Canoe Racing New Zealand Incorporated

Canoe Sprint Selection Regulation for Junior Teams

(2013 Season)

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Commencement Date 1 October 2012

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1. Introduction

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 Junior Teams for the 2013 Season.

1.3 **Definitions:** Clause 10 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) and otherwise made available by Canoe Racing NZ upon request.

2. Scope of this Regulation

2.1 **Scope:** This Regulation sets out the procedure and criteria for selecting Teams to attend Junior International Events.

2.2 **Overall Purpose:** The overall purpose of selecting the Team(s) is for New Zealand to medal at Junior International Events.

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

3. Eligibility

3.1 **General:** To be eligible for selection to a Team an Athlete must:

a. in 2013 have a birthday no lower than a 15th birthday or a birthday no greater than a 18rd birthday; and

b. be eligible to represent New Zealand at Junior International Events (the status of which is to be determined in accordance with the applicable rules of such event); and

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 or the Chief Executive; and

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 appropriate age category in the K1 1000m or K1 200m (if a male) and the K1 500m or K1 200m (if a female) (unless otherwise agreed by the High Performance Manager or the Chief Executive) 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. agree that, if selected, they will pay all costs associated with their attendance at the Junior International Event as determined by Canoe Racing NZ; and

i. not owe any monies to Canoe Racing NZ; and

j. have acted in such a manner so as not to bring the sport of canoe racing or Canoe Racing NZ into public disrepute; and

k. be a current member of a High Performance Squad unless otherwise agreed by the High Performance Manager or the Chief Executive; and

l. 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. Junior International Events

4.1 Unless the Board determines otherwise, Canoe Racing NZ will select Teams to attend the following Junior International Events during the 2013 Season by the Selection Dates specified below**:**

Junior International Events	Competition Dates	Selection Dates
2013 Australian Grand Prix 3, Sydney Australia	1 – 3 March 2013	21 December 2012
2013 ICF Junior and U23 Canoe Sprint World Championships, Welland, Ontario Canada	1 – 4 August 2013	15 March 2013

4.2 **Other International Regattas:** The Board may, in its sole discretion, decide to select Teams to attend other Junior international regatta(s) during the 2013 Season. If this occurs, Canoe Racing NZ will indicate this via www.canoeracing.org.nz and any other means considered appropriate.

4.3 **Team Size:** For any Team selected in accordance with this Regulation, the High Performance Manager will advise the Selectors of the maximum Team size. The Selectors may, in their discretion or at the direction the High Performance Manager, select a Junior Team of any number up to this maximum team size, or not select a Junior Team at all.

4.4 **Consultation:** Prior to selecting any Team, the Selectors shall consult with the High Performance Manager and the Canoe Racing NZ Coaches.

4.5 **Process:** When considering whether to select an Athlete to a Team:

a. the Selectors will act in accordance with the Selection Panel Canoe Sprint Junior Athletes Terms of Reference;

b. the Selectors may, in their discretion, consider:

   i. the Factors; and

   ii. any Extenuating Circumstances in accordance with clause 7; and

c. if the Selectors do consider any of the Factors, the Selectors shall give more weight to any results and performances in the 1000m and 200m Distance for Junior men and the 500m and 200m Distance for Junior women at the following regattas which are listed in order of importance (from most to least important):

   i. any Trials held by Canoe Racing NZ in accordance with clause 6.1;

   ii. the 2012 Blue Lake Canoe Sprint Regatta 2;

   iii. the 2012 South Island Canoe Sprint Regatta;

   iv. the 2012 Blue Lake Canoe Sprint Regatta 1;

   v. the 2012 Czech Republic Canoe Sprint National Championships; and

   vi. any other previous international and national Events.

4.6 **Replacement Athletes:** If an Athlete who has been selected to a Team is suspended or removed from that Team, or is no longer eligible in accordance with clause 3 (Eligibility), the Selectors may, but are not required to, select another Athlete to that Team in accordance with clause 4.5 (Process).

4.7 **Athletes & Crews:** Once a Team has been selected, the Selectors will, after consultation with the High Performance Manager and the Canoe Racing NZ Coaches, make decisions about which Athletes and Crews within the Team are to race in which Events at the Junior International Events.

4.8 **Changes During Junior International Events:** If any changes need to be made after the Junior International Event has commenced (for example due to injury) such changes may be made by the Canoe Racing NZ Coaches without reference to the Selectors.

5. Factors

5.1 **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 and Crews at any national or international regattas in the 1000m and 200m Distance for Junior men and the 500m and 200m Distance for Junior women;

b. the results and performances of Athletes and Crews 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 or Crew could reach the finals in the Junior International Event for which they are being considered for selection; and

e. an Athlete's or Crew's attendance, attitude, and conduct at any Canoe Racing NZ training camps, trials, past competitions and other events.

