

TOKYO 2020 OLYMPIC GAMES
NOMINATION CRITERIA FOR TEAM EVENTS

SYNCHRONISED SWIM NEW ZEALAND (SSNZ)

1. Application of this Nomination Criteria

- 1.1 This Nomination Criteria is issued by the Board of SSNZ.
- 1.2 This Nomination Criteria shall take effect from 17th June 2018.
- 1.3 This Nomination Criteria applies to:
- (a) all Athletes wishing to be considered for nomination to the Games Team to compete in the Games in an Artistic Swimming Event; and
 - (b) SSNZ, including its Selectors, that wish to nominate a Duet and/or Team to NZOC to be selected to the Games Team for the Games.

2. Selectors

- 2.1 **Composition:** The Selectors shall be appointed by in accordance with the SSNZ Constitution and will be published on the SSNZ website no later than 1st November 2018.

3. Nomination Procedure

- 3.1 **Conditions of Nomination:** The Selectors may only consider an Athlete for nomination as part of a Duet or a Team if the Athlete has satisfied the following conditions of nomination:
- (a) returned a completed Athlete Application to the NZOC, in the form prescribed by the NZOC by the following dates ("Application Date"):
 - i. no later than 5.00pm 24 September 2019; and
 - ii. in exceptional circumstances where SSNZ provides the NZOC with evidence that the Athlete could not have been reasonably in contemplation before 24 January 2020 (or such extended date agreed by the NZOC Board).
 - (b) returned a completed Athlete Agreement to the NZOC in the form prescribed by the NZOC prior to the Nomination Date; and
 - (c) demonstrated to the satisfaction of SSNZ that they are not suffering any physical or mental impairment that would prevent them from competing in the Games to the highest possible standard; and

- (d) acted in such a manner so as not to bring the Athlete, the Team, the sport, SSNZ or the NZOC into public disrepute; and
 - (e) to SSNZ's knowledge has not used or administered any substance which, if it had been detected as being present in the Athlete's body tissue or fluids, would have constituted doping, or used any prohibited method or committed any other doping offence as defined in SSNZ's, FINA's or NZOC's Integrity Regulation; and
 - (f) be born on or after 31 December 2005; and
 - (g) from 24 January 2020 (or such extended date as agreed by the NZOC Board) has provided their name and contact address details to NZOC for the purpose of out of competition drug testing with Drug Free Sport New Zealand.
- 3.2 **Qualification:** New Zealand must qualify for places in an Artistic Swimming Event in accordance with FINA's Qualification System for the Tokyo 2020 Olympic Games ("FINA Qualification System") and/or FINA requirements for the Games. Qualification for a place in any Artistic Swimming Event(s) by a Duet or Team does not guarantee that the Duet or Team will be nominated or selected to compete in the event(s) at the Games.
- 3.3 **Nomination if Nomination Criteria Met:** Provided the requirements set out in clause 3.1 and 3.2 are met, the Selectors shall nominate those Athletes it considers meet the Nomination Criteria set out below.

4. Nomination Criteria

- 4.1 **Nomination Criteria:** The SSNZ Nomination Criteria for nomination to the Games Team is made up of two parts:
- (a) the Over-Riding Nomination Criteria specified in clause 4.2; and
 - (b) the Specific Nomination Factors specified in clause 4.3.
- 4.2 **Over-Riding Nomination Criteria:**
- (a) In determining whether or not to nominate a Team to an Artistic Swimming Event, the SSNZ Selectors must be satisfied overall that:
 - i. **For Team Events:** the Team has:
 - qualified a team place at the Games by competing at the 18th FINA World Championships in Gwangju, Korea in 2019 in accordance with FINA's process; or
 - qualified a team place at the Games by competing at the Olympic Games Qualification Tournament in Tokyo, Japan in 2020; and
 - all Athletes available and eligible to compete in the Team at the Games that qualified the Team in FINA qualification event. In the event, the Athletes who comprised the Team during qualification are

unable to compete at the Games, SSNZ will only nominate Athletes of at least equal standard and quality to the NZOC; and

- a track record of sufficient quality and depth that the SSNZ believes demonstrates the Team will be competitive at the Games and will perform credibly.

