

# Canoe Racing New Zealand Incorporated

## Canoe Sprint Selection Regulation for Open Teams (2013 Season)



**Issued** 1 September 2012

**Commencement Date** 1 October 2012

**Canoe Racing New Zealand Incorporated**  
**Canoe Sprint – Selection Regulation for**  
**Open Teams (2013 Season)**



**1. Introduction**

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- 1.1 **Commencement:** This Regulation was adopted by the Board on 23 August 2012 in accordance with Rule 23 of the Canoe Racing NZ Constitution. It is in force from 1 October 2012, and will apply for the 2013 Season.
- 1.2 **Status:** This Regulation supersedes all prior correspondence, discussions and representations whether written or oral regarding selection for Teams for the 2013 Season.
- 1.3 **Definitions:** Clause 12 contains definitions for key terms used in this Regulation.
- 1.4 **Amendment:** This Regulation may be amended at any time by the Board. Amendments, or an updated copy of the Regulation, will be published on the Canoe Racing NZ website ([www.canoeracing.org.nz](http://www.canoeracing.org.nz)) and otherwise made available by Canoe Racing NZ upon request.

**2. Scope & Purpose**

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- 2.1 **Scope:** This Regulation sets out the procedure and criteria for the 2013 Season for selecting Teams to attend Open International Events.
- 2.2 **Overall Purpose:** The overall objective of selecting the Teams is for New Zealand to medal at Open International Events in the following Events:

Men's Events	Women's Events
Men's K1 200m	Women's K1 200m
Men's K2 200m	Women's K2 200m
Men's K1 1000m	Women's K1 500m
Men's K2 1000m	Women's K2 500m
Men's K4 1000m	Women's K4 500m

- 2.3 **Exclusion:** This Regulation does not govern selection of Athletes for teams attending the U23 or Junior international regattas during the 2013 Season. These selections are covered by the Canoe Racing NZ Canoe Sprint Selection Regulation for U23 Teams (2013 Season) and the Canoe Racing NZ Canoe Sprint – Selection Regulation for Junior Teams (2013 Season) respectively and are available from Canoe Racing NZ upon request.

**3. Eligibility**

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- 3.1 **General:** To be eligible for selection to a Team an Athlete must:
- a. by 31 December 2012 attain a minimum age of fifteen (15) years old; and
  - b. be eligible to represent New Zealand at Open International Events (the status of which is to be determined in accordance with the applicable rules of the event);
  - c. fully complete and return to Canoe Racing NZ an Athlete Application by the date specified by Canoe Racing NZ unless otherwise agreed by the High Performance Manager; and

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- d. fully complete and return to Canoe Racing NZ an Athlete Agreement by the date specified by Canoe Racing NZ unless otherwise agreed by the High Performance Manager; and
  - e. compete in the Open category of the K1 1000m or K1 200m (if a male) or the K1 500m or K1 200m (if a female) (unless there are exceptional circumstances which have been approved by the High Performance Manager) at the:
    - i. 2012 Blue Lake Canoe Sprint Regatta 1; or
    - ii. 2012 South Island Canoe Sprint Regatta; and
    - iii. 2012 Blue Lake Canoe Sprint Regatta 2; and
    - iv. 2013 National Canoe Sprint National Championships.
  - f. not, in Canoe Racing NZ's view, be in breach of the Canoe Racing NZ Constitution or regulations, or any other policies, procedures, tour protocols, decisions or directions of Canoe Racing NZ, or any rules or regulations of the ICF, or the Sports Anti-Doping Act 2006, the Sports Anti-Doping Rules or the WADA Code; and
  - g. not be in breach (or under investigation for any breach) of any part of the Sports Anti-Doping Act 2006, the Canoe Racing NZ Anti-Doping Regulations, or the WADA Code; and
  - h. from 1 October 2012 ensure that their name and contact address details have been registered with DFSNZ for the purpose of out of competition drug testing; and
  - i. agree that, if selected, and if there are any costs associated with their attendance at the Open International Event, they will pay such costs as determined by Canoe Racing NZ; and
  - j. not owe any monies to Canoe Racing NZ; and
  - k. have acted in such a manner so as not to bring the sport of canoe racing or Canoe Racing NZ into public disrepute;
  - l. be a current member of a High Performance Squad unless otherwise agreed by the High Performance Manager; and
  - m. not have been removed from any Canoe Racing NZ High Performance Squad or Team for misconduct in the previous 12 months.
- 3.2 **No Consideration:** The Selectors may not consider an Athlete for selection to a Team unless they have met the eligibility requirements specified in clause 3.1.