5.2 **Conditions:** In considering any of the factors specified in clauses 5.1a to 5.1b, 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. Selection Trials

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

6.2 **Invitation to Trial:** If the Selectors decide to hold any Trial(s), they will invite Athletes they consider appropriate to participate in the Trial(s), 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.

6.3 **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 **Error! Reference source not found.** (Extenuating Circumstances).

7. Extenuating Circumstances

7.1 **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 particate 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.

7.2 **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.

8. Consequences of Selection

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

a. by the date(s) specified by Canoe Racing NZ, pay Canoe Racing NZ the amount specified by Canoe Racing NZ to cover the expenses of sending the Athlete to compete at the Junior International Event; and

b. compete in the 2013 New Zealand National Canoe Sprint Championships as directed by, and to the satisfaction of, Canoe Racing NZ; and

c. agree to compete in Event(s) at the International Event(s) for which the Athlete has been selected as directed by Canoe Racing NZ; and

d. train for the Event(s) they have been selected to compete in, in accordance with any competition and training programmes specified by Canoe Racing NZ.

8.2 **Suspension/Removal:** Any member of a Team who does not continue to adhere to the requirements in clause 8.1 may, in the sole discretion of Canoe Racing NZ, be suspended or removed from that 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, the 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 the Team.

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

9. Appeals

9.1 **Grounds:** An Athlete may lodge an appeal against their non-selection ("Appellant") to a Team in accordance with clause 9.3 (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.

9.2 **Limitation:** An Athlete may not appeal against their removal from a Team under clause 8.2 (Suspension/Removal).

9.3 **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 9.3b 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 9.3b. Any appeal will be considered by the Sports Tribunal under the Rules of the Sports Tribunal in New Zealand; and

d. there is no further right of appeal from any decision of the Sports Tribunal.

10. Definitions

10.1 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.

"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 the Team.

"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 Junior Team or Junior High Performance Squad.

"Chief Executive" means the Chief Executive Officer of Canoe Racing NZ.

"Class" means Junior Men's or Women's K1, K2, or K4.

"Crew" means a group of two or four athletes who race together over a particular Distance.

"Distance" means 200 m, 500m, or 1000m.

"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 5.

"High Performance Manager" means the Canoe Racing NZ High Performance Manager.

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

"ICF" means the International Canoe Federation.

"Junior" means U18.

"Junior International Event" means an international Canoe Sprint regatta for which Canoe Racing NZ is selecting a Team in the Junior (U18) category as specified in clause 4.1.

"Regulation" means this regulation unless otherwise specified.

"Selection Date" means the date that Canoe Racing NZ intends to announce selection of the Team to attend the relevant Junior International Event, as indicated in clause 4.1 unless 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 Selection Panel – Canoe Sprint Junior 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 Junior International Events in accordance with this Regulation.

"Trial" has the meaning specified in clause 6.1.

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

"WADA Code" means the World Anti-Doping Agency Code.

Schedule 1

Athlete Application for Junior Teams

This form **must** be completed and returned to Canoe Racing NZ by no later than the date specified by Canoe Racing NZ.

Full Name of Athlete:	
Date of Birth:	
Address:	
Postcode:	
E-mail:	
Telephone contact(s):	
Teams: If I am eligible, I wish to be considered for selection to the following Teams:	*please tick as many Teams as applicable* [ ] Junior Australian GP3 Team [ ] Junior JWC Team(s) [ ] any other Junior Team that Canoe Racing NZ decides to select to attend an international regatta during the 2013 Season
Event Preferences: *Please specify if there are particular Events (e.g. Men's K1 1000) that you would like to race in, in order of priority.*	1. ..... 2. ..... 3. ..... 4. .....
Long Term Objectives: *Please indicate any long term objectives or goals you have in the sport which you consider may be relevant to your selection.*	_____ _____ _____
Conditions: I agree to the conditions specified on page 2 of this form.	[ ] agree [ ] disagree
Signed*:	
Date:	

Conditions

1. I have been provided with access to a copy of the Canoe Racing NZ Canoe Sprint –Selection Regulation for Junior Teams (2013 Season) either directly or via www.canoeracing.org.nz. I acknowledge I have read that Regulation and agree to comply with and be bound by the terms of that Regulation.

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 Junior Teams (2013 Season).

3. I acknowledge and agree that it is a condition of my application that I must complete, sign, and return to Canoe Racing NZ prior to the date specified by Canoe Racing NZ, 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 or directions.

5. I have met, or will by the applicable selection date have met, the eligibility requirements specified in clause 3 (Eligibility) of the Canoe Racing NZ Canoe Sprint –Selection Regulation for Junior 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.

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.

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