

ITF CODE OF ETHICS

1. INTRODUCTION

- 1.1. The Board of Directors of the International Tennis Federation (**ITF**) has adopted this Code of Ethics, which first took effect from 1 January 2019 and as amended herein takes effect on and from 31 August 2025 (**Code**), to help ensure that the sport is governed ethically and in accordance with the highest standards of honesty and integrity. The Code is based on the principles of the IOC Code of Ethics and best practice in sporting governance and ethics, and may be amended by the ITF Board of Directors (**Board**) from time to time.
- 1.2. An independent ITF Ethics Commission has been established, also with effect from 1 January 2019, to carry out the functions ascribed to it in the ITF Constitution and this Code, including implementing the Code in accordance with the provisions set out in Appendix 1 to this Code, and recommending to the Board from time-to-time changes or additions to be made to the Code to ensure it remains fit for purpose.
- 1.3. Each of the following individuals (each, an **Official**) is bound by and is required to comply with this Code:
 - 1.3.1. each person serving as a director of the ITF, or of any subsidiary or associated company of the ITF (an **Associated Company**) from time to time (each, a **Director**);
 - 1.3.2. the President and the Chief Executive Officer of the ITF (each, an **Officer**);
 - 1.3.3. each person serving as a member of a committee, commission, taskforce or working party of the ITF or any Associated Company, and each person appointed to represent the ITF or any Associated Company on a committee, commission, taskforce or working party of another body (each, a **Committee Member**); and
 - 1.3.4. each person who is a candidate for election or appointment as a Director or Officer or Committee Member (a **Candidate**), provided that while such persons are only Candidates (and not a Director or Officer or Committee Member), the only substantive requirements in this Code that are applicable to them are the requirements set out at Articles 2.6.2 and 2.8.
- 1.4. Officials who fail to comply with the Code may be sanctioned in accordance with the provisions of Appendix 1 to this Code. Officials are bound to submit to the jurisdiction of the ITF Ethics Commission, the Independent Tribunal and the Court of Arbitration for Sport (**CAS**), as applicable, in relation to the enforcement of the Code, and may not bring any proceedings in any court or other forum that are inconsistent with that submission.
- 1.5. Officials remain bound in full by this Code until the date that they cease to be a Director, Officer, Committee Member or Candidate (as applicable). After that date, they will still be bound by this Code and subject to the jurisdiction of the ITF Ethics Commission, the Independent Tribunal and the CAS (as applicable) under this Code (a) in respect of the confidentiality obligations in Article 2.4; and (b) in respect of any matters occurring prior to that date.
- 1.6. This Code applies to Officials and their conduct notwithstanding local criminal laws or other applicable laws or regulations, including national employment laws. Where an Official who is also an employee of the ITF breaches this Code, the ITF may choose to pursue its remedies against them under employment law and/or under this Code, as it sees fit.

- 1.7. Any Official who is in any doubt at any time as to their responsibilities under this Code should contact the ITF Ethics Commission for guidance.

2. SUBSTANTIVE REQUIREMENTS

Save where otherwise stated, the following requirements apply to Officials at all times, i.e., whether or not they are acting in their capacity as Officials at the time in question. All Officials are responsible for acquainting themselves with this Code, and shall be deemed to know its provisions by virtue of being bound. Any knowing, intentional, reckless or negligent failure to comply with these requirements shall amount to a breach of this Code.

2.1. Basic obligations

Officials must:

- 2.1.1. act in accordance with the highest standards of honesty and integrity in all of their activities as Officials;
- 2.1.2. respect human rights that may be impacted in their actions as Officials, including:
 - 2.1.2.1. respecting human dignity;
 - 2.1.2.2. not discriminating improperly against or denigrating anyone on grounds of race, colour, sex, gender, sexual orientation, language, religion, political or other opinion, national or social origin, disability, or any other unlawful ground; and
 - 2.1.2.3. not committing any form of harassment or abuse of any person, whether physical, professional, sexual, psychological or otherwise;
- 2.1.3. respect the Olympic principles of autonomy from government interference and political neutrality in their dealings as Officials with government institutions and national and international organisations, associations or groupings; and
- 2.1.4. refrain at all times (i.e., whether acting in a personal capacity, in their capacity as an Official, or in any other capacity) from any fraudulent or corrupt act, or any act that brings or risks bringing the ITF or the sport of tennis into disrepute.

2.2. Duty of undivided loyalty

- 2.2.1. Subject to Article 2.2.4, in their activities as Officials, Officials owe a duty of undivided loyalty to the ITF. They must make decisions (including as to how to cast a vote on a specific resolution) based solely on their independent and objective judgement, in good faith, of what is in the best interests of the ITF and its members and tennis as a whole. They must not allow themselves to be influenced by and they must not seek to advance any conflicting interests.
- 2.2.2. Where there is an actual, apparent or potential conflict between the interests of the ITF and the personal interests of an Official or of their relatives, friends or acquaintances,¹

¹ Circumstances in which such an actual, apparent or potential 'personal' conflict of interest may arise include (but are not limited to) the following: (a) personal involvement with sponsors, suppliers, contractors, venue operators, broadcasters or customers of the ITF or any Associated Company, including ownership of a material interest in such an entity, acting in any capacity for such an entity, or accepting benefits (e.g., payments, commissions, services or loans) from such an entity;

the Official must disclose the conflict to the ITF without delay (including, where possible, prior to the Official's election or appointment as an Official).

2.2.2.1. Each Director shall file an annual disclosure statement and each other Official shall file a biennial disclosure statement with the ITF Ethics Commission, in the form set out at Part 1 of Appendix 2 to this Code (as amended by the ITF from time to time), listing any actual, apparent or potential conflicts. Each Official shall 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 ITF Ethics Commission will maintain a register of such disclosures.

2.2.2.2. If a conflict arises during a meeting, the Official concerned must disclose the conflict to the ITF President or other chair of the relevant meeting (even if it has already been declared in a disclosure statement). The ITF President or other chair of the relevant meeting shall (i) advise the meeting of the conflict; and (ii) cause the conflict to be recorded in the register maintained by the ITF Ethics Commission (and, where applicable, in the minutes of the relevant meeting) if it has not been recorded there already.

2.2.2.3. In every case, unless otherwise specified by the ITF Ethics Commission or (where applicable) the ITF President or other chair of the meeting, the 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.

2.2.2.4. Any of the requirements set out in Article 2.2.2.3 may be waived where the ITF Ethics Commission (or the ITF President or their delegate or other chair of the relevant meeting) deems it appropriate, save that no waiver of any requirement may be granted where the Official has a personal financial interest in the outcome of the matter being considered. Any waiver of the requirements must be recorded in the register maintained by the ITF Ethics Commission (and, where applicable, in the minutes of the relevant meeting).

2.2.3. Officials must also disclose in the same manner any 'institutional' conflicts of interest, i.e., actual, apparent or potential conflicts between the interests of the ITF and the interests of a Member or Regional Association or other body with which they are associated (whether by virtue of employment or otherwise). Such conflicts may not be waived. Subject to Article 2.2.4, Officials:

2.2.3.1. may present the perspective of a particular stakeholder (such as a Member or a Regional Association) 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

(b) similar personal involvement (of the Official or their parent, spouse, siblings or children) with any person or company or other undertaking that promotes, brokers, arranges or conducts any form of betting activity in relation to tennis events; (c) ownership of property whose value may be affected by ITF action; (d) commercial interests that may have an effect on, or be affected by, ITF action; (e) outside employment that may place the Official in a position of conflict in respect of their duties to the ITF; and (f) outside involvement in civic, professional or political organisations that may create the perception of conflict of interest and/or improper divulging of confidential information. In case of any doubt, the Official concerned should refer the matter to the ITF Ethics Commission for guidance, in accordance with Article 1.7 of this Code.

overriding duty to act in the best interests of the ITF and its members and tennis as a whole;

2.2.3.2. must not agree to act or allow themselves to be influenced to act in their capacity as an Official in a manner that conflicts with their duty of undivided loyalty to the ITF (e.g., by agreeing to vote in a particular manner in respect of a particular issue); and

2.2.3.3. must disclose to the Board any matter that may reasonably be construed as impacting or potentially impacting upon their decision-making (e.g., side-agreements between National Associations, or financial support or loans given by one National Association to another), and must provide such further information in relation thereto as the ITF President (or their delegate) may request, so that there is full transparency and its effects are understood. The Official shall then comply with the decision of the ITF President (or their delegate) as to how to address the matter.

