

VIRGIN ISLANDS
SWIMMING
FEDERATION
INTEGRITY
CODE
2023

Table of Contents

INTRODUCTION.....	3
1. DEFINITIONS.....	3
2. PURPOSE AND SCOPE.....	7
GENERAL DUTIES.....	8
3. DUTIES OF GOOD CONDUCT	8
4. DUTY TO REPORT AND COLLABORATE.....	9
5. CONFIDENTIALITY	10
6. DUTY TO AVOID CONFLICTS OF INTEREST	10
7. FALSIFICATION AND MISUSE OF FUNDS	12
8. OFFERING AND ACCEPTING GIFTS AND HOSPITALITY	12
9. BIDDING FOR EVENTS	13
10. ELECTIONS	14
PREVENTING THE MANIPULATION OF AQUATICS COMPETITIONS	15
11. ANTI-CORRUPTION RULES	15
12. RELATIONSHIPS WITH BETTING ORGANISATIONS	16
SAFEGUARDING RULES	17
13. FORBIDDEN CONDUCT	17
ENFORCMENT OF THE INTEGRITY CODE.....	18
14. THE INTEGRITY UNIT RULES	18
15. MONITORING	18
16. REPORTING	18
17. Responsibility for case management.....	19
18. PROVISIONAL MEASURES.....	20
19. INVESTIGATING POTENTIAL INTEGRITY CODE VIOLATIONS.....	20
20. DECISION PROCESS	21
21. SANCTIONS	21
22. RIGHT OF APPEAL.....	23
23. RECOGNITION OF DECISIONS AND PROVISIONAL MEASURES.....	24
24. STATUTE OF LIMITATIONS.....	24

INTRODUCTION

1. DEFINITIONS

1.1 Words and phrases capitalised in this Integrity Code are defined terms. Unless otherwise specified, they have the meaning set out in the Definition section to this Integrity Code. Any other capitalised terms in this Code, if not defined in this Code, shall have the meaning for them set out in the Virgin Islands Swimming Federation Constitution.

1.2 These terms have the following definitions:

Aquatics: All sport disciplines governed by Virgin Islands Swimming Federation, including Swimming, Open Water Swimming, Diving, High Diving, Water Polo, Artistic Swimming, Masters, and any other discipline that may be governed by Virgin Islands Swimming Federation from time to time.

AQIU: The independent World Aquatics Integrity Unit established under the World Aquatics Constitution and comprised of Supervisory Council, Chief Ethics and Compliance Officer, Adjudicatory Body, Investigatory Body and Anti-Doping Advisory Body.

Athlete: A person (i) who is taking part in aquatics competitions and events at national or international level, organised in accordance with the Virgin Islands Swimming Federation Constitution, Virgin Islands Swimming Federation Rules and Regulations and/or regulations of Virgin Islands Swimming Federation Members or affiliated entities and/or (ii) who is registered by his/her respective national federation.

Benefit: The direct or indirect receipt or provision of money or the equivalent by a Covered Person for themselves or a Related Party 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 similar contracts.

Betting Organisation: Any person or company or other undertaking (a) that promotes, brokers, arranges or conducts any form of Betting activity or that has interests in Betting in any form whatsoever; or (b) that can reasonably be perceived as being connected in any way with Betting of any kind.

Governing Body: The Virgin Islands Swimming Federation Board of Directors, as defined in the Virgin Islands Swimming Federation Constitution.

CAS: The Court of Arbitration for Sport in Lausanne, Switzerland.

Claimant: The Covered Person(s) (or legal guardian in the event the Claimant(s) is a minor or incapacitated) who is alleged to have experienced conduct that constitutes a violation of this Integrity Code.

Commencement Date: The date on which this Code comes into force, being September 1, 2023

Covered Person: Covered Persons are:

- a) persons who are, or are seeking to become (whether by election or appointment or otherwise) Virgin Islands Swimming Federation Officials or Other Officials;
- b) any Athlete;
- c) any Athlete Support Person;
- d) any team or other entity participating in any Event;
- e) Virgin Islands Swimming Federation Members and clubs.

Decision: A decision rendered by the Virgin Islands Swimming Federation Integrity Unit.

Demand: A written demand to a Covered Person to provide any information, record, article or thing in their possession or control that Virgin Islands Swimming Federation Ethics Officer reasonably believes may evidence or lead to the discovery of evidence of an Integrity Code Violation.

Event: Any VISF Championships, VISF Cups, VISF Water Polo Cups for Club teams, events and tournaments sanctioned by **Virgin Islands Swimming Federation** members and international events within USVI in any of the Aquatics disciplines (not those organised by World Aquatics).

Forbidden Conduct: any conduct described in Article 13 of this Integrity Code.

Gift: An item for use or advantage by a Covered Person or a Related Party.

Hospitality: Means providing or arranging for the provision of food and drink and/or attendance at events, shows, dinners, conferences or other events, including providing or arranging related accommodation and/or transportation for themselves or Related Party, except when this is provided pursuant to a contractual obligation.

Inside Information: Information that a Covered Person possesses by virtue of their position in relation to **Virgin Islands Swimming Federation** or any Event, 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 Event.

Integrity Code Violation: Where a Covered Person:

- Fails to comply with any of the requirements set out in this Integrity Code, or any integrity requirements of the Virgin Islands Swimming Federation Constitution or Virgin Islands Swimming Federation Rules and Regulations; or
- attempts or agrees with any other person to engage in conduct (whether by act or omission) that would culminate in a breach of any requirement of this Integrity Code (unless the Covered Person renounces their attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement);
- solicits, induces, instructs, persuades or encourages any person to engage in conduct (whether by act or omission) that would amount to a breach of any requirement of this Integrity Code if committed by the Covered Person themselves; and/or

- authorises, causes, or knowingly assists, encourages, aids and abets, covers up or attempts to cover up, or is otherwise complicit in, any act or omission by any person that would amount to a breach of any requirement of this Integrity Code if committed by the Covered Person themselves.

Virgin Islands Swimming Federation: The sole and exclusive United States Virgin Islands body for the sport of Aquatics.

Virgin Islands Swimming Federation Member: A club/affiliated entity recognised by Virgin Islands Swimming Federation to be a member of Virgin Islands Swimming Federation.

