

# COC CODE OF ETHICS

June 2021



Review date	Comes into effect on	Scope of Application	Location
June 30, 2021	July 1, 2021	All COC Participants (as defined in Section 2)	COC WEBSITE <a href="https://olympic.ca/canadian-olympic-committee/governance/policies/">https://olympic.ca/canadian-olympic-committee/governance/policies/</a>



## **DEFINITIONS**

“**Appeal Committee**” has the meaning set forth in **Section 10**.

“**CEO**” means the Chief Executive Officer of the COC.

“**COC**” means the Canadian Olympic Committee and the Canadian Olympic Foundation.

“**COC Activities**” has the meaning set forth in **Section 2**.

“**COC Participants**” has the meaning set forth in **Section 2**.

“**Confidential Information**” has the meaning set forth in **Section 3.2**.

“**Entities**” –has the meaning set forth in **Section 3.3.1**.

“**Ethics Code**” means this COC Code of Ethics.

“**Family Member**” has the meaning set forth in **Section 3.3.1**.

“**Games**” has the meaning set forth in **Section 2**.

“**Games Participants**” has the meaning set forth in **Section 6.2**.

“**Gifts**” has the meaning set forth in **Section 3.3.5**.

“**Illegal Sports Betting**” has the meaning set forth in **Section 3.5**.

“**NSO**” means the National Sport Organization.

“**Person in Authority**” has the meaning set forth in **Section 3.4**.

“**Person in Leadership**” has the meaning set forth in **Section 6.1**.

“**President**” means the President of the COC.

“**Related Party**” has the meaning set forth in **Section 3.3.1**.



## 1. PURPOSE

The Canadian Olympic Committee (“COC”) and Canadian Olympic Foundation (“COF”) (collectively hereinafter referred to as the “COC”) expects every person who is involved in the Olympic Movement in Canada to conduct themselves with integrity and uphold the highest standards of conduct and ethics, in accordance with the Olympic and COC values.

COC Participants (as defined in **Section 2**) are expected to conduct themselves in all matters involving or impacting the COC, and where they may be seen to be representing the COC, in a manner that is fully consistent with the highest standards of behaviour. At all times, COC Participants’ behaviour must reflect and not compromise the reputation of the COC and the trust of the COC’s stakeholders and Canadians.

To this end, COC Participants will:

- a) Acquaint themselves with the COC’s mission, vision, values and policies and behave accordingly;
- b) Not participate in, condone, or engage in dishonesty, fraud, deceit, misrepresentation or illegal activities; and,
- c) Comply with the COC’s policies.

The purpose of this Code of Ethics (this “**Ethics Code**”) is to promote COC values and underscore the COC’s commitment to the highest standards of integrity and to foster a culture of ethics in the work and sport environment where:

- a) the COC and Olympic values are understood, communicated, championed and lived by all COC Participants;
- b) there is adherence to all applicable laws, regardless of where the work of the COC is being conducted;
- c) the expected standards of ethical behaviour by COC Participants are clear, communicated, championed and lived; and
- d) the conduct of COC Participants is ethical, transparent and maintains public confidence in the integrity of the COC.

This Ethics Code defines the behaviours that are not permitted so that they are known to COC Participants and, to the extent prohibited behaviour does occur, it outlines a duty to report, a clear reporting process and mechanism to address the wrongful conduct. This Ethics Code further ensures that the decisions and actions of COC Participants are consistent with the vision and values of the COC, the IOC Code of Ethics and the Olympic Charter, which the COC is committed to upholding.

In furtherance of the purposes of this Ethics Code, all COC Participants are expected to raise any concerns about behaviour, to report any prohibited behaviour, or any breach, or potential or suspected breach of



this Ethics Code, to work together to uphold the highest standards of integrity and to foster a culture of ethics in the work and sport environment. COC Participants are expected to exercise responsible judgment in complying with both the language and the spirit of the Ethics Code.

