

**NAMIBIA CHESS FEDERATION
(NCF)**

**CODE OF CONDUCT
2023**



Table of Contents

1. PREAMBLE.....	5
2. PURPOSE	5
3. OBJECTIVES	6
4. APPLICATION AND JURISDICTION OF NCF MEMBERS	6
Rule 1: ETHICS.....	7
1.1. FUNDAMENTAL PRINCIPLES.....	7
1.2. ATTITUDE AND BEHAVIOUR.....	7
1.2.2.1 DIGNITY	7
1.2.2.2 INTEGRITY	8
1.2.2.3 LOYALTY	8
1.2.2.4 RESPONSIBILITY.....	8
1.3. PLEDGE.....	9
1.3.1. ADMINISTRATORS OF NCF, ZONES AND ZONEL CHESS ASSOCIATIONS, REGIONS AND REGIONAL CHESS BODIES AND CHESS CLUBS, THE SPECIAL MEMBER AND ASSOCIATE MEMBERS, AS WELL AS HONORARY LIFE MEMBERS AND PATRONS OF CHESS	9
1.3.2. CHESS PLAYERS	10
1.3.3. TECHNICAL OFFICIALS (ARBITERS, CHESS OFFICIALS, TOURNAMENT DIRECTORS AND TEAM MANAGERS)	11
1.3.4. COACHES AND TRAINERS	12
Rule 2: CONFLICT OF INTEREST	13
Rule 3: INSTITUTIONAL OFFENCES AND SANCTIONS.....	13
3.1. DEFINITION - Institutional offence:.....	13
3.2. CLARIFICATION:.....	13
3.3. LITIGATION	14
Rule 4: SPORTS OFFENCES AND SANCTIONS	14
4.1 DEFINITION - SPORT OFFENCE:	14
4.2 OFFENCES AGAINST THE PRINCIPLES OF DIGNITY, INTEGRITY, LOYALTY AND RESPONSIBILITY	14
4.2.1 Violent Conduct	14
4.2.2 Discrimination, harassment and bullying	15
4.3 OFFENCES DURING COMPETITIONS.....	15
4.3.1 Dishonesty in competitions	15
4.3.2 Use or forbidden substances	15
4.3.3 Offences in Tournament Directing	16

4.4 OFFENCES AGAINST NCF AND ITS AFFILIATES	16
Rule 5: ADMINISTRATIVE OFFENCES AND SANCTIONS.....	16
5.1 RULES OF ETHICS AND PRINCIPLE OF AUTHORITY	16
5.2 CONFLICTS OF INTERESTS	17
5.3 OTHER SANCTIONS.....	17
5.3.1 Suspension.....	17
5.3.2 Expulsion.....	18
Rule 6: PROCEEDINGS	19
6.1. DISCIPLINARY PROCEDURES	19
6.2. PUBLICATION AND NOTIFICATION OF DECISIONS	20
Rule 7: JURISDICTION.....	20
7.1. NCF INSTITUTIONS WITH JURISDICTIONAL COMPETENCE	20
Rule 8: SANCTIONS.....	21
8.1. TYPES AND DEFINITION OF SANCTIONS.....	21
8.1.1. Not Subject to appeal:	21
8.1.2. Subject to appeal:	21
8.2. SANCTIONS IMPOSED BY THE MANAGEMENT COMMITTEE	21
Rule 9: POWERS FOR IMPOSING SANCTIONS	22
9.1. COMPETENCE TO IMPOSE SANCTIONS.....	22
9.2. THE COUNCIL.....	22
9.2.1. THE CHESS ZONES AND/OR REGIONS.....	22
Rule 10: EXECUTION AND NON-OBSERVANCE OF SANCTIONS	22
10. EXECUTION OF SANCTIONS.....	22
10.1. FINES	22
10.2. DISQUALIFICATION OF PLAYERS AND COACHES/TRAINERS	23
10.3. SUSPENSION.....	23
10.4. NON-OBSERVANCE OF SANCTIONS	23
Rule 11: APPEAL.....	23
11.1. UNIQUENESS OF THE NCF JURIDICAL ORDER	23
11.2. SANCTIONS IMPOSED BY NCF, ITS ORDINARY MEMBERS OR THEIR AFFILIATES (REGIONAL CHESS BODIES)	23
12. COMMITMENT	24
Declaration:.....	24

GLOSSARY..... 25

FAIR PLAY: 25

BRINGING THE SPORT INTO DISREPUTE: 25

INTERNATIONAL STANDARD:..... 25

WADA:..... 25

ATHLETE: 26

SPORTSPERSON:..... 26

COACH:..... 26

TECHNICAL OFFICIALS: 26

PRACTITIONERS:..... 26



CODE OF CONDUCT

CODE OF CONDUCT OF NCF MEMBERS

A. INTRODUCTION

1. PREAMBLE

1.1 The MINISTRY OF SPORT, YOUTH & NATIONAL SERVICE (“MSYNS”), The Namibian Sports Commission (NSC), and The Namibia National Olympic Committee (NNOC), being the national governing body of sport in Namibia have issued codes of conduct to assist all affiliated sporting bodies in holding all those who participate in sport accountable for their actions and to articulate the acceptable standard of behaviour expected from its members.

1.2 Namibia Chess Federation (“NCF”) is recognised by NSC, NNOC as the organisation responsible for Chess in Namibia and is as such the custodian of Chess in Namibia.

1.3 Accordingly, and pursuant to powers vested in it by Article 5 of the 2023 NCF Constitution, the Namibia Chess Council (“NCC”), adopts the following “Code of Conduct” and Regulations for better and clearer conduct and governance of Chess in Namibia.

