



RULE 9

Betting and other Anti-Corruption Violations

The new Rule 9 and Definitions are in force as from 1st May 2012.

1. This Rule shall apply to all Participants who participate or assist in an International Competition and each Participant shall automatically be bound by, and be required to comply with, this Rule by virtue of such participation or assistance.
2. It shall be the personal responsibility of every Participant to make himself aware of this Rule, including what conduct constitutes a violation, and to comply with it.
3. Each Participant submits to the exclusive jurisdiction of the IAAF Ethical Commission convened under the IAAF Code of Ethics to hear and determine charges brought by the IAAF and to the exclusive jurisdiction of CAS to determine any appeal from a decision of the IAAF Ethical Commission.

Betting and other anti-corruption violations

4. The following conduct by a Participant shall constitute a violation under this Rule (in each case, whether effected directly or indirectly).
5. Betting:
 - (a) Participation in, support for, or promotion of, any form of Betting related to an Event or Competition, including Betting with another Person on the result, progress, outcome, conduct or any other aspect of such an Event or Competition.

Rule 9.5(a) applies to any form of Betting related to an Event or Competition in which the Participant is directly participating or that is otherwise taking place in the Participant's sport or that is taking place in another sport at a Competition hosted by a Major Event Organisation in which the Participant is participating.
 - (b) Inducing, instructing, facilitating or encouraging a Participant to commit a violation of Rule 9.5.

6. Manipulation of results:

- (a) Fixing or contriving in any way, or otherwise improperly influencing, or being a party to fix or contrive in any way or otherwise improperly influence, the result, progress, outcome, conduct or any other aspect of an Event or Competition;
- (b) Ensuring or seeking to ensure the occurrence of a particular incident in an Event or Competition, which occurrence is to the Participant's knowledge the subject of a Bet and for which he or another Person expects to receive or has received a Benefit;
- (c) Failing, in return for a Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) to perform to one's abilities in an Event or Competition;
- (d) Inducing, instructing, facilitating or encouraging a Participant to commit a violation of Rule 9.6.

7. Bribery:

- (a) Accepting, offering, agreeing to accept or offer, any bribe or other Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) to fix or contrive in any way, or otherwise to influence improperly the result, progress, outcome, conduct or any other aspect of an Event or Competition;
- (b) Inducing, instructing, facilitating or encouraging a Participant to commit a violation of Rule 9.7.

8. Gifts:

- (a) Providing, offering, giving, requesting or receiving any gift or Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) in circumstances that the Participant might reasonably have expected could bring him or the sport of Athletics into disrepute;
- (b) Inducing, instructing, facilitating or encouraging a Participant to commit a violation of Rule 9.8.

9. Misuse of Inside Information:

- (a) Using Inside Information for Betting purposes or otherwise in relation to Betting;
- (b) Disclosing Inside Information to any Person (with or without Benefit) where the Participant might reasonably be expected to know that the disclosure of such information in such circumstances could be used in relation to Betting;
- (c) Inducing, instructing, facilitating or encouraging a Participant to commit a violation of Rule 9.9.

10. Other Violations:

- (a) Any attempt by a Participant, or any agreement by a Participant with any other Person, to act in a manner that would culminate in the commission of a violation of this Rule shall be treated as if a violation had been committed, whether or not such attempt or agreement in fact resulted in such violation. However, there shall be no violation under this Rule where the Participant renounces his attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement;
- (b) Knowingly assisting, covering up or otherwise being complicit in any acts or omissions of the type described in Rule 9 committed by a Participant;
- (c) Failing to report to the IAAF or other competent authority (without undue delay) full details of any approaches or invitations received by the Participant to engage in conduct that would amount to a violation of this Rule;
- (d) Failing to report to the IAAF or other competent authority (without undue delay) full details of any incident, fact or matter that comes to the attention of the Participant that may evidence a violation under this Rule by a third party, including (without limitation) approaches or invitations that have been received by any other party to engage in conduct that would amount to a violation of this Rule;
- (e) Failing without compelling justification to cooperate with any reasonable investigation carried out in relation to a possible violation of this Rule, including failing to provide any information and/or documentation requested that may be relevant to such investigation.

