

**2016 AUSTRALIAN OLYMPIC TEAM
TRIATHLON AUSTRALIA LIMITED (TA)
NOMINATION CRITERIA**

1 Shadow Team

- (a) TA will choose Athletes from within its sport to be members of the AOC's Shadow Team. The AOC may also recognise other Athletes from within this sport to be members of the Shadow Team.
- (b) In order to be chosen by TA as a member of the Shadow Team each Athlete must be categorised by TA as Podium, Podium Potential or Developing under the TA Categorisation Policy (available [here](#)) between January 1st 2015 and May 20th 2016.
- (c) In order to be recognised as a member of the Shadow Team the Athlete must have signed:
 - (a) the Consent to Shadow Team Membership Form (FORM 1A, attached) and in the case of minors, the Parents/Guardians Acknowledgment for Minors Form (FORM 1B, attached) and provided the original to TA, National Performance Director; and
 - (b) the AOC statutory declaration regarding anti-doping matters as required by the AOC from time to time (FORM 2, attached) and provide the original to the AOC at PO Box R1788 Royal Exchange NSW 1225.
- (d) TA will provide all Athletes chosen or recognised as members of the Shadow Team with the Guide to Olympic Team Selection, the Selection Criteria and this Nomination Criteria. The AOC Olympic Team Selection By-Law and the Qualification System will be made available on the AOC's website (www.olympics.com.au).
- (e) TA will advise the AOC of the Athletes that it has chosen as members of the Shadow Team at such time as required by the AOC.
- (f) If an Athlete breaches the requirements of the Nomination Criteria, the Selection Criteria or the AOC Olympic Team Selection By-Law, TA or AOC may suspend or terminate the Athlete's membership of the Shadow Team.

2 Nomination of Athletes

Number of Australian positions:

- (a) The final number of athletes to be nominated to the AOC for the 2016 Australian Olympic Team will be determined by the number of quota places qualified for Australia under the ITU Qualification System.
- (b) Subject to these Nomination Criteria, Triathlon Australia (TA) will nominate athletes for all quota places qualified for Australia (being up to a maximum of three (3) male athletes and three (3) female athletes) for selection to the 2016 Australian Olympic Team in accordance with the process outlined in this clause 2.
- (c) The Qualification System may limit the number of athletes of either gender qualified to participate at the 2016 Olympic Games, Rio to a number less than three (3). For this reason TA will rank the athletes chosen for nomination to the AOC.
- (d) TAESC may, in its discretion, identify up to a maximum of two additional athletes of each gender as Reserve athletes for possible nomination to the AOC. Reserves will not be ranked by TAESC, and will be identified in accordance with clause 5 below.

For the purposes of nomination to the AOC of Athletes for selection to the 2016 Australian Olympic Team TA will:

- (1) only nominate those Athletes who to the satisfaction of TA have competed in the events or trials and completed the training regime and met other attendance, team participation and performance requirements as follows:

Automatic Nomination

A. Olympic Qualification Event: Rio Olympic Test Event, 1 – 2 August 2015 (“1st OQ Event”)

- i. The first eligible athlete (male and female) that finishes in the top three (3) positions in the 1st OQ Event will:
 - a. have qualified a quota place for Australia in accordance with the ITU Qualification System;
 - b. be nominated by TA to the AOC, subject to the athlete satisfying and continuing to satisfy the requirements set out in these Criteria; and
 - c. be required to follow a training and competition preparation plan for the 2016 Olympic Games as agreed with the NPD;

OR

- ii. Should no athlete satisfy clause 2(1)A(i) above, the first eligible athlete (male and female) that finishes between 4th and 10th positions in the 1st OQ Event:
 - a. will be nominated by TA to the AOC, subject to the athlete satisfying and continuing to satisfy the requirements set out in these Criteria, including but not limited to, the requirement to
 - (1) continue to compete in international competitions in order to qualify quota places for Australia in accordance with the ITU Qualification System; and
 - (2) follow a training and competition preparation plan for the 2016 Olympic Games as agreed with the NPD;

