



## **CONFLICTS, DISCLOSURES AND GIFT RULES**

*(In force from 1 November 2019)*







## Specific Definitions

The words and phrases used in these Rules that are defined terms (denoted by initial capital letters) shall have the meanings specified in the Constitution and the General Definitions, or (in respect of the following words and phrases) the following meanings:

**"Annual Compliance Review"** means the review undertaken by the Ethical Compliance Officer as further described in Rule 6.3.

**"Conflict of Interest"** has the meaning given to it in Rule 5.2.

**"2017 Constitution"** means the constitution of World Athletics (formerly the IAAF) which came into force on 1 January 2017, known as the 2017 Constitution, (unless stated otherwise) including any amendments to it made from time to time. The 2017 Constitution was replaced by the 2019 Constitution.

**"Customary Event Hospitality"** means a day or part of a day at a sporting, cultural, entertainment, conference, convention or other event, including a ticket or accreditation, local transportation to and from the event, and meals throughout the day.

**"Customary Value"** means that the Gift is consistent with the value of gifts typically exchanged between representatives of international organisations as a matter of custom and protocol. For purposes of these Rules, Customary Event Hospitality is considered to be Customary Value.

**"Entity or Organisation"** means any company, organisation, association, body, federation, partnership, business venture or legal entity, of whatever description, and for these purposes includes any joint venture arrangement, as well as any Member Federation or Area Association.

**"Ethical Compliance Officer"** means the person appointed by World Athletics to oversee the implementation of rules relating to ethical compliance, including developing and maintaining policies and procedures thereunder, and providing training, guidance and ad hoc advice

**"Gift"** means an item of personal use such as a watch or jewelry; personal benefits or services such as use of a car and driver; and, unless the context of these Rules otherwise requires, includes Hospitality.

**"Hospitality"** means hosting meals, refreshments, or attendance at sporting, cultural, entertainment, conference, convention or other events, including providing or arranging related accommodation and/or transportation.

**"Interest"** means and includes for the purpose of the Integrity Code of Conduct and these Rules, any interest, direct or indirect, whether private or personal, financial or otherwise related to the individual concerned (including the interests of a third person closely related to the individual including a parent, spouse or other immediate family member or dependent), as may be further defined in guidance issued for purposes of implementing these Rules.

**"Material Influence"** means the individual's ability to influence the strategy, activities or operations of an Entity or Organisation in a meaningful way.

**"Register of Interests"** means the information compiled by the Ethical Compliance Officer of all Significant Interests held by World Athletics Officials and Staff, against which all proposed agreements, transactions or arrangements to which World Athletics contemplates becoming a party will be reviewed.

**"Reporting Statement"** means the form to be completed by each World Athletics Official and each member of Staff disclosing all Significant Interests.

**"Significant Interest"** means:

- any position as a partner, executive or non-executive director, management committee member or executive officer (including for example a chief executive officer or other member of senior management) of any Entity or Organisation;
- any financial investment as a shareholder, member or partner amounting to 5% or more of the shares, capital or control (as the case may be) of any Entity or Organisation;
- any other position or financial investment amounting to a Material Influence over any Entity or Organisation; and
- any Interest of whatever nature or level which may present an actual or potential Conflict of Interest with an individual's duties to World Athletics, including in any business venture (of whatever type) having or seeking to have a contractual relationship with World Athletics as a supplier of goods or services, a sponsor, or as the host of, or part of a group hosting, any World Athletics Series Events.

## **1. Overview**

- 1.1 Article 4.9 of the 2017 Constitution provides that it is an object of World Athletics to safeguard the authenticity and integrity of Athletics and to take all possible measures to eliminate corrupt conduct which might place the authenticity or integrity of Athletics at risk.
- 1.2 One such measure is the Integrity Code of Conduct made in accordance with Article 17.1 of the 2017 Constitution.
- 1.3 All World Athletics Officials and Staff must perform their duties in the best interests of World Athletics, free from any other interest that might conflict with their loyalty to World Athletics or give rise to a perception of undue influence on decisions affecting World Athletics.

## **2. Purpose**

- 2.1 The purpose of these Rules is to set out the specific obligations of World Athletics Officials and Staff to:
  - 2.1.1 act for the benefit of and in the best interests of World Athletics;
  - 2.1.2 disclose all Significant Interests (as defined in these Rules), whether or not considered to be in actual or potential conflict with the interests of World Athletics;
  - 2.1.3 identify and disclose actual Conflicts of Interest arising in connection with matters falling within their scope of duties as World Athletics Officials or Staff, and refrain from any direct involvement or decision-making concerning such matters;
  - 2.1.4 identify and avoid Conflicts of Interest including those in the context of bids or tenders for World Athletics competitions or business; and
  - 2.1.5 refrain from giving or accepting Gifts or hospitality of an unreasonable or disproportionate nature or in compromising circumstances.