#### **4. Open International Events**

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- 4.1 Unless the Board determines otherwise, Canoe Racing NZ will select Teams to attend the following Open International Events during the 2013 Season by the dates specified below:

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Open International Events	Competition Date	Selection Dates
2013 Australian Grand Prix 3, Sydney Australia	1 – 3 March 2013	21 December 2012
2013 ICF Canoe Sprint World Cup 2, Duisburg, Germany	31 May – 2 June 2013 (to be confirmed)	15 March 2013
2013 ICF Canoe Sprint World Cup 3, Poznan, Poland	7 – 9 June 2013 (to be confirmed)	15 March 2013
2013 ICF Canoe Sprint World Championships, Rio de Janeiro, Brazil	21 – 25 August 2013	21 June 2013

- 4.2 The Board may, in its sole discretion, decide that a Team should be selected to attend other open international events. If this occurs, Canoe Racing NZ will notify Athletes and indicate a likely Selection Date via [www.canoeracing.org.nz](http://www.canoeracing.org.nz) and any other means considered appropriate.

## 5. Selection Process

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- 5.1 **Consultation:** Prior to selecting any Team, the Selectors shall consult with the Canoe Racing NZ Coaches.

- 5.2 **Process:** In making selection decisions:

- a. the Selectors, will act in accordance with Selection Panel Canoe Sprint Open/U23 Athletes Terms of Reference;
- b. the Selectors may, in their discretion, consider:
  - i. the Factors;
  - ii. any Extenuating Circumstances in accordance with clause 8; and
- c. for each Team that will attend the Open International Events the Selectors shall put more weight on any results and performances as specified in clauses 6.1a and 6.1b of this Regulation.

- 5.3 **Athletes & Crews:** Once a Team has been selected, the Selectors may, after consultation with the Canoe Racing NZ Coaches, make changes within the Team to the Crews or the Athletes that are to race in each Event at the applicable Open International Event. If changes need to be made once an Open International Event has commenced (for instance due to injury) such changes may be made by the Canoe Racing NZ Coaches without reference to the Selectors.

## 6. Factors

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- 6.1 **General:** The Selectors may, but do not have to, take into account any one or more of the following factors in making decisions about selection to a Team:

- a. the results and performances of Athletes at any national or international canoeing events;