2. PURPOSE

2.1. The purpose of this code of conduct is to articulate the acceptable standard of behaviour expected from all Members as defined in clause 4 hereinafter 2.2. As such it constitutes a formal statement of the values and ethical standards that guide Members and individuals in Chess in order to identify and address unwanted behaviours in Chess and within our sporting space in general;

2.3. It further outlines a set of principles and norms to which Members and all individuals in Chess can be held accountable by NCF whether participating in the sport or being involved in the sport in whatsoever capacity and especially when representing Namibia at any Chess and / or sporting event.

2.4. The aim of this Code of Conduct is not to impose more rules but rather to develop certain interpretive sensitivity towards them.

2.5. This Code of Conduct can also be used as a point of reference when dealing with disciplinary procedures against Members and to hold all those who participate in Chess accountable for their actions.

3. OBJECTIVES

To this end, and in alignment with the codes of conduct issued by MSYNS, NSC, NNOC and the World Chess Federation (“FIDE”), the objectives are, among others, the following:

- 3.1. To promote and enhance the ethical reputation of NCF and all of its Members
- 3.2. To promote respect for human dignity, rights, worth and social justice
- 3.3. To embrace the spirit of fair play, religious freedom, non-racialism and gender equality
- 3.4. To cause all Members to refrain from any racial, gender, verbal, emotional or physical abuse or harassment
- 3.5. To cause all Members to refrain from destructive criticism and to act in the best interest of Chess and Namibian sport in general
- 3.6. To promote and embrace the principles of fairness, consideration, honesty and respect for the rule of law within Chess and the Chess fraternity; and
- 3.7. To promote and embrace trustworthiness and acting in a professional and responsible manner.
- 3.8. To encourage ethical behaviour in Chess as a sport and to provide guidance for the easier identification of ethical behaviour infringements by outlining incorrect and / or unacceptable behaviour or actions within Chess by Members and / or the NCF community in general.
- 3.9 To assist in resolving conflict among Members and,
- 3.10 To promote and ensure that in the event of a contravention of this Code of Conduct, consistent and appropriate disciplinary action can be taken as set out more fully hereinafter in clause 1.1 of part B: Rules of Conduct.

4. APPLICATION AND JURISDICTION OF NCF MEMBERS

4.1. Membership of NCF is set out in Chapter ii of the 2023 NCF Constitution and shall include the parents (legal guardians) of minor chess players as though they were bona fide members of NCF.

4.2. Members shall therefore include Chess Zones and , Regions and Regional Bodies, chess leagues, clubs, teams and their leaders, team managers, players, coaches, trainers, instructors, arbiters, tournament directors, organisers, administrators, local organising committees of any chess event, officials, committee members at national, Zonal, regional and club level as well as the parents of minor children who play chess (“Members”).

4.3 For the avoidance of any doubt, this Code of Conduct shall apply to all ordinary-, special and associate members, patrons and honorary life members as set out in Chapter iii of the 2023 NCF Constitution and as such further amplified by the description of Members in clause 4.2 above.

B. RULES OF CONDUCT

Rule 1: ETHICS

1.1. FUNDAMENTAL PRINCIPLES

- 1.1.1. Members are subject to the NCF Constitution, Code of Conduct, Rules & Regulations and decisions taken by Council and the relevant NCF institutions , the Rules and Regulations of FIDE as set out in the Fide Handbook and Anti-Doping Regulations (“Fide Rules”) (<http://www.fide.com>) as well as the Codes of Conduct of NSC, NNOC and MSYNS. All Members must strictly comply and abide with the aforesaid terms and provisions.
- 1.1.2. Ignorance of this Code of Conduct or of the other Rules & Regulations approved by the Council and / or FIDE is not considered an excuse.
- 1.1.3. Ignorance of this Code of Conduct or of the other Rules & Regulations approved by the Council and / or FIDE is not considered an excuse.
- 1.1.4. Violations will be sanctioned under the provisions of this Code of Conduct, which apply, without distinction, to any discipline under NCF authority, except when otherwise provided.
- 1.1.5. Members who are in violation of the NCF Constitution, Code of Conduct, Rules & Regulations and/or decisions of Council and/or the Fide Rules and/or NSC, NNOC and MSYNS Codes of Conduct are subject to disciplinary sanctions imposed by the relevant NCF structure referred to in clause **C OFFENCES AND SANCTIONS** below.
- 1.1.6. In case of serious or repeated offences, they are subject to more arduous sanctions as approved by the Executive Board on behalf of Council.
- 1.1.7. Disciplinary sanctions are the competence of the NCF Executive Board, the Council and the Executives of the Zonal and Regional Bodies in good standing.

1.2. ATTITUDE AND BEHAVIOUR

- 1.2.1. Members must conduct themselves in accordance with the principles of dignity, integrity, loyalty and responsibility in all relations of a competitive, economic, social and moral nature.
- 1.2.2. In order to ensure the respect of these principles, all Members should base their attitude and behaviour on the following criteria:

1.2.2.1 DIGNITY: means the proper respect of the rights of the individual and the right to privacy which to this end shall entail that:

- The dignity of the individual must be preserved.
- There shall be no discrimination on the basis of race, sex, ethnic origin, religion philosophical or political opinion, marital status or other grounds.

- Any practice constituting any form of physical, mental, moral, and professional or sexual harassment is prohibited.

1.2.2.2 INTEGRITY: means being upright in character, refraining from all incorrect behaviours and facing life's circumstances with moral strength, honesty and incorruptibility. To this end, it shall entail that:

- Members and/or their representatives may not, directly or indirectly, offer any concealed remuneration, nor accept or request any commission, benefit or service other than that established in the Regulations for services rendered.
- It is forbidden to accept, buy or give away directly or indirectly any personal gifts or offer special privileges with a view to being elected into any NCF governing or supporting institution.
- Members shall avoid any conflict of interest between the organisation/structure to which they belong and any other organisation/structure within NCF or associated with it.
- Members must exercise due care and diligence in fulfilling their mission. They must not act in a manner likely to tarnish the reputation of NCF.
- Members shall not disclose any confidential information entrusted to them or benefit there from, nor undertake malicious damage to the reputation of NCF or any Member.

