

CHARTER OF THE SPORTS DIPLOMACY ADVISORY COUNCIL

Purpose

1. To advise the Australian Government through the Minister for Foreign Affairs and Minister for Sport on implementing Sports Diplomacy 2030.

Background

2. The Foreign Minister, Sport Minister and Assistant Minister for International Development and the Pacific launched Sports Diplomacy 2030 on 1 February 2019. This strategy aims to strengthen Australian sport and opportunities for athletes globally and unlock their full potential to support our national interests. The first phase of the strategy from 2019 to 2022 will focus on four strategic priorities:
 - empowering Australian sport to represent Australia globally;
 - building linkages with our neighbours;
 - maximising trade, tourism and investment opportunities; and
 - strengthening communities in the Indo-Pacific and beyond.
3. These priorities will be delivered through 16 initiatives including two programs – the Australian Sports Partnerships Program and the Australia-Pacific Sports Linkages Program – and funding to address barriers to women’s and girl’s participation in sport in the Pacific.

Function

4. The key functions of the Council are to:
 - provide advice on implementing the strategy, including on the development of implementation plans, programs and activities;
 - provide leadership and to assist with coordinating the involvement of the Australian sport sector in implementing the strategy;
 - represent the interests of the Australian sport sector and to engage with them to fully inform the advice and recommendations made to government;
 - promote sport diplomacy and the strategy and advise on the development of communication plans that aim to showcase the strategy and its achievements;
 - provide advice on the development of a performance monitoring and evaluation framework for the strategy and on a review planned for the first four year phase of the strategy;
 - provide advice on the development of the second phase of the strategy from 2023 to 2027; and
 - respond to ad hoc requests from government to support Australia’s sport sector.
5. The Council is an advisory body for the Ministers, through the Department of Foreign Affairs and Trade (DFAT) and the Department of Health. It has no executive or legal powers and cannot enter into contracts, incur debt or spend funds. The Council is directly responsible and accountable to the Minister for Foreign Affairs for the exercise of its responsibilities.
6. The Minister for Foreign Affairs and the Minister for Sport may from time to time issue directives to the Council, and the Council will be bound by such directives.

Structure and Membership

7. The Council will consist of:
 - a. a board, drawn from representatives of women's sports, men's sports, sports administration, indigenous sportspersons, sportspersons with disability; persons with links to the Pacific and Asia, business, media, communications and soft power, comprising:
 - i. a Chair;
 - ii. a Deputy Chair;
 - iii. a DFAT representative appointed by the Secretary of DFAT, a Department of Health representative appointed by the Secretary of the Department of Health and a representative of the Australian Sports Commission appointed by the Chief Executive Officer of the Australian Sports Commission, as *ex officio* members;
 - iv. a State/Territory representative as an *ex officio* member;
 - v. not less than four and not more than 12 other members; and
 - b. a Secretariat provided by DFAT.
8. The Chair and Deputy Chair of the Council shall be appointed by the Minister for Foreign Affairs.
9. The Chair and Deputy Chair shall be appointed:
 - a. for a period not exceeding two years; and
 - b. on a part-time basis.
10. Should the Chair be temporarily unable to carry out functions that he or she may be required to carry out outside of Council meetings, a temporary replacement Chair will be appointed by the Minister for Foreign Affairs from among the other council members to carry out those functions.
11. Members of the Council, other than the Chair, Deputy Chair and the *ex officio* members, shall be appointed by the Minister for Foreign Affairs:
 - a. for a period not exceeding two years; and
 - b. on a part-time basis.
12. The Chair, Deputy Chair and members may be re-appointed for a second and final term.
13. The Minister for Foreign Affairs may terminate the appointment of the Chair, Deputy Chair or a member of the Council at any time by giving notice in writing.
14. The Chair, Deputy Chair or a member of the Council may resign his or her membership by notification in writing to the Minister for Foreign Affairs, but the resignation does not take effect until it is accepted by the Minister. This sub-clause does not apply to the *ex officio* members.
15. Neither the Chair, Deputy Chair nor the other members of the Council will be employees of the Department or the Commonwealth by virtue only of their appointment to the Council.