2.2.4. Officials who are ATP and WTA employees (**ATP/WTA Representatives**) are appointed to Committees in order to contribute the views of their respective employer. Therefore, Article 2.2 shall not apply to preclude an ATP/WTA Representative from making any such contributions or from the exercise of their Official duties in line with the legitimate instructions of their employers. For the avoidance of doubt, ATP/WTA Representatives must still comply with Article 2.2 in respect of conflicts of interest outside of their employment with the ATP / WTA, and submit disclosure statements set out in Article 2.2.2.1.

2.3. **Bribery and corruption**

Officials must:

2.3.1. not directly or indirectly solicit, accept or offer any form of undue remuneration or commission, nor any concealed benefit or service of any nature, connected in any way with their activities as Officials;

2.3.2. not misuse their position as an Official (including any information provided to them in their capacity as an Official) in any way, especially for private aims or objectives;

2.3.3. use the resources of the ITF only for lawful purposes authorised by the Board or the President or the Chief Operating Officer;

2.3.4. only claim reimbursement from the ITF for expenses properly and reasonably incurred in the course of their ITF activities;

2.3.5. not offer or accept (directly or indirectly) any bribe, payment, commission, gift, donation, kick-back, facilitation payment, or other inducement or incentive (whether monetary or otherwise) in order to influence decision-making in relation to any matter involving the ITF or any Associated Company; and

2.3.6. (without prejudice to Article 2.3.5) comply with the requirements as to gifts and hospitality set out in Appendix 3 to this Code.

2.4. **Confidentiality**

2.4.1. Officials must not disclose to any third party (whether for personal gain or otherwise) any

information disclosed to them (or otherwise learned) in confidence in their capacity as Officials or otherwise as a result of their ITF activities.

2.4.2. Notwithstanding Article 2.4.1, disclosure of such confidential information is permitted (i) where required by law; (ii) where the ITF agrees to such disclosure in writing; (iii) where that information is already in the public domain (other than by reason of the Official's breach of this Article); or (iv) where the Official is an employee of the ATP or WTA and is communicating the confidential information to their employer as necessary to inform their activities as an Official or to inform their employer as to the ITF's activities.

2.4.3. Officials remain bound by this Article 2.4 even once they are no longer an Official.

2.5. **Integrity of Competitions**

Officials must not:

2.5.1. influence the course or result of a tennis match or event or part thereof to obtain advantage for themselves or others, or do anything else that might undermine confidence in the integrity of a competition; or

2.5.2. facilitate or assist a breach of the Tennis Anti-Doping Programme or the Tennis Anti-Corruption Program or any other integrity rules applicable in the sport of tennis (**Integrity Rules**) by anyone who is bound by such Integrity Rules; or

2.5.3. commit or be complicit in any way in an act that would have constituted a breach of the Integrity Rules if they and/or the other persons involved had been bound by the Integrity Rules.

2.6. **Candidacies**

2.6.1. This Article applies to any process by which persons put themselves forward for election or appointment to the Board of Directors (including as President) (each such process, a **Candidacy**, and each such person, a **Candidate**).

2.6.2. Once they have decided to become a Candidate, whether or not they have officially declared their Candidacy, Candidates must abide by the Candidacy Rules approved by the Election Panel and at Appendix 4 of this Code, as well as any further rules issued by the ITF in respect of such Candidacy.

2.6.3. Officials who are not Candidates must:

2.6.3.1. respect the integrity of the Candidacy process, allowing equal conditions and opportunities for each Candidate and potential Candidate, treating each Candidate and potential Candidate in a fair and equal manner, and avoiding any risk of conflict of interest;

2.6.3.2. not accept gifts or hospitality from any Candidate;

2.6.3.3. not directly or indirectly solicit or accept any form of advantage from the process; and

2.6.3.4. not use the resources of the ITF to back any Candidate.

2.7. Bidding

2.7.1. This Article applies to any process by which persons represent or otherwise support a bid for the grant of hosting rights, commercial rights and/or other rights to ITF events (each such process, a **Bid**, and each such person, a **Bidder**).

2.7.2. Officials who are not Bidders must:

2.7.2.1. respect the integrity of the Bid process, allowing equal conditions and opportunities for each Bidder and potential Bidder, treating each Bidder and potential Bidder in a fair and equal manner, and avoiding any risk of conflict of interest;

2.7.2.2. not accept gifts or hospitality from any Bidder;

2.7.2.3. not directly or indirectly solicit or accept any form of advantage from the process;

2.7.2.4. not use the resources of the ITF to back any Bidder; and

2.7.2.5. be neutral in respect of Bids for the grant of hosting rights, commercial rights and/or other rights to ITF events, including refraining from making any public declaration appearing to give an opinion on one or more bidders.

Note: The ITF may issue a Bidding Code of Conduct or similar policy that shall apply to Bidders, who are not subject to the jurisdiction of this Code.

2.8. Reporting and cooperation with investigations

Officials must:

2.8.1. report to the ITF Ethics Commission without delay any information they have that a reasonable person would consider might evidence or otherwise reflect:

2.8.1.1. any approach or invitation received by any Official (including themselves) to engage in conduct that might amount to a breach of this Code; and

2.8.1.2. any incident, fact or matter that may indicate a potential breach of this Code by any Official (including themselves); and

Note: It shall not be a breach of this Article for Directors or members of committees or commissions or taskforces or working parties not to report to the ITF Ethics Commission minor breaches of confidentiality and/or similar transgressions that they consider in good faith are more appropriately dealt with under their own codes of conduct or other policies and procedures. Save in exceptional circumstances, the ITF Ethics Commission will not interfere with such resolution of the matter.

2.8.2. cooperate truthfully, fully and in good faith with all investigations carried out by or on behalf of the ITF Ethics Commission in relation to possible breaches of this Code, whether by themselves and/or by others, including (without limitation) by answering any questions and providing access to any information, data and/or documentation requested as part of that investigation;

2.8.3. not do anything (by act or omission) that has the object or effect of obstructing, preventing, delaying or otherwise interfering with or frustrating any investigation carried

out by or on behalf of the ITF Ethics Commission, including (without limitation) interfering with any potential witness; and

2.8.4. not make a report in bad faith, with malicious intent, or for any other improper purpose.

3. ATTEMPTS AND COMPLICITY

3.1. An Official's agreement or attempt to do something (by act or omission) that would if completed have amounted to a breach of the Code shall be treated as if it had been completed and had resulted in a breach of the Code, unless the Official renounced the agreement or attempt prior to it being discovered by a third party not involved in the agreement or attempt.

3.2. An Official who knowingly and intentionally authorises, causes, assists, encourages, aids, abets, covers up or is otherwise complicit in any breach of the Code by another Official will be treated as having committed such breach themselves.

4. MISCELLANEOUS

4.1. Unless specified otherwise:

4.1.1. defined terms used in this Code (denoted by capital letters, e.g., 'President') have the meaning given to them in the ITF Constitution.

4.1.2. References to "Articles" or an "Appendix/Appendices" are to Articles or Appendices of this Code.

4.1.3. The pronoun 'they/their' may be used for individuals (as required by the context) and includes all genders.

4.2. The substantive requirements of this Code will not apply to matters occurring prior to 1 January 2019 unless they are more favourable to the person(s) involved than the previously applicable requirements. The procedural/enforcement provisions set out in Appendix 1 and elsewhere in this Code (as amended from time to time) will apply to all matters that come to the attention of the ITF after 1 January 2019, even if those matters occurred prior to 1 January 2019.

4.3. Any matter arising that relates to but is not addressed in this Code will be determined:

4.3.1. by the Chair of the ITF Ethics Commission (**Chair**) in consultation with the President; and

4.3.2. by reference to and/or in a manner consistent with the objectives underlying this Code and the Terms of Reference for the Ethics Commission in force from time to time (**Terms of Reference**).

4.4. This Code is governed by and shall be construed in accordance with English law. If any dispute arises that relates in any way to this Code, and neither the Code nor any other ITF rule or regulation (including the Terms of Reference or the ITF Constitution) provides for such dispute to be resolved by another body, then the English courts shall have exclusive jurisdiction to resolve it.

