

2018 AOC AGM

NOTICE OF ANNUAL GENERAL MEETING

Notice is hereby given that the Annual General Meeting of the Australian Olympic Committee Incorporated (Committee) will be held in the Maritime Ballroom of the Hyatt Regency, 161 Sussex Street, Sydney at 9:00am on Saturday, 28 April 2018.

The business of the meeting shall include:

1. confirmation of the minutes of the 2017 Annual General Meeting;
2. the presentation of the 2017 Annual Report, the Financial Statements of the Committee and the Independent Auditor's Report thereon (which documents will be circulated with the Agenda).
3. the election of an Executive member to replace the member of the Executive who filled a casual vacancy;
4. consideration for amendment to the Constitution of the Committee;
5. awarding of Life Membership and Order of Merit of the Committee;

Elections

In December 2017, a vacancy arose on the Executive. In accordance with clause 24.2 of the Constitution, the Executive requested from the National Federations their nominations for replacement and the Executive then elected from those nominations the member who has held office since 14 December 2017 and who will hold office until the conclusion of the 2018 annual general meeting.

As such, a member of the Executive is to be elected to replace the member who was appointed by the Executive to fill the casual vacancy. Each National Federation (NF) that does not have an elected nominee among the remaining six members of the AOC Executive elected from those nominated by the NFs, are eligible to make a nomination. For the avoidance of doubt, this means that the following member NFs are excluded from being able to nominate: Athletics Australia, Australian Fencing Federation, Gymnastics Australia, Modern Pentathlon Australia, Australian Sailing, Volleyball Australia. Such nominations shall be signed by the person nominated and shall be made in writing to the Secretary not less than 30 days prior to the date of the annual general meeting. Nomination form for the position of Elected Member of the Executive is attached. Catherine Fettel, who was elected by the Executive on 14 December 2017 to fill the casual vacancy, is eligible for election by the Committee.

Persons nominated for the Position of Elected Member of the Executive are required to make the AOC Statutory Declaration Regarding Anti-Doping Matters in the presence of an authorised witness. The statutory declaration is attached.

If the number of nominations for the position as Executive member does not exceed the number of vacancies (one), then the candidate shall be declared elected. If the number of candidates exceed the number of positions available, then such candidates shall be elected in accordance with the

method of voting described in clause 16.5 of the AOC Constitution which is set out in the attachment hereto.

The replacement member of the Executive shall then hold office for the balance of the term of the original member of the Executive he/she replaces (that is, the annual general meeting in 2021).

Amendment to Constitution

An amendment to the Constitution as follows is proposed:

“That clause 7.4 be rescinded and replaced with the following new clause 7.4;

- 7.4 (1) Life membership of the Committee may be conferred by the Executive upon a person who has served as an elected member of the Executive for at least thirteen (13) years, and who has rendered outstanding service to the Olympic Movement and sport.
- (2) Life members comprise:
- (a) those upon whom Life membership has been conferred by the Executive as at the date of the resolution adopting this amended clause 7.4 was passed by a special majority (“Adoption Date”); and
 - (b) those upon whom, having met the criteria in (1), Life membership is conferred by the Executive at any time and from time to time after the Adoption Date.”

An amendment to the Constitution is required to be passed by a vote of a Special majority (being at least 75%) of Members at the meeting.

Voting

Each Delegate of the member National Federations (as per clause 7.2 of the AOC Constitution), members of the Executive, the Chair and Deputy Chair of the Athletes’ Commission and the members of the International Olympic Committee (IOC), if any, who are citizens of Australia (as per clause 13.1 of the AOC Constitution) will be entitled to one vote on every motion or amendment thereof. Where a person is present at a meeting of the Committee in more than one capacity which entitles them to vote, that person is only entitled to one vote. The Chair of the meeting shall have a casting vote in addition to his deliberative vote. Each vote will be given personally.

