



# AUSTRALIAN OLYMPIC COMMITTEE

ABN 33 052 258 241  
Reg. No. A0004778J

## **MINUTES OF THE ANNUAL GENERAL MEETING**

held at the Maritime Ballroom  
Mezzanine Level, Hyatt Regency Sydney  
161 Sussex Street  
SYDNEY  
on Saturday 28 April 2018  
at 9.00am

Certified as a true copy

A handwritten signature in black ink that reads "John Coates".

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**JOHN D COATES AC**  
President

A handwritten signature in black ink that reads "Matt Carroll".

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**MATT CARROLL AM**  
Chief Executive Officer



# AUSTRALIAN OLYMPIC COMMITTEE

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### **MINUTES OF THE ANNUAL GENERAL MEETING**

held on Saturday, 28 April 2018 commencing at 9.00am  
at Hyatt Regency Sydney, 161 Sussex Street, Sydney

#### **1. Welcome to Country**

Matt Carroll introduced Uncle Allan Madden, Gadigal Elder to the stand. Uncle Allen acknowledged elders past and present and paid respect to, and warmly welcomed, all those present to Gadigal land.

#### **2. Welcome by the President**

The President, John Coates AC declared the meeting open.

The President welcomed all present including:

- Life Members – Helen Brownlee OAM, Doug Donoghue AM, Kevan Gosper AO, Geoff Henke AO, Peter Montgomery AM, Michael Wenden AM MBE
- Dr John Hewson AM – Chairman of the Australian Olympic Foundation Investment Advisory Committee (AOF IAC)
- Athlete’s Commission Chair, Steve Hooker OAM, and Commission Member Scott Kneller
- Danny Cunningham representing EY
- The team of Lagardere Sports and Entertainment
- All delegates particularly the new Presidents:
  - Helen Boyd, President – Handball Australia
  - Grant Cole, President – Archery Australia

- Representatives of the State Olympic Councils and Olympians Club
- AOC Medical Commission members Dr Peter Fricker OAM, Dr Peter Braun, Dr David Hughes and Dr Anik Shawdon
- Special guest and Award recipient, Jacquelin Magnay
- Observers
- Members of the media

A record of those present is attached as Annexure “A”

The President reported the apologies of Executive Members Craig Carracher, Kitty Chiller and James Tomkins OAM; Life Members Phil Coles AM, John Devitt AM, Ronald Harvey CVO AM and Sir Donald Trescowthick AC KBE, and Mike Bushell of Lagadere Sports and Events.

Additionally, the President also reported apologies from the following Presidents of National Federations:

- Ted Tanner – Boxing Australia
- Kim Forge – Australian Curling Foundation
- Steven Lowy – Football Federation Australia
- John Hopkins – Golf Australia
- Melanie Woosnam – Hockey Australia
- Clive Connelly – Australian Ice Hockey Federation
- Hani Zahra – Australian Karate Federation
- Rob Scott – Rowing Australia
- John Bertrand – Swimming Australia
- Jayne Hrdlicka – Tennis Australia
- Adrian Di Piazza – Sliding Sports Australia Limited, and
- retiring Badminton Australia CEO, Paul Brettall

A list of other apologies was tabled and is attached as Annexure “B”.

The President reported with sadness the passing during the year of Olympians:

Betty Cuthbert AC MBE	Melbourne 1956 Rome 1960 Tokyo 1964	Athletics
Catherine Pym	Helsinki 1952	Fencing
Edwin Carr Jnr	Helsinki 1952	Athletics
Jarrod Bannister	Beijing 2008 London 2012	Athletics
Les Coffey	Tokyo 1964	Shooting
Ronald Gower	London 1948 Helsinki 1952	Boxing
Ronald Baensch	Rome 1960	Cycling
Wyatt Thompson	Melbourne 1956	Equestrian
Anthony (Tony) Madigan	Helsinki 1952	Boxing

	Melbourne 1956 Rome 1960	
Rosemary Lluka (nee Lassig)	Rome 1960	Swimming
Geoffrey Jameson	Melbourne 1956 Rome 1960	Wrestling
Michael Ryan	Tokyo 1964	Athletics
Gillian Rolton AM	Barcelona 1992 Atlanta 1996	Equestrian
Maureen Adams	Montreal 1976	Archery
Alexander Punton	Melbourne 1956	Gymnastics
Noel McLoughlin	Squaw Valley 1960	Ice Hockey
James Nevin OAM	Helsinki 1952 Melbourne 1956	Cycling
Kevin Carton OAM	Melbourne 1956 Rome 1960	Hockey
Mervyn Crossman	Rome 1960 Tokyo 1964	Hockey
David Woods	Munich 1972 Montreal 1976	Water Polo
Allan Lawrence	Melbourne 1956 Rome 1960	Athletics
John Monckton	Melbourne 1956 Rome 1960	Swimming
Stephen Wooldridge OAM	Athens 2004	Cycling
Gary West	Los Angeles 1984	Cycling
John Humphreys	Rome 1960 Tokyo 1964	Fencing
Richard Paris	Tokyo 1964	Cycling
Simon Brown	Innsbruck 1964	Alpine Skiing
Hughie Williams	Tokyo 1964	Wrestling

And whilst not Olympians, the passing was reported of Bill Galvin AM, a member of the 1996 support team in Atlanta and Wendy Braybon, Specialist Sports Physiotherapist on Australian Teams for Barcelona, Atlanta, Sydney, Beijing, London and head physio for the Australian Team in London, the first woman to hold this position. Wendy was a member of the AOC's Medical Commission.

All stood to observe a moment's silence in respect of these colleagues.

### **3. Notice of Meeting**

Notice of the Annual General Meeting was given on 6 February 2017, being 60 days prior to the meeting as required under the Constitution.

#### **4. Minutes of the Annual General Meeting held 6 May 2017**

It was RESOLVED that the minutes of the previous Annual General Meeting, held 6 May 2017, be confirmed as a correct record and the President sign a copy as a true record.

#### **5. Election of Member of the Executive**

It was noted that in December 2017, a vacancy arose on the Executive. In accordance with Clause 24.2 of the Constitution, the Executive requested from National Federations nominations for a replacement and the Executive elected from such nominations Catherine Fettell to hold office from 14 December 2017 until the conclusion of this meeting. Nominations were called to fill the vacancy through to the conclusion of the 2021 Annual General Meeting. A nomination of Catherine Fettell by Shooting Australia was received. There being only one nomination, Catherine Fettell was elected.

#### **6. Amendments to the AOC Constitution proposed by the AOC Executive**

It was RESOLVED, by unanimous agreement, to amend the AOC Constitution, effective from 28 April 2018, as outlined in the Explanatory Memorandum (annexed hereto and marked "C") – and as set out in the Constitution with changes highlighted (annexed hereto and marked "D") and clean version (annexed hereto and marked "E").

#### **7. Award of the Order of Merit (part one)**

The President announced that the Executive had determined that the Order of Merit be conferred on the following individuals for achieving remarkable merit in the sporting world through personal achievement:

- Raelene Boyle AM, MBE
- Catherine Freeman OAM
- Shane Gould AM, MBE
- Ian Thorpe OAM (presented at the President's Cocktail Function, Friday 27 April 2018)

The President noted that Raelene Boyle AM, MBE was unfortunately unable to receive her Order and it will be presented at the 2019 Annual General Meeting. The President read a note of appreciation from Raelene.

Catherine Freeman OAM and Shane Gould AM, MBE were presented with their Orders by the President and each expressed their appreciation.

#### **8. Presentation by Chief Executive Officer of the 2017 Annual Report, the Financial Statements of the Committee and the Independent Auditor's Report**

The Chief Executive Officer's address is annexed and marked "F"

It was RESOLVED that the 2017 Annual Report and Financial Statements for the year ended 31 December 2017 and the Independent Auditor's Report thereon be adopted.

#### **9. President's Address**

The President's Address is annexed and marked "G".

#### **10. Life Membership of the AOC**

The Executive has conferred Life Membership upon Ian Chesterman for his outstanding service to the Olympic Movement and sport.

The President presented Mr Chesterman with his Life Membership and a memorabilia piece of him marching into the Opening Ceremony with each of the six Olympic Winter Games teams of which he was Chef de Mission. He did so in the presence of Mr Chesterman's wife, Kath Ogden and children Hannah, Jack and Lucy, who were invited on stage with him.

A brief biography of Mr Chesterman is annexed and marked "H"

#### **11. Award of the Order of Merit (part two)**

The President announced that the Executive had determined that the Order of Merit be conferred on the following other individuals for achieving remarkable merit in the sporting world through contribution to the development of sport:

- Paul Batchelor – a member of the AOF IAC
- Angus Douglas – a member of the AOF IAC
- Geoff Lipshut – CEO of the Olympic Winter Institute of Australia

They were presented with their Orders by the President and each responded in appreciation.

The President noted that the AOC had also awarded posthumously an Order of Merit to Peter Norman. The President read the citation distributed for Peter Norman and advised that the Order would be presented to Mr Norman's family at a special ceremony at the Olympic Museum, Melbourne in the coming months.

Biographical details of each Order of Merit awardee are annexed and marked "I"

#### **12. The Harry Gordon CMG Memorial Award for Olympic Journalism**

The President announced Jacquelin Magnay of The Australian, as the winner of the 2018 Harry Gordon Memorial Award for Olympic Journalism and referred the meeting to her winning article on their tables. The President invited Ms Magnay to the stage. Ms Magnay acknowledged Harry Gordon's enthusiasm and passion and thanked the AOC for the honour and privilege of being the recipient of the award.

**13. General Business**

The President thanked delegates for their attendance.

The Chief Executive Officer declared the meeting closed at 11.25am.

Signed as a true and correct record of the meeting

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JOHN COATES AC  
President

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Dated

**RECORD OF ATTENDANCE – AGM 28 APRIL 2018****EXECUTIVE MEMBERS**

John Coates AC  
Helen Brownlee OAM  
Ian Chesterman  
Matt Allen  
The Hon Mark Arbib  
Matthew Carroll AM  
Catherine Fettell  
Evelyn Halls  
Steven Hooker OAM  
Michael Murphy

**ATHLETES' COMMISSION**

Scott Kneller

**LIFE MEMBERS**

Doug Donoghue AM  
Kevan Gosper AO  
Geoffrey Henke AO

Peter Montgomery AM  
Michael Wenden AM MBE

**NATIONAL FEDERATIONS - SUMMER****AQUATICS**

Christian Renford – Water Polo

**ARCHERY**

Grant Cole  
Rick Hastie

**ATHLETICS**

Darren Gocher  
-

**BADMINTON**

Geraldine Brown  
Luke Poh Wong

**BASEBALL/SOFTBALL**

Fiona Crawford  
David Hynes

**BASKETBALL**

Ned Coten  
David Reid

**BOXING**

James Ferguson  
Johan Linde

**CANOE / KAYAK**

Phil Jones  
Andrea McQuitty

**CYCLING**

The Hon. Steve Bracks AC  
Steven Drake

**EQUESTRIAN**

Suzanne Doyle  
Judy Fasher

**FENCING**

Vince Elias  
Chris Nonis

**FOOTBALL**

Luke Casserly  
John Kent

**GOLF**

Brad James  
-

**GYMNASTICS**

Kerry Harris  
Sam McKay



**HANDBALL**

Helen Boyd  
Bronwyn Thompson

**JUDO**

Kate Corkery  
Alex Vallentine

**MODERN PENTATHLON**

John Fernon  
Melanie Zimmerman

**RUGBY**

Cameron Clyne  
Raelene Castle

**SHOOTING**

Andrew Sims  
Alan Smith

**SPORT CLIMBING**

Naomi Cleary  
Romain Thevenot

**TABLE TENNIS**

Michael Hartung  
Scott Houston

**TENNIS**

Wally Masur  
-

**VOLLEYBALL**

Andrew Dee  
Tracey Holmes

**WRESTLING**

John Saul  
-

**NATIONAL FEDERATIONS - WINTER****BIATHLON**

Grant Flanagan  
Ian Waller

**ICE HOCKEY**

Martin Jones  
Miranda Ransome

**HOCKEY**

Larry Maher  
Sandra Sully

**KARATE**

Michael Kassis  
Glen Scott

**ROWING**

Merrick Howes  
-

**SAILING**

Daniel Belcher  
Sarah Kenny

**SKATE**

Mark Brown  
Karen Doyle

**SURFING**

Layne Beachley AO  
Andrew Stark

**TAEKWONDO**

Raffaele Di Renzo  
The Hon Sandra Nori

**TRIATHLON**

Ben Houston  
Miles Stewart

**WEIGHTLIFTING**

Craig Wegert  
-

**CURLING**

-  
-

**LUGE**

-  
-

**SKATING (ICE RACING / ICE SKATING)**

Frank Anderson - Ice Racing  
Peter Lynch – Ice Skating

**SKI AND SNOWBOARD**

Dean Gosper  
Michael Kennedy

**SLIDING SPORTS**

Steve Craig

-

**NATIONAL FEDERATIONS – RECOGNISED****AIR SPORT**

Graham Hill

**DANCESPORT**

-

**ORIENTEERING**

-

**SURF LIFESAVING**

-

**UNDERWATER**

Susan Dockar

**BOCCE**

Raymond Cher

**NETBALL**

Cheryl McCormack

**SQUASH**

Richard Vaughn

**TENPIN BOWLING**

-

**WATERSKI AND WAKEBOARD**

Janice Thurgar

**STATE OLYMPIC COUNCILS****ACT OLYMPIC COUNCIL**

Louise Dobson OAM  
Marty Rabjohns

**QUEENSLAND OLYMPIC COUNCIL**

Natalie Cook OAM  
Andrew Trim

**TASMANIAN OLYMPIC COUNCIL**

Bethanie Kearney

-

**WA OLYMPIC COUNCIL**

Greg Kaeding  
Liane Tooth OAM

**NSW OLYMPIC COUNCIL**

James Edwards  
Amy Jones

**SA OLYMPIC COUNCIL**

Selena Bushell OLY

**VICTORIAN OLYMPIC COUNCIL**

David Wansbrough OAM  
Warwick Waters

**MEDICAL COMMISSION**

Peter Braun  
David Hughes

Peter Fricker  
Anik Shawdon

**OLYMPIANS CLUB OF AUSTRALIA**

Matt Hayes

Stuart O'Grady

**GUESTS**

Paul Batchelor, Order of Merit recipient  
Catherine Freeman OAM, Order of Merit recipient  
Geoff Lipshut, Order of Merit recipient

Angus Douglas, Order of Merit recipient  
Shane Gould AM MBE, Order of Merit recipient  
Jacquelin Magnay, Harry Gordon Award recipient

John Hewson, AOF Investment Advisory Committee

**OBSERVERS**

Margaret Blunden, Australian Ice Racing Inc  
Orieta Coates, Observer  
Susan Douglas, Order of Merit Observer  
Katarina Ann Hadi, Synchro Australia  
Michelene Hart, Order of Merit Observer  
Jess Hurford, Lagardère Sports  
Peter Kronborg, Australian Institute of Company Directors  
David Mandel, Squash Australia  
Damien Moston, Lagardère Sports  
James Murch, Order of Merit Observer  
Milton Nelms, Order of Merit Observer  
Kath Ogden, Order of Merit Observer  
Peter Raper, Lagardère Sports  
David Tarbotton, Observer  
Garry Wayling, Australian Olympic Foundation  
Lisa Zoomers, Queensland Olympic Council

**AOC STAFF**

Alecia Anderson  
Todd Day  
James Edwards  
Pamela Harris  
Meg Sissian  
Susan Vlahovich  
Annabelle Williams OAM

Monique Bains  
Julie Dunstan  
Strath Gordon  
Cian Moynihan  
Lisa Stephenson  
Amie Wallis

**AUDITORS – ERNST & YOUNG**

Danny Cunningham

Raghar Dharni



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**APOLOGIES FOR THE  
AOC ANNUAL GENERAL MEETING  
28 APRIL 2018**

James Tomkins, Executive Member / IOC Member

Craig Carracher, Executive Member

Kitty Chiller, Executive Member

Kimberley Brennan, Athletes' Commission

Cate Campbell, Athletes' Commission

Jamie Dwyer, Athletes' Commission

Jessica Fox, Athletes' Commission

Lydia Lassila, Athletes' Commission

Alana Quade, Athletes' Commission

Shelley Watts, Athlete's Commission

Kenneth Wallace, Athlete's Commission

Phil Coles, Life Member

John Devitt, Life Member

Ronald Harvey, Life Member

Sir Donald Trescowthick, Life Member

Travis Moran, South Australia Olympic Council

Anthony Edwards, Tasmanian Olympic Council

John Bertrand, Swimming Australia

Leigh Russell, Swimming Australia

Paul Brettell, Badminton Australia

Anthony Moore, Basketball Australia

John Mahon, Australian Biathlon Association  
Josh O'Brien, Boxing Australia  
Ted Tanner, Boxing Australia  
Caitlin Weaver, Australian Curling Federation  
Kim Forge, Australian Curling Federatoin  
Paula Ward, Equestrian Australia  
David Gallop, Football Federation Australia  
Steven Lowy, Football Federation Australia  
John Hopkins, Golf Australia  
Stephen Pitt, Golf Australia  
Mark Rendell, Gymnastics Australia  
Matthew Favier, Hockey Australia  
Melanie Woosnam, Hockey Australia  
Clive Connelly, Australian Ice Hockey Federation  
Hani Zahra, Australia Karate Federation  
Rob Scott, Rowing Australia  
John Lee, Australian Sailing  
John Gradisar, Australian Taekwondo  
Craig Tilley, Tennis Australia  
Jayne Hrlicka, Tennis Australia  
Ian Robson, Rowing Australia Incorporated  
Kaye Ortis, Wrestling Australia  
Adrian Di Piazza, Sliding Sports Australia Limited  
Frank Funari, Bocce Australia  
Stephen Edwards – Dancesport Australia  
Cara Honeychurch, Tenpin Bowling Australia Limited  
Leeza Wray, Australian Waterski and Wakeboard Federation

## Explanatory Memorandum

### A. Changes to the AOC Constitution

Clause	Proposed change	Explanation
7.4	<p>That clause 7.4 be rescinded and replaced with the following new clause:</p> <p style="color: red;"><del>7.4 — Life membership of the Committee may be conferred by the Executive upon any person who has rendered outstanding service to the Olympic Movement and sport</del></p> <p>7.4</p> <p>(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.</p> <p>(2) Life members comprise:</p> <p style="padding-left: 20px;">(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</p> <p style="padding-left: 20px;">(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.</p>	<p>In the history of the AOC and AOF, as it was known up to 1989, Life Membership has been conferred on only 25 persons who have been long-serving members of the AOC (AOF) Executive, and rendered outstanding service to the Olympic Movement and sport, query William Young as to term and excepting long-serving boxing delegate and Olympic Team official, Arthur Tunstall, who while rendering outstanding service to the Olympic Movement and sport, was not a member of the AOC (AOF) Executive.</p> <p>In addition to Arthur Tunstall there have been 11 Life Memberships conferred since 1990. Of these the IOC members Phillip Coles and Kevan Gosper served 37 and 36 years respectively on the AOC (AOF) Executive. Of the other nine, only one served less than 14 years (being for eight). The last five persons awarded Life Membership had each served in excess of 20 years when made a Life Member.</p> <p>By this amendment, the AOC Executive is proposing to:</p> <p style="padding-left: 20px;">(1) formalise and continue the tradition of Life Membership being reserved for those who have been long-serving members of the AOC Executive and rendered outstanding service to the Olympic Movement and sport; and</p> <p style="padding-left: 20px;">(2) prescribe, what is in effect a change to the practice of requiring 20 years of such service, in favour of the lesser 13 years.</p> <p>The AOC’s other award introduced in 1978 is the Order of Merit which the AOC Executive may confer on persons who have achieved remarkable merit in the sporting world either through personal achievement or contribution to the development of sport. They include great Olympians, coaches, sports medicine practitioners, other Olympic Team officials, Olympic fundraisers and philanthropists, broadcasters, an Olympian historian, politicians, members of Olympic Games Organising Committees, two Presidents of the IOC and the current Presidents of ANOC and ONOC. There have been a total of 83 recipients including seven in 2018.</p>

### B. Date of Amendment and Effective Date

The Amendment date and the Effective date is intended to be 28 April 2018.

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# AOC Constitution

28 April 2018

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**CONSTITUTION OF THE  
AUSTRALIAN OLYMPIC COMMITTEE INCORPORATED  
ABN 33 052 258 241 | Registered No. A0004778J**

**1. NAME**

Under the terms of the Olympic Charter in accordance with the provisions of the Associations Incorporation Act 1981, a non-profit association called the "Australian Olympic Committee Incorporated" will hereby be constituted.

