

BRITISH DARTS ORGANISATION

BDO CODE OF PRACTICE No 6 - BETTING AND RELATED ACTIVITY

1. Introduction

1.1 This Code of Practice on Betting and Related Activity (the “**Betting Code**”) forms part of the terms and conditions of membership of the British Darts Organisation (the “**BDO**”). It also forms part of the terms and conditions of participation in any and all matches, tournaments, competitions and other events and activities organised and/or sanctioned by the BDO and/or any BDO Member Darts Body (“**Covered Events**”). Anyone who applies for membership of the BDO, and/or who participates in a Covered Event, whether as a darts player, as a darts player’s manager, trainer or agent, as an official, or in any other capacity a (“**Participant**”), shall be deemed by virtue of such application and/or participation to have accepted this Code and agreed to be bound and to abide by its provisions and all decisions made hereunder.

1.2 The Betting Code was initially adopted and came into force on 1st September 2007, and shall apply to all activities taking place after that date. The BDO may from time to time supplement, amend or vary this Code. Such changes shall be deemed to be effective and binding on each Participant on the date of publication of the changes by the BDO.

1.3 Interpretation and application:

1.3.1 Although both genders participate in the sport of darts, for ease of reference only the male definite article (“he” and “his”) is used in this Code, but such references shall be deemed to encompass the female definite article (“she” and “her”) as appropriate.

1.3.2 For the purpose of this Betting Code, a person acts “for reward” if he arranges or agrees that he or someone else will receive any financial or other benefit, directly or indirectly, and “reward” shall be construed accordingly.

1.3.3 This Code shall be interpreted and applied in the light of the following fundamental sporting imperatives:

1.3.3.1 Sport is unique because it is a contest on a level playing-field, the outcome of which is to be determined solely by the respective merits of the sporting competitors on the day of the contest, and therefore cannot be predicted but remains uncertain until the contest is completed.

1.3.3.2 Public confidence in the authenticity and integrity of that contest is vital. If that confidence is undermined, then the very essence of sport, the unique characteristics that deliver its massive and unique appeal, are shaken to the core.

1.3.3.3 It is the determination to protect that essence of sport that has led the BDO to adopt this Betting Code. Advancing technology and increasing popularity have led to a substantial increase in the amount, and the sophistication, of betting on sports events. The development of new betting products, including betting exchanges that allow people to bet on losing outcomes, as well as internet and phone accounts that allow people to place a bet at any time and from any place, even after a sports event has started, have all increased the potential for the development of corrupt betting practices. That, in turn, increases the risk that attempts will be made to involve the participants in the sport in such practices. Even where that risk is more theoretical than practical, its consequence is to create a perception that the integrity of the sporting spectacle is under threat.

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Interpretation and application: continued

- 1.3.3.4 Furthermore, it is of the nature of this type of misconduct that it is carried out under cover and in secret. This creates very significant challenges for a sports governing body seeking to enforce rules of conduct, whose investigative powers are limited. As a consequence, it is necessary to empower the sports governing body to seek and share information with competent authorities and other relevant third parties, and to require Participants to cooperate fully with all investigations and requests for information.
- 1.3.3.5 The BDO is committed to taking every step in its power to prevent corrupt betting practices undermining the integrity of the sport of darts, including any efforts to influence improperly the outcome or any other aspect of a Covered Event. This Betting Code has been adopted in order to assist in achieving that objective, and should be interpreted and applied accordingly.

2. Disciplinary Offences involving Betting or Related Activity

- 2.1 The following acts or omissions, if committed by or on behalf of a Participant, directly or indirectly, shall amount to a breach by such Participant of this Betting Code, and therefore shall constitute a Disciplinary Offence under clauses 2.1 and 2.2.1 of BDO Code of Practice No 3 – Disciplinary Proceedings (the “**BDO Disciplinary Rules**”):