11. The following are not relevant to the determination of a violation under this Rule:

- (a) whether or not the Participant was participating or an Athlete assisted by another Participant was participating in the specific Event or Competition;
- (b) the nature or outcome of any Bet in issue;
- (c) the outcome of the Event or Competition on which such Bet was made;
- (d) whether or not the Participant's efforts or performance (if any) in the Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question;
- (e) whether or not any of the results in the Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question.

Investigation and hearing of alleged violations

12. Any allegation or suspicion of a violation of Rule 9 shall be notified in writing to the IAAF General Secretary who shall refer the matter to the IAAF Executive Board. The IAAF Executive Board shall designate an independent person or persons to be

responsible for investigation of the allegation or suspicion and for determination as to whether to issue a charge.

13. The hearing of alleged violations of this Rule shall be conducted by the IAAF Ethical Commission which shall determine its own hearing procedure under the IAAF Code of Ethics.

Standard of Proof

14. The standard of proof in all cases under this Rule shall be whether the IAAF Ethical Commission is comfortably satisfied, bearing in mind the seriousness of the allegation, that the alleged violation has been committed. The standard of proof in all cases shall be greater than a mere balance of probability but less than proof beyond reasonable doubt. The burden of establishing that a violation of Rule 9 has occurred shall be on the IAAF.
15. The IAAF Ethical Commission shall not be bound by judicial rules governing the admissibility of evidence. Facts related to violations of Rule 9 may be established by any reliable means, including but not limited to, admissions, evidence of third persons, witness statements, experts reports, documentary records and analytical data or information.
16. The IAAF Ethical Commission shall have discretion to accept any facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal as irrefutable evidence of those facts against the Participant to whom the decision relates unless the Participant establishes that the relevant decision violated principles of natural justice.
17. The IAAF Ethical Commission may draw an inference adverse to the Participant who is asserted to have committed a violation based on his refusal, without compelling justification, after a request made in reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the IAAF Ethical Commission) or to answer any relevant questions.

Sanctions

18. A violation of Rule 9 by an Athlete occurring during or in connection with an Event in which the Athlete is participating shall lead to the automatic disqualification of the Athlete and the annulment of all of the Athlete's results from the Event, with all resulting consequences for the Athlete, including the forfeiture of all titles, awards, medals, points and prize and appearance money.
19. Where the Athlete who has committed a violation under Rule 9 participated as a member of a relay team, the relay team shall be automatically disqualified from the Event in question, with all resulting consequences for the relay team, including the annulment of all results and forfeiture of all titles, awards, medals and points and prize and appearance money.
20. In all other cases, the IAAF Ethical Commission shall decide whether or not a violation of Rule 9 shall lead to the disqualification of results from an Event or

Competition taking into consideration the specific circumstances of the violation in question.

21. Where it is determined that a violation of Rule 9 has been committed, the IAAF Ethical Commission shall also be required to impose an appropriate sanction upon the Participant from the range of sanctions set out below:

Violation	Range of Sanction
Rule 9.5 (Betting)	A minimum of two (2) years and a maximum of four (4) years Ineligibility
Rule 9.6 (Manipulation of Results)	A minimum of two (2) years and a maximum of four (4) years Ineligibility
Rule 9.7 (Bribery)	A minimum of two (2) years and a maximum of four (4) years Ineligibility
Rule 9.8 (Gifts)	A minimum of two (2) years and a maximum of four (4) years Ineligibility
Rule 9.9 (Misuse of Inside Information)	A minimum of two (2) years and a maximum of four (4) years Ineligibility
Rule 9.10(b) and (c) (Other violations)	A minimum of two (2) years and a maximum of four (4) years Ineligibility
Rule 9.10(d) and (e) (Other violations)	A minimum of two (2) year and a maximum of a four (4) years Ineligibility

In addition to the imposition of a period of Ineligibility as set out above, the IAAF Ethical Commission may, at its discretion, impose a fine of up to a maximum amount of the value of any Benefit received by the Participant out of, or in relation to, the violation(s) of Rule 9.

