

**New Zealand Olympic Committee  
Education Commission - Terms of Reference**

**New Zealand Olympic  
Committee  
Incorporated**

**Olympic Education  
Commission**

**Terms of Reference**

Dated 13 September 2018

# New Zealand Olympic Committee

## Education Commission - Terms of Reference

### 1. Scope and Status

- 1.1 **Scope:** This document sets out the terms of reference for the New Zealand Olympic Committee's Olympic Education Commission, which is a commission of the New Zealand Olympic Committee Inc (NZOC). These Terms of Reference have been issued by the NZOC Board in accordance with Rule 10.2 of the NZOC Constitution. It is binding on all members and the Board of NZOC and all members of the Education Commission.
- 1.2 **Status:** These Terms of Reference supersede all prior versions and all correspondence, discussions, and representations (whether written or oral) regarding the New Zealand Olympic Academy except to the extent specified in these Terms of Reference.
- 1.3 **Commencement:** These Terms of Reference shall take effect from 30 October 2014 and apply until such time as they are amended or revoked by the NZOC Board.
- 1.4 **Definitions:** Clause 8 contains definitions for key terms used in these Terms of Reference.
- 1.5 **Amendment:** These Terms of Reference may be amended at any time by the NZOC Board following full consultation with the Education Commission.

### 2. Role and Responsibilities

- 2.1 The role of the Olympic Education Commission is to advise the NZOC Board on strategies to promote Olympism through education.
- 2.2 The specific functions and responsibilities of the Education Commission are to:
  - a. Contribute to the development of the NZOC strategic plan in terms of education;
  - b. Advise on the development of a detailed four yearly and annual education plans, which align with the NZOC strategic plan;
  - c. Report to the NZOC Board bi-annually in each calendar year; and
  - d. Be a member of, and fulfil its obligations as a member of, the IOA including appointing a representative to attend IOA meetings.

### 3. Name and Composition

- 3.1 **Name:** In accordance with the NZOC Constitution (Rule 10.2), the Education Commission shall be known as the New Zealand Olympic Committee's Olympic Education Commission and will also be the New Zealand Olympic Academy ("NZOA") in New Zealand.
- 3.2 **Composition:** The Education Commission shall comprise:
  - a. The Chief Executive Officer ex-officio; and
  - b. Up to five other people (who need not otherwise be associated with the NZOC) with appropriate qualifications, experience and knowledge of education and sport in New Zealand, who shall be appointed by the NZOC Board; and
  - c. A nominee of the NZOC Athletes Commission; and
  - d. If requested by the NZOC Board, an NZOC Board Member appointed by the NZOC Board.

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The Education Commission may also comprise one additional person co-opted to the Education Commission by the NZOC Board where the NZOC Board believes such person would provide a meaningful contribution to the Education Commission.

- 3.3 **Attendees:** The employees responsible for the NZOC Education Programmes or nominees appointed by the Chief Executive Officer may attend meetings. In addition, the Chief Executive Officer may extend an invitation to attend meetings on a regular basis, a senior employee of Sport New Zealand who would offer a significant contribution to the Education Commission given his/her knowledge of sport and recreation in a school's context and related matters.
- 3.4 **Term of Office:** Except where clause 3.8 applies (Resignation & Removal), each member of the Education Commission shall hold office for a period as specified by the NZOC Board.
- 3.5 **Reappointment:** A member of the Education Commission may be reappointed without limitation on the number of terms of office.
- 3.6 **Advertisement:** Unless the NZOC Board determines otherwise, any vacancies on the Education Commission for the positions described in clause 3.2b may be publicly advertised via the NZOC website ([www.olympic.org.nz](http://www.olympic.org.nz)).
- 3.7 **Ineligibility:** No person shall be eligible for appointment to the Education Commission, or to remain in office as a member of the Education Commission, if the person:
- a. is under 18 years of age;
  - b. is adjudged a bankrupt;
  - c. is declared of being of unsound mind or being the subject of a property order under the Protection of Personal and Property Rights Act 1988;
  - d. has resigned from the Education Commission and deemed unavailable;
  - e. is determined by the NZOC Board to have the circumstances specified in clause 3.8b apply to them;
  - f. is sentenced to imprisonment for a criminal offence, or
  - g. dies.
- 3.8 **Resignation & Removal:** A member of the Education Commission (other than the Chief Executive Officer):
- a. may resign from office at any time on 7 days written notice to the Chief Executive Officer; or
  - b. will have their appointment terminated by the NZOC Board on notice (either immediately or on such period of notice as the NZOC Board considers appropriate) prior to the end of their term of office if the NZOC Board considers (after first hearing from the member) that the member:
    - i. is unable or failing, without acceptable excuse, to fulfil the duties of a member of the Education Commission;
    - ii. has a Conflict of Interest such that they are not capable of performing their responsibilities;
    - iii. is no longer eligible to hold office under clause 3.7 (Ineligibility); or

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- iv. is not acting, or has not acted, in the best interests of NZOC, whether as a member of the Education Commission or otherwise.

