

# MONASH ELECTRONIC GAMING ASSOCIATION COMPETITIVE GOVERNANCE REGULATIONS

## INDEX

<b>INDEX .....</b>	<b>1</b>
<b>PART 1 — PRELIMINARY .....</b>	<b>2</b>
1 Jurisdiction.....	2
2 Amendment & Repeal .....	2
3 Bound Persons & Bodies.....	2
<b>PART 2 — COMPETITIONS.....</b>	<b>2</b>
4 Scope .....	2
5 Competition Rules .....	2
6 Decision Reporting .....	3
7 Competition Data Collection .....	3
8 Participant Eligibility.....	4
<b>PART 3 — RULING REVIEW TRIBUNAL.....</b>	<b>4</b>
9 Subcommittee.....	4
10 Process.....	4
11 Appeal .....	5
12 Procedure.....	5
<b>PART 4 — COMPETITIVE INTEGRITY.....</b>	<b>5</b>
13 Prohibited Conduct.....	5
14 Responsibilities.....	7
15 Inclusion in Competition Rules .....	7
<b>PART 5 — INTEGRITY TRIBUNAL.....</b>	<b>7</b>
16 Subcommittee.....	7
17 Terms of Reference.....	8
18 Convening the Tribunal .....	8
19 Reasons for convening.....	9
20 Initial Procedure.....	9
21 Final Hearing .....	10
22 Allowed Penalties .....	11
23 Procedures .....	12
<b>PART 6 — EXECUTIVE REVIEW PANEL .....</b>	<b>12</b>
24 Subcommittee.....	12
25 Terms of Reference.....	12
26 Grounds for Review .....	13
27 Decisions Available to the Executive Review Panel .....	13
28 Procedures .....	13

29	Hearings .....	14
<b>PART 7 — COMMITTEE</b>	.....	<b>14</b>
30	Powers under these Regulations.....	14
31	Special Powers.....	14

## **PART 1 — PRELIMINARY**

### **1 Jurisdiction**

This document holds the authority of the Committee, where—

- (1) the document is approved as a schedule to the Monash Electronic Gaming Association Constitution; and
- (2) the Monash Electronic Gaming Association Constitution allows for binding regulations to be approved by the Committee of the Club.

### **2 Amendment & Repeal**

These regulations may be amended and/or repealed by a resolution approved by an absolute majority of the Committee.

### **3 Bound Persons & Bodies**

The following people and bodies are obligated to follow these regulations—

- (1) Members of the Committee;
- (2) Members of the Club;
- (3) Ancillary members to the Committee;
- (4) Members of subcommittees within the Club;
- (5) Members of teams competing on behalf of the Club; and
- (6) All persons, teams, coaches, team managers, admins, referees, officials, promoters and organisers involved in any Competition.

## **PART 2 — COMPETITIONS**

### **4 Scope**

These regulations apply to all competitions managed in part or in full by the Club. “Competition” means any competition in scope as determined under this rule.

### **5 Competition Rules**

- (1) Each Competition may have their own set of rules drafted and approved by the Committee.

- (2) Participants in Competitions shall be bound by the rules of each Competition established under subrule (1).
- (3) Where a Competition has its own set of rules established under subrule (1), these regulations will supersede those rules.
- (4) Competition rules set out under subrule (1) must include at least the following—
  - (a) Any conduct that is prohibited of participants in that Competition;
  - (b) Any conduct that is required of participants in that Competition;
  - (c) A statement that reads “Participants in this competition are also bound by the Monash Electronic Gaming Association constitution and regulations.”;
  - (d) A procedure by which participants can report breaches of the Competition rules;
  - (e) A procedure by which Competition officials initially make decisions on discovered breaches of the Competition rules; and
  - (f) A procedure by which participants can appeal a decision of a Competition official to a Ruling Review Tribunal.
  - (g) A procedure by which to convene a Ruling Review Tribunal.