2.1.1 Betting:

- 2.1.1.1 Entering into any wager, bet or other form of financial speculation (a “**Bet**”), or instructing, permitting or enabling any person to enter into a Bet for the Participant’s direct or indirect benefit, in relation to the result, progress, conduct or any other aspect of any Covered Event in which the Participant is participating or in which the Participant has any influence, either direct or indirect.
- 2.1.1.2 Soliciting, inducing, enticing, persuading, encouraging or facilitating any other person to enter into a Bet in relation to the result, progress, conduct or any other aspect of any Covered Event.
- 2.1.1.3 Ensuring the occurrence of a particular incident in a Covered Event, which occurrence is to the Participant’s knowledge the subject of a Bet and for which he expects to receive or has received any reward (other than official prize money and/or contracted performance-related payments under individual sponsorship contracts).
- 2.1.1.4 Having any stake (whether active or passive) in, any company or other undertaking that promotes, brokers, arranges or conducts any form of Betting activity in relation to Covered Events.

2.1.2 Corruption:

- 2.1.2.1 Contriving, or being a party to any effort to contrive, the result, progress, conduct or any other aspect of any Covered Event.
- 2.1.2.2 Seeking or accepting or agreeing to accept any bribe or other reward to fix or to contrive in any way or otherwise to influence improperly the result, progress, conduct or any other aspect of any Covered Event.
- 2.1.2.3 Failing to perform to one’s merits in any Covered Event, for reward.

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Corruption: continued

2.1.2.4 Soliciting, inducing, enticing, persuading, encouraging or facilitating any Participant to breach any of the foregoing provisions of this clause 2.1.2.

2.1.3 Misuse of privileged information:

2.1.3.1 Using in relation to Betting, or providing to any other person for use in relation to Betting, any information relating to any Covered Event(s) that the Participant has in his possession by virtue of his position within the sport and that is not in the public domain and readily accessible by the public without unreasonable restriction.

2.1.3.2 Providing information to any person for reward, before or during any Covered Event, regarding the competitors in the event, the conditions, tactical considerations or any other aspect of the event, unless such information is already in or will come into the public domain without unreasonable delay and is readily accessible by the public without unreasonable restriction.

2.1.3.3 Soliciting, inducing, enticing, persuading, encouraging or facilitating any Participant to breach any of the foregoing provisions of this clause 2.1.3.

2.1.4 General:

2.1.4.1 Engaging in any other conduct, ie beyond that specified in clauses 2.1.1 to 2.1.3, above, that creates an actual or apparent conflict of interest or otherwise risks impairing public confidence in the integrity and/or the honest and orderly conduct of any Covered Event.

2.1.4.2 Providing or receiving any reward that could bring the Participant or the sport of darts into disrepute.

2.1.4.3 Failing to disclose to the BDO Disciplinary Officer without delay full details of any approaches or invitations received by the Participant to engage in conduct that would amount to a breach of this Betting Code.

2.1.4.4 Failing to disclose to the BDO Disciplinary Officer without delay full details of any approaches or invitations of which the Participant is aware that have been received by any other party to engage in conduct that would amount to a breach of this Betting Code.

2.1.4.5 Failing to cooperate with any investigation by the BDO Disciplinary Officer in relation to possible breaches of this Betting Code, including failure, without reasonable excuse (and subject to the right of objection set out at clause 3.3, below) to provide any information requested by the BDO Disciplinary Officer that is relevant to such investigation.

2.2 An attempt by a Participant, or any agreement by a Participant with any other person (whether or not also a Participant), to act in breach of any provision of this Betting Code shall be treated for purposes of this Code as if a breach of the relevant provision(s) had been committed.

2.3 Each Participant shall be held directly and personally responsible for any acts or omissions of the type described in clauses 2.1 and 2.2, above, committed by his coach, trainer, manager, agent, family member, tournament guest or other affiliate or associate of his, provided that the Participant had knowledge of, or assisted, encouraged, aided, abetted, covered up or was otherwise complicit in, such acts or omissions. In that event, the Participant shall be treated as having committed such acts or omissions himself and shall be liable accordingly under this Betting Code.