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- b. the results and performances of Athletes at any Canoe Racing NZ training camps or Trials;
  - c. the ability for an Athlete to train and compete with other Athletes as a member of a Crew;
  - d. the likelihood (in the opinion of the Selectors) that an Athlete could achieve a top three placing in an Event at an Open International Event;
  - e. the likelihood (in the opinion of the Selectors) that an Athlete has the potential to qualify for and medal in a particular Event at World Championships and Olympic Games; and/or
  - f. an Athlete's attendance, attitude, and conduct at any Canoe Racing NZ training camps, Trials, past competitions and other events.
- 6.2 **Conditions:** In considering any of the factors specified in clauses 6.1a to 6.1b, the Selectors may, but do not have to, take into account the kayaking conditions (such as wind, water conditions and water flow) if this information is available.
- 6.3 **Australian Grand Prix 3 Team:** When considering whether to select an Athlete to the Team to attend the 2013 Australian Grand Prix 3, the Selectors shall put more weight on any results and performances of an Athlete at the following which are listed in the order of importance (from most to least important):
- a. 2012 London Olympic Games;
  - b. 2012 Blue Lake Canoe Sprint Regatta 2; and
  - c. any other previous international and national events.
- 6.4 **World Cups Team:** When considering whether to select an Athlete to the Team to attend the 2013 ICF Canoe Sprint World Cups 2 & 3, the Selectors shall put more weight on any results and performances of an Athlete at the following which are listed in the order of importance (from most to least important):
- a. 2012 London Olympic Games;
  - b. 2012 ICF Canoe Sprint World Cup 1 & 2;
  - c. 2013 Australian Grand Prix 3;
  - d. 2013 National Canoe Sprint National Championships; and
  - e. any other previous international and national events.
- 6.5 **World Championships Team:** When considering whether to select an Athlete to the Team to attend the 2013 ICF Canoe Sprint World Championships, the Selectors shall put more weight on any results and performances of an Athlete at the following which are listed in the order of importance (from most to least important):
- a. 2013 ICF Canoe Sprint World Cup 2 & 3;

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- b. 2012 London Olympic Games;
- c. 2013 Australian Grand Prix 3;
- d. 2013 National Canoe Sprint National Championships; and
- e. any other previous international and national events.

6.6 **Size of Teams:** The High Performance Manager will, in consultation with the Selectors, determine the maximum size of all Teams selected.

## **7. Selection Trials**

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7.1 **Holding a Trial:** To assist the Selectors in selecting a Team, at any time during the 2013 Season, the Selectors may after consultation with the Canoe Racing NZ Coaches, determine that a selection trial(s) be held ("Trial(s)"). The Selectors must give athletes reasonable notice of any Trial including all relevant details.

7.2 **Invitation to Trial:** If the Selectors decide to hold any Trial(s), they will invite any Athletes they consider appropriate to participate in the Trial, provided that the Athletes must be eligible in accordance with clause 3 (Eligibility). The Selectors will give invited Athletes as much notice as possible of the Trial(s), which will usually be not less than fourteen (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 all Events that make up the Trial as requested by the Selectors.

7.3 **Injury or Illness:** If an Athlete is scheduled to participate in a Trial and is ill or injured, and they wish to have this regarded as Extenuating Circumstances, they **must** notify the Selectors of this in writing prior to the start of the Trial in accordance with clause 8.1 (Extenuating Circumstances).

## **8. Extenuating Circumstances**

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8.1 **Extenuating Circumstances:** If an Athlete considers there are Extenuating Circumstances that are relevant to their selection to a Team (including their participation or otherwise in a regatta, Event, Trial, or training camp), they must notify Canoe Racing NZ of this in writing as prior to the regatta, Event, Trial or training camp they are unable to participate in. The Selectors may, in their absolute discretion, take any such Extenuating Circumstances into consideration but before doing so they shall consult with the Canoe Racing NZ Coaches.

8.2 **Medical Examination:** In the case of any Extenuating Circumstances claim based on injury or illness, Canoe Racing NZ may request the Athlete undergo a medical examination by a medical practitioner nominated by Canoe Racing NZ and provide the opinion and/or report of that practitioner to the Selectors. Any failure to agree to such a request may result in the Selectors not treating the injury or illness as an Extenuating Circumstance.

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**9. Consequences of Selection**

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9.1 **Requirements:** All Athletes who are selected to a Team must:

- a. agree to compete in the Event for which they have been selected to a Team on the basis on which they were selected, unless otherwise directed by Canoe Racing NZ. For example, if two Athletes are selected to race as a Crew for an Event, they must compete together as a Crew unless otherwise directed by Canoe Racing NZ;
- b. train for the Event they have been selected to compete in, in accordance with any competition and training programmes specified by Canoe Racing NZ; and
- c. by the date(s) specified by Canoe Racing NZ, pay Canoe Racing NZ the amount specified by Canoe Racing NZ (if any) to cover the expenses of sending the Athlete to compete at the Open International Event.

