

## **Notes to WBOP Masters Remits**

(prepared by Murray Clarkson & supported WBOP Masters Committee)

### **Response from NZMA in RED prepared by Andrew Stark on behalf of the Board**

I have been asked to elaborate on our Centre request to discontinue with the Memorandum of Understanding with Athletics New Zealand.

Firstly a few basic facts need to be established.

1/ I am not against an agreement between the two parties as is being portrayed but only that any agreement must be equal to both parties and comply within their Constitutional obligations. This agreement, signed in 2016 does not do that. I have pointed this out to the NZMA Board, attempted to correct anomalies, and have not been able to get anywhere.

2/ Constitution Requirements – Membership. To become a member of NZMA there are two requirements – a / Be over the age of 30. b/ provide proof of age by way of passport or drivers license or similar proof to that Centre – the Centre to where the athlete resides.

This is not a maybe, it is a REQUIREMENT.

3 / NZMA competitive members are prevented from participating in NZMA national events.

WHEREAS ANZ members are able to compete in ANZ national events. Where is the equity in this when ANZ's role is to provide NZMA members access to the same member benefits as are currently provided to ANZ members. Clearly ANZ members take part in their National Championships.

#### **Responses to the points above:**

- A Memorandum of Understanding (MOU) is not legally binding unless explicitly stated. MOUs generally outline intentions, roles, and objectives in a collaboration. It was last reviewed in 2023.
- The MOU aims to remove the barrier between ANZ CLUB masters and NZMA therefore increasing attendance at our organised track & field Championships meetings, plus it allows them to set records and represent NZMA at OMA and WMA events (refer to my President's report for more details).
- For the benefit of those who were not involved prior to the MOU being signed. ANZ would only agree to the MOU provided it did not attract members away from clubs. There are two groups identified within masters: track & field athletes (mainly sprinters / throwers) and year-round athletes (mainly distance athletes).
- To keep retain our low membership fees, NZMA 'track' athletes are restricted to NZMA-organized events, as listed in the MOU.
- Since the 1990s, ANZ has organized non-stadia championships, which includes events for masters. All year-round (track & non-stadia) athletes must join an ANZ Club to compete in non-stadia events
- Our constitution clearly identifies the memberships option, including the events each membership group can compete in.
- NZMA has set the ANZ Club masters membership fee at ZERO dollars, in recognition that they already support the sport by paying a membership fee to ANZ, their Centre and their club.
- Both NZMA & ANZ members pay competition fees when entering events.
- At the SGM in September 2016, ten of the 11 Masters Centres voted in favour of the MOU. Only WBOP voted against it. It was clearly articulated, prior to and at the SGM, that all masters needed to make a choice regarding which membership option suited their needs better.

- Many masters in clubs choose to compete only in track & field events, which is their decision. I understand the most non-club NZMA masters can now participate in open interclub track & field meetings in most ANZ Centres.
- Proof of age responsibility lies with the Centre. Online registration has made this challenging, and a solution needs to be found, or the requirement removed. ANZ Club registrations do not require proof of age.
- For WMA Events, all athletes must provide a copy of their passport.
- NOTE: If WBOP wants 'equity', the only way this would occur is if NZMA and all our Masters Centres become ANZ clubs, incurring ANZ fees in addition to NZMA fees. NZMA membership fees would more than double.

There are 9 other reasons for needing to discontinue this agreement to comply with our constitution and therefore be valid.—

a/ It is pointed out that 282 entries were accepted for the NZMA track champs. That's a lot of paperwork getting proof of age. How can this be done when Centres are not supplied with member lists. (Of the 43 WBOP entries only 2 did not comply) Whose responsibility is it to have the medals returned of non-compliant competitors??

- Please confirm if the TWO WBOP members did not comply because of an incorrect DOB or was it because they were not financial members?
- The procedure for checking NZMA entries was as follows. Initially entries for the NZMA event were being collected via GameDay. Part way through the process, I changed to AthleticNET. In AthleticNet all entries were to be linked to their Masters Centres. To enable this to happen, I used GameDay to verify the membership status / DOB for all entrants in that system (all ANZ club masters), I used the NZMA online membership database in GameDay, plus I checked the membership databases from Centres. With the help of Mark Harris (AthleticNet), we linked all athletes to a Centre. Centres were asked to follow on entrants if we could not determine their financial status.

b/ Privacy Act – ANZ quote compliance with this document but NZMA forward details to them without any authority from its members. Centres therefore do not know who their members are and cannot control the disciplinary requirements dictated in the Constitution.

- NZMA is an associate member of ANZ, which entails the sharing of data. We have a portal on GameDay for online membership and event registration. ANZ has access to information about all members who utilise the system, i.e. NZMA and ALL Centres / Clubs.
- Clause 8.3 of our Constitution states ...