4.5. This Code shall not be amended in any way save as resolved and approved in writing from time to time by the Board.

APPENDIX 1: THE ITF ETHICS COMMISSION AND ITS FUNCTIONS

1. THE ITF ETHICS COMMISSION

- 1.1. The ITF Ethics Commission (**Commission**) is an independent body established to carry out the functions given to the Commission in the Code, and operating in accordance with the provisions of this Article 1 of Appendix 1 of that Code and with its Terms of Reference.²

Membership of the Commission

- 1.2. The Commission shall comprise the following members (**Commission Members**):
- 1.2.1. a suitably qualified person, who shall be appointed by the Council upon nomination by the Board, to act as Chair; and
 - 1.2.2. six other Commission Members, appointed by the Board following short-listing by the Chair, each of whom shall have suitable experience/qualifications to sit on the Commission and whom together will meet the requirements set out in paragraphs 6 to 8 of the Terms of Reference).
- 1.3. The Chair and Commission Members shall each be appointed for four-year terms in accordance with the terms and the election cycle set out in paragraphs 9 to 14 of the Terms of Reference. Subject to the Terms of Reference (in particular paragraph 9, the maximum term-limit for any Commission Member is eight years.
- 1.4. The Chair will appoint:
- 1.4.1. one other Commission Member as Deputy Chair of the Commission, to act in place of the Chair whenever the Chair is not able to act for whatever reason;
 - 1.4.2. two other Commission Members to form the Election and Eligibility Panel (as defined below);
 - 1.4.3. a lawyer (or firm of lawyers) who is independent of the ITF to act as the Legal Secretary to the Commission, providing the Commission with legal and administrative support. All communications made to the Commission (including to the Chair) should be made via the Legal Secretary. Communications to be made by the Chair (including the Deputy Chair in their place), the Commission or an Investigator under this Code may, if deemed appropriate and requested by the person(s) who would otherwise make that communication, be made via the Legal Secretary.
- 1.5. As set out in paragraphs 12 to 14 of the Terms of Reference:
- 1.5.1. Save where this Code applies, Commission Members other than the Chair may only be removed by the Chair, for just cause; and the Chair may only be removed by the Board, for just cause.
 - 1.5.2. The Chair shall have the power to fill any vacancy arising on the Commission outside of the fixed appointment schedule.

² The 'Terms of Reference: ITF Ethics Commission' (**Terms of Reference**). The version currently in force at the date of this Code is the version effective 31 August 2025, however references to the Terms of Reference in this Code shall be to the version of the Terms of Reference currently in force.

- 1.5.3. As set out in paragraph 9.2 of the Terms of Reference, where a vacancy arises for any reason outside of the usual election cycle, a replacement member may complete the replaced member's term and thereafter may be re-appointed for a maximum of two further four-year terms.

Independence

1.6. Commission Members must:

- 1.6.1. at all times be completely independent of the ITF and of its Members and Regional Associations but may be a member of an ITF Member or Regional Association for the sole purpose of participating in the sport;
- 1.6.2. ensure that the Commission functions at all times in a completely independent manner; and
- 1.6.3. immediately disclose any circumstances likely to affect their independence with respect to any matter before the Commission, and shall not act in respect of that matter unless approved by the Chair.

Reporting

- 1.7. The Chair will report to the Council and the Board as set out in paragraphs 26 and 27 of the Terms of Reference

Resources and compensation

- 1.8. The ITF will provide the Commission with the necessary financial resources to fulfil its functions as set out in paragraph 25 of the Terms of Reference

Liability

- 1.9. Except in the case of bad faith or gross negligence, (a) neither the members, nor any Legal Secretary, nor any investigator of the Ethics Commission may be held liable for any act or omission in the course of their duties, and (b) the ITF will indemnify them from and against any claims, costs, expenses, damages or liability of any kind arising out of their activities as Commission members.

The Election and Eligibility Panel

- 1.10. The Chair and two other members of the Commission (as appointed by the Chair) shall form a sub-group with oversight of elections and/or appointments to the Board (including as President) (**Election and Eligibility Panel**). The functions of the Election and Eligibility Panel (as set out in the Ethics Commission Terms of Reference in full) include but are not limited to:
- 1.10.1. to approve the rules for candidates ("**Candidate Rules**") and issue updates to those Candidate Rules from time to time (the Candidate Rules currently in force are set out at Appendix 4);
- 1.10.2. without prejudice to the procedures detailed in Article 3 to 6 of this Appendix 1, to ensure Candidates comply with the Candidate Rules;
- 1.10.3. to monitor and where necessary adjudicate upon (i) the eligibility of Candidates, and (ii) the ongoing eligibility of members of the Board (including the President) following their

election or appointment, pursuant to Articles 17 and 18 of the ITF Constitution and in accordance with the provisions of Article 8 of this Appendix 1; and

- 1.10.4. to ensure the proper administration of all tasks relating to elections and/or appointments to the Board (including the President) in collaboration with the ITF (as more fully set out in the Ethics Commission's Terms of Reference).

2. INITIAL CONSIDERATION OF POTENTIAL BREACHES OF THE CODE

- 2.1. Any person (including the Board and/or any Official), whether associated with the ITF or not, may file a complaint regarding potential breaches of the Code using the designated Complaints Form or by contacting the Legal Secretary of the Commission. A complainant may file a complaint anonymously or may request that their identity not be revealed and that all precautions be taken so that their identity is protected.
- 2.2. Any complaint regarding potential breaches of the Code that is erroneously filed with the Board or any other person within the ITF must be referred without delay to the Legal Secretary of the Commission.
- 2.3. Upon receipt, the Legal Secretary will provide the complaint to the Chair of the Commission for review. The Chair may ask the complainant to provide further information about the matters set out in the complaint.
- 2.4. The Chair may decide that no further action will be taken in respect of a complaint, where the Chair considers that the complaint is frivolous or malicious or does not identify any matter that warrants investigation as a potential breach of the Code.
- 2.5. If the Chair considers that a complaint warrants investigation, the Chair will:
 - 2.5.1. communicate this to the Commission; and
 - 2.5.2. appoint:
 - 2.5.2.1. one or more Commission Members (which may include the Chair), and/or the Legal Secretary; or
 - 2.5.2.2. an independent and suitably qualified third-party investigator to investigate the alleged breaches, who may (at their discretion) be supported by the Legal Secretary.

The person(s) appointed to conduct the investigation, will be referred to in this Code as the **Investigator(s)**.
- 2.6. In accordance with the Appendices to this Code, any third-party Investigator must be suitably qualified and independent of the ITF; and
- 2.7. All investigations must be conducted in accordance with Article 3 of this Appendix 1, and Appendix 5 of this Code - Protocol on Investigations by the ITF Ethics Commission (**Investigations Protocol**).
- 2.8. The Chair may initiate an investigation without receiving any complaint, if information that the Chair considers warrants investigation comes to the Commission's attention by another route (e.g. by circumstance or from any other source).
- 2.9. The Chair does not have to give grounds for initiating an investigation and their decision to do so

may not be challenged.

- 2.10. The Chair may at any stage (including prior to initiation of an investigation) write to any person, explaining the basis on which it is considered that they may have violated the Code, and asking if they are prepared to provide further information and/or if they wish to admit such breach(es). If the breach(es) are admitted, the, the Chair may propose sanctions to be accepted by the person without further proceedings or further investigation as follows:

2.10.1. If the person admits the breach(es) and accepts the proposed sanctions, the Commission will publish a written decision narrating the relevant matters, which decision shall be final and binding on all parties, with no right of appeal for anyone. It will be published on the ITF's website, and will be recognised and enforced by the ITF and its Members and Regional Associations.

2.10.2. If the person does not admit the breach(es), or admits the breach(es) but does not accept the proposed sanctions, the Chair may either:

2.10.2.1. initiate an investigation in relation to the alleged or admitted breach(es), in accordance with this Appendix 1 and Appendix 5 of this Code; or

2.10.2.2. if the Chair considers that an investigation is not required, breach(es) proceed directly to a written decision or to adjudication by the Commission in accordance with Article 4.2 or 4.3 of this Appendix 1 (as applicable, depending on the level of the sanction considered by the Chair to be appropriate).

