



# The Australian Esports Association

## Athlete's Committee Charter

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### Acknowledgements

The AESA would like to thank everyone who gave generously of their time during consultations, interviews and research to develop this policy.

### Disclaimer

This policy is intended as a guide only and may be updated from time to time. For the latest version, check [www.aesas.org.au/committees](http://www.aesas.org.au/committees)





## Introduction

The Australian Esports Association (AESA) is committed to working with the broader gaming and esports community to ensure a safe, fair and inclusive esports environment for all.

Australians greatly value the essence of esports competition and the positive impact it has on both the participants and community in general. Gaming and esports features as an increasingly important part of life for many people. It can help us to engage, pursue and develop our talents, with significant benefits.

There is an increasing number of players seeking to participate in esports at all levels, placing additional demands on the esports industry to provide a well governed environment for players. Ensuring their welfare and rights are taken into consideration.

The AESA recognises the need to provide a baseline of support for players. Giving players a platform to voice their interests, acknowledge high-achievers and contribute to policy.

In combination with our policies the AESA supports the Athlete's Committee to provide an independent, not-for profit forum for the fair and equal representation of players who are the most important stakeholders in the Australian esports community.

## Objectives of the Athlete's Committee

The AESA Athlete's Committee aims to:

- Provide a forum for athletes
- Represent the interests of athletes and voice their rights
- Support player inclusiveness and diversity
- Grow participation in esports and help new athletes
- Recognise and respect high-achievers and role model behaviour
- Encourage role models and adherence to code of conduct
- Educate and raise awareness
- Advise ongoing policy, regulation and governance development
- Promote a safe, fair and inclusive esports environment
- Foster a sustainable and well-governed esports environment

## Who is the University Committee for?

This committee is aimed at all players who participate in Australian esports, of all skill levels in all games.

## Contacting us

The AESA welcomes your comments regarding this policy. If you have any questions about this policy and would like further information, please contact us by email.

Subject: Athlete's Committee  
Attention: The Australian Esports Association,  
Email: [info@aesa.org.au](mailto:info@aesa.org.au)





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## Our Commitment

The AESA is committed to working with players, supporting their genuine passion for gaming and esports to ensure a safe, fair and inclusive esports environment for all.

The AESA upholds the values of integrity and respect which are the rights of all involved within the esports community regardless of their age, race, gender, ability, cultural background, sexuality or religion.

We are committed to supporting the Athlete's Committee to ensure:

- Athletes are given fair, free and inclusive representation;
- All members of the community are welcome;
- All are treated with dignity, courtesy and respect;
- The rights, interests and needs of athletes are represented;
- Good governance;
- It is the responsibility of all individuals and organisations to contribute in building a sustainable esports environment for all to enjoy.

## Committee review

The AESA is committed to ensuring the robustness, effectiveness and relevance of the Athlete's Committee. The committee will be reviewed annually against this charter and the committee's performance with input from the public, individuals appointed or elected to boards, commissions, committees and sub-committees of the AESA.

Darren Kwan

Founding President

Australian Esports Association



## Statutes

### 1. Definitions

In this Charter unless the context requires otherwise:

**AESA** means Australian Esports Association INC1300436 an incorporated association in NSW.

**Board** means the collective of Elected Directors and Appointed Directors of the AESA.

**Chairperson** or **Chair** means the person elected as the Chair of the committee.

**Committee** means the AESA's Athlete's Committee.

**Committee Meeting** means a meeting of the Members and their Representatives.

**Committee Member** means a person appointed in accordance with *Statute 3* as a member of the Athlete's Committee.

**Constitution** means the AESA Constitution as amended from time to time.

**Member** means a member of the committee as defined under *Statute 3*.

**Policy** means an AESA policy made under *clause 15* of the AESA Constitution.

**Resolution** means a resolution that must be passed by a majority of at least 60% of votes exercisable by Members entitled to vote at the relevant Committee Meeting in accordance with this Charter.

