



Term of Reference- NBL1 West Commission

BWA-BRD-MP-004

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1 Authority

The NBL1 Commission (the Commission) gains its authority from the BWA Constitution (the Constitution) (Updated 26 April 2017), as per rule 28.1.

2 Purpose

The Commission is a Committee of the Basketball WA Board (“the Board”) created to assist the Board in the review, evaluation and analysis of key strategic issues and with oversight to the operation of the NBL1. It is responsible to the Board.

3 Role

The overarching role of the NBL1 Commission is to:

- Promote and provide advice in relation to the conduct of the NBL1, and
- Ensure the competition is such that it provides appropriate pathways for players, coaches, volunteers and technical officials to perform to their full potential at the State, National and International level.

In fulfilling its role, the NBL1 Commission should:

- Where appropriate, utilise Basketball WA's review procedures to canvas views, opinions and stance of constituent members and basketball clubs, to ensure these views and opinions are considered and adequately addressed before any recommendation is considered,
- Consider the implications of any recommendations to local and state bodies and the various leagues and competitions which are conducted by BWA,
- Endorse (or not) any recommendations put forward by the Chief Basketball Officer on behalf of Basketball WA.
- Balance the needs of the NBL1 in line with the BWA's current Strategic Plan,
- Assess requested information regarding the ongoing viability of the league and assess the Rules of Operation in relation to league viability.
- Appoint an NBL1 Awards panel for the NBL1 West Grand final
- Act in the best interest of basketball in Western Australia and
- Work inside the allocated budget as allocated by the Board.

In fulfilling its role, the NBL1 Commission should consider the NBL1 strategic objectives, which are to:

- Deliver a premier, well-governed, and elite competition showcasing talents at the highest level,
- Ensure the competition allows a transitional pathway and stepping stone for WA athletes, coaches, officials and referees.
- Provide the community with an engaging, entertaining, family-friendly game night experience on and off the court.
- Clubs leverage the league as a commercial product to reinvest and grow.

4 Role (Competitions)

The role of the NBL1 Commission in Competitions is to:

- Develop and share knowledge, experiences and best management practices,
- Give advice on the needs of players, coaches and officials at all levels of competition,
- Ensure the NBL1 competition structure is considered and well-governed,
- Recommend benchmarks/standards for conducting the NBL1, and
- Provide a competition structure that aligns with the most current Basketball WA strategic plan,

5 Role (Performance)

The role of the NBL1 Commission in regard to Performance is to:

- Review the baseline standards and expectations of players, coaches, volunteers and technical officials to ensure they remain current and aligned with the NBL1's strategic objectives, and
- Ensure the NBL1 is allowing for the best possible development of the players, coaches volunteers and technical officials.

6 Role (People)

The role of the NBL1 Commission in regard to People is to:

- Review how the NBL1 best integrates with local competitions and communities,
- Where directed by the Chief Basketball Officer, devise and recommend programs (including variation of rules or structure as appropriate) designed to further the development of all competition pathways or to facilitate the long-term development of players, coaches or officials,
- Ensure the development pathways for players, coaches and officials are well known and easily understood,
- Ensure the NBL1 is accessible for all and promotes a family friendly atmosphere, and
- Ensure the NBL1 is culturally sensitive in all areas.

7 Scope of Authority

The Commission has no Board decision making responsibility, however, where directed by the Chief Basketball Officer, will endorse (or not) proposals by Basketball WA management, or make considered recommendations to the Board (via the Chief Basketball Officer).

In carrying out its responsibilities, the Commission has full authority to investigate all matters that fall within the terms of reference. Accordingly, the Commission may:

- With the prior approval of the Board (via the Chief Basketball Officer) obtain independent advice at the reasonable cost to the organisation, and
- May be granted access to the resources of the organisation, as it may reasonably require, including Management, at the discretion of the Chief Basketball Officer.

8 Membership

Membership of the Commission shall comprise:

- a) Two (2) positions appointed by the Board,
- b) Two (2) positions elected by the participating clubs and
- c) BWA CEO or their representative.

Commission appointments will be made (a) or ratified (b, c) by the Board, who will take into consideration the creation of appropriate diversity in the membership of the Commission, including factors such as the need to recognise the contribution of various leagues and competitions, the role of junior competitions and the needs of coaches and officials.