B. World Series Triathlon Event: WTS race in first quarter of 2016 (“2nd OQ Event”)(Date and location TBC)

- i. The first eligible athlete (male and female) that finishes in the top ten (10) positions in the 2nd OQ Event:
 - a. will be nominated by TA to the AOC, subject to the athlete satisfying and continuing to satisfy the requirements set out in these Criteria, including but not limited to, the requirement to;
 - (1) continue to compete in international competitions in order to qualify quota places for Australia in accordance with the ITU Qualification System; and
 - (2) follow a training and competition preparation plan for the 2016 Olympic Games as agreed with the NPD;

Discretionary Nomination

Athletes may be nominated to the AOC by TA in accordance with this clause “Discretionary Nomination” on or before 20 May 2016.

Where quota places allocated to Australia remain available after operation of clause 2(1)A and 2(1)B *Automatic Nomination* above, any remaining athletes to be nominated to the AOC may be determined through TAESC discretion according to the procedure set out below:

- C. Without in any way limiting the discretion of TAESC, TAESC may consider the following in relation to any Shadow Team athlete under consideration for nomination to the AOC:
- i. Podium results in ITU World Triathlon Series races in the Olympic Qualification period (May 2014 – May 2016);
 - ii. Performances in World Triathlon Series races in the Olympic Qualification period (May 2014 – May 2016);
 - iii. history of results in ITU World Triathlon Series races and “major” Championship races such as the ITU WTS Grand Final, Olympic Games and Commonwealth Games, run over the Olympic distance according to ITU rules since 1 July 2012 up to 1 May 2016;
 - iv. any matter that in the opinion of TA is relevant to achieving the objective of producing the best medal prospect for Australia at the 2016 Olympic Games.

For the avoidance of doubt, the qualification of a quota place by an individual athlete does not automatically entitle that athlete to discretionary nomination by TA to the AOC.

TAESC need not consider any of the above matters and need not apply any weighting to any of these matters if considered;

- (2) only nominate Athletes who are, or are recognised by the AOC as, members of the Shadow Team;
- (3) only nominate those Athletes it honestly believes have met the requirements described in the Selection Criteria;
- (4) only nominate those Athletes who have signed the AOC statutory declaration regarding anti-doping matters as required by the AOC from time to time;
- (5) not nominate more Athletes (including reserves) than the maximum number permitted under the Qualification System; and
- (6) not nominate Athletes who have breached the AOC Anti-Doping By-Law unless the Athlete has already been sanctioned for the breach and has completed the sanction imposed.

3 Illness/Misadventure/Extenuating Circumstances

For the purposes of determining whether an athlete has met the requirements of this Nomination Criteria TA will not have regard to any extenuating circumstances.

4 Nominated Athletes subject to control and supervision of the NPD

- (a) Nominated Athletes Subject to Control and Supervision of the NPD.
On being nominated to the AOC, athletes will be required to comply with the provisions of this clause 4 to the satisfaction of the NPD. The obligations set out in this clause 4 where relevant also apply to members of the Shadow Team.
- (b) Preparation for Entry into Olympic Village
All athletes selected for inclusion to the 2016 Australian Olympic Team by the AOC agree to follow the specific direction of the NPD from Monday 11th July 2016.
- (c) Competition Plan