1.2.2.3 LOYALTY: means to show continuous allegiance to NCF whilst abiding by the NCF Constitution, Code of Conduct, Rules & Regulations and decisions, including the sports and ethics principles upheld by FIDE and NCF to this end:

- Members must not be involved with institutions, organisations or persons whose activities are inconsistent with any of the principles set out in the NCF Constitution, Code of Conduct and Rules & Regulations.
- Members shall not accept any remuneration or favour for voting or intervening in a given manner within the bodies of chess in Namibia. They may however openly discuss their preferences or opinions in search of the best option able to serve Chess and NCF's general interests.
- All doping practices, at any and all levels, are strictly prohibited.
- Members shall make their best efforts to maintain harmonious relations with government authorities, corporate sponsors and the media in accordance with the principles of universality, political neutrality and independence.

1.2.2.4 RESPONSIBILITY: means the performance by an individual without supervision of the tasks and functions held with care, in the best interest and with full respect of Chess and of the NCF Constitution, Code of Conduct and Rules & Regulations. To this end:

- Members must not violate the provisions of the NCF Constitution, Code of Conduct and Rules & Regulations nor publicly express unpleasant opinions or opinions damaging the reputation, honour or welfare of Chess, NCF and its Members.
- Members may freely express their opinion on any decision of NCF, but they must refrain from making declarations that may bring Chess, NCF and its Members into disrepute.

- Chess Zones, Regions and Institutional Chess Bodies, and affiliates, such as Clubs, Special Members and Associate Members are liable for the actions of those who represent them.
- Chess Zones, Regions and Institutional Chess Bodies and affiliates such as Clubs, Special Members and Associate Members may be held responsible, even on the basis of presumed responsibility, for offences committed by any of their registered players/other individuals such as administrators, chess officials, tournament directors, managers, technical personnel including arbiters, coaches, and parents of minor players, clubs and their leadership.

1.3. PLEDGE

In pursuance of the aforesaid fundamental principles and those relating to attitude and behaviour, all Members shall subscribe to the following applicable pledge (based on the NSC, NNOC pledge for all athletes, coaches and officials and administrators):

1.3.1. ADMINISTRATORS OF NCF, ZONES AND ZONEL CHESS ASSOCIATIONS, REGIONS AND REGIONAL CHESS BODIES AND CHESS CLUBS, THE SPECIAL MEMBER AND ASSOCIATE MEMBERS, AS WELL AS HONORARY LIFE MEMBERS AND PATRONS OF CHESS

I / We pledge to:

- 1.3.1.1. Ensure that this Code of Conduct is distributed, understood and agreed upon by all members of chess leagues, clubs, teams and their leaders, team managers, players, coaches, trainers, instructors, arbiters, tournament directors, organisers, administrators, local organising committees of any chess event, officials, committee members at national, Zonal, regional and club level as well as the parents of minor children who play chess (“Registered Individuals”).
- 1.3.1.2. Conform to the NCF Code of Conduct.
- 1.3.1.3. Commit to promote equity for all chess players and to ensure all chess players are given an equal opportunity to participate, regardless of gender, ability or cultural background.
- 1.3.1.4. Promote respect for all cultural beliefs, traditions, heritage and religious practices of all persons.
- 1.3.1.5. Ensure that the standard of confidentiality is adhered to.
- 1.3.1.6. Ensure that the age and maturity levels of minor children are considered in program development, rule enforcement and scheduling.
- 1.3.1.7. Balance the pride of participation with the will to win.
- 1.3.1.8. Encourage the spirit of Ubuntu and that fair play is promoted by the conduct of all technical officials, coaches, Chess administrators and players (i.e. all Registered Individuals).
- 1.3.1.9. Discourage people from promoting violence in sport;

- 1.3.1.10. Ensure that all equipment and facilities comply with FIDE's international standard.
- 1.3.1.11. Ensure that no chess player be advantaged by any modification of mechanical, electrical or electronic equipment.
- 1.3.1.12. Ensure that no Member shall bring Chess into disrepute.
- 1.3.1.13. Take action against Registered Individuals that bring Chess or NCF into disrepute.
- 1.3.1.14. Disclose personal interest by all participants at all levels.
- 1.3.1.15. Ensure that the standards set out in the Safety at Sports and Recreational Events Act is adhered to.
- 1.3.1.16. Ensure that all protocol is observed at competitions/events.
- 1.3.1.17. Reject and report all attempts to corrupt, influence or manipulate the playing or outcomes of Chess events, which go against the spirit of fair play.
- 1.3.1.18. Disclose any personal or private, direct or indirect business interests my family or myself, or business associates may have which conflict with the interests of Chess or NCF.

1.3.2. CHESS PLAYERS

I/We will:

- 1.3.2.1. Conform to the NCF Code of Conduct.
- 1.3.2.2. Respect the rules and participate in the spirit of fair play.
- 1.3.2.3. Display high standards of behaviour that promote a positive image of Chess and NCF.
- 1.3.2.4. At all times show respect for other athletes including other chess players, Chess administrators, sport practitioners and officials.
- 1.3.2.5. Balance pride of participation with the will to win.
- 1.3.2.6. Give my teammates positive inputs and feedback.
- 1.3.2.7. Respect the use of facilities and equipment prescribed for an event.
- 1.3.2.8. Commit to the fight against banned substances in all sport.
- 1.3.2.9. Commit to the WADA code of conduct and contribute to promote antidoping in Chess and sport in general:
- 1.3.2.10. Commit and cooperate with all medical and testing protocols of NSC, NNOC.
- 1.3.2.11. Reject and report all attempts to corrupt, influence or manipulate the playing or outcomes of Chess events, which go against the spirit of fair play.
- 1.3.2.12. Display exemplary behaviour in and out of play, promoting fair play in all sport including Chess.
- 1.3.2.13. Commit ourselves not to bring Chess or NCF into disrepute.

