

ACF CODE OF ETHICS

[last amended 16 July 2017]

1. Introduction

1.1 The proper conduct of the game of chess and of chess events depends on everyone involved observing

- 1.1.1 the rules and conditions currently applying to the game and event; and
- 1.1.2 the highest standards of fair play and good sportsmanship.

1.2 Disputes arising during a game or event are to be resolved according to the FIDE Laws of Chess and any other rules or conditions then applicable to the game or event.

1.3 This Code applies to -

1.3.1 a person playing in, organising, training, trading, arbiting (refereeing), supervising or spectating at:

1.3.1.1 an event of which the winner is eligible for an Australian title as defined in the ACF By-laws for ACF Tournaments; or

1.3.1.2 a Grand prix event; or

1.3.1.3 any other game or event conducted by or for, or that receives sponsorships or guarantees against losses from, the ACF; or

1.3.1.4 any event within Australia that is registered for FIDE ratings, whether or not the event is actually rated and/or held

and

1.3.2 a person having an ACF Rating who plays in an event outside Australia or on the internet, whether as an official representative of Australia or not.

1.4 It is strongly recommended that affiliated associations and bodies and their affiliates adopt the Code for their purposes.

1.5 This Code is to be read subject to the current FIDE Laws of Chess.

2. The Purpose of the Code of Ethics

2.1 The purpose of this Code is to ensure, as far as practicable, that the game of chess is played in Australia, and by Australian players overseas or on the internet, in a sporting and fair manner.

2.2.1 The FIDE Laws of Chess deal with the conduct of players and the role of the arbiter. The FIDE Laws of Chess are the primary authority on such matters. The Preface to the FIDE Laws recognises that "the Laws cannot cover all possible situations that may arise during a game nor can they regulate all administrative questions".

2.2.2 Likewise, it is impossible in this Code to define exactly each circumstance or standard of conduct expected of players, officials and spectators involved in a game or event or to list everything that would amount to a breach of this Code and lead to disciplinary action. Persons otherwise uncertain of the conduct expected of them should contact the arbiter or organisers of the event.

2.3 The following provisions of this Code, while not exhaustive, identify conduct that is of such a character as to attract censure and the manner in which it may be dealt with.

3. Breaches of the Code of Ethics

3.1 This Code is breached by a person who commits any of the following acts.

3.2 Subject to Article 12.7 of the FIDE Laws of Chess 2001, repeatedly or grossly violating the FIDE Laws of Chess or the rules or conditions applicable to a particular event.

3.3 Cheating, or attempting to cheat, during a game or event.

3.4 Pre-arranging, or attempting to pre-arrange, the result of a game or event.

3.5 Withdrawing from an event without valid reason.

3.6 Failing to comply with normally accepted standards of courtesy and chess etiquette.

3.7 Engaging in misbehaviour of a personal nature that is generally unacceptable by normal social standards.

3.8 Engaging in violent, threatening or other unseemly behaviour during, or in connexion with, a game or event.

3.9 Making unjustified accusations towards other players, officials or sponsors of an event.

3.10 Participating in an event under a false name or while under suspension.

3.11 Persistently refusing or neglecting to play against a specific person against whom he is paired.

3.12 Engaging in conduct likely to injure the reputation of the ACF, its events, organisers, participants or sponsors.

3.13 Being an organiser, tournament director, arbiter or other official of an event:

3.13.1 failing to perform his or her functions in relation to that event in an impartial and responsible manner; or

3.13.2 failing to take necessary steps to ensure the proper conduct of the event, or games in the event, according to the FIDE Laws of Chess, the FIDE Competition Rules (where applicable), all other relevant FIDE regulations, all relevant ACF By-Laws or decisions and the tournament rules or conditions.

3.14 While representing Australia in a team or delegation, either as a player or as an official, behaving in any manner likely to disrupt the performance or preparation of fellow team or delegation members.

4. Complaints and Penalties

4.1 All complaints concerning the behaviour of players during an event must be made to an arbiter of the event who may impose an appropriate penalty.

4.2 Any player who, either in the capacity of player or spectator, engages in behaviour in contravention of paragraphs 3.5, 3.6, 3.7 or 3.8 may be forfeited one or more games depending on the severity of the offence.

