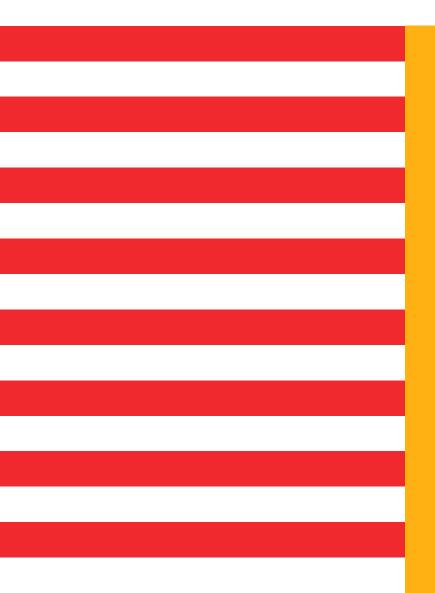


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# GUIDELINES FOR THE SANCTIONING OF COMPETITION MANIPULATION BY SPORTS ORGANISATIONS



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### 1. INTRODUCTION AND OBJECTIVES

<u>Article 5</u> – The sanctioning sections of the Olympic Movement Code on the Prevention of the Manipulation of Competitions (OM Code PMC) provide that:

- 5.1 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.
- 5.2 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.
- 5.3 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 Code.

These Guidelines have been drafted by the Olympic Movement Unit on the Prevention of the Manipulation of Sport Competitions (OM Unit PMC) to assist sports organisations, and specifically their disciplinary bodies, in decisions regarding the sanctioning of violations under the Olympic Movement Code on the Prevention of the Manipulation of Competitions, adopted in 2015 and updated in 20221. The recommended sanctions outlined in these Guidelines are in no way intended to impose a mandatory standardisation of sanctions but rather to guide the judicial/disciplinary bodies of International Sports Federations (IFs), multi-sport event organisers and National Sports Federations (NFs), National Olympic Committees and other sports bodies in establishing consistent, proportionate and fair sanctions while recognising the diversity of legal systems and approaches amongst sports organisations globally.

These Guidelines were initially created in 2019, and a revised version has been published in 2025, following the review of the OM Code PMC in 2022. The Legal Working Group of the OM Unit PMC, composed of a wide range of legal experts from the Olympic Movement and beyond, has supported the Unit with the review of this document.

Even though the principal aims of this document are to ensure the consistency and proportionality of sanctions related to competition manipulation and betting, systematic, intentional and flagrant exploitation of sports and betting regulations and systems must be appropriately sanctioned by disciplinary bodies and may thus require harsher sanctions than those presented below. Furthermore, mutual recognition of sanctions imposed by different organisations within the same sport and across different sports is encouraged, as well as those imposed by criminal courts<sup>2</sup>. Participants banned from one competition, sport or jurisdiction should not be able to evade sanctions by simply changing to another competition, sport, role within the sport or jurisdiction.

It must be noted that this document concerns disciplinary sanctions, imposed after a violation of sports rules, in line with the OM Code PMC. It must be underlined that criminal sanctions might also be imposed by a criminal court following a parallel violation of criminal law<sup>3</sup>.

When there is a potential case of competition manipulation-related offence, disciplinary competence lies with the following sports organisations:

- In principle, the IOC has direct jurisdiction over cases arising during the Olympic Games and Olympic qualifiers<sup>4</sup>. As per the IOC rules of procedure, a decision by the IOC Disciplinary Commission does not prevent the relevant organisations from applying their own rules and regulations, including their own measures and/or sanctions.
- In principle, IFs have jurisdiction over their events (e.g. World Championships, world series, etc.).
- In principle, NFs have jurisdiction over competitions under their responsibility (e.g. national championships).
- In principle<sup>5</sup>, multi-sport event organisers have direct jurisdiction over their events. At the same time, their decisions should normally not prevent relevant organisations from applying their own rules and regulations, including their own measures and/or sanctions.

<sup>2</sup> As per Art. 6 of the OM Code PMC.

<sup>3</sup> Legal Approaches to Tackling the Manipulation of Sports Competitions: A Resource Guide.

<sup>4</sup> The IOC will be directly competent when accredited participants are involved. However, in cases involving Olympic events but where no accredited persons are involved, the IOC might direct the competence to the IC in question.

<sup>5</sup> If the qualifier is part of an IF competition (e.g. World Championships) or a continental event, such competence will lie with the IF or multi-sport event organiser respectively.

# 2. PROCEDURE FOR DEVELOPING THESE GUIDELINES AND FACTORS AFFECTING SANCTIONING

In order to develop these Guidelines, a comprehensive overview of competition manipulation cases in recent years across different sports was undertaken, and a database of open-source media articles (predominantly in English) reporting sanctioning of competition manipulation compiled, including decisions by the Court of Arbitration for Sport (CAS). Experience in dealing with such cases has been considered.

Although average sanctions are certainly taken into account, the recommendations focus on proposing consistent, proportionate and fair sanctions that could be applied to Code violations.

It is underlined that each case has to be considered on its own merits, taking into account all relevant factors and circumstances, which means that this document can be seen only as an indicative reference. Judicial/disciplinary bodies should be conscious of the different cultural, structural and administrative factors that may affect sanctioning, while recognising their role in establishing proportionate and consistent sanctions.

The revised version adopted in 2025 involved the consultative support of the OM Unit PMC's Legal Working Group.

It is stressed that this document should be referred to once a disciplinary body is at the stage of imposing a sanction after having established the facts of the breach, based on the applicable standard of proof (balance of probabilities or comfortable satisfaction).

#### The document is structured as follows:

The document starts with general matters to be taken into account, citing some indicative general mitigating or aggravating factors and some generic indicative classification of the level of culpability.

The document then analyses each of the breaches covered by the OM Code PMC, analysing what needs to be taken into account by the respective disciplinary body and proposing a sanction accordingly.

