



Canoe Racing New Zealand Incorporated

Nomination Criteria for Canoe Racing for the 2016 Olympic Games

Amended 3 February 2016

Canoe Racing New Zealand Incorporated
Criteria for Canoe Racing for the 2016 Olympic Games

1. Introduction

- 1.1 **Scope:** This Nomination Criteria applies to all athletes wishing to be considered for nomination by CRNZ and NZCF to the NZOC for selection in the NZ Team to compete in the 2016 Olympic Games in Rio de Janeiro, Brazil.
- 1.2 **Process:** Selection to the NZ Team for the Games is a two-step process:
- a. CRNZ nominates athletes to the NZOC in accordance with this Nomination Criteria;
 - b. Then NZOC selects the NZ Team in accordance with the NZOC Agreement between CRNZ and the NZOC, and the NZOC Selection Policy. These documents can be found on the NZOC website www.olympic.org.nz.
- 1.3 **Selectors:** The Selectors shall be appointed in accordance with the CRNZ Selection Panel Terms of Reference which shall apply except to the extent specified in this Nomination Criteria. All references to selection in the CRNZ Selection Panel Terms of Reference shall be interpreted to mean nomination for the purpose of nomination under this Nomination Criteria.

2. Eligibility

- 2.1 **Eligibility:** To be eligible to be nominated to the NZOC an athlete must:
- a. fully complete and return to CRNZ, prior to the Application Date, an Athlete Application in the form prescribed by the NZOC;
 - b. fully complete and return to CRNZ, prior to the Nomination Date, an Athlete Agreement in the form prescribed by the NZOC;
 - c. be a member of a member club of CRNZ;
 - d. not be in breach of the CRNZ Constitution or Regulations, or any rules or regulations of the ICF, the IOC, or the WADA Code;
 - e. have demonstrated to the satisfaction of CRNZ that they are not suffering from any physical or mental impairment that would prevent them from competing in the Games to the highest possible standard;
 - f. have acted in such a manner so as not to bring the sport of canoe racing, CRNZ or the NZOC into public disrepute;
 - g. from 5 February 2016 ensure that their name and contact address details have been registered with the NZOC for the purpose of out of competition drug testing with DFSNZ;
 - h. be a New Zealand citizen;
 - i. not be under investigation for any breach of any part of the CRNZ Anti-Doping Regulation, the ICF Anti-Doping Regulations, or the WADA Code; and

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- j. have provided CRNZ with key contact details for communication purposes (including a current physical address, email address, and telephone number).

2.2 **No Consideration:** If an athlete does not meet the eligibility requirements specified above the Selectors may not consider the athlete for nomination.

3. Events

3.1 **Qualification:** CRNZ must qualify quotas places for Events in accordance with the ICF Brazil 2016 Qualification System requirements. It is noted that athletes must qualify places in Events in accordance with the ICF qualification system, but qualification of a place in any Event by an athlete (or group of athletes) does not guarantee that athlete (or group of athletes) will be nominated or selected to compete in that Event at the 2016 Olympic Games.

3.2 **Nomination of Athletes:** Subject to clause 3.1, unless the Selectors determine otherwise, the Selectors will nominate athletes to NZOC to compete in the following Events:

a. Men's Events:

- i. K-1 200m
- ii. K-2 200m
- iii. K-1 1000m
- iv. K-2 1000m
- v. K-4 1000m

b. Women's Events:

- i. K-1 200m
- ii. K-1 500m
- iii. K-2 500m
- iv. K-4 500m

3.3 **Additional Events:** Subject to clause 3.1, the Selectors may nominate athletes to compete in the following additional Events:

a. Men's Events

- i. C-1 200m
- ii. C-1 1000m
- iii. C-2 1000m

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3.4 **Reserves:** CRNZ may nominate reserve athletes to NZOC for any of the Events.

4. **Nomination Process**

4.1 **Process:** The Selectors in considering any athlete for nomination to the NZOC shall consider:

- a. the Over-riding Nomination Factor in clause 5.1;
- b. the Nomination Factors specified in clause 5.2; and
- c. any Extenuating Circumstance in accordance with clause 7.

4.2 **Relevance and Weight:** The Selectors may determine the relevance (if any) and weight that they wish to place on any Nomination Factor(s) and any Extenuating Circumstance(s) as they consider appropriate. No particular Nomination Factor shall be weighed more or less significantly based on the order in which it appears in this Nomination Criteria.

