



PANAM SPORTS REGULATIONS ON THE PREVENTION OF THE MANIPULATION OF COMPETITIONS

Preamble

- a. Acknowledging the danger to sports integrity from the manipulation of sports competitions, Panam Sports restates its commitment to safeguarding the integrity of sport, including the protection of clean athletes and competitions as stated in Olympic Agenda 2020;
- b. Due to the complex nature of this threat, Panam Sports recognizes that it cannot deal with this threat alone, and hence cooperation with public authorities, in particular law enforcement and sports betting entities, is crucial;
- c. Panam Sports declares its commitment to support the integrity of sport and fight against the manipulation of competitions by adhering to the standards set out in the Olympic Movement Code on the Prevention of the Manipulation of Competitions and as referred to in the Panam Sports Pan American Games Regulations and Panam Sports Code of Ethics;
- d. It shall be the personal responsibility of every Participant to make himself or herself aware of these Regulations including, without limitation, what conduct constitutes a violation of these Regulations and to comply with those Regulations. Participants should also be aware that conduct prohibited under these Regulations may also constitute a criminal offence and/or a breach of other applicable laws and regulations. Participants must comply with all applicable laws and regulations at all times.

Article 1 - Definitions

- 1.1 "Benefit" means the direct or indirect receipt or provision of money or the equivalent such as, but not limited to, bribes, gains, gifts and other advantages including, without limitation, winnings and/or potential winnings as a result of a wager; the foregoing shall not include official prize money, appearance fees or payments to be made under sponsorship or other contracts;
- 1.2 "Competition" means any sports competition, tournament, match or event, organized under the authority of Panam Sports;
- 1.3 "Inside Information" means 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;

- 1.4 “Participant” means 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 a Panam Sports Competition;
 - 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 Panam Sports Competitions, and all other persons working with the athletes;
 - c. “official” means any person who is the owner of, a shareholder in, an officer of, Executive Board member of, or a staff member of the entities which organise and/or promote a Panam Sports Competition, as well as referees, jury members and any other accredited or engaged persons who participate in the Competition. The term also covers the officers of, Executive Board members of and staff of Panam Sports and of the National Olympic Committee members of Panam Sports.
- 1.5 “Sports Betting, Bet or Betting” means any wager of a stake of monetary value in the expectation of a prize of monetary value, subject to a future and uncertain occurrence related to a sports competition.

Article 2 – Violations

The following conduct as defined in this Article constitutes a violation of these Regulations:

2.1 Betting

Betting in relation to any Pan American Games in which he/she is a Participant.

2.2 Manipulation of sports competitions

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 or for others.

2.3 Corrupt conduct

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

2.4 Inside information

2.4.1. Using Inside Information for the purposes of Betting, any form of manipulation of sports competitions or any other corrupt purposes whether by the Participant or via another person and/or entity.

2.4.2. Disclosing Inside Information to any person and/or entity, with or without Benefit, where the Participant knew or should have known that such disclosure might lead to the information being used for the purposes of Betting, any form of manipulation of competitions or any other corrupt purposes.

2.4.3 Giving and/or receiving a Benefit for the provision of Inside Information regardless of whether any Inside Information is actually provided.

2.5 Failure to report and reporting mechanism

2.5.1 Failing to report to Panam Sports 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 these Regulations.

2.5.2 Failing to report to Panam Sports as is provided by Section H of the Panam Sports Code of Ethics 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 these Regulations.

2.6 Failure to cooperate

2.6.1 Failing to cooperate with any investigation carried out by Panam Sports or at its direction in relation to a possible breach of these Regulations, including, without limitation, failing to provide accurately, completely and without undue delay any information and/or documentation and/or access or assistance requested by Panam Sports, or any person or entity conducting the investigation at its direction, as part of such investigation.

2.6.2 Obstructing or delaying any investigation that may be carried out by Panam Sports, or any person or entity conducting the investigation at its direction, in relation to a possible violation of these Regulations, including without limitation concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation.

2.7 Application of Articles 2.1 to 2.6

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

- a. Whether or not the Participant is participating in the Competition concerned;
- b. The outcome of the Competition on which the Bet was made or intended to be made;
- c. Whether or not any Benefit or other consideration was actually given or received;
- d. The nature or outcome of the Bet;
- e. Whether or not the Participant's effort or performance in the Competition concerned were (or could be expected to be) affected by the acts or omission in question;
- f. Whether or not the result of the Competition concerned was (or could be expected to be) affected by the acts or omission in question;
- g. Whether or not the manipulation included a violation of a technical rule of the Pan American Games;
- h. Whether or not the competition was attended by the competent national or international representative of the sport to which the Participant is affiliated;

2.7.2 Any form of aid, abetment or attempt by a Participant that could culminate in a violation of these Regulations shall be treated as if a violation had been committed, whether or not such an act in fact resulted in a violation and/or whether that violation was committed deliberately or negligently.

