

Athletes' Commission Terms of Reference

The Drug Free Sport New Zealand (DFSNZ) Athlete Commission (AC) was established by DFSNZ to serve as its athlete advisory body.

1. Purpose

To bring independent athlete voice, from athlete representative groups or from individual athletes to all aspects of Drug Free Sport New Zealand's work.

2. Role

An athlete body, independent from DFSNZ that serves as a link, enabling the views of New Zealand athletes to be represented and heard within DFSNZ.

3. Goals and Objectives

- Provide advice to DFSNZ on its causes and initiatives while maintaining independence of thought, opinion, decision-making and action;
- Engage with NZ athletes to understand and advocate for their individual and collective views on anti-doping matters;
- Act as ambassadors for clean sport, promoting the values of fair play, integrity, and respect for the rules.

4. Composition

No less than eight and no more than ten athletes, active or retired, ensuring an appropriate mix of skills, commitment to clean sport, and diverse representation. The following criteria apply:

- Possesses the desired skills, as determined by the existing members;
- Representation of New Zealand's multi-cultural society;
- A minimum of one less than half the members from any one gender;
- The majority of members have experience competing for NZ internationally;
- No more than two athletes from any one sport, striving to maximise the sports represented (individual, team, summer, winter, non-disabled and para sports).

5. Eligibility

Applicants must meet the following criteria:

- Has competed in a national championships or have represented NZ in international competition in the eight years before their appointment;
- Be available to attend Athletes' Commission (AC) meetings and contribute to AC initiatives either in person or remotely;

Acknowledging the values of diverse perspectives and experiences, applicants are eligible irrespective of any prior sanctions for a doping offence under the World Anti-Doping Code (WADA).

6. Election

Applications are welcomed year-round and will be reviewed by the AC and DFSNZ CE.

Candidates may be invited as non-voting contributors to AC meetings before appointments are made. The Chairperson will ratify the appointment decisions in consultation with the DFSNZ CE.

The DFSNZ CE has the power of veto but does not have appointment authority. Any NZ athlete member of the WADA Athlete Commission would immediately become a voting ex officio member of this AC.

The incoming Chairperson and Deputy Chairperson will be elected by the members when required. DFSNZ will inform members of the responsibilities of these roles and facilitate the election process. The appointments will be made through a confidential, anonymous ballot. In addition to individual competencies, consideration should be given to the commitments and genders of potential leadership pairings. In the event of a tie vote, there will be a secondary vote with only the tied candidates eligible. If there is another tie vote, a random draw will determine the elected candidate. If there is a single nomination, the members will vote to approve the candidate or hold another nomination round.

To support the development of governance capability among the athlete community, a non-voting youth member may be appointed by consensus of the members. Except for the youth member being no older than 22 at their appointment, the members can define the criteria for eligibility and decide on the recruitment/appointment process in consultation with DFSNZ.

7. Terms of Office

Starting with the first AC meeting following the appointment, the terms are:

- Three years for a member who can serve no more than two terms. To ensure continuity, regular rotation should be maintained that generally has one third of the member terms ending each year;
- Three years for the Chairperson, who can serve no more than two terms. The fulfilment of these term(s) may exceed the member terms if approved by the majority members;
- One year for a youth member who can serve no more than one term.

The members can relegate a chairperson or dismiss a member with two thirds majority vote for breaching these Terms of Reference. In the event of a mid-term vacancy due to member resignation or other reasons, the AC will remain operational, even if this results in a temporary breach of the composition, until a timely election is conducted. An interim member can be appointed until the next election through a two-thirds majority vote. If the Chairperson and/or Deputy Chairperson step down or are dismissed, a majority vote will determine their replacement, except where there is an enduring Deputy Chairperson who would immediately assume the Chairperson role should they be willing.

8. Meetings

The AC will convene no less than four times annually, requiring more than half of the members for a quorum. Meeting papers, including the agenda, will be distributed in advance of the meetings, and meeting minutes will be recorded and distributed. To maintain membership, each member must attend at least 50% of annual AC meetings, either in person or remotely. In the absence of the Chairperson, the Deputy Chairperson will assume the role of meeting Chairperson. If both are unavailable, the Chairperson will designate another member. Decisions will be made by consensus, with the meeting Chairperson having a casting vote if necessary. In case of disagreement in the interpretation of these Terms of Reference, a consensus among the members will determine the meaning. When required, votes and decisions may be conducted

between meetings via circular email or other appropriate means, allowing all members to contribute.

A designated DFSNZ representative will serve as the secretariat, attending AC meetings to report on past and future DFSNZ activities and provide any requested insight and administrative assistance. The AC may invite external advisors to join meeting segments to provide relevant information, advice, and support. The AC has the right to hold sessions within meetings with only AC members present, referred to as 'in camera' or 'closed meeting'.

9. Administrative and Funding Support

The Chairperson, in collaboration with members and DFSNZ, will set the meeting agendas covering existing and forthcoming programs and initiatives. DFSNZ will extend administrative and financial support for AC meetings and approved initiatives. This support includes secretariat services and covering reasonable expenses.

10. Declaration of Interests

All members must complete a declaration of interests upon appointment and update it annually. The declarations will be reviewed by the designated DFSNZ representative and the Chairperson or the DFSNZ CE in the case of the Chairperson's declaration. Where both reviewers deem a conflict exists, the member will either be dismissed or excluded from discussions, voting, and/or decisions potentially affected by the conflict.

11. Confidentiality

All members must complete a confidentiality agreement upon appointment.

12. Media and Communications

The Chairperson serves as the designated spokesperson and can delegate responsibilities to the Depute Chairperson in their absence. All media inquiries should be directed to the Chairperson. The AC has the discretion to actively pursue media engagement opportunities for promotion and advocacy aligned with the AC's purpose.

DFSNZ is to be promptly informed of all media engagements, requests and opportunities.

13. Authority

The AC will conduct an annual internal review to inform future actions and optimise purpose fulfilment.

The AC may review and amend these Terms of Reference. The adoption of any amendment requires a two thirds majority vote of the members and be approved by DFSNZ CE.

[END]