



2020 Australian Paralympic Team Triathlon Australia Nomination Criteria

1 Introduction

1.1 Scope

This Nomination Criteria (**Criteria**) explains how Triathlon Australia (**TA**) will nominate Athletes to Paralympics Australia (**PA**) for consideration for selection in the 2020 Australian Paralympic Team (**Team**) to compete in the men's and women's individual triathlons at the 2020 Paralympic Games (**2020 Paralympics**).

1.2 Objective

- (a) The primary objective of this policy is to nominate Athletes to PA whom TA considers have the greatest potential of winning medals in triathlon events at the 2020 Paralympics.
- (b) The 4 classes in the men's triathlon event (PTWC, PTS4, PTS5, PTVI) and the women's triathlon event (PTWC, PTS2, PTS5, PTVI) are separate events and different considerations may be relevant in nominating Athletes according to this Criteria to maximise the prospects of achieving TA's stated objective in **clause 1.2(a)**.

1.3 Application

- (a) TA may only nominate Athletes to PA for consideration for selection in the Team in accordance with this Criteria.
- (b) The Triathlon Australia Elite Selection Committee (**TAESC**) has been appointed by the TA Board to administer and implement this Criteria.
- (c) This Criteria is issued by the TA Board. TA must provide, or otherwise make available, this Criteria to all Athletes.
- (d) If any person is unavailable to fulfil his/her role as described in this Criteria, the TA Board may authorise a delegate to fulfil this role.
- (e) PA has the exclusive authority to select nominated Athletes to the Team.
- (f) The terms of the PA General Selection Criteria (**GSC**) are incorporated by reference into this Criteria. TA must provide, or otherwise make available, the GSC to all Athletes.

- (g) This Criteria will take effect from the date it is released and will cease to have effect at the conclusion of the 2020 Paralympics.

1.4 This Criteria applies to:

- (a) all Athletes (and guides for PTVI athletes);
- (b) TA; and
- (c) PA.

2 Eligibility for Nomination

TA will not nominate an Athlete unless, as at the Nomination Date, TA is satisfied on reasonable grounds that the Athlete:

- (a) Is an Australian Citizen;
- (b) is a current member of, and in good standing with, TA;
- (c) satisfies the ITU Paralympic Qualification System ([ITU System](#));
- (d) is likely to satisfy the PA Selection Criteria;
- (e) has not breached the PA Anti-Doping By-Law, unless the Athlete has been sanctioned for the breach and has completed the sanction imposed; and
- (f) has not breached the ITU Paratriathlon classification rules, unless the Athlete has been sanctioned for the breach and has completed the sanction imposed as detailed in this document
- (g) does not, and is not likely to in the foreseeable future, suffer from any physical or medical condition that would prevent the Athlete from competing at the 2020 Paralympics to the highest possible standard for that Athlete.

3 Long List

- 3.1** For the purpose only of identifying prospective members of the Team, TA or PA may maintain a Long List of Athletes (**Long List**).
- 3.2** For the avoidance of doubt, listing on a Long List does not increase, decrease or otherwise affect an Athlete's prospects of being nominated by TA to PA, or being selected by PA to the Team.
- 3.3** TA may include an athlete on the Long List who has the likelihood of meeting Tokyo 2020 classification qualification criteria prior to nomination for the Team, including instances or exceptional circumstances where the athlete has an international review status and is required

to attend a future international classification assessment to meet the qualification criteria for selection.

- 3.4** TA will only nominate an athlete for selection to the Team who holds a valid international classification, listed on the ITU Paratriathlon classification masterlist, with a sport class and sport class status that meets the requirements under the Tokyo 2020 qualification guide.

4 Qualification of Athlete Quota Positions

- 4.1** TA may only nominate Athletes to PA for consideration for selection to the Team where, under the ITU System, the ITU has awarded PA, Athlete quota positions.

The top nine (9) ranked athletes on the ITU Paralympic Qualification Ranking closing 28 June 2020 within each medal event, will each be granted one (1) qualification slot for their NPC (to the maximum of two (2) quota positions for each event).

- 4.2** Individual ranking does not guarantee an individual a Team nomination.
- 4.3** TA may not nominate more Athletes than the number of Athlete quota positions awarded to PA under the ITU System.
- 4.4** TA may (but need not) nominate the maximum number of Athletes that are permissible under the ITU System.