Virgin Islands Swimming Federation Governing Body Liaison: A Virgin Islands Swimming Federation Governing Body Member appointed by the Virgin Islands Swimming Federation Governing Body to be the administrative liaison between Virgin Islands Swimming Federation and the World Aquatics Integrity Unit.

Virgin Islands Swimming Federation Compliance Officer: The members of the Virgin Islands Swimming Federation Integrity Unit will elect a chairperson from among themselves who will be responsible for conducting the meetings of the Virgin Islands Swimming Federation Integrity Unit and who will also hold the position of Virgin Islands Swimming Federation Compliance Officer.

Virgin Islands Swimming Federation Integrity Unit: The independent Virgin Islands Swimming Federation **Integrity Unit/Compliance Committee** established under the Virgin Islands Swimming Federation Constitution and comprised of at least three persons that do not hold any other position within the Virgin Islands Swimming Federation and which, in matters of Integrity, also operates as Adjudicatory Body and Investigatory Body.

Virgin Islands Swimming Federation Officials: Any person elected or appointed to any position within Virgin Islands Swimming Federation or a Virgin Islands Swimming Federation Member, including but not limited to:

- The President, Vice-Presidents, Governing Body members, Honorary Life Presidents, Immediate Past President, Treasurer, and any candidates for election to the Governing Body; and
- Each person serving as a member of (or candidate for) a committee, working group, unit (including, without limitation, the Virgin Islands Swimming Federation Integrity Unit), or advisory board of Virgin Islands Swimming Federation, and each person appointed to represent Virgin Islands Swimming Federation on any committee or working group or in any similar role.

Virgin Islands Swimming Federation Rules and Regulations: the Virgin Islands Swimming Federation Rules and Regulations as defined in the Virgin Islands Swimming Federation Constitution.

Minor: Person under the age of 18 years or, where applicable, a person who is under the age of majority and meets the definition of a child for the purposes of protection in the country where the predominant nature of the alleged misconduct occurred.

Other Officials: Other Officials are:

- members of Virgin Islands Swimming Federation executive bodies, committees, units, panels and advisory boards of Virgin Islands Swimming Federation Members, Virgin Islands Swimming Federation Member team or delegation members (or other persons accredited to attend any Event on behalf of any **Virgin Islands Swimming Federation** Member);
- persons who act, or are entitled to act, for or on behalf of Virgin Islands Swimming Federation, and/or Virgin Islands Swimming Federation Members, including (without limitation), staff, consultants, agents and advisors;
- Each person appointed/selected to work/volunteer at an Event and/or attending an Event on behalf of Virgin Islands Swimming Federation or a Virgin Islands Swimming Federation Member including (without limitation) any technical official, technical committee member, specialised committee members delegate, and any other person who receives accreditation to an Event as a representative of Virgin Islands Swimming Federation, World Aquatics or a Virgin Islands Swimming Federation Member;
- persons or entities organising and/or promoting an Event, including any candidate/host city seeking to host or hosting an Event, local organising committee(s), and any of its officials, employees, volunteers and/or other persons entitled to act or attend an Event on its behalf; and
- any other persons who agree in writing to be bound by this Integrity Code.

Panel: three members appointed from among the members of the Virgin Islands Swimming Federation Integrity Unit to adjudicate an alleged Integrity Code Violation.

Party(ies): Virgin Islands Swimming Federation and the Virgin Islands Swimming Federation Integrity Unit on one side and the Covered Person on the other side.

Related Party: Immediate family member, being a partner/spouse, parent, sibling, child or dependant and in all cases whether natural, adoptive or step.

Reports: All reports of any potential Integrity Code Violation, including any approaches or requests to engage in conduct that may constitute an Integrity Code Violation.

Respondent: The Respondent shall be the Covered Person subject to the filing.

Staff Member: Each person employed (whether full-time, part-time, permanently, for a fixed-term or temporarily) or engaged as an agent, consultant or contractor for, or otherwise functioning as a member of the staff of Virgin Islands Swimming Federation or a Virgin Islands Swimming Federation Member.

Substantial Assistance: means (a) the Covered Person's provision to Virgin Islands Swimming Federation (or Virgin Islands Swimming Federation Integrity Unit) of truthful, accurate and complete information about potential Integrity Code Violations and/or other similar laws or regulations of which the Covered Person has knowledge; and (b) full cooperation with the investigation and prosecution (whether by Virgin Islands Swimming Federation Integrity Unit/Virgin Islands Swimming Federation or by another body, including a criminal or regulatory body) of such violations, including (without limitation) by testifying at a hearing if required to do so.

World Aquatics: The sole and exclusive world governing body for all Aquatics, formerly known as the Fédération Internationale de Natation (FINA),

2. PURPOSE AND SCOPE

- 2.1 Virgin Islands Swimming Federation has adopted this Integrity Code to establish clear integrity standards for persons involved in the activities of Virgin Islands Swimming Federation, to protect the health, safety and well-being of Athletes, to prohibit conduct that might undermine public confidence in the integrity of Aquatics and/or in the uncertainty of outcome of Events, and to establish effective mechanisms for enforcement of this Integrity Code and sanctions for any violation.
- 2.2 Virgin Islands Swimming Federation is committed to uphold integrity in the governance and administration of Aquatics as a basic principle of good governance and as a fundamental precept of its autonomous role as the United States Virgin Islands governing body of Aquatics, in the best interests of the sport and its stakeholders.
- 2.3 Virgin Islands Swimming Federation is also committed to uphold the integrity of Aquatics on the field of play. The essence of the Aquatics disciplines is the contest between competing athletes and teams as an honest test of skill and ability, the outcome of which is determined by (and only by) the contestants' relative sporting merits. Any manipulation of sports competitions or other conduct that might undermine public confidence in the integrity of the sporting contest and/or in the uncertainty of its outcome is fundamentally at odds with that essence of the Aquatics disciplines and must be eradicated at all costs.
- 2.4 Conduct prohibited under this Integrity Code may also amount to a criminal offence and/or a violation of other applicable laws or regulations, including employment laws, in national jurisdictions. This Integrity Code is not intended to replace such laws and regulations, but to supplement them with further rules of professional conduct for those involved in the governance and administration of Aquatics, and/or in the staging and conduct of Aquatics events. It operates without prejudice to such laws and regulations, and vice versa.
- 2.5 Conduct prohibited under this Integrity Code may also amount to violation of other Virgin Islands Swimming Federation rules. This Integrity Code is not intended to replace these regulations, but to supplement them with further rules of professional conduct. It operates without prejudice to these regulations, and vice versa. In particular, any rule of a disciplinary nature applicable to a certain discipline and/or a certain event, such as the disciplinary rules in Water Polo that apply to offensive and violent conduct during water polo matches, remain reserved and are not set aside by the present Integrity Code.