## 2. SCOPE OF APPLICATION

This Ethics Code applies to all COC participants, which include all persons engaged in any paid or volunteer capacity with the COC or otherwise under the jurisdiction of the COC (“**COC Participants**”). Without limiting the foregoing, COC Participants include the following when they are or would be reasonably perceived as representing the COC and involved in COC Activities:

- a) COC Directors, officers, members, committee members and volunteers;
- b) COC employees, interns and persons under contract with the COC;
- c) all athletes eligible for nomination to, or forming part of, any team participating in sport competitions over which COC has jurisdiction; and
- d) all persons working with those teams or athletes, including coaches, medical and paramedical personnel, sports federation representatives, and other support persons.

This Ethics Code applies at all times, wherever the COC work or activities take place, which includes the COC offices as well as external locations in Canada and abroad and includes all activities and events over which the COC has jurisdiction, such as the Olympic Games, Pan American Games, Youth Olympic Games and any other Games to which the COC send an official delegation (the “**Games**”), as well as all other events and activities organized or hosted by the COC (collectively, including the Games, the “**COC Activities**”). Without limiting the foregoing, it is acknowledged that COC Participants may be subject to other policies through National Sports Organizations (“**NSO**”) or otherwise, and that this Ethics Code is not intended to replace or repeal such policies.

## 3. BEHAVIOUR EXPECTATIONS AND STANDARDS

### 3.1 The Role of the CEO and the President of the COC

The COC Chief Executive Officer and Secretary General (“**CEO**”) and the President of the COC (“**President**”) shall have an integral role in furthering the purposes of this Ethics Code and in its effective implementation.

### 3.2 Confidentiality

During the course of working or volunteering with the COC, individuals will have access to sensitive, Confidential Information. Every COC Participant has a duty to take reasonable steps to secure Confidential Information and to not disclose such Confidential Information, including, once the COC Participant ceases to work, provide services, or volunteer for the COC. “**Confidential Information**” is information known to the COC Participant by virtue of their connection to the COC, whether or not marked “confidential”, but does not include:



- a) information available to the COC Participant on a non-confidential basis prior to its disclosure to the COC Participant;
- b) information demonstrably independently developed by, or known to the COC Participant outside of their connection to the COC (except from a source whom the COC Participant knew or ought to have known was bound by confidentiality at the time of disclosure);
- c) information known or available to the general public other than as a result of disclosure by the COC Participant; or
- d) information which becomes non-confidential through no fault of the COC Participant.

Confidential Information that COC Participants receive through their relationship with the COC must not be divulged to anyone other than persons who are authorized to receive such information. A COC Participant must not use information that is gained due to their relationship with the COC, in order to further any personal, private and/or public interest. COC Participants must not engage in any financial transactions, contracts, or private arrangements for personal profit, which accrue from, or are based upon, Confidential Information that they gain by reason of their position with the COC, with the exception of COC Participants in the context of their contracts for services or employment with the COC. These restrictions remain in effect following the termination or expiration of the COC Participant's employment or involvement with the COC, for so long as the information remains confidential.

Any intentional or negligent disclosure of Confidential Information to persons who the COC Participant knew or ought to have known should not have received the Confidential Information, or misuse, may result in sanctions under this Ethics Code.

### **3.3 Conflict of Interest/Unethical Conduct**

#### **3.3.1 Requirement to Avoid Conflict of Interests**

All COC Participants are obligated to avoid conflicts of interest and the appearance of a conflict of interest. COC Participants must avoid situations where their or their Family Members' personal interests could interfere or may conflict, directly or indirectly, with their obligations to the COC. COC Participants must not allow their personal interests or the interests of their Family Members to take precedence over the interests of the COC. No COC Participant shall have an undisclosed direct or indirect interest in or relationship with any outside organization or person that might affect the objectivity or independence of their judgment in carrying out the duties and responsibilities they have with the COC. Anything that could constitute a conflict of interest or unethical conduct on the part of a COC Participant is also a conflict of interest if knowingly engaged in through a third party such as a Family Member, or other related persons or organization.

A “**Family Member**” shall include, but is not limited to, a spouse, partner, natural or adoptive parent, child, sibling, people who are in an intimate relationship and people who permanently reside together. A “**Related Party**” shall include a Family Member, associates or a private corporation controlled by any of these individuals.