*'NZMA registration fees are paid directly to NZMA via the membership portal on the NZMA website and any local Masters Centre levy will be passed to the local Masters Secretary in a timely fashion or via the local Masters Centre.'*

- Only fifty-six members joined online for 2023-24, SIX from WBOP. All other membership fees from WBOP came directly from the treasurer, accompanied by a bank transfer. This does not comply with the Clause 8.3! However, NZMA has not enforced this clause.
- However, my recommendation is that we insist all Centres direct their members to use the online portal. This would centralise the memberships database. Having an accurate database of members is a requirement of the new Incorporated Societies Act.

c/ Financial Independence – It is stated that both groups are to remain financially independent but includes notes on division of fees etc. and using the same entry system.

There is a major problem with Centre subscriptions with this. NO INDEPENDENCE.

- We are financially independent, with NZMA membership fees collected using Stripe (credit card) and paid into a dedicated NZMA account. ANZ receives ZERO dollars from NZMA non-club members.
- ANZ use GameDay for club athlete membership fee collection, whereby they can split money collected into three parts: retaining their fee, and then distributes fees to a Centre and a club. NZMA does not receive any money from ANZ re club athletes.
- NZMA has 11 Centres and that system does not work for us. Distributing fees to a Centre is a manual process. I take full responsibility for this not always being done in a timely fashion.
- When a Centre has requested information re: online members, it has been sent. There is room for improvement with this system.

d/ Changes to MOU to be agreed by both parties and implemented forthwith. This cannot happen as the MOU is incorporated in the Constitution and can only be amended at a special or annual meeting. Recent attempts to change this incorporating financial obligations on NZMA and not ANZ. This cannot happen without member approval via AGM

- This is a non-legal agreement between the NZMA Board and ANZ.
- ALL changes do not require approval at an AGM. However, if it was something significant the NZMA Board would consult with all members.
- The 2023 update involved minor wording changes only.

e/ NZMA obligations – No provision has been made for Centres to operate as normal – they do not even know who their members are far less who has paid. (Member list)

- Not knowing all members shouldn't hinder normal operations.
- NZMA can provide names of online members to Centres. If someone attends a local master's event and claims to have joined online, you can email NZMA for confirmation.

f/ MOU states details to be supplied through Clubnet. We are now asked to use Gameday.

What AGM was this passed at?? (Constitutional requirement)

- ANZ updated their system from Clubnet to GameDay. All centres and clubs were impacted. This change does not need approval at an AGM.

g/ From discussion with ANZ registered athletes, they have not been informed on the MOU or their requirements to provide proof of age. It is an ANZ RESPONSIBILITY.

- ANZ athletes do not need to know the MOU's content (available on website). It's an agreement between the governing bodies that defines our we operation together, for the good of master's athletics. All they need to know is that ALL ANZ club athletes are welcome to attend our track & field championship events.
- FYI: The online system used by ANZ does not involve checking DOB. I will discuss this with ANZ to see if it should be included in their registration process.

h/ ANZ Events Manager will consult with NZMA on Non-stadia Championships – This is not being done and entries to our Championship events do not provide for the correct age grouping, results do not have age % & I have yet to know who is our qualified representative at these events.

- Jason Cameron and John Bowden (ANZ non-stadia event coordinators) have discussed NZMA age group requirements with me on numerous occasions after the past few seasons.
- ANZ regulations on age groups for non-stadia events were set years ago, differing from ours. ANZ has shifted to 5-year age groups at NZMA's request. A 50-day consultation period is required before any changes. Hence it took time for some changes to take effect.
- The individual age factors have been updated for over a decade and are not automatically available any of the software used for results. This request is impractical and will not happen.
- Since non-stadia events have been organized by ANZ for 30+ years, it's unclear why we need a qualified representative there, given all key roles are filled by people over 30 with numerous years of experience.

I/ The MOU gives the option to pay on-line avoiding fees for entries. This is not available.

- I don't understand this statement?? What fees are avoided?
- If it refers to non-financial members entering events online. The membership section and the event registration section in GameDay are not linked together, so yes this is possible. It is an issue ANZ are aware of and are investigating how this can be improved.

Questions arise as to whether the NZMA championship 10k road race can include Masters athletes & if not then it is not a true NZMA championship event.

- Only club registered masters athletes are eligible for championship medals. If the 10km championship event includes community runners, ANZ staff manually identify club athletes to award the medals too. It is ANZ responsibility as it is their event. They strive to get it right.

As you can see, the current document is and has been unenforceable for a long time and breaches the provisions of our Constitution which is the base from which we operate.

I presume that all Board members understand the wording of the Constitution and are prepared to operate within its dictates. This remit must therefore be able to be voted on by the Centre Delegates & Board members taking into consideration the obligations of the current constitution.

- The NZMA Board are volunteers who strive to follow the constitution and ensure successful events. While ANZ organized events are beyond our control, they welcome guidance from NZMA.
- If a majority of Centre Delegates feel my actions as President significantly contradict the constitution, I will resign immediately from the NZMA Board.

I am prepared to speak to any delegate, Centre, or board member if they require any more detail and hope I have expressed the facts correctly.

**If the WBOP Masters Committee believes the MOU is ineffective, what is a workable and feasible alternative if it is discontinued?**