### 2. Purpose

- 2.1. The AESA has established the Athlete's Committee to provide equal and fair representation for players who participate in esports at all skill levels in all games.
- 2.2. The AESA Athlete's Committee objectives are to:
  - (a) Promote a safe, fair and inclusive esports environment;
  - (b) Educate and raise awareness of esports, the participants and their achievements;
  - (c) Represent the interests of athletes and voice their rights;
  - (d) Advise ongoing policy, regulations and governance development;
  - (e) Collaborate to develop athlete career pathways, support and outreach;
  - (f) Foster a sustainable and well-governed esports environment;
  - (g) Encourage compliance, accreditation and improved standards;
  - (h) Grow player participation in esports, the AESA and associated activities.
- 2.3. This committee must serve the need for all players involved in the Australian esports community to discuss, identify and work together to address all areas that have room for improvement.
- 2.4. The committee may also from time to time act as a tribunal as described in *Statute 4.5*.





- 2.5. The committee will also contribute to AESA policies from time to time, submitting recommendations to the board on behalf of the athlete body as described in **Statute 4.6**.
- 2.6. The AESA encourages all stakeholders and members of the Australian esports community to adopt, contribute to and assist this committee. Sharing in our belief in good governance, social responsibility, the fair play environment, integrity in esports, supporting Australian athletes and inclusiveness for all people regardless of sex, disability, race, culture or age.

### 3. Membership

- 3.1. The committee must strive for equal, fair and equal representation.
- 3.2. The AESA can only recognise seven members on the Athlete's Committee.
- 3.3. All members of the committee must hold and maintain current membership status with the AESA, pursuant to the **Clause 5** of the **AESA Constitution**.
- 3.4. Each committee member will be responsible for attending Committee Meetings to discuss applicable matters in carrying out the committee's duties and responsibilities.
- 3.5. Committee members must be elected annually:
  - (a) Any player may be nominated to be a committee member;
  - (b) Nominations are to open no earlier than six (6) months and no later than three (3) months prior to the election date;
  - (c) The election date is to be set prior to the 1<sup>st</sup> of May each year;
  - (d) The election process is decided by majority vote of the public individuals, and in circumstances of uncertainty can be decided by a majority vote of the voting member base of the AESA;
  - (e) The AESA must notify the election results by the 1<sup>st</sup> of May, with the newly elected committee members taking office from the 1<sup>st</sup> of May;
  - (f) The elected representative bears the title of 'Committee Member';
  - (g) A representative may serve any number of terms subject to **Statute 3.3**;
  - (h) A single term comprises the twelve months from the 1<sup>st</sup> of May until the 30<sup>th</sup> of April.
- 3.6. The committee must elect a Chairperson at the first Committee Meeting of each term
  - (a) Any committee member may nominate themselves or another to be Chairperson;
  - (b) Nominations must be submitted within two (2) weeks prior to the first Committee Meeting of the term;
  - (c) The election process is to be decided by majority vote of the committee or in special circumstances be decided by the AESA board;
  - (d) The Chairperson bears the title 'Chairperson';



- (e) The Chairperson is responsible as the direct contact and represents the committee, they must sign any submissions, motions and recommendations during their term;
  - (f) A Chairperson may serve any number of terms subject to **Statute 3.3**;
  - (g) A single term comprises the twelve months from the 1<sup>st</sup> of May until the 30<sup>th</sup> of April.
- 3.7. All members of the committee are entitled to attend committee meetings.
- 3.8. The committee must keep a register of all members in accordance with the AESA. The register must contain the member's:
  - (a) Name;
  - (b) Address;
  - (c) Date of their term; and,
  - (d) Date on which the member's name was entered in the register.
- 3.9. Cessation of committee membership:
  - (a) A person ceases to be a member of the committee on:
    - (i) Resignation;
    - (ii) Death;
    - (iii) The termination of their membership by the committee or the AESA board.
  - (b) For the purposes of **Statute 3.9 (a) (i)**, a member may resign as a member of the committee by giving 14 days written notice to the committee or Chairperson;
  - (c) For the purposes of **Statute 3.9 (a) (iii)**, all members will be subject to, and submit unreservedly to, the jurisdiction, procedures, penalties and appeal mechanisms of the AESA policies.
- 3.10. No member whose membership ceases has any claim against the AESA or the committee for damages or otherwise arising from cessation or termination of membership.
- 3.11. Membership is personal to each member. No member shall, or purport to, assign the rights comprising or associated with membership to any other person and any attempt to do so shall be void.
- 3.12. A member must treat all other members, staff, contractors and representatives of the AESA with respect and courtesy at all times.
- 3.13. A member must not act in a manner unbecoming of a member or prejudicial to the objectives of the committee and the interests of the AESA or esports, or both.