22. In order to determine the appropriate sanction to be imposed in each case, the IAAF Ethical Commission shall assess the relative seriousness of the violation, including identifying all relevant factors that it deems to aggravate or mitigate the nature of the violation committed:

- (a) Aggravating factors may include without limitation: whether the Participant committed the violation on more than one occasion; whether the Participant committed more than one violation; whether the Participant had previously been found guilty of a similar violation; whether the violation involved more than one Participant; whether the Participant failed to co-operate in any investigation in his case; where the amount of any profits, winnings or other Benefit, directly or indirectly received by the Participant as a result of the violation(s) is substantial and/or where the sums of money otherwise involved in the violation(s) were substantial; whether the Participant showed a lack of remorse for the violation committed; whether the violation affected the result or outcome of the relevant Event or Competition, or any part of it; any other aggravating factors(s) that the IAAF Ethical Commission considers relevant and appropriate.
- (b) Mitigating factors may include without limitation: whether the Participant admitted the violation; the Participant's good previous disciplinary record; the Participant's young age and/or lack of experience; whether the violation affected or had the potential to affect the result or outcome of the relevant Event or Competition, or any part of it; where the Participant has co-operated with any

investigation conducted in his case; any other mitigating factor that the IAAF Ethical Commission considers relevant and appropriate.

23. Any period of ineligibility imposed on a Participant shall start on the date the decision imposing the period of ineligibility is issued or, if the hearing is waived, on the date the ineligibility is accepted or otherwise imposed. Any period of provisional suspension served by the Participant (whether imposed or voluntarily accepted) shall be credited against the total period of ineligibility to be served.
24. No Participant who has been declared ineligible may, during the period of ineligibility, participate in any capacity in any Competition in Athletics, whether directly or indirectly, or in any activity other than in authorised betting and anti-corruption education or rehabilitation programmes which are authorised, organised, sanctioned or supported by the IAAF or any Area Association or Member.
25. A Participant who is subject to a period of ineligibility shall remain subject to Rule 9 during that period. If a Participant commits a violation of Rule 9 during a period of ineligibility, this shall be treated as a separate violation under the Rule and separate proceedings will be brought.
26. Once the period of the Participant's ineligibility has expired, he will become automatically re-eligible to participate provided that he has (i) completed to the IAAF's reasonable satisfaction any official betting and anti-corruption education or rehabilitation programme that might be imposed on him; (ii) has satisfied, in full, any fine imposed under this Rule and/or award of costs made against him by any tribunal and (iii) has agreed to subject himself to any reasonable and proportionate monitoring of his future activities as the IAAF may reasonably consider necessary given the nature and scope of the violation that he has committed.

Appeals

27. The following decisions taken by the IAAF Ethical Commission under this Rule may be appealed either by the IAAF or the Participant who is the subject of the decision (as applicable) exclusively to CAS:
 - (a) A decision that a charge of violation of Rule 9 should be dismissed on procedural or jurisdictional grounds;
 - (b) a decision that a violation of Rule 9 has been committed;
 - (c) a decision that a violation of Rule 9 has not been committed;
 - (d) a decision to impose sanctions, including the disqualification of any results and the appropriateness of any sanction under Rule 9;
 - (e) a decision to impose sanctions that are not in accordance with Rule 9; and
 - (f) a decision not to impose sanctions.
28. Decisions that are appealed shall remain in effect while under appeal unless CAS orders otherwise or unless otherwise determined in accordance with this Rule.