- (i) All members of the Shadow Team must submit a competition plan for the period February 1st 2015 until December 31st 2015 by February 1st 2015. This competition plan is subject to approval by the NPD.
 - (ii) All members of the Shadow Team and nominated athletes must submit a competition plan from February 1st 2016 until the 2016 Olympic Games by February 1st 2016. This competition plan is subject to approval by the NPD.
 - (iii) If there is any disagreement between the submitted competition plan and the opinion of the NPD as to appropriate competition, the decision of the NPD will prevail.
 - (iv) Once an athlete's competition plan has been submitted and approved by the NPD the athlete must follow that plan unless given written approval to vary the plan by the NPD.
- (d) Fitness, Injury and Illness Monitoring
- All athletes in the Shadow Team and nominated athletes must submit to injury and medical assessment examinations and monitoring.
- (i) All members of the Shadow Team are required to provide within 14 days of their inclusion the names and contact details of all relevant health care providers (general practitioner, sports physician, physiotherapist and soft tissue therapist).
 - (ii) All members of the Shadow Team are required to inform the TA Chief Medical Officer of any injury or illness that could reasonably impact on the athlete's ability to perform at the level expected of the athlete if nominated and selected to participate in the 2016 Olympic Games, Rio.
 - (iii) All members of the Shadow Team are required to ensure that all treatment details for injury and illness are updated in a timely manner through the TA Athlete Management System.
 - (iv) On request from the TA Chief Medical Officer, an athlete must give permission to any of their nominated health care professionals to discuss and/or disclose confidential information to the TA Chief Medical Officer in relation to their health or injury status as relevant to their performance in the 2016 Olympic Games, Rio.
- (e) Shadow Team or Nominated Athlete
- If a Shadow Team member or a nominated athlete is assessed as injured or ill to the extent that, in the opinion of the TA Chief Medical Officer, either of the following circumstances exist:
- the athlete will not be capable of performing in the 2016 Olympic Games, Rio to the level at which the athlete would be expected to perform if not affected by the illness or injury in question; or
 - by competing with the injury at the 2016 Olympic Games, Rio the athlete may suffer an unacceptable risk of significant short or long term medical complications,
- then the athlete may, at the discretion of TA, be excluded from the Shadow Team or the list of athletes to be nominated to the AOC.
- (f) Fitness Trial
- If the NPD is of the view (the basis of which must be reasonable) that a Shadow Team member or athlete chosen for nomination may, by reason of injury or illness or other circumstances, no longer be capable of achieving the fitness level required by that athlete for participation in the 2016 Olympic Games, Rio that athlete may be required to perform a fitness trial by the NPD. That trial may be a designated race or an arranged trial to suit the requirements of the event of the athlete whose fitness is under consideration.
- If a trial is to be held as set out above, it will be at a place and time to be determined by the NPD giving consideration to the athlete's travel, training and competition schedule.

If in the opinion of the NPD the result of any trial conducted according to this clause 4(f) indicates that the athlete in question will not be capable of performing in the 2016 Olympic Games, Rio to the level at which the athlete would have been expected to perform at the time when they were chosen in the Shadow Team or chosen for nomination then that athlete may, at the discretion of TA be excluded from the Shadow Team or the list of athletes to be nominated.

(g) Non-compliance with Additional Requirements of Clause 4

All Shadow Team members and all athletes nominated to the AOC must meet the requirements and obligations set out in this clause 4 to the satisfaction of the NPD.

If an athlete does not meet either the requirements or obligations set out in this clause 4 to the satisfaction of the NPD, TA may, at its discretion, remove the athlete from the Shadow Team from the list of athletes to be nominated to the AOC.

(h) Consequences of Removal From the List of Athletes for Nomination

If a nominated athlete is excluded from the list to be nominated to the AOC under clause 4(g) the excluded athlete's name will not be submitted to the TA Board for final endorsement and subsequent nomination to the AOC for selection in the 2016 Australian Olympic Team.

(i) Review of the Decision of the NPD/TAESC under Clause 4

Any athlete aggrieved by a decision made under this clause 4 may apply to TA for a review of that decision. Any application for review must be served in writing to the CEO of Triathlon Australia within 48 hours of communication to the athlete of the decision of TA. The written notice may be sent by post (PO Box 13, Alexandria, NSW, 1435) or by email (info@triathlon.org.au).

5 Reserve Athletes

(1) TAESC may, in its absolute discretion, identify up to two (2) additional athletes as reserve athletes. Athletes identified as reserve must:

- a. be members of the Shadow Team; and
- b. have met the performance, participation and additional requirements as outlined in clause 4 above; and
- c. be determined by TAESC, in its absolute discretion, to have the highest ability to contribute to the objective of producing the best medal prospect for Australia at the 2016 Olympic Games. Without in any limiting the discretion of TAESC, TAESC may consider the factors outlined in clause 2(1)C above.