Finally, some specific matters related to fines and additional breaches are explored further.



### 3. MITIGATING AND AGGRAVATING FACTORS AFFECTING SANCTIONING

Before determining a final sanction, <u>several mitigating</u> or <u>aggravating factors</u> may be taken into consideration, including:

### **Mitigating Factors**

If the seriousness and number of provisions that the Participant has breached is minimal;

Limited or no planning, intention and effort invested when committing the violation;

Low degree of culpability;

Participant displayed genuine remorse;

Timely admission of guilt by the Participant, especially when done voluntarily<sup>6</sup>;

Substantial assistance and cooperation provided by the Participant during the investigation and willingness to cooperate in future education programmes;

No previous offences committed/disciplinary record;

Context and motivations, including personal relationships, financial situation, medical conditions and other specific personal circumstances that could negatively impact the Participant;

The violation not affecting or having the potential to affect the course or result of a competition and the overall integrity of the competition;

The Participant was forced, blackmailed or otherwise coerced;

No/limited number and size (i.e. value) of bets;

### **Aggravating Factors**

The seriousness and number of provisions that the Participant has breached is maximal;

Planning, intention and extent of effort invested when committing the violation;

Prior participation in educational modules on PMC (this would underscore the wilful nature of the conduct given that the individual was exposed to the rules);

Offence has been committed despite the Participant in question having taken part in awareness-raising activities/programmes;

Refusal to take part/not participating in training or educational modules prior to the violation;

No admission of guilt by the Participant;

High degree of culpability;

Previous offences committed/disciplinary record;

Proof that manipulation/breach was part of a larger operation with links to organised crime;

The violation affecting or having the potential to affect the course or result of a competition and the overall integrity of the competition;

Number and/or size (i.e. value) of bets;



Youth or inexperience of the Participant e.g. if the Participant is young, she/he may have had limited awareness of the rules; type and amount of information that was reported;

Any mental condition under certain circumstances, especially if the understanding of wrongdoing is limited;

Special circumstances, e.g. having a gambling addiction or desperate financial situation as a result of not being paid by their team, suffering a situation of abuse (e.g. abuse of power, psychological abuse, grooming, etc.), etc.;

Proven absence of proper tools to report/awareness -raising tools.

Whether the Participant knowingly bet with an unregulated bookmaker/a bookmaker with no possibility to share account-based information/a bookmaker who has no regulatory requirement to report the Participant's betting activity to the relevant sports organisation;

Seniority or experience of the Participant e.g. if the Participant is experienced and has competed at the top level of their sport for a long time, it can be presumed that they should have been aware of the rules;

Type and amount of information that should have been reported or was intentionally concealed or destroyed during the investigation.

### 4. **CULPABILITY LEVEL**

Before determining a final sanction, the competent disciplinary body will also have to check the culpability of the sportsperson<sup>7</sup>. The level of culpability also plays a role when it comes to determining the sanction.

The table below provides an indicative classification of the level of culpability:

### High level of culpability

High degree of planning or premeditation Initiating or leading others to commit offences

Multiple offences over a protracted period

Sportspersons with a position of responsibility, whose misconduct would fundamentally undermine the trust placed in them by others and the sport, and the public's trust in sport<sup>8</sup>.

### Medium level of culpability

Some planning or premeditation Acting in concert with others Several previous offences

#### Low level of culpability

Little or no planning

Single offence

Acting alone

Perhaps involved through coercion, intimidation, exploitation or naivety

<sup>7</sup> For the purposes of this document, sportsperson refers to participants who are covered by the applicable rules.

<sup>8</sup> This could include, depending on the specific circumstances: senior referees or chair umpires, presidents/secretaries general, and high-level officials of clubs/federations. An example can be found in the ruling of the Gymnastics Ethics Foundation "GEF - Gymnastics Ethics Foundation v. Ms. Evangelia Trikomiti and European Gymnastics" - para. 101 - which stated that a position of responsibility should grant neutrality and unbiased judging, serving as an example for all the judges in Europe. By manipulating the scores in favour of a gymnast, the defendant showed a lack of sportsmanship and severe unfairness. These aggravating circumstances were considered in the sanction.

# 5. SANCTIONING OF OFFENCES IN THE OLYMPIC MOVEMENT CODE ON THE PREVENTION OF THE MANIPULATION OF COMPETITIONS

The sanctions imposed by sports organisations in relation to competition manipulation mainly consist of:

- · warnings and reprimands
- bans (periods of ineligibility) e.g. ineligibility to participate in an official capacity or compete as an athlete,
- fines and return of prize money,
- · forfeiture of sporting achievements,
- · disqualification of results or relegation,
- completion of education programmes as identified by the relevant organisation.

Under <u>Article 4</u> of the OM Code PMC, provisional measures may be imposed, including a provisional suspension.

It should also to be noted that cases often include several violations of the rules. This is why any judicial/disciplinary body should always carry out an assessment when examining the facts of a potential breach on whether any additional breaches might lie behind those facts.

These Guidelines recognise the balance that each sports organisation must strike through the adoption of a more codified (civil law) or precedent (common law) approach to ensure proportionate sanctions in all cases. Whether violations and the sanctions for each violation are dealt with separately, or whether sanctions can be accumulated or a global sanction is applied, is up to each organisation to determine.

Furthermore, depending on the circumstances, it must be recognised that the consequences and implications of the sanction on the Participant may vary greatly. For this reason, the following indicative considerations could be taken into account:

- a ban may end a career for an older Participant who has enjoyed "a full career", or for a referee who typically has a longer career span than an athlete, but may result in a younger Participant losing her/his "best years";
- a life ban combined with a fine may in fact exempt the Participant from having to pay the fine as they will no longer be under the jurisdiction of the sports organisation.