A COC Participant is required to disclose to the COC Participant's immediate supervisor, the CEO or the President any conflict, or potential conflict of interest as soon as the COC Participant becomes aware of it and must recuse themselves from any related decisions.



Conflicts of interest may arise in situations involving:

- a) An interest, either real or perceived, that benefits the COC Participant or a Related Party;
- b) Outside organizations with which the COC Participant has an official governing responsibility, or which employ the COC Participant or a Family Member;
- c) The COC Participant having a financial interest in the outside organization; or
- d) Real or perceived potential to compromise the best interests of the COC.

Circumstances in which a conflict of interest or unethical conduct would arise include, but are not limited to:

- a) Material and direct personal involvement with bid city committees, sponsors, suppliers, vendors, contractors, customers or others, seeking to benefit from the assistance of the COC Participant in their capacity with the COC (“Entities”);
- b) Exerting undue influence with respect to the qualification of an athlete for Games;
- c) Ownership of a material interest in one or more Entities, acting in any material capacity in one or more Entities, or acceptance of material payments, services or loans from such Entities; or
- d) Ownership of property directly and specifically affected by the COC’s actions or acquired as a result of Confidential Information obtained from the COC.

### **3.3.2 COC Board of Directors**

- a) Without limiting the generality of (i) above, COC Directors shall not allow their loyalty to the COC to be compromised by their relationship to or involvement in another organization or corporation. It is acknowledged that there may be representation of NSO members on the Board. The fact that a Director may owe a duty of loyalty to both a recognized NSO on whose board they serve, and to the COC, does not by itself create a conflict of interest. A Director may have in mind the interests of an NSO when considering a matter that is before the Board, provided always that such Director has disclosed the relationship, keeps an open mind, and is left free to exercise and does exercise their own judgment, take a position, or cast a vote, solely with a view to the best interests of the COC. The same considerations apply with respect to IOC members in Canada who are required both by the Olympic Charter and COC General By-Law to be members of the COC Session and Board.
- b) Where a conflict of interest has been identified by a Director, the conflict must be either resolved or approved by any two (2) of the President, the CEO, and the Chair of the Governance and Ethics Committee, before consummating any part of any affected transaction. In most cases, disclosure of the conflict of interest and withdrawal or abstention from exercising any influence, and from taking part in decisions related to the matter will be sufficient to resolve the conflict of interest. The CEO shall report on the conflict and resolution at the next meeting of the Board.



- c) In the event a Director has a conflict of interest in relation to an issue or matter on the Agenda of a meeting of the Board or COC Session, he or she will make a brief but informative declaration of the conflict before any discussion of the matter occurs, and will withdraw from the meeting while the topic is discussed, unless the Board determines such Director may remain. The declaration and withdrawal from the meeting, if applicable, will be recorded in the minutes of the meeting.

### **3.3.3 Preferential Treatment**

COC Participants must not act in their official roles with the COC to assist organizations or persons in their dealings with the COC, if this may result in, or potentially appear to result in, preferential treatment to that organization or person.

### **3.3.4 Corporate Property**

COC Participants must not use corporate property to pursue their private interests or the interests of a Related Party. Without limiting the foregoing, occasional, limited personal use of COC computers, phones and other communication equipment is permitted, provided it does not negatively impact productivity, or interfere with normal business operations. Corporate property includes, but is not limited to, real and tangible items such as monetary assets, land, buildings, furniture, fixtures, equipment, and vehicles and also includes items such as data, computer systems, reports, information, proprietary rights, patents, trademarks, copyrights, logos, name, and reputation.

### **3.3.5 Benefits, Entertainment and Gifts**

COC Participants must not solicit or accept benefits, entertainment or gifts (collectively, “Gifts”) in exchange for or as a condition of the exercise of their duties, or as an inducement for performing an act associated with their duties or responsibilities with the COC. Without limiting the foregoing, COC Participants may accept unsolicited Gifts associated with their official duties and responsibilities, but only if such Gifts are within the bounds of propriety, a normal expression of courtesy, within the normal standards of hospitality, would not bring suspicion on the COC Participant’s objectivity and impartiality and would not compromise the integrity of the COC. If a Gift does not meet all of these measures, it will be considered an improper Gift.