- 2.6 For the avoidance of doubt, this Integrity Code shall not replace or in any way affect or alter Virgin Islands Swimming Federation's ability to pursue appropriate disciplinary action against a Staff Member under the terms of any employment or consultancy contract with such Staff Member, including to any of Virgin Islands Swimming Federation's employment policies in force from time to time. Where conduct prohibited under this Integrity Code also amounts to a violation of the terms of a Staff Member's employment or consultancy arrangement with Virgin Islands Swimming Federation, Virgin Islands Swimming Federation shall be entitled, at its absolute discretion, to elect to pursue contract and/or disciplinary action against such Staff Member pursuant to the applicable employment or consultancy contract. There shall be no requirement on Virgin Islands Swimming Federation to have first instituted, or to subsequently institute, any action under this Integrity Code.
- 2.7 For the avoidance of doubt, matters of doping are not part of this Integrity Code and shall be enforced by World Aquatics or Virgin Islands Swimming Federation in accordance with the provisions set out in the World Aquatics Doping Control Rules or Virgin Islands Swimming Federation Doping Control Rules.
- 2.8 In the case of conflict between the provisions of World Aquatics Doping Control Rules or Virgin Islands Swimming Federation Doping Control Rules on one side and the provisions of this Integrity Code on the other side, the provisions of the World Aquatics Doping Control Rules or Virgin Islands Swimming Federation Doping Control Rules shall prevail.
- 2.9 This Integrity Code will come into full force and effect on the Commencement Date. Its procedural provisions will apply to matters where the violation is alleged to have occurred before the Commencement Date, but its substantive provisions will not, unless they are more favourable to the person(s) involved.

GENERAL DUTIES

3. DUTIES OF GOOD CONDUCT

- 3.1 Covered Persons must always act honestly, fairly, impartially and in accordance with the highest ethical standards of integrity and transparency.
- 3.2 Covered Persons must avoid any conduct that is inconsistent with, or that undermines in any way the objectives of this Integrity Code.
- 3.3 Covered Persons must avoid acts or omissions that give the appearance of impropriety, or that disparage Virgin Islands Swimming Federation, World Aquatics, or that bring (or have the potential to bring) Virgin Islands Swimming Federation, World Aquatics, Aquatics and/or sport generally into disrepute.

- 3.4 Covered Persons must not be involved with entities or persons whose activities or reputations are inconsistent with the principles set out in this Integrity Code. For this provision to apply, it is necessary that the Covered Person has previously been advised in writing by Virgin Islands Swimming Federation, a Virgin Islands Swimming Federation Member, or other relevant authority with jurisdiction over the Covered Person, that there should be no more association with such entity/person, and of the consequences that will apply if any association continues.
- 3.5 Covered Persons must avoid any offensive, violent or disrespectful behaviour towards other participants, including, the officials, other athletes, media, and/or spectators during the entire conduct and reasonable aftermath of an Event. Such behaviour towards a doping control official is also prohibited at any time.
- 3.6 Covered Persons must avoid any act of discrimination against anyone on the basis of race, skin colour, gender, religion, sexual orientation, language, political or other opinion, national or social origin, property, birth, disability or any other ground.
- 3.7 Covered Persons must avoid interference, disobedience or obstruction to the orderly conduct of any sporting event within or outside of the venue(s).
- 3.8 Covered Persons must avoid interference with any aspect of the field of play.
- 3.9 Covered Persons must actively participate in the full conduct of the Event, including victory ceremonies and, if applicable, presentations and/or press conferences. Any political or religious statement or behaviour is strictly prohibited during these times.

4. DUTY TO REPORT AND COLLABORATE

Each Covered Person must:

- a) report to the Virgin Islands Swimming Federation Integrity Unit without delay all knowledge concerning any approach or invitation received by them to engage in a conduct that would amount to an Integrity Code Violation;
 - b) report to the Virgin Islands Swimming Federation Integrity Unit without delay all knowledge concerning any incident, fact or matter that comes to their attention that might evidence a potential Integrity Code Violation by another person; and
 - c) cooperate fully with all investigations carried out by the Virgin Islands Swimming Federation Integrity Unit in relation to possible Integrity Code Violations (including, without limitation, by providing any information and/or documentation requested by the Virgin Islands Swimming Federation Integrity Unit as part of that investigation, including by way of a Demand).
- 4.1 Covered Persons have a continuing obligation to report any new incident, fact, or matter to Virgin Islands Swimming Federation Integrity Unit, even if the Covered Person has already reported their prior knowledge in relation to the matter.

- 4.2 For the avoidance of doubt, obstructing or delaying any investigation carried out by (or on behalf of) Virgin Islands Swimming Federation in relation to a possible Integrity Code Violation, including without limitation concealing, tampering with or destroying any documentation or other information that might be relevant to the investigation, will constitute an Integrity Code Violation.

5. CONFIDENTIALITY

- 5.1 Covered Persons must not disclose to any third party (whether for personal gain or advantage) any information disclosed to them in confidence as a result of their activities or dealings with Virgin Islands Swimming Federation, save where (1) required by law; (2) Virgin Islands Swimming Federation agrees in writing in advance; or (3) that information is already in the public domain (other than by reason of their violation of this Article 5). Any duties of confidentiality on Covered Persons under this Integrity Code shall continue in perpetuity even after such Covered Person ceases to be bound by this Integrity Code.