3.9 **Vacancies:** In the event of a vacancy on the Education Commission, the Board may appoint a replacement member for the balance of that vacating member's term of office.

#### 4. Responsibilities & Authority of the Education Commission

4.1 **Authority:** The Education Commission reports to the NZOC Board through the Chief Executive Officer. It may only act within the authority granted by these Terms of Reference and shall not incur any expense nor incur any credit against the NZOC, or make any decisions which are binding on the NZOC, without the prior approval of the NZOC Board either expressly or as a result of the NZOC Board's approval of its budget.

4.2 **Duties of Members:** The members of the Education Commission have the following duties:

- a. To familiarise themselves, and agree with, these Terms of Reference and any other applicable rules, policies and reasonable directions of the NZOC including the NZOC Board;
- b. To participate in all meetings of the Education Commission unless excused by the Chief Executive Officer;
- c. To contribute to the preparation of any reports, plans and other documents of the Education Commission;
- d. Not to communicate to the media or to or in any other public forum regarding matters related to the Education Commission or the NZOC, without the prior approval of the Chief Executive Officer or the NZOC Board.
- e. Not to disclose information obtained by virtue of their position on the Education Commission to any person except as permitted by the Chief Executive Officer, or the NZOC Board or by law; and
- f. At all times act in good faith and in the best interest of the NZOC.

#### 5. Meetings

5.1 **Meetings & Deliberations:** The Education Commission shall meet as and when required to undertake its role and responsibilities as set out in these Terms of Reference. Meetings may be in person or conducted via teleconference or other means as the Chief Executive Officer thinks fit so long as all participants can hear each other simultaneously. In addition, the Education Commission may exchange emails individually or collectively and enter into other communications with one another and/or collectively as part of their deliberations.

5.2 **Chairperson:** The NZOC Board will appoint a Chairperson from amongst the five positions appointed under clauses 3.2.a and 3.2.b. Such member shall hold office as Chairperson for the period specified by the NZOC Board. The role of the Chairperson is to chair meetings and represent the Education Commission, where necessary. If the Chairperson is unavailable for any reason, the NZOC Board may appoint another member from the positions appointed under clauses 3.2.a or 3.2.b. of this Terms of Reference to act as Chairperson during the period of unavailability.

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- 5.3 **Quorum:** At least 4 members of the Education Commission, one of which must be the Chief Executive Officer must participate in all meetings of the Commission to constitute a quorum.
- 5.4 **Voting:** Each member of the Education Commission shall have one vote on any decision to be made by the Commission, unless clause 6 (Conflicts) applies. If required the Chief Executive Officer shall have both a deliberative and a casting vote.
- 5.5 **Decisions:** Decisions of the Education Commission must be made by majority of the members.
- 5.6 **Minutes:** The Chief Executive Officer shall ensure that minutes are kept of all meetings and decisions of the Education Commission. These minutes and any other communications between members of the Education Commission shall be confidential to the NZOC Board, the Chief Executive Officer and NZOC staff.

### **6. Conflicts of Interest**

- 6.1 If a member of the Education Commission or the NZOC Board believes that a member of the Education Commission has, or may have, a potential or actual Conflict of Interest then:
- a. the member must disclose the nature of the potential or actual Conflict of Interest to the Chief Executive Officer and the NZOC Board; and
  - b. the member may not participate in any discussions, voting, or selection decisions which may be affected by the Conflict of Interest, unless permitted to do so by the Chief Executive Officer.
- 6.2 **Expenses:** The Chief Executive Officer shall reimburse members of the Education Commission for their actual and reasonable expenses incurred in the conduct of their responsibilities following approval of a properly completed expense claim (in the form required and approved by the Chief Executive Officer) and in accordance with NZOC policies.

### **7. Interpretation, Conflicts, & Matters Not Provided For**

- 7.1 If there is any dispute or difference regarding the interpretation of these Terms of Reference, the matter shall be determined by the NZOC Board as it sees fit.
- 7.2 If any situation arises that, in the opinion of the NZOC Board, is not provided for in these Terms of Reference, the matter shall be determined by the NZOC Board as it sees fit.

### **8. Definitions**

**“Conflict of Interest”** means a situation where a member of the Education Commission has a personal, financial, or other material interest that is, or is likely to, have an impact on any decision of the Education Commission or the role and responsibilities of that person as a member of the Education Commission.

**“IOA”** means the International Olympic Academy.

**“NZOC Board”** means the Board of the NZOC.

**“NZOC”** means the New Zealand Olympic Committee Incorporated.

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**“Chief Executive Officer”** means the Chief Executive Officer and Secretary General of the NZOC.

**“Terms of Reference”** means this document.