An improper Gift must be returned as soon as practicable. If it is not possible to return the improper Gift or if there is some other valid reason for not returning an improper Gift, such Gift must be disclosed to the CEO or President who will determine how to deal with the Gift, having regard to the language and spirit of this Ethics Code. In exceptional circumstances, the CEO or President may waive compliance with these restrictions provided such waiver does not compromise the integrity of the COC and the purposes of this Ethics Code.

Similarly, COC Participants may not give away Gifts on behalf of the COC in exchange for, or as a condition of, any benefit for the COC or the COC Participant. A COC Participant may give away a Gift provided that such a Gift: is within the bounds of propriety, courtesy or hospitality, would not bring suspicion on the COC Participant’s objectivity and impartiality and would not compromise the integrity of the COC.

It is the responsibility of the COC Participant to ensure that a gift, whether received or to be given, is proper. If in doubt, the COC Participant should consult with the individual to whom they report.



### **3.3.6 Future Employment or Services**

COC Participants must not allow prospects of outside or future employment, appointment or investment to create a real or perceived conflict of interest during their appointment with the COC.

### **3.3.7 Political Activities**

- a) COC Participants are free to participate in partisan political activities. Their political activities, however, must be clearly separated from activities related to their involvement with the COC.
- b) If engaging in political activities, COC Participants must remain impartial and retain the perception of impartiality in relation to their duties and responsibilities to the COC. Partisan politics must not be introduced into the COC work or sport environment in any way that creates undue or inappropriate influence on other COC Participants or persons or business enterprises with whom the COC does business.
- c) In order to ensure its independence and objectivity, the COC will not use corporate funds, goods, or services as a contribution to or in support of political parties, candidates, activities or campaigns.

### **3.3.8 Working Relationships**

COC Participants and their Family Members may not be employed, or hold office, in situations where:

- a) a reporting relationship exists where a COC Participant has decision-making power over the Family Member's performance evaluation, compensation, perquisites, opportunities, appointment, special permissions, conditions of work, team participation or selection and similar matters; or
- b) the working relationship affords an opportunity for collusion between the two individuals that could have a detrimental effect on the COC's interests.

Should a situation of this nature arise, the COC Participants must disclose such relationship to the CEO. This restriction may be waived if the CEO is satisfied that sufficient safeguards are in place to ensure that the COC's interests are not compromised.

### **3.4 Intimate or Sexual Relationships**

An intimate or sexual relationship between an individual who is perceived to be in a position of authority or power ("**Person in Authority**") over the individual with whom the intimate or sexual relationship has occurred, or where it is reasonable to perceive there to be a power imbalance, may be inappropriate behaviour, even if all parties are consenting adults and may also constitute a conflict of interest. The Person in Authority shall promptly disclose the existence of the relationship to the CEO and the CEO shall determine whether or not the conduct was detrimental to the individual involved, to others, or to the reputation of the COC and whether there is a conflict of interest. Should the CEO determine that the conduct was detrimental to the individual involved, to others, or to the reputation of the COC, or a conflict of interest, the provisions of this Ethics Code shall apply and sanctions may be imposed.





### 3.5 **Illegal Sports Betting**

The COC wishes to safeguard COC Activities from the threat connected to illegal sports betting and to promote the integrity of sport. Accordingly, COC Participants are expressly prohibited from placing illegal bets of any type upon athletic performance and/or event results/outcomes in the Games and any other competitive athletic event that falls within the jurisdiction of the COC in the future, and in accordance with the IOC Code of Ethics.

'**Illegal Sports Betting**' means any wager of a stake of monetary value in the expectation of a prize of monetary value, subject to a future and uncertain occurrence related to a sports competition.