Proxies

In the event of a Delegate being unable to attend a meeting of the AOC, a proxy Delegate may be appointed in writing or by electronic mail from the secretary or other authorised officer of the relevant Body or, in the case of the Athletes’ Commission, the Chair thereof. The appointment notice must be tendered at the time of the commencement of the meeting.

Notices

Should any member desire to have any other matter included in the Agenda of the Annual General meeting, notice must be received by the Secretary, by email or post to the contact details below, before 5:30pm (eastern standard time) on Wednesday 28 March 2018.



Todd Day
Secretary
Australian Olympic Committee Incorporated
PO Box R1788 ROYAL EXCHANGE NSW 1225

Email: todd.day@olympics.com.au

Date: 21 February 2018

The 2018 Australian Olympic Committee AGM Agenda, 2017 Annual Report and any other associated documents will be sent to delegates via email. Should you wish to receive these documents via post, please contact the Secretary.

NOMINATION FORM FOR AN ELECTED MEMBER OF THE EXECUTIVE

Name of Nominator _____
(This must be a National Federation)

Name of Nominee _____

**Signature of Secretary or
another Authorised Officer
of Nominator** _____

**Full name of Secretary or
another Authorised Officer
of Nominator** _____

Please enclose with this nomination a Curriculum Vitae for consideration by the Members.

The AOC Ethical Behaviour By-Law requires all Relevant Persons to make a statutory declaration regarding Child Protection and Anti-Doping matters as required by the AOC from time to time.

As a condition of nomination, all nominees must make the AOC Statutory Declaration regarding Child Protection and Anti-Doping matters.

Acknowledgement

I acknowledge and agree to my above nomination as a member of the Executive of the Australian Olympic Committee Inc.

I have made the AOC Statutory Declaration regarding Child Protection and Anti-Doping matters and attach the original, or with the AOC's permission a copy, of that statutory declaration.

Signature of Nominee _____ Date _____

Phone (B) _____ (M) _____

Email _____

All nominations received by the Australian Olympic Committee will be confirmed in writing to the Nominee on receipt of all required nomination documents.

THE NOMINATION FORM MUST BE RECEIVED by the Secretary by 5.30pm (eastern standard time) on Wednesday 28 March 2018.

Todd Day
Secretary
Australian Olympic Committee Incorporated
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Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

1 *Insert the name, address and occupation of person making the declaration*

I, _____ of _____

who is in the occupation of _____

make the following declaration under the *Statutory Declarations Act 1959*:

2 *Set out matter declared to in numbered paragraphs*

“

1. I have **not** at any time engaged in conduct that would amount to Child Abuse or been charged with or convicted of any offence relating to Child Abuse or the harm or exploitation of a child (i.e.: a person under the age of 18). For the purpose of this Statutory Declaration, Child Abuse means physical, emotional, psychological, harming or exploitation of children, whether in person or online, sexual or otherwise and includes, but not limited to: (a) derogatory or inappropriate behaviour; (b) non-accidental injury to children; (c) inappropriate touching; (d) physical, emotional, psychological or sexual abuse including groomed or forced involvement in sexual behaviour, verbal or physical conduct or gesture of a sexual nature (e.g. the use of offensive stereotypes based on gender, sexual jokes, threats, intimidation); or (e) insensitivity towards children with cultural or religious differences. It can include a one-off incident or a series of incidents. Child abuse is often resulting from an abuse of authority, meaning the improper use of a position of influence, power or authority by a person against a child.
2. I have **not** at any time violated or breached any applicable anti-doping rule or policy, including the World Anti-Doping Code 2015, the Australian Olympic Committee’s Anti-Doping By-Law and the anti-doping rules and policies of applicable Anti-Doping Organisations, National Federations and International Federations (as those words are defined in the Australian Olympic Committee’s Anti-Doping By-Law) (each an “Applicable Anti-Doping Rule or Policy”).
3. If I have engaged in any conduct outlined in clause 1 or clause 2, I will immediately disclose the conduct to the Australian Olympic Committee.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

3 *Signature of person making the declaration*

3

.....