1.3.3. TECHNICAL OFFICIALS (ARBITERS, CHESS OFFICIALS, TOURNAMENT DIRECTORS AND TEAM MANAGERS)

I / We will:

1.3.3.1. Conform to NCF's Code of Conduct.

1.3.3.2. Make sure that the game is played in the spirit of fair play.

1.3.3.3. Ensure that all equipment and facilities comply with FIDE's international standard.

1.3.3.4. Not tolerate unacceptable conduct toward officials and athletes in general including Chess officials and Chess players, spectators or ourselves.

1.3.3.5. Disclose personal interest by all participants/officials at all levels.

1.3.3.6. Handle all conflicts firmly but with dignity.

1.3.3.7. Display exemplary behaviour in and out of play, promoting fair play in all sport

1.3.3.8. Ensure that the standard of confidentiality is adhered to.

1.3.3.9. Develop ourselves to meet the highest standard of officiating.

1.3.3.10. Make ourselves available, when required and permitted to do so, to provide feedback and take part in the discussion of issues before and after the game

1.3.3.12. Commit to the fight against banned substances in sport including Chess.

1.3.3.13. Commit to the WADA code of conduct and contribute to promote antidoping in Chess and sport in general.

1.3.3.13. Reject and report all attempts to corrupt, influence or manipulate the playing or outcomes of sporting events, which go against the spirit of fair play.

1.3.3.14. Respect other officials, sport practitioners, coaches and athletes including chess players.

1.3.3.15. Disclose any personal or private, direct or indirect business interests my family or myself, or any business associates may have which conflict with the interests of Chess or NCF.

1.3.4. COACHES AND TRAINERS

We will:

- 1.3.4.1. Conform to NCF's Code of Conduct.
- 1.3.4.2. Encourage chess players to play the game in the spirit of fair play.
- 1.3.4.3. Ensure that confidentiality of any athlete's affairs is respected.
- 1.3.4.4. Ensure that chess players know how to manage conflict resolution and stress and use good judgment.
- 1.3.4.5. Be generous with praise and give the team positive input and feedback.
- 1.3.4.6. Develop ourselves to meet a high standard of coaching.
- 1.3.4.7. Commit to the fight against banned substances in all sport including Chess.
- 1.3.4.8. Commit to the World Anti-Doping Code of Conduct and contribute to promote anti-doping in Chess and sport in general.
- 1.3.4.9. Commit and cooperate with all medical and testing protocols of NSC, NNOC.
- 1.3.4.10. Reject and report all attempts to corrupt, influence or manipulate the playing or outcomes of sporting events, which go against the spirit of fair play.
- 1.3.4.11. Respect other coaches, officials, sport practitioners and athletes including chess players.
- 1.3.4.12. Encourage individuals to continue their participation in Chess.
- 1.3.4.13. Ensure that all equipment and facilities comply with FIDE's international standard.
- 1.3.4.14. At no time become intimately and/or sexually involved with any minor athlete including chess player.
- 1.3.4.15. In the case of minor children, communicate and cooperate with the chess player's parents or legal guardians, involving them in management decisions pertaining to their child's development.
- 1.3.4.16. At all times treat each and every chess player under his or her coaching supervision equally and fairly.
- 1.3.4.18. Disclose any personal or private, direct or indirect business interests my family or myself, or any business associates may have which conflict with the interests of Chess or the NCF.

Rule 2: CONFLICT OF INTEREST

2.1. Members may not draw personal gain or advantage directly or indirectly from a third party due to his/her own decisions taken in the fulfilment of his/her official functions.

2.2. Elected Executive Committee members (the “Executive”) of NCF or any Zonal Chess Association or Regional Chess Body or Associate Chess Member shall refrain from serving on the elected Executive Committees of lower structures and shall vacate any such position within 30 days from being elected to the Executive.

C.OFFENCES AND SANCTIONS

Rule 3: INSTITUTIONAL OFFENCES AND SANCTIONS

3.1. DEFINITION - Institutional offence:

Any discord that is revealed publicly and offensively against NCF is considered a violent / unacceptable conduct threatening the image of Chess and its “brand image” and constitutes a serious offence subject to disciplinary action being taken against such Member which may lead to suspension or expulsion.

3.2. CLARIFICATION:

3.2.1. Members whether individually or collectively, may freely express their disagreement with decisions made by NCF, but must refrain from making defamatory statements or any utterance which may result in bringing Chess or NCF into disrepute. The following shall be behaviour or utterances may be indicative of ‘disrepute’ for purposes of this clause: Expressing disagreement in any aggressive, violent or defamatory manner or in any untoward terms before the media or in public or on internet websites/”apps” (e.g. video, photo-sharing or live broadcasting / podcasts, blogs or micro blogs, review sites (e.g. Wikipedia) or on any social media platform / social networking sites, or via instant messaging or any other messaging service, Skype or online forums or discussion boards or via any organisation foreign to the Chess community or via any other platform, functionality or method similar to the above (“ Extended Media”). Any such utterances or behaviour may cause disciplinary action to be taken against such offending Member/s.

3.2.2. Under no circumstance may any Member represent or act or make any statement or imply or purport to represent or act or make any statement on behalf of NCF in any manner, whether in the Extended Media or otherwise, without the expressed and prior consent of the Executive Board and/ or NCF Council.