Article 3 - Disciplinary Procedures

3.1. Investigations

- 3.1.1 The Participant who is alleged to have committed a violation of these Regulations must be informed of the alleged violations that have been committed, details of the alleged acts and/or omissions, and the range of possible sanctions.
- 3.1.2 Notice to a Participant may be accomplished by delivery of the notice to the Participant's National Olympic Committee (NOC). If the Participant concerned by a breach of these Regulations is an athlete or member of an NOC or National Team delegation, the NOC President/Secretary General/Chef de Mission or National Team Chef de Mission must be notified. The NOC and/or Member Federation shall be responsible for and shall have the duty of immediately communicating the notice to the Participant.
- 3.1.3 Upon request by Panam Sports, the concerned Participant must provide any information which Panam Sports considers may be relevant to investigate the alleged violation, including records relating to the alleged violation (such as betting account numbers and information, itemized telephone bills, bank statements, internet service records, computers, hard drives and other electronic information storage devices), and/or a statement setting out the relevant facts and circumstances around the alleged violation.

3.2 Hearings

- 3.2.1 A Participant who is alleged to have committed a violation of these Regulations shall be entitled to a hearing before the Panam Sports Executive Board or such Disciplinary Commission as the Panam Sports Executive Board may appoint for the purpose of determining whether the Participant has committed a violation of these Regulations, and if he/she has a sanction to be imposed on him/her. The Participant shall be given notice of the hearing, have the right to attend at his/her cost the hearing and to answer the allegations of any violation of these Regulations at the hearing, and to make submissions regarding sanctions if he/she is found to have committed a violation of these Regulations, whether the hearing be before the Executive Board or a duly appointed Disciplinary Commission.
- 3.2.2 The sanctioning authority of the Panam Sports Executive Board as set forth in the Panam Sports Code of Ethics shall apply, *mutatis mutandis*, to any sanctions imposed under these Regulations by the Panam Sports Executive Board or duly appointed Disciplinary Commission.

3.3 Rights of the concerned person

In all procedures linked to violations of these Regulations, the following rights must be respected:

- 3.2.1 The right to be informed of the charges; and
- 3.2.2 The right to a fair, timely and impartial hearing either by appearing personally in front of the Panam Sports Executive Board or Disciplinary Commission and/or submitting a defence in writing; and
- 3.2.4 The right to be accompanied and/or represented.

3.4 Burden and standard of proof

Panam Sports shall have the burden of establishing that a violation has been committed. The standard of proof in all matters under these Regulations shall be comfortable satisfaction, a standard that is defined as being greater than a mere balance of probabilities but less than proof beyond a reasonable doubt.

3.5 Confidentiality

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

3.6 Anonymity of the person making a report

Anonymous reporting is facilitated through the IOC's Integrity and Compliance Hotline available at www.olympic.org/integrityhotline.

3.7 Appeals

In accordance with the Panam Sports Constitution, appeals against any decision of the Panam Sports Executive Board or Disciplinary Commission may be made to the Court of Arbitration for Sport.

Article 4 - Provisional Measures

- 4.1 Panam Sports may impose provisional measures, including a provisional suspension, on the participant where there is a particular risk to the reputation of the sport, while ensuring respect for Articles 3.1 to 3.4 of these Regulations.
- 4.2 Where a provisional measure is imposed, this shall be taken into consideration in the determination of any sanction which may ultimately be imposed.

Article 5 - Sanctions

- 5.1 Where it is determined that a violation has been committed, Panam Sports 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, Panam Sports 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 these Regulations.

Article 6 - Mutual recognition

- 6.1 Subject to the right of appeal, any decision based on regulations in compliance with the Olympic Movement Code on the Prevention of the Manipulation of Competitions will be recognised and respected by Panam Sports.
- 6.2 Panam Sports will recognise and respect the decision(s) made by any other sporting body or court of competent jurisdiction which is not a Sporting Organisation as defined under these Regulations.

Article 7 – Entry into Force

These Regulations will come into force on March 28, 2019, the date of their approval and enactment by the Panam Sports Executive Board.