

Research Report

**Olympic committees,
sports federations
and sports
development in
selected places**



Research Office

Information Services Division
Legislative Council Secretariat

RP02/14-15
3 February 2015

Contents

	<i>Page</i>
Abbreviations	
Executive summary	
Chapter 1 – Introduction	1
Background	1
Research questions	2
The Olympic Movement	3
Scope of research	4
Research method	5
Chapter 2 – Hong Kong	6
Overview	6
Governance of the Sports Federation & Olympic Committee of Hong Kong, China	7
<i>Institutional structure and membership system</i>	7
<i>Composition of the governing board</i>	8
<i>Election of office bearers</i>	9
<i>Accountability and transparency</i>	9
<i>Athlete selection and appeal mechanism</i>	10
Elite sports development	11
<i>Funding</i>	11
<i>Talent identification and development</i>	14
<i>Professional training and services for elite athletes</i>	14
Chapter 3 – Australia	16
Overview	16
Governance of the Australian Olympic Committee	17
<i>Institutional structure and membership system</i>	17
<i>Composition of the governing board</i>	18
<i>Election of office bearers</i>	19
<i>Accountability and transparency</i>	19
<i>Athlete selection and appeal mechanism</i>	20

Elite sports development	21
<i>Funding</i>	22
<i>Talent identification and development</i>	23
<i>Professional training and services for elite athletes</i>	24
Chapter 4 – Japan	26
Overview	26
Governance of the Japanese Olympic Committee	26
<i>Institutional structure and membership system</i>	27
<i>Composition of the governing board</i>	27
<i>Election of office bearers</i>	28
<i>Accountability and transparency</i>	29
<i>Athlete selection and appeal mechanism</i>	29
Elite sports development	30
<i>Funding</i>	30
<i>Talent identification and development</i>	31
<i>Professional training and services for elite athletes</i>	32
Chapter 5 – Singapore	33
Overview	33
Governance of the Singapore National Olympic Council	33
<i>Institutional structure and membership system</i>	33
<i>Composition of the governing board</i>	34
<i>Election of office bearers</i>	35
<i>Accountability and transparency</i>	36
<i>Athlete selection and appeal mechanism</i>	36
Elite sports development	37
<i>Funding</i>	37
<i>Talent identification and development</i>	38
<i>Professional training and services for elite athletes</i>	38
Chapter 6 – The United States	41
Overview	41
Governance of the United States Olympic Committee	41
<i>Institutional structure and membership system</i>	42
<i>Composition of the governing board</i>	43
<i>Election of office bearers</i>	44
<i>Accountability and transparency</i>	45
<i>Athlete selection and appeal mechanism</i>	46

Elite sports development	47
<i>Funding</i>	47
<i>Talent Identification and development</i>	48
<i>Professional training and services for elite athletes</i>	48
Chapter 7 – Analysis	50
Introduction	50
Governance of the National Olympic Committees	50
<i>Institutional structure and membership system</i>	51
<i>Composition of the governing board</i>	51
<i>Nomination and election of office bearers</i>	52
<i>Terms of office and retirement age of office bearers</i>	52
<i>Accountability and transparency</i>	53
<i>Athlete selection and appeal mechanism</i>	53
Elite sports development	54
<i>Funding</i>	54
<i>Talent identification and development</i>	55
<i>Professional training and services for elite athletes</i>	56
Appendix	58
References	62

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Abbreviations

AAC	Athletes' Advisory Council
AIS	Australian Institute of Sport
AOC	Australian Olympic Committee
EVSS	Elite Vote Support System
HAB	Home Affairs Bureau
HKSI	Hong Kong Sports Institute
IOC	International Olympic Committee
JASA	Japan Sports Association
JISS	Japan Institute of Sports Sciences
JOC	Japanese Olympic Committee
LCSD	Leisure and Cultural Services Department
MCCY	Ministry of Culture, Community and Youth
MEXT	Ministry of Education, Culture, Sports, Science and Technology
MSOC	Multisport Organizations Council
NF	national sports federation
NGB	national governing body
NGBC	National Governing Bodies Council
NOC	National Olympic Committee

Abbreviations (cont'd)

NSA	national sports association
NSO	national sporting organization
NTC	National Training Centre
SF&OC	Sports Federation & Olympic Committee of Hong Kong, China
SNOC	Singapore National Olympic Council
USOC	United States Olympic Committee

Executive summary

1. The Sports Federation & Olympic Committee of Hong Kong, China ("SF&OC"), the National Olympic Committee ("NOC") of Hong Kong, is responsible for organizing athletes' preparation for and participation in major international games. SF&OC is also dedicated to the development and promotion of sports and the co-ordination of the development of local sports organizations. At present, SF&OC has 75 member organizations which comprise mainly national sports associations ("NSA").
2. The governance and monitoring of SF&OC has been an area of Members' concern, particularly whether SF&OC has made effective use of funding received from the Government to promote sports development in Hong Kong. This research report studies Hong Kong, Australia, Japan, Singapore and the United States ("US") in terms of (a) the governance of their NOCs; and (b) the roles played by their NOCs, NSAs and governments in elite sports development in the areas of funding, talent identification and development, and professional training and support services for elite athletes.

Governance of NOCs

3. While all the NOCs studied are autonomous associations governed by the Olympic Charter, some of them seek to bring their governing structure more in line with the best practice of corporate governance. Hence, it is worthwhile to compare these NOCs in terms of: (a) institutional structure and membership system; (b) composition of the governing board; (c) nomination and election of office bearers; (d) terms of office and retirement age of office bearers; (e) accountability and transparency of the organization; and (f) athlete selection and appeal mechanism. However, due to scanty information available in the public domain, the study of items (a)-(c) above does not cover Japan's NOC.
4. The Olympic Charter requires the *voting majority* of NOC and of its executive body to consist of the votes cast by NSAs. Hence, in all the NOCs studied, NSAs which govern sports on the Olympic programme make up the bulk of ordinary members with full voting rights, whereas other affiliated sports organizations may not be given the rights to vote. Nonetheless, the NOCs in Singapore and the US have enlarged their membership with full voting rights given to NSAs governing non-Olympic sports as well.

5. Under the Olympic Charter, the governing board of NOCs is mainly composed of representatives of NSAs. In Hong Kong, the governing board of NOC is composed of NSAs representatives and elected officers who are nominated and elected by NSAs. Athlete can serve as an ordinary member to vote at the Annual General Meeting and sit on the governing board, but the membership is conditional on his or her having represented Hong Kong in an Olympic Games and won an individual gold medal at such Olympic Games. In comparison, the overseas NOCs studied have broadened the composition of their governing board. In Australia and the US, athletes elect their representatives to sit on the governing board. The US further sets out the requirement for the inclusion of independent directors on the governing board. In Singapore, the elected members of the governing board can co-opt not more than five persons to sit on the board.
6. All the NOCs studied have established their own nomination and election procedure for office bearers. While Singapore and Hong Kong feature the right to nominate candidates resting solely with NSAs, Australia allow the nominations by non-NSA members. In the US, office bearers are elected upon the recommendations of the Nominating and Governance Committee which consist of members meeting the "independence" requirement set forth in the USOC by-laws.
7. After the nomination, candidates are elected for the posts of office bearers at Annual General Meeting as seen in Hong Kong, Australia and Singapore. Singapore's NOC give voting rights only to NSAs, but NOCs in Australia and Hong Kong allow athletes or their representatives to participate in the voting process as well. Yet, in Hong Kong, the representation of athletes in NOC is "conditional" upon meeting the criteria set out in paragraph 5. In the US, the new board members are elected by the incumbent board.
8. The Olympic Charter only specifies the election of office bearers of NOC for a term of office not exceeding four years, subject to re-election. NOCs in Australia, Japan and Singapore do not impose any limit on the number of terms an office bearer can serve. Yet the NOCs in the US and Hong Kong set the term limit of an office bearer. There is also no age limit for office bearers of NOC under the Olympic Charter. All NOCs studied, except Hong Kong's NOC, have no mandatory retirement age for office bearers. In Hong Kong, NOC's office bearers retire at 70, or at 80 if they were elected before 2014.

9. NOCs in Hong Kong, Japan and Singapore receive government funding for their operations, and they are subject to government oversight as a result. In contrast, NOCs in Australia and the US do not receive any government funding, and hence, they are not subject to government oversight. Nevertheless, Australia's NOC has adopted the best practice of corporate governance applicable to corporations and listed companies. Meanwhile, the US's NOC is required to submit to the US President and to each House of Congress a quadrennial report detailing its financial and operational performance for the preceding four years.
10. NOCs in Hong Kong and Singapore have hitherto released limited publicly available information regarding their operations. In comparison, NOCs in Australia, Japan and the US show a high degree of openness and transparency with proactive disclosure of relevant information for the public understanding and scrutiny of their operations.
11. In all the places studied, NSAs are required by NOC to establish a transparent mechanism for the selection of athletes to compete at major international games. In Hong Kong, Japan and Singapore, any complaints on the selection are handled by the relevant NSAs or NOC according to their respective procedures. In Australia, the complaint will be first determined by the relevant NSAs and any appeal against the determination will be heard by the Court of Arbitration for Sport. In the US, Olympic-related sports disputes must be first handled by the NSA concerned before the complainant can file his or her dispute with NOC. The complainant may request arbitration with the American Arbitration Association if he or she is not satisfied with the NOC decision.

Elite sports development

12. The governments in the places studied, except for the US, have invested in elite sports development. In addition to providing funding support, they have invested in the construction of sports facilities and set aside financial resources for NSAs to build their capacity to deliver high performance programmes. In the US, there is no government official whose portfolio encompasses sports. Elites sports development is financed by private instead of government resources. The highly commercialized sports sector allow NOC and NSAs to survive on their own without relying on government funding.

13. In Hong Kong, the Government prioritizes sports for funding support, with the "results-capable" sports receive most government funding support. While Australia, Japan and Singapore also give funding priority to those high performance sports with a record of achieving success in major international games, they also take into account the prospects of a sport to achieve short-, medium- and long-term success. For example, Australia also invest in emerging sports which have a reasonable prospect of achieving future success.
14. The Hong Kong Government provides subvention to NSAs to implement their own talent identification programmes to identify and train athletes with potential. NSAs in Australia receive not only government funding but also professional advice from the government sports agency when developing their talent identification programmes. In addition, under the National Network of Elite Athlete Friendly Universities, member universities work with the Australian Sports Commission to identify elite athletes and assist them in balancing their sporting and academic aspirations. In Singapore and Japan, relevant government authorities involve directly in talent identification programmes. Unlike the other places studied, talent identification in the US is undertaken by high schools, colleges and NSAs of individual sports.
15. Hong Kong's education system is not so conducive to the nurturing of local young athletes. Yet, Hong Kong Sports Institute recently launched the Elite Athlete-friendly School Network in June 2014 to create a partnership between the institute and secondary schools which provides a curriculum catering specifically for the training and competition needs of student-athletes. In comparison, Singapore and Japan enables talented secondary school student-athletes to receive training while studying. In the US, student-athletes are granted generous sports scholarship that pay their living expenses and given a lot of time to practise.
16. In Hong Kong, elite athletes are provided with financial support and other assistance such as academic guidance, career planning and vocational training. The support received by elite athletes in other places studied is more broadly based. Apart from financial support, they also receive support from formal educational and career development schemes run by NOC or relevant government sports agency.

Olympic committees, sports federations and sports development in selected places

Chapter 1 – Introduction

1.1 Background

1.1.1 In Hong Kong, the Sports Federation & Olympic Committee of Hong Kong, China ("SF&OC") is responsible for organizing the participation of the Hong Kong delegation in all major international games such as the Olympic Games, Asian Games and East Asian Games. SF&OC was formally recognized by the International Olympic Committee ("IOC")¹ in 1951 as the NOC² in Hong Kong. SF&OC is also dedicated to the development and promotion of sports³ and the co-ordination of the development of local sports organizations. At present, SF&OC has 75 member organizations which comprise mainly national sports associations ("NSAs")⁴.

1.1.2 Meanwhile, the Home Affairs Bureau ("HAB") co-ordinates Government policy on matters concerning sports, recreation, culture and heritage. On sports policy, HAB formulates policy and legislation for developing sports in Hong Kong, as well as coordinating the strategic planning of sports and recreational facilities. It also supports local competitions, training programmes, athletes' participation in international sports events and staff training for different sports by providing funds to NSAs, SF&OC and the Hong Kong Sports Institute ("HKSI"). HAB examines and approves funding applications from NSAs and SF&OC for preparation for and participation in international sports events, and monitors their use of governing funding.

¹ IOC is an international non-governmental and non-profit organization. It has the legal status as a legal person. It is the governing body of the Olympic Games. In addition to establishing and administering the Olympic rules, IOC selects the host country of the Olympic Games every four years, accepts or rejects new sports and events on the Olympic programme, and oversees the efforts of various other organizations. The latter organizations includes National Olympic Committees ("NOCs"), the Olympic Organizing Committee for each host city, and the international federations governing one or more sports at the world level.

² NOCs are responsible for sending participants to the Olympic Games and endorsing potential future Olympic host cities within their countries. Furthermore, they are assigned the task of promoting the Olympic Movement in their countries (see paragraph 1.3.1 for details of the Olympic Movement). There are currently 204 NOCs over five continents.

³ For example, it organizes annual Festival of Sports, sports management and education courses and some other sport events for the promotion and development of sports in Hong Kong.

⁴ NSAs are local sports governing organizations with the objectives to promote and develop the sports and participate in international sports activities. They are the sole official representatives for their respective sports in international events. In Hong Kong, NSAs are normally affiliated to the international or Asian federations concerned. They are empowered to co-ordinate and conduct a wide range of activities relating to their sports, ranging from recreational programmes for beginners to training of elite athletes. They also organize and sanction participation in overseas multi-sports competitions, as well as train coaches and referees.

1.1.3 In February 2014, an athlete representing Hong Kong in the Olympic Winter Games held in Sochi alleged that he had requested SF&OC repeatedly to arrange for a team doctor to accompany him, but his request was turned down. The issue had aroused concerns over the discretionary power of SF&OC to determine the composition of the Hong Kong delegation. In particular, as the participation in international sports events is funded by the Government, the Government is expected to play a monitoring role during the process. In response, HAB stated that SF&OC had full discretion in determining the Hong Kong delegation list in accordance with the provisions of the Olympic Charter⁵ and the regulations of the games concerned, and that the Government had no right to be involved in the process.⁶

1.1.4 At the meeting of the Panel on Home Affairs held on 24 March 2014, Members agreed to discuss the following at a future meeting: (a) matters relating to the participation of the Hong Kong delegation in large-scale international multi-sport games; and (b) the authority of SF&OC to determine the composition of the Hong Kong delegation to these games. To facilitate the discussion, the Panel also agreed to request the Research Office to undertake a research on NOCs and elite sports development in Hong Kong and overseas places.

1.2 Research questions

1.2.1 Sports policy and related issues have been discussed by Members at the meetings of the Council and the Panel on Home Affairs. Members have noted that SF&OC not only serves as NOC responsible for organizing the participation of Hong Kong athletes in major international sports events, but also co-ordinates its member organizations in respect of sports development in Hong Kong. SF&OC has been receiving government funding for the promotion of elite sports development. In this connection, the governance of SF&OC has been an area of Members' concern, particularly whether the government funding received by SF&OC has been deployed effectively to promote sports development in Hong Kong. Taking note of Members' concerns, this research report studies Hong Kong and selected overseas places in terms of:

⁵ The Olympic Charter is the codification of the fundamental principles of Olympism, rules and by-laws adopted by IOC. It governs the organization of the Olympic Games and the Olympic Movement.

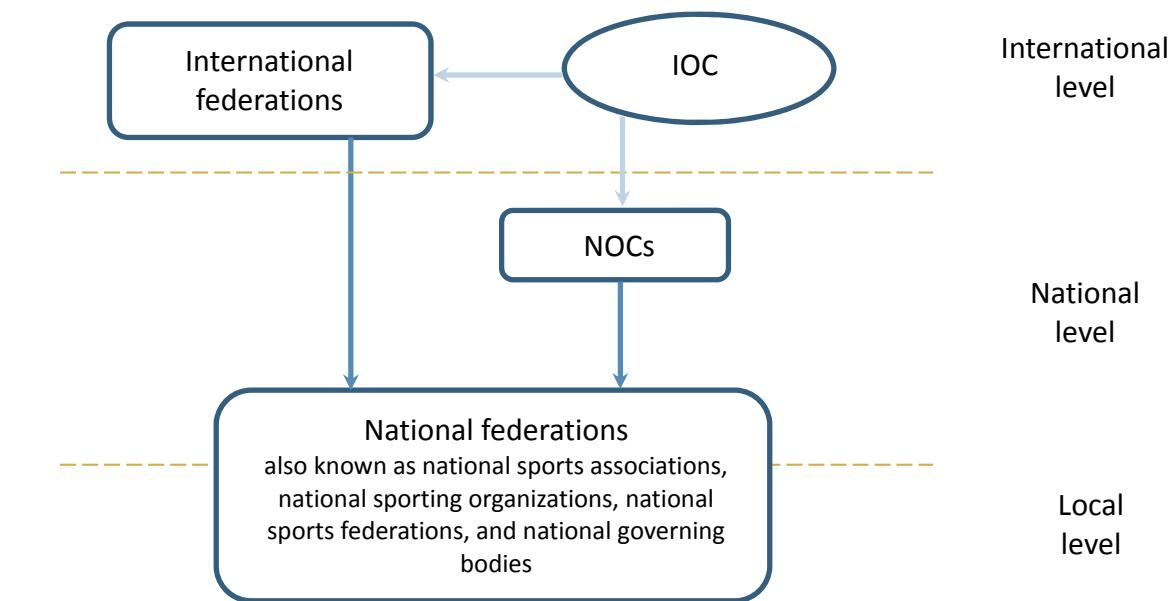
⁶ See Hong Kong Information Services Department (2014a & 2014b) and Legislative Council Secretariat (2014a).