## **6 Decision Reporting**

- (1) All rulings regarding breaches of Competition rules must be reported to the Integrity Tribunal within 14 days of the ruling, including—
  - (a) The name(s), email addresses, and other identifying information of the participants who were determined to have breached the Competition rule(s);
  - (b) The rule(s) breached;
  - (c) The action taken, if any;
  - (d) Any background details on the ruling;
  - (e) Justification for the ruling; and
  - (f) The official, panel, tribunal or subcommittee issuing the ruling.
- (2) Upon receipt of a report, the Integrity Tribunal may determine that there is sufficient grounds to take further action against one or more persons(s).

## **7 Competition Data Collection**

- (1) Those administering a Competition must collect the following information about participants—
  - (a) Full name;
  - (b) Student number, if they are a Monash University student;

- (c) Student email, if they are a student;
- (d) Personal email, if they are not a student;
- (2) A list of participants including the information collected under subrule (1) must be made available on request to the Integrity Tribunal, Committee and Executive Review Panel.

## **8 Participant Eligibility**

- (1) A person who has had their membership rights suspended under the Club constitution shall be ineligible to participate in any Competition.
- (2) A person who has been expelled from the Club shall be ineligible to participate in any Competition, unless they have applied for and been granted an exemption by the Integrity Tribunal.
- (3) A person who is serving a period of disqualification imposed by an Integrity Tribunal, Executive Review Panel, or the Committee, shall be ineligible to participate in any Competition.
- (4) The Integrity Tribunal shall maintain a register of ineligible participants and make that register available to the organisers of each Competition for the purposes of preventing ineligible persons from participating.

## **PART 3 — RULING REVIEW TRIBUNAL**

### **9 Subcommittee**

- (1) A Ruling Review Tribunal is a single-use subcommittee convened to rule on a particular matter with respect to an instance in a Competition within which the rules of that Competition were breached.
- (2) A Ruling Review Tribunal may be convened in accordance with the rules of that Competition. If the rules of that Competition fail to set out the means by which a Ruling Review Tribunal may be convened, or those rules are not followed, the President, Vice President, or Secretary may convene one upon receiving a written request to do so by a participant in a Competition.
- (3) The composition of a Ruling Review Tribunal must be set out in the rules of that Competition. If the rules of that Competition fail to do so, the President, Vice President or Secretary may determine the composition of the Ruling Review Tribunal.

### **10 Process**

- (1) Participants in a Competition must be afforded a reasonable opportunity to lodge an appeal for a review of a decision made by a Competition official to a Ruling Review Tribunal.
- (2) Participants in a Competition must be afforded a reasonable opportunity to submit a statement to a Ruling Review Tribunal for their Competition when

a matter has been referred to a Ruling Review Tribunal that may directly impact them.

- (3) Impacted participants in a competition must be given notice of a decision by a Ruling Review Tribunal as soon as practicable.

## **11 Appeal**

- (1) A participant may appeal to the Executive Review Panel within 12 hours of receiving notice of a decision by a Ruling Review Tribunal, and only under exceptional circumstances will that appeal be heard.
- (2) An appeal of a decision by a Ruling Review Tribunal to the Executive Review Panel must be sent by email to the Secretary and the President, and must include—
  - (a) The decision being appealed;
  - (b) The name(s) of the person(s) appealing; and
  - (c) The exceptional circumstances that justify hearing the appeal.
- (3) If no appeal is lodged, the decision of the Ruling Review Tribunal is final.
- (4) If an appeal is lodged, and the Executive Review Panel refuses to hear that appeal, those appealing may request a review by the Committee of that decision, by sending an email to the Secretary to that effect within 1 hour of receiving notice that their appeal has been refused. Otherwise, the decision of the Ruling Review Tribunal is final.
- (5) If the Committee receives an appeal under subrule (4) they may—
  - (a) Disregard the appeal;
  - (b) Direct the Ruling Review Tribunal to re-hear the original appeal;
  - (c) Direct the Executive Review Panel to hear the appeal; or
  - (d) Rule directly on the appeal.