9 On no account should this be perceived as lenience towards offenders with high culpability.

### 6. SPECIFIC OFFENCES BASED ON THE OM CODE PMC

Following the general analysis above, the current section seeks to provide concrete elements that need to be considered in relation to each of the breaches of the Code in question, together with a sanction proposal. For each breach, a subsection is included covering factors to be considered by the disciplinary body. These specific factors are relevant when also considering mitigating or aggravating factors.

It is underlined that, in the tables below, the points included are only indicative. In terms of the indicative sanctions proposed, the competent disciplinary body has the discretion to impose cumulatively more than one sanction (e.g. a suspension and a fine)

and/or a supplementary sanction, such as participation in awareness-raising activities<sup>10</sup>. The aim is to support disciplinary bodies with their evaluation of the situation and give some direction towards an appropriate sanction. It must be stressed that each case must be evaluated on its own merits based on the specific facts, elements, culpability level, etc.

10 If the sanction is a life ban, the CAS generally considers that the fact of adding a fine to it makes the whole sanction disproportionate because the ban already has a financial effect by affecting the future earnings of the sportsperson, while also considering that, where integrity was sought to be protected, harming individual privacy and a sportsperson's development was justified, Köllerer at paras 70-73 and Savic at paras 8.33(vii), 8.34, 8.36-8.38 and 9.3. See also M. Diaconu, S. Kuwelkar, A. Kuhn, The Court of Arbitration for Sport Jurisprudence on Match-fixing: A Legal Update, International Sports Law Journal (2021) 21: 27-46.



### 6.1. Betting

<u>Article 2.1</u> of the OM Code PMC provides that betting is considered an offence in relation either:

- a. To the Participant's sport; or
- b. To any event of a multisport Competition in which he/she is accredited to participate.

<u>Article 1.4</u> of the OM Code PMC defines "Participants" as any natural or legal person belonging to one of the following categories:

- a. "athlete" means any person or group of persons, competing or accredited to compete in sport competitions;
- b. "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 competitions, and all other persons working with the athletes;
- c. "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 competitions, as well as referees, jury members and any other accredited persons. The term also covers the executives and staff of the Sports Organisation or club that recognises the competition.

# Matters the Disciplinary Body needs to explore and clarify:

- Exclude possibility of nefarious intention and competition manipulation/corrupt conduct
- Explore whether the bet has been on sportsperson's sport/competition<sup>11</sup>
- Explore the amount of money lost or gained via the activity
- 11 Normally Participants betting against themselves or actions on the field of play that the Participants are directly participating in are considered aggravating factors, as the relationship between the bets placed and the action on the field of play are intimately linked and can drastically impact the integrity of the competition. As explained in section 7.2 below, the Participant may directly affect and hence manipulate the outcome or the course of the competition in the knowledge that there is betting on that action. In such a case, it must be carefully investigated and assessed whether the offence involves only betting or also manipulation of the competition and the use of inside information. However, betting and competition manipulation should be considered separate offences, and the disciplinary body should always be clear for which offence a given sanction is imposed.

- Explore whether this was just a recreational bet (in general number and size of bets together with their outcome)
- Explore the volumes bet in relation to the receipt of support/a scholarship by the sportsperson in question, specifically whether it is indicated that part of the scholarship/support received has been used for betting
- Explore whether the sportsperson had been educated on competition manipulation and whether there is credible possibility that the sportsperson has ignored the rules on the prohibition of betting
- Explore whether the bet has been made based on inside knowledge/information by the sportsperson
- Explore whether there is any certified gambling addiction<sup>12</sup>
- Explore the amount of money lost or gained via the activity
- Explore whether this was just a recreational bet<sup>13</sup> (in general number and size of bets together with their outcome)
- Explore the volumes bet in relation to the receipt of support/a scholarship by the sportsperson in question, specifically whether it is indicated that part of the scholarship/support received has been used for betting
- Explore whether the sportsperson had been educated on competition manipulation and whether there is credible possibility that the sportsperson has ignored the rules on the prohibition of betting
- Explore whether the bet has been made based on inside knowledge/information by the sportsperson
- Explore whether there is any certified gambling addiction<sup>14</sup>.

<sup>12</sup> For a bet on the sportsperson's own sport, the proximity between the athlete and the competition can also be taken into account by the disciplinary body. Different continent > same continent> same country>same league>same club.

<sup>13</sup> A recreational bet could be considered within this context as a bet that is minimal in terms of the amount wagered and shows no full understanding of the betting business and does not appear to be a require bebt.

<sup>14</sup> Such a situation does not necessarily need to be certified by a professional, although such a certification would obviously constitute stronger evidence.



The aggravating and mitigating circumstances will be also defined in this process.

Subject of the Offence	Taking into account	Recommended sanction
Athlete	<ul> <li>First offence</li> <li>Low level of culpability</li> <li>No nefarious intention</li> <li>No betting on their competition</li> <li>Insignificant amount placed/no significant amount won</li> <li>Bet on own sport in the wider sense (e.g. diver having placed a bet on swimming), especially in cases where there has been no possibility of having any inside information.</li> </ul>	<ul> <li>Warning</li> <li>Consider involving the athlete in awareness-raising activities</li> </ul>
	<ul> <li>No previous violations</li> <li>Medium level of culpability</li> <li>Significant amount bet<sup>15</sup></li> <li>Potential receipt of considerable funding and financial support by athlete</li> </ul>	<ul> <li>Ban: 0-6 months</li> <li>Potential fine (fine can depend on the amount placed or can take the form of temporary suspension of financial support)</li> <li>Consider involving the athlete in awareness-raising activities and providing support in the case of addiction</li> </ul>
	<ul> <li>Repeated offences after warning</li> <li>High level of culpability</li> <li>Significant amounts placed despite financial support received and awareness-raising activities</li> <li>Betting on their own competition/league<sup>16</sup></li> <li>The bet was made based on the receipt of inside information</li> </ul>	

of the sport

Significant, material impact on the reputation and/or integrity

Relatively high value of illicit gain

<sup>15</sup> Indicative amounts have deliberately not been included here, as "significant amount" can be different for every sportsperson in question: it is up to the disciplinary body to define, based on the

circumstances, whether the amount is really significant or not.

