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## P1 KARTING AUSTRALIA INTEGRITY FRAMEWORK ('KIF')

Scheduled Reviewed Triennially or as required

Date of Board Approval

19 September 2022

Last Review: 28 November 2022

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### 1. Background

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#### 1.1 Introduction

- a. Karting Australia Integrity Framework applies to all Activities organised or authorised by Australian Karting Association Ltd (**KA**) or a Member Organisation and will be adopted in full by each Karting Member Organisation.
- b. Sports integrity means the manifestation of the ethics and values that promote community confidence in sport. Threats to the integrity of sport includes the:
  - i. manipulation of sporting competitions;
  - ii. improper use of drugs and medicine in sport;
  - iii. abuse of children and other persons in a sporting environment; and
  - iv. failure to protect Members and other persons in a sporting environment, from bullying, intimidation, discrimination, or harassment.
- c. KA seeks to take a proactive approach to mitigate the integrity threats to Karting in Australia and to provide a safe, fair, and trustworthy environment for all Participants at all levels of Karting.
- d. The KA Integrity Framework is one of KA's responses to the threats to the integrity of Karting and sets out the broad expectations for the conduct of all Participants in Karting, including procedures for managing, reporting, investigating, and determining potential breaches of its Integrity Policies.

#### 1.2 Definitions

Defined terms not otherwise defined in this Policy have been defined in and have the meaning given to them, in the KA "Australian Karting Manual - National Competition Rules" (**NCR**) and the KA Constitution. In the KA Integrity Framework, the following words have the corresponding meaning:

**Activity** means any sanctioned Karting Competition or Karting Activity that is required to be conducted under an Organising Permit issued by KA or a Member Organisation in accordance with the NCR, or a related activity including but not limited to a social activity, working bee, promotional activity, and the like, organised by a Relevant Organisation.

**Administrators** – see 'Participant'.

**Authorised Provider** – see 'Relevant Organisation'.

**Board** means the Board of KA.

**CEO** means the chief executive officer of KA as appointed from time to time.

**Child** or **Children** means a child or young person, or two or more children or young persons, who is or are under the age of 18 years.

**Club** – see 'Relevant Organisation'.

**Coach** – see 'Participant'.

**Contractor** means any person or organisation engaged to provide services for or on behalf of KA or a Member Organisation, and includes agents, advisers, and subcontractors of KA or a Member Organisation and employees, officers, volunteers, and agents of a contractor or subcontractor.

**Circuit** – see ‘NCR’s’.

**Complaints and Discipline of Members By-law** means the By-law adopted by KA under this Framework, for the handling and resolution of Complaints and the application of Discipline regarding Prohibited Conduct.

**Disciplinary Measures** means any Provisional Action taken or Sanction imposed under the KA Complaints and Discipline of Members Bylaw, as defined in that Bylaw.

**Driver** – see ‘Participant’.

**Employee** means a person employed by KA or a Member Organisation.

**Framework** means this KA Integrity Framework document, including any schedules and annexures ‘KIF’ shall have the same meaning.

**Integrity Policy** means the following KA sports integrity-related policies adopted under this Framework:

- a. This Framework document;
- b. Child Safeguarding Policy;
- c. Member Protection Policy;
- d. Improper Use of Drugs and Medicine Policy;
- e. Code of Conduct Policy;
- f. Social Media And Acceptable Use Of Social Media Policy;
- g. Competition Manipulation and Sports Wagering Policy;
- h. Complaints and Discipline of Members By-law (By-law7); and
- i. KA Tribunals (By-law 8);

**Individual Member** – see ‘Member’.

**Integrity Unit** means KA’s Integrity Unit, as established under this policy.

**Karting Activity** – see ‘NCR’s’.

**Karting** means the sport of Karting, as governed by KA under the delegated authority from the Confederation of Australian Motorsport (**Motorsport Australia**) and the Fédération Internationale de ‘Automobile (**FIA**).