## **12 Procedure**

- (1) Minutes must be made for each meeting of a Ruling Review Tribunal and submitted to the Committee as soon as practicable after the meeting.
- (2) A Ruling Review Tribunal may be convened without notice to its members.
- (3) All other procedures may be determined by the Competition rules. Where the Competition rules make no provision for a particular procedure, the same procedure as applies to the Committee shall apply to the Ruling Review Tribunal.

# **PART 4 — COMPETITIVE INTEGRITY**

## **13 Prohibited Conduct**

- (1) A person categorised under rule 3 of these regulations must not engage in conduct prohibited under subrule (3).
- (2) A person who fails to comply with subrule (1) shall be subject to potential sanctions by the Integrity Tribunal.
- (3) Conduct that is prohibited includes—
  - (a) Use of performance enhancing drugs;
  - (b) Breaches of the rules of a Competition;
  - (c) Cheating;
  - (d) Match fixing;
  - (e) Throwing, tanking, or otherwise creating an inorganic result;
  - (f) Illegal conduct;
  - (g) Lying, deceitful behaviour, and deception or otherwise of—
    - (i) Other players in a Competition;
    - (ii) Competition officials;
    - (iii) Any official of the Club;
    - (iv) Any subcommittee or tribunal of the Club; and
    - (v) Any person who may have an impact on the outcome of a Competition or ruling in a Competition.
  - (h) Anti-social behaviour which causes, or is likely to cause, harassment, alarm or distress to a person;
    - (i) Bullying, harassment and discrimination;
    - (j) Abuse of in game tools or functionality to create a competitive advantage or disadvantage;
    - (k) Persistent negative behaviour;
    - (l) Griefing;
    - (m) Behaviour that is racist, sexist, queerphobic, transphobic, ableist, militaristic or otherwise unbecoming of a member;
    - (n) Violent or threatening behaviour;
    - (o) Failure to adhere to the Club constitution & regulations, these regulations, or Competition rules;
    - (p) Multiple breaches of the rules of one or more Competition(s);
    - (q) Knowingly and intentionally breaching the rules of a Competition;
    - (r) Concealing a breach or perceived breach of the rules of a Competition;
    - (s) Failing to provide competitively relevant and pertinent information to a Competition or Club official upon request;

- (t) Placing of a bet or wager, directly or indirectly, on a match within which that person has a direct impact on the outcome;
- (u) Conduct prejudicial to the Club; and
- (v) Use of software, hardware or other technological tools to create an unfair advantage or disadvantage for a team or player.

#### **14 Responsibilities**

- (1) A person categorised under rule 3 of these regulations are responsible for compliance with subrule (3), and for ensuring the compliance of others with subrule (3).
- (2) A person who fails to comply with subrule (1) shall be subject to potential sanctions by the Integrity Tribunal.
- (3) Conduct that bound persons are responsible for ensuring on an ongoing basis includes—
  - (a) Upholding of competitive integrity and the spirit of fair play;
  - (b) Acceptance of full responsibility by persons for their actions;
  - (c) Treatment of others with respect and empathy;
  - (d) Fostering a non-discriminatory environment;
  - (e) Behaving and encouraging others to act ethically, respectfully and with integrity;
  - (f) Maintaining a safe and inclusive environment;
  - (g) Compliance with all applicable rules, policies, laws and regulations;
  - (h) Acting professionally, exhibiting fair-play and sportsmanship;
  - (i) Supporting and encouraging fair-play and sportsmanship;
  - (j) Quality supervision, due care and professional diligence in upholding of a position or office and the associated obligations; and
  - (k) Protecting the integrity of esports from unfair advantage, manipulation or collusion.

#### **15 Inclusion in Competition Rules**

All Competition rules must include rules that enforce the requirements under rule 13 and rule 14.

### **PART 5 — INTEGRITY TRIBUNAL**

#### **16 Subcommittee**

- (1) There shall be an Integrity Tribunal, which is a subcommittee of the Club.