- 2.11. If the Chair considers that the matter that is the subject of the complaint might involve a criminal offence and/or an offence under other applicable laws or regulations, the Chair may report it to the relevant authority or authorities (including criminal, administrative, professional and/or judicial authorities). If another relevant authority is already investigating or adjudicating a matter that is the subject of a complaint to the Commission, the Chair may delay initiation of an investigation, or stay an investigation that has been initiated, pending the outcome of the proceedings of the other relevant authority, where the Chair considers it appropriate to do so. The Chair may direct the Investigator to conduct their investigation in conjunction with the other relevant authorities and/or may share (or direct the Investigator to share) information they have gathered with respect to the investigation with the other relevant authorities, should the Chair deem it appropriate to do so.

- 2.12. If the Chair considers that the matter that is the subject of the complaint might involve an offence under other applicable ITF regulations or policies (such as safeguarding policies), the Chair may report it to the ITF and thereafter, in consultation with the ITF, determine the most appropriate route to deal with the complaint, having regard to required expertise, and extent of independence required. If the ITF is already investigating or adjudicating a matter that is the subject of a complaint to the Commission, the Chair may delay the initiation of a Commission investigation, or stay a Commission investigation that has been initiated, pending the outcome of the proceedings of the ITF, where the Chair considers it appropriate to do so. The Chair may direct the Investigator to conduct their investigation in conjunction with the ITF and/or may share (or direct the Investigator to share) information gathered by the Investigator and/or the Commission with respect to such matter with the ITF, should the Chair deem it appropriate to do so.

- 2.13. If a complaint under this Code is received by the Commission in relation to one or more Commission Members, the complaint and any subsequent handling (including any investigation or decision in relation to the complaint must not involve the Commission Member(s) to whom the complaint relates. Where this applies, the processes in this Appendix 1 shall apply *mutatis*

mutandis (i.e. with any amendments necessary in order to give effect to this rule).

3. INVESTIGATION

- 3.1. Where an investigation is initiated by the Chair, the Legal Secretary will advise the party/parties that is/are the subject of the investigation of: the nature of the allegations against them; the possible breaches of the Code to which the investigation relates; of the identity of the Investigator; and any further information the Chair deems necessary or appropriate to disclose to the subject, so as to enable them to properly understand and respond to the allegations against them.
- 3.2. If in the course of the investigation the Investigator comes to consider that the matter that is the subject of the complaint might involve:
 - 3.2.1.a criminal offence and/or an offence under other applicable laws or regulations, the Investigator shall raise this with the Chair, for possible action under Article 2.9 of this Appendix 1; or
 - 3.2.2.an offence under other applicable ITF regulations or policies, the Investigator or other person investigating shall raise this with the Chair, for possible action under Article 2.10 of this Appendix 1.
- 3.3. A party being investigated has the right to be legally represented (at their own cost), and the right to make a written submission, including any evidence they wish to submit, to the Investigator or the Legal Secretary (who will pass that submission to the Investigator).
- 3.4. The Investigator may seek information relevant to the investigation from any source, including the subject of the investigation, any other Official or any third party. Where the Investigator believes the circumstances so warrant, they may require an Official (whether or not the subject of the investigation) to provide any information within that Official's control that is reasonably related to a potential breach of the Code, e.g., by providing access to documents, data or other information, by answering questions (in writing or in interview), or otherwise.
- 3.5. If the Investigator determines during the course of the investigation that there is/are further Officials whose conduct warrants investigation for potential breaches of the Code, the Investigator will consult with the Chair, who may expand the scope of the investigation accordingly. In such circumstances, the Chair will write to the Official(s) involved to advise them of this decision and the basis for it, and of their right to make a written submission to Legal Secretary of the Ethics Commission or the Investigator, as appropriate.
- 3.6. Upon the conclusion of the investigation, the Investigator will provide the Chair with a final report of the investigation (**Investigator's Report**), together with the investigation files. The Investigator's Report will contain all relevant facts and evidence and identify all individuals who provided such facts and evidence, save in exceptional circumstances where such disclosure would be inappropriate (for example, where identifying certain individuals, facts or evidence may put any person(s) at risk of harm).
- 3.7. If new evidence subsequently comes to light or where the Chair of the Commission otherwise deems it appropriate, the Chair may ask the Investigator (or a new Investigator, if the Chair considers it more appropriate to do so) to re-open a concluded investigation or any part thereof.

4. DECISION FOLLOWING INVESTIGATOR'S REPORT

- 4.1. The Chair and/or (at the Chair's option) one or more other Commission Members will review the

Investigator's Report and investigation files, assess the sufficiency of the evidence to meet the applicable standard of proof in respect of each potential breach of the Code identified in the Investigator's Report, and make one of the following determinations:

- 4.1.1. that the matter should be referred back to the Investigator to conduct further investigation, or for the Investigator to answer questions that the Chair and/or the applicable Commission Member(s) may have relating to the investigation;
 - 4.1.2. that there is insufficient evidence to proceed, in which case the case will be closed (and if considered appropriate the Chair may order the Legal Secretary to publish notice of the closure of the investigation);
 - 4.1.3. that the case should proceed to a written decision by the Commission in accordance with Article 4.2 of this Appendix 1; or
 - 4.1.4. that the case should proceed to adjudication by the Independent Tribunal in accordance with Article 4.3 of this Appendix 1.
- 4.2. Where it is determined following review of the Investigator's Report that the Code has been breached, but that the sanction(s) for such breach(es) should not be more than a warning, a reprimand, a fine of \$20,000 or less, and/or a suspended period of ineligibility (or any combination thereof), the Chair of the Commission will issue a written decision to that effect, with reasons.
- 4.2.1. The Official that is the subject of the decision has twenty-one (21) days from receipt of the that written decision to appeal it to the Independent Tribunal (sitting as an appeal panel) in accordance with Article 3 of the Procedural Rules Governing Proceedings Before an Independent Tribunal Convened Under ITF Rules (**Independent Tribunal Procedural Rules**).³ The Independent Tribunal shall consist of one member, unless the Chairman of the Panel determines that three members are required. The decision of the Independent Tribunal sitting as an appeal panel pursuant to this Article 4.2.1 will be final and binding (with no right of appeal), will be published on the ITF's website, and will be recognised and enforced by the ITF and its Members and Regional Associations.
 - 4.2.2. Alternatively, if no appeal is filed within that twenty-one (21) day timeframe, the Commission's written decision will become final and binding (with no right of appeal), will be published on the ITF's website, and will be recognised and enforced by the ITF and its Members and Regional Associations.
- 4.3. Where it is determined following review of the Investigator's Report that the Code has been breached and the sanction(s) sought for such breach(es) should be greater (in any one or more respect) than those specified in Article 4.2, the Chair (or the Legal Secretary on the Chair's behalf) will send the Official(s) implicated a written notice of charge (**Notice**), advising them of the following:
- 4.3.1. that they have a case to answer for breach of the Code;
 - 4.3.2. the specific Article(s) of the Code that they are alleged to have breached;
 - 4.3.3. details of the alleged acts and/or omissions relied upon in support of the alleged breach(es)

³ References to articles of the Independent Tribunal Procedural Rules in this version 5 of the Code are to articles in the Independent Tribunal Procedural Rules effective 1 January 2025, but will incorporate the Independent Tribunal Procedural Rules as amended from time to time.

(either summarised in the Notice or incorporated by reference to the Investigator's Report);

- 4.3.4. the sanctions that will be sought if such breaches are proven to the requisite standard;
- 4.3.5. that the matter is being referred to the Independent Tribunal (sitting as a first instance body) for adjudication in accordance with the Independent Tribunal Procedural Rules, save that the Independent Tribunal shall consist of one member, unless the Panel Chair of the Independent Tribunal considers that three members are required to fairly determine a matter, or where all parties agree; and
- 4.3.6. (where applicable) that a provisional suspension is being imposed further to Article 4.4 of this Appendix 1, pending resolution of the charge.

