

OCEANIA ATHLETES' COMMISSION TERMS OF REFERENCE (TOR) – REVISED & APPROVED BY ONOC EB SEPT 2021

Articles 5, 7 and 14 of the ONOC Articles of Association reference the Athletes' Commission and Article 20 prescribes the requirements for the ONOC Athletes' Commission.

This TOR has been revised consistent with the amendments to the ONOC Articles of Association adopted in 2018 and the ANOC Guidelines for Continental Athletes' Commission adopted by ANOC in 2016.

All defined terms and references used in this document take their meaning from the ONOC Articles of Association, unless otherwise defined herein.

1. PURPOSE

To ensure the voice of Oceania athletes is expressed, articulated and taken into account by the ONOC Executive Board (**ONOC Board**) and its associated decision-making bodies.

2. REVIEW

- 2.1 This TOR is to be reviewed by the Athletes' Commission annually and presented biannually at an Athletes' Forum coordinated by the Athletes' Commission with support of the ONOC Board.
- 2.2 Any amendments to change this TOR requires a majority for a quorum of the Commission and any such change must be ratified by the ONOC Board to become effective.

3. OBJECTIVES

- 3.1 The objectives of the Athletes' Commission are to:
 - (a) consider questions related to athletes and to provide advice to ONOC and the ONOC Board;
 - (b) represent and safeguard the rights and interests of athletes, promote the Athletes' Declaration of Rights and Responsibilities and to make related recommendations to ONOC and the ONOC Board;
 - (c) communicate and liaise regularly with the IOC Athletes' Commission and ANOC Athletes' Commission;
 - (d) maintain contact with the Athletes' Commission of NOCs in Oceania;
 - (e) through the appropriate channels, support or liaise with athletes of NOCs in Oceania where the NOC Athletes' Commission is inactive or non-existent;
 - (f) assist NOCs to establish athletes' commissions where none exist;
 - (g) assist to build the capacity of athletes in Oceania;

- (h) act as a resource of best practice information and support for all NOC Athletes' Commissions; and
 - (i) liaise with the Regional World Olympians' Association representative(s).
- 3.2 The Athletes' Commission will nominate members to standing commissions of ONOC including, but not limited to, gender equity commission and education commission.

4. MEMBERSHIP

- 4.1 The Athletes' Commission will have a maximum of 7 members in addition to any member of the IOC Athletes' Commission or ANOC Athletes' Commission who is domiciled in a country within Oceania.
- 4.2 The Athletes' Commission will comprise of the following members:
 - (a) a representative of the Pacific Games Council, elected by the athletes at the Pacific Games as athlete representative on the Pacific Games Council;
 - (b) at least two (2) members (one male and one female) who are elected by their peers during the Oceania Athletes' Forum held two years after the Pacific Games;
 - (c) at least two (2) members (one male and one female) who are elected by their peers during the Oceania Athletes' Forum held during the year of the Pacific Games;
 - (d) up to two (2) members appointed at any time by the ONOC Board following the general meeting convened in the year following the Summer Olympic Games; and
 - (e) any member of the IOC Athletes' Commission or ANOC Athletes' Commission who is domiciled in a country within Oceania.
- 4.3 For clarity, the Athletes' Commission must:
 - (a) be comprised of a majority of athletes who are: -
 - (i) elected by their peers; and
 - (ii) from an Olympic Sport;
 - (b) be reasonably balanced between:
 - (i) summer and winter sports practised in Oceania; and
 - (ii) both genders.
- 4.4 To be eligible for election to the Athletes' Commission pursuant to Article 20.3 (b) and (c) of the ONOC Articles of Association, a person must:
 - (a) be at least 18 years of age and not have been sanctioned for a doping offence pursuant to the World Anti-doping Code;

- (b) be nominated by an athletes' commission of an NOC in Oceania; and
 - (c) be an athlete who, at the time of his or her election, has participated at an international level, at least, within the previous eight (8) years.
- 4.5 The persons elected pursuant to clause 4.2(b) must:
- (a) include athletes from both genders;
 - (b) excluding the Pacific Games Council representative, not include more than one (1) athlete nominated by or from any Athletes' Commission of an NOC in Oceania; and
 - (c) excluding the Pacific Games Council representative, not include more than one (1) athlete from any one (1) sport or discipline on the Olympic Games and Olympic Winter Games programmes.
- 4.6 The persons appointed pursuant to clause 4.2 (c) must:
- (a) be at least 18 years of age and not have been sanctioned for a doping offence pursuant to the World Anti-doping Code; and
 - (b) be nominated by an athletes' commission of an NOC in Oceania.
- 4.7 Subject to clause 8, the duration of all appointments or election will be for four (4) years from the date of the appointment or election, as the case may be.
- 4.8 A person may not be a member of the Commission for more than twelve (12) years cumulatively.

5. ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON

- 5.1 Subject to clause 7, the Athletes' Commission will at the first meeting following the Oceania Athletes Forum held during the year of the Pacific Games, elect their Chairperson and Deputy Chairperson who will hold office for a term of four (4) years.
- 5.2 The Chairperson and Deputy Chairperson will represent the Athletes' Commission at general meetings of ONOC and the Chairperson will be a Member of the ONOC Board. If the Chairperson is unable to attend a meeting of the ONOC Board, the Deputy Chairperson or any other member of the Athletes' Commission appointed by electronic mail by the Chairperson of the Athletes' Commission will be entitled to attend and represent the Athletes' Commission.
- 5.3 The Chairperson represents Oceania on the ANOC Athletes Commission.

6. MEETINGS AND VOTING

- 6.1 The Athletes' Commission will meet in person at least once a year. Other meetings may be held electronically or digitally. Urgent matters may be approved in writing by at least 80% of the members.

- 6.2 A quorum for a meeting is at least 50% of the members.
- 6.3 At each annual meeting the Athletes' Commission will:
- (a) review this Terms of Reference;
 - (b) create an annual calendar of events and budget;
 - (c) monitor the progress of activities in accordance to the statement of purpose and calendar of events and report to the ONOC Board;
 - (d) make relevant recommendations to :
 - (i) the ONOC Board;
 - (ii) the Pacific Games Council;
 - (iii) the IOC Athletes' Commission;
 - (iv) the ANOC Athletes' Commission;
 - (v) the WADA Athletes' Commission
 - (vi) National Olympic Committees (NOCs) of Oceania; and
 - (vii) Other relevant stakeholders; and
 - (e) consider any issue brought to the attention of the Commission.
- 6.4 Every member of the Athletes' Commission has one vote. In the event of a tie, the chairperson of the meeting has a casting vote.
- 6.5 All minutes of meetings must be forwarded to the Secretary General for tabling before the ONOC Executive Board.
- 6.6 The Athletes' Commission may invite other athlete bodies such as the WADA Athletes' Commission or the World Olympians Association, to attend any meeting as an observer.
- 6.7 In between meetings, discussions and decisions may be held or made in writing by electronic communication.
- 6.8 All meetings will be organized by the ONOC Secretariat at the request of the Chairperson.

7. PACIFIC GAMES COUNCIL ATHLETE REPRESENTATIVE

The representative of the Pacific Games Council sits on the Athletes' Commission as a representative of the Pacific Games Council to ensure cohesion and communication between that Council and its athlete programmes, with those of the Athletes' Commission. The representative of the Pacific Games Council cannot be the Chairperson or the Deputy Chairperson of the Athletes' Commission, but is available for appointment to other roles on behalf of the Athletes' Commission. Except for this limitation, the Pacific Games Council representative has all the same rights, powers, duties and obligations as other members of the Athletes' Commission.

8. VACANCIES

In the event of a member's resignation or a member being unable to carry out their agreed duties as a member of the Commission, that elected member will be replaced for the duration of the term. The Commission Chairperson, with endorsement of the ONOC Board, will choose a replacement from among other eligible athletes. The term of the replacement will run from the date of appointment to the fourth anniversary of the term of the member that was replaced.

9. OPERATIONAL PRACTICE

9.1 FINANCE

ONOC provides the Commission with an annual operating budget aligned to the annually approved AC budget, as created and submitted to the ONOC Board for approval. All expenditure must be made consistent with ONOC's financial management policies. In addition, secretarial assistance is provided by ONOC.

9.2 STRATEGIC PLANNING

- (a) The Athletes' Commission will develop a four-year statement of purpose that is aligned with the ONOC strategic plan approved by the ONOC Board.
- (b) The statement of purpose will be presented at the ONOC Annual General Assembly convened in the year following the Games of an Olympiad.

9.3 REPORTING

- (a) The Athletes' Commission Chairperson will present an annual report at the ONOC General Assembly each year.
- (b) The Athletes' Commission Chairperson will submit an additional progress report at least every six months and as otherwise required.
- (c) The Athletes' Commission Chairperson will provide reports, as required, to the IOC Athletes Commission and the ANOC Athletes Commission.
- (c) Each Athletes' Commission member and representatives will provide a report on all their relevant activities as requested by the Chairperson.

10. DUTIES

New members will be required to sign an agreement that requires them to abide by the following duties:

- (a) Supply reports on activities:
 - (i) as required in these terms of reference; and
 - (ii) as decided during meetings.
- (b) Attend meetings (in person and electronically) of this Athletes' Commission and associated bodies, where they will:
 - (i) Actively contribute to preparation, discussions and follow up; and
 - (ii) Contribute a signature dance move or ice breaker.

- (c) Abide by the Athlete Declaration of Rights and Responsibilities, relevant Code of Ethics, ONOC policies and Olympic Charter and Values (www.olympic.org)
- (d) Tender their resignation to the ONOC AC Chairperson if they cannot keep the above duties.
- (e) A person will be removed as a member if they miss more than two (2) consecutive meetings without leave of the Chairperson or without reasonable cause.

Definition of Terms

ANOC:	Association of National Olympic Committees
ANOCAC:	ANOC Athletes Commission
IOC:	International Olympic Committee
NOC:	National Olympic Committee
WADA:	World Anti-Doping Association