6. DUTY TO AVOID CONFLICTS OF INTEREST

- 6.1 Virgin Islands Swimming Federation Officials owe a duty of undivided loyalty to Virgin Islands Swimming Federation. They must make decisions (including as to how to vote on a specific motion) based solely on their independent and objective judgement, made in good faith, of what is in the best interests of Virgin Islands Swimming Federation and the sport of Aquatics as a whole. They must not allow themselves to be influenced by and they must not seek to advance any conflicting interests.
- 6.2 Where there is an actual, apparent, or potential conflict between the interests of Virgin Islands Swimming Federation and personal interests of a Virgin Islands Swimming Federation Official or of the relatives, friends or acquaintances of a Virgin Islands Swimming Federation Official, Virgin Islands Swimming Federation Official must disclose all relevant information about that conflict promptly, accurately, and fully to the Virgin Islands Swimming Federation Ethics Officer.
- 6.3 Each Virgin Islands Swimming Federation Official (except legal persons) shall file a disclosure statement with the Virgin Islands Swimming Federation Integrity Unit in the form prescribed by Virgin Islands Swimming Federation Integrity Unit, listing any actual, apparent or potential conflicts known to Virgin Islands Swimming Federation Official at that time. Each Virgin Islands Swimming Federation Official will be under a continuing duty to update that statement in writing as and when changes or additions are required to ensure the disclosure remains accurate and complete. The Virgin Islands Swimming Federation Integrity Unit will maintain a register of such disclosures.

- 6.4 If a conflict arises during a meeting, the Virgin Islands Swimming Federation Official concerned must disclose the conflict to the Virgin Islands Swimming Federation Ethics Officer and the chair of the relevant meeting (even if it has already been declared in a disclosure statement). The Virgin Islands Swimming Federation Ethics Officer or the chair of the relevant meeting will advise the meeting of the conflict and cause the conflict to be recorded in the register maintained by the Virgin Islands Swimming Federation Integrity Unit (and, where applicable, in the minutes of the relevant meeting) if it has not been recorded there already.
- 6.5 In every case, unless otherwise specified by the Virgin Islands Swimming Federation Integrity Unit or the chair of the meeting, the Virgin Islands Swimming Federation Official who is the subject of the conflict must:
- a) excuse themselves from any discussions relating to the conflict;
 - b) abstain from voting and/or from seeking to influence the vote on any matter impacted by the conflict; and
 - c) refrain from taking any other part in the handling of the conflict or of the matter impacted by the conflict.
- 6.6 Virgin Islands Swimming Federation Officials must also disclose in the same manner any 'institutional' conflicts of interest, i.e., actual, apparent or potential conflicts between the interests of Virgin Islands Swimming Federation and the interests of World Aquatics, a Virgin Islands Swimming Federation Member or other body with which the Virgin Islands Swimming Federation Official is associated (whether by virtue of employment or otherwise). Such conflicts may not be waived. Virgin Islands Swimming Federation Officials:
- a) may present the perspective of a particular stakeholder (such as a Virgin Islands Swimming Federation Member) or of any third party, where they consider it relevant to the matter at hand, but they must not pursue the interests of that stakeholder or third party in a manner that would conflict with their overriding duty to act in the best interests of Virgin Islands Swimming Federation and the sport of Aquatics as a whole;
 - b) must not agree to act or allow themselves to be influenced to act in a manner that conflicts with their duty of undivided loyalty to Virgin Islands Swimming Federation (e.g., by agreeing to vote in a particular manner in respect of a particular issue); and
 - c) must disclose to Virgin Islands Swimming Federation Ethics Officer any matter that may reasonably be construed as impacting or potentially impacting upon their decision and must provide such further information in relation thereto as Virgin Islands Swimming Federation Ethics Officer may request.
- 6.7 Covered Persons must not abuse their position within Virgin Islands Swimming Federation in any way, especially for their own aims or objectives.

- 6.8 Office holders and staff of a Virgin Islands Swimming Federation Member, in their dealings with Virgin Islands Swimming Federation, including when representing a Virgin Islands Swimming Federation Member at Congress and/or otherwise deciding how to exercise the rights of a Virgin Islands Swimming Federation Member, must act with undivided loyalty to the Virgin Islands Swimming Federation. They must not allow themselves to be influenced by and they must not seek to advance any conflicting interests, including the interests of any contractual partner of Virgin Islands Swimming Federation and/or a Virgin Islands Swimming Federation Member.

7. FALSIFICATION AND MISUSE OF FUNDS

- 7.1 Covered Persons must not forge a document or falsify an authentic document, or knowingly use a forged or falsified document.
- 7.2 Covered Persons must not knowingly give false information, including false results, nationality and/or date of birth.
- 7.3 Covered Persons shall not take or omit to take any action in furtherance of an offer, payment, promise to pay, or authorisation of the payment of money or giving of anything of value, either directly or indirectly, to any third party, while knowing that all or some portion of the item of value will be offered, given or promised to anyone to improperly influence any action or decision, to obtain or retain business or otherwise to secure any improper advantage.
- 7.4 Covered Persons shall not misappropriate or misuse funds, whether directly or indirectly through, or in conjunction with, third parties. Covered Persons must use the resources of Virgin Islands Swimming Federation or Virgin Islands Swimming Federation Members only for lawful and ethical purposes authorised by the relevant body.
- 7.5 Covered Persons may only claim reimbursement for expenses properly and reasonably incurred in the course of their activities. Requesting, authorising, and/or accepting any undue pecuniary or other advantage is strictly prohibited.

8. OFFERING AND ACCEPTING GIFTS AND HOSPITALITY

- 8.1 Covered Persons may never offer or accept:
- a) any Gift, Hospitality or other benefit in their capacity as Covered Person that is given secretly, not openly;
 - b) any Gift, Hospitality or other benefit that creates an actual, apparent or potential conflict of interest for the recipient or that is intended or may reasonably be construed as being intended to influence the recipient improperly in their official activities (such as Gifts offered to technical officials, and Gifts offered by candidates to voting delegates); or

- c) any other Gift, Hospitality or other benefit (whether of a monetary value or otherwise) in circumstances that give rise to an appearance of impropriety or lead to the recipient's impartiality or integrity being called into question or to Virgin Islands Swimming Federation and/or the sport of Aquatics being brought into disrepute.
- 8.2 Without prejudice to Article 8.1, in their capacity as Covered Person, Covered Persons may offer and accept:
- a) tokens of consideration or friendship of nominal value, in accordance with prevailing local customs; and
 - b) reasonable, proportionate, and bona fide corporate Gifts and Hospitality (including event accreditations or tickets), solely as a mark of respect or friendship;

provided that any such token, Gift, or Hospitality that is worth more than 250 USD (or the equivalent in any other currency) must be disclosed to the Virgin Islands Swimming Federation Ethics Officer, and if it is not approved by the Virgin Islands Swimming Federation Ethics Officer it must be withdrawn or returned (as applicable).