## **3. Application of these Rules**

- 3.1 These Rules apply to all World Athletics Officials and all Staff.

## **4. Scope of these Rules**

- 4.1 These Rules set out the duties of World Athletics Officials and Staff relating to:
  - 4.1.1 Conflicts of Interest, including the definition of a Conflict of Interest;
  - 4.1.2 Disclosure and management of Interests including Significant Interests; and,
  - 4.1.3 Gifts (including Hospitality).

## **5. Duties Relating to Conflicts of Interest**

- 5.1 World Athletics Officials and Staff shall take all necessary steps to avoid having a Conflict of Interest arising from their duties or position as a World Athletics Official or member of Staff, as further set out in these Rules.

- 5.2 A “**Conflict of Interest**” means a situation in which an individual has or is involved with multiple Interests, which may include both personal Interests and Interests arising from the person’s duties or positions as a representative of an organisation, and where benefiting one or more of these Interests may adversely affect the outcome in respect of another Interest.
- 5.3 Examples of Interests in which a Conflict of Interest could arise with the duties owed to World Athletics, and where an Interest therefore becomes a Significant Interest if not otherwise meeting the definition of Significant Interest, include holding a position as an employee, contractor, director, trustee, shareholder, or partner in an Entity or Organisation which is in a contractual relationship with World Athletics (such as a supplier, sponsor or broadcaster) or with any Entity, Organisation or person likely to benefit from the assistance of World Athletics, such as anybody seeking subsidies, dividends, funding or approvals from World Athletics, selection as a host city for World Athletics Series Events, or election or appointment as a World Athletics Official.
- 5.4 In their role as a World Athletics Official or member of Staff, each person must act for the benefit of World Athletics when making decisions that affect or may affect World Athletics, and must do so without reference to their own personal Interest, either financial or otherwise.
- 5.5 No World Athletics Official or member of Staff may use, or seek to use, the opportunity of their relationship with World Athletics to promote their personal Interests or those of connected persons, firms, businesses or other organisations.
- 5.6 No World Athletics Official or member of Staff shall misuse information gained in the course of their relationship with World Athletics for personal gain or for political purpose.
- 5.7 The fact that a World Athletics Official holds a position in an Area Association or Member Federation shall not in and of itself constitute an actual Conflict of Interest, but this must be disclosed and addressed as set out in Rule 6.1 below.
- 5.8 Each World Athletics Official and member of Staff must take on-going responsibility for identifying and complying with their duties set out in these Rules regarding any actual or potential Conflict of Interest. In particular each World Athletics Official and member of Staff must ensure that any changes of Interests or new events as they occur (for example, when applicant bids are received, sponsorship arrangements are considered, or major supply contracts are tendered) are immediately brought to the attention of the Ethical Compliance Officer.
- 5.9 Each World Athletics Official and member of Staff must inform the Ethical Compliance Officer if they become aware that a person, firm, business or organisation in which they have an Interest is seeking to enter into a contract with World Athletics. Once disclosed:
- 5.9.1 the Ethical Compliance Officer will provide advice to the individual and to other persons involved in dealing with the proposed contract so as to ensure that any actual or potential Conflict of Interest is addressed appropriately; and
- 5.9.2 in all cases, the individual shall exclude themselves from, and not seek in any way to be involved or influence, the process of evaluating or awarding



- the contract in their capacity as a World Athletics Official or member of Staff; and
- 5.9.3 the advice provided by the Ethical Compliance Officer and how this has been implemented shall be documented and filed with the Register of Interests; and
- 5.9.4 the individual shall ensure that their Reporting Statement is updated as necessary by disclosing the Interest as a Significant Interest if not previously so disclosed.
- 5.10 No World Athletics Official or member of Staff is permitted to receive payments from third parties for undertaking responsibilities that would normally fall within the scope of their duties (for example, speaking engagements or participation on panels of industry conferences as a representative of World Athletics, or attendance at World Athletics events) without obtaining permission in advance from the Ethical Compliance Officer, provided that:
- 5.10.1 this does not preclude engaging in activity in a personal capacity so long as it is clear that the activity is being carried on as such, but the advice of the Ethical Compliance Officer must be sought before proceeding;
- 5.10.2 this does not preclude receipt of Customary Event Hospitality or reimbursement of expenses in accordance with World Athletics' expenses policy;
- 5.10.3 if there is any doubt as to whether the undertaking would normally fall within the scope of the individual's duties, they shall seek advice from the Ethical Compliance Officer before proceeding;
- 5.10.4 the advice of the Ethical Compliance Officer will be documented and filed with the Register of Interests.

