conduct by the Alleged Offender and will be binding on all parties.
- k. If the Alleged Offender or their representative does not appear at the hearing, after proper notice of the hearing has been provided, the Tribunal may proceed with the hearing in their absence.

### 7.3 Appeals

- a. The Alleged Offender, BV and/or the Leagues, Commissions and Affiliated Associations have a right to appeal the decision of the Tribunal.
- b. The available grounds of appeal are:
  - i. Where the decision of the Tribunal is wrong having regard to the application of this By-law or the AMF Code of Conduct;
  - ii. Where new evidence has become available;
  - iii. Where natural justice has been denied; or
  - iv. In respect of the penalty imposed.
- c. A notice of appeal must be made in writing and lodged with BV, within fourteen business days of receipt by the Appellant of the Tribunal's written decision. The notice of appeal must specify the grounds for the appeal.
- d. Where BV receives a notice of appeal, BV must convene an appeal tribunal for the purposes of hearing the appeal ('the Appeal Tribunal'). Any hearing of the appeal must be held within thirty days of the notice of appeal being received by BV unless circumstances do not permit.
- e. Any decision of the Tribunal that is appealed to the Appeal Tribunal will remain in effect while under appeal unless BV orders otherwise.
- f. The Appeal Tribunal must be appointed by BV for such time and for such purposes as BV thinks fit and must:
  - i. Be comprised of three persons independent of BV with appropriate skills and experience to hear the matter
  - ii. include at least one person who has considerable previous experience in the legal aspects of a disciplinary/hearings tribunal and dispute resolution, and

- iii. not include any members from the initial Tribunal.
  
- g. The hearing before the Appeal Tribunal is not a rehearing of the matter, but a hearing of the issue under appeal only.
  
- h. The Appeal Tribunal may conduct the appeal as it sees fit. However, any party to the appeal can be represented at and make written and oral submissions to the Appeal Tribunal subject to the discretion of the Appeal Tribunal.
  
- i. The Appeal Tribunal may, in its discretion:
  - i. Affirm the decision of the Tribunal and the penalty imposed
  - ii. Affirm the decision of the Tribunal but decide to impose an alternative penalty, or
  - iii. Revoke the decision of the Tribunal and the penalty imposed.
  
- j. The decision of the Appeal Tribunal shall be a majority decision and must be recorded in writing. The Appeal Tribunal's decision must be communicated to BV , the appellant and any other person affected by the decision as soon as practicable.
  
- k. The decision of Appeal Tribunal shall be final, non-reviewable, non-appealable and enforceable. No claim, arbitration, lawsuit or litigation concerning the dispute shall be brought in any other court or tribunal. Note: This provision does not prevent any law enforcement agency taking action.

## 8. Sanctions

- a. If a Relevant Person admits they engaged in Prohibited Conduct or there is a finding that a Relevant Person has engaged in conduct that is Prohibited Conduct under this By-law or the AMF Code of Conduct, , the Tribunal or the Appeal Tribunal, as the case may be, may order:
  - i. The Alleged Offender to be fined, and the amount of such fine;
  
  - ii. The Alleged Offender to be suspended from participating in any Competition or Event or other basketball activity;
  
  - iii. The Alleged Offender to be banned from attending or participating in any Competition or Event or other basketball activity;
  
  - iv. The Alleged Offender to be reprimanded for their involvement in the Prohibited Conduct;
  
  - v. The disqualification of results, including individual points and prizes, as well as team results;

- vi. The Alleged Offender to lose accreditation to continue their involvement in BV;
  - vii. The Alleged Offender to be ineligible, for life, from participating in any Competition or Event or from any other involvement in BV;
  - viii. The Alleged Offender to be counselled and/or required to complete a course of education related to responsible gambling and harm minimisation; or
  - ix. Subject to the terms and conditions of any contract between BV and the Relevant Person, have that contract terminated.
- b. Notwithstanding the provisions of clause 7(a), the Tribunal or the Appeal Tribunal may impose any other such penalty as they consider appropriate in their discretion.
- c. In addition to the penalties set out above, the Tribunal or the Appeal Tribunal may impose any combination of these penalties in their absolute discretion taking account of the gravity of the Prohibited Conduct.
- d. Further, the Tribunal or the Appeal Tribunal may, depending on the circumstances of the Prohibited Conduct, suspend the imposition of a penalty in their absolute discretion.
- e. All fines received pursuant to this By-law must be remitted to BV for use by BV for the development of integrity programs or as otherwise deemed appropriate by the Board.

## 9. Information Sharing

### 9.1 Information sharing

- a. BV may share personal information relating to an Alleged Offender with Betting Operators, law enforcement agencies, government agencies and/or other sporting organisations to prevent and investigate match-fixing incidents.
- b. In sharing information BV will remain bound by the legal obligations contained in the Privacy Act 1998 (Cth).

### 9.2 Monitoring by Betting Operators

- a. BV will work with Betting Operators to help ensure the ongoing integrity of the Competitions and Events played under the auspices of BV and Authorised Providers.
- b. Relevant Persons to whom this By-law applies must disclose information to BV of all their business interests, and connections with Betting Operators.