9. BIDDING FOR EVENTS

- 9.1 Candidate and host cities seeking to host an Event organised by Virgin Islands Swimming Federation and its local organising committee(s), and any of its officials, employees, volunteers and/or other persons entitled to act or attend an Event on its behalf must conduct their candidacies with honesty, dignity, moderation and respect for their opponents, and in accordance with applicable law and any applicable Virgin Islands Swimming Federation Rules and Regulations and/or guidelines, including this Integrity Code. They must also:
- a) Respect the bidding process established by Virgin Islands Swimming Federation;
 - b) Refrain from soliciting or accepting any undue support or promotion from Virgin Islands Swimming Federation sponsors and other Virgin Islands Swimming Federation marketing partners;
 - c) Refrain from making any agreement, coalition or collusion with other candidates; and
 - d) Refrain from covering any costs and expenses of Virgin Islands Swimming Federation Governing Body Members, in particular travel and accommodation until such bid is accepted.

Note: For the avoidance of doubt, in addition to any other information Virgin Islands Swimming Federation may require in any particular bidding procedure, Virgin Islands Swimming Federation may, at its discretion, require all candidate entities submitting bids to provide details of any financing or other support agreed with any third party, whether or not such financial or other support has actually been paid or is forthcoming.

- 9.2 Covered Persons must:
- a) respect the integrity of the bid process, allowing equal conditions and opportunities for each candidate and potential candidate, treating each candidate and potential candidate in a fair and equal manner;

- b) not directly or indirectly solicit or accept any form of advantage from the process;
- c) not use the resources of Virgin Islands Swimming Federation to back any candidate; and
- d) be neutral in respect of bids for the grant of hosting rights, commercial rights and/or other rights, including refraining from making any public declaration appearing to give an opinion on one or more candidates.

10. ELECTIONS

- 10.1 Candidates for elected Virgin Islands Swimming Federation positions must conduct their candidacies (and must ensure that persons assisting them with their candidacies conduct themselves) with honesty, dignity and respect for their opponents, and in accordance with applicable law and any applicable Virgin Islands Swimming Federation Regulations and/or guidelines, including this Integrity Code.

Note: A candidate is identified as such when his/her nomination is submitted to Virgin Islands Swimming Federation. Additionally, an individual shall be regarded as a candidate, and subject to Virgin Islands Swimming Federation Rules and Regulations and this Integrity Code, if he/she states his/her intention in public to be a candidate or campaign in such a way that gives the appearance of being a candidate, even if he/she has not been nominated.

- 10.2 Candidates may grant interviews to the media. All communications undertaken by a candidate shall strictly respect the other candidates and shall in no way be prejudicial to any other candidate.
- 10.3 Candidates must refrain from:
- a) entering into any form of undertaking with any individual or Organisation that is likely to affect the candidate's freedom of decision or action if elected;
 - b) engaging in any act, coalition, collaboration or collusion by or between candidates with the intent to defraud or unduly manipulate the result of the vote; and
 - c) Requesting or using support, resources or services from Virgin Islands Swimming Federation in connection with their candidacies, even if they currently occupy elected or appointed positions within Virgin Islands Swimming Federation.
- 10.4 Covered Persons and in particular voting delegates must:
- a) respect the integrity of the candidacy process, allowing equal conditions and opportunities for each candidate and potential candidate, treating them in a fair and equal manner, and avoiding any risk of conflict of interest;
 - b) not accept Gifts or Hospitality from any candidate, unless permitted under this Integrity Code;
 - c) not directly or indirectly solicit or accept any form of undue advantage from the process; and
 - d) not use the resources of Virgin Islands Swimming Federation to assist or back any candidate.

PREVENTING THE MANIPULATION OF AQUATICS COMPETITIONS

11. ANTI-CORRUPTION RULES

- 11.1 Each of the following, when committed by a Covered Person (whether directly or indirectly through any third party), will constitute an Integrity Code Violation by that Covered Person:

Betting in relation to:

- a) any Aquatics Event, whether or not the Covered Person is directly participating in that Aquatics Event; and
- b) any non-Aquatics sport event, if it features in a multi-sport competition in which Aquatics Events are featured, if the Covered Person is directly participating in that multi-sport competition. For example, an Athlete participating in the Olympic Games is not allowed to bet on tennis at the Olympic Games.

Manipulation of Events – i.e. An intentional arrangement, act or omission aimed at an improper alteration of the result or the course of any Event in order to remove all or part of the unpredictable nature of such Event with a view to obtaining an undue Benefit for oneself or for others. This includes (without limitation) match-fixing and spot-fixing.

- a) Providing, requesting, receiving, seeking, or accepting a Benefit related to the Manipulation of Event or any other form of corruption. Without limiting the generality of the foregoing, this includes:
 - fixing or contriving in any way or otherwise improperly influencing (or being a party to the fixing, contriving or other improper influencing of) the result, progress, outcome, conduct or any other aspect of an Event;
 - ensuring the occurrence of a particular incident in an Event, the occurrence of which is to the Covered Person's knowledge the subject of a Bet and for which the Covered Person or another Person expects to receive or has received a Benefit;
 - failing to perform to the best of one's abilities in an Event, in return for a Benefit or the expectation of a Benefit (irrespective of whether such Benefit is in fact given or received) or further to another agreement with a third party;
 - seeking, accepting, offering, or agreeing to accept or offer, a bribe or other Benefit to fix or contrive in any way or otherwise to influence improperly the result, progress, outcome, conduct or any other aspect of an Event (irrespective of whether such bribe or other Benefit is in fact given or received); and/or
 - providing, offering, giving, requesting or receiving any Benefit in circumstances that the Covered Person knew or should have known could undermine public confidence in the integrity of any Event or the sport of Aquatics generally (irrespective of whether such Gift or other Benefit is in fact given or received).

