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**CODE OF CONDUCT AND COMPLIANCE  
FOR TEAMS AND PLAYERS**

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**1. PREAMBLE**

- 1.1 WESA acknowledges the responsibility to protect and to promote the reputation and integrity of eSports conducted under the auspices of WESA. Therefore, WESA is striving to banish illegal, immoral and unethical methods and practices from all ESL Leagues and events supported by WESA, whether online or offline.
- 1.2 The following Code defines the values and principles of WESA and lays down the consequent rules for behaviour and conduct within WESA as well as with external parties. The conduct of persons and entities bound by this Code shall reflect the fact that they support the principles and objectives of WESA in every way and refrain from anything that could be harmful to these aims and objectives and particularly prevent any methods or practices which might jeopardise the integrity of matches or competitions or give rise to abuse of eSports. They shall behave towards WESA, the ESL Leagues and other teams and players loyally, honestly, worthily, respectably and with integrity. They shall further respect the principle of fair play and assume social responsibility in every aspect of their functions.

**2. DEFINITIONS**

For the purpose of this Code, the terms set out below are defined as follows:

- "**AoA**" shall mean the Articles of Association of WESA, as amended from time to time;
- "**Code**" shall mean this Code of Conduct and Compliance for Teams and Players;
- "**Commissioner**" shall mean the Chairman of the Executive Board of WESA in the meaning of the AoA;
- "**ESL Leagues**" shall mean all leagues established, promoted, operated and/or hosted by WESA, regarding all game titles and including all conferences and divisions (premier league/PRO LEAGUE and lower divisions);
- "**Executive Board**" shall mean the Executive Board of WESA in the meaning the AoA;
- "**Players**" shall mean the Teams' players;
- "**Prohibited List**" shall mean the Prohibited List (App. B) as published and revised, from time to time, by the World Anti-Doping Agency (WADA);
- "**Prohibited Method**" shall mean any method so described in the Prohibited List;

- **"Prohibited Substance"** shall mean any method so described in the Prohibited List;
- **"Teams"** shall mean all teams that are a member of WESA;
- **"WESA"** shall mean the World ESports Association;
- **"WESA Regulations"** shall mean all regulations and decrees governing the legal, financial and technical details of the operation of the ESL Leagues and other events of WESA as well as the rules of procedures. The WESA Regulations include, for example, rules for an arbitration procedures (**"Arbitration Rules"**) and regulations for the sanctioning of breaches of WESA Regulations (**"Sanctions Regulations"**).

### **3. SCOPE OF APPLICABILITY**

- 3.1 This Code shall apply to all Teams, their officials and employees as well as Players. Moreover, this Code governs every subject to which the text or the meaning of its provisions refers.
- 3.2 During all his/her operations, the Executive Board may draw on precedents and principles already established by jurisprudence.

### **4. BASIS FOR SANCTIONS**

- 4.1 Unless otherwise specified, breaches of this Code shall be sanctioned in accordance with the Sanctions Regulations.
- 4.2 The Executive Board may pronounce the sanctions described in this Code on the persons bound by this Code. It shall decide the scope and duration of any sanction in accordance with the Sanctions Regulations.
- 4.3 The Executive Board and/or the Commissioner may instruct that the notification of a case be made to the appropriate law enforcement authorities.

### **5. JURISDICTION OF THE EXECUTIVE BOARD**

- 5.1 The Executive Board shall be entitled to handle all cases arising from the application of this Code.
- 5.2 The Executive Board shall be entitled to judge the conduct of all persons bound by this Code while performing their duties.
- 5.3 The Executive Board shall reserve the right to investigate and to judge the conduct of all persons bound by this Code even if they are not performing their

duties if such conduct is likely to seriously damage the integrity, image or reputation of WESA.

- 5.4 Except in the case of gross negligence, the members of the Executive Board may not be held personally liable for any deeds relating to any procedure.
- 5.5 Decisions of the Executive Board shall be communicated by e-mail, fax or in writing. All of the parties shall be notified of the decisions. Decisions passed by the Executive Board shall come into force as soon as they are communicated.
- 5.6 Decisions taken by the Executive Board are final, subject to appeals lodged with the WESA Arbitration Court for ESports in accordance with the Arbitration Rules.

