

Funding National Sport Organisations for operations in Western Australia

Background

The State Government will be guided by a series of principles and ensure that Western Australia's long term interests are protected when considering its options for funding support to a National Sport Organisation (NSO).

The Western Australian Department of Sport and Recreation supports sporting organisations as an investment in not only sporting activities but as an investment in building the capacity of communities.

Sports clubs and their respective regional and state associations have long been part of the community delivery infrastructure.

Current Status

The following principles have been developed to guide sports organisations adopting, or contemplating adopting a unitary model of governance.

The overriding principle that will be considered in all deliberations relates to access and equity for Western Australian's to contribute and add value to the national sporting agenda. It is expected that a sport will ensure that Western Australian's will have the opportunity to have influence on the strategic and business level planning of the organisation.

These principles include:

- **Legal Status** – the NSO is required to be a legal entity which has been registered for at least two years. (The two year requirement does not apply to existing registered organisations that are re-registering as a new organisation with a unitary model.)
- **Planning requirements** – the NSO will develop and submit a strategic plan and a costed yearly operational/business plan, including performance measures that clearly identify their activities in Western Australia. These documents will be submitted to the department as part of the process as required by the Organisational Sustainability Program.

All aspects of the funding negotiation process must be undertaken with a senior representative of the NSO (i.e. the CEO, President/Board Chair).

It must be clear in the planning documents that no Western Australian participant will be disadvantaged in their endeavours as a result of the adoption of a full unitary model under these guidelines.

- **Financial Systems** – the NSO to have financial systems in place that will enable income and expenditure of funding generated in Western Australia to be clearly identified, audited and reported on.
- **Capital Assets Protection** - the benefits to Western Australia of any significant capital assets purchased with public funding will be protected.
- **Compliance with legislation** – the NSO to provide proof of adherence to the following legislation/policies if and as they pertain to the operations of the sport:
 - *Associations Incorporations Act (1987)*
 - *Civil Liability Act 2002 and the Civil Liability Amendments Acts 2003 and 2004.*
 - *Child Protection Act 2002*
 - *Volunteers (Protection from Liability) Act 2002*
 - *Privacy Act (1988) (the “PA”)*
 - *Workers Compensation and Injury Management Act (1981) (the “WCIMA”)*
 - *Occupational Safety and Health Act (1984)*
 - *Equal Opportunity Act (1984)*
 - *Charitable Collections Act 1946*
 - *Gaming and Wagering Commission Act 1987*
- **Western Australian presence** - the NSO will have a branch office based in a locality within Western Australia which will provide access to the majority of its members in the state. It is the State’s preferred position that this “branch” maintains its own legal entity at law. If the NSO recommends to its affiliates that the state branch/association should be dissolved and the members of the state branch/association agree by voting to dissolve the entity, any Western Australian Advisory Group/Committee set up as a result will be required to submit as part of the planning requirements in principle two, a full set of its Terms of Reference (detailing its powers and any delegated authorities).
- **High Performance Sport Considerations** - athletes supported by state/territory institutes/academies of sport:
 - Continue to be recognised from their State/Territory of origin.
 - The role and arrangements played and entered into by the SSA prior to dissolution with the Western Australian Institute of Sport must be maintained and mirrored in any new arrangements.

Further Considerations

The following aspect of the SCORS agreement will be picked up through the OSP process: Each state and territory will have individual jurisdictional needs. These needs can and will be negotiated independently with each NSO. These needs include, but are not limited to, the following areas:

- State-wide delivery
- Major events allocations
- State social policy agendas other than sport and recreation
- Child protection issues
- Performance benchmarks
- Staffing needs

It is recommended that the sport organisation consults with other agencies such as Healthway and Lotterywest to fully explore the impacts of their deliberations.

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