## **6. Duties Relating to Disclosure**

- 6.1 All World Athletics Officials and Staff must complete and submit a Reporting Statement. The Reporting Statement must be completed before commencing duties at World Athletics and must be updated both annually and when Significant Interests change, including that:
- 6.1.1 the Reporting Statement must disclose any Significant Interests (including those of immediate family members);
- 6.1.2 the fact that a World Athletics Official also holds a position in an Area Association or Member must be disclosed on the Reporting Statement. Although this may not in and of itself constitute an actual Conflict of Interest, all such cross- linkages between positions held by a World Athletics Official and positions held in an Area Association or Member are considered to be "Significant Interests" and must be carefully scrutinized, and appropriate measures taken, to ensure an appropriate level of independence and proper management of any matters requiring decision-making by World Athletics affecting the Area Association or Member.
- 6.2 The Reporting Statement must be submitted to the Ethical Compliance Officer, and used as follows:

- 6.2.1 the information on the Reporting Statement will be used by the Ethical Compliance Officer to create and maintain a Register of Interests, against which all proposed agreements, transactions or arrangements to which World Athletics contemplates becoming a party will be reviewed;
  - 6.2.2 specifically, but without limitation, the Ethical Compliance Officer will review the Register of Interests in connection with consideration of sponsorship, supply and broadcast deals as well as applications to host World Athletics Championships.
- 6.3 The Ethical Compliance Officer will undertake an Annual Compliance Review whereby:
- 6.3.1 all World Athletics Officials and Staff must ensure that their Reporting Statements are updated as of the date set for updating by the Ethical Compliance Officer, and formally confirm that their entries on the Register of Interests are complete and accurate;
  - 6.3.2 all World Athletics Officials and Staff must confirm in writing that they have read, understood and complied with the Integrity Code of Conduct during the relevant period; and
  - 6.3.3 all members of Council will participate in a general review session with the Ethical Compliance Officer to confirm their continuing compliance with the Integrity Code of Conduct and these Rules, with individual members attending follow-up interviews with the Ethical Compliance Officer at their request.
- 6.4 Upon becoming aware of a matter presenting an actual or potential Conflict of Interest, or otherwise raising issues of particular sensitivity incapable of immediate resolution by compliance with existing protocols or guidelines, or of a failure to declare a Significant Interest, the Ethical Compliance Officer shall inform the Chief Executive Officer or their designate, and the Head of the Athletics Integrity Unit or their designate, so that appropriate action can be taken including that:
- 6.4.1 in all cases where matters are escalated to the Head of the Athletics Integrity Unit, the Ethical Compliance Officer shall also ensure that Council is promptly notified of the escalation and the outcome.
- 6.5 The failure by a World Athletics Official or member of Staff to declare a Significant Interest, or to declare and manage a Conflict of Interest according to these Rules, or to ensure that the Reporting Statement is kept up to date, is a violation of the Integrity Code of Conduct and will be treated as such.
- 6.6 A declaration of any Significant Interest held by a World Athletics Official or member of Staff must be made at any meeting of any World Athletics body (including the Council, Executive Board, Commission, Committee, Working Group or Task Force) of which they are a member, if it relates to a particular issue under consideration by the meeting as follows:
- 6.6.1 attendance at all such meetings shall be recorded on an attendance sheet and/or in the minutes of the meeting;
  - 6.6.2 all such meetings will begin with a request from the Chair for members in attendance to declare any Significant Interests relevant to the meeting's

agenda;

- 6.6.3 any such declaration must be made regardless of whether it has been disclosed on a Reporting Statement, and will be recorded on the attendance sheet and/or in the minutes of the meeting, as well as any steps taken to address this (such as withdrawal from the meeting, exclusion from quorum or from voting, etc.);
- 6.6.4 except to the extent considered necessary and agreed to by the other members of the relevant body to inform the debate, the individual must not participate in the discussion, or review of documentation, of matters in which they have a Significant Interest;
- 6.6.5 an individual must not be counted in the quorum for that part of the meeting concerning any matter in which they have a Significant Interest, and must withdraw from the meeting during any vote, and have no vote on the matter in question;
- 6.6.6 both the individual holding the Significant Interest and the person in charge of the body of which the individual is a member or to whom the individual reports shall refer the matter to the Ethical Compliance Officer for consideration and, if considered necessary, escalation to the Chief Executive Officer or their designate, and to the Head of the Athletics Integrity Unit or their designate;
- 6.6.7 similar requirements for declaration and dealing with Significant Interests will be followed with respect to decisions taken by World Athletics bodies by email.