- (a) the governance of NOCs, including their institutional structure and membership system, composition of the governing board, election of office bearers, accountability and transparency as well as athlete selection and appeal mechanism; and
- (b) the roles played by their NOCs, NSAs and governments in elite sports development in the areas of funding, talent identification and development, and professional training and support services for elite athletes.

1.3 The Olympic Movement

1.3.1 The core value represented by the Olympic Games is known as Olympism, which is a philosophy of life founded on the education of the body and mind through sports. The Olympic Movement aims at implementing Olympism through a conglomeration of organizations and individuals. It encompasses organizations, athletes and other persons who agree to be guided by the Olympic Charter and recognize the authority of IOC. The three main constituents of the Olympic Movement are IOC, international federations⁷ and NOCs. **Figure 1** depicts the relationship between these three main constituents.

Figure 1 – Three main constituents of the Olympic Movement



⁷ For a sport to become an Olympic sport, its respective international federation must be recognized by IOC. International federations administer sports at the world level, including overseeing the technical aspects and management of their sports at the Olympic Games and the relevant national federations affiliated with them. They also establish the eligibility criteria for the competitions of the Games in accordance with the Olympic Charter.

1.4 Scope of research

1.4.1 The Research Office has conducted a preliminary study on the sports system in a number of overseas places.⁸ It is observed that each place has its own NOC to oversee the organization of the participation of athletes in the Olympic Games, in addition to the establishment of a number of NSAs. Nevertheless, each place differs in terms of the role and involvement of their NOCs, NSAs and governments in elite sports development. This research report studies NOCs, sports federations and development of elite sports or high performance sports⁹ in Australia, Japan, Singapore and the US, in view of their distinctive features as discussed in the ensuing paragraphs.

1.4.2 Australia is renowned for its national training institute which has been recognized over the world for its ability to identify, develop and produce world, Olympic and Paralympic champions. The Australian Olympic Committee ("AOC") is Australia's NOC, which is a non-profit organization that selects athletes and raises funds to send the Australian Teams to the Olympic Games. It is independent of the government and does not receive any government funding. In Australia, the Commonwealth government takes part directly in the elite sports development through the establishment of the Australian Sports Commission, a statutory authority tasked to (a) administer and fund elite sports programmes; and (b) provide leadership, coordination and support for the sports sector in Australia.

1.4.3 Japan is one of the leading sporting nations in Asia. The Japanese Olympic Committee ("JOC") is Japan's NOC. It became independent from the Japan Sports Association ("JASA") in 1989. Since then, JOC and JASA have assumed different roles in the Japanese sports system. JOC is responsible for training elite athletes and organizing and sending teams to the Olympic Games, whereas JASA coordinates national sports and promotes sports in Japan. Most national sports federations in Japan are affiliated to both JOC and JASA. The Ministry of Education, Culture, Sports, Science and Technology ("MEXT") features prominently in elite sports development in Japan. It works closely with a non-departmental public body under its auspices, the Japan Sport Council, to enhance the performance of elite athletes in international sports events.

⁸ These places were Australia, Canada, Japan, Germany, New Zealand, Singapore, South Korea, Taiwan, the United Kingdom and the United States ("US").

⁹ Elite sport is what others would refer to as high-performance sports. Elite sports, or high performance sports, are sports engaged in by elite athletes who achieve, or aspire to achieve, or have been identified as having the potential to achieve, excellence in world class competitions such as the Olympic Games and World Championships.

1.4.4 Singapore is a developing sporting nation, which is awaiting its first Olympic gold medal. The Singapore National Olympic Council ("SNOC") is Singapore's NOC, which is a non-profit organization that coordinates the selection of athletes for competition at the Olympic Games, the Asian Games, the Commonwealth Games and the South East Asian Games. In Singapore, elite sports development is managed by the Ministry of Culture, Community and Youth ("MCCY"), which has established Sport Singapore as the national sports agency specifically tasked with promoting a sporting culture in Singapore.

1.4.5 The US is the country which has so far won the most Olympic gold medals. The United States Olympic Committee ("USOC") is the US's NOC. It is a federally chartered non-profit corporation and does not receive any funding from the government. Apart from serving as the coordinating body for participation of the US Teams in international sports events, USOC also funds the training and athlete development programmes conducted by national governing bodies ("NGBS"). The US has not established any government agency with any responsibility for sports development in the country. Nor are there any government officials whose portfolio encompasses sports.

1.5 Research method

1.5.1 This study adopts a desk research method, which involves literature review, documentation analysis, Internet research and correspondence with relevant authorities.

Chapter 2 – Hong Kong

2.1 Overview

2.1.1 SF&OC was set up in 1950 and formally recognized by IOC in 1951 as Hong Kong's NOC. It is also the confederation of 75 member associations, mostly NSAs. NSAs which govern a sport on the Olympic programme¹⁰ are eligible to become an ordinary member of SF&OC with full voting rights. Ordinary members feature predominantly in the operations of SF&OC, since they are entitled to sit on the Council (SF&OC's governing board) and nominate and vote for candidates for the posts of SF&OC officers.

2.1.2 SF&OC has been working with HAB to promote sports development in Hong Kong. "Sport" is one of the policy portfolios of HAB.¹¹ On elite sports development, HAB has been providing funding support to non-governmental organizations, including SF&OC, in the delivery of support services and programmes for talented athletes. The Leisure and Cultural Services Department ("LCSD") of HAB is responsible for administering funding support schemes to the relevant bodies.

2.1.3 SF&OC receives subvention from the Government for the promotion of elite sports development in Hong Kong. In recent years, Members have expressed concerns over the governance of SF&OC in the following areas:

- (a) institutional structure and membership system;
- (b) composition of the governing board;
- (c) election of office bearers;
- (d) accountability and transparency of SF&OC; and
- (e) athlete selection and appeal mechanism.

¹⁰ The components of an Olympic programme are sports, disciplines and events. A discipline is a branch of a sport comprising one or several events. An event is a competition in a sport or in one of its disciplines, which results in a ranking and gives rise to the award of medals. For example, a sport such as swimming has four different disciplines, namely diving, swimming, synchronized swimming and water polo. For synchronized swimming, it is contested as a duet and team event.

¹¹ The policy responsibilities of HAB comprise (a) recreation, sport and entertainment licensing; (b) social harmony and civic education; (c) district, community and public relations; and (d) culture.

2.2 Governance of the Sports Federation & Olympic Committee of Hong Kong, China

2.2.1 SF&OC is an association governed by the *Societies Ordinance* (Cap. 151). As Hong Kong's NOC, it is responsible for organizing and sending teams to participate in major international games such as the Olympic Games, Asian Games and East Asian Games. Hong Kong has had an independent NOC since 1951. This arrangement continues after 1997, with Hong Kong competing as a separate entity at the Olympic Games under the name "Hong Kong, China".¹² Hence, SF&OC operates separately from the Chinese Olympic Committee, the People's Republic of China's NOC. Nevertheless, the two NOCs have pledged to strengthen their bilateral ties and work more closely in international sports affairs under the two framework agreements signed in 2004.

Institutional structure and membership system

2.2.2 There are three categories of membership in SF&OC: ordinary members, associate members, and observers. Ordinary members are predominantly NSAs governing sports on the Olympic programme.¹³ At present, among SF&OC's 75 member associations, 32 of them are admitted as ordinary members, 19 as associate members and 24 as observers.¹⁴ Membership applications and upgrading are subject to recommendations of the Membership Eligibility Vetting Committee¹⁵ and the subsequent decision of the Council.

¹² In contrast, IOC has not recognized the Sports & Olympic Committee of Macao, China. Macao cannot participate in the Olympic Games as a separate entity under the name of "Macao, China", although it is allowed to do so in some international games such as the Asian Games.

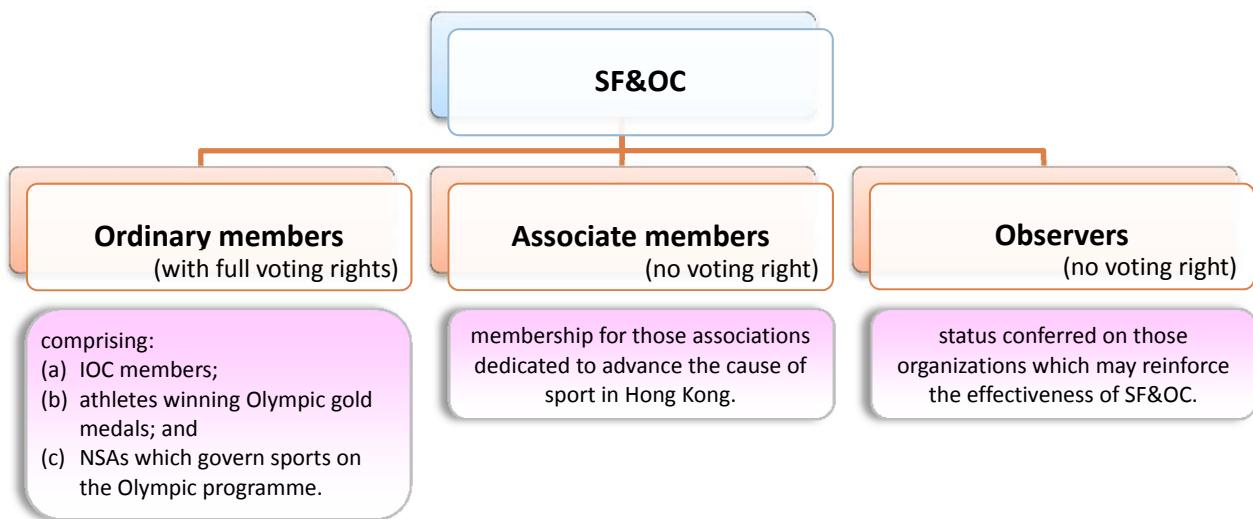
¹³ According to the SF&OC constitution, the following is eligible to become an ordinary member: (a) IOC member who is born or domiciled in Hong Kong; (b) an athlete who has represented Hong Kong in an Olympic Games and won an individual gold medal at such Games, for a period ending at the end of the next Olympiad after the last Olympic Games in which he or she took part; or (c) a sports association duly recognized to be the governing body of a sport on the Olympic programme.

¹⁴ With a two-thirds majority of the Council present and voting, associate membership may be conferred to such associations as are decided to advance the cause of sport in Hong Kong. After due notice has been given, a simple majority of the Council present and voting may confer observer status on such organizations that may reinforce the effectiveness of SF&OC. According to the email reply from SF&OC to the Research Office dated 13 June 2014, SF&OC will review its constitution including its membership system.

¹⁵ The Membership Eligibility Vetting Committee is a standing committee of SF&OC.

2.2.3 Only ordinary members have voting rights at the Annual General Meeting. On all motions including the election of officers for the ensuing term, an ordinary member can assign two representatives each with one vote, while each incumbent officer of the Council (except for the Vice-Presidents who have no voting right) has only one vote. Associate members and observers can attend the Annual General Meeting, but they have no right to vote. **Figure 2.1** depicts the basic institutional structure of SF&OC.

Figure 2.1 – Institutional structure of SF&OC



Composition of the governing board

2.2.4 The administration of SF&OC is vested in a Council consisting of (a) IOC members who are members of SF&OC; (b) the elected officers; and (c) one representative of each ordinary member. **Figure 2.2** shows the composition of the Council and voting rights of Council members. All but the Vice-Presidents are entitled to vote at the Council meetings.

Figure 2.2 – Composition of the Council of SF&OC

	<u>No. of vote per person</u>
(a) IOC members	1
(b) Elected officers	
(i) the President	1
(ii) Not more than eight Vice-Presidents	0
(iii) Honorary Secretary General	1
(iv) Not more than three Honorary Deputy Secretaries General	1
(v) Honorary Treasurer	1
(c) representatives of ordinary members	1

Election of office bearers

2.2.5 SF&OC's elected officers are elected biennially at the Annual General Meeting. According to the SF&OC constitution, nomination for any post of officers must be made in writing by an ordinary member before the election. However, the constitution does not set out the eligibility requirements for these candidates, nor does it preclude NSAs from nominating candidates who are not their members. Officers of the Council are elected by ordinary members. They can also elect from among themselves.¹⁶

2.2.6 The Olympic Charter does not specify the retirement age for officers and members of the executive board of NOC, nor does it impose any limits on their re-elections.¹⁷ There have been concerns from Members over the ageing of leadership in SF&OC. Recently, SF&OC has introduced changes to the retirement age and the terms of office applicable to those officers elected at the Annual General Meetings held in 2014 and in the biennial elections thereafter. These changes include (a) lowering the retirement age of an officer from 80 to 70, and (b) limiting the term of office such that no officer may hold office for the same post for more than six consecutive terms, i.e. 12 consecutive years.

Accountability and transparency

2.2.7 The Government provides recurrent subvention to SF&OC to meet its personnel, office and programme expenses and to assist it in organizing seminars and training courses for staff and officials of NSAs. In 2013-2014, the estimated recurrent subvention totalled HK\$18.9 million.¹⁸ Under the existing funding arrangement with the Government, SF&OC is required to submit the breakdown of expenditures with receipts to HAB on a quarterly basis, and funding is granted in the form of reimbursement. In addition, SF&OC is required to submit annual audited financial statements on the government funding received.

¹⁶ At the Annual General Meeting, representatives of the ordinary members and officers (except for the Vice-Presidents) vote upon each candidate and the voting is conducted by secret ballot. Candidates who have obtained a simple majority of votes are elected.

¹⁷ The Olympic Charter only specifies that "[t]he officers and members of the executive body of an NOC shall be elected in accordance with the NOC's statutes, for a term of office not exceeding four years; they may be eligible for re-election."

¹⁸ In 2013-2014, SF&OC also received another HK\$7.5 million from the Government as a one-off allocation for participation in major international games. Apart from government funding, SF&OC also earns income from commercial activities which are exempt from payments of profits tax under Section 88 of the *Hong Kong Inland Revenue Ordinance*.

2.2.8 Some Members have concerns about the lack of information on the operations of SF&OC in the public domain. In response, the Administration has advised that SF&OC is a wholly autonomous body operating under the Olympic Charter¹⁹, and that it respects the independence of SF&OC.

Athlete selection and appeal mechanism

2.2.9 According to the Olympic Charter, NOC should not be subject to political, religious, economic or other pressures when developing sport. The charter also sets out that NOCs "decide upon the entry of athletes proposed by their respective national federations. Such selection shall be based not only on the sports performance of an athlete but also on his ability to serve as an example to the sporting youth of his country."²⁰

2.2.10 In Hong Kong, the selection of athletes for international competitions is the prerogative of SF&OC and relevant NSAs in accordance with the Olympic Charter and the selection criteria for respective competitions. The selection criteria include those established by the relevant NSAs and their international sports federations. Subvented NSAs are required by LCSD to establish a transparent mechanism from 2013-2014 onwards for the selection of athletes. The mechanism includes the requirement to set out the selection criteria and appeal mechanism in writing, as well as upload them onto the NSAs' official website to inform athletes and members of the public ahead of the selection. In addition, NSAs should avoid overlapping the membership between the selection board and the appeal board as far as possible.

2.2.11 Any complaints or appeals against the selection process are handled by relevant NSAs or SF&OC according to their respective procedures. Under SF&OC, there are the Olympic Games Appeal Panel and Selection Committee and the Asian Games Appeal Panel and Selection Committee which handle the appeal and selection of the Hong Kong delegation to the Olympic Games and the Asian Games respectively. The Selection Committee consists of the Honorary Secretary General of SF&OC (as Chairman) and representatives of various NSAs with the prime requirement of their having rich knowledge of the sports in general . For the Appeal Panel, it consists of the President of SF&OC (as Chairman), a professional accountant and a retired Judge.

¹⁹ One of the fundamental principles of the Olympic Charter is that the organization, administration and operations of sport should be governed by an independent sports organization, which has the responsibility to protect its autonomy from any effects which may render its strict compliance with the Charter provisions impossible.

²⁰ See the International Olympic Committee (2013b).