4.4. Provisional suspension:

- 4.4.1. Where a Notice is issued to an Official pursuant to Article 4.3 of this Appendix 1, the Chair may provisionally suspend the Official pending the Independent Tribunal's determination of whether the Official has committed a breach of the Code, if the Chair considers such provisional suspension necessary to protect the image, reputation and/or integrity of the ITF and/or the sport of tennis.
 - 4.4.1.1. In accordance with Bahamian law, where the Chair considers under Article 4.4.1 of this Appendix 1 that a Director should be provisionally suspended, they shall make such recommendation to the Board, which shall consider the appropriate action, including whether that Director shall in the interim be given notice of, but not permission to participate in, meetings of the Board (nor any other decisions).
- 4.4.2. The Official may contest such provisional suspension by written application to the Independent Tribunal, in accordance with Article 3.7 of the Independent Tribunal Procedural Rules, but the only admissible grounds of challenge (which the Official shall bear the burden of establishing) will be that:
 - 4.4.2.1. the charge(s) has/have no reasonable prospect of being upheld, e.g., because of a patent flaw in the case against the Official; or
 - 4.4.2.2. other facts exist that make it clearly unfair, in all of the circumstances, to impose a provisional suspension prior to a full hearing on the merits of the charge(s) against the Official. This ground is to be construed narrowly, and applied only in exceptional circumstances (for the avoidance of doubt, the mere fact that the breaches have not yet been determined will not constitute unfairness under this Article 4.4.2(b) of Appendix 1).
- 4.4.3. The Panel Chair of the Independent Tribunal shall determine the appropriate procedure to be followed to determine the application, including whether an oral hearing is required.
- 4.4.4. A decision by the Official not to contest a provisional suspension shall not be taken as an admission of any alleged breach and will not prejudice the Official's defence to the alleged breach(es). If the provisional suspension is not challenged, or is upheld on challenge, the Panel Chair of the Independent Tribunal will take into account the provisional suspension and the need to have the relevant charges against them determined in an expeditious manner when setting the procedure and timetable for the proceedings.
- 4.4.5. During the period of any provisional suspension, the Official may not carry out any activity

on behalf of, or relating to, the ITF or the sport of tennis.

- 4.4.6. Where a suspension is imposed on an Official as a final sanction for breach of the Code, any period of provisional suspension served by the Official shall be credited against that suspension.

5. ADJUDICATION

- 5.1. Where a Notice has been issued pursuant to Article 4.3 of this Appendix 1, the Official must respond to the Notice in writing within fourteen (14) days of the date of the Notice (or by such extended deadline as the Legal Secretary agrees) stating whether:

5.1.1. the Official waives their right to a hearing and admits the charge(s) and accepts the sanctions proposed in the Notice, in which case the Chair will issue a decision confirming the breaches admitted and the sanctions imposed. That decision will be final and binding on the parties (without any right of appeal), will be published on the ITF's website, and will be recognised and enforced by the ITF and its Members and Regional Associations; or

5.1.2. the Official disputes the charge(s) and/or the sanctions proposed, in which case they shall also state (in summary) the basis on which the charges and/or sanctions are disputed, and the Legal Secretary will refer the case to the Panel Chair of the Independent Tribunal in accordance with Article 3.1 of the Independent Tribunal Procedural Rules.

- 5.2. If the Official fails to file a written response disputing the charge(s) and/or the sanctions proposed within the fourteen (14) day deadline (or by such extended deadline as the Legal Secretary has agreed), they will be deemed to have admitted the charge(s), accepted the sanctions proposed, and waived their entitlement to have a hearing on, or make written submissions and/or adduce evidence in relation to, the charge(s) and/or the proposed sanctions before the Independent Tribunal. In such a case the Commission will issue a decision confirming the breaches deemed admitted and the sanctions imposed. That decision will be final and binding on the parties (without any right of appeal), will be published on the ITF's website, and will be recognised and enforced by the ITF and its Members and Regional Associations.

Proceedings before the Independent Tribunal

- 5.3. Where the Official disputes the charge(s) and/or the sanctions proposed, that dispute will – unless the Commission and the Official charged agree that the charges will be heard directly by the CAS, in a single hearing, in accordance with Article 5.6 of this Appendix 1 below – be determined in proceedings before the Independent Tribunal, as follows:

5.3.1. Proceedings before the Independent Tribunal will be brought in the name of the ITF, but the prosecuting party will be the Commission, which may instruct lawyers to act for it in the proceedings.

5.3.2. The Independent Tribunal shall consist of one member, unless the Panel Chair of the Independent Tribunal determines that three members are required to fairly determine a matter, or where all parties agree.

5.3.3. If a charge is upheld, the Independent Tribunal shall impose sanctions and may award costs in accordance with Article 6 of this Appendix 1.

5.3.4. Subject to Article 5.4 of this Appendix 1, the final decision of the Independent Tribunal will be published on the ITF's website, and will be recognised and enforced by the ITF and its

Members and Regional Associations).

- 5.4. Final decisions of the Independent Tribunal may be challenged by the Official or by the Commission within 21 days from the date of receipt of the reasoned decision, solely to the CAS (Appeals Division). Where the Official files a challenge, the respondent will be the ITF in name, but the responding party will be the Commission (which may instruct lawyers to act for it in the proceedings). The CAS will resolve the dispute definitively in accordance with Article 8 of the Independent Tribunal Procedural Rules and in accordance with the CAS Code of Sports-related Arbitration (**CAS Code**), save that the challenge will not take the form of a *de novo* hearing except in exceptional circumstances where the CAS Panel consider that a *de novo* hearing is required in order to do justice (for example, to cure procedural errors at the hearing of first instance). In all other cases, the challenge will not take the form of a *de novo* hearing but will be limited to a supervisory review of the decision of the Independent Tribunal, meaning that the challenge shall be limited to a consideration of whether the decision being challenged: (i) was irrational (i.e. it falls outside the range of what a reasonable decision-maker might decide), arbitrary or capricious; (ii) was based on an error of law (i.e. it is contrary to the Constitution, Code of Ethics or other applicable ITF rules properly construed or to applicable law); or (iii) followed a procedure in reaching the decision that was unfair.
- 5.5. Where a decision is challenged before the CAS, any sanctions imposed in the decision will take effect irrespective of the challenge, except for monetary sanctions and subject to any decision of the CAS to the contrary.

Agreement to determine charges by way of a single hearing at the CAS

- 5.6. In accordance with Article 5.3 of this Appendix 1 above, the Commission and the Official charged may agree that the charges will be heard directly by the CAS, in a single hearing. Where this Article 5.6 of this Appendix 1 applies:
- 5.6.1. the case will be heard in the Ordinary Division, but applying CAS appeal procedures, including in respect of publication;⁴
- 5.6.2. the CAS will sit as the first and only instance body, with no requirement for a prior hearing before the Independent Tribunal, and with no right of appeal from the CAS decision; and
- 5.6.3. the proceedings will be brought in the name of the ITF but the prosecuting party will be the Commission.

6. SANCTIONS

- 6.1. Any one or more of the following sanctions may be imposed for a proven breach of the Code:
- 6.1.1. a warning as to future conduct (i.e., a reminder of the substance of the provision of the Code that has been infringed, together with a threat of sanction in the event of further infringement);
- 6.1.2. a reprimand (i.e., an official written pronouncement of disapproval);
- 6.1.3. a fine in an amount proportionate to the breach (save in respect of breach by an ATP / WTA Representative, where no fine may be issued);

⁴ Those CAS appeal procedures are set out in Section C (R47 to R59) of the CAS Code: Procedural Rules), in conjunction with the 'General Provisions' applying to all CAS procedures (R27 to R37), each as amended from time to time).