Responsibilities

16. The responsibilities of individual council members (including the Chair, Deputy Chair and *ex officio* members) are to:
 - a. have a commitment to the Council's mission and act in the best interests of the Council;
 - b. make reasonable inquiries to ensure the Council is operating efficiently, effectively, appropriately and legally in achieving its mission;
 - c. contribute the time needed to study and understand material for meetings and other council work in advance;
 - d. meet all of their fiduciary duties and responsibilities; and
 - e. apply good analytical skills, objectivity and good judgment; and express opinions frankly, ask questions that go to the core of the issue, and pursue independent lines of enquiry when:
 - attending council meetings,
 - participating in discussions,
 - participating in decisions, and
 - participating in sub-committees as appropriate.
17. In addition to paragraph 15, the Chair is responsible for:
 - a. chairing meetings (unless agreed otherwise);
 - b. facilitating council meetings to ensure there is effective participation and decision making at council meetings including:
 - working through the agenda;
 - ensuring the effective participation of all members present at meetings;
 - encouraging constructive questioning and strategic thinking;
 - clarifying decisions (and wording where appropriate) for the Secretariat and the Council as a whole;
 - c. managing potential conflicts of interest in accordance with DFAT departmental policies;
 - d. ensuring adequate follow-up and reporting; and
 - e. promoting good relations with Ministers, the Secretary and other staff of DFAT and key stakeholders.
18. In addition to paragraph 15, the *ex officio* members have full voting rights on the Council and are responsible for:
 - a. providing recommendations on council member appointments and extensions to Ministers; and
 - b. providing strategic-level policy advice to the Council on the Government's soft power, sport, foreign, development and trade priorities.
19. The responsibilities of the Secretariat, under the authority of the Minister, are to:
 - a. provide administrative support to the Council; record, circulate and retain copies of the minutes of each council meeting and maintain records of all out-of-session decisions made; and
 - b. undertake other activities that progress the goals of the Council.

Meeting Procedures

20. Council meetings shall be held at such times and at places determined by DFAT and the Department of Health in consultation with the Chair. At least one meeting should be held every 12 months. Council meetings can be held with council members physically present or utilising tele or video conferencing.
21. The Council may undertake work out-of-session.
22. At a council meeting, a quorum shall be constituted by an *ex-officio* member and a minimum of five members or not fewer than half the members holding office at that time, whichever is the larger (including the *ex-officio* member).
23. The Chair will preside at all council meetings at which he or she is present.
24. If the Chair is unable to attend any meeting, the Deputy Chair is to preside. If neither the Chair nor Deputy Chair are present, the members present will elect one of their numbers to preside. The member so elected will be entitled to remuneration that the Chair would have received.
25. The agenda for each meeting will be prepared by the Secretariat in consultation with the Chair. The agenda and any briefing papers will be distributed to members no less than one week prior to each meeting. The minutes for each meeting will be circulated no more than two weeks after each meeting.
26. Procedures for the conduct of meetings of the Council shall be determined and fully documented at the first meeting after the appointment of a new Chair. The procedures may be reviewed from time to time by the Council as required. All amendments to existing procedures must be fully documented and the Secretariat must retain copies of the appropriate documentation.

Reporting

27. The Council, through the Secretariat, will manage all reporting requirements in accordance with relevant Commonwealth and reporting legislation.

Conduct and Ethics

28. The Chair, Deputy Chair and members are required to abide by the principles set out in the Australian Public Service (APS) Values and Code of Conduct and, where applicable, DFAT's Code of Conduct for Overseas Service with the exception that they shall not be subject to DFAT's disciplinary procedures.
29. The Chair, Deputy Chair and members are required to:
 - disclose potential conflicts of interest and address any issues in accordance with DFAT policies;
 - not use their position and information for personal benefit or advantage at the expense of the Council;
 - deal with other members and the Secretariat with courtesy and respect;
 - respect the privacy and confidentiality of information obtained in the course of their participation and not share information that members are instructed to keep confidential.
30. Nothing in this charter shall be taken as conferring any diplomatic or consular immunity, privileges or status on the Chair, Deputy Chair or members.

Remuneration

31. Subject to paragraph 25, a person appointed to be a member of the Council (other than the *ex officio* members) shall be:
 - a. paid sitting fees, travel and accommodation expenses in accordance with Australian Government Remuneration Tribunal rates for part-time office holders; and
 - b. entitled to be reimbursed for other reasonable expenses actually incurred by the member in the performance of their duties as a member of the Council and as recommended by the Council and approved by the relevant financial delegate.
32. A member of the Council who holds any office or appointment (or is otherwise employed) on a full time basis in the service of the Commonwealth, the Administration of a Territory or a public statutory corporation is not entitled to be paid any remuneration in respect of his or her holding or performing the duties of the Chair, Deputy Chair or member of the Council. The member may be entitled to travelling allowances.