3.2.3. A complainant Member should first exhaust all grievance procedures within the NCF structures, before escalating a complaint to NSC, NNOC, Sport & Recreation Namibia and/or FIDE or embark on any litigation against NCF.

3.3. LITIGATION

Should a Member resort to litigation against NCF or any of its structures and should judgment be granted in favour of NCF or its applicable structure or should the complainant at any time after instituting such legal action, withdraw the action, then and in such event NCF and / or its applicable structure shall be entitled to recover its costs of litigation including all expenses on an attorney and own client scale from the complainant and retain right to claim damages from the complainant in any competent forum

Rule 4: SPORTS OFFENCES AND SANCTIONS

4.1 DEFINITION - SPORT OFFENCE:

Any breach of the rules of a tournament / competition or principles established by the NCF Constitution, Code of Conduct, Rules & Regulations and decisions of the National Council and / or NCF Executive Board, constitutes a violation of a legal, appropriate and remarkable interest of NCF. Any such conduct shall be subject to disciplinary action being taken against the applicable Member which may lead to one or more sanctions set out in the NCF Disciplinary Policy or as decided by the NCF Executive Board or the NCF Council.

4.2 OFFENCES AGAINST THE PRINCIPLES OF DIGNITY, INTEGRITY, LOYALTY AND RESPONSIBILITY

4.2.1 Violent Conduct

Any action, attitude, comment or public statement displaying a strong improper use of physical or emotional force in order to injure, intimidate or defame NCF, its

Members or guests is considered violent conduct liable to suspension or expulsion in accordance with the seriousness of the fault.

4.2.1.1 Violent conduct, in connection with a competition or chess tournament, shall be sanctioned with disqualifications from taking part in any future similar activity with the possibility of additional sanctions, depending on the seriousness of the case.

4.2.1.2 Chess Zones, Regions and Institutional Chess Bodies, as well as teams and competition organizers are jointly responsible for offensive and intemperate conduct on the part of their supporters and / or fans.

4.2.1.3 In case of violent conduct, which includes any form of assault or attack against any person or the destruction or serious damage to property, on the part of supporters of any team or club, during a tournament, the club or team concerned shall be fined between R1000.00 and up to R10 000.00 depending on the seriousness of the case.

4.2.1.4 If such incidents irremediably compromise the normal course of a tournament, the team held responsible for the violent conduct shall be sanctioned with reversal of the results.

4.2.1.5 Harassment, insult, verbal or physical abuse by a coach to or against a player or any other team member or official present at a tournament shall be sanctioned by the Executive board with suspension in accordance with the seriousness of the fault.

4.2.1.6 All Members must deal courteously and considerately with the NCF officials, members of the NCF Executive Board, arbiters, participating team delegations, parents and guests.

4.2.1.7 Chess Zones, Regions and Institutional Chess Bodies are jointly

and severally liable with respect to the actions and conduct of their official representatives, clubs, and teams and for any misconduct or expressed contempt by their members including registered players/other individuals that might harm or denigrate NCF or any of its officials or guests.

4.2.2 Discrimination, harassment and bullying.

All Members shall refrain from participating or being a party to any form of harassment or bullying of whatsoever nature or discrimination based on race, gender, sexual orientation, religious beliefs, age or otherwise which is strictly prohibited and subject to sanction in terms of Rule 5.3

4.3 OFFENCES DURING COMPETITIONS

4.3.1 Dishonesty in competitions

4.3.1.1 Chess Zones, Regions and Institutional Chess Bodies and

Associate Members take responsibility for the conduct and actions of their official representatives, clubs, and teams and for any conduct by their members aimed at fraudulently or with fraudulent intent altering the playing and results of a match or aimed or intended to provide any party with an unfair advantage in the ranking.

4.3.1.2 Chess Zones, Regions and Institutional Chess Bodies, or clubs

or organisers found to be responsible for such actions as referred to in 4.3.1.1, shall be sanctioned by a reversal of the match results of their respective team(s), withdrawal of all points in the ranking of team members and exclusion for two years from all official competitions organised under the auspices of NCF.

4.3.1.3 Individual persons found responsible for dishonesty and/or being a party to dishonesty shall be discharged from all or any NCF positions.

4.3.2 Use or forbidden substances

4.3.2.1 Chess Zones, Regions and Institutional Chess Bodies including

Clubs, Special Members and Associate Members shall be responsible for ensuring that forbidden substances are not used by their players. Players, managers and coaches proved to be responsible shall be suspended. Refer to: World Anti-Doping Agency

(WADA) www.wada-ama.org and Namibia National Olympic Committee (NNOC), Regional Anti-Doping Organizations (Africa Zone VI RADO), <https://www.wada-ama.org/en/anti-doping-partners/regional-anti-doping-organizations-rados>, www.drugfreesport.org.za.

4.3.3 Offences in Tournament Directing

4.3.3.1 Tournament Directors who perform their tasks dishonestly in the course of any form of Chess competition(s) shall be relieved from duty or participation in the competition and shall be subject to an additional sanction by the NCF Executive Board.

4.3.3.2 In case of proven corruption and/or fraud, the Tournament Director and all those who have participated in the illegal activity shall be expelled for life from NCF.

4.4 OFFENCES AGAINST NCF AND ITS AFFILIATES

4.4.1 Omission to obtain authorisation for the organisation of international competitions.

4.4.1.1 Chess Zones, Regions and Institutional Chess Bodies, and

Associate Members are required to obtain prior authorisation from NCF and from NSC, NNOC before competitions between national teams are arranged or held.

Rule 5: ADMINISTRATIVE OFFENCES AND SANCTIONS

5.1 RULES OF ETHICS AND PRINCIPLE OF AUTHORITY

5.1.1 Disciplinary powers are vested in the NCF Council and governing institutions as a constitutional means to enforce the authority of NCF.