- 6.1.4. an order of reimbursement or restitution (save in respect of breach by an ATP / WTA Representative);
- 6.1.5. removal of any award or other honour previously bestowed by the ITF;
- 6.1.6. removal from office, or suspension from office for a specified period;
 - 6.1.6.1. In accordance with Bahamian law, any decision by the Independent Tribunal that a Director should be removed or suspended from office shall be deemed to be a recommendation to the Council that the Director be removed from office. The Board shall submit the necessary resolution to the Council at its next General Meeting (which may be an Extraordinary General Meeting called specifically for this purpose), where it shall be voted on in accordance with the ITF Constitution. In the interim period, that Director shall be given notice of, but may not participate in, meetings of the Board (nor any other decisions).
- 6.1.7. disqualification from acting as a Director and/or as an Officer and/or as a Committee Member and/or as a Candidate for a specified period (of up to a lifetime); and/or
- 6.1.8. any other sanction(s) that may be deemed appropriate and proportionate.
- 6.2. The sanction(s) to be imposed in a particular case, whether in a written decision of the Commission, Independent Tribunal or the CAS (subject to the extent of its jurisdiction in accordance with Articles 5.4 to 5.6 of this Appendix 1), shall be determined by reference to all of the relevant circumstances of that case, including the seriousness of the breach, the need to protect the image and/or integrity of the sport, the need to protect the image and/or integrity of the ITF, the need to deter repetition of the wrongful conduct (by the Official in question and/or by any other Official), and any mitigating or aggravating factors that may be present (including the Official's prior record, and their degree of assistance in/cooperation with the process (including the investigation and any proceedings)). Where more than one breach has been committed, the sanctions shall be based on the more/most serious breach, but increased by an amount appropriate to reflect the other breach(es).
- 6.3. Where deemed appropriate, the implementation of all or part of any sanction(s) imposed may be suspended for a period, and waived at the end of that period, so long as specified conditions are satisfied.
- 6.4. Costs:
 - 6.4.1. The Independent Tribunal and/or the CAS (as applicable) shall have the power to order any party to pay some or all of the costs of convening the Independent Tribunal/panel and of staging the hearing and/or the costs (legal, expert, travel, accommodation or otherwise) incurred by the parties in relation to the proceedings. If the Independent Tribunal and/or the CAS (as applicable) does not exercise that power, the ITF will pay the costs of convening the Independent Tribunal/panel and of staging the hearing, and each party will bear its own costs (legal, expert, travel, accommodation or otherwise).
 - 6.4.2. In exercising its discretion to award costs, the Independent Tribunal and/or the CAS may have regard to the parties' conduct at all relevant times. The Independent Tribunal should have regard to the ITF's regulatory function, and its obligation to bring or defend proceedings for the good of tennis. Therefore, costs should not be awarded against the ITF simply because an alleged breach of this Code has not been proven to the required standard. Rather costs should only be awarded against the ITF if the Independent Tribunal determines that the charge was brought improperly, frivolously, dishonestly and/or in bad

faith.

- 6.5. Where a fine, reimbursement, restitution and/or costs award is imposed against an Official (a **Financial Award**), then such Financial Award must be paid: (a) by the Official (and not, unless the ITF agrees, by any third party, including a Member); (b) directly to the ITF; and (c) within one calendar month of receipt of the decision imposing the Financial Award. However, the Commission will consider any request from any Official, on the grounds of financial hardship, to make the payment of such Financial Award over a prolonged period of time. Where an Official has been suspended from office and/or disqualified from acting as an Official for a specified period, they must have paid (or be up to date on any instalment plan for repayment of) the Financial Award before they may resume office/act as an Official again.

7. LIMITATION

- 7.1. No notice charging an Official with breach of the Code may be sent more than twelve (12) years after the date on which the breach is alleged to have occurred. Provided that time-limit in respect of charges is met, however, proceedings for the relevant breach(es) may be temporarily suspended in order to avoid the risk of prejudice to and/or to give precedence to investigations or proceedings conducted by other competent authorities (including within the ITF) into the same or related matters, even if that means the proceedings under this Code are not concluded prior to the twelve-year time-limit.

8. ELIGIBILITY OF BOARD DIRECTORS (INCLUDING THE PRESIDENT) WHO HAVE BEEN CONVICTED OF A CRIMINAL OFFENCE

- 8.1 In the event that a Director, Officer or candidate for such position has been convicted of a criminal offence whether at first instance or appeal, the Election and Eligibility Panel shall consider and determine (in accordance with Articles 17 and 18 of the ITF Constitution) whether or not such conviction should result in their position becoming vacated, or their candidacy invalidated, by virtue of any of the grounds set out in Article 18.1.2 of the ITF Constitution. For the avoidance of doubt, any such consideration and determination is without prejudice to the Commission's ability to separately investigate and/or pursue the conviction and/or the conduct resulting in the conviction as a breach of the Code.
- 8.2 In considering and determining whether or not the conviction for a criminal offence should result in the Director, Officer or Candidate's position becoming vacated by virtue of any of the grounds set out in Article 18.1.2 of the ITF Constitution, the Election and Eligibility Panel:
- 8.2.1 shall provide (i) the individual Director, Officer or candidate for such position, and (ii) the Board (not including the individual Director, Officer or candidate in question) with sufficient opportunity to make representations, including via any legal representative of their choosing;
 - 8.2.2 may request that (i) the individual Director, Officer or candidate, and/or (ii) the Board:
 - 8.2.2.1 produce any relevant documents; and/or
 - 8.2.2.2 attend any hearing to answer questions, which hearing shall be inquisitorial in nature, unless the Election and Eligibility Panel considers another approach is required to fairly determine the matter;
 - 8.2.3 shall determine the matter by simple majority; and

8.2.4 shall give written reasons for its determination as soon as practicable.

- 8.3 The determination of the Ethics and Eligibility Panel shall be final and binding, with no right of appeal save that, as set out at Articles 18.2 and 29.3.4 of the ITF Constitution, a decision that a person is not Eligible to serve or be appointed as a Director or Officer may be appealed to the CAS (Ordinary Division).

9. CONFIDENTIALITY

- 9.1. Save where otherwise provided in this Code, the proceedings of the Commission, and any information provided to or obtained by it or by any Investigator, shall be kept confidential.
- 9.2. Notwithstanding Article 9.1 of this Appendix, the Commission and/or an Investigator may disclose confidential information:
- 9.2.1. where necessary to facilitate the application or enforcement of the Code and/or to protect the integrity and reputation of the sport;
 - 9.2.2. where they deem it necessary and appropriate, to inform the public about or confirm ongoing or closed procedures, or to correct inaccurate information or damaging rumours, provided that any such disclosure shall as far as possible respect the rights of those involved, including their right to be presumed innocent of all charges unless and until proven otherwise.
- 9.3. The Chair may inform the public about the reasons for any decision and/or the closure of any investigation, in any appropriate form and via any appropriate media, such as (without limitation) by publishing the decision itself, in whole or in part, having redacted or anonymised all or part of it where deemed appropriate.

10. DEVIATIONS

- 10.1. Any deviation from any provision of the Code and/or any departure from or irregularity, omission, technicality or other defect in the procedures set out in the Code will not invalidate any finding, procedure or decision unless such departure is shown to have rendered the proceedings or the decision unreliable or to have caused a miscarriage of justice.

APPENDIX 2: DECLARATION FORMS

PART ONE: CONFLICT OF INTEREST DECLARATION FORM

****Electronic form to be completed at [Conflict of Interest declaration form](#) ****

Name (print in full):

Email:

Address:

ITF Role:

DETAILS OF ACTUAL, APPARENT OR POTENTIAL CONFLICTS OF INTEREST

List all positions held in tennis and the name of the relevant tennis organisation.

E.g. you are, or a family member is: employed by the ITF; President or a Board Member of a national or regional tennis association; Chief Executive or General Secretary of a national or regional tennis association; any other employed role within a national or regional tennis association; Tournament Director Posts within professional tennis circuits (e.g. ATP, WTA, ITF circuits), etc.

.....

List any additional current employment, voluntary position and/or source of income that is connected with the ITF or the sport of tennis.

E.g. you are, or a family member is: owns or is employed by a firm that provides services, goods, advice or sponsorship to the ITF and/or another tennis organisation; President or a Board Member of an organisation that sponsors tennis events; involved in the provision of services or employment to an ITF Official or ITF staff member, etc.

.....

List any significant financial or other interests held by you or a family member in a tennis organisation (e.g. the ITF, a Regional or National Tennis Association, a professional tennis circuit) or in any other organisation that provides services, goods, advice or sponsorship to a tennis organisation.

.....

Provide details of any other facts that may give rise to actual, apparent or potential conflicts of interest:

.....

I the undersigned declare that:

1. I have read, understood and agree to be bound by and comply with the ITF Code of Ethics.
2. I have read and understood the Guidance on Conflict of Interest.
3. I **do not have, nor do I presently anticipate having**, any conflict of interest (actual, apparent or

potential) save as set out in this declaration.

4. I agree to make immediate disclosure of any material change required to this declaration in order to ensure that it remains accurate.

5. I agree to make immediate disclosure of any additional actual, apparent or potential conflict of interest that arises subsequent to the preparation of this declaration, by way of a separate declaration, to ensure my disclosure remains complete at all times.

6. I agree to be bound by any decisions taken by relevant authorities under the ITF Code of Ethics.

Signature: Date:

A copy of your completed form will be emailed to you at the email address you have provided.