(2) Athletes identified as reserve athletes will not be nominated to the AOC and therefore will not be part of the 2016 Australian Olympic Team, unless replacing an athlete as outlined in clause 7 below.

6 **Making of Nominations**

TA will confirm and finalise its nominations under clause 2(1)A and 2(1)B *Automatic Nomination* and 2(1)C *Discretionary Nomination*, to the AOC on or before 20 May 2016.

For the removal of doubt, nominations by TA must be received by the AOC by 5pm AEST on Monday 4 July 2016. Nominations made after this deadline (or within such further deadline as the AOC may allow) will be invalid unless made under a direction or award in respect of an appeal against non-nomination to the TA Appeals Tribunal or the Court of Arbitration for Sport under the AOC's Olympic Team Selection By-Law and which appeal had been commenced prior to the deadline for receipt of nominations by the AOC.

The 5pm AEST on Monday 4 July 2016 deadline for the making of nominations by TA applies irrespective of any deadline prescribed under the Qualification System or by the Organising Committee for the 2016 Olympic Games.

7 **Replacement of Athletes after Nomination by Triathlon Australia to the AOC**

- (1) Should any nominated athlete be unable to compete in the 2016 Olympic Games be reason of injury, illness, or failure to continue to comply with the provisions of clause 4 of this Nomination Criteria above, then TAESC may nominate a replacement reserve Athlete to the AOC from the athletes identified by clause 5, Reserve Athletes above.
- (2) If TAESC determines that an athlete who has been nominated to and selected by the AOC should be replaced by a Reserve Athlete, then:
 - a. TA will recommend to the AOC that the athlete is to be replaced; and
 - b. Should the AOC (or during the period of the 2016 Olympic Games, the Chef de Mission of the 2016 Australian Olympic Team) determine that the selected athlete should be replaced, then:
 - i. TA should nominate a replacement for selection by the AOC (in accordance with this Nomination Criteria); and
 - ii. the AOC (or during the period of the 2016 Olympic Games, the Chef de Mission of the 2016 Australian Olympic Team) may in her absolute discretion select that nominated Reserve Athlete. In exercising its discretion, the AOC will be subject to any conditions that apply in relation to entry for the 2016 Olympic Games.

8 **Amendments to Nomination Criteria**

This Nomination Criteria may be amended by TA with the prior written approval of the AOC. Any amended Nomination Criteria will be distributed by TA by email and/or mail to members of the Shadow Team and their coaches and/or posted on the TA website and brought to the attention of the Shadow Team members and their coaches.

9 **Interpretation**

(a) Words used in this Nomination Criteria have the same meaning ascribed to them in the AOC's Olympic Team Selection By-Law unless a contrary meaning appears from the context.

(b) In this Nomination Criteria the following words and phrases have the following meanings:

ITU Qualification System: means the 2016 ITU Qualification System issued and approved by the IOC.

NPD: means the Triathlon Australia National Performance Director.

TAESC: means the Triathlon Australia Elite Selection Committee, comprised of Ian Fullagar (Chair), Miles Stewart, Brian Hinton, Melissa Ashton-Gerard, Nicole Hackett.

10 **Law**

This document is governed by the laws applicable in the State of New South Wales.

FORM 1A

2016 AUSTRALIAN OLYMPIC TEAM

CONSENT TO SHADOW TEAM MEMBERSHIP

Triathlon Australia Limited

[insert name of Athlete]

I consent to being a member of the Shadow Team for nomination by the above NF for selection to the 2016 Australian Olympic Team. I make this acknowledgement honestly and fully and confirm that this acknowledgement is not false or misleading:

- 1 I have been provided with, or been given access to, and will be bound by and observe the terms of the AOC Olympic Team Selection By-Law, the AOC Selection Criteria applicable to my sport and my NF's Nomination Criteria in force and as amended from time to time. I acknowledge that all members of the Shadow Team will likewise be bound by and must observe the same terms.
- 2 The AOC's Olympic Team Selection By-Law and the Selection Criteria may be amended by the AOC from time to time. I will be bound by and observe the AOC's Olympic Team Selection By-Law and the Selection Criteria as amended, and acknowledge that any amendments to the AOC's Selection By-Law and Selection Criteria will be posted to the AOC's website (www.olympics.com.au) along with the Qualification System applicable to my event.
- 3 The AOC's Constitution and AOC By-Laws, including but not limited to the AOC Anti-Doping By-Law and AOC Ethical Behaviour By-Law may be amended by the AOC from time to time. To the extent to which they apply to me, I will comply with and be bound by all AOC By-Laws, and acknowledge that amendments to AOC By-Laws will be posted to the AOC's website (www.olympics.com.au).
- 4 I have been provided with, and will provide to the AOC, the AOC statutory declaration regarding anti-doping matters as required by the AOC from time to time.
- 5 The decision whether or not to nominate me to the AOC for selection in the 2016 Australian Olympic Team is subject to the Nomination Criteria and is at the discretion of my NF.
- 6 If my NF nominates me to the AOC for selection in the 2016 Australian Olympic Team I am not guaranteed to be selected in the 2016 Australian Olympic Team. The decision whether or not to select me as a member of the 2016 Australian Olympic Team is subject to the AOC's Olympic Team Selection By-Law and Selection Criteria and is at the absolute discretion of the AOC.
- 7 (1) I have not at any time engaged in Prohibited Association as prescribed under Article 2.10 of the World Anti-Doping Authority (WADA) Code (in effect from 1 January 2015), meaning association in a professional or sport-related capacity with any Athlete Support Personnel who:
 - (a) is serving a period of Ineligibility; or
 - (b) has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules; or
 - (c) is serving as a front or intermediary for an individual described in (a) or (b) above.

FORM 1A

(c) email, the announcement or notice is deemed to have been received by me by properly addressing the email address and transmitting it to the address supplied by me and to have been received by me on the next business day after the date of transmission unless the AOC or NF is advised that the transmission failed to send to the addressee.

10 I acknowledge that Specialised Equipment means equipment acknowledged by the AOC as having a material effect on performance due to the specialised characteristics of the equipment, under Bye-Law 2.3 of Rules 27 and 28 of the Olympic Charter. If I wish to utilise Specialised Equipment at the Games, I will submit a request in writing to the AOC Director of Sport no later than 6 months prior to the Games (being 5 February 2016). This request is subject to the approval of the AOC in accordance with the 2016 Australian Olympic Team Membership Agreement – Athletes.

11 This consent is governed by the laws applicable in the State of New South Wales.

Signature of Athlete

Date

Witness Name

Witness Signature

FORM 1B

2016 AUSTRALIAN OLYMPIC TEAM PARENTS/GUARDIANS ACKNOWLEDGEMENT FOR MINORS

Triathlon Australia Limited

[insert name of Athlete]

I/we, the undersigned parents/guardians of the Athlete agree (and if more than one, then jointly and severally agree) as follows:

1. the Athlete is under the age of 18 years as at the date of signing the Consent to Shadow Team Membership;
2. I/we have read and understood the AOC Olympic Team Selection By-Law and the AOC Selection Criteria applicable to the sport of Triathlon ("the Selection Terms") and have fully explained to the Athlete the Selection Terms. To this end I/we have obtained independent legal advice as to the Selection Terms in order to clarify any doubts or concerns I/we may have had in this regard;
3. the Athlete has read the Selection Terms and, together with the benefit of our full explanation, understands their meaning and effect;
4. the Selection Terms are for the benefit of the Athlete;
5. the Athlete's eligibility for being considered for nomination by the above NF for selection to the 2016 Australian Olympic Team, may be terminated in the event of any breach of the Selection Terms; and
6. this acknowledgement is governed by the laws applicable in the State of New South Wales.