5.1.2 In terms of NCF Constitution, the Management Committee is competent to impose a temporary suspension on any Member who contravenes the NCF decisions, Constitution and the fundamental principles of this Code of Conduct.

5.1.3 The elected Executive Committee of each of the Chess Zones enjoy disciplinary powers delegated by NCF to enforce, within its area of jurisdiction, the Rules & Regulations, policies, Code of Conduct and decisions of NCF and of its own competition regulations and decisions taken within its field of competence.

5.1.4 The NCF Executive Board is competent to impose sanctions concerning violations of ethics and to review the disciplinary measures taken by the Managing Committee.

5.1.5 After hearing the person concerned and applying the principles of natural justice, the

NCF Executive Board may decide to suspend a decision (whether in part or in full) or confirm the suspension of a Member who violated the ethics rules.

5.2 CONFLICTS OF INTERESTS

5.2.1 Members must avoid any conflict of interest.

5.2.2 A conflict of interest shall arise in any situation that actually undermines or has the potential to undermine or has the potential to be perceived by the reasonable man as undermining the impartiality of a person / Member because of the possibility of a clash between the person's/ Member's self-interest or such person's /Member's professional interest or public interest.

5.2.3 The NCF Executive Board is competent to impose sanctions against Members where Members fail to avoid a conflict of interest.

5.2.4 After hearing the Member concerned, the NCF Executive Board may suspend such Member who failed to avoid a conflict of interests.

5.2.5 Any registered individual found to be knowingly partaking in matters where there is a clear or proven conflict of interest shall be discharged from his/her official position.

5.3 OTHER SANCTIONS

5.3.1 Suspension

5.3.1.1 The grounds for suspension of a Chess Zone/Zonal Association and/or Region/Regional Body:

- Any indebtedness to NCF relating to the payment of the annual fee, rating fees and other costs borne by NCF on behalf of a Zone / Zonal Association and/or Region / Regional Association and/or its members notably for any continual failure or delay in effecting payment during any twelve (12) month period notwithstanding having been issued with a payment reminder three (3) months prior to the council meeting.
- First-time breach of the NCF Constitution, Rules & Regulations, decisions or this Code of Conduct.

5.3.1.2 A suspended Chess Zone/Zonal Association and/or Region/Regional Association is obliged to reimburse NCF for all expenses incurred by the latter for the consideration of its case (investigation or conciliation working group, legal expenses etc.)

5.3.1.3 In order to be reinstated to full affiliation, the said Chess Zone/Zonal Association and/or Region/Regional Association must first fully satisfy its aforesaid financial obligations, unless an exceptional derogation is granted by the NCF Council.

5.3.2 Expulsion

5.3.2.1 The grounds for expulsion of a Chess Zone/Zonal Association and/or Region/Regional Association is:

- Loss of status as a Zone, on the basis of findings from inquiries made in conjunction with the competent national authorities and confirmed by the NCF Council
- Debt to NCF, notably for non-payment of fines, a payment reminder of which having been issued three (3) months before the Council meeting.
- Repeated breach of the NCF Constitution, Rules & Regulations, decisions or this Code of Conduct.
- Violation of the fundamental principles of the Constitution or breach of the fundamental principles of the Rules of Ethics.

5.3.2.2 Quorum and voting requirements for the expulsion are the same as those stipulated for amendments to the Constitution.

5.3.2.3 In case of emergency or instances where immediate action is required, registered players and/or other individuals (e.g. officials) may be expelled by the Executive Board by a three-quarters (3/4) majority vote, effective upon notice of the decision.

5.3.2.4 A Chess Zone/Zonal Association and/or Region/Regional Association may

propose that amnesty be given to any such expelled registered player and/or other individual at the Council meeting immediately following the incident, having requested inclusion of the matter on the agenda not less than four (4) weeks prior to the date of such meeting.

D.DISCIPLINE RULES OF PROCEDURE

Rule 6: PROCEEDINGS

6.1. DISCIPLINARY PROCEDURES

6.1.1. Disciplinary procedures shall be initiated directly by an executive of a Chess Zone/Zonal Association or Chess Region/Regional Chess Body in good standing or the Management Committee of NCF and addressed to the NCF Executive Board.

6.1.2. The Executive Board of NCF has to decide whether the matter should be referred to a disciplinary committee for further investigation and consideration or whether no further action shall be required.

6.1.3. Upon the Executive Board's decision to institute disciplinary procedures in non-urgent matters, the affected Member must be advised thereof in writing by the appointed NCF disciplinary committee mandated by the NCF Executive Board to investigate the matter and to determine a possible sanction, setting out the details of the alleged misconduct and calling upon the Member to provide a written explanation as to the allegations so made within the time period specified in the said notice.

6.1.4. The appointed NCF disciplinary committee(s) to deal with an alleged transgression and/or violation of this Code of Conduct will be the NCF Grievances Committee and/or NCF Ethics Committee.

6.1.5. Except for urgent matters, a sanction may not be imposed before the Member concerned has had the opportunity to be heard and to present its/his/her case.

6.1.6. The disciplinary committee is free to decide whether the right to be heard may be exercised solely in writing or also orally by calling upon the Member to present the case orally at a time and venue as determined by the committee so appointed.

6.1.7. Should the appointed NCF committee, having considered the Member's written explanation decides that no further action will be required, the NCF Executive Board has to be notified of this recommendation. If the NCF Executive Board agrees with the recommendation, the matter will be considered closed and the affected member must be advised accordingly.

6.1.8. The appointed committee shall evaluate the evidence, giving consideration to the specific conditions under which the events occurred, the reputation of the person(s) or institution(s) concerned and generally all the circumstances in order to make a finding on the merits of the matter.