If you have any questions or problems, please contact the ITF Ethics Commission at commission@itf-ethics.com.

As an ITF Official (as defined in the Code of Ethics), the ITF processes your personal data (including the information that you have provided on this form). Please see the Privacy Notice – ITF Business Contacts for more information about how the ITF processes your data (which can be found on the ITF's [Privacy Notices page](#)).

PART TWO: GIFT/HOSPITALITY DECLARATION FORM

<u>Details of the gift / hospitality</u>			
Date of offer			
Description			
Estimated cost			
<u>Details of persons involved</u>			
<u>Your involvement</u>	Recipient <input type="checkbox"/> Offeror <input type="checkbox"/>		
<u>The other person's or company's details (the offeror or recipient)</u>	<u>Person or company name</u>		
	<u>Ultimate recipient (if passed on)</u>		
	<u>Relationship to ITF</u>		
Why was offer made?			
Is there a current/ potential contract with the offeror? (If yes, provide details)			
Has offeror ever given a gift or hospitality to the recipient before? (If yes, provide details)			
<u>Your details:</u>			
Name (print)		<u>Date</u>	
<u>Signature</u>			

Note for candidates in the elections: To be first completed no later than three (3) months before the

election, and then updated during the course of the campaign period until the election as applicable.

APPENDIX 3: GIFTS & HOSPITALITY

1. Notwithstanding any other provision of this Code, Officials must not offer or accept:
 - 1.1 any cash gift in their capacity as Officials;
 - 1.2 any gift, hospitality or other benefit that is given secretly, not openly;
 - 1.3 any gift, hospitality or other benefit that creates an actual or 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, without limitation, gifts offered by suppliers, other commercial partners and interested parties to influence decisions relating to the awarding of commercial contracts, particularly for media rights, events and sponsorship, and gifts offered by Candidates to influence decisions relating to their candidacy); or
 - 1.4 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 the ITF and/or the sport of tennis being brought into disrepute.
2. Subject strictly to Article 1 of this Appendix 3, in their capacity as Officials, Officials may offer and accept:
 - 2.1 tokens of consideration or friendship of nominal value, in accordance with prevailing local customs; and
 - 2.2 reasonable, proportionate and *bona fide* corporate gifts and hospitality (including tournament accreditation or tickets), solely as a mark of respect or friendship;

provided that any such token, gift or hospitality that is worth more than US \$250 (or the equivalent in any other currency) must be disclosed to the ITF Ethics Commission using the form at Part 2 of Appendix 2 to the Code (as amended by the ITF from time to time), and recorded and approved by the ITF Ethics Commission. If it is not approved by the ITF Ethics Commission, it must be withdrawn or returned (as applicable).
3. Subject always to Article 1 of this Appendix 3, any tickets and/or hospitality (including tournament accreditation) offered by a Member in respect of one of its events, and any gifts that are provided as part of that hospitality to all of the Member's guests at that event, shall not be reportable pursuant to Article 2 of this Appendix 3, even where their value is more than US \$250 (or the equivalent in any other currency).
4. It is prohibited to offer or accept any gift or hospitality or other benefit that does not meet the requirements of Articles 1 and 2 of this Appendix 3. If in doubt as to whether those requirements are met in a particular case, the Official should refer the matter to the ITF Ethics Commission for guidance in accordance with Article 1.7 of the Code.
5. Nothing in this Appendix 3 or in the rest of the Code is intended to supersede or contradict the ITF Anti-Bribery Policy. In the event of any conflict between any provision of this Appendix 3 or any other provision in the Code and any part of the ITF Anti-Bribery Policy, the ITF Anti-Bribery Policy will prevail.

APPENDIX 4: RULES FOR CANDIDATES

Candidates shall:

1. comply with the Code and the ITF Constitution;
2. not send out official campaign material in any form or otherwise promote their candidacy prior to the official public announcement by the ITF of all valid candidates; however, prospective candidates may indicate publicly their intention to contest the elections, and, subject to this Article, participate in meetings, events or social functions in the normal course of their tennis role (whether in person or online), prior to the official public announcement;
3. conduct their candidacy with honesty, dignity and respect for their opponents;
4. not insult, demean or in any other way personally attack the character of their opponents, Officials or ITF staff, or do anything else with malicious intent or bad faith that may harm the image of any opponent, Official or ITF staff;
5. respect and not seek to exert any improper influence over the democratic process (such as making promises in exchange for votes);
6. not seek or use any financial, political or other support for the Candidacy from any regional association, other ITF partner or supplier (or their related or connected affiliates) or any other regional or international sport organisation or any person holding office in such organisation;
7. conduct their candidacy with moderation in order to promote equality among candidates;
8. not make payments, directly or indirectly, or to make use (free of charge or otherwise) of the services of journalists or other persons affiliated to the media in order to promote their Candidacy. Candidates may however grant interviews to the media;
9. not directly or indirectly solicit or accept any benefits of whatever nature intended to influence decisions within their authority once elected, or which may reasonably be perceived as intending to have that effect;
10. except as set out in Article 11 of this Appendix, not give or offer (directly or indirectly) to any Member any benefit or service of any kind that a reasonable person might construe as an attempt to influence the vote of that Member;
11. not offer, give or accept gifts or hospitality (directly or indirectly) to or from any official or representative of a member national association or regional association (together a **Member**), or anyone involved in the ITF or other governing body of tennis, unless compliant with Appendix 3: Gifts and Hospitality, which, for the avoidance of doubt, shall apply to Candidates *mutatis mutandis*;
12. disclose to the ITF Ethics Commission (within a month of nomination, and updated throughout the period from nomination to the election) any gifts or hospitality received or provided by the Candidate, to or from anyone involved in any way (directly or indirectly) in the ITF, a Member or other governing body of tennis in the twelve months prior to the date of election or appointment to the position for which they are a Candidate save for:
 - 12.1. gifts or hospitality compliant with Article 2 of Appendix 3 (i.e. corporate gifts or tokens of

friendship under \$250);

- 12.2. gifts or hospitality compliant with Article 3 of Appendix 3 (i.e. tickets, and/or gifts given to all guests, over \$250 offered by a national association in respect of one of its events);
13. submit a Conflicts of Interest Declaration Form to the ITF Ethics Commission at the time they are nominated, and update it in the period prior to the election in the event of any change;
14. not participate in any forum or debate (such as a regional association meeting) for the sole or main purpose of promoting their candidacy unless equal opportunity to participate is offered to their opponents, save that:
 - 14.1. candidates for the Board may attend forums or meetings in their region where only candidates from that region are offered the opportunity to participate, provided attendees are also only from that region;
15. not engage in any act, collaboration or collusion by or between Candidates with the intent to defraud or manipulate the result of the vote, including but not limited to:
 - 15.1. bullying, intimidation or coercion of others (whether voters, another Candidate, Officials or ITF staff); or
 - 15.2. being a part of, or knowing beneficiary of, any order or instruction attempting to mandate the way one or more Members must vote (whether on a regional basis or otherwise);
16. unless in the ordinary course of their business as an existing Official, not receive individual or special support or services from the ITF, or ITF staff, including any consultants, agents or advisors engaged by the ITF (or their related or connected affiliates), beyond general administrative support and services provided to ensure that Candidacies are conducted in a fair, open and consistent manner. Further, in the case of an incumbent President seeking re-election, the President shall record with the Ethics Commission their travel for the calendar year in which the election takes place. For the avoidance of doubt, an incumbent President seeking re-election may travel in their own time and using their own resources;
17. if an existing Director, Officer, or Committee Member:
 - 17.1. continue to carry out their official duties during their Candidacy, including scheduling meetings with Members on a basis consistent with the ordinary course of their business as an Official, during which the Candidate may refer to their Candidacy in a purely factual manner but not campaign;
 - 17.2. not, in their existing capacity, organise or participate in meetings or events or social functions with Members solely or mainly for the purpose of promoting their Candidacy;
18. upon request by the ITF Ethics Commission (based on reasonable concerns that these Candidate Rules may not have been followed), provide a statement of expenditure and other relevant information concerning the nature, source and amount of funds used to support their candidacy;
19. respect the following duties of ITF and regional association staff:
 - 19.1. to maintain a strict duty of neutrality between Candidates;

- 19.2. to limit their relations and communications with Candidates strictly to the performance of their duties as ITF or regional association staff (as appropriate); and
 - 19.3. unless in the ordinary course of their business with an existing Official, not to provide any additional support or services to a Candidate, beyond general administrative support and services provided to all Candidates (limited to those from the relevant region in the case of regional association staff); and
20. in case of any doubt about their responsibilities under the Code, seek guidance from the Election Panel at commission@itf-ethics.com.