2.3 Elite sports development

2.3.1 Elite sports development in Hong Kong is characterized by active participation of non-governmental sports organizations such as SF&OC, NSAs and HKSI, supplemented by the support from the Government in terms of policy initiatives and resources. The term "elite sports" refers to those sports recognized by the Elite Sports Committee²¹ under the three-tiered Elite Vote Support System ("EVSS") for receiving support from HKSI for a period of four years. Under the system, sports which are competed at the Olympic or Asian Games and achieve 9 points or above under the EVSS scoring system²² will receive (a) Tier A support, or (b) Tier A* support if their athletes have the potential to perform well at the Olympic Games. Meanwhile, all sports including those not contested at the Olympic or Asian Games can get Tier B support if they achieve a score of between 6.5 and under 9 points.²³

Funding

2.3.2 The development of elite sports is mainly funded by the Government. According to the reply provided by HAB to the Finance Committee of the Legislative Council, the recurrent expenditure on "support for elite sport" totalled HK\$391 million in 2013-2014.²⁴

²¹ Established in 2005 and chaired by the Secretary for Home Affairs, the Sports Commission advises the Government on (a) the policies, strategies and implementation framework for sports development; and (b) the provision of funding and resources in support of sports development. It is underpinned by three committees, in which the Elite Sports Committee advises on matters pertaining to high performance sports, provides policy direction to HKSI and advises on funding priorities for high performance sports and athletes.

²² Under EVSS, points are calculated based on the average of the best results achieved by two senior athletes and two junior athletes at major international competitions. For details, see Hong Kong Sports Institute (2014b).

²³ Tier A sports (e.g. swimming and rugby sevens) are entitled to funding for elite training programmes, dedicated coaching, full sports science and medicine support, and athlete development programmes. For Tier A* sports (i.e. badminton, cycling, table tennis and windsurfing), additional resources are provided for enhanced training programmes. For Tier B sports (e.g. lawn bowls and dance sports), funding and support level will be worked out with their respective NSAs, and their athletes will receive the Elite Training Grant (for Olympic Games and Asian Games sports) or the Sports Aid Grant (for non-Olympic Games and non-Asian Games sports).

²⁴ See Home Affairs Bureau (2014b).

Sports Federation & Olympic Committee of Hong Kong, China

2.3.3 The Government provides recurrent subvention to SF&OC which amounted to HK\$18.9 million in 2013-2014. In addition, SF&OC receives government funding to operate the Hong Kong Athletes Career and Education Programme for improving the education and career prospects for both serving and retired athletes. In 2013-2014, the amount of funding was HK\$1.3 million. SF&OC also received another HK\$7.5 million from the Government in 2013-2014 as a one-off allocation for participation in major international games.

Hong Kong Sports Institute

2.3.4 The Government also supports HKSI in the delivery of sport services and programmes to support elite athletes. HKSI receives annual funding from the Elite Athletes Development Fund²⁵, which was established in January 2012 with a one-off injection of HK\$7 billion from the Government. In 2013-2014, HAB earmarked HK\$325 million, the investment return from the Fund, to support the operations of HKSI.²⁶

2.3.5 HKSI has adopted an outcome-based approach for the allocation of funding to support elite sports, with more funding for Tier A and Tier A* sports. In 2013-2014, a total of HK\$73.4 million was provided to Tier A and Tier A* sports (involving 834 athletes) and HK\$12.1 million to Tier B sports (involving 428 athletes) under the Elite Training Programme. It is also noted that under EVSS, if a sport fails to achieve the standards needed to maintain its elite status during the 4-year funding period, it will be removed from the funding programme. Losing elite status would mean the loss of support from HKSI, including coaching staff, training facilities, sports science and medicine as well as the funding for local and overseas training. It is observed from overseas experience that, for emerging sports, it normally requires eight to 10 years, or even longer period of time, to develop an elite athlete.²⁷ A funding cycle of four years under EVSS may not be commensurable with the developmental needs of emerging sports.

²⁵ The primary purpose of the Elite Athletes Development Fund is to serve as seed money to generate an investment return to support the operations of HKSI on a long-term basis, as well as meeting the funding requirements of HKSI in delivering professional services dedicated to supporting the development of top athletes.

²⁶ HKSI also derives income from other sources such as the Hong Kong Jockey Club Elite Athletes Fund, sponsorship and donations, and commercial income.

²⁷ See 鍾伯光 (2013).

National sports associations

2.3.6 NSAs' main source of funding comes from the Sports Subvention Scheme administered by LCSD. The scheme covers three types of expenses incurred by NSAs on both community and elite sports development: personnel, office and programme expenses. In 2013-2014, 58 NSAs received a total of HK\$259 million from the scheme, and the amount of subvention received by them ranged from around HK\$559,000 to HK\$17.3 million.²⁸ Apart from government funding, NSAs may source their income from donation, commercial sponsorship, membership fee and contributions from members.

2.3.7 Under the Sports Subvention Scheme, LCSD enters into annual subvention agreement with individual NSAs requiring them to use the subventions granted to implement the planned programmes in strict accordance with the agreements. NSAs are also required to submit quarterly reports on their programmes and annual accounts audited by certified public accountants. LCSD conducts regular inspections of the subvented programmes as well as periodic quality assurance inspections to ensure NSAs' compliance with the agreements. Furthermore, the subvention agreements contain provisions requiring NSAs to explain and provide feedback on any complaint upon request. LCSD will take follow-up action on individual cases whenever necessary.

2.3.8 Following the introduction of the Best Practice Reference for Governance of National Sports Associations in 2011²⁹, subvented NSAs are further required from 2013-2014 to upload onto their websites (a) their Memorandum and Articles of Association; (b) information on mechanisms for selection of athletes including appeal mechanisms; and (c) a summary of subvented expenditure as shown in their latest annual audited reports.

²⁸ LCSD takes into account a number of factors in determining the amount of subvention granted to individual NSAs. These include: (a) development potential of the sport; (b) staff strength and past expenditure pattern; (c) performance of NSA against the targets set for the previous financial year, including NSA's effectiveness in managing programmes and administering its subvention; and (d) practicability and effectiveness of the annual plan and the mid-term development plan submitted by NSA.

²⁹ LCSD conducted a comprehensive review of the Sports Subvention Scheme in 2010 with a view to strengthening the monitoring and enhancing the corporate governance of NSAs. Upon completion of the review, LCSD has begun implementing improvement measures. These measures included commissioning the Independent Commission Against Corruption to produce a set of best practice guidelines to help NSAs enhance governance and transparency.

Talent identification and development

2.3.9 In Hong Kong, identification of potential elite athletes is largely the responsibility of NSAs. LCSD provides subvention to NSAs for the implementation of feeder programmes to identify and train young athletes with the potential to reach the highest level. In 2013-2014, LCSD provided HK\$16.8 million to support 49 NSAs in enhancing their feeder programmes.³⁰ Meanwhile, under the Young Athletes Training Scheme organized by NSAs, athletes with potential are identified through progressive and systematic training and regional leagues, and are recommended to join the Hong Kong youth squads for further training.

2.3.10 HKSI also works in partnership with NSAs by inviting them to refer athletes for screening³¹. Screened athletes are further referred for training according to their development levels. In June 2014, HKSI launched the Elite Athlete-friendly School Network which creates a partnership between the institute and secondary schools to provide a curriculum that caters specifically for the training and competition needs of student-athletes.

2.3.11 In Hong Kong, school workload and uncertain job prospects for elite athletes after retirement have deterred many parents from encouraging their children to pursue a sports career, which in turn limits the pool of potential athletes. Against this, there have been suggestions for the Government to put in place a flexible education system conducive to the development of elite athletes. In particular, more opportunities should be provided to elite athletes to pursue further education in local tertiary institutions. In addition, primary and secondary schools should allow flexibility for elite student athletes to pursue their studies while taking part in training or competitions.

Professional training and services for elite athletes

2.3.12 HKSI is an incorporated body established to undertake matters pertaining to high performance sports training. Several world-class training

³⁰ Since its launch as a pilot scheme in 2009-2010, the Feeder Scheme has identified more than 900 athletes for promotion to higher level squads for further training. Of the 900 athletes, 272 have advanced to train with elite squad teams supported by HKSI. In 2014-2015, LCSD earmarks HK\$16.7 million for the Scheme and extends the Scheme to cover two more NSAs.

³¹ Through its Talent Development Programme, HKSI conducts scientific and sport-specific tests on athletes who have received formal training, or reached a certain level of performance in their respective sports and are recommended by NSA coaches.

venues are available at HKSI to provide athletes with the optimum elite training environment. In addition, HKSI provides support to elite athletes on various fronts, including coaching and training, sports science, sports medicine and monetary grants. In 2013-2014, HKSI granted HK\$62.1 million to 798 athletes under its direct financial support programmes.³² The eligibility criteria for, and level of, the support is outcome-based. Applicants must have proven capability and achievement in sports competitions, and can maintain or improve their performance in the next 12 to 18 months.

2.3.13 Apart from direct financial support, HKSI also provides educational and career support to elite athletes under the Athletes Integrated Educational and Vocational Development Programme. The assistance includes tutorial support, education subsidy, coach training and personal development. In 2013-2014, there were 1 175 beneficiaries of the programme.

2.3.14 Meanwhile, SF&OC provides educational and career support to elite athletes through the Hong Kong Athletes Career and Education Programme financed by HAB. In 2013-2014, the amount of funding was HK\$1.3 million. The Hong Kong Athletes Career and Education Programme provides athletes with grants to enrol in language courses and scholarships to study the courses run by educational institutions. The programme also helps athletes to pursue a "second career" upon retirement from high-level competition through career planning, consultation services, placement schemes and other support measures. In 2013-2014, 1 827 athletes received support from the programme.³³

³² Direct financial support programmes provided by HKSI include: (a) Elite Training Grant; (b) Sports Aid Grant; (c) Sports Aid Grant for Athletes with Disabilities; and (d) Individual Athletes Support Scheme. The first two are for elite sports under EVSS. For Individual Athletes Support Scheme, it is catered for outstanding athletes of those sports falling outside EVSS.

³³ Nonetheless, some Members still consider that the Administration should provide more opportunities for retired athletes to pursue further education in local tertiary institutions or provide subsidy for them to study abroad.

Chapter 3 – Australia

3.1 Overview

3.1.1 AOC is recognized by IOC as Australia's NOC, which has the exclusive responsibility for ensuring Australia's representation at the Olympic Games. It is also one of the peak bodies³⁴ representing NSAs³⁵ in Australia.³⁶ AOC is not subject to government oversight as it does not receive any direct funding from the government. Nevertheless, it is committed to achieving and demonstrating high standards of corporate governance by adopting best practice of governance applicable to corporations and listed companies.

3.1.2 The Australian government has been playing a major role in elite sports development in the country. It has established the Australian Sports Commission under the *Australian Sports Commission Act 1989* as the dedicated quasi-government agency tasked with the funding and development of sports at the national level.³⁷ Within the Australian Sports Commission, the Australian Institute of Sport ("AIS") is responsible for developing elite sports.³⁸ One of the strengths of Australia's elite sports development programme is the partnership of AIS with NSAs, state and territory institutes/academies of sport,³⁹ and peak bodies in delivering international sporting success.⁴⁰

³⁴ A peak body is an Australian term for an advocacy group, or an association of industries or groups with allied interests. It is generally established to develop common standards or processes, take actions common to all members, lobby the government and/or promote the interests of its members.

³⁵ NSAs are known as "national sporting organizations" or "NSOs" in Australia. For consistency, the term "NSAs" is used to refer to "NSOs" throughout this chapter.

³⁶ The Confederation of Australian Sport is another peak body in Australia. It was established in 1976 to advance the interests of the Australian sports community and give the industry a united voice in discussions and negotiations with the Commonwealth and state/territory governments as well as key stakeholders. Since the Confederation of Australian Sport focuses on the promotion of mass participation in sports and physical activity, it is not studied in this research report.

³⁷ The Australian Sports Commission is accountable to the Minister for Sport and to Parliament. It is governed by a board of commissioners appointed by the Australian Government with a wide range of expertise.

³⁸ AIS was established in 1981 partly to improve performance after Australia's disappointing results at the 1976 Montreal Olympics, but chiefly to take a more national approach to training Australia's elite athletes. AIS has been recognized over the world for its ability to identify, develop and produce world, Olympic and Paralympic champions.

³⁹ After the inception of AIS, state institutes/academies of sport have been founded in each state and territory with a similar purpose of AIS to create pathways for athletes into the highest level of sport.

⁴⁰ See Stewart (2011).

3.2 Governance of the Australian Olympic Committee

3.2.1 AOC is a non-profit association incorporated in accordance with the provisions of the *Associations Incorporation Reform Act 2012* under the terms of the Olympic Charter. Being Australia's NOC, AOC is committed to the development of Australian athletes, organizing and funding of Australia's Olympic Teams, encouraging the development of high performance sports, and spreading Olympism throughout the wider community.

Institutional structure and membership system

3.2.2 According to the AOC constitution, AOC is composed of the Executive (AOC's governing body), IOC members who are citizens of Australia, national federations⁴¹, State Organizations⁴², the Athletes' Commission⁴³, recognized organizations⁴⁴, life members⁴⁵, and the Olympians' Clubs⁴⁶. AOC has so far admitted 34 national federations as its members.⁴⁷

3.2.3 All AOC members or their representatives can attend the AOC Annual General Meetings.⁴⁸ However, not all attendees are entitled to vote at the meetings. Only delegates of national federations, members of the Executive, the chairperson and deputy chairperson of the Athletes' Commission, and IOC members are entitled to one vote on every motion or amendment thereof. **Figure 3.1** depicts the basic institutional structure of AOC.

⁴¹ National federations specifically refers to those NSAs governing the sports on the Olympic programme. In Australia, athletes and teams participating in international games are selected by national federations.

⁴² According to the AOC constitution, State Organizations means State Olympic Councils. Each state and territory in Australia, except for the Northern Territory, has a State Olympic Council which serves as a representative of AOC in promoting Olympic values and raising funds for the Australian Olympic Teams.

⁴³ Athletes' Commission is made up of eight elected summer Olympic athletes, two elected winter Olympic athletes and other representatives. Its role is to advise the AOC Executive on all matters relating to the Olympic Movement from an athlete's perspective.

⁴⁴ Recognized organization refers to an Australian organization which is affiliated to an international federation and governs a sport or sports not included in the Olympic programme.

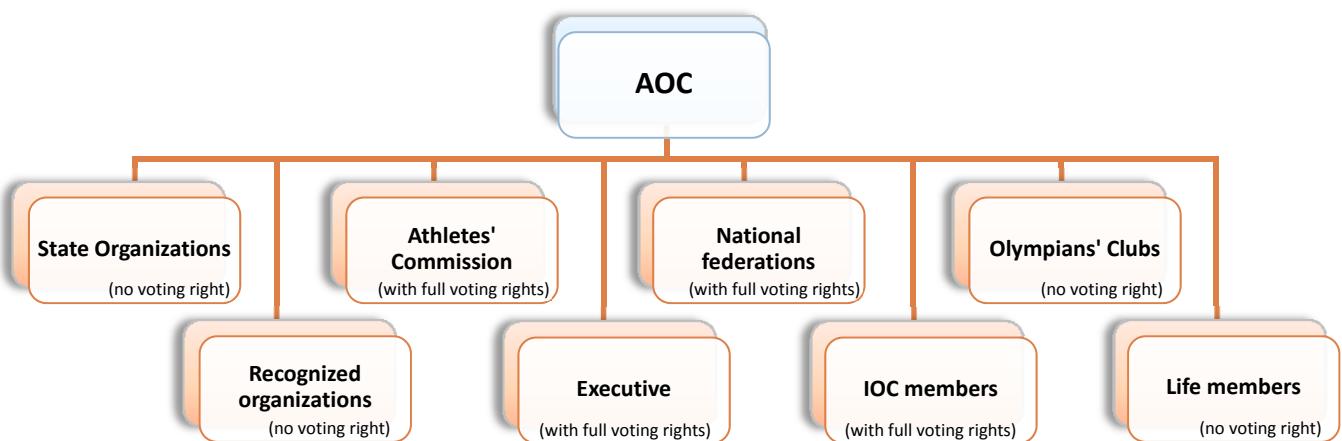
⁴⁵ Life membership may be conferred by the AOC Executive upon any person who has rendered outstanding service to the Olympic Movement and sport. Life members are permanent members without any voting right.

⁴⁶ Olympians' Clubs are associations of Olympians (i.e. athletes who have competed in an Olympic Games). There are Olympians' Clubs in all states in Australia and the Australian Capital Territory.

⁴⁷ A national federation will be admitted and remain a member of AOC upon it: (a) being affiliated to an international federation; (b) exercising a real and specific sports activity; and (c) conducting its activities in compliance with both the Olympic Charter and the rules of its international federation.

⁴⁸ The persons entitled include: (a) members of the Executive; (b) IOC members; (c) two delegates appointed by each national federation; (d) two delegates appointed by each State Organization; (e) the chairperson and deputy chairperson of the Athletes' Commission; (f) one delegate appointed by each recognized organization; (g) one delegate appointed by the Olympians' Club of Australia; and (h) life members of AOC.

Figure 3.1 – Institutional structure of AOC



Composition of the governing board

3.2.4 The management and control of AOC resides with the Executive. The composition of the Executive and voting rights of individual members are shown in **Figure 3.2**. The AOC constitution specifically requires that in carrying out their responsibilities as members of the Executive, these persons cannot represent any particular body or sport and will represent the Olympic Movement at large. Except for the Secretary General, all members of the Executive are entitled to vote at the meetings of the Executive.