**Karting Facility** means a facility at which a Karting Competition and/or Karting Activity takes place.

**Karting Organisation** – see ‘Relevant Organisation’.

**Licence Holder** – see ‘NCR’s’.

**Member** means a member of KA or a Member Organisation under clause 5 of KA’s constitution,

including:

- a. Member State means a legal entity recognised by KA as representing the state;
- b. Club means a club or association admitted as a Member to KA;
- c. Individual Members means a person to whom a Licence has been issued and/or any other person nominated by KA who accordingly has been admitted to KA as an individual member;
- d. Affiliate Member, means a body with similar and/or aligned interests to KA (but not including a Club or association registered with a Member State);
- e. Life Member means a person admitted to KA as a life member.

**Member Organisations** – see ‘Member’.

**National Complaints Officer** means the person responsible for receiving complaints under this Framework to be managed by a review process under the Complaints and Discipline of Members By-law.

**National Integrity Manager** means the person responsible for KA’s Integrity Unit and for the implementation, management, reporting and review of this Framework.

**Officials** – see ‘Participant’.

**Participant** means:

- a. **Driver** - see ‘NCR’s’;
- b. **Coach** is a person who is recognised and/or accredited by KA or a Member Organisation to train a Driver to Compete in a sanctioned Karting Competition or to participate in a Karting Activity including but not limited to training and/or practice. Instructor shall have the same meaning;
- c. **Administrator** is a person who has a role in the administration or operation of KA, a Karting Organisation, Circuit or Karting Facility including owners, directors, committee members or other persons;
- d. **Official** – see ‘NCR’s’;
- e. **Licence Holder** – see ‘NCR’s’;
- f. **Organiser** – see ‘NCR’s’;
- g. **Support Personnel** who are appointed in a professional or voluntary capacity by a Karting Organisation, KA, or competition, series, club, or team sanctioned by KA including but not limited to karting industry personnel.

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**Prohibited Conduct** means the conduct proscribed by this Framework and the Integrity Policies.

**Relevant Organisation** means any of the following organisations:

- a. **KA**;
- b. **Member Organisation** – see ‘Member’;
- c. **Karting Organisation**, which means and includes:
  - i. **Member Organisation** - see ‘Member’;
  - ii. **Clubs** - see ‘Member’;
  - iii. **Authorised Provider**, which means any non-Member organisations including but not limited to service providers and suppliers, authorised to conduct Karting Activities sanctioned by KA or a Karting Organisation;
- d. **Team** means a collection of Drivers who Compete in a Competition and/or who participate in a Karting Activity; and
- e. Any other organisation who has agreed to be bound by this Framework/the Integrity Policies.

**Relevant Person** means any of the following persons:

- a. **Licence Holder** – see ‘Member’
- b. **Individual Member** – see ‘Member’;
- c. **Participant** – see ‘Member’;
- d. **Employee**;
- e. **Contractor**;
- f. **Volunteer**, which means any person engaged by KA or a Karting Organisation in any capacity who is not otherwise an Employee or Contractor, including directors and office holders, coaches, driving instructors, officials, administrators, and support personnel including team mechanics and pit crew; and
- g. Any other individual who has agreed to be bound by this Framework/the Integrity Policies.

**Support Personnel** – see ‘Participant’.

**Team** – see ‘Relevant Organisation’.

**Volunteer** – see ‘Relevant Person’.

## 2. Jurisdiction

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### 2.1 Who the Framework applies to

- a. This Framework applies to and binds all Relevant Persons and Relevant Organisations as set out in the Integrity Policies.
- b. Employees are expected to abide by the terms of this Framework as a reasonable and lawful direction of KA or the Karting Organisation they are employed by (as relevant) as their employer.
- c. KA and Karting Organisations must ensure that all Contractors and Volunteers are contractually bound to abide by the terms of this Framework.
- d. By participating in an Activity, a Participant is deemed to have agreed to be bound by the Framework.
- e. Any person or organisation who:
  - i. has had a complaint made against them under the Complaints and Discipline Policy; and
  - ii. was bound by the Framework at the time the complaint was made or when they became aware that a complaint may be made;
  - iii. would, for any reason, otherwise have ceased to be bound by this Framework at any time after the complaint was made or when they became aware that the complaint may be made.
- f. Remains bound by the Framework in respect of the complaint and any related complaint until the complaints process has been finalised in accordance with the Complaints and Discipline of Members By-law.