5 Nomination Criteria

- 5.1** For the purposes of nomination to PA for consideration for selection to the Team, Athletes may be nominated by:

- (a) discretionary nomination;
- (b) Bipartite Commission Invitation Application

5.2 Discretionary Nomination

In exercising discretion, the TAESC may consider any matter it deems relevant in meeting the objective outlined in clause 1.2(a). The TAESC may consider performances in races up to and including 28 June 2020.

5.3 Bipartite Commission Invitation Application

- (a) The IPC and ITU will provide targeted qualification slot allocations through the Bipartite Commission Invitation Allocation method. These invitations are granted based on a discretionary basis by the IPC and the ITU in addition to the allocation of qualification slots.

(b) To be considered for a Bipartite Invitation, NPCs (including PA) must submit an official application in writing to ITU by 5 July 2020.

(c) Invitations are for a specific athlete, not allocated to the NF to be filled at its discretion.

5.4 Nominated athletes may be ranked at the absolute discretion of the TAESC.

6 Submission of Nominations

6.1 TA must notify Athletes of the Nomination Date in writing.

6.2 PA may, in its absolute discretion extend the Nomination Date for any reason.

6.3 TA must nominate Athletes to PA by the Nomination Date. TA must inform Athletes of their nomination or non-nomination by no later than:

(a) 48 hours prior to the Nomination Date, where such written notice would be received by the Athlete 14 days prior to the Sport Entries Deadline; or

(b) 24 hours prior to the Nomination Date, where such written notice would be received by the Athlete within 14 days of the Sport Entries Deadline, the Nomination Date, or such later date as PA advises TA.

6.4 Nominations submitted to PA must be in the form prescribed by PA or in a form that is otherwise acceptable to PA and must include any information required under the GSC.

6.5 PA may, in its absolute discretion, accept a nomination submitted after the Nomination Date where it is submitted by TA as a result of an appeal brought under the GSC.

7 Reserve Athletes

7.1 The TAESC may identify additional Athletes of each gender as reserve Athletes.

7.2 Reserve Athletes may be ranked by the TAESC but can only be chosen from among eligible Athletes.

7.3 Reserve Athletes will not be nominated to PA unless they replace a selected Athlete or an additional quota becomes available and then only in accordance with clauses 8 and 9.

7.4 The TAESC may exercise its discretion to identify reserve Athletes under clause 7 at any time up until the commencement of the 2020 Paralympics.

8 Team Membership Conditions

On being nominated to PA, all nominated Athletes, including reserve Athletes, must comply with this clause 8 to the satisfaction of the TAESC.

8.1 Competition Plan and Training Camps

All Athletes must:

- (a) on the request of the NPD, submit a competition plan, from the date of nomination to the time of the 2020 Paralympics. 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. There is no appeal against a decision of the NPD under this clause;
- (b) meet the NPD's requirements in relation to training and participation in training camps as required by the NPD in their absolute discretion; and
- (c) once an Athlete's competition plan and training camp schedule has been submitted and approved by the NPD, follow that plan unless given written approval by the NPD.

8.2 Classification

All athletes must:

- (a) agree to abide by the ITU Paratriathlon classification rules and regulations, the IPC Athlete Classification Code and any relevant PA and/or TA classification policies and requirements, including attending classification assessment as required.
- (b) agree to complete any classification education modules as released by the ITU, TA or PA
- (c) agree to disclose previous classification documentation and/or medical diagnostic documentation from relevant specialists for classification which may include, amongst other things,
 - (i) providing medical diagnostic information detailing the athlete's underlying health condition and eligible impairment
 - (ii) undertaking any additional medical assessment or provide further medical diagnostic information as required by PA, TA or ITU for the purposes of classification
 - (iii) if an athlete has any medical intervention, or if changes occur to the athlete's impairment which may impact on their classification, athletes must provide medical documentation to PA, TA or ITU
- (d) have been internationally classified by ITU, is listed on the ITU Paratriathlon classification masterlist, and has met the qualification criteria of an eligible sport class with confirmed sport class status for the sport as detailed in the Tokyo 2020 Qualification Guide
- (e) agree to notify PA, TA and ITU if there is any change to assistive devices, or equipment used, which may impact their classification in any way, and agrees to undergo further classification assessment if required.
- (f) have not breached the ITU Paratriathlon classification rules and regulations, or the IPC Athlete Classification Code, unless the Athlete has been sanctioned for the breach and has completed the sanction imposed (unless the sanction was equal to or greater than 2 years, in which case the Athlete is ineligible for nomination). For the purpose of this clause, a breach may include, among other things:
 - (i) an Athlete under investigation for Intentional Misrepresentation where a notice has been issued, or the Athlete has been sanctioned under the ITU Paratriathlon Classification Rules and Regulations; or

- (ii) a failure to comply with an Athlete's obligations under the ITU Paratriathlon classification rules and regulations.