**2. DEFINITIONS**

2.1 Unless the contrary intention appears from the context:

"Absolute majority"	of the Executive, means a majority of the Executive members currently holding office and entitled to vote at the time (as distinct from a majority of Executive members present at an Executive meeting).
"Act"	means the Associations Incorporation Reform Act 2012 of the State of C
"ANOC"	means the Association of National Olympic Committees recognised by the IOC.
"Body"	means an organisation admitted to membership of the Committee under clause 7 of the Constitution and the Athletes' Commission.
"CAS"	means the Court of Arbitration for Sport.
"Committee"	means the Australian Olympic Committee Incorporated, being the National Olympic Committee recognised by the IOC pursuant to the Olympic Charter.
"Constitution"	means this Constitution of the Australian Olympic Committee Incorporated.
"Delegate"	means (a) a person duly elected or appointed by a Body; (b) in the case of the Athletes' Commission, its Chair and Deputy Chair (c) in the case of the Olympians' Clubs, the person appointed by the Olympians' Club of Australia.

“Electronic Mail”	means facsimile or other means of electronic transmission of data approved from time to time by the Executive.
“Executive”	means the Executive elected in accordance with the Constitution.
“Financial Statements”	means the Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows and the Notes thereto.
“IOC”	means the International Olympic Committee.
“Independent Auditor”	means an auditor appointed by the Committee and who is eligible to be so appointed pursuant to the Act.
“International Federation”	means an international non-governmental organisation recognised as an international federation by the IOC pursuant to the Olympic Charter.
“Mail”	means post or electronic mail.
“Member”	means a Body, IOC members, if any, who are citizens of Australia, the members of the Executive (including the Chief Executive Officer) and Life Members.
“Member of an Australian Team”	means a competitor, team official or other team personnel recognised by the Committee as a person associated with Australia’s participation in the Olympic Games, Olympic Winter Games, Youth Olympic Games, Youth Olympic Winter Games and Regional Games.
“National Federation”	means an Australian organisation affiliated to an International Federation governing a sport included in the sports programme of the next Olympic Games or the next Olympic Winter Games.
“Notice”	means a notice, agenda or other document given to any Member under this Constitution.
“Olympic Charter”	means the codification of the Fundamental Principles of Olympism, Rules and By-Laws adopted by the IOC, as amended from time to time. It governs the organisation and operation of the Olympic Movement and sets forth the conditions for the celebration of the Olympic Games and the Olympic Winter Games.
“Olympic Games”	means the Olympic Games of an Olympiad convened by the IOC.
“Olympic Winter Games”	means the Olympic Winter Games convened by the IOC.
“Olympian”	means any athlete who attended as an Olympic Team member for any Olympic Games or Winter Olympic Games of the

	National Olympic Committee of any country affiliated to the IOC since the inception of the modern Olympic Games.
“Olympians’ Clubs”	means State or Territory organisations interested in and associated with Olympians and the Olympic Movement and recognised as such by the Executive.
“Olympians’ Club of Australia”	means the group constituted by one representative of each of the Olympians’ Clubs and any Australian citizen who is on the Board of the World Olympians Association whether elected or appointed to such a position.
“ONOC”	means the Oceania National Olympic Committees recognised by the IOC.
“Recognised Organisation”	means an Australian organisation affiliated to an International Federation governing a sport not included in the sports programme of the next Olympic Games or the next Olympic Winter Games.
“Regional Games”	means regional, continental or world multi-sports competitions patronised by the IOC.
“Secretary”	means a person resident in Australia appointed by the Executive to be the Secretary of the Committee in accordance with Section 72 of the Act.
“Special majority”	means a majority of not less than three-fourths of the members voting at a general meeting.
“State Organisations”	means State and Territory organisations namely: the Australian Capital Territory Olympic Council Incorporated; the New South Wales Olympic Council Incorporated; the Queensland Olympic Council Limited, the South Australian Olympic Council Incorporated, the Tasmanian Olympic Council Incorporated the Victorian Olympic Council Incorporated, and the Western Australian Olympic Council Incorporated.
“Voting person”	means a person entitled to vote at a general meeting of the Committee in accordance with clause 13.1 of the Constitution.

2.2 Words of the plural number include the singular and vice versa.

2.3 Words of the masculine sex include the feminine and vice versa. S/he means she or he, as applicable.

Where reference is made to a specific rule or By-Law of the Olympic Charter, such reference is to the version of the Olympic Charter as in force from 2 August 2015. Such references shall be deemed to refer to any Rule or By-Law that replaces or modifies them in any subsequent version of the Olympic Charter.

### **3. INTERPRETATION**

- 3.1 Where this Constitution is inconsistent with a rule, regulation or directive of the IOC, the latter will prevail, and this Constitution, to the extent of the inconsistency, will be invalid.
- 3.2 This Constitution is taken to constitute the terms of a contract between the Committee and its members.
- 3.3 Where this Constitution does not make provision for a matter as required by section 47(2) of the Act, the Model Rules prescribed by the regulations and available on the Consumer Affairs Victoria website [consumer.vic.gov.au](http://consumer.vic.gov.au), to the extent that they make provision for that matter, are taken to be included in this Constitution.
- 3.4 Any dispute as to the meaning of this Constitution must be referred to the Executive for determination.
- 3.5 Should a Member be dissatisfied as to the determination of the Executive under clause 3.4, the Member concerned:
- (1) may appeal to the CAS within 14 days of receiving written notification of the decision and may not institute any other form of appeal nor maintain proceedings in any other court or tribunal;
  - (2) surrenders any right it may have to commence proceedings in a court in relation to any such dispute or to file any appeal, review or recourse to any state court or other judicial authority from any arbitral award, decision or ruling issued by the CAS. In particular, and without restricting the generality of the foregoing and for further and better assurance notwithstanding that such provisions have no applicability, the Member or other person concerned will have no right of appeal under section 34 and 34A of the Commercial Arbitration Act of any of the Australian States or to apply for the determination of a question of law under section 27J of such Act; and
  - (3) pursuant to Article 192 of the Federal Code of Private International Law of Switzerland, will have no right to appeal to the Swiss Federal Supreme Court or any other canton court from any arbitral award, decision or ruling issued by the CAS and waives fully any and all actions for annulment in respect of such award, decision or ruling.
- 3.6 Any appeal pursuant to clause 3.5 will be conducted pursuant to the Code of Sports-Related Arbitration. The CAS will rule on its jurisdiction. The award and decision of the CAS will be final.

### **4. FUNDAMENTAL PRINCIPLES OF OLYMPISM (ADOPTED BY THE IOC AND CODIFIED IN THE OLYMPIC CHARTER)**

1. Olympism is a philosophy of life, exalting and combining in a balanced whole the qualities of body, will and mind. Blending sport with culture and education, Olympism seeks to create a way of life based on the joy of effort, the educational value of good example, social responsibility and respect for universal fundamental ethical principles.

2. The goal of Olympism is to place sport at the service of the harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of human dignity.
3. The Olympic Movement is the concerted, organised, universal and permanent action, carried out under the supreme authority of the IOC, of all individuals and entities who are inspired by the values of Olympism. It covers the five continents. It reaches its peak with the bringing together of the world's athletes at the great sports festival, the Olympic Games. Its symbol is five interlaced rings.
4. The practice of sport is a human right. Every individual must have the possibility of practising sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play.
5. Recognising that sport occurs within the framework of society, sports organisations within the Olympic Movement shall have the rights and obligations of autonomy, which include freely establishing and controlling the rules of sport, determining the structure and governance of their organisations, enjoying the right of elections free from any outside influence and the responsibility for ensuring that principles of good governance be applied.
6. The enjoyment of the rights and freedoms set forth in this Olympic Charter shall be secured without discrimination of any kind, such as race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.
7. Belonging to the Olympic Movement requires compliance with the Olympic Charter and recognition by the IOC.

## **5. HUMAN RIGHTS SECURED**

The enjoyment of the rights and freedoms set forth in this Constitution shall be secured without discrimination of any kind, such as race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.

## **6. OBJECTS**

The objects of the Committee are:

- 6.1 to develop, promote and protect the principles of Olympism and the Olympic Movement in Australia in accordance with the Olympic Charter and all regulations and directives issued by the IOC;
- 6.2 to promote, raise awareness of and encourage participation in sport for benefits of health, longevity, fitness, skill, achievement, social interaction, wellbeing and other benefits of exercise for all individuals in Australia;
- 6.3 in support of the above objects, to effect its exclusive authority for the representation and participation by Australia at the Olympic Games, Olympic Winter Games, Youth Olympic Games, Youth Olympic Winter Games and at Regional Games and do all matters incidental thereto, including the selection and discipline of all members of the

teams to represent Australia at those Games. The Committee is obliged to participate in the Olympic Games and Olympic Winter Games by sending athletes;

- 6.4 to promote the fundamental principles and values of Olympism in Australia, in particular, in the fields of sport and education, by promoting Olympic sporting and health, educational programmes in all levels of schools, sports and physical education institutions and universities, as well as by encouraging the creation of institutions dedicated to Olympic education, such as National Olympic Academies, Olympic Museums and other programmes, including cultural, related to the Olympic Movement;
- 6.5 to ensure the observance of the Olympic Charter in Australia;
- 6.6 to recognise the heritage, culture and contribution of our nation's first people, and to give practical support to the issue of indigenous reconciliation through sport;
- 6.7 to encourage the development of sport for all for the health, wellbeing and other benefits to all individuals in Australia, and in support and encouragement of those objects, the development of high performance sport as the pinnacle of the benefits of sporting participation;
- 6.8 to take action against any form of discrimination and violence in sport;
- 6.9 to adopt and implement the World Anti-Doping Code;
- 6.10 to encourage and support measures relating to the medical care and health of athletes;
- 6.11 to protect clean athletes and the integrity of sport by being a leading advocate in the fight against doping in Australia, and by taking action against all forms of manipulation of competition and related corruption;
- 6.12 to exercise its exclusive authority to select and designate the city or cities which may apply to organise Olympic Games in Australia;
- 6.13 in order to fulfil these objects, the Committee may cooperate with governmental bodies. The Committee shall not associate itself with any activity which would be in contradiction with the Olympic Charter. The Committee may also cooperate with non-governmental bodies;
- 6.14 to preserve its autonomy and resist all pressures of any kind, including but not limited to political, legal, religious or economic pressures which may prevent the Committee from complying with the Olympic Charter;
- 6.15 the Committee has the right to:
  - (1) designate, identify or refer to itself as the Australian Olympic Committee (AOC) which designation or identification must be included or referred to in its name;
  - (2) send competitors, team officials and other team personnel to the Olympic Games in compliance with the Olympic Charter;
  - (3) benefit from the assistance of Olympic Solidarity;

- (4) use certain Olympic properties as authorised by the IOC and in compliance with the Olympic Charter;
- (5) take part in activities led or patronised by the IOC, including Regional Games;
- (6) belong to ANOC and ONOC;
- (7) formulate proposals to the IOC concerning the Olympic Charter and the Olympic Movement, including the organisation of the Olympic Games;
- (8) give its opinions concerning the candidatures for the organisation of the Olympic Games;
- (9) participate, on request from the IOC, in the activities of the IOC commissions;
- (10) collaborate in the preparation of Olympic Congresses;
- (11) exercise other rights as granted to the Committee by the Olympic Charter or by the IOC; and

6.16 to do all such other acts and things incidental to the attainment of these objectives.

## **7. MEMBERSHIP**

7.1 Membership of the Committee is:

- (1) the Executive (including the Chief Executive Officer);
- (2) the members of the IOC, if any, who are citizens of Australia;
- (3) the National Federations;
- (4) the State Organisations;
- (5) the Athletes' Commission in accordance with clause 9;
- (6) the Recognised Organisations admitted to membership in accordance with clause 7.3;
- (7) Life Members; and
- (8) the Olympians' Clubs

7.2 A National Federation will, subject to clause 32, be submitted and remain a member of the Committee upon it:

- (1) being and continuing to be affiliated to an International Federation governing a sport included in the programme of the next Olympic Games or the next Olympic Winter Games; and
- (2) exercising and continuing to exercise real and specific sports activity; and

- (3) and continuing to conduct its activities in compliance with this Constitution, the Olympic Charter and the rules of its International Federation;

providing that only one National Federation for each sport included in the programme of the next Olympic Games or the next Olympic Winter Games will be admitted to membership.

- 7.3 The Committee may, at an annual general meeting, approve by special majority the admission of a new member other than a National Federation, provided that should such new member be:
- (1) a State Organisation, then the Executive has first approved its constitution pursuant to clause 10.6 hereof and provided that only one State Organisation for each State and Territory of Australia will be admitted to membership;
  - (2) a Recognised Organisation, then such admission may be for a specified period and provided that only one Recognised Organisation for each sport not included in the programme of the next Olympic Games or the next Olympic Winter Games will be admitted to membership.
  - (3) an Olympians' Club, then such admission will be upon such terms and conditions as are determined by the Committee and which are not inconsistent with this Constitution and provided further that:
    - (a) only one Olympians' Club for each State and Territory of Australia will be admitted to membership;
    - (b) the Executive has approved its constitution and which cannot be amended without the prior approval of the Executive; and
    - (c) each Olympians' Club will not be entitled to appoint a delegate to the Committee but rather will be represented by a person appointed by the Olympians' Club of Australia under clause 12.1(8).

7.4

~~Life membership of the Committee may be conferred by the Executive upon any person who has rendered outstanding service to the Olympic Movement and sport.~~

(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.



7.5 A Life Member:

- (1) will be a permanent member of the Committee without voting power;
- (2) who is elected as an office bearer or as a member of the Executive or appointed to a commission or committee by the Executive will be entitled to vote within the Executive or within that commission or committee whichever the case may be; and
- (3) being a member of the IOC, a member of the Executive or a Delegate of a National Federation will have the voting rights attached to such a position.

## **8. PATRONS**

The Committee will appoint:

- (1) a Patron-in-Chief, to fill which position the Governor-General of Australia for the time being will be invited to extend his patronage; and
- (2) a Patron, to fill which position the Prime Minister of Australia for the time being will be invited to extend his patronage.

## **9. ATHLETES' COMMISSION**

9.1 The Athletes' Commission will comprise:

- (1) eight members elected at each Olympic Games by the athletes who are members of the Australian Olympic Team competing at those Olympic Games;
- (2) two members elected at each Olympic Winter Games by the athletes who are members of the Australian Olympic Winter Team competing at those Olympic Winter Games;
- (3) up to two members who may be appointed at any time by the Executive;
- (4) any member of the IOC Athletes' Commission who is a citizen of Australia and who was nominated by the Committee to the IOC for election to such position; and
- (5) any member of the Athletes' Commission of ONOC who is a citizen of Australia and who was nominated by the Committee to ONOC for election to such position.

9.2 To be eligible for election or appointment to the Athletes' Commission a person must be:

- (1) at least 18 years of age and must not have been sanctioned for a doping offence during the person's sports career;
- (2) in the case of an elected member:
  - (a) nominated by an Athletes' Commission of a National Federation, provided the charter of the Athletes' Commission has been approved by the Committee; and
  - (b) a participant in the Olympic Games or an Olympic Winter Games during which the election is held or have participated at the previous Olympic Games or Olympic Winter Games;
- (3) in the case of an appointed member – a participant at either or both the previous two Olympic Games or the previous two Olympic Winter Games last staged before the appointment.

9.3 The persons elected at an:

- (1) Olympic Games must comprise not less than three males and not less than three females; and
- (2) Olympic Winter Games must comprise one of each sex;

and no more than one male and one female athlete from any one sport on the Olympic programme may be elected or appointed to the Athletes' Commission.

9.4 Election of members of the Athletes' Commission will be conducted according to the following procedure:

- (1) At or prior to the Opening Ceremony each nominated athlete will advise the Chef de Mission of the Australian Olympic Team or Australian Olympic Winter Team (as the case may be) whether the athlete is willing to be a candidate for election to the Athletes' Commission;
- (2) The Chef de Mission will cause the names of each such candidate to be recorded on a voting form and distributed to each Team member who is an athlete. Only Team members who are athletes may vote;
- (3) Each voter will place a mark on the list of candidates next to the names of the candidates whom the voter wishes to be elected. Each such mark will count as one vote for the candidate concerned. Should any voter vote for more than the number of candidates to be elected, then the voting paper and the votes recorded thereon will be void;
- (4) Voting by proxy or by correspondence is not permitted;
- (5) Voting must occur over at least three days and will close no later than the day before the Closing Ceremony. Voting will take place in the Olympic Village

and at such other locations as the Chef de Mission considers appropriate;

- (6) Subject to the requirements concerning the sex of members of the Athletes' Commission, the relevant number of highest polling candidates will be deemed to be elected to the Athletes' Commission. In the event of a tie, preference will be given to the youngest candidate; and
  - (7) The Chef de Mission will announce the results of the election prior to the Closing Ceremony.
- 9.5 Subject to clause 24.4, each person elected at an Olympic Games will hold office from the commencement of the day after the Closing Ceremony of the Olympic Games at which election occurs and will cease to hold office at the conclusion of the day of the Closing Ceremony of the next succeeding Olympic Games.
- 9.6 Subject to clause 24.4, each person elected at an Olympic Winter Games will hold office from the commencement of the day after the Closing Ceremony of the Olympic Winter Games at which election occurs and will cease to hold office at the conclusion of the day of the Closing Ceremony of the next succeeding Olympic Winter Games.
- 9.7 Subject to clause 24.4, each person appointed pursuant to clause 9.1(3) will hold office for a period of four years from the date of their appointment and any person holding office pursuant to
  - (1) clause 9.1(4) will hold office whilst and for so long as the person is a member of the IOC Athletes' Commission; and
  - (2) clause 9.1(5) will hold office whilst and so long as the person is a member of the Athletes' Commission of ONOC.
- 9.8 Within two months of the Closing Ceremony of the Olympic Games and within two months of the Closing Ceremony of the Olympic Winter Games (or by the next AOC Executive meeting, whichever is the earlier), the Athletes' Commission will meet and at that meeting elect their Chair and Deputy Chair who will each hold office until the next ensuing election according to this clause.
- 9.9 Persons of different sex must hold the positions of Chair and Deputy Chair of the Athletes' Commission.
- 9.10 In the event of any vacancy occurring on the Athletes' Commission through death, removal or resignation, the following procedures will apply:
  - (1) The person eligible for appointment under clause 9.2 who received the next highest number of votes in the ballots at the election conducted according to clause 9.4 procedures and, subject to the conditions set out in clause 9.3, will be automatically appointed for the balance of the term of the member the person replaces.
  - (2) If two or more persons received the next highest number of votes in the ballots at the relevant election, then the preference will be given to the youngest candidate.
  - (3) If the person appointed to fill that vacancy is unable or unwilling to take up office then a replacement will be appointed according to the procedures set

out in clauses 9.10(1) and 9.10(2) until the vacancy is filled.

- (4) If there are no eligible candidates to fill the vacancy, then the remaining members of the Athletes' Commission will appoint a person to fill the vacancy provided the person appointed fulfils the eligibility criteria set out in clauses 9.2 and 9.3.

9.11 The Athletes' Commission will advise the Executive on all matters relating to athletes within the Olympic Movement provided that matters specific to a sport will be addressed between the National Federation of that sport and its Athletes' Commission (if any). For this purpose the Athletes' Commission will meet at least twice a year with the prior approval of the Chief Executive Officer and at the expense of the Committee and for such meetings a quorum will consist of six persons.

9.12 The members of the Athletes' Commission must:

- (1) act solely in the best interests of the Committee 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 position

so as to gain an advantage for themselves or any other person or to cause detriment to the Committee.

9.13 At meetings of the Athletes' Commission, any member of the Athletes' 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.

9.14 Clause 9.13 of this Constitution does not apply to a material personal interest that exists only because the Athletes' Commission member is a member of the Athletes' Commission.

## **10. STATE ORGANISATIONS**

10.1 Each State Organisation is subject to the control and direction of the Committee as the National Olympic Committee for Australia.

10.2 It is the responsibility of each State Organisation to:

- (1) Assist the Committee in raising funds for Australian athletes to prepare for

- and participate in Olympic Games;
- (2) Assist the Olympians' Clubs by providing administrative and personnel support;
  - (3) Promote Olympism in each State;
  - (4) Liaise with State Governments, Departments and Institutes of Sport; and
  - (5) Provide Olympic educational material when required.
- 10.3 State Organisations may only raise funds on behalf of the Committee and subject to the Committee's control and direction at all times. In so raising funds the State Organisations must provide to the Chief Executive Officer precise details of such fundraising activities including timing, financial arrangements, proposed budgets, artwork, prizes, publicity and general plans of operation.
- 10.4 Each State Organisations may, with the prior knowledge and approval of the Executive, retain:
- (1) monies granted to such Body by its State or Territory Government where such grant(s) are for the purpose of assisting in the administration of the State Organisation or for the purpose of assisting sport in its State or Territory; and
  - (2) monies from fundraising conducted by the State Organisation in order to assist in the administration of the State Organisation.
- 10.5 Each State Organisation will provide to the Chief Executive Officer on or before 30 April each year audited Financial Statements, in respect of all its financial activities.
- 10.6
- (1) The constitution of each State Organisation is subject to approval by the Executive.
  - (2) Constitutions so approved may subsequently be amended by the State Organisation concerned, providing that such amendments are submitted to the Executive within 21 days of the meeting at which such amendments are adopted by the State Organisation.
  - (3) It will be the duty of the Executive to approve, without delay, such constitution and subsequent amendments to the constitution as may be submitted by the State Organisation provided that the said constitution and amendments as referred to comply in every respect with the provisions of this Constitution, or of the By-Laws made hereunder.
  - (4) Any such constitution or subsequent amendments to the constitution as submitted by the State Organisations, and not approved by the Executive, will be declared invalid by the Executive and the State Organisation notified accordingly.
  - (5) Upon receipt of such notification the State Organisation concerned will forthwith cease to administer its affairs in accordance with the provisions of the said constitution or amendments thereto, as declared invalid by the Executive.