4.3 **Consultation:** Prior to nominating any athlete to the NZOC the Selectors shall consult with the High Performance Manager or in the absence of the High Performance Manager the CEO. The Selectors may also consult with CRNZ Coaches who are not members of the Selection Panel.

4.4 **Review:** The following review process replaces clause 8 of the CRNZ Selection Panel Terms of Reference:

- a. **Review by the Board:** The Board shall be responsible for reviewing and, if satisfied, approving, all proposed nomination decisions. In reviewing proposed decisions of the Selectors the Board must be satisfied that the athletes the Selectors proposes to nominate have been nominated in accordance with the requirements in this Nomination Criteria.
- b. **Further Enquiry:** The Board may request that the Selectors provide further detail about any proposed nomination decision(s) to assist the Board in undertaking the review in clause 4.4a.
- c. **Nomination:** If, having undertaken its review, the Board is satisfied with any proposed nomination decision(s) the Board shall notify the Selectors accordingly.
- d. **Requirement to Revisit Proposed Decision(s):** If, having undertaken a review, the Board are not satisfied with any report or any proposed nomination decision(s), the Board may inform the Selectors of any concerns and require the Selectors to revisit their decision(s) and provide a further report for review in accordance with clauses 4.4a.

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5. Nomination Factors

- 5.1 **Over-Riding Nomination Factor:** In determining whether or not to nominate any athlete, the Selectors must be satisfied overall that the athlete has the capability to achieve a top 16 placing in their Event at the Games, with the potential to achieve a top 8 placing in their Event at the Games.
- 5.2 **Nomination Factors:** In determining whether or not an athlete satisfies the Over-riding Nomination Factor above, the Selectors shall have regard to any one or more of the following:
- a. any results and performances:
 - i. at any high performance training camps or Trials held by CRNZ;
 - ii. at the 2015 and 2016 CRNZ Canoe Sprint Regattas;
 - iii. at the 2015 ICF Canoe Sprint World Cups 1, 2, and 3;
 - iv. at the 2015 ICF Canoe Sprint World Championships;
 - v. at the 2016 Oceania Championships;
 - vi. at the 2016 ICF Canoe Sprint World Cups 1, 2, and 3; and
 - vii. at any other training camps or International Events.
 - b. performance data and test results;
 - c. the ability of the athlete to train and compete with other athletes showing commitment to other team members and boat partners; and
 - d. the athlete's attendance, attitude, and conduct at past competitions, CRNZ training sessions, training camps, trials and other events.
- 5.3 **Consideration of Conditions:** In considering any performances of an athlete at the above competitions the Selectors may, but do not have to, take into account the conditions (such as the nature of the course, equipment used, weather, crew composition) if this information is available.
- 5.4 **Nominated Athletes:** When considering whether to nominate an athlete to be considered for the NZ Team to attend the 2016 Olympic Games the Selectors shall put more weight on any results and performances in descending order at:
- a. the 2015 ICF Canoe Sprint World Championships and/or
any of the 2016 ICF Canoe Sprint World Cups 1, 2, and 3, if timely;
 - b. the 2016 Oceania Championships;
 - c. any other previous ICF Canoe Sprint World Cups, ICF Canoe Sprint World Championships, or Olympic Games;
 - d. any other previous CRNZ Canoe Sprint Regattas or Trials.

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6. Trials

- 6.1 **Holding a Trial:** To assist the Selectors in making nomination decisions, the Selectors may (at any time after consultation with the High Performance Manager, or in the absence of a High Performance Manager, the CEO) determine that a nomination trial (or trials) will be held (“Trial(s”).
- 6.2 **Invitation to Trial:** The Selectors may invite any athletes they consider appropriate to participate in any trial, provided that the athletes must be eligible to be nominated (see clause 2.1). Athletes will be given as much notice as possible of any trial, which will usually be not less than 14 days’ notice unless the circumstances are such that a shorter period is necessary. If an athlete agrees to participate in a trial they agree to participate fully in the trial as requested by CRNZ.
- 6.3 **Injury or Illness:** If any athlete is scheduled to participate in a trial and is ill or injured they must notify CRNZ of this in writing prior to the start of the trial.