- b) Inside Information:
 - Using Inside Information for the purposes of Betting, manipulating Events or any other corrupt purposes, whether such use is by the Covered Person or via another person and/or entity.
 - Disclosing Inside Information to any person and/or entity, with or without Benefit, where the Covered Person knew or should have known that such disclosure might lead to the information being used for the purposes of Betting, manipulating Events or any other corrupt purposes.
 - Giving and/or receiving a Benefit for the provision of Inside Information regardless of whether any Inside Information is actually provided.
 - c) Committing any act not otherwise prohibited under this Integrity Code that amounts to a violation of any applicable criminal or other law or regulation where such violation could undermine public confidence in the integrity of an Event or the sport of Aquatics generally.
- 11.2 The following matters are not relevant to the determination of a violation of this Chapter:
- a) whether or not the Covered Person actually participated, or was assisting an Athlete who participated, in the specific Event in question;
 - b) the outcome of the Event on which the Bet was made;
 - c) whether or not any Benefit or other consideration was actually given or received;
 - d) the nature or outcome of any Bet in issue;
 - e) whether or not the Covered Person's efforts or performance (if any) in any Event in issue were (or could be expected to be) affected by the act(s) or omission(s) in question;
 - f) whether or not the result or any other aspect of the Event in issue was (or could have been expected to be) affected by the act(s) or omission(s) in question;
 - g) whether or not the manipulation of any Event or other corrupt conduct included a violation of a technical rule of World Aquatics or any Continental Organisation or World Aquatics Member; and
 - h) whether or not the Event was attended by a representative of World Aquatics or any Continental Organisation, World Aquatics Member or other competent Sports Organisation.

12. RELATIONSHIPS WITH BETTING ORGANISATIONS

- 12.1 A Covered Person may not have a business association or enter into any business arrangement (whether formal or informal) with any Betting Organisation that involves the payment of any monies to or by, or the conferring of any benefit(s) or advantage(s) upon or by, the Covered Person, either directly or indirectly, as a result of such association or arrangement.

- 12.2 As an exception to Article 12.1, a Covered Person will not be in Integrity Code Violation if he/she is employed by, or have a business association with, a parent company that has a Betting Organisation as a subsidiary company (or Betting is a business interest of any subsidiary company), provided that the Covered Person can prove that (i) he/she has no direct involvement with the subsidiary, (ii) that he/she derives no direct or indirect benefit from the subsidiary, and (iii) that the parent company's business does not involve Betting.
- 12.3 A Covered Person shall be considered to have acted in violation of Article 12.1 if any Related Party has a controlling interest in a Betting Organisation, or a substantial relationship with a Betting Organisation, or is employed in the day-to-day operational control of a Betting Organisation, unless this is disclosed to, and recorded and approved by, the Virgin Islands Swimming Federation Ethics Officer.

SAFEGUARDING RULES

13. FORBIDDEN CONDUCT

- 13.1 The following Forbidden Conduct shall constitute an Integrity Code Violation:
- a) **Harassment:** Any acts of hazing, neglect, psychological abuse, physical abuse, and sexual harassment.
 - b) **Hazing:** Any intentional action taken or any situation created that causes embarrassment, harassment or ridicule, and risks emotional, physical or sexual harm to a Covered Person, regardless of the individual's willingness to participate.
 - c) **Neglect:** The failure of a Covered Person with a duty of care towards another Covered Person to provide a minimum level of care to that Covered Person which is causing harm, encouraging harm, allowing harm to be caused, or creating imminent danger of harm – for example, forced training in unsafe training venues/equipment; failure to provide adequate nutrition/ fluids while training; or failure to protect the Athlete from environmental risks (heat/cold/dangerous open water swimming environments).
 - d) **Psychological Abuse:** A pattern of deliberate, prolonged, repeated non-contact behaviours within a power differentiated relationship.
 - e) **Physical Abuse:** Any deliberate and unwelcome act – such as, for example, punching, beating, kicking, biting and burning – that causes physical trauma or injury. Such act can also consist of forced or inappropriate physical activity (e.g., inappropriate age or physique training loads; when injured or in pain), forced alcohol consumption, or forced doping practices.
 - f) **Sexual Harassment:** Any verbal or physical conduct of a sexual nature which is unwelcome. Sexual Harassment includes sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature when such conduct is made either explicitly or implicitly.
 - g) **Sexual Abuse:** Any conduct of sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.

ENFORCEMENT OF THE INTEGRITY CODE

14. THE INTEGRITY UNIT RULES

- 14.1 The Virgin Islands Swimming Federation Integrity Unit is responsible for the enforcement of this Code, including assessment, investigation, adjudication and sanctioning of potential Integrity Code Violations. Virgin Islands Swimming Federation shall not be responsible for enforcing the integrity code of any Virgin Islands Swimming Federation Member or World Aquatics.
- 14.2 The Virgin Islands Swimming Federation Integrity Unit shall be responsible for enforcing this Code insofar as it relates to Integrity Code Violations in respect only of a Virgin Islands Swimming Federation Event or matter related specifically to Virgin Islands Swimming Federation, and not World Aquatics or Virgin Islands Swimming Federation Member Events or matters. To the extent that an Integrity Code Violation also amounts to a breach of the World Aquatics Integrity Code or the integrity code of a Virgin Islands Swimming Federation Member, the Virgin Islands Swimming Federation Integrity Unit shall liaise with those parties to ensure that the matter is dealt with by the responsible body. Virgin Islands Swimming Federation shall defer to the AQIU who shall take primacy over matters deemed to be within its jurisdiction.

15. MONITORING

The Virgin Islands Swimming Federation Integrity Unit may take all practical steps within its power to prevent and investigate potential Integrity Code Violations, including:

- a) monitoring Betting, including monitoring any irregular Betting patterns that might occur;
- b) operating a reporting / whistleblowing hotline;
- c) establishing effective channels for cooperation (including but not limited to the exchange of intelligence and information) between Virgin Islands Swimming Federation, the AQIU and World Aquatics, or Virgin Islands Swimming Federation and other competent authorities (including national and international criminal, administrative, professional and/or judicial agencies) in relation to the investigation and prosecution of conduct that is prohibited under this Integrity Code and/or under other applicable laws or regulations;
- d) exchanging information with other relevant sports organisations (for example, the International Olympic Committee) in relation to corruption in sport; and
- e) Introducing education programmes.

16. REPORTING

- 16.1 Any person may report an alleged Integrity Code Violation to Virgin Islands Swimming Federation Integrity Unit via the official channels described on the Virgin Islands Swimming Federation website.