9.2 **Suspension/Removal:** Any member of any Team who does not continue to adhere to the requirements in clause 9.1 may, in the sole discretion of Canoe Racing NZ, be suspended or removed from a Team at any time. In addition, any athlete may be suspended or removed from a Team if he or she:

- a. breaches or fails to comply with this Regulation or the Athlete Agreement;
- b. is no longer eligible under clause 3 (Eligibility);
- c. breaches or fails to comply with:
  - i. the ICF statutes, ICF competition rules, or any other requirements of the ICF; or
  - ii. the Canoe Racing NZ Constitution, Canoe Racing NZ regulations, or any other policies, procedures, tour protocols, decisions or directions of Canoe Racing NZ;
- d. brings him/herself, another Athlete, any Crew, any Team, Canoe Racing NZ, or the sport of canoe racing generally into disrepute; or
- e. has a significant illness or injury which the Selectors consider prevents the Athlete from remaining in a Team.

9.3 **Natural Justice:** Canoe Racing NZ will comply with the principles of natural justice in making any decision to suspend or remove an Athlete from a Team.

**10. Replacement Athletes**

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10.1 If an Athlete who has been selected to a Team is suspended or removed from that Team, or is no longer eligible under clause 3 (Eligibility), the Selectors may, in their absolute discretion, select another Athlete to that Team in accordance with this Regulation.

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## **11. Appeals**

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11.1 **Grounds:** An Athlete may lodge an appeal against their non-selection (“Appellant”) to a Team in accordance with clause 11.3 (Process) of this Regulation on one or more of the following grounds (but no other grounds):

- a. this Regulation has not been properly followed and/or implemented;
- b. the Appellant was not afforded a reasonable opportunity to satisfy the requirements in this Regulation;
- c. the decision not to select the Appellant was affected by actual bias; and/or
- d. there was no material on which the selection decision could reasonably be based.

11.2 **Process:** Any appeal must be made as follows:

- a. the Athlete must notify the Chief Executive of their wish to appeal the decision. This notification must be made in writing and be received by the Chief Executive within 48 hours from the date the selection or non-selection was notified to the Athlete, or the Team was publicly announced (whichever is the earlier);
- b. on receipt of such notice the Chief Executive shall, as soon as practicable, convene a confidential and “without prejudice” meeting between the Chief Executive (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 the Selectors to explain the selection decision and see whether the matter can be resolved by agreement;
- c. if the appeal is unresolved after the process in clause 11.2b 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 Chief Executive within 48 hours after the conclusion of the meeting described in clause 11.2b. 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.

## **12. Definitions**

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12.1 In this Regulation, the following definitions apply:

“**Athlete**” means an individual who paddles a kayak.

“**Athlete Agreement**” means the agreement governing the relationship between an Athlete and Canoe Racing NZ as issued to the Athlete by Canoe Racing NZ.

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“**Athlete Application**” means the application in the form set out in Schedule 1 which must be completed by every Athlete wishing to be considered for selection to an Team in accordance with clause 3.1c.

“**Board**” means the Board of Canoe Racing NZ.

“**Canoe Racing NZ**” means Canoe Racing New Zealand Incorporated.

“**Canoe Racing NZ Coaches**” means any coach appointed by Canoe Racing NZ to coach any Open Team and/or Open High Performance Squad.

“**Chief Executive**” means the Chief Executive Officer of Canoe Racing NZ.

“**Class**” means either Men’s or Women’s K1, K2, or K4.

“**Crew**” means a group of either two or four athletes who race together over a particular Distance.

“**Distance**” means either 200m, 500m, or 1000m.

“**DFSNZ**” means Drug Free Sport New Zealand.

“**Event**” means the combination of Class and Distance. For example Men’s K1, 1000m or Women’s K1, 500m.

“**Extenuating Circumstances**” 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. travel delay;
- d. bereavement or personal misfortune; and/or
- e. any other factors reasonably considered to constitute extenuating circumstances.