- (6) The Executive will have power to issue interim approval of any constitution or subsequent amendments thereto, as submitted by the State Organisations, subject to amendment or further amendment, as the case may be, by the State Organisation at the direction of the Executive.
- (7) Where such interim approval is issued, the State Organisation concerned will be given a specific period in which to effect such amendments. Should the amendments not be effected within the time specified, then the constitutional amendments will be declared invalid by the Executive.

~~10.6~~10.7 Where the constitution of a State Organisation is inconsistent with this Constitution, the latter will prevail and the constitution of the State Organisations, to the extent of the inconsistency, will be invalid.

## **11. POWERS**

Subject to the Constitution, the Committee has the full power, jurisdiction and authority to do all things necessary to carry out the business, the affairs and the objects of the Committee.

## **12. GENERAL MEETINGS**

- 12.1 the Committee in general meeting will comprise:
  - (1) the Executive;
  - (2) the members of the IOC, if any, who are citizens of Australia
  - (3) National Federations each represented by two Delegates;
  - (4) State Organisations each represented by two Delegates;
  - (5) the Athletes' Commission represented by its Chair and Deputy Chair;
  - (6) Recognised Organisations admitted to membership in accordance with clause 7.3, each represented by one Delegate;
  - (7) Life Members of the Committee; and
  - (8) the Olympians' Club of Australia represented by one person appointed by the Olympians' Club of Australia.
- 12.2 Each Delegate cannot represent more than one organisation within the Committee.
- 12.3 The Committee will meet at least once a year, provided that the Executive will convene the annual general meeting before 31 May each year.
- 12.4 Additional meetings of the Committee will be summoned by the Secretary when so directed by the Executive or upon a written request of not less than ten National Federations.

12.5 The business of the annual general meeting will include:

- (1) in the annual general meeting convened in a year following an Olympic Games, the election of the office bearers and the remaining members of the Executive excluding the Chief Executive Officer;
- (2) in all annual general meetings other than those convened in a year following an Olympic Games, the election of any person to replace a casual vacancy in the position of office bearer or member of the Executive pursuant to clauses 24.1. and 24.2 hereof;
- (3) in all annual general meetings:
  - (a) the confirmation of the minutes of the preceding annual general meeting and of any general meeting held since that meeting;
  - (b) the presentation by the Chief Executive Officer of the Annual Report, the Financial Statements of the Committee and the Independent Auditor's report thereon which documents will be circulated with the agenda;
  - (c) the appointment of the Independent Auditor if there is a vacancy in the office of auditor of the Committee;
  - (d) the election of any new member/s pursuant to clause 7.3.

12.6 A quorum will consist of one-third of the National Federations represented by at least one Delegate each.

If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present:

- (1) in the case of a meeting convened upon the request of National Federations pursuant to clause 12.4, the meeting must be dissolved; and
- (2) in any other case, the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chair at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place.

If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Members present shall be a quorum.

12.7 A notice of a general meeting will be given at least 60 days prior to that meeting to each Member.

12.8 Should any Member desire to have any matter included in the agenda of a meeting, the Member will give written notice thereof to the Secretary not less than 30 days

prior to the meeting.

- 12.9 The agenda for a meeting will be provided to each Member by the Secretary, in accordance with clause 38, at least 21 days prior to the meeting.
- 12.10 Notwithstanding the provisions of clause 12.9 hereof, the Executive may, in its absolute discretion and at any time, include additional items on the agenda of a meeting where it is of the opinion that such additional items warrant inclusion.
- 12.11 A visitor, defined as any person other than a person indicated in clause 12.1, may, at the absolute discretion of the President, attend a meeting of the Committee but will not take part in the proceedings unless by a direct invitation of the President nor have a vote.
- 12.12 If the Executive does not cause a notice of a general meeting to be given under clause 12.7 within 14 days after the date on which the Secretary is sent a request under clause 12.4, the National Federations making the request, or any of them, may convene a general meeting to be held no later than 84 days after that date.
- 12.13 If a general meeting is convened by National Federations in accordance with clause 12.12, it must be convened in the same manner so far as possible as a meeting convened by the Executive and all reasonable expenses incurred in convening the general meeting must be reimbursed by the Committee to the National Federations incurring the expenses.

### **13. VOTING**

- 13.1 Each Delegate of the National Federations, members of the Executive, the Chair and Deputy Chair of the Athletes' Commission and the members of the IOC, if any, who are citizens of Australia will be entitled to one vote on every motion or amendment thereof.
- 13.2 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.
- 13.3 The Chair of the meeting will have a casting vote in addition to the Chair's deliberative vote.
- 13.4 Each vote will be given personally.
- 13.5 If a question arising at a general meeting of the Committee is determined on a show of hands:
  - (1) a declaration by the Chair that a resolution has been:
    - (a) carried whether or not by a particular majority or unanimously; or
    - (b) lost; and



- (2) an entry to that effect in the minute book of the Committee;

is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

## **14. PROXIES**

In the event of a Delegate being unable to attend a meeting of the Committee, a proxy Delegate may be appointed in writing, electronic mail or any other technology 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 will be tendered at the time of the commencement of the meeting.

## **15. TECHNOLOGY**

- 15.1 The Committee may hold its general meetings by using any technology that allows members to clearly and simultaneously communicate with each other participating member.
- 15.2 A member of the Committee who participates in a general meeting in a manner permitted under Clause 15.1 is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

## **16. THE EXECUTIVE**

- 16.1 Each member of the Executive will not represent any particular body or sport and will represent the Olympic Movement at large.
- 16.2 The Executive of the Committee will be:
  - (1) the President;
  - (2) two Vice-Presidents;
  - (3) the members of the IOC who are citizens of Australia and elected to the IOC pursuant to paragraphs 2.2.2 and 2.2.5 of the By-Law to Rule 16 of the Olympic Charter;
  - (4) the Chief Executive Officer who will be appointed by the Executive and be a voting member;
  - (5) seven Members elected from those nominated by the National Federations, which election will be at the annual general meeting of the Committee first convened after an Olympic Games;
  - (6) the Chair of the Athletes' Commission and the Deputy Chair of the Athletes' Commission, provided that if there is a member of the IOC who is a citizen of

Australia and elected to the IOC pursuant to paragraph 2.2.2 of the By-Law to Rule 16 of the Olympic Charter, then the Chair of the Athletes' Commission will be the sole ex officio member of the Executive from the Athletes' Commission provided further that if the Chair is such an IOC member, then the sole ex officio member of the Athletes' Commission on the Executive will be the Deputy Chair. Any officer of the Athletes' Commission who is ex officio a member of the Executive may appoint another member of the Athletes' Commission who is not otherwise a member of the Executive to act as the member's alternate to attend meetings of the Executive and vote thereat in the event that the appointor is unable to act personally by reason of sport commitments, illness, absence or other cause.

- 16.3 The President, Vice-Presidents and those members of the Executive elected pursuant to clause 16.2(5) will hold office until the conclusion of the annual general meeting first convened after the Olympic Games next succeeding their election. All other members of the Executive will hold office whilst and for so long as they satisfy the conditions attaching to their appointment.
- 16.4 Each National Federation will be entitled to nominate one person for election as an Executive member in accordance with sub-clause 16.2(5). Such nominations will be signed by the person nominated and will be made in writing to the Secretary not less than 30 days prior to the date of the annual general meeting. The Secretary will cause such nominations to be included in the agenda of the annual general meeting in question. In the event that the number of nominations for the respective positions as Executive members does not exceed the number of vacancies, then the candidates will be declared elected. In the event that the number of candidates exceeds the number of positions available then such candidates will be elected in accordance with the method of voting described in the next succeeding clause.
- 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 therefor, for that election only, such other method of voting that may unanimously be agreed upon.
- 16.6 (1) The Executive will meet as often as is necessary to conduct its business but at least four times in each year. A meeting of the Executive will be convened by the Secretary upon request by the President or when three members of the Executive consider it necessary.
- (2) The quorum at a meeting of the Executive will be eight persons.
- (3) An Executive member who is not physically present at an Executive meeting may participate in the meeting by the use of technology that allows the Executive member and the Executive members present at the meeting to clearly and simultaneously communicate with each other.
- (4) An Executive member participating in an Executive meeting as permitted under clause 16.6(3) is to be taken as present at the meeting and, if the Executive member votes at the meeting, is taken to have voted in person.
- 16.7 As soon as practicable after being elected or appointed to the Executive, each Executive member must become familiar with this Constitution and the Act.
- 16.8 The Executive is collectively responsible for ensuring that the Committee complies with the Act and that members of the Committee comply with this Constitution.

- 16.9 Executive members must exercise their powers and discharge their duties with reasonable care and diligence.
- 16.10 Executive members must exercise their powers and discharge their duties:
- (a) in good faith in the best interests of the Committee; and
  - (b) for a proper purpose.
- 16.11 Executive members and former Executive members must not make improper use of
- (a) their position; or
  - (b) information acquired by virtue of holding their position
- so as to gain an advantage for themselves or any other person or to cause detriment to the Committee.
- 16.12 In addition to any duties imposed by this Constitution, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.
- 16.13 The Executive will be indemnified from the funds of the Committee in respect of any liability that they collectively or individually may incur as a result of any decision taken or act made in accordance with their powers pursuant to this Constitution.
- 16.14 For the purposes of this Constitution, the office of a member of the Executive becomes vacant if the member:
- (1) dies;
  - (2) resigns the office in writing addressed to the Secretary;
  - (3) is removed from office pursuant to clauses 24.3 or 24.4; or
  - (4) becomes of unsound mind or a person whose estate is liable to be dealt with in any way under the laws relating to mental health.

## 17.

- 17.1 On any question arising at an Executive meeting, each Executive member present at the meeting has one vote.
- 17.2 A motion is carried if a majority of Executive members present at the meeting vote in favour of the motion.
- 17.3 Clause 17.2 does not apply to any motion or question which is required by this Constitution to be passed by an absolute majority of the Executive.
- 17.4 If votes are divided equally on a question, the Chair of the meeting has a second or

casting vote.

17.5 Voting by proxy is not permitted.

## **18.**

18.1 An Executive member who has a material personal interest in a matter being considered at an Executive meeting must disclose the nature and extent of that interest to the Executive.

18.2 The Executive member:

- (1) must not be present while the matter is being considered at the meeting; and
- (2) must not vote on the matter.

18.3 Clauses 18.1 and 18.2 do not apply to a material personal interest that exists only because the Executive member is a member of the IOC or Chair or Deputy Chair of the Athletes' Commission.

## **19.**

19.1 The Executive must ensure that minutes are taken and kept of each Executive meeting.

19.2 The minutes must record the following:

- (1) the names of the members in attendance at the meeting;
- (2) the business considered at the meeting;
- (3) any resolution on which a vote is taken and the result of the vote; and
- (4) any material personal interest disclosed under Clause 18.

## **20.**

20.1 Every Executive member and Secretary must keep the transactions, whether complete or incomplete; financial affairs and state of accounts; and, information which is confidential or generated for internal management purposes of the Committee confidential unless required to disclose them:

- (1) in the course of duties as an officer of the Committee;
- (2) by the Executive or the Committee in general meeting; or
- (3) by law.

- 20.2 The Executive may require an Executive member, Secretary, auditor, trustee committee or commission member or other person engaged by the Committee to sign a confidentiality undertaking consistent with this Constitution. An Executive member or Secretary must do so if required by the Executive.

## **21.**

- 21.1 The Executive may grant an Executive member leave of absence from Executive meetings for a period not exceeding three months.
- 21.2 The Executive must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the Executive member to seek the leave in advance.

## **22. POWER OF EXECUTIVE**

- 22.1 Subject to this Constitution, the power, management and control of the Committee and any duties not attributed by the Olympic Charter or the Act to the Committee in general meeting will be vested in and reside in the Executive, provided that:
- (1) Any action taken by virtue of this clause will be recorded in the Minutes of the Executive, and
  - (2) A summary of all major, non-confidential decisions made by the Executive between meetings of the Committee will be circulated, in accordance with clause 38, to all National Federations and State Organisations within 30 days after the meeting at which the decisions were made.
- 22.2 The Executive may make such By-Laws as are necessary and convenient to give effect to this Constitution and the proper conduct of Members and persons associated with the Olympic Movement in Australia, provided however that where any of such By-Laws are inconsistent with this Constitution then to the extent of such inconsistency this Constitution will prevail. As a condition of membership, all Members are bound to observe and comply with all By-Laws made by the Executive.

## **23. OFFICE BEARERS**

- 23.1 The office bearers will be the President and two Vice-Presidents who will be elected at the annual general meeting first held after an Olympic Games and hold office until the conclusion of the annual general meeting first convened after the Olympic Games next succeeding their election.
- 23.2 Nominations for any position as an office bearer may be made by any National Federation or State Organisation and will be submitted in writing to the Secretary not less than 30 days prior to the annual general meeting.
- 23.3 In the event that:

- (1) There is more than one candidate for the position as President, then such a position will be decided by an exhaustive ballot.
- (2) The number of candidates for the positions as Vice-Presidents exceeds two, then such positions will be decided by separate exhaustive ballots.

All of such exhaustive ballots will be in accordance with the rules described in clause 16.5 hereof as if the same were herein set out in full.

## **24. CASUAL VACANCIES**

- 24.1 In the event of any vacancy occurring in any of the positions of office bearer, the Executive will elect from amongst its members a replacement, which replacement will hold office until the conclusion of the next annual general meeting of the Committee. At that next annual general meeting the Committee will elect a replacement office bearer who will hold office for the balance of the term of the original office bearer s/he replaces. Any member of the Executive appointed by the Executive pursuant to this clause will be eligible for election by the Committee.
- 24.2 In the event of any vacancy occurring in respect of any of the members of the Executive, other than the office bearers and the Chief Executive Officer, the Executive will request from the National Federations their nominations of such replacement.  
  
Such nominations will be made within 30 days of the date of posting the invitation and the Executive will elect from such nominations the member who will hold office until the conclusion of the next annual general meeting of the Committee. At that next annual general meeting the Committee will elect a replacement member of the Executive who will hold office for the balance of the term of the original member of the Executive s/he replaces. Any person elected by the Executive pursuant to this clause will be eligible for election by the Committee.
- 24.3 An office bearer or any other member of the Executive or any person representing the Committee on any other body may be removed from office by a vote of a special majority at a general meeting of which due notice has been given.
- 24.4 Any person found to have committed a Doping Offence or an Anti-Doping Rule Violation contrary to the Anti-Doping By-Law is ineligible to hold any position on the AOC, whether as an office bearer or as a member of the Executive, any Commission or Committee or otherwise whilst subject to sanction for that doping offence.

## **25. PRESIDENT**

The President will represent the Committee and will chair each meeting of the Committee and the Executive.

## **26. TWO VICE-PRESIDENTS**

- 26.1 The two Vice-Presidents will carry out the functions of President in the latter's

absence or under delegation by the President.

- 26.2 Should the two Vice-Presidents be unable or unwilling so to act, in the absence of the President, at a meeting of the Committee or the Executive, then the meeting will elect from amongst the persons present a Chair of that Meeting.

## **27. CHIEF EXECUTIVE OFFICER**

- 27.1 The Executive may appoint a Chief Executive Officer to hold office for the period determined at the time of appointment (but not for life) or without specifying a term and to hold the position of voting Executive member.
- 27.2 The Executive, excluding the Chief Executive Officer, may, subject to the terms of any employment contract between the Chief Executive Officer and the Committee, at any time remove or dismiss the Chief Executive Officer, in which event the appointment as voting Executive member will automatically cease.
- 27.3 The Executive, excluding the Chief Executive Officer, may:
- (1) confer on the Chief Executive Officer such of the powers exercisable by them, on such terms and conditions and with such restrictions as they think fit; and
  - (2) withdraw or vary any of those powers conferred on the Chief Executive Officer.

## **28. SECRETARY**

- 28.1 The Secretary may hold any other office in the Committee.
- 28.2 The Secretary must:-
- (1) perform any duty or function required under the Act or by this Constitution to be performed by the Secretary of an Incorporated Association.
  - (2) maintain the register of members in accordance with clause 30.
  - (3) keep custody of the common seal in accordance with clause 37.
  - (4) keep custody of all financial records, books, documents and securities of the Committee for at least seven years after transactions covered by the records were completed.
  - (5) keep custody of the Financial Statements submitted to an annual general meeting of the Committee for at least seven years after the date of the annual general meeting.
  - (6) subject to the Act and this Constitution, provide members with access to the



register of members, the minutes of general meetings and other books and documents.

- (7) give to the Registrar notice of the Secretary's appointment within 14 days after the appointment.

28.3 The position of Secretary may become vacant due to:

- (1) resignation in writing to the Executive;
- (2) retirement;
- (3) death;
- (4) ceasing to be resident in Australia; or
- (5) a direction of the Executive, including without limitation, termination.

28.4 Should the position of Secretary become vacant the Executive must appoint a Secretary within 14 days of the vacancy arising.

## **29. COMMISSIONS & COMMITTEES**

29.1 The Executive may appoint commissions and committees, not necessarily out of their number, and delegate to any such commission or committee or to a member of the Executive any of its powers, responsibilities and functions, other than:

- (1) this power of delegation; or
- (2) a duty imposed on the Committee by the Act or any other law.

29.2 The delegation may be set out in a Charter adopted by the Executive for the commission or committee or otherwise be in writing and may be subject to such conditions and limitations the Executive considers appropriate.

29.3 The Executive may, in writing, revoke a delegation including a Charter for a commission or committee, wholly or in part.

## **30. REGISTER OF MEMBERS**

30.1 The Secretary will keep and maintain the register of Members in which will be entered the full name, address and date of entry of the name of each Member and the register will be available for inspection by Members at the address of the Secretary.

30.2 Copies of the minutes of the meetings at which elections or replacement of Members have taken place, certified as true copies by the President and Chief Executive Officer, will be sent to the IOC.

## 31. ORDER OF MERIT

An Award to be known as Order of Merit may be conferred upon any person who, in the opinion of the Executive, has achieved remarkable merit in the sporting world, either through personal achievement or contribution to the development of sport.

## 32. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS AND INDIVIDUALS

32.1 Where:

- (1) a National Federation ceases to satisfy the requirements of clause 7.2; or
- (2) a Recognised Organisation (if a Member):
  - (a) ceases to be affiliated to an International Federation; or
  - (b) is removed from membership by a vote of a special majority at a general meeting of which due notice has been given; or
- (3) the International Federation to which such a National Federation or Recognised Organisation is affiliated ceases to be recognised by the IOC;

then such Bodies will automatically cease to be a member of the Committee from the happening of such events.

32.2 Where a Member breaches this Constitution or any By-Law made pursuant to clause 22.2, then such Member will be liable to suspension from membership of the Committee or such other sanction (including a fine) as the Executive in its absolute discretion determines and will also be liable to expulsion from membership of the Committee by a special majority at a general meeting.

32.3 Where a person (whether or not a Member):

- (1) is found by the Executive to have:
  - (a) breached this Constitution or any By-Law made pursuant to clause 22.2;
  - (b) breached any agreement between that person and the Committee; or
  - (c) neglected or knowingly jeopardised the interests of the Committee or acted in a way which is unworthy of the Committee;

or

- (2) in the case of a member of the IOC, is found by the IOC to have neglected or knowingly jeopardised the interests of the IOC or acted in a way which is unworthy of the IOC;

the Executive may in its absolute discretion determine that the person is ineligible for membership of or selection in any Australian Olympic Team, Australian Olympic Winter Team or any other team selected by the Committee or to receive funding from or to hold any position on the AOC for such period as the Executive in its absolute discretion determines.