Figure 3.2 – Composition of the AOC Executive

	<u>No. of vote per person</u>
(a) IOC members	1
(b) President	1
(c) Two Vice-Presidents	1
(d) Seven members elected from those candidates nominated by national federations	1
(e) Chairperson & deputy chairperson of the Athletes' Commission	1
(f) Secretary General (appointed by the Executive as a non-voting ex-officio member)	0

Election of office bearers

3.2.5 The positions of President and Vice-Presidents are elected from nominations received from any member of AOC. The other seven elected Executive members are elected from nominations received specifically from national federations.⁴⁹ Elections are held at the Annual General Meeting of AOC convened after a Summer Olympic Games. In the event that the number of nominations for the positions at stake does not exceed the number of vacancies, all the candidates nominated will be declared elected. Otherwise, candidates will be elected by an exhaustive ballot.⁵⁰

3.2.6 The President, Vice-Presidents, and members nominated by national federations are elected for a term of four years. All other members of the Executive will hold office whilst and for so long as they satisfy the conditions attached to their appointment. The AOC constitution does not stipulate the retirement age of office bearers, nor does it impose any limits on their re-elections.

Accountability and transparency

3.2.7 AOC does not receive any direct funding from the government. It raises the necessary funds through corporate sponsorship, licensing and traditional fundraising activities for the preparation and participation of the Australian Teams in the Olympic events.⁵¹ AOC also receives annual distribution from the Australian Olympic Foundation, which was established by the late Julius L. Patching⁵² in 1996 to help Australian athletes develop and compete at the Olympic level. In 2013, the total revenue of AOC amounted to AUS\$16.9 million (HK\$126.8 million), of which 65.7% sourced from sponsorship and licensing and 27.2% from the Australian Olympic Foundation.

3.2.8 AOC operates independently of government funding and is thus not subject to any government oversight. Nevertheless, the AOC Executive has adopted, as appropriate, recommendations of best practice of governance set out

⁴⁹ Each national federation is entitled to nominate one person for election as a member of the Executive.

⁵⁰ If no candidate receives an absolute majority, the candidate who receives the least number of votes will be eliminated and a further ballot will then be conducted between the remaining candidates. Such process continues until one candidate receives an absolute majority and is declared elected.

⁵¹ AOC is exempt from Australian income tax.

⁵² Julius L. Patching (1917-2009) was an Australian Olympic icon, sports administrator and businessman in Australia.

by the Australian Stock Exchange Corporate Governance Council and the Commonwealth government's CLERP 9 amendments to the *Corporations Act*⁵³. The aim is to protect members' interests whilst at the same time recognizing and balancing the supreme authority of IOC under the Olympic Charter.

3.2.9 AOC exhibits a high degree of openness and transparency in its operations as evidenced by disclosure of relevant information for public scrutiny. Relevant documents, such as the AOC constitution and by-laws, AOC President's addresses to the Annual General Meeting, annual reports and financial statements, are uploaded onto the AOC website for public information.

Athlete selection and appeal mechanism

3.2.10 AOC has a policy of continuous disclosure and transparency. It promptly notifies national federations, athletes and team officials, through its online services, of all major non-confidential decisions including the selection criteria and relevant by-laws. As published on the AOC website, the selection of the Australian Teams involves a three-step process:

- (a) qualification: athletes must first satisfy the rules set by IOC and the requirements prescribed by the relevant international federations⁵⁴;
- (b) nomination: NSAs nominate qualified athletes to AOC for selection to the Australian Teams based on criteria such as the performance of athletes at the nomination trials or their world ranking; and
- (c) selection: the AOC Selection Committee selects nominated athletes according to AOC's selection criteria.

⁵³ For example, members of the AOC Executive are required to disclose potential conflicts of interest by maintaining and providing up-to-date declarations of interest to AOC.

⁵⁴ For example, to be eligible to compete in badminton at the 2016 Olympic Games, athletes must have played in a minimum of three tournaments in singles counting towards the World Ranking Lists during the Olympic qualifying period and be registered in the World Ranking Lists of 5 May 2016.

3.2.11 According to AOC's Olympic Team Selection By-Law, any appeal or dispute regarding an athlete's nomination or non-nomination will be first determined by the Appeals Tribunal established by the NSA governing the relevant sport⁵⁵. Any appeal from the determination of the Appeals Tribunal will be heard by the Court of Arbitration for Sport.⁵⁶

3.2.12 For each Olympic Games, AOC will appoint one or more independent senior lawyers as the Olympic Appeals Consultants. The Consultants will be available to discuss with athletes, who may have appealed or may wish to appeal, the reasons for non-nomination by NSA to AOC or non-selection by AOC. The Consultants will not provide legal advice to athletes concerning the prospects of success of any appeal, but will ensure that the athlete concerned fully understands the reasons for the decision in question.

3.3 Elite sports development

3.3.1 In November 2012, the Australian government released its new sports policy paper *Winning Edge 2012-2022* in response to, among other things, the country's declining performance in high performance sports in recent years.⁵⁷ As explained by the Chair of the Australian Sports Commission, in order to restore Australia's pre-eminent position in world sport, Australia needs "a long-term plan to invest in sports where there is the best chance of success, implement a robust and goal-oriented planning cycle and ensure best practice governance and the right support is in place".⁵⁸

3.3.2 Australia's Winning Edge Strategy aims to create a high performance sports sector led by AIS and focused on accountability. It introduces new benchmarks for Australia's high performance sports: top five at the Olympics and Paralympics, top 15 at the winter Olympics and Paralympics, number one at the Commonwealth Games and at least 20 world champions annually. In addition,

⁵⁵ Each NSA must establish an Appeals Tribunal that will consist of the following persons appointed by the board of that NSA: (a) a barrister or solicitor or other legally qualified person who will act as chairman; (b) a person with a thorough knowledge of the sport and who preferably has had recent international competition experience in the sport; and (c) one other person of experience and skills suitable to the function of the Tribunal and familiar with the Olympic selection process and documentation.

⁵⁶ Based in Lausanne, the Court of Arbitration for Sport is involved in resolving legal disputes in the field of sport through arbitration and mediation. The court is independent of any sports organizations and serves as the pinnacle of the worldwide dispute settlement system for sport matters.

⁵⁷ Australia has won fewer medals at each Olympic since the 2000 Sydney Olympics and half the number of world champions it did a decade ago.

⁵⁸ See Australian Sports Commission (2012).

government funding will be based on a sport's ability to produce medals and on its administration to meet the highest standards in governance and accountability.

Funding

Australian Olympic Committee

3.3.3 In addition to organizing and sending Australian athletes, coaches and teams to the Olympic Games, AOC also provides funding to assist them in their preparation for and participation in the event. AOC has already budgeted AUS\$18.8 million (HK\$141 million) for the funding of the 2016 Australian Olympic Teams. AOC funding is also provided to national federations for initiatives to assist in preparing their athletes for the Olympic Games.

National sports associations

3.3.4 Sponsorship is a major source of income for NSAs to develop and organize sports in Australia. NSAs are also funded by the Australian Sports Commission through funding arrangements under which federal funding is allocated to NSAs based on (a) their ability to provide sound evidence that could contribute to targets set for success at the elite level for the next decade⁵⁹; and their adherence to mandatory requirements such as compliance with the principles of good governance⁶⁰. In 2013-2014, about AUS\$86 million (HK\$645 million) was provided to NSAs of 42 sports.

3.3.5 As part of the Annual Sport Performance Review, NSAs are required to present consolidated financial accounts and any other information that the Australian Sports Commission needs to assess their effectiveness on achieving outcomes set under funding agreements and any risks that may affect them to deliver those outcomes.

⁵⁹ As mentioned in paragraph 3.3.2, the Winning Edge strategy sets high targets for Australia to be a top five nation at the Olympics and Paralympics, a top 15 nation at the winter Olympics and Paralympics, number one at the Commonwealth Games and have at least 20 world champions annually.

⁶⁰ In 2012, the Australian Sports Commission released a revised set of Sport Governance Principles for NSAs to improve their governance arrangements. Before the revision, the Principles were promoted as guidelines. After the revision, some elements of the Principles have become mandatory and are linked to future sports funding. Implications for not meeting the requirements are clearly spelt out in the funding agreements signed between the Australian Sports Commission and NSAs, including the risk of losing the federal funding for non-compliance.

Australian Sports Commission

3.3.6 In 2013-2014, the appropriations received by the Australian Sports Commission for high performance sports and international sporting success totalled AUS\$177 million (HK\$1,332.8 million). On funding of elite sports development, the Australian Sports Institute has phased out the scholarship programmes⁶¹ run by AIS and prioritized the federal funding to those sports that demonstrate excellent recent records or longer-term potential medal opportunities. Sports are categorized based on their ability to contribute to Australia's Winning Edge targets:

- (a) Foundation: sports with a record of achieving multi-medal or consistent team success at Olympic, Paralympic, World Championships or Commonwealth Games level;
- (b) Prospective: sports with success at the last Olympic or Paralympic Games or World Championships, and likely to medal at the next Olympic or Paralympic Games;
- (c) Emerging: sports likely to achieve a top eight finish and have an outside medal chance at the next Olympics Games or likely to achieve a medal at the next Paralympic Games; and
- (d) National and/or Iconic: sports with gold medal success at the Commonwealth Games or culturally significant sports with gold medal success at a World Championships.

Talent identification and development

3.3.7 National coordination of talent identification and development (for selected sports) existed in Australia between 1987 and 2010.⁶² Since 2011, the Australian Sports Commission has shifted its responsibility for talent identification and development to NSAs. Instead, it focuses on "capability building",

⁶¹ Before that, AIS conducted a national scholarship programme that included 35 programmes in 29 sports, involving approximately 700 athletes. Athletes with AIS scholarships were provided with a training environment that included access to coaching, facilities, sports science and sports medicine, programme management, vocational and pastoral care, competition opportunities as well as career planning.

⁶² During the period, the Australian Sports Commission implemented the National Talent Identification and Development Programme or "Talent Search" to identify and subsequently fast track the development of potential elite athletes to an Olympic and World Championship level of competition.

i.e. providing NSAs with resources and advice to assist them in implementing their own initiatives for identifying and developing targeted athletes and bridging gaps in their talent development pathways. As stated in the *Winning Edge 2012-2022*, the Australian Sports Commission will allocate an additional AUS\$2 million (HK\$15 million) annually to support the development of athlete pathways and new initiatives to grow Australia's talent pipeline.

3.3.8 In addition, under the National Network of Elite Athlete Friendly Universities, member universities work with the Australian Sports Commission to identify elite athletes and assist them in balancing their sporting and academic aspirations. Necessary flexibility is allowed for such student-athletes to meet academic requirements. Universities are required to use their best endeavours to tailor or develop policy to incorporate the student-athlete needs through flexible study options for enrolment, assessment and course entry related needs.

Professional training and services for elite athletes

3.3.9 AIS has been Australia's premier sports training institute for the development of elite athletes and teams. Meanwhile, there are institutes of sport/academies of sport in each state and territory, serving similar purpose of AIS. Under the *Winning Edge 2012-2022*, high performance programmes previously conducted by AIS have become the responsibility of NSAs, which are provided with science and technology assistance from AIS. Support programmes include:

- (a) providing high performance advice, guidance and assistance to NSAs to build their capacity and capability to develop and deliver high performance programmes that achieve international success;
- (b) investing in leadership programmes to ensure that Australia develops and retains high quality coaches and high performance leaders who can provide world best support; and
- (c) focusing on athlete pathways and development and providing financial support to athletes⁶³ so that they receive the right support at the right time along their pathway to international success.

⁶³ For example, athletes who have the greatest potential to contribute to the *Winning Edge* targets may receive a direct cash grant from the Australian government. In deciding the grant amount, AIS may consider indicators of performance potential such as a medal performance at a previous World Championship, results at other recent events, the gap in performance to a medal performance, world ranking and quality of daily training environment. For athletes in Olympic, Paralympic and Commonwealth sports, the minimum grant amount ranges from AUS\$2,500 (HK\$18,750) to AUS\$17,500 (HK\$131,250) for a period of six months.

3.3.10 When AIS was opened in 1981, there was no suggestion that athletes would at any time be required to repay the financial assistance they received. In 2000, a Task Force on sports system was of the opinion that athletes "should put something back into the system". It suggested to have an athlete contribution scheme similar to the scheme which exists for higher education. However, the Australian government has not been in favour of such kind of scheme for athletes. Instead, in the 2010 report which eventually led to the formulation of the Winning Edge strategy, the government indicated its intention to require AIS scholarship holders to volunteer at local community sporting clubs or junior sport programs in the capacity of coach, official or administrator to support grassroots sport development. It would also establish resources within the Australian Sports Commission to connect retired and current athletes with charity, government or non-government organizations.

Chapter 4 – Japan

4.1 Overview

4.1.1 Being Japan's NOC, JOC is responsible for sending teams to the Olympic Games and the success of elite athletes at international sports events. Sports organizations affiliated to international federations recognized by IOC are eligible to become ordinary member organizations of JOC. JOC is governed by a 30-member executive board and funded by government grants and business revenues.

4.1.2 Japan is one of the leading sporting nations in Asia. The Japan Sport Council under the auspices of MEXT is the national agency to be responsible for sports development in Japan. Through the Japan Sport Council, the Japanese government maintains a dominant role in shaping and specifying the direction of elite sports policy through its control over the funding to non-governmental sports organizations such as NSAs⁶⁴ and JOC.

4.2 Governance of the Japanese Olympic Committee

4.2.1 JOC was originally an integral part of JASA, which was founded in 1911 to organize participation in the Olympic Games and take on the role of "promotion of national sports" and "improvement of international competitive advantage". JOC became independent from JASA in 1989 and they have assumed different roles in the Japanese sports system since then. JOC is responsible for training elite athletes and organizing and sending teams to the Olympic Games, whereas JASA coordinates national sports and promotes sports participation in Japan. Being Japan's NOC, JOC selects athletes nominated by their respective NSAs to represent the country, and raises fund to send them to participate in the Olympic Games.

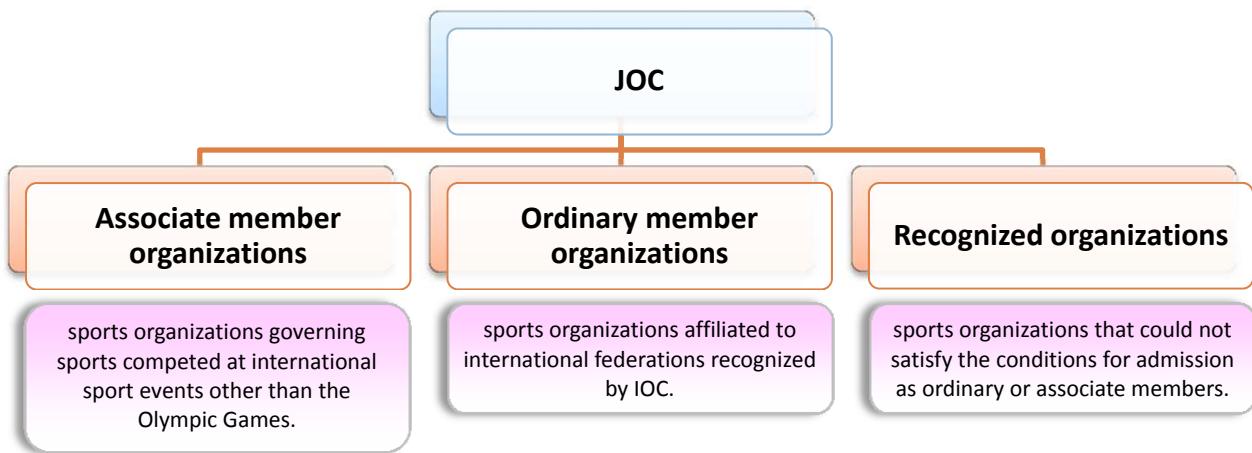
⁶⁴ NSAs are known as "national sports federations" or "NFs" in Japan. For consistency, the term "NSAs" is used to refer to "NFs" throughout this chapter.

Institutional structure and membership system

4.2.2 Sports organizations affiliated to JOC are classified into three categories of membership: ordinary member organizations, associate member organizations, and recognized organizations. Sports organizations affiliated to international federations recognized by IOC are eligible to become ordinary member organizations of JOC. JOC accepted a total of 62 sports organizations as its affiliates as at July 2014, comprising 53 ordinary member organizations, five associate member organizations and four recognized organizations.

Figure 4.1 depicts the institutional structure of JOC.

Figure 4.1 – Institutional structure of JOC



4.2.3 Unlike many other NOCs, JOC does not set out the voting rights of its member organizations in its constitution (i.e. the Articles of Incorporation). There is also a lack of similar information in the public domain as to whether JOC's member organizations are subject to different treatments in terms of the voting rights granted to them.⁶⁵

Composition of the governing board

4.2.4 Administration of JOC is vested in a 30-member executive board (理事会). Its composition is shown in **Figure 4.2**. Scanty information is available in the public domain about the eligibility requirement for the board members.⁶⁶

⁶⁵ The Research Office has written to JOC for information about the voting rights of its member organizations. As at the publication of this research report, JOC has not responded to the request.