## 4. **ETHICS COMMISSIONER**

The COC Board (or, if the Board so delegates, a Board committee) may appoint an Ethics Commissioner in an advisory capacity to provide guidance and advice from time to time in situations that pose significant ethical dilemmas. If appointed, the Ethics Commissioner shall be an individual who is known to possess integrity, and the wisdom to advise on ethical issues. In the exceptional case where a COC Participant has an ethical dilemma or has a significant concern that a conflict of interest, real or perceived, could prejudice the integrity of the COC (and if applicable, that disclosure of the conflict and withdrawal from taking part in discussions and/or decisions related to the matter are not sufficient to resolve the conflict), the COC Participant may so advise the President, or the Chair of the Governance and Ethics Committee, who then may request that the Ethics Commissioner provide advice on such matter, including what steps are appropriate to resolve such conflict or to otherwise address the ethical issue.

## 5. **DUTY TO REPORT**

All COC Participants are expected to promptly report any behaviour of which they become aware that may constitute a breach of this Ethics Code or contravenes the law. This includes situations where the breach is suspected, provided the COC Participant has reasonable grounds to believe such suspicion is true.

In the event the COC reasonably believes that the reported conduct constitutes criminal activity or behaviour, the COC shall have the right to report such conduct to the law enforcement authorities.

## 6. **REPORTING PROCEDURE**

### 6.1 **Initial Reporting**

In furtherance of the purpose of this Ethics Code, the COC expects reporting of a breach and of a potential, or suspected breach of this Ethics Code ("**Report**"). To this end, a Report of a potential, suspected, or actual breach of this Ethics Code may be reported in writing or verbally to any person in a leadership position at the COC. A COC "**Person in Leadership**" shall mean:

- a) Any COC Board of Director;



- b) Any member of the COC senior leadership team; or
- c) An individual in the human resources department.

## **6.2 Formalizing and Processing the Report**

Once a Report has been made, the Person in Leadership to whom the Report was made, shall inform the President, the CEO or the General Counsel and Corporate Secretary of the Report, unless one or more of them is the subject of the Report (in which case only the other(s) shall be informed). No Person in Leadership who is the subject of the Report, or who has a material personal interest in the matter, shall participate in the review process once there has been a Report (except as may be required as part of the investigation). Any matter involving an alleged breach by a Board Director shall be handled by the President in accordance with the process set out in this Policy and all other alleged breaches shall be handled by the CEO. In the event the CEO is unable to perform the duties or responsibilities described in this Ethics Code for a particular matter, or if the CEO is the subject of the Report or has a material personal interest in such matter, the CEO's duties and responsibilities for such matter, shall be performed by the President. In the event the President is unable to perform the duties and responsibilities, or is the subject of the Report or has a material personal interest in the matter, the duties and responsibilities for such matter will be delegated to the COC Vice President(s) and the Chair of the Governance and Ethics Committee to determine how best to deal with the matter. Accordingly, in any such circumstance, all references to the CEO or the President for the applicable matter shall be deemed replaced with the President or the COC Vice President(s) and Chair of the Governance and Ethics Committee, as the case may be.

The Report should include particulars of the alleged breach, including details (as applicable) of the incident or incidents, including dates, times, locations, description of action, account of dialogue, the name of the alleged perpetrator(s) and any witnesses or names of other individuals who may have other relevant information. The Report should detail any corrective action taken to date.

Upon receiving the Report, the CEO may, in consultation with the General Counsel and Corporate Secretary, decide not to deal with a Report:

- a) If, in their opinion, the facts alleged in the Report would be insufficient, if proven, to establish a breach under this Ethics Code; or
- b) If, in their opinion, a further investigation of the Report would not advance the purpose of this Ethics Code in the circumstances, either because of a significant delay between the alleged events and the time of the Report or for any other reasonable reason; or
- c) If, in their opinion, the Report is frivolous, vexatious or made in bad faith.

In all other cases, the CEO shall investigate the Report or delegate the investigation to the General Counsel and Corporate Secretary or appoint and provide terms of reference to an investigator who shall investigate the Report and make findings of fact.

All COC Participants, including the respondent, must co-operate fully in any investigation under this Ethics Code. Any process or investigation shall adhere to and provide for fairness. Any party shall have the right to retain legal counsel at any stage of a Report or appeal, at such party's own expense.