8.3 Fitness, Injury and Illness Monitoring

All Athletes must submit to injury and medical assessment and examinations and fitness monitoring as follows:

- (a) on request, all Athletes must provide the name and contact details of their relevant health care professionals (general practitioner, sports medical practitioner and physiotherapist) to the NPD within 14 days of request, or such later date as agreed with the NPD;
- (b) all Athletes must immediately inform the TA Chief Medical Officer (**CMO**) of any condition, illness or injury that could impact on the Athlete's ability to perform at the level expected of the athlete if selected to compete in the 2020 Paralympics;
- (c) all Athletes must ensure that all treatment details for injury and illness are updated in a timely manner through the TA Athlete Management System;
- (d) on request from the CMO an Athlete must give permission to any of their nominated health care professionals to discuss and/or disclose confidential information to the CMO in relation to their health or injury status as relevant to their performance in the Games;
- (e) should the NPD or CMO suspect an Athlete may be injured or ill, the following procedure will be followed:
 - (i) the CMO can require the Athlete to undergo a medical examination to determine his or her fitness to compete. An Athlete will be assessed as injured or ill, if by competing, the Athlete risks causing medical harm to him or herself;
 - (ii) the CMO will carry out this examination or delegate another doctor to do so. If the Athlete fails the medical examination, the Athlete will be withdrawn from the list of Nominated Athletes or TA will request PA to remove the athlete from the Team, whichever is applicable;
 - (iii) if the Athlete passes the medical examination but the NPD is of the view that an Athlete chosen for nomination may, by reason of injury or illness or other circumstances, may no longer be capable of performing in the 2020 Paralympics to the level at which the Athlete would be expected to perform if not affected by the illness, injury or other circumstances, that Athlete may be required to perform a fitness trial by the NPD.

The NPD will determine if an Athlete is assessed as unfit. There is no appeal against a decision of TA under this clause.

8.4 The Athlete acknowledges and agrees that TA is not a “health service” as defined by the *Privacy Act 1988 (Cth)*. All information collected by TA under this clause will be collected, used and stored by TA in accordance with its [Privacy Policy](#).

9 Replacement of Athletes after Nomination to PA

9.1 Up until two weeks prior to the start of Competition (and subject to reserve Athlete substitutions being permitted), if an Athlete does not meet either the requirements or obligations in clause 8, TA may, on the advice of the TAESC, exclude the Athlete from the list of Nominated Athletes or request PA to remove the athlete from the Team, whichever is applicable. One of the reserve Athletes may be nominated in place of the excluded Athlete, in accordance with this Criteria.

9.2 Within two weeks of the start of Competition (and subject to reserve Athlete substitutions being permitted), should any selected Athlete be unable to compete in the 2020 Paralympics, by any reason including injury, illness, or failure to comply with clause 8, then TA may, on the advice of the NPD and the TA Chief Executive Officer (**CEO**), nominate a Reserve Athlete to PA.

9.3 If TA determines that an Athlete who has been selected should be replaced by a reserve Athlete then:

- (a) the NPD and the CEO may choose the Athlete to be nominated from the reserve Athletes named under clause 7;
- (b) TA will recommend to PA that the Athlete should be replaced; and
- (c) if PA (or during the period of Games, the PA Chef de Mission) agree that the selected Athlete should be replaced; then:
 - (i) TA may nominate a reserve Athlete for selection; and
 - (ii) PA (or during the period of the Games, the PA Chef de Mission) may in its absolute discretion select that nominated reserve Athlete. In exercising its discretion, PA will be subject to any conditions that apply in relation to entry for the Games.

10 Appeals

10.1 An eligible Athlete, who is not selected under clause 5.2, may appeal that decision, under the [Triathlon Australia Appeals Policy](#), dated 2017.

- (a) Notwithstanding anything in the Appeals Policy, an abridged time process for appeals will apply due to the nomination deadlines. The abridged timeframes are as follows:
 - (i) Notice of Appeal to be lodged by 5:00pm AEST 16 July;
 - (ii) Exchanges of Arguments Document(s) to be submitted by 5:00pm AEST 17 July;

- (iii) Appeal Hearing to take place by 5:00pm AEST 19th July, if deemed necessary by the TASAT.