- 32.4 A Member or other person dissatisfied of a decision made in relation to it under clauses 32.2 or 32.3:
- (1) may appeal to the CAS within 14 days of receiving written notification of the decision and may not institute any other form of appeal nor maintain proceedings in any other court or tribunal;
  - (2) surrenders any right they may have to commence proceedings in a court in relation to any such dispute or to file any appeal, review or recourse to any state court or other judicial authority from any arbitral award, decision or ruling issued by the CAS. In particular, and without restricting the generality of the foregoing and for further and better assurance notwithstanding that such provisions have no applicability, the Member or other person concerned will have no right of appeal under Sections 34 and 34A of the Commercial Arbitration Act of any Australian States or to apply for the determination of a question of law under Section 27J of such Act; and
  - (3) pursuant to Article 192 of the Federal Code of Private International Law of Switzerland, will have no right to appeal to the Swiss Federal Supreme Court or any other canton court from any arbitral award, decision or ruling issued by the CAS and waives fully any and all actions for annulment in respect of such award, decision or ruling.
- 32.5 The sole grounds of appeal against a decision of the Committee under clause 32.4 are that the decision was affected by actual bias or is obviously or self-evidently so unreasonable or perverse that it can be said to be irrational.
- 32.6 Any appeal pursuant to clause 32.4 will be heard by the Appeals Arbitration Division of the CAS and conducted pursuant to the Code of Sports-Related Arbitration. The CAS will rule on its jurisdiction and has exclusive power to order provisional and conservatory measures. The award and decision of the CAS will be final.
- 32.7 A Member may resign as a member of the Committee by giving 30 days written notice thereof to the Secretary, provided that such resignation will not affect the rights and duties of the Member up to and including the date of resignation.

### **33. GRIEVANCE PROCEDURE**

#### **33.1 Notice of Dispute**

- (1) Any Member may give written notice to the Chief Executive Officer of a dispute under this Constitution (not being a disciplinary matter within the meaning of clause 32) between:

- (a) a Member and another Member; or
- (b) a Member or Members and the Committee.

- (2) The Chief Executive Officer will, as soon as practicable, but within seven days, forward written details of the dispute to the President and all parties to the dispute, requiring the parties to meet to discuss and attempt to resolve the dispute in good faith, within 14 days of the notice of dispute being forwarded to all parties or such other time as the parties agree.

### 33.2 Dispute referred to mediation

If the parties are unable to resolve the dispute at the meeting referred to in clause 33.1(2), or if any party fails to attend that meeting, or the meeting does not occur, then, unless all parties agree to continue attempts to resolve the dispute in good faith, the parties shall proceed to mediate the dispute in accordance with the CAS Mediation Rules provided that the mediation must be completed within 30 days of the appointment of the mediator.

For the purposes of this clause, the "CAS Mediation Rules" means the mediation rules adopted from time to time by the International Council of Arbitration for Sport pursuant to the Code of Sports-related Arbitration.

### 33.3 If the dispute referred to mediation in accordance with clause 33.2 is not resolved, a party to the dispute

- (1) may apply to the CAS within 28 days of receiving written details of the dispute pursuant to clause 33.1(2) and may not institute any other form of application, appeal nor maintain proceedings in any other court or tribunal;
- (2) surrenders any right it may have to commence proceedings in a court in relation to any such dispute or to file any appeal, review or recourse to any state court or other judicial authority from any arbitral award, decision or ruling issued by the CAS. In particular, and without restricting the generality of the foregoing and for further and better assurance notwithstanding that such provisions have no applicability, the Member or other person concerned will have no right of appeal under Sections 34 and 34A of the Commercial Arbitration Act of any of the Australian states or to apply for the determination of a question of law under Section 27J of such Act; and
- (3) pursuant to Article 192 of the Federal Code of Private International Law of Switzerland, will have no right to appeal to the Swiss Federal Supreme Court or any other canton court from any arbitral award, decision or ruling issued by the Court of Arbitration for Sport and waives fully any and all actions for annulment in respect of such award, decision or ruling.

### 33.4 Any application pursuant to clause 33.3 will be heard by the Ordinary Division of the CAS and be conducted pursuant to the Code of Sports-Related Arbitration. The CAS will rule on its jurisdiction and has exclusive power to order provisional and conservatory measures. The award and decision of the CAS will be final.

## **34. AMENDMENT TO THE CONSTITUTION**

- 34.1 An addition or amendment to or rescission, wholly or in part of, of this Constitution may be made at a general meeting by resolution:
- (1) of which 30 days' notice in writing has been given to the Secretary;
  - (2) of which a copy of such notice has been forwarded to each voting Member and to each Delegate of a voting Body at least 21 days before the general meeting; and
  - (3) which has been passed by a vote of a special majority at a general meeting.
- 34.2 Amendments to the Constitution, certified as true copies by the President and the Chief Executive Officer, will be submitted to the IOC with a request for approval.

## **35. FUNDS**

- 35.1 The funds of the Committee will be derived from sponsorship, licensing, advertising, donations, fundraising activities, grants, interest and any other sources approved by the Executive.
- 35.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments will be signed by any two of the Executive or officers of the Committee authorised so to do by the Executive.

## **36. FINANCE**

- 36.1 The financial year of the Committee will commence on the first day of January and end on the thirty-first day of December in each calendar year.
- 36.2 There will be no annual subscription or fee payable by any member of the Committee.
- 36.3 The Executive must cause the Committee to:
- (1) open an account with a financial institution from which all expenditure of the Committee is made and into which all of the Committee's revenue is deposited.
  - (2) keep written financial records that:
    - (a) correctly record and explain its transactions (including transactions undertaken as trustee), financial position and performance; and
    - (b) enable true and fair financial statements to be prepared and audited, and must allow a member of the Executive and the auditor to inspect

those records at all reasonable times.

(3) prepare Financial Statements of the Committee and a Directors' Report in accordance with the Act.

36.4 The Financial Statements of the Committee will be presented by the Chief Executive Officer to the annual general meeting of the Committee and circulated to all Members.

36.5 The Executive will appoint an Audit and Risk Committee.

36.6 The Executive must cause Financial Statements of the Committee to be audited at least once in each financial year by the Independent Auditor and who will have the right to report on such findings at any meeting of the Committee.

36.7 The Independent Auditor will be appointed by the Committee at an annual general meeting and will hold office until removal or resignation. The Independent Auditor may only be removed by the Committee pursuant to the procedure described in section 329 of the Corporations Act 2001 (other than in respect of notification to the Australian Securities and Investments Commission and the requirement of the Australian Securities and Investments Commission to consent to the Independent Auditor's resignation or its power to make orders).

36.8 In the event that there is a vacancy in the office of Independent Auditor between annual general meetings, the Executive will appoint an Independent Auditor to hold office until the conclusion of the next annual general meeting.

36.9 The Executive will cause the Financial Statements of the Committee, the Independent Auditor's report thereon and the Annual Report to be posted on the website of the Committee.

### **37. SEAL**

37.1 The common seal of the Committee will be kept in the custody of the Secretary;

37.2 The common seal will not be affixed to any instrument except by the authority of the Executive and the affixing of the common seal will be attested by the signatures either of two members of the Executive or of one member of the Executive and of the Secretary;

37.3 The Secretary will record the use of the common seal in the minutes of the Executive and the seal register of the Committee.

### **38. NOTICE**

38.1 Notice may be given by the Committee to any Member either by serving it personally or by sending it by post, electronic mail or any other technology at the address shown in the register of Members or the address supplied by the Member for the giving of notices. Communication other than by means of personal delivery, post, electronic mail or any other technology can only be used if the Executive has given its prior

approval in writing.

38.2 If a Notice is sent by:

- (1) post, service of the Notice is deemed to be effected by properly addressing, prepaying and posting a letter containing the Notice, and to be effected, on the third business day after the date of its posting. A Notice sent by post to an overseas Member must be forwarded by air mail;
- (2) facsimile transmission, service of the Notice is deemed to be effected by properly addressing the facsimile transmission and transmitting it to the number supplied to the Committee for that purpose and to be effected on the next business day after the date of its transmission; and
- (3) email, service of the Notice is deemed to be effected by properly addressing the email address and transmitting it to the address supplied to the Committee for that purposes and to be effected on the next business day after the date of transmission unless the Committee is advised that the transmission failed to send to the addressee.

38.3 The documents to be circulated with the agenda of an annual general meeting pursuant to clause 12.5(3) will be deemed to have been circulated if they:

- (1) accompany any personal delivery or are enclosed in the same envelope as the posting of the agenda;
- (2) are an attachment to the electronic mail by which is the agenda is given; or
- (3) are available for viewing and downloading by members of the public on and from the Committee's website as and from the time the agenda is given, providing the agenda refers to this fact and provides details of the internet location of the Committee's website.

## **39. WINDING UP OR CANCELLATION**

In the event of the winding up or the cancellation of the incorporation of the Committee and there remains after the satisfaction of all its debts and liabilities any property whatsoever the same will not be paid to or distributed amongst the Members but will be given or transferred in such manner as the IOC may in writing direct and in the event that there is no such direction, such property will be given or transferred to some other institution or institutions having objects similar or in part similar to the objects of the Committee and which will also prohibit the distribution of its or their property among its or their members such institution or institutions to be determined by the Members at or before the time of dissolution or in default thereof by the Chief Judge of such Court as may have or acquire jurisdiction in the matter.

AMENDED on 28 April 2018  
and EFFECTIVE immediately

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# AOC Constitution

28 April 2018

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**CONSTITUTION OF THE  
AUSTRALIAN OLYMPIC COMMITTEE INCORPORATED  
ABN 33 052 258 241 | Registered No. A0004778J**

**1. NAME**

Under the terms of the Olympic Charter in accordance with the provisions of the Associations Incorporation Act 1981, a non-profit association called the "Australian Olympic Committee Incorporated" will hereby be constituted.

**2. DEFINITIONS**

2.1 Unless the contrary intention appears from the context:

"Absolute majority"	of the Executive, means a majority of the Executive members currently holding office and entitled to vote at the time (as distinct from a majority of Executive members present at an Executive meeting).
"Act"	means the Associations Incorporation Reform Act 2012 of the State of C
"ANOC"	means the Association of National Olympic Committees recognised by the IOC.
"Body"	means an organisation admitted to membership of the Committee under clause 7 of the Constitution and the Athletes' Commission.
"CAS"	means the Court of Arbitration for Sport.
"Committee"	means the Australian Olympic Committee Incorporated, being the National Olympic Committee recognised by the IOC pursuant to the Olympic Charter.
"Constitution"	means this Constitution of the Australian Olympic Committee Incorporated.
"Delegate"	means (a) a person duly elected or appointed by a Body; (b) in the case of the Athletes' Commission, its Chair and Deputy Chair (c) in the case of the Olympians' Clubs, the person appointed by the Olympians' Club of Australia.

“Electronic Mail”	means facsimile or other means of electronic transmission of data approved from time to time by the Executive.
“Executive”	means the Executive elected in accordance with the Constitution.
“Financial Statements”	means the Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows and the Notes thereto.
“IOC”	means the International Olympic Committee.
“Independent Auditor”	means an auditor appointed by the Committee and who is eligible to be so appointed pursuant to the Act.
“International Federation”	means an international non-governmental organisation recognised as an international federation by the IOC pursuant to the Olympic Charter.
“Mail”	means post or electronic mail.
“Member”	means a Body, IOC members, if any, who are citizens of Australia, the members of the Executive (including the Chief Executive Officer) and Life Members.
“Member of an Australian Team”	means a competitor, team official or other team personnel recognised by the Committee as a person associated with Australia’s participation in the Olympic Games, Olympic Winter Games, Youth Olympic Games, Youth Olympic Winter Games and Regional Games.
“National Federation”	means an Australian organisation affiliated to an International Federation governing a sport included in the sports programme of the next Olympic Games or the next Olympic Winter Games.
“Notice”	means a notice, agenda or other document given to any Member under this Constitution.
“Olympic Charter”	means the codification of the Fundamental Principles of Olympism, Rules and By-Laws adopted by the IOC, as amended from time to time. It governs the organisation and operation of the Olympic Movement and sets forth the conditions for the celebration of the Olympic Games and the Olympic Winter Games.
“Olympic Games”	means the Olympic Games of an Olympiad convened by the IOC.
“Olympic Winter Games”	means the Olympic Winter Games convened by the IOC.
“Olympian”	means any athlete who attended as an Olympic Team member for any Olympic Games or Winter Olympic Games of the

	National Olympic Committee of any country affiliated to the IOC since the inception of the modern Olympic Games.
“Olympians’ Clubs”	means State or Territory organisations interested in and associated with Olympians and the Olympic Movement and recognised as such by the Executive.
“Olympians’ Club of Australia”	means the group constituted by one representative of each of the Olympians’ Clubs and any Australian citizen who is on the Board of the World Olympians Association whether elected or appointed to such a position.
“ONOC”	means the Oceania National Olympic Committees recognised by the IOC.
“Recognised Organisation”	means an Australian organisation affiliated to an International Federation governing a sport not included in the sports programme of the next Olympic Games or the next Olympic Winter Games.
“Regional Games”	means regional, continental or world multi-sports competitions patronised by the IOC.
“Secretary”	means a person resident in Australia appointed by the Executive to be the Secretary of the Committee in accordance with Section 72 of the Act.
“Special majority”	means a majority of not less than three-fourths of the members voting at a general meeting.
“State Organisations”	means State and Territory organisations namely: the Australian Capital Territory Olympic Council Incorporated; the New South Wales Olympic Council Incorporated; the Queensland Olympic Council Limited, the South Australian Olympic Council Incorporated, the Tasmanian Olympic Council Incorporated the Victorian Olympic Council Incorporated, and the Western Australian Olympic Council Incorporated.
“Voting person”	means a person entitled to vote at a general meeting of the Committee in accordance with clause 13.1 of the Constitution.

2.2 Words of the plural number include the singular and vice versa.

2.3 Words of the masculine sex include the feminine and vice versa. S/he means she or he, as applicable.

Where reference is made to a specific rule or By-Law of the Olympic Charter, such reference is to the version of the Olympic Charter as in force from 2 August 2015. Such references shall be deemed to refer to any Rule or By-Law that replaces or modifies them in any subsequent version of the Olympic Charter.

### **3. INTERPRETATION**

- 3.1 Where this Constitution is inconsistent with a rule, regulation or directive of the IOC, the latter will prevail, and this Constitution, to the extent of the inconsistency, will be invalid.
- 3.2 This Constitution is taken to constitute the terms of a contract between the Committee and its members.
- 3.3 Where this Constitution does not make provision for a matter as required by section 47(2) of the Act, the Model Rules prescribed by the regulations and available on the Consumer Affairs Victoria website [consumer.vic.gov.au](http://consumer.vic.gov.au), to the extent that they make provision for that matter, are taken to be included in this Constitution.
- 3.4 Any dispute as to the meaning of this Constitution must be referred to the Executive for determination.
- 3.5 Should a Member be dissatisfied as to the determination of the Executive under clause 3.4, the Member concerned:
- (1) may appeal to the CAS within 14 days of receiving written notification of the decision and may not institute any other form of appeal nor maintain proceedings in any other court or tribunal;
  - (2) surrenders any right it may have to commence proceedings in a court in relation to any such dispute or to file any appeal, review or recourse to any state court or other judicial authority from any arbitral award, decision or ruling issued by the CAS. In particular, and without restricting the generality of the foregoing and for further and better assurance notwithstanding that such provisions have no applicability, the Member or other person concerned will have no right of appeal under section 34 and 34A of the Commercial Arbitration Act of any of the Australian States or to apply for the determination of a question of law under section 27J of such Act; and
  - (3) pursuant to Article 192 of the Federal Code of Private International Law of Switzerland, will have no right to appeal to the Swiss Federal Supreme Court or any other canton court from any arbitral award, decision or ruling issued by the CAS and waives fully any and all actions for annulment in respect of such award, decision or ruling.
- 3.6 Any appeal pursuant to clause 3.5 will be conducted pursuant to the Code of Sports-Related Arbitration. The CAS will rule on its jurisdiction. The award and decision of the CAS will be final.

### **4. FUNDAMENTAL PRINCIPLES OF OLYMPISM (ADOPTED BY THE IOC AND CODIFIED IN THE OLYMPIC CHARTER)**

1. Olympism is a philosophy of life, exalting and combining in a balanced whole the qualities of body, will and mind. Blending sport with culture and education, Olympism seeks to create a way of life based on the joy of effort, the educational value of good example, social responsibility and respect for universal fundamental ethical principles.

2. The goal of Olympism is to place sport at the service of the harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of human dignity.
3. The Olympic Movement is the concerted, organised, universal and permanent action, carried out under the supreme authority of the IOC, of all individuals and entities who are inspired by the values of Olympism. It covers the five continents. It reaches its peak with the bringing together of the world's athletes at the great sports festival, the Olympic Games. Its symbol is five interlaced rings.
4. The practice of sport is a human right. Every individual must have the possibility of practising sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play.
5. Recognising that sport occurs within the framework of society, sports organisations within the Olympic Movement shall have the rights and obligations of autonomy, which include freely establishing and controlling the rules of sport, determining the structure and governance of their organisations, enjoying the right of elections free from any outside influence and the responsibility for ensuring that principles of good governance be applied.
6. The enjoyment of the rights and freedoms set forth in this Olympic Charter shall be secured without discrimination of any kind, such as race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.
7. Belonging to the Olympic Movement requires compliance with the Olympic Charter and recognition by the IOC.

## **5. HUMAN RIGHTS SECURED**

The enjoyment of the rights and freedoms set forth in this Constitution shall be secured without discrimination of any kind, such as race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.

## **6. OBJECTS**

The objects of the Committee are:

- 6.1 to develop, promote and protect the principles of Olympism and the Olympic Movement in Australia in accordance with the Olympic Charter and all regulations and directives issued by the IOC;
- 6.2 to promote, raise awareness of and encourage participation in sport for benefits of health, longevity, fitness, skill, achievement, social interaction, wellbeing and other benefits of exercise for all individuals in Australia;
- 6.3 in support of the above objects, to effect its exclusive authority for the representation and participation by Australia at the Olympic Games, Olympic Winter Games, Youth Olympic Games, Youth Olympic Winter Games and at Regional Games and do all matters incidental thereto, including the selection and discipline of all members of the

teams to represent Australia at those Games. The Committee is obliged to participate in the Olympic Games and Olympic Winter Games by sending athletes;

- 6.4 to promote the fundamental principles and values of Olympism in Australia, in particular, in the fields of sport and education, by promoting Olympic sporting and health, educational programmes in all levels of schools, sports and physical education institutions and universities, as well as by encouraging the creation of institutions dedicated to Olympic education, such as National Olympic Academies, Olympic Museums and other programmes, including cultural, related to the Olympic Movement;
- 6.5 to ensure the observance of the Olympic Charter in Australia;
- 6.6 to recognise the heritage, culture and contribution of our nation's first people, and to give practical support to the issue of indigenous reconciliation through sport;
- 6.7 to encourage the development of sport for all for the health, wellbeing and other benefits to all individuals in Australia, and in support and encouragement of those objects, the development of high performance sport as the pinnacle of the benefits of sporting participation;
- 6.8 to take action against any form of discrimination and violence in sport;
- 6.9 to adopt and implement the World Anti-Doping Code;
- 6.10 to encourage and support measures relating to the medical care and health of athletes;
- 6.11 to protect clean athletes and the integrity of sport by being a leading advocate in the fight against doping in Australia, and by taking action against all forms of manipulation of competition and related corruption;
- 6.12 to exercise its exclusive authority to select and designate the city or cities which may apply to organise Olympic Games in Australia;
- 6.13 in order to fulfil these objects, the Committee may cooperate with governmental bodies. The Committee shall not associate itself with any activity which would be in contradiction with the Olympic Charter. The Committee may also cooperate with non-governmental bodies;
- 6.14 to preserve its autonomy and resist all pressures of any kind, including but not limited to political, legal, religious or economic pressures which may prevent the Committee from complying with the Olympic Charter;
- 6.15 the Committee has the right to:
  - (1) designate, identify or refer to itself as the Australian Olympic Committee (AOC) which designation or identification must be included or referred to in its name;
  - (2) send competitors, team officials and other team personnel to the Olympic Games in compliance with the Olympic Charter;
  - (3) benefit from the assistance of Olympic Solidarity;

- (4) use certain Olympic properties as authorised by the IOC and in compliance with the Olympic Charter;
- (5) take part in activities led or patronised by the IOC, including Regional Games;
- (6) belong to ANOC and ONOC;
- (7) formulate proposals to the IOC concerning the Olympic Charter and the Olympic Movement, including the organisation of the Olympic Games;
- (8) give its opinions concerning the candidatures for the organisation of the Olympic Games;
- (9) participate, on request from the IOC, in the activities of the IOC commissions;
- (10) collaborate in the preparation of Olympic Congresses;
- (11) exercise other rights as granted to the Committee by the Olympic Charter or by the IOC; and

6.16 to do all such other acts and things incidental to the attainment of these objectives.

