

## **New Zealand Olympic Committee Incorporated**

### **Athletes' Commission Terms of Reference**

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#### **1. PURPOSE**

The Athletes Commission (AC) is established and maintained by the New Zealand Olympic Committee (NZOC) according to the NZOC constitution and the IOC Guidelines relating to Athletes' Commissions. The purpose of the AC is to champion the voice of the athlete within the New Zealand Olympic and Commonwealth Movements.

#### **2. ROLE**

The AC is a consultative body whose role is to ensure that the views of current New Zealand Olympic and Commonwealth Games athletes are represented and heard within the NZOC.

#### **3. RESPONSIBILITY AND OBJECTIVES**

The AC is responsible for:

- Actively supporting the work of the organisation on all matters relating to Olympic and Commonwealth Games operations, performance and policy;
- Engaging with athletes and representing their rights and interests and participate in NZOC consultation and decision-making as required;
- Engaging with the NZOC Board and management to effective advice and support is reasonably provided (financial and otherwise) for the AC to progress its objectives;
- Contributing to the co-operation, development and advocacy of the AC within the Olympic Movement and connecting with other NOC Athletes' Commissions, the IOC Athletes' Commission and the CGF Athlete Advisory Commission, where possible;
- Considering questions and issues relating to active athletes and providing advice to the NZOC;
- Acting as role models among NZ Olympic and Commonwealth Games athletes;
- Support and encouraging the development of athlete aspirations and pathways; and
- Advocating for athlete voice in National Federations.

In this context, the AC may provide the NZOC Board the following on all matters within its scope:

- Offer or give advice;
- Offer an opinion;
- Make a recommendation;
- Consult; or
- Give information or notice.

The objectives of the AC are, without limitation, to:

- Increase the profile and impact of Athlete Commission activities within NZ sport;
- Act as role models to promote Olympic values among athletes and New Zealanders;
- Develop and maintain links with other athlete representative bodies such as IOC WADA and ONOC Athletes Commissions etc;
- Develop an understanding of the holistic needs of athletes in areas such as games environments and education;
- Assist in the facilitation of pathways for athlete leadership opportunities and representation at within NZOC, NZ sport and internationally;
- Create opportunities for athletes to engage in discussions on relevant current issues and opportunities;
- Develop communication strategies to enable consultation and input by athletes on key issues and opportunities;
- Represent athletes in key decisions on matters that directly impact them e.g. games time environments, personnel and policies etc;
- Ensure the athletes' viewpoint remains at the heart of the NZOC's decisions;
- Run an effective AC that motivates athletes to participate in, and contribute to, the NZOC achieving its goals;
- Nominate athlete representatives to sit on the NZOC Board, Committees, Commissions and other external athlete organisations such as ONOC, CGF, WADA etc;
- Develop recommendations for NZOC Board, IOC Athletes Commission and other relevant organisations, where requested, on issues affecting active athletes.

#### 4. COMPOSITION OF THE AC

The AC will comprise a maximum of 10 and a minimum of 8 athletes, ensuring an appropriate skills mix and a balance in relation to gender, summer and winter Olympic sports, Commonwealth Games sports, team and individual sport athletes. The composition will be based on the following criteria:

- Up to 3 members elected at (or around) each Olympic Summer Games by the athletes who are members of the NZ Olympic Team competing at those Olympic Summer Games;
- Up to 2 members elected at (or around) each Olympic Winter Games by the athletes who are members of the NZ Olympic Team competing at those Olympic Winter Games;
- Up to 2 members elected at (or around) each Commonwealth Games by the athletes who are members of the NZ Commonwealth Games Team competing at those Commonwealth Games;
- Up to 3 members who may be appointed at any time by the NZOC; CEO/NZOC Board (this will be done in consultation with AC Chair);
- A maximum of 2 athletes from any one sport;
- Not less than 3 athletes of any one gender;
- In the event of a member's resignation or a member being unable to carry out their duties as a member of the AC, that member will be replaced for the duration of the term. The AC Chair, in consultation with the NZOC CEO, will choose a replacement either from other athletes not elected at the previous election or by appointment until the end of the term.