- (2) “Tribunal” in this Part of these Regulations shall refer to the Integrity Tribunal except when used as part of the phrase “Rulings Review Tribunal”.
- (3) The Integrity Tribunal shall have—
  - (a) 5 permanent members; and
  - (b) Any number of reserve members.
- (4) Permanent members and reserve members are appointed and removed by the Committee.
- (5) The Committee shall establish an order of precedence for reserve members.
- (6) Reserve members serve on the Integrity Tribunal in the event that a permanent member is unable to serve, either by absence, conflict of interest, or otherwise.

## **17 Terms of Reference**

The Integrity Tribunal is charged with the following duties—

- (1) Investigating and making rulings on situations where it is alleged that a person set out under rule 3 has breached these regulations;
- (2) Determining a penalty where a situation under subrule (1) has been ruled on the tribunal has determined a breach occurred;
- (3) Making recommendations, during their discharge of duties (1) and (2), to the Committee for changes to these regulations; and
- (4) Making recommendations, during their discharge of duties (1) and (2), to Competition officials for changes to the Competition rules.

## **18 Convening the Tribunal**

- (1) Any member of the Integrity Tribunal may convene a meeting of the tribunal by giving 48 hours’ notice to the other members of the date, time, and reason(s) for convening.
- (2) Unless otherwise specified in the notice above, meetings of the Integrity Tribunal are to be held online, via the voice communication software known as Discord.
- (3) By default, and unless determined otherwise by the tribunal, the Chair of the meeting shall be whoever convened the meeting.
- (4) The Tribunal may not conduct any business at a meeting unless at least three members of the Tribunal are present.
- (5) No more than five members of the Tribunal may participate in a meeting of the Tribunal in the capacity of being a member of the Tribunal.
- (6) With respect to subrule (5), permanent members of the Tribunal are entitled to participate in the meeting with elevated priority over reserve members.

- (7) With respect to subrule (6), once a meeting of the Tribunal has been opened with the consent of the majority of the members of the Tribunal present at the time it was opened, no other members of the Tribunal may begin to participate in that particular meeting in their capacity of Tribunal member.
- (8) A meeting of the Tribunal may not be opened until the person who convened that meeting is present or ten minutes has elapsed since the scheduled start time of that meeting, whichever comes first.

## **19 Reasons for convening**

- (1) Where a member of the Tribunal receives instruction from the President to convene a meeting to discuss a particular situation, they may do so.
- (2) Where a member of the Tribunal believes a breach may have occurred which the Tribunal is entitled to make a ruling on, they may convene a meeting of that Tribunal.
- (3) Where the Tribunal receives a referral from the Executive Review Panel or from a Ruling Review Tribunal, they must convene a meeting and begin proceedings regarding the situation referred within 14 days.
- (4) Where the Tribunal receives a referral from the Committee, they must convene a meeting and begin proceedings regarding the situation referred within 7 days, unless extra time has been authorised by the Committee.
- (5) Where the Tribunal receives a report from a person of a potential breach that the Tribunal is entitled to make a ruling on, they must convene a meeting and begin proceedings regarding the situation referred within 28 days.
- (6) Where any other situation arises in which a member believes a meeting should be convened in pursuance of the Tribunal's terms of reference or obligations under these Regulations, that member may convene a meeting.

## **20 Initial Procedure**

- (1) Where a Tribunal is initially convened with respect to a potential breach of these regulations, the Tribunal may—
  - (a) Find the breach to be immaterial, and simply take note of the potential breach; or
  - (b) Take further action.
- (2) Upon deciding to take further action, the Tribunal shall serve written notice on any person alleged to have been involved in the breach (the respondents), giving them at least 14 days' to submit a response to the Tribunal. The notice must contain
  - (a) The specific section of these Regulations alleged to have been breached;

