

NATIONAL FEDERATION ATHLETES' COMMISSION BY-LAW



NATIONAL FEDERATION ATHLETES' COMMISSION BY-LAW OF THE AUSTRALIAN OLYMPIC COMMITTEE

1 / DEFINITIONS

Athlete	means a person who: A / is an active athlete in that he or she competes or has competed in the Sport at a national or international level within the previous 12 years; B / is over the age of 16 years; and has not been sanctioned for a doping offence during his or her sports career.
Athletes' Commission	means the Athletes' Commission of the Committee.
Commission	means an athletes' commission of an NF.
Committee	means the Australian Olympic Committee Incorporated, being the National Olympic Committee recognised by the IOC pursuant to the Olympic Charter.
Sport	means, in respect of a Commission, the sport governed by the NF for that Commission.

- 1.1. Except so far as the contrary intention appears in this By-Law, an expression has in this By-Law the same meaning as in the Constitution; and
- 1.2. Headings are for convenience only and do not affect the interpretation of this By-Law.

2 / OPERATION OF THIS BY-LAW

- 2.1. The IOC 2000 Reform Commission recommended that "athletes should be well represented at all levels of the sports movement; IOC, IFs, NOCs and NFs". Pursuant to this recommendation, the AOC and the AOC Athletes Commission encourages NFs to form their Commissions.
- 2.2. Clause 9.2 of the Constitution provides that athletes for election to the Athletes' Commission must be nominated by a Commission, provided the charter of the Commission has been approved by the Committee.
- 2.3. This By-Law describes the recommended requirements of the Committee for giving its approval to the charter of a Commission. The Committee recognises, however, that different sports may legitimately adopt different compositions and structures based on a range of factors, including their size, age of the athletes, financial rewards, if any, the athletes receive, the requirements of their International Federation, the role of player managers, history and culture. For that reason, these recommended requirements are not mandatory and do not seek to prescribe the composition, structure and right to be heard and vote at general meetings and the board or executive of the NF.
- 2.4. Compliance with the General Duties specified in Clauses 7.1, 7.2 and 7.3 of this By-Law is mandatory.

3 / ROLE OF A COMMISSION

- 3.1. Each Commission represents the views of athletes within its NF and will advise its NF on any matter relating to the Sport.

4 / RECOMMENDED COMPOSITION OF A COMMISSION

- 4.1. Each Commission must:
- (1) be comprised solely of Athletes;
 - (2) have a minimum of three members;
 - (3) in Sports for which there are events in the program of the Olympic Games for men and women, include within its membership persons of both sex;
 - (4) have a majority of its members elected by their peers; and
 - (5) include as an ex officio member any member of the Athletes' Commission who competes or competed in the Sport.
- 4.2. The general meeting, executive or board of an NF may appoint Athletes to a Commission.

5 / RECOMMENDED STRUCTURE

- 5.1. Each member of a Commission must be elected or appointed for a minimum term of two years and at the time of being elected or appointed satisfy and continue to satisfy eligibility requirements. Members can be re-elected or re-appointed provided they continue to satisfy eligibility requirements.
- 5.2. Each Commission must meet at least once a year and for such meetings a quorum must consist of a majority of its members.
- 5.3. Members of a Commission must have equal voting rights provided the Chair of a Commission may have a casting vote in addition to his or her deliberative vote.
- 5.4. Within its financial means, each NF must assist the organisation of the meetings of its Commission and communications between the members of its Commission.

6 / RECOMMENDED REPRESENTATION AT GENERAL MEETINGS AND ON THE BOARD OR EXECUTIVE OF THE NATIONAL FEDERATION

- 6.1. It is recommended that at least one member of each Commission:
- (1) may attend general meetings of its NF and have the right to vote and be heard on any matter.
 - (2) be a member and have the right to vote and be heard on any matter at board or executive meetings of the NF.

7 / GENERAL DUTIES OF COMMISSION MEMBERS

- 7.1. At all meetings (that is of each Commission, general meetings and the board or executive of the NF) (meetings) the members of each Commission must:
- (1) act solely in the best interests of their NF and its members as a whole.
 - (2) exercise their powers and discharge their duties with reasonable care and diligence, in good faith and for a proper purpose.
 - (3) not make improper use of:
 - (a) their position; or
 - (b) information acquired by virtue of holding their positionso as to gain an advantage for themselves or any other person or to cause detriment to the NF.

- 7.2. At meetings of each Commission and the board or executive of the NF, any member of a Commission who has a material personal interest in a matter being considered at such meeting must:
- (1) disclose the nature and extent of that interest to the meeting;
 - (2) not be present while the matter is being considered at the meeting; and
 - (3) not vote on the matter.
- 7.3. Clause 7.2 of this By-Law does not apply to a material personal interest that exists only because a Commission member is a member of such Commission.

ADOPTED as a By-Law of the AOC by the Executive on 12 May 2003 effective from that date.

AMENDED on 11 May 2007 effective from that date.

AMENDED on 19 March 2015 effective from that date.