16 For information: It has been contemplated (also a ruling of the FIBA Disciplinary Body) that a bet placed by an individual against their own team or own performance will normally meet the threshold of at least a minor manipulation violation. Indeed, even if some players claim that they did it so as to win either way (in either sporting or financial terms and to have less of a sour taste in case of defeat) and that it did not affect their performance, this at the very least places them in a major conflict of interest position where their performance could be influenced, even unconsciously. By betting against themselves, the sportsperson knows and accepts that it may influence their performance, even if this does not actually happen.



Subject of the Offence	Taking into account	Recommended sanction
Coach/official or referee or support personnel	<ul> <li>First offence</li> <li>Low level of culpability</li> <li>Recreational bet/no nefarious intention</li> </ul>	<ul> <li>Warning or ban of 0-6 months depending on circumstances (but offence considered more serious compared to that by the athlete)</li> </ul>
	<ul> <li>No betting on their own competition/league</li> </ul>	<ul> <li>Potential fine (this depends on amount bet and the level of salary/remuneration)</li> </ul>
		<ul> <li>Also consider requiring participation in awareness-raising activities</li> </ul>
	<ul> <li>Not first offence</li> <li>Medium or high level of culpability</li> <li>Betting on their own competition or league</li> <li>Large amount placed</li> <li>Winning bet based on inside information/no nefarious intention</li> <li>Holding a position of trust/responsibility within the sport</li> <li>Significant, material impact on the reputation and/or integrity of the sport</li> </ul>	<ul> <li>Ban of 6 months-2 years months depending on circumstances</li> <li>Substantial fine (this depends on amount bet and the level of salary/remuneration)</li> <li>Consider also requiring participation in awareness-raising activities</li> <li>Consider support in the event of risk of addiction</li> </ul>

#### **Additional Points:**

- Payment of unauthorised betting (bets placed in breach of relevant rules) winnings in addition to the fine (notably for cases where the fine is insufficient on its own to reflect the level of unauthorised winnings) could be also considered.
- Regardless of the sanction imposed, sports organisations are encouraged to direct affected individuals to gambling addiction support services in their country.

If you have doubts, please, contact the OM Unit PMC at: <a href="mailto:omunitpmc@olympic.org">omunitpmc@olympic.org</a>.



# **6.2.** Manipulation of Sports Competitions and Corrupt Conduct

Article 2.2 of the OM Code PMC provides that manipulation is considered an offence and is defined as:

- a. Intentional arrangement,
  - 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 and/or for others.
- b. Corrupt conduct,

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

Competition manipulation can be purely sports related (involving only a sporting advantage as the "benefit") or betting or other financial interest related. Sports-related manipulation means manipulation for the sake of competitive advantage, e.g. by underperforming in the early stages of a tournament, a Participant or a team may be attempting to get an easier opponent in the later stages of the tournament. The disciplinary body should always be clear on what constitutes manipulation and what distinguishes it from the sports strategy and tactics<sup>17</sup>.

Betting-related manipulation implies that the aim of the manipulation is to is to win a bet placed by the Participant or known to the Participant. Manipulation related to the outcome of the competition is often referred to as "match-fixing" whereas manipulation related to a specific aspect of a game unrelated to the final result, e.g. which player will score first, is termed "spot-fixing". Both forms of betting-related manipulation are harmful to the integrity of sport and are equally punishable.

# Matters the Disciplinary Body needs to explore and clarify:

- Explore what kinds of benefits are involved.
   When exploring sporting-related manipulation, exclude possibility of any financial/betting-related advantage.
- When exploring a sports-related incident, consider whether the bet had been planned in advance<sup>18</sup>, and whether it took a form that was disrespectful to the sport, the fans and the opponents.
- For financial or betting-related incidents, explore the intent, the pre-planning, the amount and size of bets<sup>19</sup>, the type and amount of benefits<sup>20</sup>, possibility of persuasion or coercion<sup>21</sup>, whether the manipulation is a result of a threat, and the consequences for the overall integrity of the competition<sup>22</sup>.
- Whether the sportsperson in question initiated or executed the fixing.
- Number of competitions fixed and amounts won.

<sup>17</sup> As outlined in the Guidelines on the Implementation of the OM Unit PMC, this rule should not apply in situations where the action of the participant(s) is not with the intent of obtaining a "Benefit". For example, a sport strategy decision, such as conserving energy for subsequent competitions, should not be considered a rule violation. Competition manipulation, as per article 2.2. requires "an intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a competition", which means that an act of underperformance by the active participants in a competition would be required.

<sup>18</sup> Planning and intention: In any given case, the efforts to manipulate should be examined, including whether the Participant has attempted this once or repeatedly over an extended period. The planning of manipulation efforts, whether the Participant was operating alone or actively engaging others, will be a mitigating or aggravating factor in proving the "intention" of the Participant.

<sup>19</sup> Number and size of bets: The number and size of bets placed by the Participant may reflect the intention of betting-related manipulation. However, the Participant may also be bribed by third parties, without knowledge of the number and size of bets placed on the betting market by the third

<sup>20</sup> Benefits: The type and amount of benefits involved may constitute a relevant factor in order to obtain an undue advantage through corrupt conduct.

<sup>21</sup> Persuasion and coercion: As in the case of betting, the personal and situational circumstances will make a difference in the final sanction, including whether other Participants or third parties (including criminal syndicates) are persuading or coercing the Participant, or whether there has been persuasion or coercion by other Participants to become involved.