## **7. MEMBERSHIP**

7.1 Membership of the Committee is:

- (1) the Executive (including the Chief Executive Officer);
- (2) the members of the IOC, if any, who are citizens of Australia;
- (3) the National Federations;
- (4) the State Organisations;
- (5) the Athletes' Commission in accordance with clause 9;
- (6) the Recognised Organisations admitted to membership in accordance with clause 7.3;
- (7) Life Members; and
- (8) the Olympians' Clubs

7.2 A National Federation will, subject to clause 32, be submitted and remain a member of the Committee upon it:

- (1) being and continuing to be affiliated to an International Federation governing a sport included in the programme of the next Olympic Games or the next Olympic Winter Games; and
- (2) exercising and continuing to exercise real and specific sports activity; and



- (3) and continuing to conduct its activities in compliance with this Constitution, the Olympic Charter and the rules of its International Federation;

providing that only one National Federation for each sport included in the programme of the next Olympic Games or the next Olympic Winter Games will be admitted to membership.

7.3 The Committee may, at an annual general meeting, approve by special majority the admission of a new member other than a National Federation, provided that should such new member be:

- (1) a State Organisation, then the Executive has first approved its constitution pursuant to clause 10.6 hereof and provided that only one State Organisation for each State and Territory of Australia will be admitted to membership;
- (2) a Recognised Organisation, then such admission may be for a specified period and provided that only one Recognised Organisation for each sport not included in the programme of the next Olympic Games or the next Olympic Winter Games will be admitted to membership.
- (3) an Olympians' Club, then such admission will be upon such terms and conditions as are determined by the Committee and which are not inconsistent with this Constitution and provided further that:
  - (a) only one Olympians' Club for each State and Territory of Australia will be admitted to membership;
  - (b) the Executive has approved its constitution and which cannot be amended without the prior approval of the Executive; and
  - (c) each Olympians' Club will not be entitled to appoint a delegate to the Committee but rather will be represented by a person appointed by the Olympians' Club of Australia under clause 12.1(8).

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.

7.5 A Life Member:

- (1) will be a permanent member of the Committee without voting power;
- (2) who is elected as an office bearer or as a member of the Executive or appointed to a commission or committee by the Executive will be entitled to vote within the Executive or within that commission or committee whichever the case may be; and
- (3) being a member of the IOC, a member of the Executive or a Delegate of a National Federation will have the voting rights attached to such a position.

## **8. PATRONS**

The Committee will appoint:

- (1) a Patron-in-Chief, to fill which position the Governor-General of Australia for the time being will be invited to extend his patronage; and
- (2) a Patron, to fill which position the Prime Minister of Australia for the time being will be invited to extend his patronage.

## **9. ATHLETES' COMMISSION**

9.1 The Athletes' Commission will comprise:

- (1) eight members elected at each Olympic Games by the athletes who are members of the Australian Olympic Team competing at those Olympic Games;
- (2) two members elected at each Olympic Winter Games by the athletes who are members of the Australian Olympic Winter Team competing at those Olympic Winter Games;
- (3) up to two members who may be appointed at any time by the Executive;
- (4) any member of the IOC Athletes' Commission who is a citizen of Australia and who was nominated by the Committee to the IOC for election to such position; and
- (5) any member of the Athletes' Commission of ONOC who is a citizen of Australia and who was nominated by the Committee to ONOC for election to such position.

9.2 To be eligible for election or appointment to the Athletes' Commission a person must be:

- (1) at least 18 years of age and must not have been sanctioned for a doping

offence during the person's sports career;

- (2) in the case of an elected member:
  - (a) nominated by an Athletes' Commission of a National Federation, provided the charter of the Athletes' Commission has been approved by the Committee; and
  - (b) a participant in the Olympic Games or an Olympic Winter Games during which the election is held or have participated at the previous Olympic Games or Olympic Winter Games;
- (3) in the case of an appointed member – a participant at either or both the previous two Olympic Games or the previous two Olympic Winter Games last staged before the appointment.

9.3 The persons elected at an:

- (1) Olympic Games must comprise not less than three males and not less than three females; and
- (2) Olympic Winter Games must comprise one of each sex;

and no more than one male and one female athlete from any one sport on the Olympic programme may be elected or appointed to the Athletes' Commission.

9.4 Election of members of the Athletes' Commission will be conducted according to the following procedure:

- (1) At or prior to the Opening Ceremony each nominated athlete will advise the Chef de Mission of the Australian Olympic Team or Australian Olympic Winter Team (as the case may be) whether the athlete is willing to be a candidate for election to the Athletes' Commission;
- (2) The Chef de Mission will cause the names of each such candidate to be recorded on a voting form and distributed to each Team member who is an athlete. Only Team members who are athletes may vote;
- (3) Each voter will place a mark on the list of candidates next to the names of the candidates whom the voter wishes to be elected. Each such mark will count as one vote for the candidate concerned. Should any voter vote for more than the number of candidates to be elected, then the voting paper and the votes recorded thereon will be void;
- (4) Voting by proxy or by correspondence is not permitted;
- (5) Voting must occur over at least three days and will close no later than the day before the Closing Ceremony. Voting will take place in the Olympic Village and at such other locations as the Chef de Mission considers appropriate;
- (6) Subject to the requirements concerning the sex of members of the Athletes' Commission, the relevant number of highest polling candidates will be deemed to be elected to the Athletes' Commission. In the event of a tie,

preference will be given to the youngest candidate; and

- (7) The Chef de Mission will announce the results of the election prior to the Closing Ceremony.
- 9.5 Subject to clause 24.4, each person elected at an Olympic Games will hold office from the commencement of the day after the Closing Ceremony of the Olympic Games at which election occurs and will cease to hold office at the conclusion of the day of the Closing Ceremony of the next succeeding Olympic Games.
- 9.6 Subject to clause 24.4, each person elected at an Olympic Winter Games will hold office from the commencement of the day after the Closing Ceremony of the Olympic Winter Games at which election occurs and will cease to hold office at the conclusion of the day of the Closing Ceremony of the next succeeding Olympic Winter Games.
- 9.7 Subject to clause 24.4, each person appointed pursuant to clause 9.1(3) will hold office for a period of four years from the date of their appointment and any person holding office pursuant to
  - (1) clause 9.1(4) will hold office whilst and for so long as the person is a member of the IOC Athletes' Commission; and
  - (2) clause 9.1(5) will hold office whilst and so long as the person is a member of the Athletes' Commission of ONOC.
- 9.8 Within two months of the Closing Ceremony of the Olympic Games and within two months of the Closing Ceremony of the Olympic Winter Games (or by the next AOC Executive meeting, whichever is the earlier), the Athletes' Commission will meet and at that meeting elect their Chair and Deputy Chair who will each hold office until the next ensuing election according to this clause.
- 9.9 Persons of different sex must hold the positions of Chair and Deputy Chair of the Athletes' Commission.
- 9.10 In the event of any vacancy occurring on the Athletes' Commission through death, removal or resignation, the following procedures will apply:
  - (1) The person eligible for appointment under clause 9.2 who received the next highest number of votes in the ballots at the election conducted according to clause 9.4 procedures and, subject to the conditions set out in clause 9.3, will be automatically appointed for the balance of the term of the member the person replaces.
  - (2) If two or more persons received the next highest number of votes in the ballots at the relevant election, then the preference will be given to the youngest candidate.
  - (3) If the person appointed to fill that vacancy is unable or unwilling to take up office then a replacement will be appointed according to the procedures set out in clauses 9.10(1) and 9.10(2) until the vacancy is filled.
  - (4) If there are no eligible candidates to fill the vacancy, then the remaining members of the Athletes' Commission will appoint a person to fill the vacancy provided the person appointed fulfils the eligibility criteria set out in clauses

9.2 and 9.3.

- 9.11 The Athletes' Commission will advise the Executive on all matters relating to athletes within the Olympic Movement provided that matters specific to a sport will be addressed between the National Federation of that sport and its Athletes' Commission (if any). For this purpose the Athletes' Commission will meet at least twice a year with the prior approval of the Chief Executive Officer and at the expense of the Committee and for such meetings a quorum will consist of six persons.
- 9.12 The members of the Athletes' Commission must:
- (1) act solely in the best interests of the Committee 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 Committee.
- 9.13 At meetings of the Athletes' Commission, any member of the Athletes' 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.
- 9.14 Clause 9.13 of this Constitution does not apply to a material personal interest that exists only because the Athletes' Commission member is a member of the Athletes' Commission.

## **10. STATE ORGANISATIONS**

- 10.1 Each State Organisation is subject to the control and direction of the Committee as the National Olympic Committee for Australia.
- 10.2 It is the responsibility of each State Organisation to:
- (1) Assist the Committee in raising funds for Australian athletes to prepare for and participate in Olympic Games;
  - (2) Assist the Olympians' Clubs by providing administrative and personnel support;

- (3) Promote Olympism in each State;
  - (4) Liaise with State Governments, Departments and Institutes of Sport; and
  - (5) Provide Olympic educational material when required.
- 10.3 State Organisations may only raise funds on behalf of the Committee and subject to the Committee's control and direction at all times. In so raising funds the State Organisations must provide to the Chief Executive Officer precise details of such fundraising activities including timing, financial arrangements, proposed budgets, artwork, prizes, publicity and general plans of operation.
- 10.4 Each State Organisations may, with the prior knowledge and approval of the Executive, retain:
- (1) monies granted to such Body by its State or Territory Government where such grant(s) are for the purpose of assisting in the administration of the State Organisation or for the purpose of assisting sport in its State or Territory; and
  - (2) monies from fundraising conducted by the State Organisation in order to assist in the administration of the State Organisation.
- 10.5 Each State Organisation will provide to the Chief Executive Officer on or before 30 April each year audited Financial Statements, in respect of all its financial activities.
- 10.6
- (1) The constitution of each State Organisation is subject to approval by the Executive.
  - (2) Constitutions so approved may subsequently be amended by the State Organisation concerned, providing that such amendments are submitted to the Executive within 21 days of the meeting at which such amendments are adopted by the State Organisation.
  - (3) It will be the duty of the Executive to approve, without delay, such constitution and subsequent amendments to the constitution as may be submitted by the State Organisation provided that the said constitution and amendments as referred to comply in every respect with the provisions of this Constitution, or of the By-Laws made hereunder.
  - (4) Any such constitution or subsequent amendments to the constitution as submitted by the State Organisations, and not approved by the Executive, will be declared invalid by the Executive and the State Organisation notified accordingly.
  - (5) Upon receipt of such notification the State Organisation concerned will forthwith cease to administer its affairs in accordance with the provisions of the said constitution or amendments thereto, as declared invalid by the Executive.
  - (6) The Executive will have power to issue interim approval of any constitution or subsequent amendments thereto, as submitted by the State Organisations, subject to amendment or further amendment, as the case may be, by the State Organisation at the direction of the Executive.

- (7) Where such interim approval is issued, the State Organisation concerned will be given a specific period in which to effect such amendments. Should the amendments not be effected within the time specified, then the constitutional amendments will be declared invalid by the Executive.

10.7 Where the constitution of a State Organisation is inconsistent with this Constitution, the latter will prevail and the constitution of the State Organisations, to the extent of the inconsistency, will be invalid.

## **11. POWERS**

Subject to the Constitution, the Committee has the full power, jurisdiction and authority to do all things necessary to carry out the business, the affairs and the objects of the Committee.

## **12. GENERAL MEETINGS**

- 12.1 the Committee in general meeting will comprise:
  - (1) the Executive;
  - (2) the members of the IOC, if any, who are citizens of Australia
  - (3) National Federations each represented by two Delegates;
  - (4) State Organisations each represented by two Delegates;
  - (5) the Athletes' Commission represented by its Chair and Deputy Chair;
  - (6) Recognised Organisations admitted to membership in accordance with clause 7.3, each represented by one Delegate;
  - (7) Life Members of the Committee; and
  - (8) the Olympians' Club of Australia represented by one person appointed by the Olympians' Club of Australia.
- 12.2 Each Delegate cannot represent more than one organisation within the Committee.
- 12.3 The Committee will meet at least once a year, provided that the Executive will convene the annual general meeting before 31 May each year.
- 12.4 Additional meetings of the Committee will be summoned by the Secretary when so directed by the Executive or upon a written request of not less than ten National Federations.
- 12.5 The business of the annual general meeting will include:
  - (1) in the annual general meeting convened in a year following an Olympic Games, the election of the office bearers and the remaining members of the Executive excluding the Chief Executive Officer;

- (2) in all annual general meetings other than those convened in a year following an Olympic Games, the election of any person to replace a casual vacancy in the position of office bearer or member of the Executive pursuant to clauses 24.1. and 24.2 hereof;
- (3) in all annual general meetings:
  - (a) the confirmation of the minutes of the preceding annual general meeting and of any general meeting held since that meeting;
  - (b) the presentation by the Chief Executive Officer of the Annual Report, the Financial Statements of the Committee and the Independent Auditor's report thereon which documents will be circulated with the agenda;
  - (c) the appointment of the Independent Auditor if there is a vacancy in the office of auditor of the Committee;
  - (d) the election of any new member/s pursuant to clause 7.3.

12.6 A quorum will consist of one-third of the National Federations represented by at least one Delegate each.

If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present:

- (1) in the case of a meeting convened upon the request of National Federations pursuant to clause 12.4, the meeting must be dissolved; and
- (2) in any other case, the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chair at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place.

If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Members present shall be a quorum.

12.7 A notice of a general meeting will be given at least 60 days prior to that meeting to each Member.

12.8 Should any Member desire to have any matter included in the agenda of a meeting, the Member will give written notice thereof to the Secretary not less than 30 days prior to the meeting.

12.9 The agenda for a meeting will be provided to each Member by the Secretary, in accordance with clause 38, at least 21 days prior to the meeting.

12.10 Notwithstanding the provisions of clause 12.9 hereof, the Executive may, in its absolute discretion and at any time, include additional items on the agenda of a



meeting where it is of the opinion that such additional items warrant inclusion.

- 12.11 A visitor, defined as any person other than a person indicated in clause 12.1, may, at the absolute discretion of the President, attend a meeting of the Committee but will not take part in the proceedings unless by a direct invitation of the President nor have a vote.
- 12.12 If the Executive does not cause a notice of a general meeting to be given under clause 12.7 within 14 days after the date on which the Secretary is sent a request under clause 12.4, the National Federations making the request, or any of them, may convene a general meeting to be held no later than 84 days after that date.
- 12.13 If a general meeting is convened by National Federations in accordance with clause 12.12, it must be convened in the same manner so far as possible as a meeting convened by the Executive and all reasonable expenses incurred in convening the general meeting must be reimbursed by the Committee to the National Federations incurring the expenses.

### **13. VOTING**

- 13.1 Each Delegate of the National Federations, members of the Executive, the Chair and Deputy Chair of the Athletes' Commission and the members of the IOC, if any, who are citizens of Australia will be entitled to one vote on every motion or amendment thereof.
- 13.2 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.
- 13.3 The Chair of the meeting will have a casting vote in addition to the Chair's deliberative vote.
- 13.4 Each vote will be given personally.
- 13.5 If a question arising at a general meeting of the Committee is determined on a show of hands:
  - (1) a declaration by the Chair that a resolution has been:
    - (a) carried whether or not by a particular majority or unanimously; or
    - (b) lost; and
  - (2) an entry to that effect in the minute book of the Committee;

is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

## **14. PROXIES**

In the event of a Delegate being unable to attend a meeting of the Committee, a proxy Delegate may be appointed in writing, electronic mail or any other technology 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 will be tendered at the time of the commencement of the meeting.

## **15. TECHNOLOGY**

- 15.1 The Committee may hold its general meetings by using any technology that allows members to clearly and simultaneously communicate with each other participating member.
- 15.2 A member of the Committee who participates in a general meeting in a manner permitted under Clause 15.1 is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

## **16. THE EXECUTIVE**

- 16.1 Each member of the Executive will not represent any particular body or sport and will represent the Olympic Movement at large.
- 16.2 The Executive of the Committee will be:
  - (1) the President;
  - (2) two Vice-Presidents;
  - (3) the members of the IOC who are citizens of Australia and elected to the IOC pursuant to paragraphs 2.2.2 and 2.2.5 of the By-Law to Rule 16 of the Olympic Charter;
  - (4) the Chief Executive Officer who will be appointed by the Executive and be a voting member;
  - (5) seven Members elected from those nominated by the National Federations, which election will be at the annual general meeting of the Committee first convened after an Olympic Games;
  - (6) the Chair of the Athletes' Commission and the Deputy Chair of the Athletes' Commission, provided that if there is a member of the IOC who is a citizen of Australia and elected to the IOC pursuant to paragraph 2.2.2 of the By-Law to Rule 16 of the Olympic Charter, then the Chair of the Athletes' Commission will be the sole ex officio member of the Executive from the Athletes' Commission provided further that if the Chair is such an IOC member, then the sole ex officio member of the Athletes' Commission on the Executive will be the Deputy Chair. Any officer of the Athletes' Commission who is ex officio a member of the Executive may appoint another member of the Athletes'

Commission who is not otherwise a member of the Executive to act as the member's alternate to attend meetings of the Executive and vote thereat in the event that the appointor is unable to act personally by reason of sport commitments, illness, absence or other cause.

- 16.3 The President, Vice-Presidents and those members of the Executive elected pursuant to clause 16.2(5) will hold office until the conclusion of the annual general meeting first convened after the Olympic Games next succeeding their election. All other members of the Executive will hold office whilst and for so long as they satisfy the conditions attaching to their appointment.
- 16.4 Each National Federation will be entitled to nominate one person for election as an Executive member in accordance with sub-clause 16.2(5). Such nominations will be signed by the person nominated and will be made in writing to the Secretary not less than 30 days prior to the date of the annual general meeting. The Secretary will cause such nominations to be included in the agenda of the annual general meeting in question. In the event that the number of nominations for the respective positions as Executive members does not exceed the number of vacancies, then the candidates will be declared elected. In the event that the number of candidates exceeds the number of positions available then such candidates will be elected in accordance with the method of voting described in the next succeeding clause.
- 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 therefor, for that election only, such other method of voting that may unanimously be agreed upon.
- 16.6 (1) The Executive will meet as often as is necessary to conduct its business but at least four times in each year. A meeting of the Executive will be convened by the Secretary upon request by the President or when three members of the Executive consider it necessary.
- (2) The quorum at a meeting of the Executive will be eight persons.
- (3) An Executive member who is not physically present at an Executive meeting may participate in the meeting by the use of technology that allows the Executive member and the Executive members present at the meeting to clearly and simultaneously communicate with each other.
- (4) An Executive member participating in an Executive meeting as permitted under clause 16.6(3) is to be taken as present at the meeting and, if the Executive member votes at the meeting, is taken to have voted in person.
- 16.7 As soon as practicable after being elected or appointed to the Executive, each Executive member must become familiar with this Constitution and the Act.
- 16.8 The Executive is collectively responsible for ensuring that the Committee complies with the Act and that members of the Committee comply with this Constitution.
- 16.9 Executive members must exercise their powers and discharge their duties with reasonable care and diligence.
- 16.10 Executive members must exercise their powers and discharge their duties:
- (a) in good faith in the best interests of the Committee; and

(b) for a proper purpose.

16.11 Executive members and former Executive members must not make improper use of

(a) their position; or

(b) information acquired by virtue of holding their position

so as to gain an advantage for themselves or any other person or to cause detriment to the Committee.

16.12 In addition to any duties imposed by this Constitution, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.

16.13 The Executive will be indemnified from the funds of the Committee in respect of any liability that they collectively or individually may incur as a result of any decision taken or act made in accordance with their powers pursuant to this Constitution.

16.14 For the purposes of this Constitution, the office of a member of the Executive becomes vacant if the member:

(1) dies;

(2) resigns the office in writing addressed to the Secretary;

(3) is removed from office pursuant to clauses 24.3 or 24.4; or

(4) becomes of unsound mind or a person whose estate is liable to be dealt with in any way under the laws relating to mental health.

## 17.

17.1 On any question arising at an Executive meeting, each Executive member present at the meeting has one vote.

17.2 A motion is carried if a majority of Executive members present at the meeting vote in favour of the motion.

17.3 Clause 17.2 does not apply to any motion or question which is required by this Constitution to be passed by an absolute majority of the Executive.

17.4 If votes are divided equally on a question, the Chair of the meeting has a second or casting vote.

17.5 Voting by proxy is not permitted.

**18.**

- 18.1 An Executive member who has a material personal interest in a matter being considered at an Executive meeting must disclose the nature and extent of that interest to the Executive.
- 18.2 The Executive member:
- (1) must not be present while the matter is being considered at the meeting; and
  - (2) must not vote on the matter.
- 18.3 Clauses 18.1 and 18.2 do not apply to a material personal interest that exists only because the Executive member is a member of the IOC or Chair or Deputy Chair of the Athletes' Commission.