⁶⁶ The Research Office has written to JOC for information about the eligibility requirement for the board members. As at the publication of this research report, JOC has not responded to the request.

Nevertheless, it was reported that of the 30 board members elected at the last election, 20 were elected/nominated by member organizations (加盟団体選出) and 10 were candidates with relevant knowledge and experience (学識経験者).⁶⁷ Together with three auditors (監事), they are collectively known as the officers (役員).

Figure 4.2 – Composition of the executive board of JOC

- (a) IOC member (concurrently served as the President)
- (b) President
- (c) Three Vice-Presidents
- (d) Four senior executive board members (常務理事)
- (e) 22 executive board members (理事)
- (f) Secretary General (専務理事) (concurrently served by one of the Vice-Presidents)

Election of office bearers

4.2.5 JOC's officers are elected by the Council (評議員会)⁶⁸. JOC's Articles of Incorporation do not stipulate the nomination procedure and eligibility for the candidates of officers, but it states that no person could assume the position of Council member and officer at the same time.⁶⁹ Observed from the list of officers, it seems that at least 20 of them are nominated by affiliated organizations as representatives of individual sports. At the executive board meeting held after the election of the incoming officers, the board members will elect among themselves the positions of the President, Vice-Presidents, Secretary General and senior executive board members.

⁶⁷ See 『朝日新聞』, 27 June 2013.

⁶⁸ The Council meets once a year to decide on matters such as endorsing JOC's financial statement and any amendments to the Articles of Incorporation. JOC's Articles of Incorporation provides that there should be no less than 52 but no more than 70 members (評議員) in the Council. Currently there are 62 Council members in JOC. Candidates for new Council members are elected by the five-member Council Members Selection Committee (評議員選定委員会) whose members are appointed by the incumbent executive board. The selection committee is composed of: (a) one incumbent Council member; (b) one auditor; (c) one member from the JOC Secretariat; and (d) two external members who are independent from JOC and its related organizations. To be elected as a Council member, a candidate must obtain the vote of at least one of the external members, and an absolute majority of votes cast by the Council Members Selection Committee members present.

⁶⁹ To be elected, a candidate must obtain an absolute majority of votes cast by the Council members present. In the event that the number of candidates who have got an absolute majority exceeds the number of positions available, then candidates are prioritized in accordance with the number of votes they got, so that the ones with the most votes are elected.

4.2.6 The executive board members and auditors serve for a term of two and four years respectively and they can be re-elected. JOC's Articles of Incorporation does not set out any provisions stipulating their retirement age and limits on re-election.

Accountability and transparency

4.2.7 JOC derives most of its income from grants (sourced mainly from the government grants) and business revenues (received largely from licensing and sponsorship).⁷⁰ In 2013-2014, 43.2% of JOC's income was sourced from various grants and 37.5% from business revenues. Government grants totalled ¥2,588.2 million (HK\$206 million) in the year, whilst business revenue amounted to ¥2,884.2 million (HK\$229.6 million).

4.2.8 JOC is required to review its operations and submit a report to MEXT on its use of government grants. Based on the report so received and field observations, MEXT will conduct a performance review on JOC's operations which include, among other things, the efficiency and effectiveness of JOC in achieving the goals set by the government and the ensuing areas for improvement.

4.2.9 JOC's Articles of Incorporation specifically requires that documents in relation to the operations of JOC should be made public. Against this, JOC has uploaded its Articles of Incorporation and other relevant documents such as annual work plans, budgets, annual reports, balance sheets and financial statements onto the Japanese webpage of its website for public information.

Athlete selection and appeal mechanism

4.2.10 Athletes are nominated by their respective NSAs to JOC for selection to participate in international sports competitions. Each NSA has established its own nomination criteria based on factors such as athletes' performance at the nomination trials or their results achieved at the recent competitive games. JOC encourages transparency in the athlete selection process, and NSAs have set objective criteria for the selection process and define them as clearly as possible. Any complaints or appeals against the selection are handled by the relevant NSAs or JOC according to their respective procedures.

⁷⁰ JOC is a public interest corporation (公益財團法人). Under the taxation system of Japan, public interest corporations are subject to corporate tax. However, public interest activities conducted by these corporations are exempt from taxation.

4.3 Elite sports development

4.3.1 For elite sports development in Japan, MEXT⁷¹ has exerted much influence on non-governmental sports organizations which are characterized by high dependence on public resources, lack of significant organization autonomy and strict accountability to the state.⁷² Preparing for hosting the Olympics Games in 2020 and targeting at the 5th place in the Games, the Japanese government has positioned its elite sports policy on improving the international competitiveness of Japanese athletes (選手強化) through intensive training and development programmes.

Funding

4.3.2 In 2012-2013, the Japanese government spent a total of ¥7,460.7 million (HK\$593.9 million) on improving the international competitiveness of Japanese athletes.⁷³ Over the same period, it also provided the Japan Sport Council with funding for operation expense (¥5,268.3 million or HK\$419.4 million) and improvement of facilities and equipment (¥2,645.9 million or HK\$210.6 million).

4.3.3 The Japan Sport Council is an independent administrative institution under the supervision of MEXT. Managing the Sport Promotion Fund and the Sport Promotion Lottery (also known as "*toto*"), the Japan Sport Council invests in both community and elite sports. The Sports Promotion Fund was set up in 1990 with an initial investment of ¥25 billion (HK\$2 billion) from the government for improving the international competitiveness of Japanese athletes and encouraging people to exercise and take up sports.⁷⁴ For *toto*, it was introduced in 2001 for the purpose of creating a new source of funding for the maintenance and improvement of the sports environment in Japan.⁷⁵

⁷¹ Within MEXT, the responsibility for elite sports development is centralized in the Sports and Youth Bureau.

⁷² See Yamamoto (2008).

⁷³ The expenditure included the amount spent on (a) delivering programmes to support top athletes; (b) promoting anti-doping; (c) subsidizing JOC; and (d) organizing the annual National Sports Festivals.

⁷⁴ With an additional ¥4.4 billion (HK\$350 million) donated by the private sector and operating profits accrued on the total fund of ¥29.4 billion (HK\$2.3 billion), the Japan Sport Council has subsidized sports activities undertaken by sports organizations, individual athletes and coaches.

⁷⁵ The profits from *toto* are calculated by deducting the payment to prize winners and expenses from the total sales of *toto*, and two-thirds of the profits are then put to sports promotion activities, whilst the remaining one-third is paid to the national treasury. Total sales of *toto* for 2013-2014 were approximately ¥108 billion (HK\$8.6 billion).

4.3.4 NSAs in Japan rely heavily on government funding. JOC has been entrusted by the Japanese government to evaluate the activities and performance of NSAs and make use of the evaluation results to distribute the government funding to them. JOC has devised a series of qualitative and quantitative indicators for assessing the performance of NSAs in developing elite success, which focus particularly on the results NSAs have achieved in the international games and their talent identification and development scheme. In particular, 70 out of 100 points is based on individual NSA's achievements (45 points on results at the previous Olympic Games and 25 points on medal potential) and 30 points is on management of athlete development programmes including training of coaches, anti-doping and sports medicine.

Talent identification and development

4.3.5 The Japan Sport Council provides funding and advice to regional governments and NSAs for establishing their own talent identification programmes as well as developing database for talent profiling. Regional government and NSAs have made use of the National Sports Festivals⁷⁶ to identify potential athletes. Since September 2012, the Japan Sport Council has implemented its own Athlete Pathway Development Project aiming to create a clear pathway for athletes with medal potential from talent identification to world class competition. The project comprises the following five programmes: national talent identification and development, the JOC Elite Academy, overseas training, talent transfer⁷⁷ and dual career support⁷⁸.

4.3.6 Under the Athlete Pathway Development Project, the national talent identification and development programme involves three steps:

- (a) identification: identifying talented athletes through "coach's eye" and sports science testing;
- (b) confirmation: confirming potentials and competencies of talented athletes over a period of several weeks to several months with intensive scientific and medical screening; and

⁷⁶ National Sports Festivals (winter, summer and autumn) are held each year. Athletes compete in skiing and ice skating at the winter festival. The summer events include swimming, boating and sailing. Track and field, gymnastics and various ball games are among the athlete events included at the autumn festival.

⁷⁷ Talent transfer is to transfer athletes from one sport to another sport to which they are more suited.

⁷⁸ Dual career is the period during which individuals combine athletic career and their involvement with education and/or early professional working career.

- (c) development: developing talents and athletes by world-class coaches, training, training partners, competition, support etc.

4.3.7 For the JOC Elite Academy Programme, it is a sports boarding school programme which intensively trains and strengthens young athletes that are promising and talented. All student-athletes of the Academy live in the Athlete's Village of the JOC-managed National Training Centre ("NTC") where they receive training and practise after school. All junior high school athletes go to a nearby public school, whereas senior high school athletes attend public schools that are in commutable distances from NTC. Currently, about 50 student-athletes participate in the programme.

Professional training and services for elite athletes

4.3.8 The Japan Sport Council manages two adjacent facilities: the Japan Institute of Sports Sciences ("JISS") and NTC. JISS is the first centralized specialist elite-focused institute in Japan, which is the primary support service provider of sports science, sports medicine and technical information in Japan. For NTC, it houses an indoor training centre which serves as a base for top-level athletes to strengthen their performance and undergo intensive continuous training. Through JISS and NTC, the Japan Sport Council provides an environment where athletes and NSAs are able to conduct high-level training, making full use of the research outcomes of JISS and the training facilities of NTC.

4.3.9 In addition to JISS and NTC, JOC also provides other support services to elite athletes. The JOC National Coach Academy Program supports coaches who train athletes for high performance in international competition games. The programme consists mainly of interactive information exchanges between the participants and instructors on the knowledge and skills of coaching. Meanwhile, workshops and counselling are provided under the JOC Career Academy Program to help top athletes overcome the transition from high-level competition to their "second career" upon retirement.

Chapter 5 – Singapore

5.1 Overview

5.1.1 SNOC is recognized by IOC as Singapore's NOC. As the umbrella body for NSAs in Singapore, SNOC is made up of ordinary and associate members. SNOC is managed by a governing body, the Executive Committee, which may consist of co-opted member(s) if the Executive Committee deems fit to better achieve its objectives. SNOC receives government funding for its operations and is required to submit annual reports and audited accounts to the government for review.

5.1.2 Singapore is a developing sporting nation which has yet to win its first Olympic gold medal. Elite sports development is primarily managed by the government through Sport Singapore, which is a statutory board of MCCY tasked with developing a holistic sports culture for the nation. Sport Singapore features prominently in the elite sports development in Singapore for serving as (a) the body which NSAs would go to for official recognition as the national associations for their sports; and (b) a key source of funding for many sporting activities.

5.2 Governance of the Singapore National Olympic Council

5.2.1 SNOC is the national organization that coordinates the selection of Singaporean delegation for competition at major international games such as the Olympic Games, Asian Games, Commonwealth Games and South East Asian Games.

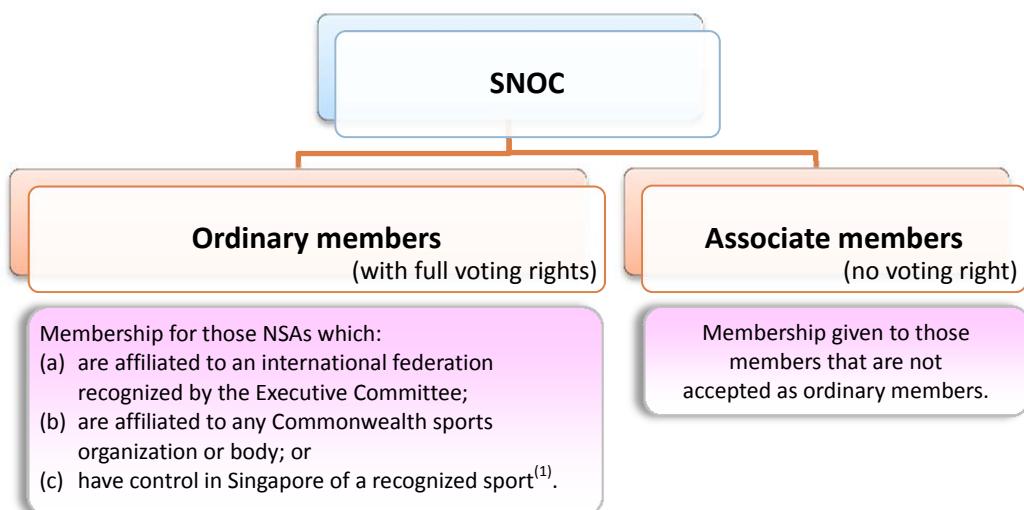
Institutional structure and membership system

5.2.2 SNOC is made up of ordinary and associate members. While ordinary members can nominate delegates to attend and vote at the Annual General Meeting of SNOC, associate members do not have the right to do so.⁷⁹ **Figure 5.1** indicates the institutional structure of SNOC and voting rights of

⁷⁹ Persons entitled to attend and vote at the Annual General Meeting of SNOC are: (a) Executive Committee members (except for ex-officio members); (b) five delegates nominated by each ordinary member; and (c) any IOC member, who is a citizen of Singapore and is in Singapore.

ordinary and associate members. Applications for membership of SNOC shall be considered by the Executive Committee who may accept either unconditionally or on such terms as it deems fit or reject the same without assigning any reasons for its decisions. SNOC has so far approved the affiliation of 38 NSAs as ordinary members and 10 sports associations as associate members.

Figure 5.1 – Institutional structure of SNOC



Note: (1) Recognized sport may be: (a) an IOC-recognized Olympic sport; (b) a sport recognized by the relevant regional or continental sports federation or body in Southeast Asia or Asia; or (c) any other sport recognized by the Executive Committee.

Composition of the governing board

5.2.3 SNOC is managed by the Executive Committee. Its composition is shown in **Figure 5.2**. According to the SNOC constitution, the President, Vice-Presidents and Honorary Treasurer need not necessarily be members or representatives of affiliates⁸⁰, whereas the three persons representing NSAs must be concurrently the chairman, vice-chairman, secretary or treasurer of an affiliated NSA throughout the duration of their membership of the Executive Committee.

⁸⁰ According to the SNOC constitution, affiliate shall mean any association, club, institution or other body affiliated to SNOC.

Figure 5.2 – Composition of the Executive Committee of SNOC

	<u>No. of vote per person</u>
(a) IOC members	1
(b) (i) President	1
(ii) Four Vice-Presidents	1
(iii) Honorary Treasurer	1
(c) Three persons representing any of the NSAs that are ordinary members of SNOC	1
(d) Not more than five co-opted members ⁽¹⁾	1
(e) Secretary General & Assistant Secretary General	0

Note: (1) The co-opted members shall hold office until the next Annual General Meeting of SNOC.

5.2.4 In addition, not more than five persons can be co-opted by the elected members of the Executive Committee to sit on the Executive Committee, if the Executive Committee deems fit in order to better achieve the objectives of SNOC. Currently, the chairman of the Athletes' Commission⁸¹, who is a former national water polo player, serves as the only co-opted member in SNOC. All members of the Executive Committee, except the Secretary General and the Assistant Secretary General (full-time paid employees of SNOC), are entitled to vote.

5.2.5 SNOC has been headed by government ministers, an arrangement which the SNOC website describes as "a sign of its importance to the government" on the SNOC website.⁸² Deputy Prime Minister Teo Chee Hean had been the President of SNOC since 1998 and was recently replaced by Tan Chuan Jin, the Minister for Manpower, in June 2014.⁸³

Election of office bearers

5.2.6 SNOC's elected office bearers are nominated by ordinary members and voted into office at the Annual General Meeting. Candidates who get a majority vote of members present are elected. The President and Vice-Presidents are elected to their posts for a four-year term, while the Honorary Treasurer and the representatives of NSAs are elected annually. Office bearers may be re-elected.

⁸¹ The Athletes' Commission is a standing committee of SNOC established to represent the views of Singapore's athletes within SNOC.

⁸² According to Chapter 4 of the Olympic Charter, governments or public authorities shall not designate any members of an NOC. However, an NOC may decide, at its discretion, to elect representatives of such authorities as members.

⁸³ Tan had been a co-opted member of the Executive Committee before taking up the presidency in June 2014.

The SNOC constitution does not stipulate the retirement age and the limits on re-elections of elected office bearers.

Accountability and transparency

5.2.7 SNOC receives funding from Sport Singapore, as well as from Olympic Solidarity⁸⁴, the Olympic Council of Asia and their sponsors.⁸⁵ As public money is involved, SNOC is required to submit annual reports to Sport Singapore for review. The annual report includes SNOC's audited accounts and a review of SNOC's accomplishments during the reporting year. SNOC also submits statements of accounts to IOC and the Olympic Council of Asia to report on its use of funding received from them.⁸⁶

5.2.8 Scanty information on the operations of SNOC is available in the public domain. While SNOC has uploaded its constitution onto its website, other relevant documents such as annual reports, balance sheets and statements of accounts are not available in the public domain.