Persons who hold official positions at an NBL1 Club will not be eligible for appointment or election to membership of the NBL1 Commission. Should a current member of the Commission be appointed to an official position at an NBL1 Club then they will be required to relinquish their position on the NBL1 Commission. An official position includes (but is not restricted to):

- Any contracted or registered participant of the current or upcoming NBL1 season.
- NBL1 Association Board member

Basketball WA management may attend meetings of the Commission and provide input, but shall not be voting members of the Commission, except as stated in (c) above.

For special projects, the Commission may request, and the Board may co-opt other members who may be Board Members, BWA staff or other external experts as required.

9 Term of Office

All appointed Members' terms shall be from the date of appointment to one month following the next Men's & Women's NBL1 Grand Final.

All elected Members terms shall be for two years from the date of appointment to one month following the Men's and Women's NBL1 Grand Final in the year of expiration.

The Basketball WA CEO or delegate is an on-going appointment, unless unendorsed by the Basketball WA board.

At its first meeting subsequent to one month following the next Men's & Women's NBL1 Grand Final, the Board will appoint or ratify the appointed Commission Members for the next term.

Thirty (30) days prior to the end of any term, the CEO of BWA will call for nominations for the respective positions (as noted in section 8 a and b). The nominations for elected positions will be placed on a ballot and receive votes based on a preference system. The candidate with the highest number of votes will be elected. Elected members of the NBL1 Commission will commence in October each year. Appointed positions will be decided by a board vote.

The Basketball WA board reserves the right to veto an elected position by way of a majority board vote.

10 NBL1 Chief Commissioner

The NBL1 Chief Commissioner shall:

- Be appointed by the Board from the Members,
- Prepare reports of each Commission meeting for the Board in the prescribed format,
- Prepare reports for the Board of the activity of the Commission as requested by the Board,
- Prepare the report of the Commission's annual self-evaluation for the Board, and

- Circulate material decisions or recommendations endorsed by the commission to relevant parties or stakeholders.

Should the Chairperson be unable to attend a meeting, the Commission members shall appoint one of the Commission to chair the meeting.

11 Secretary

The BWA CEO (or delegate) may make available a staff member to act as Secretary to the Commission, otherwise, the Commission members may appoint one further person to be the Secretary of the Commission, or one member of the Commission may be the Secretary.

The Secretary shall:

- Prepare an annual schedule of meetings in consultation with the members,
- Call for agenda items 14 days prior to any scheduled meeting,
- Accumulate and distribute appropriate documentation at least 5 days prior to any scheduled meeting,
- Record the minutes of each meeting, and
- Following Chief Basketball Officer approval, distribute the minutes of each meeting to the Membership.

12 Meetings

The Commission shall meet as frequently as required but not less than six (6) meetings each calendar year.

The NBL1 Chief Commissioner or BWA CEO (or delegate) may call a meeting, giving adequate notice to the Commission members. Commission business may be conducted by email, including decisions at the discretion of the Chair.

13 Reporting

The Chief Commissioner shall make a verbal or written report on the activities or recommendations of the Commission to the Board as required.

14 Conflict of Interest

Commission members are required to declare to the Chairperson any real, perceived or potential conflict of interest they may have with any item on the Commission's agenda. If the Chairperson or Commission deems a member to have a conflict of interest in a matter before the Commission, the member may be asked to be excused from Commission discussions and deliberations on that matter but, in any circumstance, will not be able to vote on the matter.

15 Quorum

A quorum shall consist of 3 or more of the Members. Members may "attend" meetings via electronic link. If a quorum is not achieved for a meeting, the recommendations made at that meeting must be ratified before they can become effectual by the next Commission meeting with a quorum.

16 Voting

Each Commission member is entitled to one vote, in person, via electronic link, orally, in writing or by email.

In the event of equal votes, the Chairperson shall have a casting vote. Members of the Commission are not entitled to vote by proxy.

17 Delegated Authorities

The Commission can be delegated direct decision-making powers by the Board. These delegations must be made in writing.

18 Reserved Authorities

The Commission shall not:

- Approve (but may request) expenditure on related activities, or
- Commit BWA to any agreement with a third party, either financially or in any other manner.

19 Evaluation and Review

Annually, the Commission will undertake a self-evaluation of its effectiveness and report the result to the Board. The following matters will be considered:

These Terms of Reference,

- The composition of the Commission,
- The performance of respective members of the Commission and
- The performance against KPI's of the league (if any).

Annually, the Board will review these Terms of Reference and make such alterations, as necessary.