**19.**

- 19.1 The Executive must ensure that minutes are taken and kept of each Executive meeting.
- 19.2 The minutes must record the following:
- (1) the names of the members in attendance at the meeting;
  - (2) the business considered at the meeting;
  - (3) any resolution on which a vote is taken and the result of the vote; and
  - (4) any material personal interest disclosed under Clause 18.

**20.**

- 20.1 Every Executive member and Secretary must keep the transactions, whether complete or incomplete; financial affairs and state of accounts; and, information which is confidential or generated for internal management purposes of the Committee confidential unless required to disclose them:
- (1) in the course of duties as an officer of the Committee;
  - (2) by the Executive or the Committee in general meeting; or
  - (3) by law.
- 20.2 The Executive may require an Executive member, Secretary, auditor, trustee committee or commission member or other person engaged by the Committee to sign a confidentiality undertaking consistent with this Constitution. An Executive member or Secretary must do so if required by the Executive.

## **21.**

- 21.1 The Executive may grant an Executive member leave of absence from Executive meetings for a period not exceeding three months.
- 21.2 The Executive must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the Executive member to seek the leave in advance.

## **22. POWER OF EXECUTIVE**

- 22.1 Subject to this Constitution, the power, management and control of the Committee and any duties not attributed by the Olympic Charter or the Act to the Committee in general meeting will be vested in and reside in the Executive, provided that:
  - (1) Any action taken by virtue of this clause will be recorded in the Minutes of the Executive, and
  - (2) A summary of all major, non-confidential decisions made by the Executive between meetings of the Committee will be circulated, in accordance with clause 38, to all National Federations and State Organisations within 30 days after the meeting at which the decisions were made.
- 22.2 The Executive may make such By-Laws as are necessary and convenient to give effect to this Constitution and the proper conduct of Members and persons associated with the Olympic Movement in Australia, provided however that where any of such By-Laws are inconsistent with this Constitution then to the extent of such inconsistency this Constitution will prevail. As a condition of membership, all Members are bound to observe and comply with all By-Laws made by the Executive.

## **23. OFFICE BEARERS**

- 23.1 The office bearers will be the President and two Vice-Presidents who will be elected at the annual general meeting first held after an Olympic Games and hold office until the conclusion of the annual general meeting first convened after the Olympic Games next succeeding their election.
- 23.2 Nominations for any position as an office bearer may be made by any National Federation or State Organisation and will be submitted in writing to the Secretary not less than 30 days prior to the annual general meeting.
- 23.3 In the event that:
  - (1) There is more than one candidate for the position as President, then such a position will be decided by an exhaustive ballot.
  - (2) The number of candidates for the positions as Vice-Presidents exceeds two, then such positions will be decided by separate exhaustive ballots.

All of such exhaustive ballots will be in accordance with the rules described in clause 16.5 hereof as if the same were herein set out in full.

## **24. CASUAL VACANCIES**

24.1 In the event of any vacancy occurring in any of the positions of office bearer, the Executive will elect from amongst its members a replacement, which replacement will hold office until the conclusion of the next annual general meeting of the Committee. At that next annual general meeting the Committee will elect a replacement office bearer who will hold office for the balance of the term of the original office bearer s/he replaces. Any member of the Executive appointed by the Executive pursuant to this clause will be eligible for election by the Committee.

24.2 In the event of any vacancy occurring in respect of any of the members of the Executive, other than the office bearers and the Chief Executive Officer, the Executive will request from the National Federations their nominations of such replacement.

Such nominations will be made within 30 days of the date of posting the invitation and the Executive will elect from such nominations the member who will hold office until the conclusion of the next annual general meeting of the Committee. At that next annual general meeting the Committee will elect a replacement member of the Executive who will hold office for the balance of the term of the original member of the Executive s/he replaces. Any person elected by the Executive pursuant to this clause will be eligible for election by the Committee.

24.3 An office bearer or any other member of the Executive or any person representing the Committee on any other body may be removed from office by a vote of a special majority at a general meeting of which due notice has been given.

24.4 Any person found to have committed a Doping Offence or an Anti-Doping Rule Violation contrary to the Anti-Doping By-Law is ineligible to hold any position on the AOC, whether as an office bearer or as a member of the Executive, any Commission or Committee or otherwise whilst subject to sanction for that doping offence.

## **25. PRESIDENT**

The President will represent the Committee and will chair each meeting of the Committee and the Executive.

## **26. TWO VICE-PRESIDENTS**

26.1 The two Vice-Presidents will carry out the functions of President in the latter's absence or under delegation by the President.

26.2 Should the two Vice-Presidents be unable or unwilling so to act, in the absence of the President, at a meeting of the Committee or the Executive, then the meeting will elect from amongst the persons present a Chair of that Meeting.



## **27. CHIEF EXECUTIVE OFFICER**

- 27.1 The Executive may appoint a Chief Executive Officer to hold office for the period determined at the time of appointment (but not for life) or without specifying a term and to hold the position of voting Executive member.
- 27.2 The Executive, excluding the Chief Executive Officer, may, subject to the terms of any employment contract between the Chief Executive Officer and the Committee, at any time remove or dismiss the Chief Executive Officer, in which event the appointment as voting Executive member will automatically cease.
- 27.3 The Executive, excluding the Chief Executive Officer, may:
- (1) confer on the Chief Executive Officer such of the powers exercisable by them, on such terms and conditions and with such restrictions as they think fit; and
  - (2) withdraw or vary any of those powers conferred on the Chief Executive Officer.

## **28. SECRETARY**

- 28.1 The Secretary may hold any other office in the Committee.
- 28.2 The Secretary must:-
- (1) perform any duty or function required under the Act or by this Constitution to be performed by the Secretary of an Incorporated Association.
  - (2) maintain the register of members in accordance with clause 30.
  - (3) keep custody of the common seal in accordance with clause 37.
  - (4) keep custody of all financial records, books, documents and securities of the Committee for at least seven years after transactions covered by the records were completed.
  - (5) keep custody of the Financial Statements submitted to an annual general meeting of the Committee for at least seven years after the date of the annual general meeting.
  - (6) subject to the Act and this Constitution, provide members with access to the register of members, the minutes of general meetings and other books and documents.
  - (7) give to the Registrar notice of the Secretary's appointment within 14 days after the appointment.
- 28.3 The position of Secretary may become vacant due to:

- (1) resignation in writing to the Executive;
- (2) retirement;
- (3) death;
- (4) ceasing to be resident in Australia; or
- (5) a direction of the Executive, including without limitation, termination.

28.4 Should the position of Secretary become vacant the Executive must appoint a Secretary within 14 days of the vacancy arising.

## **29. COMMISSIONS & COMMITTEES**

29.1 The Executive may appoint commissions and committees, not necessarily out of their number, and delegate to any such commission or committee or to a member of the Executive any of its powers, responsibilities and functions, other than:

- (1) this power of delegation; or
- (2) a duty imposed on the Committee by the Act or any other law.

29.2 The delegation may be set out in a Charter adopted by the Executive for the commission or committee or otherwise be in writing and may be subject to such conditions and limitations the Executive considers appropriate.

29.3 The Executive may, in writing, revoke a delegation including a Charter for a commission or committee, wholly or in part.

## **30. REGISTER OF MEMBERS**

30.1 The Secretary will keep and maintain the register of Members in which will be entered the full name, address and date of entry of the name of each Member and the register will be available for inspection by Members at the address of the Secretary.

30.2 Copies of the minutes of the meetings at which elections or replacement of Members have taken place, certified as true copies by the President and Chief Executive Officer, will be sent to the IOC.

## **31. ORDER OF MERIT**

An Award to be known as Order of Merit may be conferred upon any person who, in the opinion of the Executive, has achieved remarkable merit in the sporting world, either through personal achievement or contribution to the development of sport.

## 32. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS AND INDIVIDUALS

32.1 Where:

- (1) a National Federation ceases to satisfy the requirements of clause 7.2; or
- (2) a Recognised Organisation (if a Member):
  - (a) ceases to be affiliated to an International Federation; or
  - (b) is removed from membership by a vote of a special majority at a general meeting of which due notice has been given; or
- (3) the International Federation to which such a National Federation or Recognised Organisation is affiliated ceases to be recognised by the IOC;

then such Bodies will automatically cease to be a member of the Committee from the happening of such events.

32.2 Where a Member breaches this Constitution or any By-Law made pursuant to clause 22.2, then such Member will be liable to suspension from membership of the Committee or such other sanction (including a fine) as the Executive in its absolute discretion determines and will also be liable to expulsion from membership of the Committee by a special majority at a general meeting.

32.3 Where a person (whether or not a Member):

- (1) is found by the Executive to have:
  - (a) breached this Constitution or any By-Law made pursuant to clause 22.2;
  - (b) breached any agreement between that person and the Committee; or
  - (c) neglected or knowingly jeopardised the interests of the Committee or acted in a way which is unworthy of the Committee;

or

- (2) in the case of a member of the IOC, is found by the IOC to have neglected or knowingly jeopardised the interests of the IOC or acted in a way which is unworthy of the IOC;

the Executive may in its absolute discretion determine that the person is ineligible for membership of or selection in any Australian Olympic Team, Australian Olympic Winter Team or any other team selected by the Committee or to receive funding from or to hold any position on the AOC for such period as the Executive in its absolute discretion determines.

- 32.4 A Member or other person dissatisfied of a decision made in relation to it under clauses 32.2 or 32.3:
- (1) may appeal to the CAS within 14 days of receiving written notification of the decision and may not institute any other form of appeal nor maintain proceedings in any other court or tribunal;
  - (2) surrenders any right they may have to commence proceedings in a court in relation to any such dispute or to file any appeal, review or recourse to any state court or other judicial authority from any arbitral award, decision or ruling issued by the CAS. In particular, and without restricting the generality of the foregoing and for further and better assurance notwithstanding that such provisions have no applicability, the Member or other person concerned will have no right of appeal under Sections 34 and 34A of the Commercial Arbitration Act of any Australian States or to apply for the determination of a question of law under Section 27J of such Act; and
  - (3) pursuant to Article 192 of the Federal Code of Private International Law of Switzerland, will have no right to appeal to the Swiss Federal Supreme Court or any other canton court from any arbitral award, decision or ruling issued by the CAS and waives fully any and all actions for annulment in respect of such award, decision or ruling.
- 32.5 The sole grounds of appeal against a decision of the Committee under clause 32.4 are that the decision was affected by actual bias or is obviously or self-evidently so unreasonable or perverse that it can be said to be irrational.
- 32.6 Any appeal pursuant to clause 32.4 will be heard by the Appeals Arbitration Division of the CAS and conducted pursuant to the Code of Sports-Related Arbitration. The CAS will rule on its jurisdiction and has exclusive power to order provisional and conservatory measures. The award and decision of the CAS will be final.
- 32.7 A Member may resign as a member of the Committee by giving 30 days written notice thereof to the Secretary, provided that such resignation will not affect the rights and duties of the Member up to and including the date of resignation.

### **33. GRIEVANCE PROCEDURE**

- 33.1 Notice of Dispute
- (1) Any Member may give written notice to the Chief Executive Officer of a dispute under this Constitution (not being a disciplinary matter within the meaning of clause 32) between:
    - (a) a Member and another Member; or
    - (b) a Member or Members and the Committee.
  - (2) The Chief Executive Officer will, as soon as practicable, but within seven

days, forward written details of the dispute to the President and all parties to the dispute, requiring the parties to meet to discuss and attempt to resolve the dispute in good faith, within 14 days of the notice of dispute being forwarded to all parties or such other time as the parties agree.

33.2 Dispute referred to mediation

If the parties are unable to resolve the dispute at the meeting referred to in clause 33.1(2), or if any party fails to attend that meeting, or the meeting does not occur, then, unless all parties agree to continue attempts to resolve the dispute in good faith, the parties shall proceed to mediate the dispute in accordance with the CAS Mediation Rules provided that the mediation must be completed within 30 days of the appointment of the mediator.

For the purposes of this clause, the "CAS Mediation Rules" means the mediation rules adopted from time to time by the International Council of Arbitration for Sport pursuant to the Code of Sports-related Arbitration.

33.3 If the dispute referred to mediation in accordance with clause 33.2 is not resolved, a party to the dispute

- (1) may apply to the CAS within 28 days of receiving written details of the dispute pursuant to clause 33.1(2) and may not institute any other form of application, appeal nor maintain proceedings in any other court or tribunal;
- (2) surrenders any right it may have to commence proceedings in a court in relation to any such dispute or to file any appeal, review or recourse to any state court or other judicial authority from any arbitral award, decision or ruling issued by the CAS. In particular, and without restricting the generality of the foregoing and for further and better assurance notwithstanding that such provisions have no applicability, the Member or other person concerned will have no right of appeal under Sections 34 and 34A of the Commercial Arbitration Act of any of the Australian states or to apply for the determination of a question of law under Section 27J of such Act; and
- (3) pursuant to Article 192 of the Federal Code of Private International Law of Switzerland, will have no right to appeal to the Swiss Federal Supreme Court or any other canton court from any arbitral award, decision or ruling issued by the Court of Arbitration for Sport and waives fully any and all actions for annulment in respect of such award, decision or ruling.

33.4 Any application pursuant to clause 33.3 will be heard by the Ordinary Division of the CAS and be conducted pursuant to the Code of Sports-Related Arbitration. The CAS will rule on its jurisdiction and has exclusive power to order provisional and conservatory measures. The award and decision of the CAS will be final.

## **34. AMENDMENT TO THE CONSTITUTION**

34.1 An addition or amendment to or rescission, wholly or in part of, of this Constitution may be made at a general meeting by resolution:

- (1) of which 30 days' notice in writing has been given to the Secretary;
  - (2) of which a copy of such notice has been forwarded to each voting Member and to each Delegate of a voting Body at least 21 days before the general meeting; and
  - (3) which has been passed by a vote of a special majority at a general meeting.
- 34.2 Amendments to the Constitution, certified as true copies by the President and the Chief Executive Officer, will be submitted to the IOC with a request for approval.

### **35. FUNDS**

- 35.1 The funds of the Committee will be derived from sponsorship, licensing, advertising, donations, fundraising activities, grants, interest and any other sources approved by the Executive.
- 35.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments will be signed by any two of the Executive or officers of the Committee authorised so to do by the Executive.

### **36. FINANCE**

- 36.1 The financial year of the Committee will commence on the first day of January and end on the thirty-first day of December in each calendar year.
- 36.2 There will be no annual subscription or fee payable by any member of the Committee.
- 36.3 The Executive must cause the Committee to:
- (1) open an account with a financial institution from which all expenditure of the Committee is made and into which all of the Committee's revenue is deposited.
  - (2) keep written financial records that:
    - (a) correctly record and explain its transactions (including transactions undertaken as trustee), financial position and performance; and
    - (b) enable true and fair financial statements to be prepared and audited, and must allow a member of the Executive and the auditor to inspect those records at all reasonable times.
  - (3) prepare Financial Statements of the Committee and a Directors' Report in accordance with the Act.
- 36.4 The Financial Statements of the Committee will be presented by the Chief Executive Officer to the annual general meeting of the Committee and circulated to all

Members.

- 36.5 The Executive will appoint an Audit and Risk Committee.
- 36.6 The Executive must cause Financial Statements of the Committee to be audited at least once in each financial year by the Independent Auditor and who will have the right to report on such findings at any meeting of the Committee.
- 36.7 The Independent Auditor will be appointed by the Committee at an annual general meeting and will hold office until removal or resignation. The Independent Auditor may only be removed by the Committee pursuant to the procedure described in section 329 of the Corporations Act 2001 (other than in respect of notification to the Australian Securities and Investments Commission and the requirement of the Australian Securities and Investments Commission to consent to the Independent Auditor's resignation or its power to make orders).
- 36.8 In the event that there is a vacancy in the office of Independent Auditor between annual general meetings, the Executive will appoint an Independent Auditor to hold office until the conclusion of the next annual general meeting.
- 36.9 The Executive will cause the Financial Statements of the Committee, the Independent Auditor's report thereon and the Annual Report to be posted on the website of the Committee.

### **37. SEAL**

- 37.1 The common seal of the Committee will be kept in the custody of the Secretary;
- 37.2 The common seal will not be affixed to any instrument except by the authority of the Executive and the affixing of the common seal will be attested by the signatures either of two members of the Executive or of one member of the Executive and of the Secretary;
- 37.3 The Secretary will record the use of the common seal in the minutes of the Executive and the seal register of the Committee.

### **38. NOTICE**

- 38.1 Notice may be given by the Committee to any Member either by serving it personally or by sending it by post, electronic mail or any other technology at the address shown in the register of Members or the address supplied by the Member for the giving of notices. Communication other than by means of personal delivery, post, electronic mail or any other technology can only be used if the Executive has given its prior approval in writing.
- 38.2 If a Notice is sent by:
  - (1) post, service of the Notice is deemed to be effected by properly addressing, prepaying and posting a letter containing the Notice, and to be effected, on the third business day after the date of its posting. A Notice sent by post to an

overseas Member must be forwarded by air mail;

- (2) facsimile transmission, service of the Notice is deemed to be effected by properly addressing the facsimile transmission and transmitting it to the number supplied to the Committee for that purpose and to be effected on the next business day after the date of its transmission; and
- (3) email, service of the Notice is deemed to be effected by properly addressing the email address and transmitting it to the address supplied to the Committee for that purposes and to be effected on the next business day after the date of transmission unless the Committee is advised that the transmission failed to send to the addressee.

38.3 The documents to be circulated with the agenda of an annual general meeting pursuant to clause 12.5(3) will be deemed to have been circulated if they:

- (1) accompany any personal delivery or are enclosed in the same envelope as the posting of the agenda;
- (2) are an attachment to the electronic mail by which is the agenda is given; or
- (3) are available for viewing and downloading by members of the public on and from the Committee's website as and from the time the agenda is given, providing the agenda refers to this fact and provides details of the internet location of the Committee's website.

### **39. WINDING UP OR CANCELLATION**

In the event of the winding up or the cancellation of the incorporation of the Committee and there remains after the satisfaction of all its debts and liabilities any property whatsoever the same will not be paid to or distributed amongst the Members but will be given or transferred in such manner as the IOC may in writing direct and in the event that there is no such direction, such property will be given or transferred to some other institution or institutions having objects similar or in part similar to the objects of the Committee and which will also prohibit the distribution of its or their property among its or their members such institution or institutions to be determined by the Members at or before the time of dissolution or in default thereof by the Chief Judge of such Court as may have or acquire jurisdiction in the matter.

AMENDED on 28 April 2018  
and EFFECTIVE immediately



## Chief Executive Officer's Address to the Annual General Meeting

I have great honour in presenting the 2017 Annual Report, Financial Statements and the Independent Auditors Report.

This year's Annual Report has a new format and layout, reflecting our priorities and based on our objectives – the report reflects our ambitions.

### Change & Renewal

The last 12 months has seen the AOC undertake a program of change and renewal to reset the organisation to put us in a position to be able to address the challenges and opportunities that lie ahead.

At the same time we have planned and delivered the Olympic Team to the PyeongChang Games, two teams to regional games and continued to initiate the important community and Olympian programmes.

From an organisational perspective we have

- Completed an organisational review to ensure the AOC has the capability and capacity to deliver on all of our objectives;
- Undertaken a wide ranging and soul-searching independent review of our culture and transparently made public the full report;
- Accepted all 17 recommendations of the Cultural Review and commenced an implementation programme;
- Openly addressed the bullying allegations through the Independent Committee;
- Addressed the governance recommendations from the Cultural Review by initiating an independent review to ensure the AOC is fit for purpose.

The independent cultural review undertaken by The Ethics Centre was an extensive consultation with staff, partners and member national federations, covering work place practices and our engagement with stakeholders. The 64-page document assessed the AOC's existing modes of operation that may at one time have served us well but needed to be questioned and our organisational culture came under scrutiny.

By releasing the full report publicly and adopting all 17 recommendations the Executive demonstrated its commitment to build a culture aligned to our espoused values and principles. To be an organisation that listens and works with our member sports but also leads.

I am pleased to report that since the recommendations were made public on 24 August 2017, we have implemented 10 by end of March, with the other 7 underway and sequenced for implementation during this year. There is a dedicated page in the Report setting out the progress of each of the recommendations.

Recommendation 10 required the AOC to revise its ethical framework in consultation with staff and stakeholders to enable us to better articulate our purpose, values and principles. This work has been completed and following a workshop with the Athletes Commission to consider the ASPIRE values, we will be in a position to publish the new ethical framework.

Recommendation 1 of the review required the AOC Executive to review its governance model ensuring that it is fit for purpose.

To address this recommendation the AOC Executive engaged the Australian Institute of Company Directors to undertake a targeted review. This review was presented to the Executive at yesterday's meeting.

The overall impression the AICD has of the AOC is one of positiveness, with an acceptance of the need for change, and a perception that the AOC appears to be on a good track going forward.

There was an appreciation that the AOC is a unique organisation in Australia that has gone through significant change. There was also an appreciation that the AOC is still working through the recommendations of the Ethics Centre Report and while the "game was not won yet", the process of change was underway.

