



WBSC

WORLD
BASEBALL SOFTBALL
CONFEDERATION

Game Time!

BY-LAWS

Sports Betting

WBSC



WORLD
BASEBALL SOFTBALL
CONFEDERATION

BY-LAWS *regarding* **SPORTS BETTING**

Approved by the WBSC Executive Board on February 25, 2017.

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CHAPTER I – GENERAL ASSESSMENTS

ARTICLE 1. PREAMBLE

1.1 This draft refers to the Regulation drawn up by WBSC to regulate on Sports Betting and Corruption in WBSC competitions and sanctioned events.

1.2 Addressing sports betting and match-fixing is one of the top priorities of the International Olympic Committee to safeguard the Olympic Movement. The threat of such activities on the integrity of the results of sports competitions is said to be greater than that of doping, where many controls are already in place. A current assessment suggests little-to-no risk concerning betting on/fixing of WBSC competitions; nonetheless, it is being strongly recommended by the International Olympic Committee to all International Federations and components of the Olympic Movement to have regulations in place.

1.3 As online betting becomes more widely-used and as WBSC competitions draw more attention, there will be a need to develop advanced methods to identify any irregular bets and/or match-fixing. Should the need arise and the threat grow, as determined by the WBSC Executive Board or as indicated by the Olympic Movement, a “Corruption in Sport Monitoring Centre” could be established in the future to police betting activities. It is not required at this stage.

ARTICLE 2. DEFINITIONS

2.1 “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.

2.2 “Competition” means any WBSC World Cup or WBSC Sanctioned Event.

2.3 “Inside Information” means any information relating to any participant to the WBSC World Cups or WBSC Sanctioned Events that a person possesses by virtue of his or her position in relation to these competitions, 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 competition.

2.4 “Participant” means any natural or legal person belonging to one of the following categories:

2.4.1 “Athlete” means any person or group of persons competing in any WBSC World Cup or WBSC Sanctioned Event.

2.4.2 “Athlete Support Personnel” means any coach, trainer, manager, agent, team staff, team official, medical or paramedical personnel working with or treating athletes participating in or preparing for any WBSC World Cup or WBSC Sanctioned Event.

2.4.3 “Official” means any person who is the owner of, a shareholder in, an executive or a staff member of the entities which organise and/or promote any WBSC World Cup or WBSC Sanctioned Event. Officials are also tournament officials (Technical Commissioners, Umpires, Scorers, Jury of Appeal) and any other accredited persons.

2.5 "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 any WBSC World Cup or WBSC Sanctioned Event.

ARTICLE 3. VIOLATIONS

The following articles describe conducts that constitute a violation of this By-Law.

3.1 Betting in relation either:

3.1.1 To a Competition in which the Participant is directly participating; or

3.1.2 To the Participant's sport; or

3.1.3 To any event of a multisport Competition in which he or her is a participant.

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 Competition in order to remove all or part of the unpredictable nature of this Competition with a view to obtaining an undue Benefit for oneself or for others.

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.

3.4 Inside information:

3.4.1 Using Inside Information for the purposes of Betting, any form of manipulation of the 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:

3.5.1 Failing to report to the WBSC 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 these Rules.

3.5.2 Failing to report to the WBSC at the first available opportunity, full details of any incident, fact or matter that comes to the attention of the Participant including approaches or invitations that have been received by another Participant to engage in conduct that could amount to a violation of these Rules.

3.6 Failure to cooperate:

3.6.1 Failing to cooperate with any inquiry or investigation carried out by the IOC in relation to a possible breach of these Rules, including, without limitation, failing to provide accurately, completely and without undue delay any information and/or documentation and/or assistance requested by the IOC as part of such investigation.

3.6.2 Obstructing or delaying any inquiry or investigation that may be carried out by the IOC in relation to a possible violation of these Rules, including, without limitation, concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation.

ARTICLE 4. APPLICATION OF THE RULES

The following articles describe the application of Articles 3.1 to 3.6 regarding conducts that may constitute a violation to this By-Law.

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

- a. Whether or not the Participant is participating in the Competition concerned;
- b. Whether or not the outcome of the Competition on which the Bet was made or intended to be made;
- c. Whether or not any Benefit was actually given or received;
- d. The nature or outcome of the Bet;
- e. Whether or not the Participant's effort or performance in the Competition concerned were (or could be expected to be) affected by the acts or omission in question;
- f. Whether or not the result of the Competition concerned was (or could be expected to be) affected by the acts or omission in question;
- g. Whether or not the manipulation included a violation of a technical rule of the IF concerned;
- h. Whether or not the Competition was attended by an official representative of the Sports Organisation.

4.2 Any form of aid, abetment or attempt by a Participant that could culminate in a violation of these Rules 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.