7. Extenuating Circumstance

- 7.1 **Requirement to Notify Selectors:** If an athlete considers there is any Extenuating Circumstance that is relevant to their potential nomination they must notify CRNZ of this in writing as soon as possible. The Selectors may, in their discretion, take any notified Extenuating Circumstance into consideration in making their nomination decisions.
- 7.2 **Medical Examination:** In the case of any Extenuating Circumstance claim based on injury or illness, the athlete must provide a medical report from a medical practitioner to CRNZ within two weeks of the occurrence of the injury or illness. CRNZ may also request the athlete undergo a medical examination by a medical practitioner nominated by CRNZ to provide an opinion and/or report to CRNZ. Any failure to agree to such a request may result in the Selectors not treating the injury or illness as an Extenuating Circumstance.

8. Nomination and Consequences of Nomination

- 8.1 **Nomination to NZOC:** CRNZ will nominate athletes (“Nominated Athletes”) to the NZOC by the Nomination Date.
- 8.2 **Requirements:** Every Nominated Athlete must train in accordance with any competition and training programmes as directed by CRNZ and agree to compete as directed by CRNZ.
- 8.3 **Conditions:** CRNZ may nominate an athlete with any conditions, for example conditions relating to recovery from injury or continuing to meet specified performance levels.
- 8.4 **Suspension/Removal:** Any Nominated Athlete who does not continue to adhere to the requirements in clause 8.2 may, in the sole direction of CRNZ, be suspended or removed as a Nominated Athlete at any time. In addition, any athlete may be suspended or removed as a Nominated Athlete if he or she:
- a. fails to consistently maintain the level of performance and/or results specified by CRNZ, including but not limited to Individual Performance Plans;

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- b. breaches or fails to comply with this Nomination Criteria;
- c. breaches or fails to comply with any of the following, or appears to have done so:
 - i. any of the ICF Statutes, ICF Canoe Sprint Competition Rules, or any other requirements of the ICF; or
 - ii. the CRNZ Constitution, Regulations, or any other requirements or directions of CRNZ; or
 - iii. the CRNZ Anti-Doping Regulation, the NZOC Anti-Doping Bylaw or the World Anti-Doping Code;
- d. brings him/herself, another athlete, CRNZ, or the sport of canoe racing generally into disrepute; or
- e. has a significant illness or injury which the Selectors consider prevents the Nominated Athlete from remaining in any CRNZ team.

8.5 **Replacement Athlete:** If a Nominated Athlete is suspended from CRNZ or is no longer eligible under clause 2.1 (Eligibility), the Selectors may, in their absolute discretion, nominate another athlete to NZOC in accordance with this Nomination Criteria.

8.6 **Changes to Events:** CRNZ may recommend to the NZOC for its consideration, changes to the Events or to the places in a crew for an Event, for which athletes have been nominated.

9. Selection by NZOC

9.1 Selection to the NZ Team by NZOC is in accordance with the NZOC Agreement between CRNZ and NZOC and the NZOC Selection Policy and includes the following provisions:

8.0 SELECTION OF ATHLETES BY NZOC

- 8.1 *NZOC to Select Athletes: The NZOC shall be solely responsible for selecting from amongst the Nominated Athletes those Athletes who will be members of the Team ("the Selected Athletes").*
- 8.2 *Requirements of Selection: The NZOC must in considering the selection of any Nominated Athlete to the Team, be satisfied that the Nominated Athlete:*
 - (a) *Has met and where relevant is continuing to meet the conditions of nomination in clause 7.2 of this Agreement;*
 - (b) *Has met the NZOC's Selection Policy and is continuing to train and achieve results consistent with such criteria;*
 - (c) *If requested by the NZOC, has undertaken medical and/or fitness assessment/s with results which satisfy the NZOC that they are not physically or mentally impaired so as to prevent them from competing in the Games to the highest possible standard;*
 - (d) *Will comply with the team protocols attached to the Athlete Agreement;*
 - (e) *In the NZOC's opinion has acted and will continue to act as a positive example to the sporting youth of New Zealand.*

10. Appeals

10.1 **Appeal Grounds:** An athlete may lodge an appeal against their non-nomination ("Appellant") in accordance with clause 10.2 (Process) on one or more of the following grounds (but no other grounds):

- a. this Nomination Criteria has not been properly followed and/or implemented;

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- b. the Appellant was not afforded a reasonable opportunity to satisfy the requirements in this Nomination Criteria;
- c. the decision not to nominate the Appellant was affected by apparent bias; and/or
- d. there was no material on which the nomination decision could reasonably be based.