The AICD acknowledged there has been a conscious effort to strengthen the AOC Management team to take on a larger role than it has previously has been enabled witnessed by recent senior management appointments.

Importantly AICD noted the AOC has taken steps to reshape the basis on which it communicates its governance arrangements and approach to stakeholders. They noted that this is reflected in the development by the AOC of its "Approach to Governance" statement in this year's annual report which was a sound step towards developing its own set of governance principles given the AOC's unique position and relationship with the IOC.

The Executive will work with the AICD over the coming months in progressing the report.

### **Organisational reset**

The trials and challenges of last year were an opportunity to push the "reset button". The Cultural Review covering our values and principles and an organisational review to address the capacity and capability of the AOC.

We started the organisational reset by extracting the 16 objectives of the AOC out of the constitution and into the daylight. The Objectives are our strategic aims to be achieved as part of a "strategic plan", providing the AOC with clarity of its role and mission.

To deliver on the objectives, the organisational structure was reviewed and adjusted to bring understanding and purpose to existing roles, expand the scope of others and where there were gaps, create new roles. This will ensure the AOC emerges as a healthier, more competent and engaging organisation in a short space of time.

10 strategic initiatives have been identified for implementation over this quad. The initiatives underpin an overall aim to expand the AOC's role and influence beyond games time for the advantage of our member sports and the overall promotion of the benefits of sport and Olympism. The initiatives are listed in this Report.

The new organisational structure, circulated late last year, established seven functional divisions each headed by a senior manager with responsibility for specific objectives and strategic initiatives.

Enhanced by the recruitment of three new experienced senior managers, a practiced CFO from the sporting industry, experienced Head of Public Affairs & Communications and in fulfilling a recommendation of the Cultural Review, a Head of People and Culture. Together with our existing senior managers we have an executive team to manage and implement the AOC's initiatives and execute all operations.

### **Olympism in the Community**

The organisational reset saw the integration of all AOC's community related programs such as "Chat with a Champ" and Pierre de Coubertin Awards centralised under one division, Community Engagement & Olympian Services.

We have used this integration to undertake a review of existing programs to ensure they are effectively achieving our objectives and examine new program options to expand our activities.

We have elevated community engagement as a priority and a key initiative to assist our member federations in leveraging their position as an Olympic sport to drive participation and pathway programmes.

Working with our Olympian alumni has also been elevated and the report sets out a number of programs initiated over the year with the Transition program being of high importance. At this point a pilot mentor scheme has been rolled out and we are working with providers on internships and career planning.

The AOC has also provided funding for athlete education and research projects on wellbeing and athlete transition – fact-based decision making is important in these areas.

### **Teams**

The report sets out the results of the Australian team at the 2018 Olympic Games – led by Chef de Mission Ian Chesterman. The team represented Australia with the highest of standards and performances, a mixture of games experienced athletes and rookies.

Given the time zone, and excellent broadcast of the Games by our partner Channel 7, Australians tuned into the games like never before. – winter sports have an exciting future that we need to exploit.

Our thanks to the OWIA and the winter national federations for their professional and dedicated work in preparing the athletes for the Games.

This year saw the first Australian teams compete in an Asian games, Asian Winter Games, Sapporo and Asian Indoor & Martial Arts Games, Ashgabat. Participating in these games was significant, as was our attendance at the Asian Olympic Council Congress, to progress this important relationship.

The end result is that the AOC has been invited as part of Oceania to participate in the Asian Games in 2022. The opportunity will be of benefit to our national federations that qualify through Asia and to sports that have a major strength in Asia. In time these sport opportunities will hopefully convert to commercial opportunities.

Amendments have recently been made to the Olympic Team Selection By-Law for winter team selection for the 2022 Games. The change supports the AOC's stated policy of sending full teams to Games. In

support of this policy the Executive has committed additional resources to the OWIA to support the athletes of the winter sports to achieve qualification to the Games.

Following a workshop with Summer sports, the By-law is also undergoing a revision to improve its clarity, make it easier for sports to manage and for athletes to understand the process.

Child protection is of paramount importance to the AOC. With the continuation of youth Games and increase in regional games, the AOC is working through a process to address the recommendations of the Royal Commission on child safe standards.

We are by developing policies, education and training programmes and communication strategies to institute a culture to manage this important matter. This work will address historical claims should any arise.

We will be doing this in conjunction with the ASC and other organisations and will keep members sports informed. Resources developed will be available to member sports.

### **Stakeholder Relations**

The AOC enjoys an excellent relationship with the ASC & AIS at multiple levels. Kate Palmer and I have met on many occasions over the year and we are working on a number of joint projects.

An initiative that provides a good example of working together for the benefit of sport was our joint effort to establish the 2020 Skateboarding Commission to ensure Australian skateboarders are well prepared and supported for the Tokyo Games.

Kate Palmer and Peter Conde attended the PyeongChang Olympics and now have a firsthand experience and understanding of the role of the AOC in managing teams at Games. The new Sports Minister, Senator the Hon. Bridget McKenzie, also attended the Games and was able to meet members of the team, tour the village and be briefed on Games operations.

We are increasing our engagement with State institutes of sport, universities, School Sports Australia and UniSports. In fact any organisation that invests in sport. Building partnerships across the sports industry is going to be critical in achieving our aims.

May I extend the AOC's thanks to the ASC and the state institutes of sport for their ongoing support of the national federations participation and performance programs.

During the year the then Sports Minister, Hon Greg Hunt, initiated the drafting of a National Sports Plan. The AOC's submission consisted of five core recommendations that were about enabling sporting organisations to improve their capability and capacity to deliver on the outcomes being sought by the government rather than developing new one-off programs.

The Plan is due to be handed down in the coming weeks. We have held back any advocacy until the plan was published so we wait and once on the record we will works with you the member sports in determining the AOC's strategy to communicate with all levels of government to drive benefit for our sports. This will be a priority over the coming months.

## **Funding**

The Financial Statements set out the strong position the AOC has finished in this first year of the current Olympiad. Sponsorship revenue is on target and Management remains focused on taking costs out of our operations through streamlining of processes, reducing duplication and use of more efficient technology.

Funding the Olympic movement in Australia comes from 4 sources which over the Olympiad are projected at \$104m. The split demonstrates the AOC's commitment to generate revenue from commercial sources.

- Commercial 60%
- Fundraising 12%
- Australian Olympic Foundation 23%
- Olympic Solidarity & OCOGs 5%

This funding makes it possible for the AOC to deliver the community programs, support Olympian alumni and prepare and deliver Teams to Games. Through AOC and Solidarity funding the support to athletes and member sports this year was;

- Medal incentive funding to 64 athletes \$965,000
- National federation funding (those that receive less than \$100k from ASC) \$553,000
- Olympic Solidarity grants of \$482,000 across
- National programs, Equipment, Travel, Admin & Promotions
- OWIA \$1m
- Community & Olympian programs \$654,000

Total of \$3.65m for the year.

The most significant cost variation was in Support Services due to the one-off expenses of the Independent Committee, Cultural Review and the Telstra Case. While these were significant expenses, the associated activities and outcomes were extremely important to changing the organisation and in the Telstra case, important in defending our commercial partners.

Despite the challenges of last year commercial partners have renewed and new ones are coming on board and as the report sets out partners undertook significant promotions in the period, demonstrating their commitment to the Olympic Team.

Over the coming years we will be working closer with our partners to align our communication strategy and programmes with their leveraging strategies so as to amplify the investment.

My sincere thanks to our commercial partners for the financial commitment critical to us being able to undertake and deliver on our mission.

## **Road Ahead**

Planning for the 2018 Youth Olympic Games, Buenos Aires and Tokyo 2020 is well underway. We will send a delegation of approximately 100 athletes aged from 16 – 18 to Buenos Aires, from 27 National Federations.

With two planning visits to Tokyo already completed AOC management is deeply engaged with member sports in determining their plans and what they need on the ground. The AOC enjoys a strong relationship with organising committee, and we are very well supported by the Australian Embassy and Austrade in Tokyo.

Tokyo 2020 will be the closest we will have to a home games for some time – therein lies opportunity.

Most importantly and without losing the importance of the athletes and teams, we are shifting to a focus on expanding our role in the community – sport for all, for the benefits that sport can bring to the our Australian community.

The virtuous circle of participation, pathway and performance – each generating the other. There is no performance without participation and no participation without aspiration.

### **Thanks**

I have enjoyed my first year with the AOC and thank the President, John Coates, for his advice, guidance and the great Olympic reference library held in his head. To the Executive, for their guidance and support, along with CEOs and Presidents of our national federations my thanks.

My appreciation to the management team and staff for their support. A challenging early 2017 but everyone kept it together and we continued to deliver on our tasks.

Also to the team at Lagardere, who have two staff imbedded in our management team, thank you for the expertise and commitment

May I acknowledge all our volunteers. They are across many levels of the Olympic movement – Commissions, State Councils, Olympic Clubs, Team Appeal Committees, games officials and workforce. Without your dedication and free giving of your time, the AOC could not function to the level we do. The AOC is particularly appreciative of the dedicated network of volunteers within the State Olympic Councils.

This year I attended my first Olympic Games, apart from being a spectator in 2000. I too have a far greater understanding of the games and the Olympic movement.

What I see is opportunity – boundless opportunity

Matt Carroll  
Chief Executive Officer

28 April 2018



**PRESIDENT'S ADDRESS  
AUSTRALIAN OLYMPIC COMMITTEE  
ANNUAL GENERAL MEETING  
SATURDAY, 28 April 2018**

Good morning friends one and all.

I also acknowledge the Gadigal People of the Eora Nation and pay my respects to the Elders past and present.

It is an honour to address the 2018 Annual General Meeting of the Australian Olympic Committee.

I thank you for it.

There is much to get through. Indeed, this year's Presidential address is the most important I have given.

Because I will announce and explain reforms the Australian Olympic Foundation passed just 25 days ago.

Reforms which protect the character and future of the AOC. More on those in a moment.

**Good Sports**

I start by recognising the inspiring performances of our athletes. Performances which did something quite profound.

At a time when it was needed, our country was reminded that sport can be a wonderful teacher.

There are many such performances on fields, slopes, track, roads, courts, ice rinks and in pools and waterways each and every day and all over the world.

All speaking to the way Australian's play sport.

But recent times made more recent examples especially welcome:

Rohan Browning competed in the 100 - metre sprint at the Gold Coast Commonwealth Games.

He missed the final by a single thousandth of a second - by the blink of the fastest eye.

Whilst most anticipated, and perhaps Rohan was entitled to exasperation and frustration, he offered this:

I think I am Australia's most pitied man right now... but I don't want to be!!!  
Fractions of a second are what separate people in this sport, and that's what makes it beautiful.

Huge thank you to the amazing officials for giving up their time to make these games amazing. GO AUS

Rohan, what magnificent words and deeds both!

Australia commends you! We, at the AOC commend you.

Australians Celia Sullohern, Madeline Hills and Elouise Wellings competed brilliantly in the 10,000 metres. They ran unplaced in this brutal event.

Journalist Michael Gleeson observed in the media:

All three Australian women waited for one another and then for all the runners.

All other athletes who finished wandered off, but the trio waited until the final runner, Lesotho's Lineo Chaka, had completed her last laps to finish the race in last place.

After the race Celia said:

I just love racing with two Aussie girls who are just such classy athletes. And I think that is the strength of Australian distance racing.

We were all out there having a go. It was so lovely to stand there with those girls and show a bit of, I hope, Aussie sportsmanship.

Celia, Maddie and Eloise you sure did. Australia commends you. We, at the AOC commend you.

I also recognise that in its bid to host the most inclusive Commonwealth Games the Gold Coast was a huge success. Or as three-times Paralympic and Games Wheelchair Marathon Champion, Kurt Fearnley said:

"The way the Games have been approached by the fans, the way the Games have been treated by our fellow athletes, we've nailed it."

Kurt went on:

"We're making progress. We need to push this progress, we need to capitalise it, we need to recognise it as well. We need to recognise that crowds have really enjoyed the idea of this inclusive Commonwealth Games, we need to recognise the sponsors have also enjoyed an integrated and inclusive Commonwealth Games and we need to know that we're doing the right thing."

Kurt, you are the champion of champions. Australia commends you. We, at the AOC commend you.



These examples are as numerous as the medals Australia won on the Gold Coast.

And they follow a Winter Olympic effort which also achieved the highest standards of behaviour and performance.

Matt Graham, Jarryd Hughes and Scotty James were our medallists.

They are captured visiting schools on their return from PyeongChang in the Annual Report – just wonderful ambassadors.

This is how journalist Alex Lavelle described our Winter Olympians:

The recent Winter Olympics was an example of the spirit in which sport should be played.

The athletes are super brave and super competitive – but they look like they were having a great time and seemed genuinely happy for each other – win or lose.

And so, what the Australian Commonwealth, Olympic and Paralympic family has demonstrated is sport as its best self.

On behalf of the Australian Olympic Committee I ask you to join me in commending all of the athletes and their support teams by hearty and deserved acclamation.

I also commend all of you for setting the highest standards as good leaders do. Standards which our vigilance must elevate and then meet time and time and time again.

### **Internationally**

On the international stage the IOC made the historic decision in Lima, Peru on 13 September 2017 to simultaneously award the Olympic Games 2024 to Paris and 2028 to Los Angeles.

I chaired the working group that determined the way for this to occur.

I also chair the Olympic Games Delivery Executive Steering Committee whose **New Norm** recommendations to the IOC Session in PyeongChang was approved unanimously. It comprises a set of 118 reforms that reimagine how the Olympic Games are delivered.

We analysed every function of operations, including venues, energy, broadcasting, accommodation, transport and technology, and also looked at the Paralympic Games.

We examined if the right services and products were provided, if timing of delivery was optimal, and where we can provide additional expertise. What resulted is a robust plan that reduces complexity and costs, while maximising flexibility and partnership.

By examining the seven-year journey with former Organising Committees (OCOGs), more than 80 of the 118 solutions that have been adopted will result in cost efficiencies without compromising the Olympic experience for athletes. The plan invites opportunities to reduce venue sizes, rethink transport options, optimise existing infrastructure and reuse the field of play for various sports.

Enhanced integration of Olympic stakeholder expertise, combined with adjusted workflows, will unlock greater value for hosts and partners alike.

For example, a joint coordination process between national and regional government, the IOC and Tokyo 2020 has already assisted in reducing Tokyo's revised venue infrastructure budget by USD2.2 billion. That's measurable progress. Real progress.

The New Norm will lead to savings of hundreds of millions of dollars in the delivery of the Olympic and Paralympic Games. We are targeting USD500 million for the Winter Olympics and USD1.5 million for the Olympic Games.

I labour these reforms because they will impact on the number of cities applying to host the Olympics.

For the 2022 Olympic Winter Games there were just two - Almaty and Beijing - as there were for the 2024 Olympics.

For the 2026 Olympic Winter Games we now have six – Graz (Austria), Calgary, Cortina d'Ampezzo/Milan/Torino, Sapporo, Stockholm, Sion (Switzerland) and Erzurum (in Turkey).

Again, real measurable progress.

Terrific news and the start of a new trend for thriving Olympic Sports sponsored by these New Norms.

#### **AN OLYMPIC GAMES BID FROM SOUTH-EAST QUEENSLAND**

At home the savings will have a major bearing on whether a bid for the 2032 Olympic Games from Brisbane and the six surrounding cities in South-East Queensland is feasible.

The AOC Executive consider Brisbane the only major Australian city climatically able to host the Games within the IOC's required July-August window.

But this is down the track. First, the SEQ Council of Mayors, chaired by the Lord Mayor of Brisbane, Councillor Graham Quirk, are undertaking a study to establish a regional transport plan; identifying essential transport priority projects; and, stakeholder alignment.

They will then complete a venue and facilities audit, identifying any required new venues, facilities and major sites as part of a preferred Olympic Games Master Plan.

Without first addressing the region's existing transport infrastructure shortcomings, hosting the 2032 Games is not feasible.

The AOC Executive is encouraged by and supports this approach.

#### **SPONSORSHIP AND LICENSING**

I am very pleased to announce and welcome ASICS as our new Olympic Sponsor in the competition, training and Village apparel and footwear category for our teams for the Youth Olympic Games later this year and the 2020 Olympics.

This followed an approach I made while in Tokyo last December and will see the host team, Japan, Australia and Uruguay as the only teams outfitted in this prestigious brand in Tokyo.

I also announce that our Media Intelligence and Insights sponsor, Isentia has renewed.

Contracted sponsorship for the 2017-2020 quadrennium now stands at \$57.53m, up from \$49.28 at end 2017.

Discussions with other potential sponsors continue.

Our current budget requires \$62.5 million.

### **AUSTRALIAN OLYMPIC FOUNDATION REFORM**

Turning now to what I referenced in the introduction.

My report as Chair of the Australian Olympic Foundation to yesterday's Board meeting has been made available to you.

As you know the Foundation was established in 1996 to:

“develop and protect the Olympic Movement in Australia in accordance with the Olympic Charter.”

It must:

- promote the fundamental principles of Olympism;
- encourage high performance sport as well as sport for all;
- ensure the representation of Australia at Olympic and Regional Games;
- fund the costs and expenses of the AOC including the participation of Australian Teams in Olympic Games; and
- generate and provide funds to fulfil these objectives.

Since its establishment the Foundation has grown its corpus from \$109 million at the commencement of 2001 to \$150.5 million at end March 2018. This is down on the \$153.8 million at end 2017 after Australian shares experienced their worst March quarter since the GFC and payment of the March 2018 quarter distribution to the AOC of \$1.562 million.

Total distributions increased from \$114.3 million at end December 2017 to \$115.9 million at end March 2018.

The composite return for the Foundation to end March 2018 since inception is 8% per annum versus the historical target objective of a rolling 4-year CPI plus 10 - year bond rate of 4.5%.

The Foundation's finances are strong and growing.

Over the years Executives Members identified the critical need to maintain the capital of the Foundation and ongoing distributions to the AOC.

Without this the AOC could not preserve its autonomy from outside influences.

I speak of election cycles, of geo-politics, of political promises, the ebb and flow of public funding and of policy.

Any or all of which can compromise compliance with the Olympic Charter.  
Compromise which would render our 'absolute values' as 'merely malleable.'

Specifically, I speak of others not wedded to the Olympic Charter who may seek control of the AOC Executive as a means of controlling the Foundation, its capital and distributions. Something we just cannot have.

Because of the risk this poses, action has been taken to protect the corpus of the Fund.

On April 3 this year, the Trust Deed of the Foundation was amended to:

- a) align the objectives of the Foundation with those of the AOC under its Constitution, as amended in 2015;
- b) limit total distributions during any four-year Distribution Period to four per cent per annum of the net asset value of the Foundation calculated as at the first day of each Distribution Period;
- c) require that any decision to distribute more than 4 per cent per annum will be subject to:
  - i) ratification by a Special Majority of the members of the Trustee (75% of those entitled to vote); and
  - ii) prior written consent of “the Required Majority of Guardians”, which I will shortly explain (75% of those entitled to vote);
- d) require that any further amendments to the Trust Deed will require the same 75% percentage ratification by the members of the Trustee and the same 75% percentage consent by the Guardians, again, in each case of those entitled to vote; and
- e) provide that in addition to the concurrence of the President of the IOC, for removal and appointment of a New Trustee:
  - i) the members and directors of the New Trustee must be the same members and directors as of the Resigning Trustee; and
  - ii) the Constitution of the New Trustee must contain the same provisions as the Constitution of the Resigning Trustee.

The Guardians are an addition to the provisions of the Trust Deed.

They are those persons who are Life Members of the AOC. There are currently 12 of them.

Geoffrey Henke AO  
 Phillip Coles AM  
 Kevan Gosper AO  
 John Coates AC  
 John Devitt AM  
 Sir Donald Trescowthick AC KBE  
 Peter Montgomery AM  
 Michael Wenden AM MBE  
 Helen Brownlee OAM  
 Ronald Harvey CVO AM  
 Doug Donoghue AM  
 Ian Chesterman

The Trust Deed was established with the AOC the Primary (and only) Beneficiary and with Nil General Beneficiaries.

All of the members of the AOC referred to in Clauses 7.1(1) to (8) inclusive of the AOC Constitution, including National Federations, were excluded from the class of potential General Beneficiaries.

Further, on 3 April 2018, pursuant to the terms of the amended Trust Deed, the Trustee of the Foundation **irrevocably declared** a number of additional persons as being excluded.

This included as an example the Australian Sports Commission as well as the Australian and State and Territory institutes and academies of sport and any other sports organisations.

I repeat the Trustee of the Foundation made an irrevocable declaration.

What does all of this mean?

It means the Australian Olympic Foundation's capital and ongoing distributions is secure... in this case... is protected by our finest... our Guardians.

It means the AOC is able to fund its activities independent from Government and free of outside pressures of any kind.