<sup>22</sup> Consequences for the overall integrity of the competition: The stage of a race, tournament, league or other event will affect the overall integrity of the competition, i.e. events determining qualification, promotion or relegation are significantly more important than "dead rubber" games (those with limited sporting consequences), yet the risk of manipulation is often greater in the dead rubber games and thus needs to be taken into consideration when determining the final sanction. Consequences need to be assessed in their entirety on a case-by-case basis.



### Sports-related competition manipulation

Subject of the Offence	Taking into account	Recommended sanction
Athlete	First offence	Serious warning
	<ul> <li>Low level of culpability</li> </ul>	Ban: 0-12 months
	<ul> <li>Insignificant sporting advantage with no clear/direct financial</li> </ul>	<ul> <li>Fine (depending on amount obtained, monthly salary, etc.)</li> </ul>
	implications	<ul> <li>Consider involving the athlete in awareness-raising activities</li> </ul>
	Not first offence	Ban: 3 months - 2 years
	Medium or high level of culpability  Took part in avverages raising.	<ul> <li>Potential fine (fine or temporary suspension of financial support)</li> </ul>
	<ul> <li>Took part in awareness-raising activities prior to the offence</li> </ul>	Consider involving the athlete in
	<ul> <li>Potential receipt of considerable funding and financial support by athlete</li> </ul>	awareness-raising activities.
	Repeated offences after warning	• 1 - 2 years
	High level of culpability	Substantial fine or temporary
	<ul> <li>Offence committed in a manner substantially disrespectful to sport and fans</li> </ul>	suspension of any financial support or salary
	<ul> <li>Active effort to engage other sportspersons or even corrupt officials or sportspersons</li> </ul>	
Coach or referee or	First offence	Ban 3-6 months
support personnel	Low level of culpability	<ul> <li>Fine (this depends on level of salary/remuneration)</li> </ul>
Normally such an offence by a coach/official/support personnel is considered more serious as it involves the engagement of		<ul> <li>Consider also requiring participation in awareness- raising activities</li> </ul>
sportspersons in such practices.	Not first offence	Ban 1 - 2 years depending
	Medium or high level of culpability	on circumstances
	<ul> <li>Continuous effort to engage sport- spersons in such practices</li> </ul>	<ul> <li>Substantial fine (this depends on level of salary/remuneration)</li> </ul>

Consider also requiring participation in awareness-

raising activities



### Betting or financial-related competition manipulation

Subject of the Offence	Taking into account	Recommended sanction
Athlete	<ul> <li>First offence</li> <li>Low level of culpability</li> <li>Insignificant financial/betting gain</li> <li>Sportsperson alone involved, without significant pre-planning or engaging/corrupting other players (also possibility of a third-party threat)</li> </ul>	<ul> <li>Serious warning<sup>23</sup></li> <li>Ban: 1-2 years</li> <li>Fine (depending on monthly salary and financial gain)</li> <li>Consider involving the athlete in awareness-raising activities</li> </ul>
	<ul> <li>Not first offence/ multiple offences</li> <li>Medium or high level of culpability</li> <li>Significant financial gain</li> <li>Took part in awareness-raising activities prior to the offence</li> <li>Potential receipt of considerable funding/grants and financial support by athlete</li> <li>Potential effort to corrupt or attempt to corrupt an opponent or teammate</li> <li>Impact on overall integrity of a competition</li> <li>Pre-planning, engaging and corrupting other sportspersons/ cooperation with organised criminals</li> </ul>	<ul> <li>Ban: 2-5 years</li> <li>Substantial fine (fine or temporary suspension of financial support)</li> <li>Consider involving the athlete in awareness-raising activities (if genuinely repentant)</li> </ul>
	<ul> <li>Repeated offences after warning</li> <li>Substantial breach (e.g. corrupting others/ deliberately working with criminals)</li> <li>High level of culpability</li> <li>Active effort to engage other sportspersons or even corrupt officials or sportspersons</li> <li>Cooperation with organised criminals</li> <li>Significant impact on overall integrity of competition and</li> </ul>	<ul> <li>4 years – life ban</li> <li>Substantial fine</li> </ul>

<sup>23</sup> A serious warning should definitely not be the rule for the offence of betting/financial-related competition manipulation. A serious warning could however be an acceptable sanction in situations of undeniable proof that the sportsperson was threatened seriously before accepting anything or when the subject of the offence might have been a minor or in situations where the level of culpability is significantly low.

credibility of sport



#### Subject of the Offence Taking into account **Recommended sanction** Coach or referee or First offence Ban 1-3 years support personnel Low level of culpability Fine (this depends on level of salary/remuneration) Executed alone without participation in pre-planning Consider also requiring Normally such an offence participation in awarenessor without engaging/ by a coach/official/support corrupting sportspersons raising activities (if genuinely personnel is considered more repentant) serious, as it involves the engagement of sportspersons in such practices. Ban 5 years - life ban Multiple offences Substantial fine Medium or high level of culpability Continuous effort to engage sportspersons in such practices Cooperation with organised criminals Significant impact on integrity of overall competition and credibility of sport<sup>24</sup>

Holding a position of trust/ responsibility within the sport



#### 6.3. Inside Information

Article 2.4 of the OM Code PMC provides that using inside information for the following purposes is an offence:

- 1. Using Inside Information for the purposes of Betting, any form of manipulation of competitions or any other corrupt purposes whether by the Participant or via another person and/or entity. 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.
- Giving and/or receiving a Benefit for the provision of Inside Information regardless of whether any Inside Information is actually provided.

Article 2.3 of the OM Code PMC defines inside information as:

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 Competition.

Competition manipulation may be much harder to prove than the supplying of inside information. It should be noted that the rules around supplying inside information have been used to sanction individuals believed to have been involved in competition manipulation.