Athlete selection and appeal mechanism

5.2.9 In the selection of athletes to participate in major international games, NSAs have primary and final responsibility for all selection criteria and individual selection decisions. They may adopt selection criteria, such as performance benchmarks, selection trials and/or world ranking, to select athletes for nomination to SNOC to represent Singapore.

5.2.10 Any complaints or appeals pertaining to the selection decisions are handled by the relevant NSAs according to their respective procedures. The NSA concerned will form an independent appeals committee to deliberate the appeals lodged by athletes. Some NSAs have set out specifically that the appeals committee will comprise individuals not involved in the original athlete selection committee.⁸⁷

⁸⁴ SNOC's training programmes for coaches, officials and athletes are also funded annually by the IOC-sponsored Olympic Solidarity. Olympic Solidarity is a commission of IOC which organizes assistance for all NOCs, particularly those with the greatest needs, so that they can develop their own structure to favour the expansion of sport in their country.

⁸⁵ SNOC is not exempt from tax, nor does it enjoy any tax breaks.

⁸⁶ Based on the email reply from MCCY to the Research Office dated 14 August 2014.

⁸⁷ For example, the Singapore Cycling Federation requires the appeals committee to comprise individuals not involved in the original athlete selection committee, with the following composition : (a) a coach (if any); (b) a Management Committee member; (c) a representative from an independent body; (d) a representative from Sport Singapore; and (e) a representative from SNOC (if participation is for multi-sports major games).

5.3 Elite sports development

5.3.1 Singapore has been sending athletes to compete at the Olympic Games even before its independence in 1965, but is still awaiting its first Olympic gold medal. MCCY has established Sport Singapore⁸⁸ as a statutory board tasked with, among other things, investing in high performance sports development programmes and funding of Singapore's sporting talents and professionals. The backbone of Singapore's high performance sports system is the High Performance Sports Pathway⁸⁹ which provides athletes with financial support through various Spex Schemes (see paragraph 5.3.7-5.3.12 for details) plus access to sports science and medicine.

Funding

5.3.2 The Singaporean government has invested heavily in achieving international sporting success. In 2014-2015, Sport Singapore budgeted for an operating expenditure of S\$289.8 million (HK\$1,796.8 million), representing an increase of 108% over 2013-2014. Most of the increase is for the unitary payment of the Singapore Sports Hub⁹⁰ which opened in mid-2014. In 2014-2015, another S\$28.5 million (HK\$176.7 million) was budgeted as operating expenditure for sports programme, including the provision of grants to Singapore Sports School to run programmes that enable student-athletes to develop sporting excellence and obtain a sound academic education.

5.3.3 Sport Singapore funds NSAs through the annual grant exercise, under which NSAs receive government funding to develop elite athletes, promote sports participation and hold competition for their members. To qualify for the annual grants, NSAs must submit applications which show how their programmes meet the immediate and medium term priorities identified by Sport Singapore. NSAs also need to meet other eligibility requirements such as corporate governance and compliance with the financial reporting regulations set out by Sport Singapore.

⁸⁸ Sport Singapore was formerly known as "Singapore Sports Council", which was established in October 1973 as Singapore's lead agency for developing sports outreach programmes for all Singaporeans and promoting international sporting excellence in targeted sports. On 1 April 2014, the Singapore Sports Council was renamed "Sport Singapore" with core purpose of inspiring the Singapore spirit and transforming Singapore through sports.

⁸⁹ The High Performance Sports Pathway has four tiers: national, regional, continental, and international.

⁹⁰ The Singapore Sports Hub is a sports complex incorporating facilities including a new 55 000 seat stadium with retractable roof, a multi-purpose indoor arena, and a state-of-art aquatic centre. It is a public-private-partnership project where a consortium of private sector partners has a 25-year contract with Sport Singapore to design, build, finance and operate the sports complex. In return, Sport Singapore pays a monthly unitary payment to the consortium throughout the project's 25-year term.

5.3.4 Two key tools have been adopted by Sport Singapore to help NSAs improve their governance, namely the Code of Governance for Charities⁹¹ and the revised Organizational Excellence Framework. The Code helps NSAs to be more effective, transparent and accountable to their stakeholders, while the Framework supports NSAs to run more effectively, particularly in terms of leadership development and succession planning⁹².

Talent identification and development

5.3.5 MCCY has established Singapore Sports School as a specialized independent school that provides talented student-athletes aged 13-18 with an integrated academic and sports programme in a conducive environment. Unlike mainstream schools, Singapore Sports School allows for the academic curriculum to be tailored around a student-athlete's training. More importantly, student athletes who find that they are unable to cope with the programme for valid reasons are permitted to opt out at any point, and return to a mainstream school.

5.3.6 Singapore Sports School seeks to develop student-athletes based on the principles of long-term athlete development while acknowledging their academic aspirations. Long-term athlete development features the design of appropriate training and competition programmes in relation to developmental age of individual athlete-students.

Professional training and services for elite athletes

5.3.7 Learning from other best practices of leading sporting nations, Sport Singapore established the Singapore Sports Institute in 2011 as the nation's premier institute for the development of high performance sports and nurturing

⁹¹ NSAs are required to register as charities to receive government funding, and as charities they can apply for "Institution of Public Character" status to receive tax-deductible donations. The Code of Governance for Charities requires Institutions of Public Character to critically establish strong governance and sound management policies. All Institutions of Public Character are subject to the Code, but the Code is not mandatory and operates on the principle of "comply or explain".

⁹² Under the revised Organizational Excellence Framework, the tenure limit of NSA office bearers (except Treasurers) – a maximum of four terms of two years each – has been replaced by a process under which Sport Singapore works with individual NSAs to determine the tenure limits, according to their stage of development and needs. NSAs are also encouraged to promote diversity within their management committee, through measures such as bringing on board members with various skills in areas such as finance, accounting, legal, audit, marketing and sponsorship, fundraising, and technical knowledge. The resulting strength of the management committee will be taken into account by Sport Singapore when it considers the allocation of government funding to individual NSAs during the annual grant exercise.

of elite athletes. The Institute integrates sports science and medicine, technology and innovation, and athlete support programmes to develop and support sporting talents. It provides a broad spectrum of support services and training facilities for elite athletes. In particular, as part of its holistic approach to develop Singapore's sporting talents, the Institute administers sports excellence or "Spex" programmes to help athletes train and compete without being distracted by money or studies.⁹³ The amount of financial support provided to an athlete is based on his or her profile over the past 12 months performance/potential to achieve at the major international games. Performance is assessed on the athlete's holistic profile and not on any single point of achievement during the assessment period.

5.3.8 SpexCarding is the entry point into the Spex programmes. Athletes must be first nominated by their respective NSAs for "carding". There are four carding levels for local athletes, depending on their potential to win medals at the national, regional, continental and international games. Upon confirmation of carding, athletes can receive services of the Singapore Sports Institute and support from various Spex Schemes⁹⁴ appropriate to their level of carding. The latest initiative for Spex was the launch of spexScholarship and the Spex Education/Spex Career Scheme in 2013.

spexScholarship

5.3.9 The spexScholarship programme was launched by the Singapore Sports Institute in March 2013 as a five-year programme at a total cost of about S\$40 million (HK\$248 million). The programme provides an enhanced level of support to a total of some 60 top athletes to train and compete full-time. The spexScholarship programme prepares athletes to excel at the major international games through both financial and programmatic support, which includes developing athletes' sporting potential and assisting athletes in their education, career and personal development.

⁹³ The launch of sport excellence programmes can be traced back to December 1993, when the Singapore government released the policy document "Sports Excellence 2000: Winning for Singapore" to set the goal of raising the overall standard of competitive sports in Singapore.

⁹⁴ These comprise (a) spexTAG, a training grant to help athletes defray training costs; (b) spexACT, financial support towards high performance programmes and necessary qualifications and skills in preparation for a post-athletic career; (c) spexMEDIC, an insurance policy; and (d) spexGLOW, financial assistance to carded athletes in the workforce, who are unable to get full-pay unrecorded leave for the period of major games and centralized training in preparation for the games.

Spex Education/Spex Career Scheme

5.3.10 In November 2013, the Singapore Sports Institute launched two schemes – the Spex Education Scheme and the Spex Career Scheme – to provide a formalised system of support for athletes to cope with the dual demands of competitive sport and their career or studies.

5.3.11 The Spex Education Scheme is designed to provide student athletes with sufficient flexibility in pursuing their chosen sport whilst maintaining a certain level of academic rigour. This includes (a) extended duration of study alongside multiple leaves of absence to compete in key competitions; and (b) distance learning and e-support for athletes who are receiving training or competing outside of Singapore. The Scheme also recognises student athletes' dedication to their sport by allowing them to leverage on their sporting achievements to gain admission into Institutes of Higher Learning.

5.3.12 The Spex Career Scheme designs to help athletes achieve their career aspirations without comprising their pursuit of sporting excellence. Employers participating in the scheme will employ carded athletes and provide them with career development support in the form of internships, apprenticeship, or job placements in addition to athlete-friendly work environment (e.g. flexi-time work arrangements, flexi-leave, and flexi-place work arrangements).

Chapter 6 – The United States

6.1 Overview

6.1.1 The US is the country which has so far won the most Olympic gold medals, and its sports development provides a distinctive example of a laissez-faire system.⁹⁵ Unlike the other overseas places studied earlier, the US does not have a sports ministry. Following the disappointing performance of American athletes in the 1972 Munich Olympic Games, the *Amateur Sports Act* (now the *Ted Stevens Olympic and Amateur Sports Act*) was passed in 1978 to appoint USOC as the co-ordinating body for all Olympic-related athletic activities. The Act also provides for the delegation of elite sports development to USOC and other sports organizations.

6.1.2 USOC serves as both NOC and the National Paralympic Committee in the US. It is also the umbrella body of sports organizations in the US. USOC is made up of three constituent councils and its member organizations vote with equal voting rights in their affiliated respective council. The USOC by-laws specifically require the governing board of USOC to include athlete representatives and independent directors. USOC does not receive any government funding and is not subject to government oversight. Nevertheless, it is required by the *Ted Stevens Olympic and Amateur Sports Act* to submit a quadrennial report of its operation and financial performance to the President of the US and to each House of Congress.

6.2 Governance of the United States Olympic Committee

6.2.1 USOC was founded in 1894 to organize the participation of US athletes in the Olympic Games. In 1978, the passage of the *Amateur Sports Act* as federal law specifically appointed USOC as the co-ordinating body for athletic activity directly relating to international competition, including the sports on the programmes of the Olympic, Paralympic and Pan American Games.⁹⁶ USOC also

⁹⁵ See Sparvero, E., Chalip, L. & Green, B.C (2008).

⁹⁶ Before the passage of the *Amateur Sports Act* in 1978, the Amateur Athletic Union represented the US on international competition matters and regulated amateur sports generally. The *Amateur Sports Act*, now the *Ted Stevens Olympic and Amateur Sports Act*, was revised in 1998 to set out, among other things, the expansion of the role of USOC to include the Paralympic Games.

pursues elite sports development in partnership with NSAs.⁹⁷ In the US, each NSA is responsible for the governance, management and promotion of an individual sport that is on the Olympic, Paralympic or Pan American Games programme. USOC has the authority to certify, not certify, or decertify NSAs.

Institutional structure and membership system

6.2.2 USOC has an extensive membership.⁹⁸ Forty-seven NSAs are members of USOC, which belong to one of the following three membership categories as defined in the USOC by-laws: Olympic sports organizations, Pan American sport organizations and Paralympic sport organizations. Other USOC member categories include community- and education-based multisport organizations, armed force organizations and recognized sport organizations, collectively known as "multisport organizations" in the US. The board (USOC's governing body) has the power to approve the applications of properly qualified organizations for membership of one of the above membership categories, transfer a member organization from one membership category to another, and terminate the membership of a particular member organization.

6.2.3 The Olympic and Paralympic Assembly, which is the general meeting of USOC members, is held once a year. It does not conduct or perform any governance functions. Instead, it is an event for which all constituent councils of USOC gather to discuss the achievements of USOC and communicate to the board of directors. Each USOC member organization has equal vote in its respective council.

6.2.4 There are three constituent councils in USOC, namely (a) Athletes' Advisory Council ("AAC")⁹⁹, (b) National Governing Bodies Council ("NGBc")¹⁰⁰, and (c) Multisport Organizations Council ("MSOC")¹⁰¹. They serve as sources of opinion and advice to the board of USOC. **Figure 6.1** depicts the institutional structure of USOC.

⁹⁷ NSAs are known as "national governing bodies" or "NGBs" in the US. For consistency, the term "NSAs" is used to refer to "NGBs" throughout this chapter.

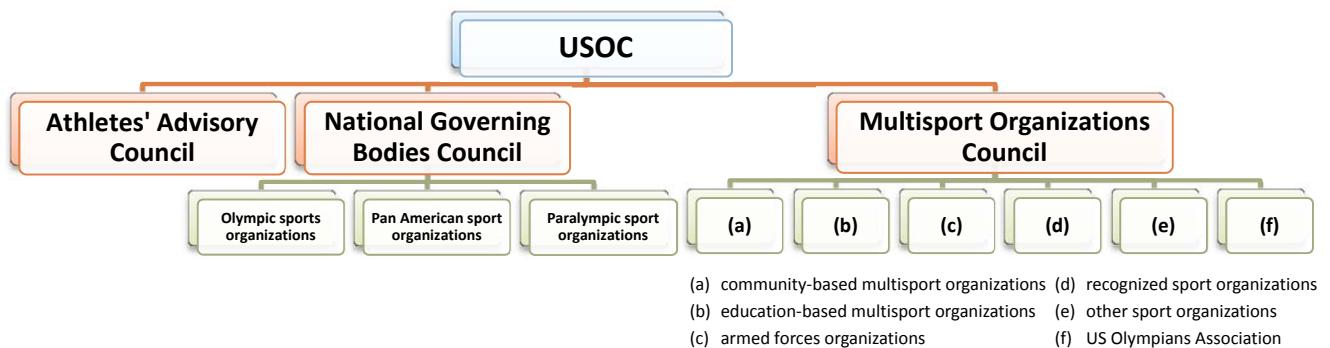
⁹⁸ According to the USOC by-laws, organizations eligible for membership shall be those that (a) take some active part in the administration of one or more sports or competitions on the programme of the Olympic, Pan American or Paralympic Games; (b) administer other sports that are widely practised in the US; or (c) are engaged in efforts to promote the participation in, or preparation for, amateur athletic competition.

⁹⁹ AAC is composed of, and elected by, amateur athletes to ensure communication between USOC and such amateur athletes.

¹⁰⁰ Members of NGBc are representatives of NSAs selected by their boards of directors or governing boards. NGBc is charged with ensuring close cooperation and on-going communication between USOC and such NSAs.

¹⁰¹ Members of MSOC are representatives of multisport organizations selected by their board of directors or governing board. The purpose of MSOC is to ensure effective communication between USOC and multisport organizations.

Figure 6.1 – Institutional structure of USOC



Composition of the governing board

6.2.5 USOC is governed by a board of directors. As shown in **Figure 6.2** below, a unique feature of USOC's board membership is the inclusion of six independent directors on the board.¹⁰² The board was restructured in 2003. The reform was to reduce the size of the board¹⁰³ and give a majority to independent directors. The argument for the reform was that the primary purpose of USOC was not to serve individual groups, but to serve the Olympic movement and athletes. At first, IOC was concerned that the reform might not comply with the Olympic Charter on voting majority, but it later accepted USOC's contention that NGBC, AAC and IOC members each represent sports entities.

6.2.6 According to the USOC by-laws, in electing directors, the board shall ensure that there is (a) at least one director who has leadership experience within, or other substantial experience with, Paralympic sport in the US; and (b) at least two directors who competed in the Olympic Games at some time during their lives. In addition, the *Ted Stevens Olympic and Amateur Sports Act* stipulates that the board must have at least 20% membership and voting right by active athletes.¹⁰⁴ IOC members each have one vote, and the other directors except the Chief Executive Officer have a vote equal to the number of IOC members who are at that time serving on the board (currently four). In USOC, the Chief Executive is a paid employee who is appointed as an ex-officio board member without the right to vote.

¹⁰² The specific requirements for independence are set forth in section 3.4 of the USOC by-laws. For example, an individual is considered to be independent if, during the past two years, he or she – plus immediate family members – has not held any paid or volunteer governance position within USOC, its member organizations, councils, or any international Olympic entity; or is not an officer, senior management, controlling shareholder or partner of a corporate entity that does business with USOC.

¹⁰³ After the 2003 reform, the number of board members was reduced from 124 to 11, which composed of two members from NGBC, two from AAC and four independent directors, in addition to three IOC members. A review in 2010 added four directors (two independent and one from AAC and NGBC respectively) to the board and the Chief Executive Officer has become a non-voting ex-officio member.

¹⁰⁴ According to §220504 of the *Ted Stevens Olympic and Amateur Sports Act*, active athletes are those who have represented the US in international amateur athletic competition within the preceding 10 years.

Figure 6.2 – Composition of the board of USOC

	<u>No. of vote per person</u>
(a) IOC members	1
(b) Six independent directors	4 ⁽¹⁾
(c) Three AAC representatives	4 ⁽¹⁾
(d) Three representatives of NGBC	4 ⁽¹⁾
(e) Chief Executive Officer of USOC	0

Note: (1) As there are currently four IOC members sitting on the board, each of the directors has four votes.