It means our values are preserved – strong and uncompromised.

And it sends a very powerful message:

To those with designs on raiding the Foundation – you are well served to look elsewhere.

Put simply, our Guardians on the wall cannot be defeated by any Barbarians at the gate.

To those who so ably amended the Trust Deed of the Foundation, I thank you.

What you have achieved is lasting. You have ensured this funding will forever serve the noble purpose of abiding and growing the true spirit of the Olympics.

## **2017 PRESIDENTIAL ELECTION**

On the point of values, I now turn to those matters subject of much discussion during last year's Presidential election.

I speak of the allegations made publicly, suggestive of a culture of bullying within the AOC.

I reference these today for three reasons:

First, high performing organisations, just like high performing athletes, must assess complaint and criticism diligently if they are to maintain and improve their performance and reputation.

Second, such a proper and fully independent assessment of these particular allegations has been conducted and yields important findings of truth.

And third, as the President and especially given my leadership was associated with this alleged culture, my responsibility is to fully share with you these findings and recommendations.

You will recall the context of these matters ...

On 24 April 2017, 12 days before the AOC's Annual General Meeting, and four-yearly elections, then AOC Executive members Andrew Plympton, Nicole Livingstone and Danielle Woodward convened a Special Meeting of the AOC Executive.

In requesting the Special Meeting, Andrew, Nicole and Danielle cited various media articles as justification.

The articles referenced complaints by employee Fiona de Jong, against another employee, Mike Tancred as well other alleged complaints against Mike Tancred.

Further, Fiona de Jong on ABC Radio on 26 April 2017 also said that:

“an incident occurred during the month of December and as at today (April 2017) the matter remains unresolved”

On matters pertaining to culture Andrew, Nicole and Danielle also claimed and I quote:

“Given that there now appears to be allegations of systematic bullying it is important that the AOC Executive protect the staff to ensure that any investigation into any complaints is seen as completely impartial, for that reason I add that an independent person(s) be called in to review and give the Executive the findings it requires”.

They went on to say and again I quote:

“We have storm clouds gathering over the conduct of the AOC, we are in grave danger of incurring significant reputational damage, we need to consider the best ways forward and an urgent meeting needs to be called”.

### **The Independent Assessment**

To assess these complaints and allegations including any sanctions, the AOC Executive did appoint an Independent Committee including:

- Former High Court Judge the Honourable Ian Callinan AC;
- Former High Court Judge the Honourable Susan Crennan AC QC; and
- Former Supreme Court Judge the Honourable Greg James AM QC

To be clear, this was a full delegation of the powers of the AOC.

And a process as independent and as expert as could be.

In respect of the Tancred/De Jong matter, the Independent Committee found that:

- (a) the conduct in question did not “rise to the level of bullying” because it was not repetitive conduct against the complainant;

- (b) the conduct amounted to disreputable conduct; and
- (c) the sanction is that the employee be severely reprimanded for his conduct which will form part of his employment record.

This sanction has of course been applied.

The AOC Executive also delegated to the Independent Committee responsibility for determining four other complaints made against the same employee.

Three of those complaints were made by former AOC employees and one complaint was made by a member of the public.

Taking each in turn:

In response to the first complaint, the Independent Committee determined that:

- (a) the assertions were unsupported; and
- (b) the complaint unsubstantiated.

In the second, the committee determined that:

- (a) it is unable to find the conduct inappropriate or requiring sanction;
- (b) there was no basis to conclude there has been a breach of the AOC's Ethical Behaviour By-Laws; and,
- (c) the complaint at the very least verged on vexatious.

The Independent Committee dismissed this complaint with no findings adverse to the employee.

In the third, the Independent Committee determined that:

- (a) the complaint was not made out; and,
- (b) nothing alleged by the complainant, separately or taken cumulatively, amounts to a breach of the By-Laws or policy.

In the fourth, the Independent Committee did not uphold the complaint and determined that:

- (a) the Committee were bound to conclude that objectively the conduct was not conduct in breach of the By Laws; and
- (b) objectively the conduct was not such as to bring or to cause any reasonable observers to think the AOC or any of its employees disreputable.

Regarding Fiona de Jong's claim of unresolved incidents referenced above, I also advise that the AOC Executive meeting of 26 April 2017, after hearing from the AOC's lawyer, Patrick George "expressed confidence that the current AOC processes were followed in respect of the complaint by Ms de Jong."

For completeness I also reference one other formal grievance raised by an employee in 2013 against Mike Tancred. An allegation I referred at the time to Minter Ellison for investigation. They found the allegation:

“to at least amount to inappropriate conduct or poor management, but not bullying or harassment”

Mr Tancred apologised and the employee remained in employment with the AOC for another year, leaving on good terms.

At the request of the employee this grievance was dealt with on a confidential basis.

And so friends these are the facts of these matters:

1. The Independent Committee upheld one complaint.
2. In response to this Mr Tancred has been sanctioned and apologised privately and publicly as was right and necessary;
3. The Independent Committee considered there was no case against him for dismissal;
4. It also found that in some respects Mr Tancred had been subject to political cross – fire;
5. The Independent Committee also noted that the also independent Ethics Centre itself independently found bullying **not** to be a problem at the AOC; and
6. Finally, the Independent Committee also noted that there had been excessive or undue emphasis on these matters by virtue of the contested Presidential election.

Friends, there is no place for bullying in any workplace.

Equally there must always be a place for proper process and for facts.

The facts here, as determined by the Independent Committee, suggest that a specific human resources issue was inflamed into an alleged macro cultural problem.

And that this was done by those seeking to present themselves as the solution. That the AOC was besmirched by exaggerated claims and pejorative hyperbole, expressed for political advantage.

And that those who claimed a motivation to protect the AOC’s reputation more closely resembled both arsonist and firefighter.

Friends the virtue to be found in this is the same reminder our athletes gave the Australian people:

Sport is not about winning at all costs.

We do not chase only Citius, Altius, Fortius.

We also aspire to Honoris et Honestatis.

To compete with honour and integrity.

Thank you.

**JOHN COATES AC**  
President



## Ian Chesterman

Ian Chesterman has made an extraordinary contribution to the growth and development of Olympic sport in Australia.

His leadership as Chef de Mission at no fewer than six successive winter games and Deputy Chef at one prior to these, is coincident with Australia's coming of age as a nation competitive in winter Olympic disciplines.

Ian's hallmark during this period has been the instilling in his teams, a sense of self-belief that has resulted in podium finishes, pride and profile for our Olympic winter Games competitors.

It began at his first Games, as Deputy Chef under Geoff Henke at Lillehammer in 1994 when Australia picked up its first winter medal, a bronze in the 5000 -metres short track relay.

Golden efforts from some wonderful athletes followed. Stephen Bradbury's extraordinary gold in Salt Lake City 2002 in the short track speed skating, our first ever gold and Alisa Camplin's aerials triumph with her final jump.

Dale Begg-Smith picked up a moguls gold in Torino 2006, and then our two gold in Vancouver in 2010 with Torah Bright, snowboard halfpipe and Lydia Lassila in the aerials skiing.

What Ian Chesterman has cemented is an expectation that our team will travel to a Winter Olympic Games and it will win medals.

Equally, he has been unrelenting in championing younger and developing athletes to realise an Olympic dream, even when the prospect of a medal may seem remote in some instances. From these experiences, confidence and capacity grows and thus our growth as a winter Olympic nation continues.

Ian has also been an outspoken advocate for the rights of our Australian athletes to compete on an even playing field and that athletes who engage in doping will be expunged from competition.

Above all, Ian has combined a meticulous attention to detail in planning and preparation with a modest style, whose authority is born of a calm and considered perspective that belies the inherent pressures of leadership.

These are the qualities which have led to Ian being appointed Chef de Mission for the summer Olympic Games in Tokyo 2020 where he will undoubtedly do an outstanding job.

These are also the qualities that Ian has brought to the Australian Olympic Committee in his 17 years on the Executive, in his capacity as Vice-President since 2016 and his contribution through membership of the AOC Audit and Risk Committee, AOC Finance Commission and Directorship of the Australian Olympic Foundation and the Olympic Winter Institute of Australia.

Ian Chesterman has made a substantial and lasting contribution to the Australian Olympic Committee and Olympic sport in Australia. His dedication is acknowledged with the Australian Olympic Committee awarding Ian Life Membership, an honour richly deserved.

Paul Bachelor

Paul Bachelor has served as a member of the Australian Olympic Foundation's Investment Advisory Committee since 2001.

The vital contribution this Committee makes to achieving the Foundation's critical purpose can never be underestimated and Paul's contribution with his time and expertise has been enormous.

Our Olympic future is underpinned by the sound financial position in which the Foundation finds itself, in spite of the great uncertainty of global financial markets over time.

Paul has brought all his insights, experience and knowledge to the Committee table over many years to help us meet the complex challenges we face.

His close association with the Olympic movement is longstanding dating back to Paul's time as CEO of AMP which sponsored both the 2000 Sydney Olympic Games and the Australian Olympic Committee.

Thanks to Paul over these many years, the Australian Olympic Foundation continues to deliver financial returns for which we are very grateful.



## Angus Douglas

Angus Douglas has been volunteering his time and advice to the Australian Olympic Foundation's Investment Advisory Committee for more than 20 years.

His contribution has allowed the Australian Olympic Committee to plan with great certainty knowing that we are on a sound financial footing that ensures our athletes can do their very best in Olympic competition.

Over these many years, Angus has had to focus his mind on the many difficult challenges and voluminous reports that contribute to our investment strategies in multiple funds globally.

We have had to adjust our strategy over time to deal with the circumstances of the day and it is a great credit to Angus and the other committee members that we continue to find ourselves in such a healthy position.

His career as a stockbroker has been quite extraordinary having worked in Australia and abroad for more than five decades and currently with Gold Coast brokers Morgans.

The Australian Olympic Committee is very grateful to Angus and indeed to our esteemed AOC Life Member Sir Donald Trescowthick who recommended Angus to us.

Having relied on Angus's expert advice for such a sustained period there is great opportunity to reflect on the contribution he has made, giving of his time and knowledge so generously.



## **Geoff Lipshut**

As the founding Chief Executive Officer of the Olympic Winter Institute of Australia (OWIA), Geoff Lipshut has provided both the guidance and incisive thinking to transform Australia's standing as an Olympic force at Winter Games.

He is rightly considered the founding father of Australia's aerial program and the architect of our success more broadly in freestyle disciplines which have yielded so many Olympic medals and world champions.

It is Geoff's inspired thinking in transitioning from gymnastics into the aerial skiing program that has earned him rightly deserved recognition.

Our aerial skiers have become Olympic medal winners, world champions and indeed household names either through Geoff's tutelage or his design and implementation of programs at the OWIA since 2001.

Names such as Kirsty Marshall, Jacqui Cooper, Alisa Camplin, Lydia Lassila and Dale Begg-Smith are all beneficiaries of Geoff's dedication to elite athlete development.

Other emerging athletes are now benefiting from the OWIA programmes across disciplines, reflected in the facts that In PyeongChang in 2018, all three Australians who made the podium were young, first time medallists.

Geoff Lipshut has not only taken on a challenging role in Australian sport but he has also displayed proven ability to achieve significant success to grow the profile of winter Olympic sport in this country.

Raelene Boyle AM MBE

Without doubt, Raelene Boyle was the fastest drug-free female sprinter of her time. The pity is that she doesn't have the gold medal to prove it.

During a 14-year career which established her as a worthy successor to the great sprinters Marjorie Jackson, Betty Cuthbert and Shirley Strickland, she deserved an Olympic gold. Instead she had to settle for three silver medals, and a lot of frustrating memories.

At the Munich 1972 Olympics Raelene was beaten twice by an East German athlete who was later proved to have taken part in a doping program. And four years later, in her target event at the Montreal Olympics, the 200m, Raelene was disqualified after being ruled guilty of two false starts... the first of them questionable.

She has always been a fighter, possessed of an irrepressible, larrikin spirit that sometimes got her into trouble but also enabled her to bounce back from harsh and varied setbacks.

Just 17, she finished second in the Mexico 1968 City Olympic 200m, beaten by the great Irena Swiezinska, of Poland.

Her nemesis in the 100m and 200m in Munich was Renate Stecher, whose credibility was later stained by drug allegations. Her disqualification in Montreal came after she attempted to protest against a starter's call she was convinced was wrong.

Raelene was honoured in two Olympic Opening Ceremonies, carrying the Australian flag in Montreal and joining other female legends in carrying the Olympic torch into the stadium in 2000.

In personal battles with cancer since 1996, Raelene's fighting spirit has served her well.

She has worked tirelessly to raise community awareness about breast cancer and has been a very active board member of Breast Cancer Network Australia (BCNA).

Raelene maintains a strong interest in the performance of our new generation of athletes and a fierce desire to see all athletes compete equally and free from performance enhancing drugs.

Mexico City 1968

Silver – 200 metres sprint

Munich 1972

Silver – 100 metres sprint

Silver – 200 metres sprint

## **Cathy Freeman OAM**

Cathy Freeman's contribution to Australian Olympic history is unique. Having proudly lit the flame at the Opening Ceremony of the Sydney 2000 Olympic Games, eleven nights later she went to win the 400 metres final before a crowd of 112,000 people and a television audience of 9 million Australians.

The images of both wonderful moments are etched into Australian sporting folklore and our collective national memory.

Cathy became the symbol of the Sydney Games.

She grew up in Mackay, Queensland, and was a natural athlete from early childhood.

At 16 Cathy won the 4 x 100m relay gold at the Auckland Commonwealth Games. At the Atlanta 1996 Games she became the first Aboriginal medallist, by finishing second to Marie-Jose Pécé in the 400m.

After that she won back-to-back world championships over the distance in 1997 and 1999. By Sydney, at 27, she was stronger, tougher mentally, and ready.

The weight of expectations she carried into that race was enormous. Apart from the hopes of a nation, there was an extra load - 200 years of history. Fourth out of the blocks, she appeared to catapult herself clear of her rivals in the straight. Later she danced through a victory lap, carrying Australian and Aboriginal flags.

Not since 1964, when Betty Cuthbert was successful over the same distance in Tokyo, had an Australian woman won a flat race on the track at the Games.

Following her retirement in 2003, Cathy maintained her fierce determination to achieve but this time in the service of others. She is a member of the IOC Sport and Active Society Commission.

She was an Ambassador of the Inspire Foundation (Now ReachOut Australia) and she was appointed as an Ambassador for Cottage by the Sea, before retiring from her position as Patron after 10 years in 2014.

In 2007 she founded the Cathy Freeman Foundation. The Foundation works with a total of seven schools in four remote Indigenous communities to close the gap in education between Indigenous and non-Indigenous Australian children by offering incentives for children to attend school.

Atlanta 1996

Silver – 400m

Sydney 2000

Gold – 400m

Shane Gould AM, MBE

Shane Gould is an Olympian whose star shone so brilliantly and yet for such a short moment in time.

In spite of retiring from swimming at the age of 17, Shane created a unique place for herself in Australian sporting legend.

In Munich 1972, at just 15 years of age, she became the first and only Australian to win three individual gold medals at the one Games, and remarkably, each of them in world record time.

The 200 and 400 metres freestyle and 200 metres individual medley.

And to that count, she added a further silver and bronze medal in the 800 metre freestyle and 100 metre freestyle respectively.

Shane's retirement at 17 years of age reflected her unwillingness to endure the heavy burden of her dazzling Olympic debut and ultimately a desire to pursue a more simple and spiritual existence.

She had held every freestyle world record from the 100 metres to 1500 metres with the 200 metre freestyle medley thrown in for good measure.

It remains a breathtaking accomplishment.

Shane was awarded the IOC's Olympic Order in 1994.

After stepping away from the public glare for more than 20 years, Shane re-emerged to the competitive arena of the Masters Games where, needless to say, she began to set records in freestyle events.

More comfortable this time with a degree of public attention, Shane also began to coach youngsters and pursue an array of interests through tertiary study and artistic endeavour behind the camera lens.

Munich 1972

Gold - 200 metres freestyle

Gold – 400 metres freestyle

Gold – 200 metres individual medley

Silver – 800 metres freestyle

Bronze – 100 metres freestyle

## Ian Thorpe OAM

Ian Thorpe has won five Olympic gold medals, the greatest total of any Australian.

That simple statement reflects the magnitude of his athletic achievement, principally as a 400-metre freestyle swimmer but also over shorter distances and in relay teams.

His tally of three gold medals and two silver in the Sydney 2000 Olympics marked him as Australia's most successful athlete at Australia's most successful games.

Ian first grabbed world attention when he won the 1998 world 400m freestyle title in Perth, becoming, at 15, the youngest world champion in history.

At the age of 12, he competed in 13 events at a state meet, and set under-age NSW records in all of them. Fully grown, he had a large frame, an arm span of 190cm and size 17 feet. As his first Olympics approached, in Sydney, he had broken 10 world records - four of them in four days at the 1999 Pan Pacific titles.

On the first night of Olympic competition in Sydney he won the 400m freestyle, shaving his own world mark, then combined with Michael Klim, Chris Fydler and Ashley Callus to inflict the United States' first defeat ever in the 4 x 100m freestyle relay, setting another world record. In the individual 200m freestyle, the Dutchman Pieter van den Hoogenband beat him into second place.

Later Ian featured with Klim, Todd Pearson and Bill Kirby in another world-record relay victory winning the 4 x 200m.

Ahead of Athens in 2004, Ian almost lost the chance to defend his 400m title when he toppled from his starting block in the Olympic trials - but survived and went on to win the Olympic final. He later won the 200m freestyle - billed as "the race of the century" - against Dutchman Pieter van den Hoogenband and American Michael Phelps.

By the time Ian retired in 2012 his success had attracted global recognition for swimming and Australia's place in world sport. The IOC recognised his immense contribution by awarding him the Olympic Order.

His retirement from competitive swimming did not diminish his desire to contribute to the welfare of indigenous Australians through his "Fountain of Youth" charity.

Ian has worked as a commentator and has published a courageous autobiography dealing with the challenges of depression. In more recent times he has been a campaigner for gay rights and particularly the successful Australian Referendum that led to same sex marriage legislation being passed by the Federal Parliament.

### Sydney 2000

Gold – 400m Freestyle, 4 x 100m Freestyle Relay, 4 x 200m Freestyle Relay

Silver - 200m Freestyle, 4 x 100m Medley Relay

### Athens 2004

Gold - 200m Freestyle, 400m Freestyle

Silver - 4 x 200m Freestyle Relay

Bronze - 100m Freestyle



## Peter Norman

Peter Norman's place in Australian Olympic history is a unique intersection of record-breaking athletic achievement and ground-breaking global events which famously played out on the Olympic stage.

As an athlete he won five national championships over 200 metres. In Mexico City in 1968, he set a new mark for Australian male sprinters becoming our first Olympic silver medallist in events up to 200 metres.

He went to Mexico as an outsider and in his first round briefly held the Olympic record for the distance before that was immediately broken by the race favourites, Americans Tommie Smith and John Carlos.

In the final, Peter claimed his place in our track and field history when he lunged ahead of Carlos to finish second to Tommie Smith and claim that silver medal. It was a remarkable effort to split the American champions in a personal best time.

Peter's time of 20.6 seconds was an extraordinary feat in its time. So much so, it has never been bettered by an Australian and remains our national record for the 200 metres sprint to this day.

But it was during the medal ceremony which followed that Peter etched his name in Olympic history a second time when he stood in solidarity with the two Americans.

Smith and Carlos raised their black-gloved fists in silence, their heads bowed, symbolizing black unity and a call for racial equality in the United States.

Peter wore the badge of the Olympic Project for Human Rights along with Smith and Carlos and the image of the three figures on the Olympic podium became an iconic symbol of the civil rights movement in the U.S.

While controversial at the time, with the American pair sent home for their stance, Peter's courageous involvement perhaps overshadowed his athletic achievement but he remained proud of the stand throughout his life.

He told reporters "I believe in human rights. Every man is born equal and should be treated that way".

Injury robbed Peter of another shot at the Olympics when he finished third at the national titles ahead of the 1972 Munich Games. Though disappointed, he didn't want to use the injury as an excuse, remarking "I felt a lot older than 30 today."

Peter's association with the Olympic movement continued over many years with honorary roles including the announcement of Australian teams, the official launch of the Sydney 2000 Medals set at the Sydney Opera House as well as proudly carrying the torch ahead of the Sydney Games.

Peter passed away in Melbourne in October 2006. Tommie Smith and John Carlos led the party of pallbearers at his funeral.

If you travel to Washington to visit the National Museum of African American History and Culture, Peter's image, serene and proud, is captured in bronze alongside the two Americans in that iconic pose.

It is now 50 years since those extraordinary scenes in Mexico and that milestone represents an appropriate opportunity to acknowledge Peter Norman for his grace, his athletic achievement, his decency and his courage.

Mexico 1968

Silver – 200m sprint