### <u>Article 2.3</u> of OM Code PMC addresses three different occasions:

 A sportsperson using inside information for the purpose of betting or competition manipulation by themselves or somebody else (e.g. a sportsperson informs their siblings of certain information, so that they place a bet and win money through the bet).

- Disclosing inside information with or without benefit where the participant knew or should have known that such information could be used for betting purposes. It should be emphasised that, in order to find someone in violation of this rule, it should be proved that 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". This is an essential criterion.
- Giving or receiving a benefit for the provision of inside information regardless of whether the information was eventually provided or used.

# Matters the Disciplinary Body needs to explore and clarify:

- Explore whether any particular action falls within one of the three aforementioned categories.
- Explore whether the information at issue can be really considered "inside" information.
   Explore whether the information is possibly already published or common knowledge, easily accessible to interested members of the public or disclosed in accordance with relevant rules and regulations.
- Explore whether the offence of sharing inside information happens in conjunction with other betting or manipulation offences.
- Explore whether the bet has been successful if the disclosed information was used for betting purposes, and quantify the benefit for the sportsperson at stake.
- Explore the intention of the sportsperson. Often such information is disclosed innocently or naively. Explore also whether the sportsperson had been coerced into disclosing the information.
- Explore what kind and level of benefit there might have been.
- Explore whether the sportsperson in question is the initiator or an executor of the fixing.
- Explore the amount won as a result of sharing inside information, and whether there might be additional offences in conjunction with the sharing of inside information.



Subject of the Offence	Taking into account	Recommended sanction
Athlete	First offence	Warning or serious warning
	<ul> <li>Low level of culpability</li> </ul>	Consider involving the athlete
	<ul> <li>Possible disclosure out of naivety and without any direct or significant benefit</li> </ul>	in awareness-raising activities
	<ul> <li>No major risk of leading to any significant betting exploitation</li> </ul>	
	Not first offence or multiple offences	Ban: 3 months - 2 years     Betential fine (fine or temperary)
	Medium or high level of culpability	<ul> <li>Potential fine (fine or temporary suspension of financial support),</li> </ul>
	<ul> <li>Potential receipt of considerable funding and financial support by</li> </ul>	especially if there has been any financial gain
	<ul><li>the athlete</li><li>Considerable benefit gained</li></ul>	<ul> <li>Consider involving the athlete in awareness-raising activities</li> </ul>
	Repeated offences after warning	• 1 - 4 years
	<ul> <li>Substantial offence (e.g. regularly passing information to criminal groups)</li> </ul>	<ul> <li>Substantial fine or temporary suspension of any financial support or salary</li> </ul>
	High level of culpability	
	<ul> <li>Active effort to engage other sportspersons or even corrupt officials or sportspersons</li> </ul>	
	<ul> <li>Significant, material impact on the reputation and/or integrity of the sport<sup>25</sup></li> </ul>	
	Relatively high value of illicit gain	
Coach or referee	First offence	Relatively high value of illicit gain
or support personnel	Low level of culpability	Ban: 3 - 12 months
Normally such an offence	Disclosure out of naivety	<ul> <li>Fine (this depends on level of salary/remuneration)</li> </ul>
by a coach/official/support personnel is considered more serious as it involves/risks the		Consider also requiring participa- tion in awareness-raising activitie

engagement of sportspersons

not falling directly within the "high culpability" category above).

in such practices (for individuals

- Not first offence
- Medium or high level of culpability
- Ongoing effort to engage sportspersons in such practices
- Significant, material impact on the reputation and/or integrity of the sport
- Ban 6 months 2 years months depending on circumstances
- Substantial fine (this depends on level of salary/remuneration)
- Consider also requiring participation in awareness-raising activitie



### 6.4. Failure to Report

### Article 2.4:

- Failing to report to the Sports Organisation concerned 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.
- 2. Failing to report to the Sports Organisation concerned 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.

# Matters the Disciplinary Body needs to explore and clarify:

- Explore whether a reporting mechanism
  was available and whether the sportsperson
  concerned knew or should have known how to
  report (e.g. the individual received competition
  manipulation education)<sup>26</sup>.
- Explore whether there might have been any legal obligation preventing the sportsperson in question from reporting (e.g. confidentiality of discussions between a doctor and a patient)<sup>27</sup>.
- Explore the level of proximity to the information (e.g. first-hand information, facts that the sportsperson witnessed (e.g. a direct approach) or second-hand information.
- Explore the level of certainty of the information that the sportsperson has failed to report.
- Explore whether the information was not shared due to fear or threats.
- Explore whether this offence occurred in conjunction with other offences.
- Explore the nature, significance, content and amount of information that should have been reported or was intentionally concealed or destroyed during the investigation.

<sup>26</sup> Explore and consider culture of reporting and / or any legitimate concern of reporting mechanism available not being independent (in general though such allegations should be treated with caution).

<sup>27</sup> Some sportspersons may be bound by professional rules/obligations that prevent them from disclosing information received in their role as professionals (e.g.: doctors, therapists and lawyers). Unless proved otherwise, a sportsperson bound by these obligations may not be sanctioned for a failure to report.