- (b) The nature of the alleged breach;
  - (c) The deadline by which the person must submit any statements;
  - (d) The means by which the person may submit a statement;
  - (e) A copy of these Regulations; and
  - (f) A note that the Tribunal will make a decision with or without receiving a statement.
- (3) The Tribunal may request statements from other people, provided those statements are relevant to the proceedings. If the Tribunal deems a persons statement about a situation to be pertinent and essential for making a ruling, the Tribunal may compel that person to make a statement within 14 days' of serving notice to that person that a statement is being compelled, and provided the person being compelled is bound under rule 3, furthermore—
- (a) Failure of a person bound by rule 3 to provide a substantive statement after being compelled is a breach of these regulations and subject to disciplinary action under the Integrity Tribunal; however
  - (b) A person who has been compelled by the Integrity Tribunal to give a statement may apply to the Committee to have the decision of the Integrity Tribunal overturned by serving written notice on the Secretary, and the Committee shall overturn that decision if the Committee finds that the reasons given to overturn that decision are substantially compelling.
- (4) Upon receipt of statements from all respondents, or upon the time given by the Tribunal to any respondents having elapsed, the Tribunal must be convened, upon being convened the Tribunal shall—
- (a) Consider all documents, statements and verbal submissions received;
  - (b) Consider the nature of the potential breach;
  - (c) Consider the severity of the potential breach; and
  - (d) Decide on whether to proceed to a final hearing or dismiss the allegations.
- (5) In the event that the Tribunal decides to proceed to a final hearing, it must serve at least 14 days' notice of the date, time, and if applicable, location, on any respondents.
- (6) The Tribunal may negotiate, prior to a final hearing, an agreed upon penalty with any respondents. If agreed upon by both the Tribunal and a respondent, that respondent need not be subject to any penalties imposed in a final hearing. If all respondents have agreed upon a penalty with the Tribunal, the final hearing need not take place.

## 21 Final Hearing

- (1) All respondents must be given the opportunity to submit a written statement to the Tribunal prior to the final hearing.
- (2) All respondents must be given the opportunity to attend the meeting and give a verbal statement to the Tribunal.
- (3) The Tribunal may accept written and verbal submissions from others who may have been affected directly or indirectly by the actions of the respondents.
- (4) The Tribunal may accept written and verbal submissions from anyone who may provide relevant information on the matter being considered.
- (5) The Tribunal must give the respondent(s) the opportunity to make a final closing statement before deliberating.
- (6) The Tribunal shall deliberate in camera.
- (7) The Tribunal shall first determine whether a breach of these Regulations by the respondents has occurred.
- (8) If the Tribunal determines a breach of the Regulations by the respondents has occurred, the Tribunal may then determine that any of the allowed penalties be applied to the respondent(s).
- (9) Each respondent may be given different penalties, subject to the evidence submitted to the Tribunal.

## **22 Allowed Penalties**

- (1) Private reprimand of a respondent;
- (2) Public reprimand of a respondent;
- (3) Temporary suspension of a respondent's capacity to participate in Competitive Activities, where Competitive Activities means any action of, or facilitation of, esports competition within, on behalf of or in tandem with the Club, and includes—
  - (a) Participating in a team that represents the Club;
  - (b) Participating in a competition managed by the Club;
  - (c) Acting as an official in a competition managed by the Club;
  - (d) Acting as an official in a team that represents the Club; and
  - (e) Serving on a Ruling Review Tribunal;
- (4) Indefinite suspension of a respondent's capacity to participate in Competitive Activities;
- (5) Provisional suspension of a respondent's capacity to participate in Competitive Activities, where a respondent is suspended, but may avoid that suspension or end the suspension early by undertaking activities as prescribed by the Tribunal;

- (6) Issuing a fine to a respondent not exceeding \$100.00 per breach of these Regulations, which shall have the effect of suspending the respondent from participating in Competitive Activities until such a time as the fine has been paid in full to the Club; and
- (7) Referral of the respondent to the Committee with recommendation that further action be taken against the respondent, including but not limited to disciplinary action under the Constitution if the respondent is a member, bans from Club events, removal from Club online spaces, etc.