## 3. Scope

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### 3.1 Scope

- a. The KA Integrity Framework comprises this Framework document and the **Integrity Policies**.
- b. Nothing in this Framework limits the rights or obligations of any person under any other KA policy, code of conduct or other relevant agreement.
- c. This Framework does not override or limit the application of any laws of Australia or a state/territory.
- d. The 'Summary' at the start of each Integrity Policy is not intended to be and should not be

construed in any way as a complete and comprehensive overview of the relevant Integrity Policy. To the extent of any inconsistency, the operative provisions of the relevant Integrity Policy prevail.

## 4. Prohibited Conduct

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### 4.1 Prohibited Conduct

In addition to the Prohibited Conduct proscribed by the Integrity Policies, a Relevant Person or Relevant Organisation commits a breach of this Framework when they:

- a. Fail to report any Prohibited Conduct, as defined under this Framework or an Integrity Policy, to KA National Complaints Officer as soon as reasonably practicable;
- b. Deliberately or wilfully withhold information in relation to any possible Prohibited Conduct;
- c. Fail to provide further information or documentation as requested as part of a Complaint Process under this Framework, including a failure to fully and in good faith participate in an interview;
- d. Fail to comply with or enforce Disciplinary Measures imposed under the Complaints and Discipline of Members By-law; or
- e. Knowingly provide any inaccurate and/or misleading information during the course of any investigation or proceedings under this Framework.

### 4.2 Additional matters

- a. Where conduct may constitute 'Prohibited Conduct' under this Framework or any Integrity Policy but is a Reportable Conduct under KA's Whistleblower Policy, it must be dealt with under such policy.
- b. The Australian National Anti-Doping Policy will prevail to the extent of any inconsistency with this Framework in all instances. Any allegation relating to a breach or possible breach of Australian National Anti-Doping Policy will be dealt with under that policy.
- c. Nothing in this Framework or the Integrity Policies prevents the KA Board from referring any alleged Prohibited Conduct or criminal conduct to a relevant law enforcement agency.

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## 5. KA's Responsibility to Manage Framework

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### 5.1 Responsibility for the management of the Framework

- a. KA will ensure that it has an Integrity Unit<sup>1</sup> headed by a National Integrity Manager who shall report, directly, to the CEO.
- b. The National Integrity Manager is responsible for the implementation, management, reporting and review of this Framework within KA.
- c. KA will ensure that it appoints a National Complaints Manager<sup>2</sup> for the purposes of the Complaints and Discipline of Members By-law.

### 5.2 National Integrity Manager

The National Integrity Manager will:

- a. Be responsible for the supervision and administration of this Framework, the Integrity Policies, and the associated education programs;
- b. Monitor the compliance of any Sanctions;
- c. Act in a professional, discreet, and confidential manner in undertaking the obligations of their

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<sup>1</sup> The size of the Integrity Unit is to be determined by KA based on the volume, nature, and seriousness of integrity issues within Karting and available financial resources. For the avoidance of doubt, the Integrity Unit may, if appropriate, solely comprise the KA Integrity Manager.

<sup>2</sup> KA may appoint the same person to be both the KA National Complaints Officer and the National Integrity Manager.

role under this Framework;

- d. Be responsible for ensuring that this Framework and the Integrity Policies are regularly reviewed, and any required amendments are approved by the KA Board; and
- e. Will provide the KA Board with regular reports of:
  - i. information relating to Alleged Breaches and Prohibited Conduct under the Integrity Policies;
  - ii. the operation of and overall compliance with the Integrity Policies; and
  - iii. any education programs that Participants have been required to undertake.

### 5.3 National Complaints Officer

The National Complaints Officer will be the point of contact in relation to the functions of the KA Discipline of Members By-law and will have such responsibilities as set out in that policy.

### 5.4 Education

- a. With the support of external agencies, KA will plan, implement, and maintain an education strategy that incorporates material addressing the matters covered by each Integrity Policy.
- b. The National Integrity Manager will, from time to time, direct certain Participants to undertake education programs, which will be relevant and proportionate to their level of participation in Karting and the associated integrity risks.