APPENDIX 5: INVESTIGATIONS PROTOCOL

1. INTRODUCTION

- 1.1 This Protocol on Investigations by the ITF Ethics Commission (**Investigations Protocol**) concerns the procedure applicable to conducting investigations by the ITF Ethics Commission (the **Ethics Commission**) into potential breaches of the ITF Code of Ethics (**Code**). It supplements Appendix 1 of the Code. The Code will take precedence in circumstances of any inconsistency or uncertainty between this Investigations Protocol and elsewhere in the Code. Unless otherwise indicated, this Protocol adopts the terms as defined in the Code.
- 1.2 This Investigations Protocol applies in its entirety to all investigations into potential breaches of the Code, except where otherwise determined by the Chair.

2 APPOINTMENT OF AN INVESTIGATOR

- 2.1 The Commission shall have the power to conduct investigations. Where the Chair initiates an investigation, the Chair shall, as set out in Article 2.5.2 of Appendix 1, request that an investigation be carried out by an Investigator, being either (a) one or more Commission Members (which may include the Chair) and/or the Legal Secretary, or (b) an independent third-party, who may (at their discretion) be supported by the Legal Secretary. The below provisions applying to Investigators and investigations apply *mutatis mutandis* to whomever is conducting the investigation.
- 2.2 Where an independent third-party Investigator is appointed pursuant to Article 2.5.2 of Appendix 1, prior to their appointment, the Investigator must:
 - 2.2.1 confirm their independence of the ITF (i.e. that they are not currently engaged by the ITF in any capacity);
 - 2.2.2 provide details, to the extent possible, of any prior engagements with the ITF;
 - 2.2.3 confirm their availability to conduct the relevant investigation over the period that the Chair considers appropriate in the circumstances;
 - 2.2.4 confirm their fees; and
 - 2.2.5 sign a Non-Disclosure Agreement.
- 2.3 Thereafter, the Legal Secretary to the Commission (the **Legal Secretary**) shall provide the Investigator with a draft Engagement Letter. The Legal Secretary shall also provide the Investigator with a draft Terms of Reference.
- 2.4 The Investigator shall be provided with and have access to relevant information collected by the Commission.
- 2.5 In relation to the investigation, the Investigator must:
 - 2.5.1 respect human rights and dignity, not discriminate on grounds of race, colour, sex, gender, sexual orientation, language, religion, political or other opinion, national or social origin, disability, or any other unlawful ground, and not commit any form of harassment or abuse of any person, whether physical, professional, sexual, psychological or otherwise;

- 2.5.2 respect the right to be presumed innocent of all allegations unless and until shown otherwise; and
- 2.5.3 refrain from any fraudulent or corrupt act, or any act that brings or risks bringing the ITF or the sport of tennis into disrepute (including but not limited to offering, giving or accepting a benefit of whatever nature intended to influence the proper conduct, and any such offer made to them must be reported immediately to the Chair).
- 2.6 If at any stage the Investigator considers that they have any conflict of interest in relation to the investigation, they must inform the Chair if at any stage of the investigation, if the Chair considers appropriate, the Investigator must recuse themselves from the investigation on the basis of that conflict;
- 2.7 The Investigator may, at any point, request advice from the Legal Secretary concerning the interpretation or application of the Code, including its Appendices and this Investigations Protocol.

3 THE INVESTIGATIONS PROCEDURE

- 3.1 The Investigator must follow the procedures and rules set out in Article 3 of Appendix 1 to the Code.
- 3.2 When the Investigator contacts the complainant, they shall advise the complainant:
 - 3.2.1 that the Commission is at the stage of conducting an investigation into the alleged breach; and
 - 3.2.2 that, save where otherwise provided in the Code, the proceedings of the Commission, and any information provided to or obtained by it or by an investigator appointed by it, shall be kept confidential. The complainant shall be further advised, as necessary, of the need to preserve the confidentiality of the complaint and the Official(s) implicated by the complaint, until and unless that information is otherwise made public by the Commission in accordance with the Code.
- 3.3 The Investigator shall, with the assistance of the complainant, and/or with reference to other available sources of information, endeavour to compile additional information about the alleged breach, including, where relevant:
 - 3.3.1 the name(s) of the party/parties said to be in breach of the Code;
 - 3.3.2 the particulars of the alleged breach(es) of the Code;
 - 3.3.3 the relationship between the complainant and the Official(s) said to be in breach of the Code;
 - 3.3.4 the names of potential witnesses or individuals that can corroborate the alleged breach or provide further contextual information;
 - 3.3.5 any factual evidence that may be relevant to the alleged breach of the Code; and
 - 3.3.6 any other relevant information.
- 3.4 After speaking with the complainant, and/or after having assessed and analysed the available

information, the Investigator may contact persons other than the Official(s) said to be in breach of the Code, in order to gather further evidence relating to the alleged breach(es).

- 3.4.1 Where the Investigator deems it necessary to speak to persons implicated by the investigation, they shall consider whether an in-person meeting is necessary. Where an in-person meeting is deemed necessary, the Investigator shall obtain prior approval from the Chair. Only travel expenses that have received prior approval will be reimbursed.
- 3.5 Prior to speaking with the Official(s) said to be in breach of the Code, the Investigator shall consult the Chair on whether, in the circumstances so far ascertained, it is appropriate to continue with the investigation.
 - 3.5.1 Where the Chair considers it appropriate to continue with the investigation, the Chair shall provide the Investigator with any directions necessary to preserve the integrity of the investigation and, where relevant, protect the identity of the complainant and/or other persons implicated by the investigation.
 - 3.5.2 Where the Chair considers it appropriate to continue with the investigation, the Investigator shall proceed to contact the Official(s) said to be in breach of the Code. Where multiple Officials are said to be in breach of the Code, each Official should be contacted individually.
- 3.6 When the Investigator contacts the Official(s) said to be in breach of the Code, they shall advise the relevant Official:
 - 3.6.1 of the existence of the complaint, along with alleged breach(es) of the Code;
 - 3.6.2 that the Commission is at the stage of conducting an investigation into the alleged breach;
 - 3.6.3 that, further to Article 3.3. of Appendix 1 of the Code, an Official being investigated has the right to be legally represented at their own cost;
 - 3.6.4 that, save where otherwise provided in the Code, the proceedings of the Commission, and any information provided to or obtained by it or by an Investigator appointed by it, shall be kept confidential. The Investigator shall further advise the Official, as necessary, of the need to preserve the confidentiality of the complaint, the identity of the complainant(s), other witnesses and any other Official(s) implicated by the complaint, until or unless that information is otherwise made public by the Commission in accordance with the Code;
 - 3.6.5 that the Official has the right to be presumed innocent of all allegations unless and until determined otherwise on the balance of probabilities; and
 - 3.6.6 that, pursuant to Article 2.8 of the Code, Officials are required to cooperate with the investigations of the Commission into alleged breaches of the Code and that a failure to do so may amount to a separate breach of the Code.
- 3.7 The Investigator shall, with the assistance of the Official(s) said to be in breach of the Code, and/or with reference to other available sources of information, endeavour to compile additional information about the alleged breach, including, where relevant:

- 3.7.1 confirmation of the identity of the Official(s) said to be in breach of the Code;
 - 3.7.2 the response(s) of relevant Official(s) to the particulars of the alleged breach(es) of the Code;
 - 3.7.3 the names of potential witnesses or individuals that can corroborate the account given by the Official(s) said to be in breach of the Code or provide further contextual information;
 - 3.7.4 any factual evidence that may be relevant to the alleged breach of the Code; and
 - 3.7.5 any other relevant information.
- 3.8 The Investigator may at any stage and in relation to the investigation contact additional persons, in accordance with Articles 3.5.1 and 3.6.1 of this Appendix 5, above.
- 3.9 Upon the conclusion of the investigation, the Investigator will provide the Chair of the Commission with their final report (the Investigator's Report) in accordance with Article 3.6 of Appendix 1.