## **7. Duties Relating to Gifts, including Hospitality**

- 7.1 From time to time, World Athletics Officials and Staff may be offered Gifts (including Hospitality), or may wish to offer Gifts to others. The principles of reasonableness and proportionality shall be applied.
- 7.2 Subject to these Rules, each World Athletics Official and member of Staff shall exercise their judgment in determining whether the Gift is reasonable and proportionate to the act or proposed act of the individual giving rise to the Gift, and shall avoid giving or accepting a Gift to influence (either overtly or otherwise) any decision in relation to a contract or other financial relationship with, or sought by, World Athletics. In particular:
  - 7.2.1 The individual shall consider not only whether giving or accepting the Gift would give rise to an actual Conflict of Interest (in which case the Gift must be declined) but shall also consider the perception of conflict that may arise and any broader reputational damage that disclosure might bring to both the individual and World Athletics;
  - 7.2.2 No Gift shall be offered, given, requested or accepted in circumstances where doing so may be seen as attempting to influence improperly the outcome of decision-making in a manner advantageous to the person who is giving the Gift, including without limitation Gifts offered by persons seeking election or appointment as World Athletics Officials or by persons seeking to be awarded contracts for the supply of goods or services to World Athletics or involved in bidding to host World

Athletics Series Events;

- 7.2.3 If in doubt, the individual shall consult with the Ethical Compliance Officer for advice before giving or accepting the Gift.
- 7.3 Each World Athletics Official and member of Staff shall comply with the specific rules set out in Rule 7.4 and with the policies and procedures established thereunder, in order to:
  - 7.3.1 prevent actions giving rise to the perception that the interests of World Athletics are being compromised by giving or accepting Gifts which are unreasonable or disproportionate;
  - 7.3.2 ensure compliance with the Integrity Code of Conduct and with applicable laws, Rules and Regulations relating to bribery and anti-corruption; and
  - 7.3.3 protect World Athletics and the individuals concerned from reputational risk.
- 7.4 The specific rules governing Gifts are as follows:
  - 7.4.1 Gifts and other benefits of Customary Value may be given or accepted as a mark of respect or friendship. The giving or acceptance of any other gift or benefit is prohibited;
  - 7.4.2 In all circumstances, the giving or acceptance of cash by any World Athletics Official or member of Staff, other than in connection with advance payment or reimbursement of legitimate expenses in accordance with World Athletics' expense policy as in force from time to time, or where cleared in advance by the Ethical Compliance Officer, is prohibited;
  - 7.4.3 The Hospitality shown to any World Athletics Official or any member of Staff and any person(s) accompanying them shall not be excessive and shall not go beyond Customary Value;
  - 7.4.4 Extreme care must be taken when there is a tender or bid process ongoing for work with World Athletics, or in the context of applications for selection of World Athletics Series Events or for appointment or election as a World Athletics Official. Any offer of a Gift from a bidder, candidate or applicant at such a time where it could be misconstrued as being intended to influence improperly the outcome, is unacceptable and shall immediately be reported to the Ethical Compliance Officer;
  - 7.4.5 World Athletics Officials or member of Staff acting on behalf of World Athletics as members of official committees and delegations (such as an evaluation commission visit to a potential host city) must refrain from accepting any Gifts from their hosts other than those of no more than Customary Value. Wherever possible, it is suggested that members of official committees and delegations of World Athletics make known to their hosts in advance the need for compliance with these Rules, with the aim of preventing the giving or receiving of any Gifts beyond those of Customary Value;
  - 7.4.6 Where sponsors, suppliers, broadcasters or other commercial partners have made available certain products or services to World Athletics

Officials or of Staff as value in kind pursuant to the terms of an approved partnership agreement and in accordance with any specific policies for dealing with commercial partners established by the Ethical Compliance Officer, the acceptance of such products by a World Athletics Official or member of Staff shall be considered to comply with this policy regardless of whether the value of the product is greater than 250 Euros.

## **8. Confidentiality and Personal Information**

- 8.1 All confidential and personal information provided to the Ethical Compliance Officer, the Chief Executive Officer, or the Head of the Integrity Unit pursuant to these Rules will be safeguarded in accordance with strict confidentiality procedures and in compliance with all applicable data protection and privacy laws.