Subject of the Offence	Taking into account	Recommended sanction
Athlete	First offence	Warning
	Low level of culpability	Consider involving the athlete
	Failure to report because o     f lack of a safe reporting     mechanism or proven lack     of education or due to fear	in awareness-raising activities
	Not first offence	Ban: 0-6 months
	Medium or high level of culpability	<ul> <li>Potential fine (fine or temporary suspension of financial support)</li> </ul>
	<ul> <li>Nefarious intention or indifference to abiding by the rules</li> </ul>	<ul> <li>Consider involving the athlete in awareness-raising activities</li> </ul>
	Repeated offences after warning	6 months-2 years
	High level of culpability	•Substantial fine or temporary
	<ul> <li>Active effort to engage other sport- spersons or even corrupt officials or sportspersons</li> </ul>	suspension of any financial support or salary
	<ul> <li>Significant, material impact on the reputation and/or integrity of the sport</li> </ul>	
Coach or referee or	First offence	<ul> <li>Serious warning</li> </ul>
support personnel	Low level of culpability	Ban: 0-12 months
Normally such an offence by a coach/official/support personnel is considered more serious as it involves/risks the engagement of sportspersons		<ul> <li>Fine (this depends on level of salary/remuneration)</li> </ul>
		<ul> <li>Consider also requiring participation in awareness- raising activities</li> </ul>
in such practices.	Not first offence	<ul> <li>Ban 6 months-2 years</li> </ul>
	Medium or high level of culpability	depending on circumstances
	Ongoing effort to engage sportspersons in such practices	<ul> <li>Substantial fine (this depends on level of salary/remuneratio</li> </ul>
	<ul> <li>Significant, material impact on the reputation and/or integrity of the sport</li> </ul>	<ul> <li>Consider also requiring participation in awareness- raising activities</li> </ul>
	<ul> <li>Relatively high value of illicit gain</li> </ul>	

Holding a position of trust/ responsibility within the sport

### 6.5. Failure to Cooperate

#### Article 2.6:

- Failing to cooperate with any investigation carried out by the Sports Organisation in relation to a possible breach of this Code, including, without limitation, failing to provide accurately, completely and without undue delay any documentation, object or information requested by the competent Sports Organisation as part of such investigation.
- 2. Obstructing or delaying any investigation that may be carried out by the Sports Organisation in relation to a possible violation of this Code, including without limitation concealing, tampering with, destroying, damaging, disabling, or otherwise altering any documentation, object or other information, or requesting another person to do so, that may be relevant to the investigation.

Two major occasions are covered here:

- a. Failure to provide the required assistance or denial of access to evidence
- b. Obstructing or delaying an investigation

# First matters the Disciplinary Body needs to explore and clarify:

- Explore which of the two aforementioned categories the action concerned falls within.
- Explore whether the sportsperson attempted to destroy evidence.
- Explore whether there has been nefarious intention by the sportsperson or hesitancy on legitimate grounds.
- Explore whether there might have been a legal obligation preventing the sportsperson in question from handing over a device or information requested in any format (e.g. asserting legal privilege over materials contained on a device would not be a valid excuse given that a sports body could arrange a third party to remove privileged material from any device download).

It should be noted that the culpability and impact of a sportsperson's failure to cooperate could potentially be linked to the underlying offence(s) being investigated<sup>28</sup>.

The above approach must however be seen in conjunction with the principle of proportionality<sup>29</sup> when it comes to sanctions, as well as the right to not self-incriminate<sup>30</sup>.

<sup>28</sup> To be noted that as per ITIA - but also other IFs - this breach is treated in a similar way to refusal to submit to a doping control (as per ITIA's experience, otherwise there is the risk it becomes an incentive not to cooperate).

<sup>29</sup> Sammut, CAS 2013/A/3062: life ban to 10 years; Siasia, CAS 2019/A/6439: life ban to 5 years; Gauracs, CAS 2022/A/8651, award of 14.06.2023: ban reduced from 10 years (CEDB) to 3 years (AB) to 15 months (CAS).

<sup>30</sup> In criminal law, self-incrimination is the act of making a statement that exposes oneself to an accusation of criminal liability or prosecution. In disciplinary cases, CAS has recognised this principle (Valcke, CAS 2017/A/5003, Gauracs, CAS 2022/A/8651), when "clear and imminent danger that the privilege against self-incrimination (applicable before public authorities) would be circumvented".



Subject of the Offence	Taking into account	Recommended sanction
Athlete	First offence	Warning
	Low level of culpability	Consider involving the athlete
	<ul> <li>Failure to cooperate due to fear or doubt in the process – no nefarious intention</li> </ul>	in awareness-raising activities
	Not first offence	Ban: 0-2 years
	Medium or high level of culpability	Potential fine (fine or temporary
	Nefarious intention or indifference	suspension of financial support)
	to abiding by the rules	<ul> <li>Consider involving the athlete in awareness-raising activities</li> </ul>
	Attempt to destroy key evidence	
	Repeated offences after warning	6 months-2 years
	High level of culpability	Substantial fine or temporary
	<ul> <li>Significant, material impact on the reputation and/or integrity of the sport</li> </ul>	suspension of any financial support or salary
Coach or referee or	First offence	Serious warning
support personnel	Low level of culpability	Ban: 0-12 months
Normally such an offence		<ul> <li>Fine (this depends on level of salary/remuneration)</li> </ul>
by a coach/official/support personnel is considered more serious as it involves/risks the engagement of sportspersons		<ul> <li>Consider also requiring participation in awareness- raising activities</li> </ul>
in such practices.	Not first offence	Ban: 6 months-2 years months
	Medium or high level of culpability	depending on circumstances
	Continuous effort to engage sportspersons in such practices	Substantial fine (this depends on level of salary/remuneration)
	<ul> <li>Significant, material impact on the reputation and/or integrity of the sport</li> </ul>	<ul> <li>Consider also requiring participation in awareness- raising activities</li> </ul>
	Relatively high value of illicit gain	
	<ul> <li>Holding a position of trust/ responsibility within the sport</li> </ul>	



### 7. SPECIFIC MATTERS IN RELATION TO SANCTIONS

### 7.1. Fine/Temporary suspension of salary

Unlike in the first version of this document, the present version refrains from including recommendations on specific amounts when it comes to fines. This is due in particular to the fact that salary/remuneration levels can differ greatly between sports<sup>31</sup>, categories and sexes. It is therefore recommended that the competent disciplinary body imposes a fine that is proportionate to the nature and severity of the breach, but always considers the level of remuneration of the respective sportsperson.