CHAPTER II – WBSC ACTIONS AGAINST ILLEGAL BETTING

ARTICLE 5. PROHIBITION AND REPORTING

The WBSC Executive Board establishes the following articles:

5.1 Prohibition of Gambling on WBSC Events: no person associated with the WBSC or its events (e.g., Umpires, Technical Commissioners, WBSC Executive Board and Committees, Commissions, staff, NF officials and representatives, personnel or athletes, and the like (hereinafter collectively known as the “Associate/s”)) may be allowed to:

5.1.1 Knowingly provide information to individuals involved or participate in any type of gambling activity (organised or otherwise) concerning WBSC competitions or sanctioned events (hereinafter collectively known as the “Competition/s”);

5.1.2 Solicit or accept a bet on any Competition for any item (e.g., cash, shirt, memorabilia, etc.) that has tangible value;

5.1.3 Engage in any activity to pre-determine the outcome of a Competition (“game-fixing”) or any event that transpires during Competition (e.g., first team to score).

5.2 Obligations to report on Gambling violations and/or suspicious activity on WBSC Events:

5.2.1 Any Associate must report (“whistle-blow”) to WBSC on any party/ies in violation of 3.1, or where there is probable cause to believe a breach of 3.1 has occurred. All reports will be made under the guarantee of confidentiality.

5.2.2 Any Associate must report any attempted approach by a third-party to WBSC and is obligated to declare any suspicions about third parties.

CHAPTER III – DISCIPLINARY PROCEDURE

ARTICLE 6. INVESTIGATION

6.1 The Participant who is alleged to have committed a violation of this Code must be informed of the alleged violations that have been committed, details of the alleged acts and/or omissions, and the range of possible sanctions.

6.2 Upon request by the competent Sports Organisation, the concerned Participant must provide any information which the Organisation considers may be relevant to investigate the alleged violation, including records relating to the alleged violation (such as betting account numbers and information, itemised telephone bills, bank statements, internet service records, computers, hard drives and other electronic information storage devices), and/or a statement setting out the relevant facts and circumstances around the alleged violation.

ARTICLE 7. RIGHTS OF THE CONCERNED PERSON

In all procedures linked to violations of the present By-Law, the following rights must be respected:

7.1 The right to be informed of the charges; and

7.2 The right to a fair, timely and impartial hearing either by appearing personally in front of the competent Sports Organisation and/or submitting a defence in writing; and

7.3 The right to be accompanied and/or represented.

ARTICLE 8. BURDEN AND STANDARD OF PROOF

8.1 The Sports Organisation shall have the burden of establishing that a violation has been committed. The standard of proof in all matters under this By-Law shall be the balance of probabilities, a standard that implies that on the preponderance of the evidence it is more likely than not that a breach of this By-Law has occurred.

ARTICLE 9. CONFIDENTIALITY

9.1 The principle of confidentiality must be strictly respected by the Sports Organisation during all the procedure; information should only be exchanged with entities on a need to know basis. Confidentiality must also be strictly respected by any person concerned by the procedure until there is public disclosure of the case.

9.2 Anonymity of the person making a report must be respected. Anonymous reporting must also be facilitated.

ARTICLE 10. APPEAL

10.1 The Sports Organisation shall have an appropriate appeal framework within their organisation or recourse to an external arbitration mechanism (such as a court of arbitration) – notice By-Law regarding Disciplinary Rules.

10.2 The general procedure of the appeal framework shall include provisions such as, but not limited to, the time limit for filing an appeal and the notification procedure for the appeal – notice By-Law regarding Disciplinary Rules.

CHAPTER IV – WBSC SANCTIONS

The most severe sanctions will be applied as per the By-Law Disciplinary Rules and the laws of the territory of concern. The following articles shall be taken into consideration.

ARTICLE 11. PROVISIONAL MEASURES

11.1 The Sports Organisation may impose provisional measures, including a provisional suspension, on the participant where there is a particular risk to the reputation of the sport, while ensuring respect for Articles 6 to 9 of this By-Law.

11.2 Where a provisional measure is imposed, this shall be taken into consideration in the determination of any sanction which may ultimately be imposed.

ARTICLE 12. SANCTIONS

12.1 Where it is determined that a violation has been committed, the competent Sports Organisation 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.

12.2 When determining the appropriate sanctions applicable, the Sports Organisation 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.

12.3 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 By-Law.

ARTICLE 13. MUTUAL RECOGNITION

13.1 Subject to the right of appeal, any decision in compliance with this By-Law by a Sports Organisation must be recognised and respected by all other Sports Organisations.

13.2 All Sports Organisations must recognise and respect the decision(s) made by any other sporting body or court of competent jurisdiction which is not a Sports Organisation as defined under this By-Law.