6.1.9. Upon conclusion of its investigation and deliberations, the appointed committee shall prepare a written report of its findings and recommendations as to an appropriate sanction(s) (if any), which has to be presented to then NCF Executive Board.

6.1.10 The Executive Board of NCF shall consider the report received from the appointed committee to either confirm the recommended sanction(s) or impose a different sanction(s) in its discretion, where after the findings and sanction(s) have to be ratified by either the NCF Executive Board and/or the NCF Council, where after the Complainant and Member shall be advised accordingly in writing.

6.1.11. This aforesaid notification will also indicate the deadline for submitting an appeal to the findings of the appointed committee and/or the sanction(s) imposed by the NCF Executive Board and the process to be followed in this regard, specifically mentioning the competent authority which may revise the decision taken.

6.1.12. A Member who, after having been sanctioned for a violation of the NCF Constitution, Code of Conduct or Rules & Regulations or resolutions commits another violation of the same kind may be subject to an increase in the severity of the sanction.

6.2. PUBLICATION AND NOTIFICATION OF DECISIONS

6.2.1. Sanctions shall be communicated by registered mail and/or by e-mail, except in case of those sanctions imposed during a competition which shall be delivered by hand to the corresponding party.

6.2.2. Any e-mail correspondence addressed to the Member at his last known e-mail address shall be deemed to have been received and come to the addressee's attention the day immediately following the date of submission unless the contrary is proven.

6.2.3. With the exception of simple admonition, all other sanctions shall be published on the NCF website.

E. RULES OF JURISDICTION

Rule 7: JURISDICTION

7.1. NCF INSTITUTIONS WITH JURISDICTIONAL COMPETENCE

The NCF institutions vested with jurisdictional competence are:

- a) The NCF Council
- b) The NCF Executive Board
- c) The NCF Management Committee
- d) Zonal Chairpersons and Zonal Committees

Rule 8: SANCTIONS

8.1. TYPES AND DEFINITION OF SANCTIONS

The NCF institutions vested with jurisdictional competence may impose the following sanctions:

8.1.1. Not Subject to appeal:

- a) Simple Admonition – a statement of disapproval;
- b) Severe Admonition – a declaration of censure;
- c) Warning – an official statement of blame, with the specific implication that if further offences are committed the following sanction will be more severe.

8.1.2. Subject to appeal:

- a) Fine – a variable sum of money to be paid to NCF to a maximum of N\$10 000.00
- b) Disqualification from competition – prohibition of players, coaches or officials from participation in Chess.
- c) Discharge from official position – loss of position held
- d) Suspension – prohibition from participation, for a given period of time, in any official activity at national, continental or international level, or at all the three levels. Any such suspension may also be suspended partly or in full for such period as the applicable NCF Institution deems appropriate in the prevailing circumstances;
- e) Expulsion – expulsion of a Member from all NCF Activities.

8.2. SANCTIONS IMPOSED BY THE MANAGEMENT COMMITTEE

8.2.1. Sanctions imposed by the Management Committee in accordance with the Constitution must be submitted to the Executive Board for confirmation and ratification.

8.2.2. The NCF Ethics Committee must hear a Member who was sanctioned by the Management Committee in an urgent matter upon his/her/it's written request. However, the Executive Board reserves the right to hear such sanctioned Member itself.

8.2.3. The receipt of a written request to be heard from a sanctioned Member in urgent matters does not in any way suspend, delay or interrupt the sanction so imposed by the Management Committee until such time as the Executive Board imposes a different sanction (if any) pursuant to hearing the Member of pursuant to receipt and consideration of the NCF Ethics Committee's report and recommendations.

8.2.4. A decision by the Executive Board confirming all or part of a sanction imposed by the Managing Committee is subject to appeal to the NCF Council in respect of the sanction so imposed within thirty (30) calendar days from the date on which the Member is advised of the outcome of the matter pursuant to his request to be heard. The NCF Council shall consider the appropriateness of the sanction based upon

the prevailing record of the events and no further representations, whether orally or in writing shall be required or considered. The decision made and the sanction so imposed by the NCF Council (whether in confirmation of the decision of the Executive Board or in imposing a different sanction) is final and binding on all concerned and shall not be subject to any further appeal or review to any person or body with the exception of an application to the High Court of Namibia for a formal judicial review of any such final decision and / or sanction imposed. All costs associated with such High Court application shall be borne by such aggrieved Member unless directed otherwise by a Namibian Court of Law of competent authority.

Rule 9: POWERS FOR IMPOSING SANCTIONS

9.1. COMPETENCE TO IMPOSE SANCTIONS

With the exception of the expulsion of a Member which is for the exclusive competence of the NCF Council, the sanctions that are specifically set out in Rule 9 above may, subject to confirmation and ratification, be imposed by a competent person or commission established by the Executive Board.

9.2. THE COUNCIL

The Council has the exclusive competence for all cases of expulsion.

9.2.1. THE CHESS ZONES AND/OR REGIONS

The Chess Zones/ and/or Regions/ Institutional Chess Bodies, and Associate Members, are the NCF supporting institutions responsible for imposing sanctions at the applicable level.

Rule 10: EXECUTION AND NON-OBSERVANCE OF SANCTIONS

10. EXECUTION OF SANCTIONS

For purposes of this clause it shall be deemed that any notice sent by registered mail was received and came to the attention of the addressee on the 4th day after its posting and in respect of e-mailed notices and notices delivered by hand, on the date of sending/hand delivery of such notice unless the contrary is proven. In such event, the sanction imposed in this clause shall commence with effect from such proven date.

10.1. FINES

Fines shall be paid to NCF in its bank account no later than one (1) month after receipt of the notification of the imposed sanction.