- 16.2 The Virgin Islands Swimming Federation Integrity Unit shall acknowledge receipt of the report, although the person submitting the report shall have no entitlement for proceedings to be opened, to be involved in the proceedings or to be informed of any decision made. The Virgin Islands Swimming Federation Integrity Unit will ensure that upon full discretion of the Virgin Islands Swimming Federation Integrity Unit any person who can be deemed to be directly concerned is duly consulted, in particular as regards establishing facts. The Virgin Islands Swimming Federation Integrity Unit shall also inform the Complainant, provided he/she/it is directly concerned by the facts of the case, of (i) the opening of proceedings, (ii) imposition of Provisional Measures, (iii) the findings of the decision, as well as any considerations related to the facts which concern such person directly. Upon request, such information may also be provided by the Virgin Islands Swimming Federation Integrity Unit to any other person who is directly concerned and has a legitimate interest. The information shall be provided at the same time as notification to the Parties to the proceedings.
- 16.3 Reporting under this Integrity Code may be made anonymously. Anonymity means that Virgin Islands Swimming Federation Integrity Unit Officials will not know the personally identifying information of the reporter. The identity of any Claimant may only be disclosed if such disclosure is both necessary for the purposes of any investigation into an alleged Integrity Code Violation and the consent in writing of the person to the disclosure of his or her identity has been obtained.
- 16.4 The transfer of a potential Integrity Code Violation reported directly to Virgin Islands Swimming Federation to the Virgin Islands Swimming Federation Integrity Unit shall be deemed to be a report under this Integrity Code.

17. RESPONSIBLY FOR CASE MANAGEMENT

- 17.1 Where the conduct reported to it could be pursued as either an Integrity Code Violation by the Virgin Islands Swimming Federation Integrity Unit, the AQIU or a Virgin Islands Swimming Federation Member, the Virgin Islands Swimming Federation Integrity Unit shall decide whether to pursue the matter under this Integrity Code or to refer the matter to the AQIU or Virgin Islands Swimming Federation Member (as applicable). Where a Virgin Islands Swimming Federation Member fails to act effectively in respect of the matter, the Virgin Islands Swimming Federation Integrity Unit may (at its absolute discretion) pursue the matter under this Integrity Code. In the case where a matter is already under consideration by the AQIU, the AQIU shall take primacy over proceedings.

18. PROVISIONAL MEASURES

- 18.1 The Virgin Islands Swimming Federation Integrity Unit may impose provisional measures on the Covered Person pending completion of the investigation and a decision if they consider that the safety or well-being of a person, and/ or public confidence in the integrity of the sport of Aquatics is at risk pending the outcome of the investigation. The Covered Person may not be given an opportunity to submit their position before provisional measures are imposed. Any provisional measures imposed will take effect from the date of receipt of notice of provisional measures from Virgin Islands Swimming Federation Integrity Unit's decision. A copy of the decision to impose provisional measures on the Covered Person shall be notified to the Covered Person, as well as his/her/its Virgin Islands Swimming Federation Member.
- 18.2 There shall be no appeal against a decision to impose provisional measures.
- 18.3 During the period of any provisional suspension, a Covered Person will be subject to the same restrictions that apply during a period of ineligibility, as set out in the Integrity Code.
- 18.4 A Covered Person may at any time accept a voluntary provisional suspension pending determination of the charge(s) against him/her/it. Such voluntary provisional suspension will come into effect only upon receipt by the Virgin Islands Swimming Federation Integrity Unit of written confirmation of the Covered Person's acceptance of the provisional suspension.
- 18.5 No admission may be inferred, or other adverse inference drawn, from a Covered Person's acceptance of voluntary provisional suspension.
- 18.6 Any period of provisional suspension served and complied with (whether voluntarily or otherwise) shall be credited against any period of suspension subsequently imposed on the Covered Person.

19. INVESTIGATING POTENTIAL INTEGRITY CODE VIOLATIONS

- 19.1 The Virgin Islands Swimming Federation Integrity Unit may make a written Demand to a Covered Person to provide any document, information, or item that it reasonably believes may evidence or lead to the discovery of evidence of an Integrity Code Violation.
- 19.2 It shall have the power to call any Covered Person or other person as a witness to participate in an interview. Any Covered Person shall be obliged to cooperate with such interview and may be accompanied by a legal representative.
- 19.2 A refusal or failure by a Covered Person to comply immediately with a request for interview shall constitute a separate violation of this Integrity Code. Any attempted or actual damage, alteration, destruction or hiding of any documents, information, or item relevant to the investigation, whether before or after a Demand is issued, shall constitute a further separate violation of this Integrity Code.

20. DECISION PROCESS

- 20.1 Once the accused person has been given due process, the Virgin Islands Swimming Federation Integrity unit shall determine whether an Integrity Code violation has been committed. Where it determines that a violation has been committed, it shall also determine, in its discretion, the appropriate sanction(s), in accordance with the Code.

21. SANCTIONS

- 21.1 Any one or more of the following sanctions may be imposed for an Integrity Code Violation:
- a) a warning as to future conduct;
 - b) a reprimand;
 - c) a fine in an amount proportionate to the seriousness of the violation;
 - d) an order of reimbursement or restitution;
 - e) a suspension from carrying out specific activities on behalf of Virgin Islands Swimming Federation and/or Virgin Islands Swimming Federation Member for a specified period;
 - f) a period of ineligibility, the length of which is to be determined based on what is proportionate in the circumstances of the case, taking into account in particular (i) the nature of the violation(s), (ii) the degree of fault of the Covered Person, (iii) the harm that the violation(s) has/have done to the sport, (iv) the need to deter future violations, and (v) any specific aggravating or mitigating factors;
 - g) other loss of privileges, no contact directives, requirement to complete educational or other programs, return of Virgin Islands Swimming Federation awards, or any other restrictions or conditions as deemed necessary or appropriate; and
 - h) any other sanction deemed appropriate, including, but not limited to disqualification of results, annulment of results of any Event, removal from office, forfeiture of points and/or of quota places and/or of hosting rights, other loss of privileges, no contact directives, requirement to complete educational or other programs, and return of Virgin Islands Swimming Federation awards.
- 21.2 The sanction(s) to be imposed in a particular case shall be determined by reference to all the relevant circumstances of the case, including an assessment of the seriousness of the violation, and any mitigating or aggravating factors that may be present.
- 21.3 Aggravating factors may include (without limitation):
- a) the age or experience or position of trust or authority of the Covered Person (e.g., as coach of the team);
 - b) the Covered Person's previous disciplinary record, including in particular any prior violations of this Integrity Code or similar offences;

