



*Basketball Australia
Integrity Policy*

Date adopted by <i>BA Board</i>:	<i>23 August 2012</i>
Amended by <i>BA Board</i>:	25 March 2013
Date Amended <i>Integrity Policy</i> Effective:	25 March 2013

1. Jurisdiction

- 1.1 This policy is made by BA as a by-law under clause 21 of BA's Constitution and is binding on all Participants.
- 1.2 This policy may be amended from time to time.

2. Reading this policy

- 2.1 Headings used in this policy are for convenience only and shall not be deemed part of the substance of this policy or to affect in any way the language of the provisions to which they refer.
- 2.2 Words in the singular include the plural and vice versa.
- 2.3 A reference to "including" and similar words are not words of limitation.
- 2.4 A reference to a "national team" or "national squad" means any national team or squad endorsed by BA and includes junior and senior national teams.
- 2.5 Unless otherwise stated, the words used in this policy will have the same meaning as in BA's Constitution.
- 2.6 Definitions: In this policy unless the context requires otherwise:

2.6.1 **Administrator** includes any person BA determines to be an owner, director, employee, servant, agent, official, support staff, volunteer or other person (including medical staff, physiotherapists, trainers or other staff) who has any role in the administration or operation of a Club or BA.

2.6.2 **Basketball Game** means:

2.6.2.1 a basketball game or any series, season, competition or tournament comprising one or more basketball games and includes an aspect of, or event or occurrence within, a game; or

2.6.2.2 any related event or activity

in which a Participant participates (see clause 2.6.8).

2.6.3 **Club** means any NBL Club or WNBL Club and will also mean any SEABL, Wheelchair Basketball or Deaf Basketball Club when those organisations adopt this policy or become Member Organisations of BA.

2.6.4 **Coach** includes any coach (whether paid or volunteer) of a Club or a BA national basketball team.

2.6.5 **NBL** means National Basketball League.

2.6.6 **NBL Club** means a club granted the right to compete in the men's national basketball league competition conducted by BA.

2.6.7 **Official** includes any person who has a paid or volunteer position as a referee, scorer, statistician or other official of BA, the WNBL, the NBL or a Club.

2.6.8 **Participant** includes a Player, Club, Coach, Administrator and Official.

2.6.8.1 For the purposes of this policy:

- a) all NBL Players, Coaches, Administrators and Officials are deemed to participate in all NBL games;
- b) all WNBL Players, Coaches, Administrators and Officials are deemed to participate in all WNBL games;
- c) all national team squad members are deemed to participate in all national games (and any person listed on a national squad is deemed to be in that national squad from the time he or she is listed as part of the squad until the end of the calendar year); and
- d) all BA staff are deemed to participate in all Basketball Games controlled or conducted by BA or under the auspices of BA
- e) all Players, Coaches, Administrators and Officials of leagues and organisations who adopt this policy or become Member Organisations of BA.

2.6.9 **Player** means any person registered with or entitled to play for a Club or listed by BA as a member of a national team or national squad.

2.6.10 **WNBL** means the Womens National Basketball League.

2.6.11 **WNBL Club** means a club that is granted the right to compete in the women's national basketball league competition conducted by BA.

3. Prohibition on activities which adversely affect the reputation and integrity of basketball

3.1 Participants must behave at all times in a manner that upholds the highest standards of personal integrity and the integrity of the sport of basketball.

3.2 Participants must not and must not direct or arrange any other person to:

3.2.1 conduct themselves in any manner, or engage in any activity whether before, during or after a Basketball Game that would impair public confidence in the honest and orderly conduct of the Basketball Game or in the integrity and good character of basketball and its participants; or

3.2.2 engage in any conduct or activity (whether or not publicly known) which in the sole discretion of BA will or is likely to bring the Participant, BA

(including its agents and employees), a Club, the sport of basketball, any sponsor of BA or any sponsor of a Club into disrepute or censure (or will or is likely to do so were the conduct to be publicly known).

