

# **Canoe Racing New Zealand Incorporated**

## **Nomination Criteria for Canoe Racing for the Australian Youth Olympic Festival 2013**



**Issued: 1 September 2012**

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## 1. Introduction

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- 1.1 **Scope:** This Nomination Criteria applies to all Athletes wishing to be considered for nomination by CRNZ to the NZOC for selection in the NZ Team to compete in the Australian Youth Olympic Festival 2013 in Sydney, Australia
- 1.2 **Process:** Selection to the NZ Team for the Festival is a two-step process:
- CRNZ nominates Athletes to the NZOC in accordance with this Nomination Criteria;
  - NZOC then 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](http://www.olympic.org.nz).
- 1.3 **Selectors:** The Selectors shall be appointed in accordance with the CRNZ Selection Panel – Open/U23 Athletes Terms of Reference. All references to selection in the CRNZ Selection Panel – Open/U23 Athletes Terms of Reference shall be interpreted to mean nomination for the purpose of nomination under this Nomination Criteria.

## 2. Eligibility

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- 2.1 **Eligibility:** To be eligible to be nominated to the NZOC an athlete must:
- in 2013 have a birthday no lower than a 15<sup>th</sup> birthday or a birthday no greater than a 19<sup>th</sup> birthday; and
  - fully complete and return to CRNZ, prior to the Application Date, an Athlete Application in the form prescribed by the NZOC; and
  - fully complete and return to CRNZ, prior to the Nomination Date, an Athlete Agreement in the form prescribed by the NZOC; and
  - compete in the U18 or the U23 age category in the K1 1000m or K1 200m (if a male) or the K1 500m or K1 200m (if a female) at the 2012 Blue Lake Canoe Sprint Regatta 1; and
  - be a member of a member club of CRNZ in accordance with the CRNZ Constitution; and
  - not be in breach of the CRNZ Constitution or Regulations, or any rules or regulations of the ICF, the IOC, or the WADA Code; and
  - 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 Festival to the highest possible standard; and
  - have acted in such a manner so as not to bring the sport of canoe racing, CRNZ or the NZOC into public disrepute; and
  - ensure that their name and contact address details have been registered with DFSNZ for the purpose of out of competition drug testing; and
  - be a New Zealand citizen; and
  - 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
  - have provided CRNZ with key contact details for communication purposes (including a current physical address, email address, and telephone number) and



- m. be a current member of a High Performance Squad unless otherwise agreed by the High Performance Manager or the Chief Executive; and
- n. not have been removed from any CRNZ High Performance Squad or Team for misconduct in the previous 12 months.

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

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3.1 **Nomination of Athletes:** Subject to clause **Error! Reference source not found.**, 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
- b. Women's Events:
  - i. K-1 200m
  - ii. K-2 200m
  - iii. K-1 500m
  - iv. K-2 500m

3.2 **Reserves:** CRNZ may nominate reserve Athletes to NZOC for any of the Events.

### 4. Nomination Process

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

- a. the Nomination Factors specified in clause 5.1; and
- b. 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 may consult with CRNZ Coaches who are not members of the Selection Panel.

### 5. Nomination Factors

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5.1 **Nomination Factors:** The Selectors may, but do not have to, take into account any one or more of the following factors in making decisions about nomination to the NZOC:



- a. any results and performances in the 1000m and 200m Distance for men and the 500m and 200m Distance for women at the following events which are listed in order of importance (from most to least important):
  - i. at any high performance training camps or Trials held by CRNZ;
  - ii. the 2012 Blue Lake Canoe Sprint Regatta 1;
  - iii. the 2012 Czech Republic Canoe Sprint National Championships; and
  - iv. any other previous international and national events;
- b. performance data and test results;
- c. the ability of the Athlete to train and compete with other athletes; and
- d. the Athlete's attendance, attitude, and conduct at past competitions, CRNZ training sessions, training camps, trials and other events.

5.2 **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.

## 6. Trials

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- 6.1 **Holding a Trial:** To assist the Selectors in making nomination decisions, the Selectors may determine that a nomination trial or trials ("Trial(s)") be held.
- 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 in accordance with clause 1.3. Athletes will be given as much notice as possible of any Trial, 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 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

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- 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 (2) 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

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- 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 the Athlete's Individual Performance Plan;
  - 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 1.3, 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.
- 8.7 **Natural Justice:** CRNZ will comply with the principles of natural justice in making any decision to withdraw an Athlete from nomination.

## 9. Selection by NZOC

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- 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.

## 10. Appeals

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- 10.1 **Appeal Grounds:** An Athlete may lodge an appeal against their non-nomination ("Appellant") in accordance with clause 10.2 on one or more of the following grounds (but no other grounds):
- a. this Nomination Criteria has not been properly followed and/or implemented;
  - 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 CEO 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**

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- 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 26 November 2012.

## 12. **Definitions**

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

“**Application Date**” means the date, as specified by the NZOC, by which CRNZ must submit the completed and certified Athlete Applications to the NZOC.

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

“**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 Incorporated.

Canoe Racing New Zealand Incorporated  
Nomination Criteria for the 2013 Australian Youth Olympic Festival



**“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 coach appointed by Canoe Racing NZ to coach any U23 or Junior Team or U23 or Junior High Performance Squad.

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

**“Events”** means the events specified in clause 3 and any other CRNZ authorised 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. travel delay;
- d. bereavement or personal misfortune; and/or
- e. any other factor reasonably considered to constitute an extenuating circumstance.

**“Factors”** means the factors specified in clause 5.1.

**“Festival”** means the Australian Youth Olympic Festival 2013 to be held in Sydney, Australia between 16 - 20 January 2013.

**“High Performance Manager”** means the High Performance Manager appointed by CRNZ.

**“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 U18 Athletes.

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

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

**“Nomination Criteria”** means this nomination criteria.

**“Nomination Date”** means the 7 November 2012 or such other 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 Australian Youth Olympic Festival 2013.

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

**“Selectors”** means those people who have been appointed by CRNZ to nominate athletes in accordance with the CRNZ Selection Panel Open/U23 Athletes Terms of Reference.

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