Election of office bearers

6.2.7 The independent directors as well as NGBC- and AAC-nominated directors are elected by the board from among individuals recommended by the Nominating and Governance Committee.¹⁰⁵ The Committee shall solicit, review and, if appropriate, interview candidates and recommend one candidate for the board to consider in filling each available board seat. The board shall then, at a duly noticed meeting, vote upon each candidate so recommended.¹⁰⁶ Election to the board shall be by majority vote.¹⁰⁷

6.2.8 The term limit for a board member shall not exceed eight consecutive years, consisting of an initial period of four years and a subsequent period of four years that is subject to a vote of retention by the board, except that the term for both (a) the Chief Executive Officer and (b) the US members of IOC shall continue for so long as they continue in their capacity. There is no mandatory retirement age clause in the USOC by-laws.

¹⁰⁵ The Nominating and Governance Committee is a five-member standing committee of USOC. According to the USOC by-laws, the Chairman of USOC's board shall appoint, with approval of the board, two board members who are not members of IOC and who are not eligible for re-selection to the board to serve on the Nominating and Governance Committee. The other three remaining committee members shall be selected one each by NGBC, AAC and MSOC from individuals who are not on the existing board and who meet the definition of "independence".

¹⁰⁶ The terms of office of board members (other than the Chief Executive Officer and IOC members) are staggered, such that one-quarter of the board shall be elected by the board every other year.

¹⁰⁷ In the event the board elects the recommended candidate, the views of the board and the Nominating and Governance Committee regarding the qualifications, skills and experiences of the candidate shall promptly be made public. In the event the board does not elect the recommended candidate, the Committee shall provide the board with an alternative candidate. This process shall continue until the board elects a recommended candidate and the seat is filled.

Accountability and transparency

6.2.9 USOC is a federally chartered non-profit corporation and does not receive any funding from the government (other than for selected Paralympic programmes). Funding of USOC comes from several sources. USOC has the exclusive right to use and authorize the use of Olympic-related marks, images and terminology in the US, and generates considerable revenue from licensing that right to sponsors. In 2013, USOC Olympic-related marks rights income amounted to US\$90 million (HK\$698 million). USOC also receives income from television broadcast rights fees and philanthropy. In 2011, it received US\$558.6 million (HK\$4,332.5 million) from awarding the broadcast rights to a television network for airing the Olympic Games and Olympic Winter Games for the years 2014 through 2020.

6.2.10 In addition, USOC has established a trust fund, the United States Olympic Foundation, which was created using some of the profits from the 1984 Los Angeles Olympic Games. Although the initial endowment of US\$111 million (HK\$861 million) must remain intact according to the terms of the trust, the returns from the endowment can be used to make an annual grant of 5% of the foundation's net assets to USOC.¹⁰⁸

6.2.11 As USOC is responsible for raising its own funds without recourse to federal assistance, it is not subject to any government oversight. Nevertheless, the *Ted Stevens Olympic and Amateur Sports Act* specifically calls for USOC to submit to the US President and each House of Congress, on a quadrennial basis, a detailed report of its operation and financial performance for the preceding four years. The report should include a complete statement of income and expenditures and a comprehensive description of activities and accomplishments. There is, however, no Congressional committee or office assigned to deliberate the report.

6.2.12 USOC shows a high degree of openness and transparency in its operations in terms of disclosure of relevant information for public scrutiny. Quadrennial reports submitted to the US President and Congress, as well as other USOC relevant documents (e.g. the USOC by-laws and regulations, annual reports and financial statements) are available on the website of USOC.

¹⁰⁸ USOC is exempt from taxation within the meaning of Section 501(c)(3) of the *Internal Revenue Code*.

6.2.13 Similar to USOC, NSAs receive a large majority of their funding from the private rather than from government sources. USOC is the principal source of resources for NSAs. As such, NSAs are governed by the USOC by-laws in addition to the *Ted Stevens Olympic and Amateur Sports Act*. According to the USOC by-laws, USOC is required to adopt a Code of Conduct and apply the code to member organizations and all of its employees, volunteers, board members, committee and task force members. The code establishes minimum standards for the conduct of corporate personnel, such as conducting all dealings with honesty and fairness and complying with the principles of transparency and accountability. All NSAs are required to comply with the USOC Code of Conduct. Failure to do so may result in disciplinary action, including suspension or termination of membership by USOC.

Athlete selection and appeal mechanism

6.2.14 The USOC by-law requires NSAs to conduct a selection process in accordance with approved selection procedures (including games trials) to select athletes for the Olympic, Paralympic and Pan American Games teams, and then recommend to USOC athletes and team officials for the Games. The selection procedures are published on the relevant NSA website with details such as the minimum eligibility requirements¹⁰⁹ for an athlete to be considered for nomination to the US Teams. Apart from fulfilling the minimum requirements, athletes in individual sport (such as track and field) may also be required to compete through qualifying tournaments or their national rankings for a place on the US Teams. For athletes on team sports (such as basketball), they tend to be chosen by the national coaching squad through their performance at previous competitions. Some team sports also have an Olympic tryout.

6.2.15 In the US, Olympic-related sports disputes must be first handled by the NSA concerned before the complainant can file his or her dispute with USOC. There is no right to appeal within the internal structure of USOC; however, the complainant aggrieved by USOC's decision may file a demand for arbitration before the American Arbitration Association¹¹⁰, which will render a final and binding decision.

¹⁰⁹ These may include the nationality and medical requirement as well as the requirement of having competed in at least one of the qualifying events.

¹¹⁰ The American Arbitration Association is a not-for-profit public service organization committed to the resolution of disputes through the use of arbitration, mediation and other forms of alternative dispute resolution.

6.2.16 The *Ted Stevens Olympic and Amateur Sports Act* has created the position of Athlete Ombudsman to provide free independent advice to athletes about the applicable provisions of the Act and other laws, rules and regulations relevant to them. The Athlete Ombudsman is also charged with assisting in mediating disputes involving athletes' opportunities to participate in the Olympic, Paralympic, Pan American and Parapan American Games, world championships, and other competitions.

6.3 Elite sports development

6.3.1 In the US, there is no federal agency with any responsibility for sports development. Nor are there any government officials whose portfolio encompasses sports.¹¹¹ While the states are free to formulate and implement those policies in which the federal government does not take a direct hand, the involvement is often limited to providing funding to support sport programmes run by state funded universities. Yet, state funding has not been channelled into elite sports development. Instead, it has been used by state funded universities to attract the enrolment of talented student-athletes. In the US, athletic success increases alumni athletic donations, and enhances the reputation of a university that will in turn attract more students to apply to the university.

Funding

6.3.2 The *Ted Stevens Olympic and Amateur Sports Act* grants USOC all rights and responsibilities associated with elite sports development. USOC has thus taken up the role of funder of elite sports in the US. In 2013, about US\$182 million (HK\$1,411.6 million) or 93% of USOC's total expenditure went to programmes in support of US athletes and sports organizations.

6.3.3 USOC is the principal source of resources for some NSAs. It funds the training and development programmes conducted by NSAs for athletes who compete at the Olympic, Paralympic, Pan American and Parapan American Games. In 2013, USOC dedicated US\$51 million (HK\$395.6 million) for supporting NSAs, with more than US\$1 million (HK\$7.8 million) each to a total of 17 NSAs (including three that received in excess of US\$3 million (HK\$23.3 million)).

¹¹¹ According to Sparverio, Chalip & Green (2008), the federal government's refusal to become a sports policymaker is consistent with the ideological foundations of American governance that the powers and intervention of government must be limited in order for individual liberties to be protected.

Talent identification and development

6.3.4 In the US, athletes have multiple pathways into and through sports, but there is no well-mapped pathway to elite status. Nevertheless, school-based sport remains the dominant pathway for athletes as sport is developed as an important aspect of American schools. Most high schools and colleges have high quality sport facilities and coaching staff to train young athletes for high performance competitions. Student-athletes are granted generous sports scholarship that pay their living expenses, and given a lot of time to practise. The professional teams select the best college players each year during an event called the "draft".¹¹² Talent identification programmes are also undertaken by NSAs of individual sports. Normally, talented athletes are identified through talent identification sessions or games, which will give athletes with potential the opportunity to showcase their strengths while in front of prestigious coaches.

6.3.5 On athlete development, USOC supports NSAs in the areas of nutrition, biomechanics, medicine, physiology, psychology, strength and conditioning, and performance technology. In addition, USOC enhances athlete development by providing resources with an emphasis on coaching, recovery, performance technology and medical support.

Professional training and services for elite athletes

6.3.6 USOC is committed to creating sustainable programmes that emphasize holistic athlete development. In addition to monetary grants¹¹³, the USOC offers athletes a variety of medical, education and career development programmes including:

- (a) Elite Athlete Health Insurance Program and National Medical Network – which are designed to offer athletes convenient medical care and health insurance support, while minimizing out-of-pocket expenses medical services. In 2013, these two programmes combined provide elite athletes with more than US\$6 million (HK\$46.5 million) of services;

¹¹² For example, the National Football League draft, also called the player selection meeting, is an annual event in which the National Football League teams select college football players.

¹¹³ In 2013, a total of US\$22 million (HK\$170.6 million) in grant was provided as direct financial support to athletes.

- (b) Athlete Education Program – which provides education opportunities for U.S. Olympic and Paralympic athletes at the undergraduate and graduate levels¹¹⁴; and
- (c) Athlete Career Program – which helps aspiring Olympic and Paralympic athletes find flexible job opportunities from USOC's partner organizations that afford them the time and financial resources necessary to train and prepare for competition. In addition to job placement assistance, the Athlete Career Program also offers resume development, interview preparation, professional seminars, job market research and career coaching.

6.3.7 In addition, USOC operates three Olympic training centres and 17 Olympic training sites. The Olympic training centres feature a talented network of scientists, doctors and athletic trainers, cutting-edge sports technologies, and state-of-the-art facilities. They served more than 22 000 athletes in 2013. Meanwhile, USOC partners with 17 Olympic sites to provide world-class training facilities for US athletes. Located in 15 states throughout the US, the Olympic sites training sites served nearly 500 national team athletes in 2013.

¹¹⁴ In 2011, DeVry University partnered with USOC to become an official education provider for the US Olympic Teams. DeVry University offers reduced or waived tuition for its classes, which can be taken online and can cover subjects as diverse as laboratory science and game programming.

Chapter 7 – Analysis

7.1 Introduction

7.1.1 Based on the findings in the previous chapters, this chapter compares Hong Kong, Australia, Japan, Singapore and the US in terms of (a) the governance of their NOCs; and (b) the roles played by their NOCs, NSAs¹¹⁵ and governments in elite sports development in the areas of funding, talent identification and development, and professional training and support services for elite athletes. A summary table of the comparison is given in the **Appendix**.

7.2 Governance of the National Olympic Committee

7.2.1 All the NOCs studied are autonomous associations governed by the Olympic Charter. While operating within the framework of the Olympic Charter, some of them seek to bring their governing structure more in line with the best practice of corporate governance. Steps taken include broadening the composition of the governing board, allowing the participation of non-NSA members in the voting process, prescribing the number of terms and retirement age of office bearers, and adopting measures to enhance the accountability and transparency of the organization.

7.2.2 Against the above, the ensuing paragraphs compare the governance of NOCs studied in terms of: (a) institutional structure and membership system; (b) composition of the governing board; (c) nomination and election of office bearers; (d) terms of office and retirement age of office bearers; (e) accountability and transparency of the organization; and (f) athlete selection and appeal mechanism. However, due to scanty information available in the public domain, the study of items (a)-(c) above does not cover Japan's NOC.

¹¹⁵ Hong Kong and Singapore use the term "national sports associations" or NSAs for short. Yet "national sports associations" are known as "national sporting organizations" in Australia, "national sports federations" in Japan, and "national governing bodies" in the US. For simplicity, the term "NSAs" is used throughout this chapter.

Institutional structure and membership system

7.2.3 The Olympic Charter requires the *voting majority* of NOC and of its executive body to consist of the votes cast by NSAs.¹¹⁶ Hence, in all the NOCs studied, NSAs which govern sports on the Olympic programme make up the bulk of ordinary members with full voting rights, whereas other affiliated sports organizations may not be given the right to vote. This results in the dominance of such NSAs in the voting process and election of office bearers at the Annual General Meeting. Nonetheless, NOCs in Singapore and the US have enlarged their membership with full voting rights given to NSAs governing non-Olympic sports as well. Singapore's NOC allows the Commonwealth Games, East Asian Games and South East Asian Games sports, while the US's NOC accepts the Pan American Games and Paralympic sports.

Composition of the governing board

7.2.4 Under the Olympic Charter, the governing board of NOCs is mainly composed of representatives of NSAs. In Hong Kong, the governing board of NOC is composed of NSA representatives and elected officers who are nominated and elected by NSAs. Athlete can serve as an ordinary member to vote at the Annual General Meeting and sit on the governing board, but the membership is conditional on his or her having represented Hong Kong in an Olympic Games and won an individual gold medal at such Olympic Games. In addition, the membership is only for the period ending at the end of the next Olympiad after the last Olympic Games in which the athlete took part.

7.2.5 The overseas NOCs studied have sought to broaden the composition of their governing board. Australia and the US grant athlete membership to the representatives elected from the athletes who had participated in the international games set out in the NOC constitution/by-laws. The US further sets out the requirement for the inclusion of independent directors on the governing board.¹¹⁷ In Singapore, the elected members of the governing board can co-opt not more than five persons to sit on the board. The chairperson of the Athletes' Commission is now co-opted to the board.

¹¹⁶ The votes of Olympic committees in Canada, the US, and certain other countries in favour of the 1980 Moscow Olympics boycott were seen by IOC as being unfairly dominated by persons who did not properly represent Olympic sport. As a result, IOC changed the rules so that a majority of the voting membership of NOCs had to be representatives of national sport governing bodies and/or Olympic sport organizations. See Macintosh & Hawes (1994).

¹¹⁷ Worldwide, the presence of independent directors on the board of listed companies is seen as an integral element of a company's corporate governance process and has become a pre-requisite for good governance. See Pande, S. & Ansari, V.A. (2013).

Nomination and election of office bearers

7.2.6 All NOCs studied have established their own nomination and election procedure for office bearers. Hong Kong and Singapore feature the right to nominate candidates resting solely with NSAs. Australia allows the elections of NOC's President and Vice-Presidents from the nominations received from any member organizations, although it still requires the nominations of other board members by NSAs only. In the US, board members are elected upon the recommendation of the Nominating and Governance Committee which consists of members meeting the "independence" requirement set forth in the USOC by-laws.

7.2.7 After the nomination, candidates for the posts of office bearers are elected at Annual General Meeting as seen in Hong Kong, Australia and Singapore. While Singapore's NOC gives voting rights only to NSAs, NOCs in Hong Kong and Australia also allow athletes or their representatives to participate in the voting process as well. Yet, in Hong Kong, the representation of athletes in NOC is "conditional" upon meeting the criteria set out in paragraph 7.2.4. In the US, the new board members are elected by the incumbent board.

Terms of office and retirement age of office bearers

7.2.8 Although the best practice of corporate governance limits the number of terms which an office bearer can serve, the Olympic Charter only specifies the election of office bearers of NOC for a term of office not exceeding four years, subject to re-election. NOCs in Australia, Japan and Singapore do not impose any limit on re-election of an office bearer. Yet, the US sets the term limit of an office bearer at not more than eight consecutive years, consisting of an initial period of four years and a subsequent period of four years that is subject to a vote of retention by the board. In Hong Kong, no elected office bearers may hold office for the same post for more than six consecutive terms, i.e. 12 years.

7.2.9 There is also no age limit for office bearers of NOC under the Olympic Charter. All the NOCs studied, except Hong Kong's NOC, have no mandatory retirement age for office bearers. In Hong Kong, NOC's office bearers retire at 70, or at 80 if they were elected before 2014.

Accountability and transparency

7.2.10 NOCs in Hong Kong, Japan and Singapore receive government funding for their operations, and they are subject to government oversight as a result. Hong Kong's NOC is required to submit annual audited financial statements on the government funding received. In addition to submission of audited financial statements, NOCs in Japan and Singapore are also required to report on their work accomplishments to facilitate the government's assessment of their efficiency and effectiveness in using the taxpayers' money.

7.2.11 In contrast, NOCs in Australia and the US do not receive any government funding, and hence, they are not subject to government oversight. Nevertheless, Australia's NOC has committed to achieving high standards of corporate governance by implementing best practice applicable to corporations and listed companies. Meanwhile, the US's NOC submits to the President of the US and to each House of Congress, on a quadrennial basis, a detailed report of its operation and financial performance for the preceding four years. The report includes a complete statement of income and expenditure and a comprehensive description of activities and recommendations.

7.2.12 NOCs in Hong Kong and Singapore have hitherto released limited publicly available information regarding their operations. While they have uploaded their respective constitution onto their websites, other relevant documents such as annual reports, balance sheets and statements of accounts are not available in the public domain. In comparison, NOCs in Australia, Japan and the US show a high degree of openness and transparency with proactive disclosure of relevant information for the public understanding and scrutiny of their operations. Relevant documents such as the constitution and by-laws, annual reports and financial statements are also available on their websites.