- c) any finding that the Covered Person violated more than one Article of this Integrity Code or violated the same Article more than once;
- d) any finding that the Covered Person received or expected to receive a significant Benefit as a result of their violation;
- e) any finding that the Covered Person's violation affected or had the potential to affect the course or outcome of an Event;
- f) any finding that the violation was part of a broader scheme involving other Covered Persons, including evidence of coercion backed up by threats;
- g) the Covered Person's deceptive and/or obstructive behaviour during the course of Virgin Islands Swimming Federation's investigation and/or the proceedings before the Virgin Islands Swimming Federation Integrity Unit, such as providing no (or incomplete or inaccurate) information in response to questions or requests for information, or pursuing frivolous arguments or defences; and/or
- h) a lack of remorse on the part of the Covered Person (including, for example, refusing to take part in Integrity educational programs if organised by Virgin Islands Swimming Federation).

21.4 Mitigating factors may include (without limitation):

- a) the youth or inexperience of the Covered Person and/or any finding that there was taken advantage of them by more experienced or more senior Covered Persons;
- b) the Covered Person's good previous disciplinary record;
- c) any finding that the Covered Person did not receive or expect to receive any significant Benefit as a result of the violation(s);
- d) any finding that the Covered Person's violation(s) did not affect or have the potential to affect the course or outcome of an Event;
- e) the Covered Person's timely admission of a violation when confronted with the alleged violation(s);
- f) the Covered Person's cooperative behaviour during the course of the investigation and/or the proceedings before the Virgin Islands Swimming Federation Integrity Unit, such as providing information requested on a timely and complete basis, and/or volunteering information;
- g) the Covered Person's provision of Substantial Assistance (provided that the extent of the mitigation will depend mainly on the extent to which the Substantial Assistance enabled the Virgin Islands Swimming Federation Integrity Unit or other relevant authority to establish other violations of this Integrity Code or other applicable laws or regulations); and
- h) the Covered Person displaying remorse (including, for example, by agreeing to take part in integrity educational programmes if organised by Virgin Islands Swimming Federation).

21.5 Where more than one violation has been committed, the sanction will be based on the most serious violation and increased as appropriate depending on the specific circumstances.

- 21.6 Any period of ineligibility imposed under the Code will commence on the date it is imposed, or otherwise accepted by the Covered Person, with credit given for any period of provisional suspension served and complied with.
- 21.7 During any period of ineligibility or provisional suspension, a Covered Person may not (i) participate in any Event; (ii) attend any other Aquatics-related activity organised by or on behalf of Virgin Islands Swimming Federation, World Aquatics or any Continental Organisation or Virgin Islands Swimming Federation Member, save that at Virgin Islands Swimming Federation's invitation the attendance is allowed in an educational capacity as part of an integrity programme organised by Virgin Islands Swimming Federation; and (iii) hold or be a candidate for any position (or have any dealings) as a Virgin Islands Swimming Federation Official or Other Official. Any potential violation of the period of ineligibility shall be considered an Integrity Code Violation and shall be pursued in accordance with ENFORCEMENT OF THE INTEGRITY CODE Chapter of this Integrity Code.
- 21.8 If a Covered Person is found to have violated this Integrity Code, the period of ineligibility originally imposed in accordance with this Integrity Code shall recommence from the date of such violation (disregarding the period of ineligibility served prior to such violation) and (where applicable) the Covered Person shall be immediately disqualified from the relevant Event.
- 21.9 This Integrity Code shall continue to apply to any ineligible Covered Person and separate proceedings may be brought against the Covered Person under this Integrity Code for any violation committed during the period of ineligibility.
- 21.10 As part of an informal or formal resolution of any matter, a Covered Person may be required to complete an appropriate education or rehabilitation programme pertaining to the prevention of harassment and abuse as a condition of eligibility or as an independent sanction.

22. RIGHT OF APPEAL

- 22.1 Decisions determining that an Integrity Code Violation has been committed may be appealed by any Party to the proceedings in question and shall be filed exclusively to the CAS.
- 22.2 To be admissible, an appeal to CAS must be filed with the CAS within twenty-one (21) calendar days of the appealing Party's receipt of the written reasoned decision in question by email. A copy of the appeal shall be served at the same time on the other Party(ies). Only the notification by email of the full Decision is relevant for the purposes of calculating the time limit to appeal in CAS. The appeal shall comply with the applicable rules and requirements of the CAS Code of Sports-related Arbitration.
- 22.3 An appeal to CAS shall not have any suspensive effect. Accordingly, pending the resolution of the appeal by the CAS, the decision being appealed (including any sanction(s) imposed) will remain in full force and effect (unless the CAS orders otherwise).

23. RECOGNITION OF DECISIONS AND PROVISIONAL MEASURES

- 23.1 Decisions taken under this Integrity Code, including decisions on provisional measures and decisions of CAS on appeals submitted to CAS, are applicable worldwide and must be recognised, respected and given effect by Virgin Islands Swimming Federation, and all Virgin Islands Swimming Federation Members, without the need for any further formality.
- 23.2 Virgin Islands Swimming Federation, World Aquatics, and all Virgin Islands Swimming Federation Members shall recognise and take all necessary and reasonable steps within their powers to enforce and give effect to all decisions taken under the regulations of World Aquatics, Virgin Islands Swimming Federation or a Virgin Islands Swimming Federation Member adopted in accordance with this Integrity Code.
- 23.3 The Virgin Islands Swimming Federation Integrity Unit shall be able to consult with the AQIU, subject to confidentiality arrangements, when it becomes aware of a case being investigated by a Virgin Islands Swimming Federation Member.

24. STATUTE OF LIMITATIONS

- 24.1 Except in the case of Sexual Abuse, which is not subject to any statute of limitations, the statute of limitation period for claims filed under this Code is ten (10) years from the last date when the Forbidden Conduct or Integrity Code Violation is alleged to have occurred.
- 24.2 In the case of Forbidden Conduct, if the Forbidden Conduct is alleged to have occurred while the Claimant was a Minor, the statute of limitation period is ten (10) years from the date upon which the Claimant turns the age of majority in the country where the alleged Forbidden Conduct mainly occurred.