10.2 Process: Any appeal must be made as follows:

- a. the athlete must notify the CEO of their wish to appeal the decision. This notification must be made in writing and received by the Chief Executive within 48 hours from the date the non-nomination was notified to the athlete;
- b. on receipt of such notice the CEO shall, within 10 days, convene a confidential and “without prejudice” meeting between the CEO (or his/her nominee), as many of the Selectors as are available, the athlete, and the athlete’s authorised representative (if any). The purpose of this meeting is to allow CRNZ to explain the nomination decision and see whether the matter can be resolved by agreement;
- c. if the appeal is unresolved after the process in clause 10.2b is followed the athlete may appeal directly to the Sports Tribunal provided that any notice of the appeal has been given in writing to the CEO within 5 days of the conclusion of the meeting described in clause 10.2b or within 10 days of the Nomination Date whichever is the later. A copy of the notice of appeal shall also be given to the Secretary General of the NZOC. Any appeal will be considered by the Sports Tribunal under the Rules of the Sports Tribunal of New Zealand; and
- d. there is no further right of appeal from any decision of the Sports Tribunal.

10.3 Limits on Appeals: The appeal process described in clause 10.2 only applies to nomination appeals. It does not apply to:

- a. any appeal made under any general provisions set out in the Constitution or Regulations of CRNZ; or
- b. any appeal against any selection decision which is not made by CRNZ (such as an appeal against a decision of the NZOC).

11. Announcement of the NZ Team

- 11.1 The NZOC shall on a date determined in consultation with CRNZ publicly announce the athletes for the NZ Team. This shall be no later than 15 June 2016.

12. Definitions

- 12.1 **Definitions:** In this Nomination Criteria, the following definitions apply:

“**Application Date**” means 3 February 2016, by which CRNZ must submit the completed and certified Athlete Applications to the NZOC.

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“Athlete Agreement” between the athlete and the NZOC means the Athlete Agreement that any athlete applying to be nominated and selected to the NZ Team must fully complete and return to NZOC as required by the NZOC.

“Athlete Application” means the Athlete Application form for nomination issued by NZOC and available on its website.

“CEO” means the Chief Executive Officer of CRNZ.

“CRNZ” means Canoe Racing New Zealand Limited.

“CRNZ Athlete Agreement” means the agreement governing the relationship between the athlete and CRNZ as issued to the athlete by CRNZ.

“CRNZ Coaches” means any coaches appointed by Canoe Racing NZ to coach the National Squad or any Open Team.

“DFSNZ” means Drug Free Sport New Zealand.

“Events” means the events specified in clause 3.2 and any other canoe racing events.

“Extenuating Circumstance” means an inability to perform at an optimum level arising from any one or more of the following:

- a. injury or illness;
- b. equipment failure;
- c. bereavement or personal misfortune; and/or
- d. any other factor reasonably considered to constitute an extenuating circumstance.

“Factors” means the factors specified in clause 5.2.

“Games” means the 2016 Olympic Games to be held in Rio de Janeiro Brazil between 5th August and 21st August 2016.

“High Performance Manager” means the CRNZ High Performance Manager.

“ICF” means the International Canoe Federation.

“ICF Qualification System” means the ICF canoe sprint qualification system.

“Individual Performance Plans” means the individual performance plan agreed with CRNZ in accordance with the CRNZ Athlete Agreement.

“International Event” means an international Canoe sprint regatta for which CRNZ is selecting a team.

“NZCF” means New Zealand Canoe Federation.

“National Coaches” means any coaches appointed by CRNZ.

“Nomination Criteria” means this nomination criteria.

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“Nomination Date” means the date, as specified by the NZOC, by which CRNZ must submit particulars of each Nominated Athlete to the NZOC for consideration for selection to the NZ Team.

“NZOC” means New Zealand Olympic Committee Incorporated.

“NZOC Selection Policy” means the NZOC Selection Policy for the Rio 2016 Olympic Games.

“NZ Team” means The New Zealand Olympic Team for the Games.

“Rio” means Rio de Janeiro, Brazil.

“Selectors” means those people who have been appointed by CRNZ to nominate athletes in accordance with the CRNZ Selection Panel Terms of Reference.

“Sports Tribunal” means the Sports Tribunal of New Zealand as described in the Sports Anti-Doping Act 2006.