(ii) **For Duet Events:** the Athletes together as a Duet:

- are capable of achieving a top 16 placing at the Games in the Duet Event, with the potential to win an Olympic Diploma (top 8 placing); and
- have a track record of sufficient quality and depth that SSNZ believes demonstrates the Duet will be competitive at the Games and will perform creditably in the Duet Event.

(b) **Evidence:** In determining whether or not the Over-Riding Nomination Criteria for the relevant Artistic Swimming Event listed in clause 4.2(a) and (b) above, the SSNZ Selectors shall consider the following performances and results in the following Key Events during the period 1 June 2019 to 23 March 2020:

- The 18th FINA World Championships in Gwangju, Korea in 2019;
- The 2019 US Open in [TBA], in [TBA];
- The 2019 Canadian Open in [TBA], in [TBA].

4.3 **Specific Nomination Factors:** When considering the Over-Riding Nomination Criteria above, the Selectors may also take into account any one or more of the following factors about an Athlete:

- (a) any other performances or results in competitions / events in addition to the Key Events;
- (b) adequate fitness and a commitment to maintain a fitness and training programme as agreed with the applicable coach(es);
- (c) demonstrated good behaviour, including a commitment to training and attendance at training camps;
- (d) demonstrated compatibility with others in a team environment;
- (e) demonstrated compliance with the rules of events and competitions;
- (f) understanding and respect for the obligations that accompany being a member of a New Zealand team when competing at the Games, including respect for team members and support staff;
- (g) willingness to promote SSNZ in a positive manner;
- (h) demonstrated ability to take personal responsibility for self and their results;

- (i) proven ability to be reliable; and
 - (j) any other factor(s) the Selectors consider relevant.
- 4.4 **Own Enquiries:** In considering any one or more of the above factors, the Selectors may make such enquiries of the Athlete, or other persons, as they see fit.
- 4.5 **Weight to be Given to Specific Nomination Factors:** The Selectors may give weight to any one or more of the Specific Nomination Factors and, if it does, to apply such weighting to one or more Athletes. No particular factor shall be weighted more or less significantly by reason only of the order in which that factor appears in this Nomination Criteria.
- 4.6 **Extenuating Circumstances:** In any decision regarding the nomination of Athletes to a Duet and/or Team, the Selectors may, in their sole discretion, take into account any extenuating circumstances in accordance with clause 5 below.
- 4.7 **Nomination Procedure:** After consideration of this Nomination Criteria, the Selectors shall follow the procedure set out in clause 9 of the NZOC Nomination and Selection Regulation.
- 4.8 **Permission to start in the Duet Event:** At the sole discretion of the NZOC, Athletes who qualify for nomination in the Team Event in accordance with this Nomination Criteria may, on SSNZ's request to the NZOC, if they are selected to the Games Team by the NZOC, request permission to start in the Duet Event where competing in this event will not have any detrimental effect on the Team Event they have already been selected for.

5. **Extenuating Circumstances**

- 5.1 **Extenuating Circumstances:** In considering the nomination of Athletes to a Duet and/or Team in accordance with this Nomination Criteria, the Selectors may, in their sole discretion, give weight to any extenuating circumstances which may include, but are not limited to, the following:
- (a) injury or illness;
 - (b) travel delays;
 - (c) equipment failure;
 - (d) bereavement or personal misfortune; and/or
 - (e) any other factors reasonably considered by the Selectors to constitute extenuating circumstances.
- 5.2 **Athlete to Advise:** Athletes who unable to compete at Key Events, other events, trials, or other attendances required under this Nomination Criteria, must advise the Chairperson of the extenuating circumstances and reasons, in writing, with as much advance notice as possible and ideally seven (7) days prior to the commencement of the event, trial or other attendance. If the Chairperson is not notified of any extenuating circumstances in

accordance with this Nomination Criteria, then the Selectors have no obligation to rely on such circumstances.

- 5.3 **Medical Certificate:** In the case of injury or illness, Athletes may be required by the Selectors to provide a medical certificate and/or to undergo an examination by a health practitioner/s nominated by the Selectors, and to provide that opinion and/or report to the Selectors. Any failure to agree to such a request may result in the Selectors being unable to consider the injury or illness as an extenuating circumstance.
- 5.4 **Case by Case:** In the case of any extenuating circumstance/s, the Selectors will make a decision on a case-by-case basis.