29. The decision as to whether the IAAF should appeal to CAS shall be taken by the IAAF Executive Board. The IAAF Executive Board shall, where applicable, determine at the same time whether the Participant shall be re-suspended pending the CAS decision.
30. Unless otherwise determined by the IAAF Executive Board, in cases where the IAAF is the prospective appellant, the appellant shall have forty-five (45) days in which to file a statement of appeal with CAS starting from the date of receipt of the written reasoned decision by the appealing party.
31. The appeal before CAS shall take the form of a re-hearing de novo and the CAS Panel shall be able to substitute its decision for the decision of the relevant tribunal where it considers the decision of the relevant tribunal to be erroneous. The CAS Panel may in any case add to or increase the sanctions that were imposed in the contested decision.
32. The applicable rules to be applied in the CAS appeal shall be IAAF Rules and the IAAF Code of Ethics.
33. The governing law of the CAS appeal shall be Monegasque law and the appeal shall be conducted in English, unless the parties agree otherwise.
34. The decision of CAS shall be final and binding on all parties, and on all Members, and no right of appeal will lie from the CAS decision. The CAS decision shall have immediate effect and all Members shall take all necessary action to ensure that it is effective.

Recognition of Decisions of Major Event Organisations

35. Final decisions of a Major Event Organisation in relation to a Participant that are within the Major Event Organisation's jurisdiction and based on the same or similar rules as in this Rule 9 shall be recognised and respected by the IAAF upon receipt of notice of the same. The procedure for determining the Participant's sanction beyond the sanction imposed by the Major Event Organisation shall be determined by the IAAF Ethical Commission in accordance with the IAAF Code of Ethics and the range of applicable sanctions shall be the sanctions set out in this Rule 9.

Interpretation

36. This Rule shall come into full force and effect on 1 May 2012 i.e., in relation to conduct committed on or after that date.
37. The headings and sub-headings used in this Rule are for convenience only and shall not be deemed to be part of the substance of this Rule or to affect in any way the language of the provisions to which they refer.

DEFINITIONS

Athlete

An athlete who participates in an International Competition.

Athlete Representative

A person who is authorised and registered as an athletes' representative in accordance with the IAAF Athletes' Representatives Regulations.

Athlete Support Personnel

Any coach, trainer, manager, Athlete Representative, agent, team staff, official, medical or para-medical personnel, parent or any other Person employed by or working with an Athlete or Athlete's National Federation participating in an International Competition.

Benefit

The direct or indirect receipt or provision (as relevant) of money or money's worth (other than prize money and/or contractual payments to be made under endorsement, sponsorship or other contracts).

Bet

A wager of money or any other form of financial speculation.

Betting

Making, accepting, or laying a Bet and shall include, without limitation, activities commonly referred to as sports betting such as fixed and running odds, totalisator/toto games, live betting, betting exchange, spread betting and other games offered by sports betting operators;

Competition

An Event or series of Events held over one or more days.

Event

A single race or contest in a Competition (e.g. the 100 metres or the Javelin Throw), including any qualifying rounds thereof.

Inside Information

Any information relating to any Competition or Event that a Participant possesses by virtue of his position within the sport. Such information includes, but is not limited to, factual information regarding the competitors, the conditions, tactical considerations or any other aspect of the Competition or Event, but does not include such information that is already published or a matter of public record, readily acquired by an interested member of the public or disclosed according to the rules and regulations governing the relevant Event or International Competition.

Major Event Organisation

Any international multi-sport organisation (e.g., the IOC) that acts as the ruling body for any continental, regional or other International Competition.

Participant

Athletes, Athlete Support Personnel, competition officials, officials, managers or other members of any delegation, referees, jury members and any other persons accredited to attend or participate in an International Competition and the term "Participant" in this Rule 9 shall be construed accordingly.

Person

A natural person, organisation or other entity.