Dated:

Signed by the Parent/Guardian)
In the presence of:)

.....
(Parent/Guardian's signature)

.....
(Witness' signature)

.....
(Name of Witness)

.....
(Name of Parent/Guardian)

FORM 2

STATUTORY DECLARATION OATHS ACT 1900, NSW, EIGHTH SCHEDULE

Important: BEFORE MAKING THE DECLARATION PLEASE READ CAREFULLY THE INFORMATION REGARDING AUTHORISED WITNESSES AND YOUR IDENTIFICATION REQUIREMENTS ON PAGE 2.

You must delete either statement 1 or 2 below in full, depending on which is a true statement of fact by you. However, you must not make any amendments to the statements. If you are unable to declare either statement 1 or 2 in full, you will not be able to make the statutory declaration and must contact the Australian Olympic Committee on +61 2 9247 2000 for further guidance.

I, _____, of _____
[full name] [residence – full address]

do solemnly and sincerely declare that:

1. I have **not** at any time breached any applicable anti-doping rule or policy, including the World Anti-Doping Code 2009, the Australian Olympic Committee's Anti-Doping By-Law and the anti-doping rules and policies of applicable Anti-Doping Organisations, National Federations and International Federations (as those words are defined in the Australian Olympic Committee's Anti-Doping By-Law) (each an "Applicable Anti-Doping Rule or Policy").

----- **OR** -----

2. I have breached an Applicable Anti-Doping Rule or Policy; but
 - (a) the sanction in respect of such breach(es) was formally **eliminated or waived** by the organisation having the authority to do so; or
 - (b) I have **completed** the sanction imposed in respect of such breach(es).

and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1900 (NSW).

[signature of person making the declaration]

Declared at: _____ on _____
[place] [date]

In the presence of an **authorised witness**, who states:

I, _____, a _____
[insert name of **authorised witness**] [insert qualification to be authorised witness^A]

certify the following matters concerning the making of this statutory declaration by the person who made it:

[*please cross out any text that does not apply]

1. *I saw the face of the person OR *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and
2. *I have known the person for at least 12 months OR *I have confirmed the person's identity using

an identification document*^B and the document I relied on was

[describe identification document relied on]

[insert signature of authorised witness]

[insert date]

***A: Authorised persons** who can witness the making of this statutory document are:

Within New South Wales

- a Justice of the Peace registered in New South Wales;
- an Australian legal practitioner;

Outside New South Wales

- an Australian legal practitioner;
- an Australian Notary Public;
- an Australian Consular Officer or British Consular Officer;
- any other person authorised by law to administer an oath in the country or place where the oath is administered.

***B: An identification document** means any of the following unless it has expired or been cancelled (however an Australian passport is acceptable if it expired no more than 2 years ago):

<ul style="list-style-type: none">• a driver's licence or permit with a photograph, whether issued in Australia or another country	<ul style="list-style-type: none">• a birth certificate or birth extract, whether issued in Australia, another country or by the United Nations (with an English language translation if not in English)
<ul style="list-style-type: none">• a NSW photo card issued under the <i>Photo Card Act 2005</i>	<ul style="list-style-type: none">• a Centrelink pension card
<ul style="list-style-type: none">• an Australian proof of age card which contains the person's photograph	<ul style="list-style-type: none">• a credit card or passbook, or
<ul style="list-style-type: none">• an Australian passport (either current or expired less than 2 years ago)	<ul style="list-style-type: none">• an account from a bank, building society or credit union, or statement of account up to one year old
<ul style="list-style-type: none">• a passport or similar document with the person's photograph and signature issued by another country or by the United Nations	<ul style="list-style-type: none">• a Medicare card, pensioner concession card, Department of Veterans' Affairs entitlement card or other entitlement card issued by the Federal or any State Government
<ul style="list-style-type: none">• a national identity card with the person's photograph and signature issued by another country or the United Nations (with an English language translation if not in English)	<ul style="list-style-type: none">• an electoral enrolment card or other evidence of enrolment as an elector up to 2 years old
<ul style="list-style-type: none">• an Australian citizenship certificate or a foreign citizenship certificate (with an English language translation if not in English)	<ul style="list-style-type: none">• a student identity card, or a certificate or statement of enrolment up to 2 years old from an educational institution.