The AC will also comprise of any member of the IOC Athletes Commission, the WADA Athletes Commission and the CGF Athletes Advisory Commission provided that such member is domiciled in New Zealand or have New Zealand as their main centre of interest.

## 5. ELIGIBILITY

To be eligible for election or appointment to the AC an athlete must:

- Be at least 18 years of age;
- Be available and able to participate in meetings and accordingly, be domiciled in New Zealand;
- Not have been sanctioned for a doping offence in relation to the World Anti-Doping Code in their sporting career nor been in breach of their National Federation, International Federation, NZOC, IOC or CGF rules and regulations;
- *Either*: be a participant in the Summer Olympic Games, the Winter Olympic Games, or the Commonwealth Games during the year in which the election is held; *or* have participated in at least one of the previous Games;
- Be able to demonstrate they have many of the following desirable skills, knowledge and experience to assist the AC fulfil its objectives and activities:
  - Clear written and/or verbal communication skills;
  - Highly developed interpersonal and relationship building skills;
  - The ability to connect and engage with active athletes;
  - Capable of working without direct supervision both individually and within a team environment;
  - Knowledge of and interest in the Olympic movement and NZ high performance sports culture;
  - Passionate about the development of the Olympic Values and athlete interests; and
  - Mature personality, able to handle confidential information and contrasting opinions.
- Be available to attend (either in person or by Skype) a minimum of two meetings per year.
- As a condition of membership, upon election all AC members must sign an NZOC Code of Ethics.

## 6. ELECTION PROCESS

- All athletes participating as part of a New Zealand Olympic or Commonwealth Games are eligible to vote.
- Athletes will be provided information on the election process by email no later than 30 days of the closing ceremony of the relevant Games.
- Any athlete wishing to stand will be sent these Terms of Reference, and a link to an online expression of interest form to complete.

## 7. AC CHAIR ELECTION PROCESS

- Any athlete wishing to stand as AC Chair will be sent the relevant position description and a link to an expression of interest form to complete.
- The AC Chair is determined via a vote of by AC members (in consultation with the NZOC CEO).

- The AC Chair will be automatically considered to be the AC nomination to the NZOC Board pursuant to Rule 16.5.a. of the NZOC Constitution. The NZOC Board Appointments Panel will assess the nomination against the criteria set out in Rule 16.9 of the Constitution and advise the AC in writing as to whether the nomination is supported by the NZOC Board Appointments Panel. If the AC Chair is supported then the AC will conduct a vote of its members to determine whether or not to appoint that person as the NZCO AC Board Representative
- Alternatively, if the BAP does not support the AC nomination or the AC does not elect the recommended person, then the process shall be repeated in respect of such position to seek to obtain a recommended person from the AC who is supported by the NZOC Board Appointments Panel and then subsequently elected by the AC.
- The AC Chair election process shall be held no less than six (6) months prior to the expiry of the existing AC Chair's term. From the date of AC Chair election date, the incumbent AC Chair will be considered the Deputy AC Chair until such time as the existing AC Chair's term expires. As Deputy AC Chair, he/she will undertake the duties set out in the Deputy AC Chair position description which will be made available to the Deputy AC Chair on appointment.

## 8. TERMS OF OFFICE

- Each athlete elected will hold office for four years, commencing the day after their election.
- Each elected athlete may hold office for a shorter or longer term than prescribed in this clause 8, if deemed necessary or beneficial by the NZOC Board.
- Any appointed person will hold office for a period of four years from the date of their appointment.
- Each elected athlete and appointed person will hold office for a maximum of two consecutive terms, unless elected or appointed prior to 1 January 2018, where the maximum will be three consecutive terms.
- The Chair will hold office for four years and, if eligible, can serve a maximum of two terms.
- The Chair may hold office for a shorter or longer term than prescribed in this clause 8, if deemed necessary or beneficial by the NZOC Board.