4. Disclosure of information to BA

4.1 Participants must:

4.1.1 promptly disclose to BA's Chief Executive Officer (or their delegate) that they:

4.1.1.1 have received an approach from another person to engage in conduct prohibited under this policy; or

4.1.1.2 know or reasonably suspect that any Participant has engaged in, or been approached to engage in, conduct that is prohibited under this policy; and

4.1.2 at all times provide honest, complete and accurate information to BA.

5. Education Programs

BA will develop and implement education programs and initiatives for the sport of basketball to assist Participants to be aware of their obligations in relation to maintaining the integrity of the sport of basketball. All Participants who are directed to attend education programs must do so.

6. Agreements with sports betting operators

6.1 BA may provide to sports betting operators (i.e. organisations which facilitate betting on basketball games or related events or activities) relevant personal information and betting records of Participants, notify them of suspicious betting activities and bring to their attention any information which may affect the integrity of basketball.

6.2 By participating in a Basketball Game, Participants authorise BA to share information with sports betting operators in the manner set out in paragraph 8.1 and acknowledge that the disclosure of relevant personal information is necessary and reasonable for the proper protection of the legitimate interests of BA, Participants and the basketball competitions conducted by or under the control of BA and to maintain the highest standards of integrity in the sport of basketball.

7. Powers to investigate, seek and share information

7.1 In considering or determining whether a Participant is in breach of this policy, BA's Chief Executive Officer (or their delegate) may:

7.1.1 inquire into and investigate any matter;

7.1.2 exercise any powers he/she deems appropriate in order to conduct any inquiry or investigation in any matter;

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- 7.1.3 require production of any documents, information or other items relating to an investigation which are in the possession or control of any Participant and take possession of or make copies of all such documents, information or other items;
 - 7.1.4 require access to the premises owned or occupied by any Club for the purposes of seeking or obtaining any documents, information or other items;
 - 7.1.5 request and obtain information or assistance from a sports betting operator, the police, a law enforcement agency, a government gambling regulator or any other relevant authority;
 - 7.1.6 exercise any powers conferred by BA's rules and regulations; and
 - 7.1.7 delegate any powers conferred by BA's rules and regulations or any powers set out under this policy.
- 7.2 BA's Chief Executive Officer (or their delegate) may, to the extent permitted by law:
- 7.2.1 provide any information obtained by exercising any of its powers in this policy; or
 - 7.2.2 refer any investigation conducted in accordance with this policy (including any information, report or findings),
- to the police, a law enforcement agency, a government gambling regulator or other relevant authority.

8. Breaches – power to impose penalties

- 8.1 BA's Chief Executive Officer (or their delegate) may determine all questions arising out of or in relation to a breach or potential breach of this policy or any action taken under paragraph 7.1 of this policy and may determine whether a Participant has breached this policy.
- 8.2 Where BA's Chief Executive Officer (or their delegate) has determined that a Participant has breached this policy, they (or their delegate) may impose any one or more of the following penalties:
 - 8.2.1 suspension;
 - 8.2.2 fine;
 - 8.2.3 imposition of suspended sentence;
 - 8.2.4 ban;
 - 8.2.5 reprimand;
 - 8.2.6 such other penalty as he/she determines to be appropriate; or
 - 8.2.7 any combination of these penalties.

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- 8.3 BA's Chief Executive Officer (or their delegate) may suspend any Participant from participating in any Basketball Game while they exercise any power set out in paragraph 9.1 of this policy. For the avoidance of doubt, this means that a Participant may be suspended prior to a final determination being made.
- 8.4 This policy sets out strict liability offences for breaches of sections **Error! Reference source not found.**3, 3, **Error! Reference source not found.**5 and 4 and no Participant shall be entitled to a hearing or any appeal from any decision made by BA under this policy unless BA determines a hearing or appeal is appropriate.
- 8.5 Participants must not comment publicly on any incident considered or any penalty imposed by BA's Chief Executive Officer under this policy unless such comment is first approved by BA.
- 8.6 BA may disclose relevant information (including any findings or sanctions imposed under this policy) to the public where it is reasonable to do so in the interests of the open administration of BA and maintaining the integrity of the sport of basketball.