## **6. AUDITING**

- 6.1 All Teams shall subject themselves to independent audits of their compliance with this Code. These audits shall be carried out by local, external auditors with adequate qualifications in accordance with local law or by any qualified external auditors that the Executive Board and/or the Commissioner deems appropriate.
- 6.2 The auditors shall undertake the audits through agreed-upon procedures which comply with internationally or locally generally accepted procedural rules which the auditors deem appropriate and submit reports on their findings concerning each audited Team to the Executive Board within three months after finalizing their respective audit.
- 6.3 The Teams shall supply all means of proof as well as give unrestricted access to all accounts, documents etc. that the auditors consider necessary.

## **7. PROCEDURAL COSTS**

- 7.1 Except as otherwise provided herein, in the event of closure of proceedings or acquittal, the procedural costs shall be borne by WESA.
- 7.2 A party may be ordered to pay the procedural costs in part or in full in the event of closure of proceedings or acquittal if it culpably caused the proceedings to be initiated or hindered the conduct of the proceedings.
- 7.3 If sanctions are imposed, procedural costs shall be borne by the party that has been sanctioned. If more than one party is sanctioned, the procedural costs shall be assessed proportionally in accordance with the degree of guilt of the parties. Part of the procedural costs, in particular the costs of the investigation proceedings, may be borne by WESA, as appropriate in respect of the imposition of sanctions.

7.4 The procedural costs may be reduced or waived in exceptional circumstances, in particular taking into account the party's financial circumstances.

## **8. GENERAL RULES OF CONDUCT**

8.1 Persons bound by this Code are expected to be aware of the importance of their duties and concomitant obligations and responsibilities.

8.2 Persons bound by this Code are obliged to respect all applicable laws and regulations as well as WESA's regulatory framework to the extent applicable to them.

8.3 Persons bound by this Code shall show commitment to an ethical attitude. They shall behave in a dignified manner and act with complete credibility and integrity.

8.4 Persons bound by this Code may not abuse their position in any way, especially to take advantage of their position for private aims or gains.

## **9. DUTY OF NEUTRALITY; LOYALTY**

9.1 In dealings with public authorities, national and international organisations, associations and groupings, persons bound by this Code shall remain politically neutral, and generally act in a manner compatible with their function and integrity.

9.2 Persons bound by this Code shall have a fiduciary duty towards WESA and the ESL Leagues.

## **10. CONFIDENTIALITY**

10.1 Depending on their function, information of a confidential nature divulged to persons bound by this Code while performing their duties shall be treated as confidential or secret by them as an expression of loyalty, if the information is given with the understanding or communication of confidentiality and is consistent with the WESA principles.

10.2 The obligation to respect confidentiality survives the termination of any relationship which makes a person subject to this Code.

## **11. DUTIES OF DISCLOSURE, COOPERATION AND REPORTING**

11.1 Persons bound by this Code shall immediately report any potential breach of this Code to the Executive Board and/or the Commissioner.

11.2 At the request of the Executive Board and/or the Commissioner, persons bound by this Code are obliged to contribute to clarifying the facts of the case or clarifying

possible breaches and, in particular, to declare details of their income and provide the evidence requested for inspection.

## **12. FORGERY AND FALSIFICATION**

Persons bound by this Code are forbidden from forging a document, falsifying an authentic document or using a forged or falsified document.

## **13. CONFLICTS OF INTEREST**

13.1 The following provisions only apply if and to the extent the WESA Regulations do not provide for specific rules regarding conflicts of interest.

13.2 When performing an activity for WESA or before being elected or appointed, persons bound by this Code shall disclose any personal interests that could be linked with their prospective activities.

13.3 Persons bound by this Code shall avoid any situation that could lead to conflicts of interest. Conflicts of interest arise if persons bound by this Code have, or appear to have, private or personal interests that detract from their ability to perform their duties with integrity in an independent and purposeful manner. Private or personal interests include gaining any possible advantage for the persons bound by this Code themselves, their family, relatives, friends and acquaintances.

