



2022 Australian Commonwealth Games Team

Triathlon Australia Nomination Criteria

1 Introduction

1.1 Scope

This Nomination Criteria (**Criteria**) explains how Triathlon Australia (**TA**) will nominate Athletes to Commonwealth Games Australia (**CGA**) for consideration for selection in the 2022 Australian Commonwealth Games Team (**Team**) to compete in the men's and women's individual triathlons and the mixed relay triathlon.

1.2 Objective

- (a) The primary objective of this Criteria is to nominate Athletes to CGA whom TA considers have the greatest potential of winning medals in triathlon events at the 2022 Commonwealth Games (**B2022**).
- (b) The men's triathlon event, the women's triathlon event and the mixed relay 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 for B2022 as set out in **clause 1.2(a)**.

1.3 Application

- (a) TA may only nominate Athletes to CGA 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 TA 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) CGA has the exclusive authority to select nominated Athletes to the Team.

- (f) Subject to this Criteria, and in particular but not only **clause 11.1**, the terms of the CGA Team Nomination and Selection By-Law (**By-Law**) are incorporated by reference into this Criteria. TA must provide, or otherwise make available, the By-Law 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 Games.

1.4 This Criteria applies to:

- (a) all Athletes;
- (b) TA; and
- (c) CGA.

2 Eligibility for Nomination

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

- (a) is an Australian Citizen;
- (b) is a current member of TA;
- (c) has not breached the CGA Anti-Doping By-Law unless the athlete has already been sanctioned for the breach and completed any sanction imposed;
- (d) has not by their actions or omissions brought themselves, TA, CGA or the Team into disrepute or censure;
- (e) has pre-signed the 2022 CGA Team Membership Agreement; and
- (f) if requested by the National Performance Director (NPD), agree to and sign the 2022 TA Athlete Agreement.

3 Long List

3.1 For the purpose only of identifying prospective members of the Team, TA or CGA may maintain a Long List of Athletes.

3.2 For the avoidance of doubt, membership of TA or the CGA's Long List does not increase, decrease or otherwise affect an Athlete's prospects of being nominated by TA, or being selected by CGA, to the Team.

4 Qualification of Athlete Quota Positions

4.1 TA may only nominate Athletes to CGA for consideration for selection to the Team where, under CGA's open allocation process, CGA has assigned TA Athlete quota positions.

4.2 TA may not nominate more Athletes than the number of athlete quota positions awarded to TA by CGA.

4.3 TA may (but is not obliged to) nominate the maximum number of Athletes that are permissible by CGA. The mixed relay team will be made up from nominated Athletes.

5 Nomination Criteria

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

- (a) Automatic nomination; or
- (b) Discretionary nomination.

5.2 An Athlete may be nominated by automatic nomination if they meet any of the following criteria:

- (a) Win the 2022 Oceania Triathlon Sprint Championships (1st overall).
 - (i) Should the 2022 Oceania Triathlon Sprint Championships be altered from the sprint distance swim/cycle/run format, it will be void and will not apply for the purposes of automatic nomination.
 - (ii) An assessment will be made at 30 days and 7 days from race start on viability of athletes' ability to travel in consideration of border restrictions.
 - (iii) Based on the assessment of border restrictions in place, TA reserves the right to void the race for purposes of automatic nomination.

OR

- (b) Place in the top ten (10) in the 2022 WTCS – Yokohama.
 - (i) If multiple Athletes meet this criteria then the automatic nomination will go to the highest finisher at 2022 WTCS – Yokohama.
 - (ii) Should the 2022 WTCS Yokohama be altered from the standard distance to the sprint distance swim/cycle/run format, it will still be used for the purposes of automatic nomination.
 - (iii) Should the 2022 WTCS Yokohama be altered from the standard distance swim/cycle/run format (other than a sprint distance race as outlined in **clause 5.b.ii**), it will be void and not apply for the purposes of automatic nomination.
- (c) If the automatic nomination race referenced in **clause 5.2(a)** is voided for the purposes of nomination, the following will apply;

(i) The two (2) highest finishing athletes who place in the top 10 at the 2022 WTCS – Yokohama will achieve automatic nomination.

(d) If automatic nomination is not achieved in one or both events, Athletes may be nominated via discretionary nomination under **clause 5.3**.

5.3 Any remaining position/s not nominated automatically, will be nominated via discretionary nomination:

(a) In exercising its discretion to nominate Athletes to CGA for consideration for selection to the Team, the TAESC may consider any matter or combination of matters it deems relevant in meeting the primary objective outlined in **clause 1.2** including performances in races over the duration of the TA Qualification Period. This discretion is absolute and need not be exercised.

6 Submission of Nominations

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

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

6.3 TA must nominate Athletes to CGA by the Nomination Date.

6.4 Nominations submitted to CGA must be in the form prescribed by CGA or in a form that is otherwise acceptable to CGA and include any such information that is required under the By-Law.