### **23 Procedures**

- (1) Minutes must be made for each meeting of the Integrity Tribunal and submitted to the Committee as soon as practicable after the meeting.
- (2) All other procedures may be determined by these Regulations. Where these Regulations make no provision for a particular procedure, the same procedure as applies to the Committee shall apply to the Integrity Tribunal

## **PART 6 — EXECUTIVE REVIEW PANEL**

### **24 Subcommittee**

- (1) There shall be an Executive Review Panel, which is a subcommittee of the Club.
- (2) The Committee shall determine the membership of the Executive Review Panel from time to time and at its absolute discretion, subject to subrule (3).
- (3) The members of the Executive Review Panel must be members of the Committee, and there must be no more than 5 members of the panel at any given time.
- (4) The primary purpose of the Executive Review Panel is to ensure fairness in the decisions made by the Integrity Tribunal and any Ruling Review Tribunals, as well as compliance of any decision made by either with these regulations.
- (5) The secondary purpose of the Executive Review Panel is to ensure decisions made by the Integrity Tribunal and/or a Ruling Review Tribunal that are not in the best interests of the Club be overturned or amended such that they are in the best interest of the Club.

### **25 Terms of Reference**

The Executive Review Panel is charged with the following duties—

- (1) Determining whether there are sufficient grounds to review a decision made by the Integrity Tribunal;
- (2) Determining whether there are sufficient grounds to review a decision made by a Ruling Review Tribunal;

- (3) Hearing and making a ruling on any decision reviewed under duties (1) and (2);
- (4) Making recommendations, during their discharge of duties (1), (2) and (3), to the Committee for changes to these Regulations;
- (5) Making recommendations, during their discharge of duties (1), (2) and (3), to Competition officials for changes to the Competition rules.

## **26 Grounds for Review**

A decision of the Integrity Tribunal or a Rulings Review Tribunal shall be subject to review by the Executive Review Panel when such a decision falls into any of the following categories—

- (1) Where a provision for appeal of that decision is made in these regulations;
- (2) Where the decision is referred to the Executive Review Panel by resolution of the Committee;
- (3) Where the decision, or the process leading up to that decision, was not compliant with these regulations or the Club constitution;
- (4) Where the decision is contrary to the aims and objectives of the Club;
- (5) Where the decision is made by a Ruling Review Tribunal and is not compliant with the rules of the Competition for which that ruling was made; and
- (6) Where the decision or the process leading up to that decision otherwise resulted in a significantly unjust outcome for a person.

## **27 Decisions Available to the Executive Review Panel**

The Executive Review Panel may make any decision on review that the original body responsible for the initial decision could have made.

## **28 Procedures**

- (1) Minutes must be made for each meeting of the Executive Review Panel and submitted to the Committee as soon as practicable after the meeting.
- (2) The Executive Review Panel shall require at least twelve hours' notice be given to each member of the panel and the Committee prior to any meeting of the panel, specifying the
  - (a) Business to be considered;
  - (b) Date;
  - (c) Time; and
  - (d) Location.
- (3) Any member of the Executive Review Panel may convene a meeting of it in line with subrule (2).

- (4) All other procedures may be determined by these Regulations. Where these Regulations make no provision for a particular procedure, the same procedure as applies to the Committee shall apply to the Executive Review Panel.

## **29 Hearings**

- (1) The Executive Review Panel may hold as many or as few hearings on a decision before making a final ruling, provided those hearings are conducive to acquiring an outcome pursuant to the panel's goals under these regulations.
- (2) The panel may consider any material it deems relevant to the decision in those hearings.

## **PART 7 — COMMITTEE**

### **30 Powers under these Regulations**

- (1) The Committee shall have any and all powers given to it under these regulations.
- (2) The Committee shall have any and all powers given to it under the club Constitution.

### **31 Special Powers**

- (1) The Committee shall have the power to make the final decision on any matter arising under these regulations.
- (2) The Committee shall have the power to overrule, adjust, reverse, amend, modify and/or uphold any decision made by the Integrity Tribunal, the Executive Review Panel, Competition officials, and/or a Ruling Review Tribunal.