The CEO shall advise the respondent of the Report and shall provide the respondent a copy of the written Report, and of this Ethics Code. The respondent shall be given an opportunity to provide a written response to the allegations within a reasonable period of time, having regard to the circumstances, but in no event less than 24 hours and no more than one week. If a respondent declines to do so, or does not respond within the timeframe provided, the investigator's report may nonetheless be issued. A respondent may rely on any legal defenses recognized under applicable law.

The CEO, the President or the General Counsel and Corporate Secretary, as applicable, may consult with the investigator during the course of the investigation, may review the investigation report in draft and may provide additional terms of reference to, or request clarification from, the investigator, provided that none of the involvement shall be for the purposes of influencing the findings, or compromise the independence of the investigator.

In the event a Report arises during the Games involving conduct at Games by COC Participants ("**Games Participants**"), the Chef de Mission shall be consulted unless the Report involves conduct by the Chef de Mission.

The COC and the respondent will receive a report on the outcome of the investigation. In the event the Report involves conduct at a Games and the investigation is completed during such Games, the Chef de Mission shall also receive a report on the outcome of the investigation.

## **7. Interim Measures**

The CEO may impose interim measures pending the investigation and disposition of a Report, if the CEO is of the view that the imposition of such measures is in the best interest of the respondent and/or the COC.

Interim measures are not sanctions, and they may take many forms, including but not limited to:

- a) the imposition of measures regarding the continued participation in the COC Activities or work of the COC;
- b) leave of absence from participation in the COC Activities or work of the COC, with pay in the case of employees, or under such other terms as are seen to be appropriate; and/or
- c) security arrangements.

The CEO shall consult with the Chef de Mission before the imposition of interim measures which may have an impact on a Games Participant.

## **8. Breach Determination**

The CEO will be responsible for determining whether there has been a breach of the Ethics Code in light of the findings of fact contained in the investigation report and for deciding what disciplinary or corrective action is appropriate, if any. The CEO's determination shall be communicated to the respondent and to the Chef de Mission if the Report involves conduct at Games by a Games Participant.



The CEO shall make a report regarding the nature of the Report to the Governance and Ethics Committee unless the Report involves an employee, in which event it shall be reported to the Human Resources Committee, at the next Committee meeting or sooner if the circumstances warrant. The Governance and Ethics or Human Resources Committee, as applicable, shall provide a report to the Board at the next Board meeting and sooner if circumstances warrant.

## **9. Sanctions**

Breaches of this Ethics Code will be considered a serious matter and subject to disciplinary action. The CEO shall have the authority to impose sanctions, if deemed warranted.

When the Report arises from conduct at Games by a Games Participant, the CEO shall consult with the Chef de Mission before imposing sanctions, unless the Report involves conduct by the Chef de Mission.

The respondent shall be given a reasonable opportunity, to be established by the CEO, to make submissions to the CEO prior to the imposition of sanctions.

Sanctions may include, but are not limited to:

- a) the issuance of a warning and/or reprimand;
- b) the imposition of such temporary or permanent conditions on continued employment or involvement with COC, including without limitation, reimbursement of expenses paid by the COC on such party's behalf or as a result of the breach, or on participation in some or all of the COC Activities;
- c) temporary suspension from employment or contract with COC (with or without pay), and/or from participation in some or all of the COC Activities, as the CEO may view as appropriate;
- d) a recommendation that a person's membership be revoked in accordance with the by-laws of the COC;
- e) in the case of a COC employee or contractor, termination of employment or contract;
- f) withholding of financial support in the case of an NSO; or
- g) any other legal remedies available to the COC.

Should any sanction require a resolution to be passed by the COC Board, the CEO shall take such action as is appropriate to have the matter placed before the Board for its consideration, but the matter will not be considered prior to any appeal or expiration of right to appeal under this Ethics Code.



