

# NEW ZEALAND OLYMPIC COMMITTEE CODE OF ETHICS

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## 1. Purpose

1.1 **Introduction:** The New Zealand Olympic Committee's vision is to:

- inspire pride and excellence in New Zealanders.
- enable athletes and teams to compete and excel on the world stage, and
- maximise the positive impact of the Olympic and Commonwealth Sports Movements in New Zealand.

To help achieve this vision, the New Zealand Olympic Committee has defined what it values, of which this Code has been based on, namely:

- a. Excellence;
- b. Leadership;
- c. Integrity;
- d. Pride; and
- e. Respect.

1.2 **Expected Behaviours:** In addition, to the promotion of its values, New Zealand Olympic Committee has introduced this Code to ensure NZOC Personnel:

- have a clear understanding of what behaviours are expected and required of them to ensure alignment with the values;
- are able to have a positive, healthy and supportive working and professional environment; and
- protect the reputation of the New Zealand Olympic Committee.

## 2. Status of Code

2.1 **Status:** This Code is a policy of the New Zealand Olympic Committee and was adopted by the New Zealand Olympic Committee Board in December 2015 and amended on 4 July 2019 and on 7 May 2020.

2.2 **Amendments:** Amendments to this Code may be made from time to time. Such amendments must be approved by the New Zealand Olympic Committee Board and published on the New Zealand Olympic Committee's website at [www.olympic.org.nz](http://www.olympic.org.nz).

3.3 **Olympic Charter:** This Code is subject to the Olympic Charter.

## 3. Scope and Application

3.1 **Relevance:** This Code is applicable to the following persons (collectively referred to as **NZOC Personnel**):

- a. All New Zealand Olympic Committee employees, including but not limited to employees engaged by the New Zealand Olympic Committee on a permanent full-time, permanent part-time, fixed term or casual basis;
- b. Any contractor, consultant, or provider to the New Zealand Olympic Committee who has entered into a contract for service agreement with the New Zealand Olympic Committee (excluding professional advisers);
- c. Board Members;
- d. Commission Members;
- e. Olympic Ambassadors; and
- f. Any other individuals who have agreed in writing to be bound by this Code.

3.2 **Code to be Upheld:** All NZOC Personnel have an obligation to uphold the Code.

3.3 **Reporting:** In addition to the obligation set out in clause 3.2, all NZOC Personnel have a duty to report any potential breaches of the Code.

3.4 **Adherence to this Code:** It is a condition of all NZOC Personnel's employment agreement, contract for service or appointment with New Zealand Olympic Committee to adhere to the requirements of this Code.

3.5 **Additional Obligations:** It is acknowledged that NZOC Personnel must comply with the Olympic Charter, the Sports Anti-Doping Rules and the laws of New Zealand and may also have additional obligations under codes of conduct or rules relating to their professional membership. This Code is not intended to replace the Olympic Charter, legislation or these codes. Accordingly, issues that arise in this Code may also be dealt with by the relevant law or professional membership code.

3.6 **Regulatory Compliance:** In addition to this Code, all NZOC Personnel should be aware of their obligations under their employment agreements, contracts for service and/or terms of reference as well as other acts, regulations and responsibilities in relation to their employment or provision of service.

#### 4. Ethical Standards

4.1 **Appropriate Conduct:** All NZOC Personnel must ensure that in the performance of their duties, he/she will, at all times:

- a. behave professionally, honestly and with integrity and in a way that enhances the good name, success and reputation of themselves, the New Zealand Olympic Committee, the Games and the CGF and the IOC;
- b. treat everyone with respect, courtesy and without harassment. All NZOC Personnel will take all reasonable steps to eliminate any form of physical, verbal and emotional abuse, bullying and/or harassment of others;

- c. respect the image and reputation of the New Zealand Olympic Committee and display high standards of personal conduct, reflected in both the manner of appearance and behaviour;
- d. if at Games, comply with all reasonable directions of, and arrangements made by, the Chef de Mission or other person appointed by the NZOC including directions in relation to travel arrangements, security, wearing of uniform and clothing requirements, accreditation and accommodation, including where you shall be based; and
- e. if at Games, comply with the behaviours and expectations Protocols put in place by the Chef de Mission during Games time and act within the spirit of the Team Manaakitanga.

4.2 **Conflict of Interest:** All NZOC Personnel must not, without the prior written consent of New Zealand Olympic Committee, either directly or indirectly carry out work which conflicts or may conflict with New Zealand Olympic Committee's interests or which interferes with their ability to perform their obligations to New Zealand Olympic Committee. Where any NZOC Personnel believe any work (potential or current) may conflict with New Zealand Olympic Committee's interests, they will promptly notify New Zealand Olympic Committee of the work, provide New Zealand Olympic Committee with such information as New Zealand Olympic Committee may reasonably require to determine the extent and materiality of the conflict, and consult with New Zealand Olympic Committee about practical ways to avoid the conflict or reduce it to a level where New Zealand Olympic Committee may be prepared to consent to the NZOC Personnel carrying out the work.