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- 2.4 The following are not relevant to the determination of a Disciplinary Offence under clause 2.1 of this Code:
- 2.4.1 Whether or not the Participant was participating in the specific Covered Event in question. For the avoidance of doubt, such fact shall be relevant to the issue of the sanction to be imposed in relation to any such offence, in accordance with clause 3.2.3.2, below.
 - 2.4.2 The nature or outcome of any Bet in issue.
 - 2.4.3 The outcome of the Covered Event(s) on which such Bet was made.
 - 2.4.4 Whether or not the Participant's efforts or performance (if any) in the Covered Event(s) in issue were (or could be expected to be) affected by the acts or omissions in question.
- 2.5 It shall be a valid defence to a charge of breach of this Betting Code to prove that the alleged breach was committed due to the Participant's honest and reasonable belief that there was a serious threat to the life or safety of himself or any member of his family.

3. Enforcement

- 3.1 A Participant and/or any BDO Member Darts Body shall immediately report to the BDO any incident, facts or matters (including, without limitation, unsolicited approaches by third parties) that may evidence a breach or attempted breach of, or inducement to breach, this Betting Code. Any failure to make such report may amount to a Disciplinary Offence under clause 2.1.4.3 or 2.1.4.4, above.
- 3.2 Any allegation or suspicion of a breach of this Betting Code, whatever the source, shall be referred to the Disciplinary Officer of the BDO for investigation and possible charge in accordance with clauses 3.1 to 3.3 of the BDO Disciplinary Rules, as supplemented by this clause 3; provided that no action may be commenced for alleged breach of this Betting Code more than eight (8) years after the date that the breach allegedly occurred. Such investigation, and any consequent charge, will be governed by, and pursued in accordance with, the provisions of the BDO Disciplinary Rules, as supplemented by this clause 3. The relevant provisions of the BDO Disciplinary Rules include, without limitation:
- 3.2.1 the obligation on all Participants, under clause 3.2 of the BDO Disciplinary Rules, to cooperate with any investigation conducted by the Disciplinary Officer, with any failure to cooperate itself potentially constituting a separate and independent Disciplinary Offence, whether under clause 3.2 of the BDO Disciplinary Rules and/or under clause 2.1.4.5, above;
 - 3.2.2 the right of the BDO Disciplinary Officer, under clause 3b of the BDO Disciplinary Rules, to seek an interim suspension of the Participant charged from any participation in the sport pending adjudication of the charge;
 - 3.2.3 the provisions in clause 6 of the BDO Disciplinary Rules in relation to the sanctions that may be imposed on a Participant by a Disciplinary Committee in the event a charge is upheld, provided that:
 - 3.2.3.1 in the event that a charge of breach of this Betting Code is upheld, the recommended maximum fine shall be the greater of (i) [£10,000]; and (ii) the amount of any profits, winnings or other reward received by the Participant, directly or indirectly, as a result of such breach; and
 - 3.2.3.2 in determining whether to impose a period of suspension from participation in one or more Covered Events or from membership of the BDO for a specified period, the Disciplinary Committee shall take into account all of the relevant circumstances, including (in the case of a charge under clause 2.1.1, above) treating it as an aggravating factor if the Participant personally participated in the Covered Event in question.

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3.3 Demand for information:

- 3.3.1 If the BDO Disciplinary Officer reasonably believes that a Participant (or a third party whose actions may be imputed to the Participant for this purpose) may have committed a breach of this Betting Code, the Disciplinary Officer may make a written demand to the Participant (a **“Demand”**) to furnish to the Disciplinary Officer any information that is reasonably related to the alleged breach and that is permitted to be obtained under applicable law, including (without limitation) (i) copies of or access to all records relating to the alleged breach (such as telephone records, Internet service records, and other records stored on computer hard drives and other information storage equipment); and/or (ii) a written statement made by the Participant, setting out in detail all of the facts and circumstances with respect to the alleged breach.
- 3.3.2 Subject only to the right to object to the Demand set out at clause 3.3.3, below, the Participant shall furnish the information requested in the Demand within seven days of his receipt of the Demand, or by such other deadline as may be specified in the Demand.
- 3.3.3 If the Participant wishes to object to the Demand, he must file a formal objection with the Disciplinary Officer by the specified response deadline, which objection must set out with specificity the nature and scope of and grounds for the objection. Failure to make such filing shall constitute an irrevocable waiver of any objection.
- 3.3.4 Any objection duly filed in accordance with clause 3.3.3, above, will be referred by the Disciplinary Officer, together with any comments that the Disciplinary Officer may wish to make with respect to the objection, to the Chairman of the Disciplinary Panel, who may resolve the objection himself or else may designate another person to resolve the objection. The Chairman or his designee may in his absolute discretion invite further submissions or hold a hearing prior to making his determination, or may simply determine the matter on the basis of the objection itself and the comments of the Disciplinary Officer, if any, with respect to that objection. If (and to the extent that) the Chairman or his designee determines that the Demand is fair and reasonably tailored to obtain evidence relevant to the alleged breach, and that it is consistent with applicable law, the Chairman or his designee shall direct the Participant to produce all (or, if he believes the objection should be sustained to some degree, the remaining part) of the information specified in the Demand.
- 3.3.5 Subject to any ruling made by the Chairman of the Disciplinary Panel or his designee pursuant to clause 3.3.4, above, any failure by the Participant to produce the information specified in the Demand shall have each of the following consequences, without prejudice to one another:
- 3.3.5.1 During any period in which the Participant fails to produce such information, he shall be deemed ineligible to participate in and/or denied credentials and access to Covered Events.
- 3.3.5.2 The Disciplinary Committee shall be entitled to draw such adverse inference against the Participant as the Committee shall reasonably determine.
- 3.3.5.3 Such failure may be treated as a stand-alone offence under clause 2.1.4.5, above.
- 3.4 A Disciplinary Committee convened to consider a charge of breach of this Betting Code may request, at any time prior to issuing a final decision, and having first given the parties an opportunity to make any submissions on the matter, that an additional investigation be conducted into any matter reasonably related to the alleged breach. The Disciplinary Officer will conduct that investigation in accordance with the Chairman’s request and the Participant charged and all other Participants must cooperate with that investigation, in accordance with clause 3.2.1, above.

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Demand for information: continued

- 3.5 Where a Participant is charged with breach of this Betting Code, the Disciplinary Committee shall have discretion, where it is established to its satisfaction that clear prejudice would otherwise result, to stay the proceedings pending the outcome of investigations or proceedings being conducted by other relevant authorities.

4. Cooperation with Other Competent Authorities and Third Parties

- 4.1 Where possible breaches of this Betting Code may also amount to or evidence infringements of other applicable laws or regulations, the BDO may conduct investigations in respect of such breaches in conjunction with, and/or may share information relating thereto with, the competent authorities, such as the police, Customs, the National Criminal Intelligence Service and/or the Gambling Commission, whether pursuant to formal information-sharing information agreements with such authorities or otherwise.
- 4.2 As part of any investigation into possible breaches of this Betting Code, the BDO may seek relevant information from other competent authorities and/or from any third party, including bookmakers and other Betting operators, whether pursuant to formal information-sharing information agreements with such authorities or third parties, otherwise. In accordance with clause 4.3, below, acceptance of this Betting Code shall constitute agreement by a Participant to the disclosure of such information by the authority and/or third party to the BDO. Where necessary, the Participant shall confirm such consent in writing to or for the benefit of the authority and/or third party. A failure to do so without reasonable excuse shall amount to a breach of this Betting Code, in accordance with clause 2.1.4.5, above.
- 4.3 Each Participant specifically consents, pursuant to the Data Protection Act 1998 and other relevant laws, as applicable, to the sharing of information relating to activities covered by this Betting Code, including personal information relating to himself and his activities, both by the BDO with the competent authorities and relevant third parties, and by the competent authorities and/or any relevant third parties (including without limitation any bookmaker or other Betting operator) with the BDO.

5. Responsibility for Betting Integrity Issues

- 5.1 The BDO shall designate one or more persons (the “**Betting Integrity Officer**”) to bear special responsibility for betting issues arising in relation to Covered Events.
- 5.2 The responsibilities of the Betting Integrity Officer shall include monitoring betting and related activity as it impacts upon the integrity of Covered Events, and making recommendations to the BDO as to any action that may be necessary or appropriate to take to address the risks arising from that activity, including considering the practical implementation of this Code and any necessary or appropriate amendments there to.