11 Important Dates

- 28 June 2019: ITU Paralympic Qualification Period Starts
28 June 2020: ITU Paralympic Qualification Period Ends
5 July 2020: Deadline for NPC's to submit applications for Bipartite Invitations
13 July 2020: ITU Notifies in writing to the NPC's the allocation of qualification slots and Bipartite Invitations
14 July 2020: TA to notify athletes of nomination status (i.e. successful/non-successful)
20 July 2020: TA to nominate athletes to PA including Bipartite Invitations
20 July 2020: PA Nomination Deadline
22 July 2020: NPC's confirm in writing to ITU the use of allocated qualification and Bipartite slots
29 July 2020: ITU confirms in writing to the NPC's the reallocation of all unused qualification and Bipartite Commission Invitation slots
3 August 2020: Deadline for Tokyo 2020 Organising Committee to receive sport entry forms submitted by NPC's

12 Amendments

This Criteria may only be amended by TA with the written consent of PA.

13 Governing Law

This Criteria is governed by the laws of the State of New South Wales.

14 Definitions

Unless otherwise defined below, capitalised terms in this Nomination Criteria have the meaning given to them in the By-Law, certain of which have been reproduced below for the sake of convenience.

14.1 Athlete means a person who:

- (a) participates in the Sport; and
- (b) is recognised by TA or PA as eligible for nomination to PA for selection to the Team pursuant to this Nomination Criteria.

14.2 Competition means the 29th of August for the standing classes and the 30th of August for the wheelchair and vision impaired triathlon's.

14.3 Executive means the Executive of PA.

- 14.4 Games** means the Paralympic Games to be held in Tokyo, Japan from 25 August 2020 to 6 September 2020.
- 14.5 International Federation** means International Triathlon Union (ITU).
- 14.6 National Federation** means Triathlon Australia (TA).
- 14.7 Nomination** means Athletes nominated to PA for ratification by PA and final selection to the Team.
- 14.8 Nomination Date** means 20 July 2020.
- 14.9 NPD** means TA National Performance Director, or their nominated delegate.
- 14.10 PA** means the Paralympics Australia Ltd. and any of its officers, employees or agents and any committee it convenes including the PA Selection Committee.
- 14.11 PA General Selection Criteria – Australian Paralympic Team** means the document adopted by the Executive which governs, among other things, the nomination and selection of Athletes to a team for a Paralympic Games or Paralympic Winter Games.
- 14.12 PA Selection Committee** means the committee established by the PA to send Athletes and appoint officials to the Australian Paralympic team for the Games.
- 14.13 PA Selection Criteria** means the criteria adopted by PA in respect of the Games which outlines the requirements for an Athlete to be selected by PA to participate in the Games.
- 14.14 Qualification Period** means 28 June 2019 to 28 June 2020.
- 14.15 Qualification System** means the eligibility, participation and qualification criteria for the Sport in respect of the Games issued by the International Paralympic Committee, available here https://www.triathlon.org/uploads/docs/2018_12_20_TR_QG_Tokyo.pdf.
- 14.16 Quota Positions** means the number of Athletes permitted under the ITU Paralympic Qualification System.
- 14.17 Selection** describes the process by which the TAESC may consider the performance of an Athlete, apply its expert opinion, and determine whether the Athlete meets the objective of this Criteria.
- 14.18 Sport** means Triathlon.
- 14.19 Sport Entries Deadline** means the date on which entries to a Games must be submitted by the PA.

14.20 **TAESC** means Triathlon Australia Elite Selection Committee. This committee has been appointed by the TA Board, to administer and implement this Criteria. The names of the each of the Selectors will be published on the TA website.

14.21 **Team** means the team of Athletes and officials selected by PA to participate in the Sport at the Games.

15 Interpretation

15.1 Unless the context otherwise requires, reference to:

- (a) a clause is to a clause of this Criteria;
- (b) the singular includes the plural and the converse also applies;
- (c) persons include incorporated and unincorporated bodies, partnerships, joint ventures and associations and vice versa and their legal personal representatives, successors and permitted assigns and substitutes; and
- (d) a party includes the party's executors, administrators, successors and permitted assigns and substitutes.

15.2 If a person to whom this Criteria applies consists of more than one person, then this Criteria binds them jointly and severally.

15.3 A reference to time, day or date is to time, day or date of Sydney, Australia.

15.4 Headings are for convenience only and do not form part of this Criteria or affect its interpretation.

15.5 Any question of interpretation of this Criteria will be determined by the TA Board whose decision will be final. There is no right of appeal against a determination of the TA Board under this clause.