### 5.5 Recruitment of Employees and Volunteers

- a. KA and Karting Organisations should conduct any appropriate background checks required by an Integrity Policy for prospective Employees, Contractors, and Volunteers to screen for prior conduct that would constitute a breach of this Framework or the Integrity Policies.
- b. KA and Karting Organisations should undertake induction processes for Employees, Contractors and Volunteers that incorporate familiarisation with this Framework and the Integrity Policies, and other sports integrity education and training as determined by KA from time to time.

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## 6. Additional Responsibilities

### 6.1 Relevant Organisation responsibilities

In addition to that required under the Integrity Policies, KA and Member Organisations shall: implement and comply with this Framework;

- a. Ensure that all other policies, rules, and programs that apply to Relevant Persons and Relevant Organisations are consistent with this Framework;
- b. Use their best efforts to assist Relevant Persons and Relevant Organisations to fulfil their responsibilities under this Framework;
- c. Publish, distribute, and promote this Framework and the Integrity Policies (and any updates from time to time) and shall be responsible for making such documents available and accessible to Relevant Persons and Relevant Organisations; and
- d. Ensure their Employees and contractors act in a discreet and confidential manner in discharging their obligations under this Framework.
- e. Recognise any Sanction imposed under this Framework;
- f. Take all necessary steps to enforce any Sanction imposed under this Framework;
- g. Assist in any investigation or proceedings regarding any Prohibited Conduct and ensure that they do not knowingly provide any inaccurate and/or misleading information during the course of any investigation or proceedings.

### 6.2 Relevant Person responsibilities

In addition to that required under the Integrity Policies, Relevant Persons shall:

- a. Make themselves aware of the contents of this Framework;

- b. Comply with all relevant provisions of the Framework;
- c. Comply with any decisions and/or Sanctions imposed under the Framework.
- d. Undertake sports integrity education as directed by the National Integrity Manager;
- e. Assist in any investigation or proceedings regarding any Prohibited Conduct and ensure that they do not knowingly provide any inaccurate and/or misleading information during the course of any investigation or proceedings.

## 7. Complaints and Discipline of Members By-law

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The Complaints and Discipline of Members By-law applies to any alleged Prohibited Conduct, including reports of breaches, of this Framework or any Integrity Policy.

## 8. Interpretation & Other Information

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### 8.1 Application and Commencement

- a. This Framework is approved by the Board.
- b. This Framework:
  - i. Commences on the date outlined in the Policy Title (**Commencement Date**);
  - ii. Is subject to KA's Constitution and if there is any inconsistency, the Constitution will prevail; and
  - iii. When in force, is binding on all those listed in Jurisdiction.

### 8.2 Amendment

- a. The Board may amend this Framework and the Integrity Policies from time to time and such amendments will be effective on the date specified by the Board.
- b. Member Organisations must adopt this Framework, including any amendments, in full and without amendment, as a policy under their constitution, within three (3) months of the date it is adopted by KA.

### 8.3 Inconsistency

This Framework applies to each Integrity Policy. When interpreting an Integrity Policy, any provisions of that Integrity Policy inconsistent with this Framework apply to the extent of that inconsistency.

### 8.4 Interpretation

The following rules of interpretation apply to the Framework and each Integrity Policy:

- a. Headings are for convenience only and shall not be deemed part of the substance of the document or to affect in any way the language of the provisions to which they refer.
- b. Words in the singular include the plural and vice versa.
- c. Reference to 'including' and similar words are not words of limitation.
- d. Words importing a gender include any other gender.
- e. A reference to a clause is a reference to a clause or subclause of this Framework.
- f. Where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.
- g. In the event any provision of this Framework is determined invalid or unenforceable, the remaining provisions shall not be affected, and the document shall not fail because any part of it is held invalid.
- h. Except as otherwise stated herein, failure to exercise or enforce any right conferred by this Framework shall not be deemed to be a waiver of any such right nor operate to bar the exercise or enforcement thereof or of any other right on any other occasion.
- i. Defined terms are Capitalised and consistent across the Framework/Integrity Policies.