4.2 **Anti-Doping:** All NZOC Personnel agree:

- a. to be bound by the Sports Anti-Doping Rules made by DFSNZ under the Sports Anti-Doping Act 2006 (and any amendments to that Act), available at <https://drugfreesport.org.nz/the-rules/>;
- b. they may not be included in any NZOC Games team or hold any position within the NZOC if serving a provisional suspension or period of ineligibility for an anti-doping violation under the Sports Anti-Doping Rules or the WADA Code;
- c. they will not use prohibited substances or prohibited methods (as those terms are defined by the WADA Code) without valid justification; and
- d. not to undertake any act or retaliation against any other person with the intent of discouraging such person from the good faith reporting of information that relates to an alleged anti-doping violation of the SADR or World Anti-Doping Code.

4.3 **Betting and Match-Fixing:** All NZOC Personnel must not at any time:

- a. engage, directly or indirectly, in any Bet or other form of financial speculation in relation to the result, progress, outcome, conduct or any other aspect of a Competition;
- b. engage, directly or indirectly, in the throwing or fixing of any Competition;
- c. engage, directly or indirectly, in any conduct or behaviour intended to unfairly affect the result of a Competition, including accepting or agreeing to accept any Benefit connected with or relating to the ability of an athlete in a Games Team, to exercise control over or influence the outcome of a Competition so as to bring about a result

other than that which would be achieved in a fair contest between the competing individuals or teams;

- d. accept any bribes through the offer, promise or acceptance of any Benefit in the return for violation of this Code;
- e. offer, give, request or receive any gift or Benefit (irrespective of whether such Benefit is in fact given or received) in circumstances where he/she might reasonably have expected could bring him/her or the New Zealand Olympic Committee into disrepute;
- f. directly or indirectly, use or disclose Inside Information in relation to Betting purposes or where he/she might reasonably be expected to know that its disclosure in such circumstances could be used in relation to Betting on any Competition; or
- g. knowingly assist, cover up or otherwise be complicit in any acts or omissions set out in this clause 4.3.

## 5. Reporting

- 5.1 **Reporting and Disclosure:** All NZOC Personnel must report to the Chief Executive (or in the case where the potential breach relates to the Chief Executive, the President, or where the potential breach relates to the President or a Board member, the Chief Executive), without due delay, any Breach or potential Breach of this Code. NZOC Personnel also have an obligation to disclose to the Chief Executive, (or in the case where the potential breach relates to the Chief Executive, the President, or where the potential breach relates to the President or a Board member, the Chief Executive), without due delay, full details of any approaches or invitations received by him/her to engage in conduct or incidents that would amount to a Breach of this Code.
- 5.2 **Co-operation:** Where reasonably required, all NZOC Personnel must fully co-operate with any investigation carried out by the New Zealand Olympic Committee, Police, CGF or IOC and provide any reasonable information and/or documentation requested by the New Zealand Olympic Committee, Police, CGF or IOC that may be relevant to the investigation.
- 5.3 **Confidentiality:** Where a disclosure is made or reported under clause 5.1 of this Code, the New Zealand Olympic Committee will use its best endeavours not to disclose such information in a way which might identify the person who reported or disclosed that information. To the extent possible, reports, complaints, witness statements and other documents produced under this Code or shared in an investigation, shall be held in confidence by the New Zealand Olympic Committee, provided that, no guarantees of confidentiality may be made by the New Zealand Olympic Committee. Circumstances in which information may be shared include, without limitation:
  - a. when criminal conduct may be involved;
  - b. when it is felt to be necessary to protect others from harassment, discrimination, violence or any other potential breach of the Code;
  - c. when required to ensure fairness or natural justice in the procedures contemplated by this Code;

- d. in the course of an investigation by a law enforcement agency;
- e. to protect the interests of the New Zealand Olympic Committee; and
- f. when required by law.