## 10. APPEALS

An appeal under this Ethics Code will be heard and determined by a three person ad hoc Appeal Committee appointed by the COC Board (hereinafter the “**Appeal Committee**”) as soon as practicable, but in no event later than thirty (30) days from the date of the notice of appeal referred to below. None of the persons hearing the Appeal shall have had prior involvement in the matter or shall otherwise have a real or perceived conflict of interest.

### 10.1 Grounds for Appeal

The decision may be appealed on the following grounds only:

- a) that the investigation was conducted in an unfair or biased manner;
- b) in the case of the respondent, that the findings of fact contained in the investigation report are insufficient to support a determination that a breach has been established; or
- c) a respondent may also appeal the sanction(s) imposed or recommended following a Report.

There shall be no appeal from any finding of fact contained in the investigation report.

### 10.2 Notice of Appeal

The notice of appeal must be made in writing to the CEO within fourteen days of the appellant receiving notice of the CEO’s decision with respect to sanctions and must state the specific grounds for the appeal.

A copy of the notice of appeal shall be promptly provided to the Chef de Mission if the appeal involves conduct at Games by a Games Participant and is being conducted during such Games.

### 10.3 The Hearing

The following persons may appear before the Appeal Committee at its in camera hearing and make representations in the appeal:

- a) the President or CEO, as applicable;
- b) the appellant(s);
- c) the Chef de Mission who may make representations where the appeal involves conduct at the Games by a Games Participant; and
- d) any other person invited by the Appeal Committee to make representations, or permitted to attend.



#### **10.4 Disposition of the Appeal**

The Appeal Committee's deliberations shall take place in camera. No other person shall be present during the deliberations.

The Appeal Committee, by a majority of votes cast, may:

- a) dismiss the appeal;
- b) substitute its own determination for the determination under appeal;
- c) substitute a sanction for the sanction under appeal; or
- d) remit the Report to the CEO for further investigation and/or for re-determination in accordance with its directions.

The Appeal Committee shall provide written reasons for its disposition. A copy of the written reasons shall be provided to the CEO, the appellant in the appeal, and to the Chef de Mission if the appeal involves conduct at Games by a Games Participant and occurs during such Games.

## **11. CONFIDENTIALITY OF REPORT MATERIALS**

To the extent possible, Reports, witness statements and other documents produced under this Ethics Code or shared in an investigation, shall be held in confidence by the COC, provided that, no guarantees of confidentiality may be made by the COC. 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 any other potential breach of this Ethics Code;
- c) when required to ensure fairness or natural justice in the procedures contemplated by this Ethics Code;
- d) in the course of an investigation by a law enforcement agency;
- e) to protect the interests of the COC; and
- f) when required by law.



## **12. RECORD KEEPING**

The CEO, or their delegate, shall keep a secure record of every report and Report under this Ethics Code. The record shall contain all relevant documentation including, if such exists:

- a) details of the report(s) and/or a copy of the Report(s) and response thereto;
- b) the terms of reference of the investigator;
- c) the interim measures;
- d) any witness statements;
- e) the investigation report;
- f) the CEO's determinations;
- g) the sanctions imposed;
- h) all other correspondence;
- i) any material filed in an appeal.

## **13. ADMINISTRATION AND TRAINING**

The COC will ensure that its employees, Directors and Board Committee members are aware of and understand this Ethics Code through appropriate guidance, training, administration and review. All COC employees, Directors and Board Committee members shall confirm in writing on an annual basis that they have read and understood this Ethics Code and agree to be bound by its terms. The COC shall be available to other COC Participants for guidance to ensure their understanding and promote adherence to this Ethics Code.

## **14. WHISTLEBLOWER POLICY**

This Ethics Code is supported and augmented by the COC's Whistleblower Policy. Any COC Participant may report a breach or a potential, or suspected breach anonymously through the process described in the Whistleblower Policy without fear of harassment or retaliation.



## **15. REPEAL OF PRIOR POLICIES**

This Ethics Code, once approved by the Board of the COC, shall repeal and replace all prior policies and guidelines related to the matters contained herein, including without limitation, the Policy Statement on Conduct. For certainty, this Ethics Code does not repeal or replace the Policy Statement and Guidelines on Whistleblowing.