4 *Place*
5 *Day*
6 *Month and year*

Declared at ⁴ _____ on ⁵ _____ of ⁶ _____

7 *Signature of person before whom the declaration is made (see over)*

Before me,

7

8 *Full name, qualification and address of person before whom the declaration is made (in printed letters)*

8

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

A statutory declaration under the *Statutory Declarations Act 1959* may be made before—

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Chiropractor	Dentist	Legal practitioner
Medical practitioner	Nurse	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trade marks attorney	Veterinary surgeon

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)

Bailiff

Bank officer with 5 or more continuous years of service

Building society officer with 5 or more years of continuous service

Chief executive officer of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of the Australian Trade Commission who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and

(c) exercising his or her function in that place

Employee of the Commonwealth who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and

(c) exercising his or her function in that place

Fellow of the National Tax Accountants' Association

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge of a court

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*

Master of a court

Member of Chartered Secretaries Australia

Member of Engineers Australia, other than at the grade of student

Member of the Association of Taxation and Management Accountants

Member of the Australasian Institute of Mining and Metallurgy

Member of the Australian Defence Force who is:

(a) an officer; or

(b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or

(c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:

(a) the Parliament of the Commonwealth; or

(b) the Parliament of a State; or

(c) a Territory legislature; or

(d) a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:

(a) the Commonwealth or a Commonwealth authority; or

(b) a State or Territory or a State or Territory authority; or

(c) a local government authority;

with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

(a) the Commonwealth or a Commonwealth authority; or

(b) a State or Territory or a State or Territory authority

Sheriff

Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution

Method for voting pursuant to clause 16.5 of the Constitution

16.5 The election of each member of the Executive pursuant to clause 16.2(5) will be by an exhaustive ballot to be decided between all candidates eligible for election in accordance with the following rules:

- (1) each voting person will write on the ballot paper the name of the candidate most preferred. Such votes will then be counted and if any candidate receives an absolute majority of formal votes cast, such candidate will be elected to office;
- (2) if no candidate receives an absolute majority of formal votes cast in accordance with 16.5(1) hereof the candidate who receives the least number will be eliminated provided that if a candidate receives no votes, that candidate, together with the candidate who receives the least number of votes will be eliminated;
- (3) a further ballot or ballots will then be conducted between the remaining candidates in accordance with the rules herein set out until one candidate receives an absolute majority of formal votes cast and upon a candidate receiving an absolute majority of formal votes cast as aforesaid such candidate will be elected to office;
- (4) if after a ballot has been conducted any two or more candidates receive an equal number of votes and it is necessary for one of them to be eliminated then a special ballot will be held in accordance with the rules herein set out to decide which of such candidates will be eliminated;
- (5) if after a special ballot in accordance with 16.5(4) has been conducted between three or more candidates no candidate has received a greater number of votes than the other candidates then the Chair will nominate one candidate who will not be eliminated and a further special ballot will be held between the candidates not so nominated to determine which of them will be eliminated;
- (6) if on any ballot between two candidates such candidates receive an equal number of votes then the Chair will have a casting vote to decide the issue between such candidates;
- (7) at any time when it is necessary for a candidate to be eliminated the Chair will only declare the name of the candidate or candidates to be eliminated and will not disclose the number of votes received by any candidate;
- (8) at the conclusion of the voting the Chair will declare the result of each ballot in the following manner, namely a statement of the number of ballot papers issued with respect to each ballot, the number of formal votes cast in each ballot and the number of votes received by each candidate;

- (9) the Chair of the meeting at which an election is to be held may conduct the election by electronic voting or other means of digital recording of votes in order to effect the above provisions;

- (10) notwithstanding anything in this rule to the contrary, those voting persons present at any meeting at which an election is to be held in accordance with this rule may by unanimous resolution waive the application of the foregoing provisions and substitute therefore, for that election only, such other method of voting that may unanimously be agreed upon.