13.4 Persons bound by this Code may not perform their duties in cases with an existing or potential conflict of interest. Any such conflict shall be immediately disclosed and notified to the Commissioner.

13.5 If an objection is made concerning an existing or potential conflict of interest of a person bound by this Code, it shall be reported immediately to the organisation for which the person bound by this Code performs his duties for appropriate measures.

## **14. OFFERING AND ACCEPTING GIFTS AND OTHER BENEFITS**

14.1 Persons bound by this Code may only offer or accept gifts or other benefits to and from persons within or outside WESA, or in conjunction with intermediaries or related parties as defined in this Code, which

14.1.1 have symbolic or minor value (in each case taking into account local customs and practices and WESA policies);

- 14.1.2 exclude any influence for the execution or omission of an act that is related to their official activities or falls within their discretion;
- 14.1.3 are not contrary to their duties;
- 14.1.4 do not create any undue pecuniary or other advantage and
- 14.1.5 do not create a conflict of interest.

Any gifts or other benefits not meeting all of these criteria are prohibited.

- 14.2 Persons bound by this Code may not be reimbursed by WESA for the costs associated with family members or associates accompanying them to official events, unless expressly permitted to do so by the Executive Board and/or the Commissioner. Any such permission will be documented.
- 14.3 Persons bound by this Code must refrain from any activity or behaviour that might give rise to the appearance or suspicion of improper conduct as described in the foregoing sections, or any attempt thereof.

## **15. BRIBERY AND CORRUPTION**

- 15.1 Persons bound by this Code must not offer, promise, give or accept any personal or undue pecuniary or other advantage in order to obtain or retain business or any other improper advantage to or from anyone within or outside WESA. Such acts are prohibited, regardless of whether carried out directly or indirectly through, or in conjunction with, intermediaries or related parties as defined in this Code. In particular, persons bound by this Code must not offer, promise, give or accept any undue pecuniary or other advantage for the execution or omission of an act that is related to their official activities and is contrary to their duties or falls within their discretion. Any such offer must be reported to the Commissioner and any failure to do so shall be sanctionable in accordance with this Code.
- 15.2 Persons bound by this Code are prohibited from misappropriating WESA assets, regardless of whether carried out directly or indirectly through, or in conjunction with, intermediaries or related parties, as defined in this Code.
- 15.3 Persons bound by this Code must refrain from any activity or behaviour that might give rise to the appearance or suspicion of improper conduct as described in the foregoing sections, or any attempt thereof.

## **16. COMMISSION**

Persons bound by this Code are forbidden from accepting commission or promises of such commission for themselves or intermediaries and related parties

as defined in this Code for negotiating deals of any kind while performing their duties, unless the Executive Board and/or the Commissioner has expressly permitted them to do so.

**17. NON-DISCRIMINATION**

Persons bound by this Code may not offend the dignity or integrity of a country, private person or group of people through contemptuous, discriminatory or denigratory words or actions on account of race, skin colour, ethnic, national or social origin, gender, language, religion, political opinion or any other opinion, wealth, birth or any other status, sexual orientation or any other reason.

**18. PROTECTION OF PHYSICAL AND MENTAL INTEGRITY**

18.1 Persons bound by this Code shall respect the integrity of others involved. They shall ensure that the personal rights of every individual whom they contact and who is affected by their actions is protected, respected and safeguarded.

18.2 Harassment is forbidden. Harassment is defined as systematic, hostile and repeated acts for a considerable duration, intended to isolate or ostracise a person and affect the dignity of the person.

18.3 Sexual harassment is forbidden. Sexual harassment is defined as unwelcome sexual advances that are not solicited or invited. The assessment is based on whether a reasonable person would regard the conduct as undesirable or offensive. Threats, the promise of advantages and coercion are particularly prohibited.