# 7.2. Awareness raising as a complementary sanction

The document also recommends involvement in awareness-raising activities as a supplementary sanction<sup>32</sup>. The disciplinary bodies can also state in the decision that the active involvement of the sportsperson in question in such activities (e.g. in an educational video) could lead to a reduction of the sanction (details could be provided in the decision). Experience shows that this has worked well when it comes to sportspersons who have fully understood their wrongdoing, have shown remorse and would be open and willing to work towards raising awareness among other sportspersons on this topic.

The disciplinary body has the discretion to decide whether the completion of an awareness-raising course could be a condition of reinstatement to the sport.

Disciplinary bodies should also consider calling upon the respective sports organisations (e.g. NFs, NOCs, IFs, etc.) to intensify relevant awareness-raising activities as part of their decision.

### 7.3 Special considerations for life bans/long bans

When a disciplinary body has imposed a long ban, the sports organisation in question is encouraged to consider rehabilitation mechanisms or programmes. These might also include involvement in awareness-raising work.

If the sanction is a lifetime ban, as per CAS established precedents, a fine must not be added, as this has been considered disproportionate. Lifetime bans have also been reduced in the absence of evidence of the extent of actual involvement in the fix<sup>33</sup>.

It should be noted that, as per CAS established precedents, exemplary lifetime bans can be also considered suitable if a sport is particularly susceptible to fixing<sup>34</sup>.

#### 7.4 Substantial assistance

Substantial assistance in relation to investigation of other/additional matters (as the substantial assistance will often be ongoing through the investigation of the other matter and, therefore, not concluded by the time the first sanction is imposed) might be a reason to consider the reduction of a sanction.

Jurisprudence on Match-fixing: A Legal Update, International Sports Law Journal (2021) 21 : 27–46

<sup>31</sup> Examples: In 2024, in a case against Serbian referees, the EHF Court of Handball decided on a fine of EUR 2,000 for each referee due to the failure to support the investigation proceedings and contribute in appropriately (more details here). In 2025, the International Tennis Integrity Agency (ITIA) confirmed that a tennis official can be fined USD 6,000 following breaches of the Tennis Anti-Corruption Program (TACP), including not having responded to the ITIA's notice of charge (more details here).

<sup>32</sup> The disciplinary body can define the period that could be applied or the number of activities to be completed.



### 7.5 Offences committed by/involving minors<sup>35</sup>

An offence by a minor requires consideration of the age and maturity of the minor as a mitigating factor. All cases must be treated with special care and with due consideration for the specific needs and rights of minors<sup>36</sup>.

Involving a minor in a specific offence – depending on the circumstances – should be treated as an aggravating factor.

### 7.6 Provisional Measures

If the disciplinary body faces a situation when further evidence is needed or a law enforcement investigation is taking place, but concrete evidence is already in place in relation to a certain offence or certain sportspersons, a provisional suspension/measure can be imposed.

#### 7.7 Additional sanctions to be considered

While these Guidelines outline possible sanctions, the following sanctions may also be considered either alternatively or additionally:

- forfeiture of the sporting achievements gained (including medals) and disqualification of results;
- counselling and/or requirement to complete a course of education related to responsible gambling<sup>37</sup>;
- contract terminated between the sports organisation and the Participant (subject to the terms and conditions of any contract);
- For team sports, based on the applicable rules, there can be measures that affect the respective teams, such as relegation, suspension, deduction of points, etc.

37 The decision of the disciplinary body should ideally also indicate for how long the activity needs to be carried out, any deadline and how exactly this will be checked

#### 7.8 Public disclosure

Under normal circumstances, sanctions are accompanied by public disclosure. However, it is within the discretion of the disciplinary body and the sports organisation in question to publicly disclose any sanctions imposed.

Indicative exceptions could include:

- When minors are involved
- In the case of a certified gambling addiction
- When sanctions are only insignificant (e.g. warning) or in cases of minor culpability or minor sanctions/measures
- In case of any other sensitive issues identified.

### 7.9 Violations during ineligibility period

In principle, the rules continue to apply to any ineligible participant, and any violation committed during a period of ineligibility should be treated as a distinct violation, which means that separate proceedings could be brought against the participant in such a case.

#### 7.10 Reinstatement

Once the period of the participant's ineligibility has expired, they will usually be automatically re-eligible to participate in competitions. The rules of disciplinary bodies or sports organisations can set the condition that reinstatement can take place provided that the participant has:

- completed an official integrity education course imposed on them as a complementary sanction by the disciplinary body, and/or
- has paid, in full, any fine imposed by the disciplinary body and/or any order of costs made against them.

<sup>35 &</sup>quot;Minor" is considered a person under the age of full legal responsibility based on the jurisdiction in question. For reference, based on the UN Convention on the Rights of the Child a "child" is defined as "every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier."

<sup>36</sup> As part of the efforts to understand the circumstances under which the offence has been committed, it is recommended that the background and circumstances in which the juvenile is living, their level of understanding of the expected standard of conduct, and the conditions under which the offence has been committed are properly investigated by qualified personnel so as to facilitate judicious adjudication of the case by the disciplinary body. For offences committed by minors, the following principles should be favoured, always depending on the circumstances and the facts: (1) rehabilitation (versus ban); (b) assistance (versus punishment); (c) individual decision based on the merits of the case (versus general deterrence effect). International standards such as the UN Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules") may provide additional relevant guidance.



### 8. INTERNATIONAL FEDERATION GUIDELINES

IFs are welcome and encouraged to develop their own guidelines (taking the present document as a basis) or tailor the present Guidelines to better reflect the specificities of their sport.

The OM Unit PMC is at the disposal of all sports organisations regarding the implementation of the OM Code PMC and the use of these Guidelines, email: OMUnitPMC@olympic.org.

### Good practice:

ITIA - ITIA - Policies