

## 2023 AMG Code of Behaviour

As at 21 August 2022

### 1. What is the Code of Behaviour?

- 1.1 This Code sets out the types of behaviour that will not be acceptable during the Australian Masters Games (AMG) and the consequences for such behaviour occurring.
- 1.2 This Code is established to ensure that the highest possible standard of behaviour occurs during the Event.
- 1.3 This Code supports AMG's desire to encourage and promote excellent sportsmanship and appropriate standards of behaviour, including fair play on and off the field.
- 1.4 This Code is not intended to restrict or hinder a person having fun and participating in a competitive manner in the event.
- 1.5 It is important to note that this Code may apply in addition to any Code or other disciplinary requirements of the person's sport governing body. Matters 'on the field of play' will generally be dealt by and within the sport's established practices.
- 1.6 Matters will be referred to the police as required by law.

### 2. Who does the Code apply to?

2.1 This Code applies to:

- a) all persons competing in the event;
- b) spectators at the event;
- c) all persons officially appointed to any team or individual competing in the event, such as coaches, managers, trainers and health professionals;
- d) all officials appointed by AMG, who are involved in the event, including umpires, referees; and
- e) all employees or agents of AMG.

collectively referred to as persons in this Code.

### 3. When does this Code Apply?

3.1 The Code applies from the time of the commencement of the event on day 1 to the conclusion of organised activities on the last day including:

- (a) during games and competitions in the event; and
- (b) all official and unofficial social functions of, or associated with, the event.

## 4. What behaviour is in breach of this Code?

4.1 Any person who does, or is involved in, any of the following types of behaviour shall be in breach of the Code:

- (a) consuming alcohol unless in an approved area, in line with relevant liquor licensing regulations;
- (b) being unduly intoxicated at any event Venue or official and unofficial social functions of, or associated with, the event;
- (c) breaching the AMG's Anti-Doping Policy;
- (d) using any illegal drug during the event;
- (e) failing to comply with a reasonable direction of an event Official;
- (f) harassing any other person;
- (g) acting in an unlawful manner;
- (h) acting in a manner that is contrary to directions in respect to COVID-19 that may be imposed on the event; or
- (i) acting in any other manner which brings the event, AMG, and/or the hosts (including any employee, official or agent of such organisations) into disrepute.

## 5. What happens if this code is breached?

5.1 If the AMG receives information which they consider may be in breach of this Code, AMG shall:

- (a) investigate the alleged breach, and if satisfied that a breach may have occurred, refer the matter to a hearing.
- (b) The hearing will be conducted by an AMG formed and appointed panel.

## 6. How are hearings conducted?

6.1 Upon the steps in section 5.1 being satisfied, AMG will:

- (a) give written notice to the person stating:
  - (i) the nature and details of the alleged breach;
  - (ii) the date, time and place for a hearing;
  - (iii) the person's right to representation;
  - (iv) the composition of the appointed panel; and
  - (v) provide a copy of this Code.
- (b) appoint a panel to determine the matter within 24 hours of giving the notice in (a).

6.2 In addition to the steps in the above clause, if the AMG General Manager/relevant organisation representative considers the alleged breach serious, it may suspend or ban the person from further participation in the event, until the determination of the matter by the appointed panel.

6.3 At the hearing, the appointed panel will determine:

- (a) whether the person has breached this Code, as alleged in the notice (sent in clause 6.1(a)); and
- (b) if so, what sanction, if any, shall apply.

6.4 The appointed panel may determine the hearing as it considers fit, and with as little formality and technicality and as quickly as proper consideration of the matter permits.

6.5 The onus is on the AMG to prove that the alleged breach of this Code occurred.

6.6 The appointed panel shall give its decision as soon as possible after the completion of the hearing. It is not required to give reasons or record its decision in writing.

## **7. What penalties can be imposed?**

7.1 If the appointed panel is satisfied the person did breach the Code, it may impose any one or more of the following penalties:

- (a) suspend the person from the next game or fixture in the event in which they are due to compete;
- (b) suspend the person from competing in the event for one or more days of the event;
- (c) suspend the person from competing in the event for the balance of the entire event;
- (d) suspend the person from future AMG events;
- (e) withdraw any or all awards, placings and records obtained by that person or that person's team, during the event;
- (f) ban the person from being involved in the event in any form whatsoever including being present at event venues, and official functions of the event;
- (g) fine the person;
- (h) reprimand the person;
- (i) recommend to the person's Club, Team and / or sport governing body that a penalty or additional penalties be imposed by it; or
- (j) any other penalty the appointed panel thinks appropriate in all the circumstances.

7.2 In addition, the person may be disciplined by the Club and/or Team, which they represent, and/or be prosecuted by the Police.

## **8. How can a person appeal a decision?**

8.1 The defendant, any other party to the proceedings, or the executive (appellant) may, within two (2) days of the decision of the disciplinary committee, appeal a decision of the appointed panel by submitting it to UniSport Australia (UniSport), and by giving written notice of such appeal to the appointed panel, the executive and the other party.

8.2 If required, UniSport shall appoint an arbitrator (the National Sports Tribunal) who shall conduct the arbitration in accordance with the code of sports related arbitration.

8.3 The decision of UniSport shall be final and binding. No party shall have any further appeal rights which shall include, but not be limited to, the appeals division of UniSport or to any state court or other judicial authority.

8.4 The appellant must bear the costs of the proceedings unless UniSport determines otherwise.

## 9. What do words in the Code mean?

“**AMG**” means the Australian Masters Games.

“**Appointed Panel**” means the panel appointed by AMG to hear and determine alleged breaches of this Code.

“**Anti-Doping Policy**” means the Anti-Doping policy of AMG which prohibits the use of prohibited substances and prohibited methods.

“**Event**” means any event sanctioned and endorsed by AMG and includes the sport and social programs relating to that event.

“**Event Official**” means a person appointed by AMG or the Hosts to assist it in staging the event and includes security officials.

“**General Manager**” means AMG General Manager or appropriate organisation representative.

“**Person**” means a person to whom this Code applies as specified in clause 2.

“**Registers**” means the process of registration of participants for the event.

“**Unduly intoxicated**” means the definition that is applied in relevant state liquor legislation in which games are being conducted.

“**Venue**” means any venue on which games, events and competition is being or was played during the event.

### Related Policies

- AMG Incident Reporting Policy
- AMG Sexual Harassment/Assault Policy
- AMG Registration Terms and Conditions
- AMG Workforce Code of Conduct