6. Appeal Procedure

- 6.1 **Nomination Appeals:** An Athlete may appeal to SSNZ against their non-nomination to the NZOC by the Selectors of SSNZ provided that the Athlete has returned a completed:
- (a) Athlete Application to the NZOC by the Application Date; and
 - (b) Athlete Agreement to the NZOC by the Nomination Date.
- 6.2 **Procedures for Nomination Appeals:** Any appeal under paragraph 6.1 must be made in accordance with the procedures set out in clause 13 of the NZOC Nomination and Selection Regulation.

7. Inconsistencies

- 7.1 **NZOC Nomination and Selection Regulation:** In the event there is any inconsistency between this Nomination Criteria and the NZOC Nomination and Selection Regulation, the NZOC Nomination and Selection Regulation shall prevail.
- 7.2 **IF Qualification System:** If this Nomination Criteria imposes a higher qualification standard or a lesser number of participants than stated by the FINA Qualification System, this shall not be regarded as an inconsistency.

8. Amendments to this Nomination Criteria

- 8.1 **Prior to Nomination Date:** This Nomination Criteria may be amended or supplemented from time to time by the Board, before the Nomination Date, provided NZOC has approved the amendment/s and supplement/s.
- 8.2 **Notice:** The Board will give as much notice as possible of any amendment/s or supplement/s made under clause 8.1 to this Nomination Criteria, to persons it considers may be affected by any such amendment/s or supplement/s.

9. Definitions

- 9.1 **Application Date** means the dates set out in clause 3.1(a), by which Athletes must submit a completed Athlete Application in accordance with clause 8.3 of the NZOC Nomination and Selection Regulation.
- 9.2 **Artistic Swimming Event** means a Duet Event or Team Event at the Games.
- 9.3 **Athlete** means a person who wishes to be considered for nomination to a Duet and/or a Team for the Games.
- 9.4 **Athlete Agreement** means the agreement that must be completed by any Athlete wishing to be considered for nomination and selection to the Games Team in accordance with clause 8.4 of the NZOC Nomination and Selection Regulation.
- 9.5 **Athlete Application** means the form set by the NZOC that must be completed by any Athlete applying to be nominated and selected to the Games Team.
- 9.6 **Board** means the Board of SSNZ as constituted under the Constitution.
- 9.7 **Chairperson** means the Chairperson of SSNZ and includes his / her nominee.
- 9.8 **Constitution** means the Constitution of SSNZ.
- 9.9 **Duet Event** means the Artistic Swimming event where the Athletes compete as a pair.
- 9.10 **FINA** means the International Swimming Federation.
- 9.11 **Games** means the 2020 Olympic Games to be held in Tokyo, Japan from 24 July – 9 August 2020.
- 9.12 **Games Team** means the New Zealand Team at the Games selected in accordance with the NZOC Selection Policy for the Games.
- 9.13 **Key Events** mean international, continental or national competitions listed in clause 4.2(b) which is a major or pinnacle event for the sport or is at least the equivalent of a World Cup or World Championship, and have an equivalent field to that which is likely to occur at the Games.
- 9.14 **Nominated Athlete** means an Athlete who has been nominated to the NZOC as part of a Duet and/or Team by SSNZ.
- 9.15 **Nomination Criteria** means the criteria made up of the Over-Riding Nomination Criteria and the Specific Nomination Factors, and is also referred to as “this Criteria”.
- 9.16 **Nomination Date** means on or before 26 March 2020, as agreed by the NZOC (and includes any alternative date as agreed between NZOC and SSNZ), by which SSNZ must submit any Nominated Athletes to the NZOC.
- 9.17 **NZOC** means the New Zealand Olympic Committee Incorporated.

- 9.18 **NZOC Nomination and Selection Regulation** means the regulation of NZOC relation to the nomination and selection process for all Olympic and Commonwealth games, including the Games.
- 9.19 **Over-Riding Nomination Criteria** means the criteria set out in clause 4.2.
- 9.20 **Selectors** means the selectors appointed by SSNZ in accordance with clause 2 of this Nomination Criteria.
- 9.21 **Specific Nomination Factors** means the nomination factors set out in clause 4.3.
- 9.22 **Synchro Swim New Zealand** means Synchro Swim New Zealand Incorporated.
- 9.23 **Team** means a team of up to 8 Athletes (including reserves and substitutes) competing together in an Artistic Swimming Event.