10.2. DISQUALIFICATION OF PLAYERS AND COACHES/TRAINERS

10.2.1. Disqualification shall be applied with effect from the NCF competitions immediately following notification.

10.2.2. If a coach or player participates in a match while he/she is suspended or disqualified, his/her team shall lose the match and the period of disqualification shall be extended automatically and without recourse for a further period equal in time to the original sanction.

10.3. SUSPENSION

Suspension commences with effect from the first day after receipt of the written notification of the sanction.

10.4. NON-OBSERVANCE OF SANCTIONS

Non-observance of sanctions imposed by NCF by any Member shall be considered to be serious misconduct and an undermining of the authority of NCF and as such it may give rise to the imposition of the sanction of expulsion of such Member by the Executive Board.

Rule 11: APPEAL

11.1. UNIQUENESS OF THE NCF JURIDICAL ORDER

In all circumstances NCF Members must refrain from appealing to any civil, judicial or arbitration sports authorities foreign to the official Namibian Chess structures with regard to Chess related decisions of whatever nature that may affect them or have bearing upon them in their capacity as Member(s), and in particular against decisions resulting from their participation, possible participation or responsibilities in official or recognized competitions or in Chess activities hosted by their Region ("Regions"), Zone ("Zones"), Chess Clubs ("Clubs") or National Federation (NCF). Members shall be obligated to first exhaust all dispute resolution mechanisms as provided for by NCF, then those provided by NSC, NNOC before approaching the High Court of Namibia as the final arbitrator of any such dispute.

11.2. SANCTIONS IMPOSED BY NCF, ITS ORDINARY MEMBERS OR THEIR AFFILIATES (REGIONAL CHESS BODIES)

11.2.1. Except as otherwise provided, once notice is given or published or the rules and regulations governing an event or a specific Chess related matter is published or made known, all decisions of the NCF affiliated body (whether Zonal, Regional, club or similar) may be appealed to the subsequent superior NCF authority (e.g. club to Region, Region to Zone) by not later than thirty (30) calendar days after notification has been officially given/published and/or first publication of the rules and regulations (as the case may be) on the official NCF, Zonal or Regional website or via official email from the relevant structure. Once this term expires a decision becomes final.

11.2.2. However, decisions issued by a NCF Tournament Committee may be appealed to the Executive Board no later than twenty-four (24) hours after being notified or the first publication thereof on an official website or display at the tournament venue, except if circumstances require a shorter deadline.

12. COMMITMENT

Any transgression and/or violation of the provisions of this Code of Conduct shall be subject to the imposition of disciplinary measures and sanctions as prescribed in the NCF Constitution and/or Code of Conduct Adherence and compliance to this NCF Code of Conduct therefore becomes mandatory.

Declaration:

NCF Ordinary Member/Special Member/Associate Member: I, the undersigned in my capacity as the President / duly authorized representative of this organization pledge that I accept the content of this Code of Conduct as presented on behalf of the entity I represent and all subsidiary structures and their members. I commit to implement and promote the code as a way of ensuring that sport in our country is played in an equitable and ethical manner.

NCF Honorary Life Member/Patron/Registered Player or Other Individual (administrator/organizer/manager/official/arbitrator/coach/trainer/clubs):

I, the undersigned pledge that I accept the content of this Code of Conduct. I commit to implement and promote the code as a way of ensuring that sport in our country is played in an equitable and ethical manner.

NCF Membership Category (see above)*: _____

Full name and surname: _____

Signature: _____ Date: _____

* If NCF Ordinary Member/Special Member/Associate Member:

Name of applicable NCF Member: _____

Portfolio of the delegate on the Executive Board of the above-named structure: _____

GLOSSARY

FAIR PLAY:

Much more than playing within the rules.

It incorporates the concepts of friendships, respect for others and always playing in the right spirit. Fair play is defined as a way of thinking, not just a way of behaving. It incorporates issues concerned with the elimination of cheating, sportsmanship, doping, violence (both physical and verbal), exploitation, unequal opportunities, excessive commercialization and corruption.”

BRINGING THE SPORT INTO DISREPUTE:

- *Tarnish the name of the sport.*
- *Damage the reputation or image of the sport.*
- *Bring the sport into dishonour.*
- *Cause the sport to lose prestige.*
- *Bring the sport into discredit.*
- *Scandalise the sport.*
- *Disgrace the sport.*

INTERNATIONAL STANDARD:

A standard prescribed by a national federations International Body.

NATIONAL FEDERATIONS:

Means a national governing body of a code of sport in the Republic of Namibia, recognized as such by the relative International body and by NSC, NNOC as the only authority for the administration and control of the relative code of sport.

WADA:

The World Anti-Doping Agency. Enforces rules & regulations which govern the abuse of banned substances in sport worldwide.

<https://www.wada-ama.org/>

<https://www.wada-ama.org/en/resources/the-code/world-anti-doping-code>

<https://www.wada-ama.org/en/what-we-do/prohibited-list>

<http://www.drugfreesport.org.za/> for Therapeutic Use Exemption (TUE) Form

ATHLETE:

Any person who participates in sport under the authority of a sport federation or representing a team in competition

SPORTSPERSON:

An athlete or other person involved in sport (e.g. coach, technical official, managers, practitioners/administrators).

COACH:

Athlete support personnel who are a holistic assistant to an athlete participating in or preparing for sport competitions or technical presentation of a specific event.

TECHNICAL OFFICIALS:

Arbiters / Referee, Tournament Directors, Head of Delegations, LOC, Technical Directors, NCF Exco Members, Other Sport Officials.

Persons who enforce the rules and control the play of the participation of athletes and coaches in the competition.

PRACTITIONERS:

A person responsible for the administration and management affairs of a sporting code.