#### 4. Role and Responsibilities

- 4.1. The primary responsibility of the committee is to work with the AESA to build governance, policy and implement improvements in the best interest of athletes.





- 4.2. The committee must maintain fair and equal representation, to work together with the broad athlete body and implement the necessary procedures to voice their rights, interests and welfare.
- 4.3. The committee must encourage athletes to adhere to the AESA Code of Conduct and policies, encouraging athletes to maintain current membership status with the AESA.
- 4.4. The committee may be called upon to form a tribunal:
  - (a) To arbitrate between players should a dispute arise;
  - (b) To review penalties issued to players who seriously infringe upon AESA policies or upon the integrity of any esports tournament (the Rules and Regulations and Terms and Conditions) that is sanctioned by the AESA;
  - (c) The Chairperson may request the committee forms a tribunal;
  - (d) The AESA board may request the committee forms a tribunal;
  - (e) A tribunal must be given a specific objective at the time;
  - (f) A tribunal must be given a set time frame to investigate, respond and form a ruling upon which time it is dissolved.
- 4.5. The committee may submit recommendations to the board on behalf of the athlete body to:
  - (a) Recommend amendments and improvements to AESA policies;
  - (b) Recommend amendments and improvements to standard tournament rules and regulations;
  - (c) Recommend amendments and improvements to standard tournament terms and conditions;
  - (d) Alert the board to concerns and issues affecting the athlete body;
  - (e) Provide advice, comment and contribution to any strategic paper, research, statement or document as made available by the board.
- 4.6. National team:
  - (a) The committee must review and approve national team representatives, either through:
    - (i) Selection, or;
    - (ii) Qualification.
  - (b) The committee is responsible for the award ceremony of national team members or may defer this to the Chairperson or nominated individual.
  - (c) The committee must review and approve national team uniform design.
- 4.7. Awards:
  - (a) The committee may design and issue awards that recognise high-achiever or role model Australian athletes;
  - (b) All awards are to be approved by the AESA board prior to publication;



- (c) The committee is responsible for the award ceremony of award winners or may defer this to the Chairperson or nominated individual.

## 5. Powers

- 5.1. Solely for furthering the objectives under **Statute 2** the committee has the authority, legal capacity and powers to act in accordance with the powers of the AESA.
- 5.2. In carrying out its duties and responsibilities, the committee shall also have the authority to meet with, request information and seek input from:
  - (a) Individuals appointed or elected to boards, commissions, committees and sub-committees of the AESA;
  - (b) Employees and volunteers of the AESA;
  - (c) All Members of the AESA covering all categories of membership;
  - (d) Athletes, coaches, officials, referees, administrators and any other personnel participating in any teams, events and activities, including camps and training sessions, conducted or sanctioned by the AESA or any organisation bearing accreditation from the AESA;
  - (e) Parents, guardians, spectators and sponsors to the full extent that is possible.
- 5.3. Additional powers may be afforded to a tribunal at the time of its formation, specific to that tribunal.
- 5.4. The Chairperson has the right to represent the views of the committee.