Athlete selection and appeal mechanism

7.2.13 In all the places studied, NSAs are required by NOC to establish a transparent mechanism for the selection of athletes to compete at major international games. The selection is based on, among other things, the criteria established by the relevant NSAs and their international federations.

7.2.14 In Hong Kong, Japan and Singapore, any complaints on the selection are handled by the relevant NSAs or NOC according to their respective procedures.

In Australia, relevant NSAs have established their own Appeals Tribunal to determine the complaints, and any appeal against the determination will be heard by the Court of Arbitration for Sport. Athletes who may have appealed, or may wish to appeal, can receive legal advice from independent lawyers – the Olympic Appeals Consultants – appointed by NOC.

7.2.15 In the US, Olympic-related sports disputes must be first handled by the NSA concerned before the complainant can file the dispute with NOC. The complainant may request arbitration with the American Arbitration Association if he or she is not satisfied with NOC's decision. The *Ted Stevens Olympic and Amateur Sports Act* has created the position of Athlete Ombudsman to provide free independent advice to the complainants about the applicable provisions of the Act and other laws, rules and regulations relevant to them.

7.3 Elite sports development

7.3.1 The places studied manifest different approaches to elite sports development. In Hong Kong, elite sports development features the active participation of non-governmental sports organizations such as NOC and NSAs, supplemented by the support from the Government in terms of policy initiatives and resources. In the US, the government has delegated elite sports development to NOC and other sports organizations. In contrast, Australia, Japan and Singapore have each established a centralized national agency for the delivery of sport services and programmes to support elite athletes.

Funding

7.3.2 Success in elite sports requires, among other things, the creation of an environment where more athletes can qualify to compete at the international games. The governments in the places studied, except the US, have invested in elite sports development. In addition to providing financial support to organize athletes' preparation of and participation in international games, they have also invested in the construction of sports facilities and set aside financial resources for NSAs to build their capacity to deliver high performance programmes. In the US, there is no government officials whose portfolio encompasses sports. Elite sports development is financed by private instead of government funding. The highly commercialized sports sector allows NOC and NSAs in the US to survive on their own without relying on government funding.

7.3.3 In Hong Kong, the Government prioritizes sports for funding support based on outcome, with the "results-capable" sports receiving most government funding support. Such an outcome-based approach might overlook the developmental potential of emerging sports, as it may take eight to 10 years, or even longer period of time, to develop a potential athlete. While Australia, Japan and Singapore give funding priority to those high performance sports with a record of achieving success in major international games, they also takes into account the prospects of a sport to achieve short-, medium- and long-term success. For example, Australia also invest in emerging sports which have a reasonable prospect of achieving future success.

Talent identification and development

7.3.4 The Hong Kong Government provides subvention to NSAs for implementing their own talent identification programmes to identify and train athletes with potential. In Australia, NSAs are also responsible for talent identification. Yet, they receive not only funding support but also professional advice from the government agency, the Australian Sports Commission, when developing their talent identification programmes. In addition, under the National Network of Elite Athlete Friendly Universities, the Australian Sports Commission works with member universities to identify elite athletes and assist them in balancing their sporting and academic aspirations.

7.3.5 In Japan, talent identification rests largely with the Japan Sport Council (the national agency for sport development in the country). It has implemented the Athlete Pathway Development Project which creates a clear pathway for athletes with medal potential from talent identification to world class competition. In Singapore, the Singapore Sports School involves directly in talent identification by accepting talented student-athletes aged 13-18. The Singapore Sports School is a specialized independent school established by the Singaporean government to provide student-athletes with an integrated academic and sports programme. In the US, the talent identification is undertaken by high schools, colleges and NSAs of individual sports.

7.3.6 Hong Kong's education system is not so conducive to the nurturing of local young athletes. In particular, heavy school workload makes it difficult for many student-athletes to balance study and athletics. Yet, Hong Kong Sports Institute recently launched the Elite Athlete-friendly School Network in June 2014 to create a partnership between the institute and secondary schools

which provides a curriculum catering specifically for the training and competition needs of student-athletes.

7.3.7 In comparison, Singapore and Japan enable secondary school student-athletes to receive training while studying. In Singapore, the Singapore Sports School allows for the academic curriculum to be tailored around a student-athlete's training. Student athletes who find that they are unable to cope with the programme for valid reasons are permitted to opt out at any point, and return to a mainstream school. In Japan, the Elite Academy Programme is a sports boarding school programme which intensively trains and strengthens young talented athletes. All student-athletes of the Academy live in the Athlete's Village of the national training centre where they receive training and practise after school. In the US, student-athletes are granted generous sports scholarship that pay their living expenses, and given a lot of time to practise.

Professional training and services for elite athletes

7.3.8 In Hong Kong, HKSI provides elite athletes with financial support and other assistance such as academic guidance, career planning and vocational training. As mentioned above, the eligibility criteria for, and level of, the support is outcome-based. To receive support, athletes must have proven capability and achieved in international games.

7.3.9 Singapore also classifies elite athletes into four "carding levels" depending on their potential to win medals at the national, regional, continent and international games. Carded athletes receive government supports corresponding to their level of carding. Yet the support is more broadly based compared with that of Hong Kong. Apart from financial support, carded athletes are also provided with a formalized system of support – the Spex Education and Spex Career Schemes – to cope with the dual demands of competitive sport and their career or studies. The Spex Education Scheme include extended duration of study alongside multiple leaves of absence to compete in key competitions. For the Spex Career Scheme, participating employers employ carded athletes and provide them with career development support in the form of internships, apprenticeship or job placements in addition to athlete-friendly work environment.

7.3.10 In the US, elite athletes are also supported by a variety of education and career development programmes in addition to monetary grants. For example, the Athlete Education Program provides education opportunities for US Olympic athletes at the undergraduate and graduate levels. In addition, the Athlete Career Program helps athletes find flexible job opportunities from partner organizations that afford them the time and financial resources necessary to train and prepare for competition.

Olympic committees, sports federations and elite sports development in Hong Kong and the four selected places

	Hong Kong	Australia	Japan	Singapore	The United States
Governance of National Olympic Committees					
Members with full voting rights	<ul style="list-style-type: none"> Full voting rights are granted only to ordinary members, which are predominantly NSAs governing sports on the Olympic programme. 	<ul style="list-style-type: none"> Only national federations (i.e. NSAs which govern sports on the Olympic programme) have full voting rights. 	<ul style="list-style-type: none"> Information not available. 	<ul style="list-style-type: none"> Only ordinary members⁽¹⁾ can vote at the Annual General Meeting. Ordinary members include those NSAs governing non-Olympic sports. 	<ul style="list-style-type: none"> Member organizations vote with equal right in their respective council.
Athlete sitting on the governing board	<ul style="list-style-type: none"> Yes, athletes can sit on the governing board if they fulfil the criteria set out in the NOC constitution as ordinary members of NOC. 	<ul style="list-style-type: none"> Yes, the chairperson and deputy chairperson of the Athletes' Commission. 	<ul style="list-style-type: none"> No. 	<ul style="list-style-type: none"> No such requirement, but the chairman of the Athletes' Commission is a co-opted member of the governing board. 	<ul style="list-style-type: none"> Yes, the <i>Ted Stevens Olympic and Amateur Sports Act</i> stipulates that the governing board must have at least 20% of the membership by active athletes⁽²⁾.
Independent persons sitting on the governing board	<ul style="list-style-type: none"> No. 	<ul style="list-style-type: none"> No. 	<ul style="list-style-type: none"> Information not available. 	<ul style="list-style-type: none"> No such requirement, but the governing board may have co-opted members. 	<ul style="list-style-type: none"> Yes, there are six independent directors sitting on the governing board.
Nominations to the posts of office bearers by member organizations	<ul style="list-style-type: none"> Nominations by ordinary members only. 	<ul style="list-style-type: none"> The President and Vice-Presidents are nominated by any member organizations, while other elected office bearers are nominated by national federations only. 	<ul style="list-style-type: none"> Information not available. 	<ul style="list-style-type: none"> Nominations by ordinary members only. 	<ul style="list-style-type: none"> Nominations by the Nominating and Governance Committee that consists of members meeting the independence requirement set forth in the USOC by-laws.
Election of office bearers	<ul style="list-style-type: none"> Only ordinary members can vote. 	<ul style="list-style-type: none"> Only national federations, members of the Executive, chairperson and deputy chairperson of the Athletes' Commission and IOC members can vote. 	<ul style="list-style-type: none"> Information not available. 	<ul style="list-style-type: none"> Only ordinary members can vote. 	<ul style="list-style-type: none"> Board members are elected by the incumbent governing board.

Notes: (1) In Singapore, any NSA which (a) is affiliated to an international federation recognized by the Executive Committee; (b) is affiliated to any Commonwealth sports organization or body; or (c) has control in Singapore of a recognized sport is eligible to become an ordinary member.

(2) Active athletes are those who have represented the US in international amateur athletic competition within the preceding 10 years.

Olympic committees, sports federations and elite sports development in Hong Kong and the four selected places

	Hong Kong	Australia	Japan	Singapore	The United States
Governance of National Olympic Committees (cont'd)					
Any limit on the number of terms an office bearer can serve	<ul style="list-style-type: none"> Yes, no elected office bearers may hold office for the same post for more than six consecutive terms, i.e. 12 years. 	<ul style="list-style-type: none"> No, the AOC constitution imposes no limit on the re-election. 	<ul style="list-style-type: none"> No, the JOC Articles of Incorporation impose no limit on the re-election. 	<ul style="list-style-type: none"> No, the SNOC constitution imposes no limit on the re-election. 	<ul style="list-style-type: none"> Yes, the term limit for a board member shall not exceed eight consecutive years.
Any mandatory retirement age for office bearers	<ul style="list-style-type: none"> Yes, the retirement age is set at 70 for office bearers elected in or after 2014, or 80 for those elected before 2014. 	<ul style="list-style-type: none"> No, the AOC constitution does not stipulate any mandatory retirement age. 	<ul style="list-style-type: none"> No, the JOC Articles of Incorporation do not stipulate any mandatory retirement age. 	<ul style="list-style-type: none"> No, the SNOC constitution does not stipulate any mandatory retirement age. 	<ul style="list-style-type: none"> No, the USOC by-laws do not stipulate any mandatory retirement age.
Funded mainly by government	<ul style="list-style-type: none"> Yes. 	<ul style="list-style-type: none"> No, sponsorship and licensing are the major sources of private funding. 	<ul style="list-style-type: none"> Yes. 	<ul style="list-style-type: none"> Yes. 	<ul style="list-style-type: none"> No, sponsorship and licensing are the major sources of private funding.
Accountability	<ul style="list-style-type: none"> SF&OC is required to submit annual audited financial statements on the government funding received. 	<ul style="list-style-type: none"> AOC does not receive any public funding and is not subject to government oversight. Yet, it has implemented best practice of corporate governance applicable to corporations and listed companies. 	<ul style="list-style-type: none"> In addition to submission of annual audited financial statements, JOC is required to review its operations and submit a report to MEXT on its use of government grants. 	<ul style="list-style-type: none"> SNOC is required to submit annual reports to the government for review. The annual report includes audited accounts and a review of SNOC's accomplishment. 	<ul style="list-style-type: none"> USOC does not receive any public funding and is not subject to government oversight. It still submits quadrennial reports to the US President and to each House of Congress.
Transparency	<ul style="list-style-type: none"> Limited publicly available information on its operations. 	<ul style="list-style-type: none"> AOC has exhibited a high degree of transparency in its operations. All relevant documents are available on its website. 	<ul style="list-style-type: none"> JOC has exhibited a high degree of transparency in its operations. All relevant documents are available on its website. 	<ul style="list-style-type: none"> Limited publicly available information on its operations. 	<ul style="list-style-type: none"> USOC has exhibited a high degree of transparency in its operations. All relevant documents are available on its website.

Appendix (cont'd)

Olympic committees, sports federations and elite sports development in Hong Kong and the four selected places

	Hong Kong	Australia	Japan	Singapore	The United States
Governance of National Olympic Committees (cont'd)					
Appeals by non-selected athletes	<ul style="list-style-type: none"> Any complaints or appeals on the selection are handled by SF&OC or the relevant NSAs according to their respective procedures. 	<ul style="list-style-type: none"> Any appeal or dispute regarding an athlete's nomination or non-nomination will be first determined by the Appeals Tribunal established by the NSA governing the relevant sport. Any appeal against the determination will be heard by the Court of Arbitration for Sport. 	<ul style="list-style-type: none"> Any complaints or appeals on the selection are handled by the relevant NSAs or JOC according to their respective procedures. 	<ul style="list-style-type: none"> Any complaints or appeals on the selection are handled by the relevant NSAs according to their respective procedures. 	<ul style="list-style-type: none"> The dispute must be first settled by the NSA concerned before the complainant can file his or her dispute with USOC. The complainant can request arbitration with the American Arbitration Association if he or she is not satisfied with USOC's determination.
Elite sports development					
Major source of funding	<ul style="list-style-type: none"> Government. 	<ul style="list-style-type: none"> Government. 	<ul style="list-style-type: none"> Government. 	<ul style="list-style-type: none"> Government. 	<ul style="list-style-type: none"> Private resources and USOC.
Criterion for the funding regime	<ul style="list-style-type: none"> Outcome-based with "results-capable" sports receiving most government funding support. 	<ul style="list-style-type: none"> Funding allocated to both "results-capable" sports and emerging sports with long-term potential medal opportunities. 	<ul style="list-style-type: none"> Funding based on the results NSAs achieved at the international games and their talent identification and development scheme. 	<ul style="list-style-type: none"> Funding based on the capability of NSAs to meet the immediate and medium-term priorities identified by Sport Singapore. 	<ul style="list-style-type: none"> Information not available.
Oversight of funded NSAs	<ul style="list-style-type: none"> LCSD oversees the operations of NSAs through the annual subvention agreements signed with them. NSAs are required to submit quarterly reports on their programmes and annual audited accounts to the government. 	<ul style="list-style-type: none"> The Australian Sports Commission enters into funding agreements with individual NSAs. The funding is linked with, among others, the compliance of NSAs with the Sport Governance Principles and Winning Edge targets. 	<ul style="list-style-type: none"> The government monitors NSAs through JOC, which has devised a series of indicators to assess the performance of funded NSAs and determine the distribution of the government's funding based on the assessment. 	<ul style="list-style-type: none"> Sport Singapore enters into funding agreement with individual NSAs. Funded NSAs are required to follow (a) the Code of Governance for Charities; and (b) the Organizational Excellence Framework introduced by Sport Singapore. 	<ul style="list-style-type: none"> USOC oversees the operations of NSAs, including their compliance with the Code of Conduct adopted by USOC.

Olympic committees, sports federations and elite sports development in Hong Kong and the four selected places

	Hong Kong	Australia	Japan	Singapore	The United States
Elite sports development (cont'd)					
Talent identification and development	<ul style="list-style-type: none"> The Government provides subvention to NSAs for implementing talent identification programmes to identify and train young talents with potential. NSAs also refer athletes to HKSI for screening. 	<ul style="list-style-type: none"> AIS provides NSAs with resources and advice to assist them in implementing their talent identification and development programmes. 	<ul style="list-style-type: none"> The Japan Sport Council implements its own programme, as well as supporting regional governments and NSAs, to identify and train athletes with potential. 	<ul style="list-style-type: none"> The Singapore Sports School accepts talented student-athletes aged 13-18. 	<ul style="list-style-type: none"> Talent identification and development programmes are undertaken by high schools, colleges and NSAs of individual sports.
Education environment for nurturing of young athletes	<ul style="list-style-type: none"> No specific initiatives have been introduced by the Government. 	<ul style="list-style-type: none"> The National Network of Elite Athlete Friendly Universities requires member universities to use their best endeavours to tailor or develop policy to incorporate the student-athlete need. 	<ul style="list-style-type: none"> The Elite Academy allows student-athletes to live at the JOC-managed Athlete's Village and receive training and practice after school. 	<ul style="list-style-type: none"> The Singapore Sports School allows for the academic curriculum to be tailored around a student-athlete's training. 	<ul style="list-style-type: none"> Student-athletes are granted generous sports scholarship that pay their living expenses, and given a lot of time to practise.
Support provided to elite athletes	<ul style="list-style-type: none"> Outcome-based as athletes must have proven capability and achievement in international competitions. Eligible elite athletes receive financial support and other assistance such as academic guidance and career planning. 	<ul style="list-style-type: none"> Focused on providing financial support and creating athlete pathways. The latter allows the athlete to receive the right support at the right time along their pathway to international success. 	<ul style="list-style-type: none"> Services are provided along the athlete development pathway. 	<ul style="list-style-type: none"> Elite athletes are carded into four different levels and receive government support corresponding to their level of carding. Carded athletes receive broad-based support, including monetary grants and a formal educational and career scheme run by the national training institute. 	<ul style="list-style-type: none"> Apart from monetary grants, elite athletes are also supported by a variety of educational and career development programmes.

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