- c. Betting Operators will monitor and conduct regular audits of their databases and records to monitor the incidents of suspicious betting transactions (including single or multiple betting transactions or market fluctuations) that may indicate or tend to indicate that Relevant Persons have engaged in conduct that is Prohibited Conduct under this By-law.
- d. In order to enable the Betting Operators to conduct such audits, BV may, from time to time and subject to any terms and conditions imposed by BV (including in relation to confidentiality and privacy), provide to Betting Operators details of Relevant Persons for the purposes of assisting Betting Operators in detecting Prohibited Conduct.
- e. Betting Operators must provide BV 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 Relevant Persons have engaged in conduct that is Prohibited Conduct under this By-law.
- f. All requests for information or provision of information by BV or a Betting Operator 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 where information is already in the public domain other than as a result of a breach of this By-law, and all BV contracts agreements with Betting Operators must contain provisions to this effect.

### 9.3 Sponsorship

- a. BV acknowledges that betting is a legal activity, and recognises that Betting Operators may wish to enter commercial agreements to promote their business.
- b. BV may enter commercial agreements with Betting Operators from time to time, subject to any applicable legislative requirements.
- c. A Member Organisation or any Team may enter into a commercial agreement with a Betting Operator only with the written consent of BV. Such consent may be withheld at the discretion of BV and specifically where the proposed commercial agreement:
  - i. Conflicts with an existing commercial agreement held between BV and a Betting Operator(s), and/or
  - ii. Is with a Betting Operator with whom BV has not entered into an integrity agreement as required under the National By-law on Match-Fixing in Sport and recognised by the applicable state gambling regulator.
- d. Subject to clause 8.3(c) above, a Relevant Person shall not be permitted to:
  - i. Enter into any form of commercial agreement with a Betting Operator, or

- ii. Promote a Betting Operator, or
- iii. Have any form of commercial relationship with a Betting Operator; without the written consent of BV, which consent will not unreasonably be withheld taking into account all of the circumstances of the Relevant Person and the arrangement.

Example: a Coach employed in a hotel which operates a Pub Tab and the coach is expected as part of his duties to serve customers of the Pub Tab should expect to receive BV's consent.

## 10. Interpretations and Definitions

### 10.1 Interpretation

- a. Headings used in this By-law are for convenience only and shall not be deemed part of the substance of this By-law or to affect in any way the language of the provisions to which they refer.
- b. Words in the singular include the plural and vice versa.
- c. Reference to 'including' and similar words are not words of limitation.
- d. Words importing a gender include any other gender.
- e. A reference to a clause is a reference to a clause or subclause of this By-law.
- f. Where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.
- g. In the event any provision of this By-law is determined invalid or unenforceable, the remaining provisions shall not be affected. This By-law shall not fail because any part of this By-law is held invalid.
- h. Except as otherwise stated herein, failure to exercise or enforce any right conferred by this By-law shall not be deemed to be a waiver of any such right nor operate so as to bar the exercise or enforcement thereof or of any other right on any other occasion.

### 10.2 Definitions

In this By-law unless the context requires otherwise these words mean:

- a. Alleged Offender means a person accused of engaging in Prohibited Conduct under this By-law, prior to a determination by the Tribunal.
- b. Athlete means any person playing basketball in any competition or event organised by BV or its Leagues, Commissions or Affiliated Association.
- c. Authorised Providers means BV's Leagues, Commissions and Affiliated Associations, affiliates, or other organisations from time to time that conduct Events (for example the Australian Commonwealth Games Association or a private event management company operating an Event on behalf of BV).

- d. Betting Operator means any company or other undertaking that promotes, brokers, arranges or conducts any form of betting activity in relation to BV
- e. Board means the board of BV
- f. Coaches means any person any persons who coach in in any competition or event organised by BV or its Leagues, Commissions or Affiliated Association.
- g. Competition means a Basketball contest, event or activity measuring performance against an opponent, oneself or the environment either once off or as part of a series.
- h. Event means a one off Competition, or series of individual Competitions conducted by BV its Leagues, Commissions or Affiliated Associations an Authorised Provider (for example International Test Matches, National Championships, or domestic leagues)
- i. Gambling and Match-Fixing Education Program refers to the education program developed by BV for ensuring that Relevant Persons are aware of their obligations and the rules surrounding gambling and match-fixing in Basketball.
- j. Tribunal means the panel appointed by the Board to hear and determine allegations of Prohibited Conduct.
- k. Inside Information means any information relating to any Competition or Event that a Relevant Person possesses by virtue of his position within BV. Such information includes, but is not limited to, factual information regarding the competitors in the Competition or Event, 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.
- l. Leagues, Commissions and Affiliated Associations means those entities recognised by or under BV's constitution as its Leagues, Commissions and Affiliated Associations.
- m. Official means any person officiating in any competition or event organised by BV or its Leagues, Commissions or Affiliated Association.
- n. BV means BV Inc.
- o. Prohibited Conduct means conduct in breach of clause 3 of this By-law.
- p. Relevant Person means any of the persons identified in clause 2.2, or any other person involved in the organisation administration or promotion of Basketball, whose involvement in gambling would bring Basketball into disrepute.