7 Reserve Athletes

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

7.2 In exercising its discretion to select Reserve Athletes, the TAESC may (in its absolute discretion) consider any relevant matter.

7.3 Reserve Athletes may be ranked by the TAESC and will only be chosen from among eligible Athletes.

7.4 Reserve Athletes will not be nominated to CGA unless they replace a selected Athlete and then only in accordance with **clauses 8 and 9**.

7.5 The TAESC may exercise its discretion to identify reserve Athletes under **clause 7** at any time up until the commencement of B2022.

8 Team Membership Conditions

On being nominated to CGA, all nominated Athletes, including Reserve Athletes, must comply with the provisions of **clause 8** to the satisfaction of the TAESC.

8.1 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 at B2022;
- (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 CGA 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 at B2022 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.

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

- 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 2** or **clause 8**, TA may, on the advice of the TAESC, exclude the Athlete from the list of Nominated Athletes or request CGA 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 at B2022, by any reason including injury, illness, or failure to comply with the provisions in **clause 2** or **clause 8** of this Criteria, then TA may, on the advice of the NPD, a TAESC member and the TA Chief Executive Officer (**CEO**), nominate a Reserve Athlete to CGA.
- 9.3** If TA determines that an Athlete who has been selected should be replaced by a reserve Athlete then:
- (a) the NPD, a TAESC member and the CEO may choose the Athlete to be nominated from the reserve Athletes named by operation of **clause 7**;
 - (b) TA will recommend to CGA that the Athlete should be replaced;
 - (c) if CGA (or during the period of Games, the CGA Chef de Mission) agree that the selected Athlete should be replaced then:
 - (i) TA may nominate a reserve Athlete for selection; and
 - (ii) CGA (or during the period of the Games, the CGA Chef de Mission) may in its absolute discretion select that nominated reserve Athlete. In exercising its discretion, CGA will be subject to any conditions that apply in relation to entry for the Games.

10 Mixed Relay Selection

- 10.1** Any Athlete nominated under this Criteria must make themselves and be available to compete in the mixed relay if required.
- 10.2** Final selection and naming of the mixed relay team will occur in accordance with the appropriate WT rules but will be selected from Athletes already nominated to CGA.
- 10.3** Selection will be at the absolute discretion of the NPD.
- 10.4** Athletes do not have a right of appeal for non-selections for the mixed relay team.

11 Appeals

- 11.1** Any nomination and selection appeals will be conducted in accordance with Schedule 1 or Schedule 2 of the [By-Law](#).

11.2 Important Dates

Date	Milestone
1 May 2021 – 14 May 2022	TA Qualification Period
17 May 2022 (5:00pm AEST) (no later than)	TA to notify athletes of nomination status (i.e. successful/non-successful)
20 May 2022 (5:00pm AEST)	CGA Nomination Date
29 July 2022	Men's Commonwealth Games Triathlon
29 July 2022	Women's Commonwealth Games Triathlon
31 July 2022	Mixed Relay Commonwealth Games Triathlon

12 Amendments

This Criteria may be amended at any time by TA, with the approval from CGA, if TA is of the opinion that such an amendment is necessary as a result of any change in WT and/or B2022 guidelines, or to give effect to the Criteria following discovery of a drafting error or oversight, or for any other reason determined to be in the best interests of TA by TA. TA is, and shall not be, responsible or liable in any way to any one as a result of any such amendment. Any amended Criteria will be distributed by TA by email to all eligible Athletes and/or posted on the TA website.

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 CGA as eligible for nomination to CGA for selection to the Team under this Criteria.

14.2 *CGA* means Commonwealth Games Australia.

14.3 *CGF* means Commonwealth Games Federation.

- 14.4** *Games* or *B2022* means the Commonwealth Games to be held in Birmingham, England from 28 July 2022 to 8 August 2022.
- 14.5** *International Federation* means World Triathlon (WT).
- 14.6** *National Federation* means Triathlon Australia (TA).
- 14.7** *Nomination* means Athletes nominated to CGA for ratification by CGA and final selection to the Team.
- 14.8** *Nomination Date* means 20 May 2022.
- 14.9** *NPD* means the TA National Performance Director, or their nominated delegate.
- 14.10** *Qualification System* means the eligibility, participation and qualification criteria for the Sport in respect of B2022 issued by CGF and actioned by CGA.
- 14.11** *Quota Positions* means the number of Athletes permitted under the CGA Open Allocation Process.
- 14.12** *Selection* describes the process by which the TAESC may consider the performance of an Athlete and determine whether the Athlete meets the objective of this Criteria.
- 14.13** *Sport* means Triathlon.
- 14.14** *TA Qualification Period* means 1 May 2021 to 14 May 2022 (inclusive).
- 14.15** *TAESC* means the Triathlon Australia Elite Selection Committee. This committee has been appointed by the TA Board, to administer and implement this Criteria. The names of each of the members of the TAESC will be published on the TA website.
- 14.16** *Team* means the team of Athletes and officials selected by CGA 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 who 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 dates 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.

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