## 9. RESIGNATION AND REMOVAL

A member of the AC:

- May resign from the AC at any time on written notice to the AC Chair; or
- 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:
  - is unable or failing, without acceptable excuse, to fulfil the responsibilities and duties as an AC member, including but not limited to attending meetings or breaching the Code of Ethics. For the sake of clarity, if a AC member fails to attend a minimum of two meetings per year, his/her appointment will be automatically terminated;
  - has a Conflict of Interest such that they are not capable of performing their responsibilities;
  - is no longer eligible to hold office under clause 5; or

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

## 10. MEETINGS

- The AC Chair will ensure that minutes of all meetings and decisions of the AC are kept. These minutes and any other communications between the athletes shall be kept confidential to the Athletes Commission, the NZOC Board, the NZOC CEO and staff.
- The AC shall meet as and when required to undertake its role and objectives as set out in these Terms of Reference, but not less than three times a year.
- Meetings may be in person or conducted via teleconference or other means as the AC Chair thinks fit so long as the participants can hear each other simultaneously. In addition, the AC may exchange emails individually or collectively and enter into other communications with one another and/or collectively as part of their deliberations.
- The AC Chair will report the AC's recommendations and findings to the NZOC CEO and if requested summarise the AC's activities and findings to the NZOC Board.
- The AC may have in attendance the CEO of the NZOC and/or other such persons including external advisers, as it considers necessary to provide appropriate information and advice.
- The AC Chair will chair meetings.
- Voting will be by majority, with the AC Chair having a casting vote if required.
- At least 5 members of the AC, one of which must be the AC Chair (or his/her nominated AC acting Chair), must participate in all meetings of the AC to constitute a quorum.
- If the AC Chair is unavailable for any reason, the AC Chair may nominate an AC member to act as AC Chair during the period of unavailability.

## 11. AUTHORITIES

- The AC does not have the power of authority to make a decision in the NZOC Board's name or on its behalf.
- The AC is authorised by the NZOC Board. At the expense of the NZOC, provided such expense is identified within the AC's agreed budget, to obtain such outside information and advice as it thinks necessary for carrying out its responsibilities.
- NZOC will provide assistance and resource to the AC for the furtherance of the AC's goals and activities.
- The AC will undertake an annual self-review of its objectives and responsibilities. Such objectives and responsibilities will also be reviewed by the NZOC Board and NZOC CEO annually.
- The AC and NZOC Board may review the Terms of Reference from time to time as per the NZOC Policies and Procedures.

## 12. DUTIES OF MEMBERS

AC members have the following duties:

- 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;
- to participate in all meetings of the AC unless excused by the AC Chair;
- to contribute to the preparation of any reports, plans and other documents of the AC;

- not to communicate to the media or to or in any other public forum regarding matters related to the AC or the NZOC, without the prior approval of the NZOC Board.
- not to disclose information obtained by virtue of their position on the AC to any person except as permitted by the NZOC Board or by law; and
- at all times act in good faith and in the best interest of the NZOC and the AC strategy.

### **13. CONFLICTS**

- If a member of the AC or the NZOC Board believes that a member of the AC has, or may have, a potential or actual conflict of interest to the NZOC CEO or the NZOC Board:
  - the member must disclose the nature of the potential or actual conflict of interest to the NZOC CEO or the NZOC Board; and
  - the member may not participate in any discussions, voting or decisions which may be affected by the conflict of interest, unless permitted to do so by the NZOC CEO or the NZOC Board.

### **14. REPRESENTATION**

- The AC is entitled to have 2 delegates attend, speak and vote at the NZOC's General Assembly. Other AC members may attend as observers by arrangement with the NZOC CEO.
- The AC is represented on the NZOC Board pursuant to clause 6, who shall have the right to have a vote within the NZOC. In the event, an AC member is acting for the AC Chair in a period of unavailability, the AC member shall have no right to vote within the NZOC.