“**Factors**” means the factors specified in clause 6.

“**High Performance Manager**” means the High Performance Manager appointed by Canoe Racing NZ.

“**High Performance Squad**” means the Canoe Racing NZ high performance squads selected in accordance with the Canoe Racing NZ Canoe Sprint High Performance Squads Policy for Open, U23 and Junior Athletes.

“**ICF**” means the International Canoe Federation.

“**Open International Event**” means an international Canoe Sprint regatta for which Canoe Racing NZ is selecting a Team in the open category as specified in clause 4.1.

“**Regulation**” means this regulation unless otherwise specified.

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**“Selection Date”** for each Open International Event, means the date that Canoe Racing NZ intends to announce selection of the Team to attend that Open International Event, as indicated in clause 4.1 or as otherwise notified by Canoe Racing NZ.

**“Selectors”** means those people who have been appointed by Canoe Racing NZ to select Athletes in accordance with the Canoe Racing NZ Selection Panel – Canoe Sprint Open/U23 Athletes Terms of Reference.

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

**“Team(s)”** means a group of Athletes (whether competing alone or in a Crew) selected by Canoe Racing NZ to attend an Open International Event.

**“Trial”** has the meaning specified in clause 8.1.

**“2013 Season”** means the period from 1 October 2012 to 30 September 2013 (inclusive).



## Athlete Application Form cont...



### Conditions

1. I have been provided with access to a copy of the Canoe Racing NZ Canoe Sprint - Selection Regulation for Open Teams (2013 Season) either directly or via [www.canoeracing.org.nz](http://www.canoeracing.org.nz). I acknowledge that I have read that Regulation and agree to comply with and be bound by its terms.
2. I acknowledge that any right of appeal and the process for such an appeal in relation to selection or non-selection must be exercised in accordance with the Canoe Racing NZ Canoe Sprint - Selection Regulation for Open Teams (2013 Season).
3. That it is a condition of my application that I must complete, sign, and return to Canoe Racing NZ prior to the Selection Date, an Athlete Agreement.
4. I agree to be bound by:
  - a. the Canoe Racing NZ Constitution;
  - b. the Canoe Racing NZ regulations; and
  - c. any Canoe Racing NZ policies, procedures, decisions and directions.
5. I have met, or will by the Selection Date have met, the eligibility requirements specified in clause 3 (Eligibility) of the Canoe Racing NZ Canoe Sprint – Selection Regulation for Open Teams (2013 Season).
6. I will notify Canoe Racing NZ of any changes to my contact details. Canoe Racing NZ will make every effort to ensure your personal details are up to date and accurate. You may at any time check and update the information Canoe Racing NZ holds about you by emailing Canoe Racing NZ. Any failure by me to do so may be to my detriment as any announcement regarding selection of the Team will be notified to me personally or to at least one of the contact addresses provided.
7. I agree Canoe Racing NZ may collect personal information about me for the purposes of consideration and selection. Such personal information will be held by Canoe Racing NZ at AUT Millennium Institute, 17 Antares Place, Mairangi Bay, Auckland. I consent to Canoe Racing NZ passing on my personal information to bodies that Canoe Racing NZ where it considers it is reasonable to do so for the purpose of consideration and selection. I further consent to Canoe Racing NZ using my image for the purpose of promotion of myself, any team I am selected to or Canoe Racing NZ.
8. I may take independent advice on the terms of this application and its implications, and I have been given a reasonable opportunity to do so.

\* If the Athlete is under the age of 18 years as at the date of signing this form, the form must also be signed by the parents/guardians of the Athlete as set out below.

## Athlete Application Form cont...



I/We are the parents/guardians of the Athlete. We acknowledge and agree to the conditions specified in this form on behalf of the Athlete.

<b>Full Name of Athlete:</b>	
<b>Full Name of Parent/Guardian(s):</b>	
<b>Signed:</b> Parent/Guardian(s)	
<b>Date:</b>	