4.3 Other complaints or reports of an alleged breach of this Code may be made to the ACF Council which shall consider and decide the matter.

4.4 Any player or spectator acting in contravention of this Code can be excluded from games or events to which it applies for an appropriate period.

4.5 Any arbiter or other official acting in contravention of this Code can be excluded from performing the functions of arbiter or official in, or in relation to, any event to which this Code applies for an appropriate period.

4.6 A complaint against a player or official under paragraph 3.14 will only be considered if made by another player who alleges he/she was adversely affected, or if adverse mention of a player's behavior is made in a report to the ACF by that player's team captain or equivalent delegation official.

4.7 A player who is found to have contravened paragraph 3.14 can be excluded from representing Australia in some or all events for an appropriate period.

4.8 A penalty under paragraph 4.3, 4.4, 4.5 or 4.7 shall be imposed only by the ACF Council after proper inquiry in accordance with the principles of procedural fairness in which anyone alleged to have breached the Code is told of the allegation against them and is given the opportunity to present their case in reply to the allegation.

5. Appeals

5.1 A person penalised under by-law 4.1 or 4.2 has such right of appeal (if any) as is conferred by the rules or conditions governing the conduct of the event.

5.2 A person penalised under by-law 4.3, 4.4 or 4.5 may appeal the decision within 7 days of being notified of it.

5.3 Appeals, stating the grounds thereof, shall be accompanied by a \$50 appeal fee which shall be refunded if the appeal is upheld.

5.4 Appeals shall be on the basis that there was a material error or omission in the making of the decision that has disadvantaged the applicant.

5.5 The ACF shall appoint a person known as the ACF Appeals Tribunal Convenor (ATC) who shall be either an ACF Honorary Life Member or a former ACF President.

5.6 The ATC shall appoint two other persons, each being either an ACF Honorary Life Member or former ACF President or Deputy President to form a three person tribunal (the Appeals Tribunal) with the ATC.

5.7 The Appeals Tribunal shall seek and consider such information as it considers appropriate and its decision shall be final.

5.8 The Appeals Tribunal may decide that the decision appealed from -

5.8.1 stands; or

5.8.2 is revoked; or

5.8.3 is varied as decided by the Appeals Tribunal.

6. Guidelines for the Application of this Code

6.1 A person is assumed to be aware of the FIDE Laws of Chess, any other rules or conditions applicable to an event in which he is a player, spectator or official and of the provisions of this Code.

6.2 The following observations are made as guidelines to assist in the interpretation of the Laws of Chess and of this Code.

6.3 Art.6.13b of the FIDE Laws of Chess 2001 permits a player to stop the clock in order to seek the arbiter's assistance. An example is given of the case in which a player promotes a pawn but the required piece is not available. Another obvious instance is where a player seeks a ruling from the arbiter on a matter arising under the Laws in the course of play.

6.4 Art.12.5 of the FIDE Laws of Chess 2001 forbids the distraction or annoying of the opponent in any manner whatsoever. One example is given, namely, unreasonable claims or offers of a draw. Other conduct that may be regarded as within the prohibition includes excessive adjustment of pieces under Art4.2, persistent sloppy placement of pieces, talking within the hearing of the opponent, unreasonable physical action such as staring intently at the opponent or using exaggerated facial expressions or gestures. It is irrelevant that the conduct in question was not intended to distract or annoy. If the conduct is involuntary, such as an attack of hiccups or a fit the matter should be handled by the arbiter with particular discretion and diplomacy.

6.5 It is not permissible for players or spectators to talk either to themselves or each other within the hearing of players who are seated at the board as such conduct is likely to disturb those players. The conduct of conversations in a language other than English should be avoided in any event as it may more readily be thought to be a discussion about a game in progress such conduct being forbidden by Art. 13.7.

6.6 It should be noted that, while Art.9.1a prescribes the correct way to offer a draw, any other draw offer is also valid. However an offer made otherwise than in accordance with Art. 9.1a may amount to distraction or annoyance of the opponent and so infringe Art. 12.5.

6.7 Normally accepted standards of courtesy and chess etiquette referred to in para. 3.6, above, include treating the opponent with respect and resigning, or receiving the opponent's resignation, with good grace.