**19. INTEGRITY OF MATCHES AND COMPETITIONS**

19.1 Persons bound by this Code must not conspire to influence the result of a match in a manner contrary to sporting ethics.

19.2 Persons bound by this Code shall be forbidden from taking part in, either directly or indirectly, or otherwise being associated with, betting, gambling, lotteries and similar events or transactions connected with eSports matches conducted under the auspices of WESA. They are forbidden from having stakes, either actively or passively, in companies, concerns, organisations, etc. that promote, broker, arrange or conduct such events or transactions.

**20. DOPING**

20.1 Doping is strictly prohibited. Doping and anti-doping rule violations will be sanctioned in accordance with the Sanctions Regulations.



- 20.2 Players and other Teams' officials and employees shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included in the Prohibited List. WADA's determination of the Prohibited Substances and Prohibited Methods that will be included in the Prohibited List and the classification of substances into categories in the Prohibited List is final and shall not be subject to challenge by a Player or other person based on an argument that the substance or method was not masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.
- 20.3 Players are obliged to undergo doping tests if required by the Executive Board and/or the Commissioner. In particular, every Player designated to undergo a doping test, whether as a result of target testing or the draw by lots, is obliged to provide a urine sample and, if requested, a blood sample and to undergo any medical examination which the Executive Board and/or the Commissioner deem necessary and to cooperate with them in all respects.
- 20.4 Doping is defined as the occurrence of one or more of the following anti-doping regulations:
- 20.4.1 It is each Player's personal duty to ensure that no Prohibited Substance enters his body. Accordingly, it is not necessary that intent, fault, negligence or knowing use on the Player's part be demonstrated in order to establish an anti-doping violation. Sufficient proof of an anti-doping rule violation is established by either of the following: the presence of a Prohibited Substance or its metabolites or markers in the Player's "A" sample where the Player waives analysis of the "B" sample, or where the Player's "B" sample is analysed and such analysis confirms the presence of the Prohibited Substance or its metabolites or markers found in the Player's "A" sample. Excepting those substances for which a quantitative threshold is specifically identified in the Prohibited List, the presence of any quantity of a Prohibited Substance or its metabolites or markers in a Player's sample shall constitute an anti-doping rule violation.
- 20.4.2 Refusing or failing without compelling justification to submit to sample collection as required by the Executive Board and/or the Commissioner or otherwise evading sample collection.
- 20.4.3 Tampering or attempted tampering with any part of doping control.
- 20.4.4 Possession by a Player in-competition of any Prohibited Method or any Prohibited Substance, or possession by a Player out of competition of any Prohibited Method or any Prohibited Substance, unless the Player establishes that the possession is pursuant to a therapeutic use exemption.

- 20.4.5 Possession by a Player's support personnel in-competition of any Prohibited Method or any Prohibited Substance, or possession by a Player's support personnel out of competition of any Prohibited Method or any Prohibited Substance in connection with a Player, unless the Player support personnel establishes that the possession is pursuant to a therapeutic use exemption.
- 20.4.6 Trafficking or attempted trafficking in any Prohibited Substance or Prohibited Method.
- 20.4.7 Administration to any Player in-competition of any Prohibited Method or any Prohibited Substance, or administration to any Player out of competition of any Prohibited Method or any Prohibited Substance or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any attempted anti-doping rule violation.

## **21. FAILURE TO RESPECT DECISIONS**

Anyone who fails to pay another person (such as a Player or a Team) or WESA a sum of money in full or part, even though instructed to do so by a body, a committee or an instance of WESA or a subsequent WESA Arbitration Court for ESports decision (financial decision), or anyone who fails to comply with another decision (non- financial decision) passed by a body, a committee or an instance of WESA, or by WESA Arbitration Court for ESports will be granted a final deadline by the Commissioner in which to pay the amount due or to comply with the (non-financial) decision and may be sanctioned.

## **22. OTHER OBLIGATIONS**

Teams shall ensure that no-one is involved in the management or representation of the Team who is under prosecution for action unworthy of such a position (especially doping, corruption, forgery etc.) or who has been convicted of a criminal offence in the past five years.