## 6. Committee Meetings

- 6.1. The committee must meet a minimum of four (4) times per year
  - (a) Every three months on are approximately close to the following schedule:
    - (iii) 15<sup>th</sup> May
    - (iv) 15<sup>th</sup> August
    - (v) 15<sup>th</sup> November
    - (vi) 15<sup>th</sup> February
- 6.2. Notice of Committee Meeting
  - (a) Notice of a Committee Meeting must be given:
    - (i) to all members entitled to attend the Committee Meeting, the AESA board; and
    - (ii) in accordance with AESA policies.
  - (b) At least 30 days prior to the proposed date of the meeting, the Chairperson will request from Voting Members notices of motions, which must be received 7 days' prior to the meeting;





- (c) At least 7 days' notice the Chairperson must inform all members of the time and place of a meeting must be given, together with:
    - (i) The location of the meeting and the connection details to the meeting;
    - (ii) where applicable, any notice of motion received from any member in accordance with these Statutes and the AESA policies; and
    - (iii) where applicable, a list of all notices received for changes to members.
- 6.3. The Committee Meeting may not proceed unless a quorum is present at the commencement of, and remains throughout, the meeting:
  - (a) The number of members who must be present and eligible to vote for a quorum to exist at a meeting must be greater than 60% of the current committee members;
  - (b) If, within 30 minutes after the time appointed for a meeting, a quorum is not present, the meeting:
    - (i) If convened by, or on requisition of, members, is dissolved; and
    - (ii) In any other case stands adjourned to such other day, time and place as the Chairperson determines.
  - (c) If a quorum is not present within 30 minutes after the time appointed for the adjourned meeting, those members then present shall constitute a quorum.
- 6.4. All votes and resolutions are carried if a simple majority of the votes cast on the resolution are in favour of it:
  - (d) Where an equal number of votes are cast in favour of and against the resolution, the resolution is not carried.
- 6.5. The Chairperson must preside as the Chair at each Committee Meeting
  - (a) If a meeting is convened and there is no Chairperson, or the Chairperson is not present within 15 minutes after the time appointed for the meeting, or is unable or unwilling to act, the following may preside as the Chair (in order of entitlement):
    - (i) A member of the committee chosen by a majority vote of members present.
- 6.6. Power to convene a Committee Meeting
  - (a) The committee members may convene a Committee Meeting when they think fit and must do so if required by the AESA;
  - (b) The Chairperson may convene a Committee Meeting, which must comply with the requirements of the committee and the AESA.
- 6.7. Conduct of Committee Meetings
  - (a) The Chair:
    - (i) has charge of the general conduct of the meeting and of the procedures to be adopted;



- (ii) may require the adoption of any procedure which in his or her opinion is necessary or desirable for proper and orderly debate or discussion or the proper and orderly casting or recording of votes; and
  - (iii) may, having regard where necessary to this Statute and the AESA policies, terminate discussion or debate on any matter whenever he considers it necessary or desirable for the proper conduct of the meeting.
- (b) A decision by the Chair under this **Statute 6.6** is final.

6.8. The committee must record minutes of its proceedings.

## 7. Reporting requirements

- 7.1. The committee must report to the AESA board
- (a) After each committee meeting with the minutes of the meeting and any resolutions that have passed.
  - (b) In each term the elected representatives that form the committee and Chairperson.
  - (c) Any material changes to the status of the committee and the members.

## 8. Committee Term

- 8.1. The committee is established by the AESA board commencing the 26<sup>th</sup> February 2018.
- 8.2. It exists in perpetuity unless otherwise wound-up as per **Statute 8.4**.
- 8.3. A single term comprises the twelve months from the 1<sup>st</sup> of May until the 30<sup>th</sup> of April.
- 8.4. Wind-up and termination:
- (a) The committee may be wound-up and terminated by the AESA board if it is not meeting this charter and performance is deemed insufficient.
  - (b) The committee is found to be ineffective and the committee exists in a state of impasse.
  - (c) At wind-up and termination all members relinquish their rights, role and responsibility as a committee member and must turn over any sensitive materials pertaining to the committee within 30 days.

## 9. Review

- 9.1. In each term the AESA board will review the committee's charter and the committee's performance against that charter.
- (a) After the fourth committee meeting has been conducted and within 30 days prior to the 1<sup>st</sup> of May.