## 6. Breach

- 6.1 **Breach:** Failure by any NZOC Personnel to abide by the standards set out in clauses 4 and 5 may be considered a breach under this Code (**Breach**).
- 6.2 **Natural Justice:** For all alleged Breaches, the NZOC Personnel concerned will be provided with:
- a. an opportunity to be heard before any decision is made;
  - b. an opportunity to respond to any information before a decision is made; and
  - c. information on the process and information used to reach the decision.
- 6.3 **Sanctions:** The Breach and any sanctions to be applied will be determined by the New Zealand Olympic Committee in its sole and absolute discretion, including, but not limited to, one or more of the following:
- a. a reprimand, warning or final warning;
  - b. requiring the NZOC Personnel to make a formal apology;
  - c. re-assignment of duties;
  - d. recommendation to attend counselling;
  - e. suspension from such activities of the New Zealand Olympic Committee, including Competitions, Games, events meetings and other functions, for such period(s) and on such terms as is deemed fit;
  - f. exclusion from a particular Competition, Games, activity, meeting, event or events of the New Zealand Olympic Committee;
  - g. demotion or removal from any position granted by the New Zealand Olympic Committee;
  - h. termination of a contract for service;
  - i. termination of employment; (subject to compliance with New Zealand law as regards the termination of such employment); or
  - j. referral of the matter to the Police or Interpol; and/or
  - k. any other such sanction as deemed appropriate by the New Zealand Olympic Committee.
- 6.4 **Additional Sanctions:** Any sanctions imposed under clause 6.3 are non-exclusive and NZOC Personnel may be subject to additional sanctions in accordance with other terms applicable to that person's relationship with the New Zealand Olympic Committee (as well as any sanctions that may be imposed by external parties such as the IOC, CGF, WADA and DFSNZ etc).

## 7. Consistency

- 7.1 A Breach of this Code will provide the basis for the sanctions set out in clause 6. It does not otherwise provide the basis for any claim by an individual against any NZOC Personnel or the New Zealand Olympic Committee. To the extent this Code is inconsistent with any agreement applicable to that person with the New Zealand Olympic Committee (including but not limited to, any athlete or team support agreement) the terms of that agreement with the New Zealand Olympic Committee will prevail over the terms of this Code.

## 8. Definitions

- 8.1 The following words and phrases, used in this Code, shall mean:

**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, winning and/or potential winnings as a result of a wage, the foregoing shall not include official prizemoney, appearance fees or payments to be made under sponsorships or other contracts.

**Bet** means a wager of a stake of monetary value in the expectation of prize money or monetary value subject to a future and uncertain occurrence related to a sports competition.

**Betting** means making, accepting, or other laying a Bet and shall include without limitation, activities commonly referred to as sports betting such as fixed and running odds, totalisator games, live betting, betting exchange, spread betting and other games offered by betting operators.

**Board** means the New Zealand Olympic Committee Board as that term is set out in the Constitution.

**Board Member** means a member of the Board and has the meaning given to it in the Constitution.

**CGF** means the Commonwealth Games Federation.

**Chief Executive** means the Chief Executive Officer and Secretary General of New Zealand Olympic Committee.

**Code** means this New Zealand Olympic Committee Code of Ethics.

**Commission Members** means the members of commissions, committees or working groups duly appointed to by the Board in accordance with the Constitution.



**Competition** means any sports competition, tournament, match or event, at or related to the Games.

**Constitution** means the constitution of New Zealand Olympic Committee.

**DFSNZ** means Drug Free Sport NZ, an independent crown entity originally established by the New Zealand Sports Drug Agency Act 1994, and is continued by the Sports Anti-Doping Act 2006.

**Games** means any Olympic Games (being summer, winter or youth), Commonwealth Games (including Commonwealth Youth Games) at which a Games Team is selected by the New Zealand Olympic Committee or other such games (such as the Pacific Games or the University Games) where the New Zealand Olympic Committee has control of a Games Team.

**Games Period** means the period commencing at the opening of the Games accommodation for the New Zealand Olympic Committee team, and ends at midnight the day after the closing ceremony of the Games.

**Games Team** means a New Zealand team any Games under the control, management and leadership of the New Zealand Olympic Committee.

**Inside Information** means any information relating to any Competition, event, team, athlete that a person has by virtue of their position with the New Zealand Olympic Committee, excluding any information already published or common knowledge, easily accessible to interested members of the public disclosed in accordance with the rules and regulations governing the relevant Competition.

**IOC** means the International Olympic Committee.

**New Zealand Olympic Committee** means the New Zealand Olympic Committee.

**New Zealand Olympic Committee's Integrity Regulation** means the New Zealand Olympic Committee Integrity Regulation which contains provisions around Anti-Doping and Match Fixing.

**NZOC Personnel** has the meaning given to it in clause 3.1 of this Code.

**Olympic Ambassadors** means those persons who have a contract for service with the New Zealand Olympic Committee to provide services relating to promoting the Olympic values to New Zealand youth especially through our education programme, and the wider community through presentations and positive role modelling.

**Olympic Charter** means the rules governing the Olympic Movement.



**Olympic Movement** means the organisations, athletes and other persons who agree to be bound by the Olympic Charter under the authority of the IOC.

**President** means the President of the New Zealand Olympic Committee.

**WADA** means the World Anti-Doping Agency.

**WADA Code** means the World Anti-Doping Code 2003 and its subsequent amendments from time to time.