

2018 AUSTRALIAN OLYMPIC WINTER TEAM

AUSTRALIAN BIATHLON

NOMINATION CRITERIA – BIATHLON

1. Qualification

1) Australian Biathlon will only nominate athletes who meet the performance standards as prescribed by the Qualification System and who meet and continue to observe the eligibility requirements for:

- i. recognition as a member of the Shadow Team; and
- ii. Nomination

as set out in this document below.

2. Shadow Team

- 1) Australian Biathlon will choose athletes from within its sport to be members of the Shadow Team. The AOC may also recognise other athletes from within this sport to be members of the Shadow Team.
- 2) In order to be chosen by Australian Biathlon as a member of the Shadow Team, each athlete must:
 - i. Be a current member of the Australian Biathlon National Team or a current member of the Australian Biathlon Development Team; and
 - ii. Either have competed at World Cup, IBU Cup or OECH events in the Open Class in the 2016/2017 European Winter Season, or be eligible to compete in World Cup, IBU Cup or OECH in the Open Class as evidenced by the reports provided by the IBU to Australian Biathlon from time to time; and
 - iii. Commit to attend the AB training Camps that AB nominates as mandatory for the Shadow Team.
- 3) In order to be recognised as a member of the Shadow Team, each athlete must have completed the Consent to Shadow Team Membership Form (Form 1, attached) and in the case of minors, the Parents/Guardians Acknowledgment for Minors Form (Form 2, attached) and provided the document/s to Australian Biathlon, The President Australian Biathlon, Dr Grant Flanagan, of PO Box 3135 Prahran East VIC 3181; and
- 4) The Qualification System, Selection Criteria, Nomination Criteria and Olympic Team Selection By-Law will be made available on the AOC website.
- 5) Australian Biathlon will advise the AOC of the athletes that it has chosen as members of the Shadow Team as required by the AOC.
- 6) If an athlete breaches a clause of the Nomination Criteria, the Selection Criteria or the AOC Olympic Team Selection By-Law, Australian Biathlon or the AOC may suspend or terminate the athlete's membership of the Shadow Team.

3. Nomination of Athletes

- 1) When nominating athletes to the AOC for selection to the 2018 Australian Olympic Winter Team, Australian Biathlon will only nominate athletes who, to the satisfaction of Australian Biathlon:
 - a. are Australian citizens;
 - b. are financial members of Australian Biathlon;
 - c. are a current member of the Australian Biathlon National Team or a current member of the Australian Biathlon Development Team,
 - d. have signed the current athlete's agreement and have not breached that agreement; and
 - e. are fully insured for the sport of biathlon with criteria as prescribed by the IBU.

- 2) Australian Biathlon will nominate up to the number of positions made available to Australia under the IBU Qualification System.

- 3) In order to fill the quota positions allocated to Australia, Australian Biathlon will nominate in order the Eligible Athlete(s) with the best ranking, calculated by Australian Biathlon's Selection Committee in accordance with paragraphs a - d below:
 - a. Athlete rankings for each gender will be determined by each athlete's IBU Qualifying Points Ranking from the IBU Qualifying Points List published by the IBU on 22 January 2018 in accordance with the Qualification System.
 - b. The athlete with the lowest IBU Qualifying Points will be ranked first, the next lowest IBU Qualifying Points will be ranked second and so on until all Eligible Athletes are ranked.
 - c. In the event that two or more athletes have equal IBU Qualifying Points, the athlete with the best shooting average (expressed as a percentage) in their best two 2017 Australian Biathlon Winter Selection Races will be ranked higher than the other athlete.
 - d. In the event of a tie on the basis of paragraphs a - c above then the shooting average (expressed as a percentage) at all **Selection Races** completed by the athletes shall be used to rank the tied athletes.

- 4) AB will only nominate athletes who have met the 'Additional IF Eligibility Requirements' specified in Section C of the International Biathlon Union (IBU) Qualification System. Namely that:

"an athlete must have 180 IBU qualifying points or less at the end of the last trimester before the Olympic Winter Games, or fulfil one of the following criteria during the 2017/18 or 2016/17 season:

 - (i) Compete in two (2) competitions earning 150 IBU qualifying points or less at IBU Cup, Open European Championships, World Championships and/or World Cup in the Sprint or Individual events; or
 - (ii) Two (2) finishes in the top half at the Junior World Championships; or
 - (iii) One (1) result from each of the criteria (i) and (ii) above

- 5) AB will only nominate athletes who are recognised by the AOC as members of the Shadow Team;
- 6) AB will only nominate athletes who have met all requirements of the Selection Criteria;
- 7) AB will not nominate more athletes (including reserves) than the maximum number permitted by the Qualification System; and
- 8) AB will not nominate athletes who have breached the AOC Anti-Doping By-Law, unless the athlete has been sanctioned for the breach and has completed the sanction imposed.

4. Extenuating Circumstances

- 1) In determining whether an athlete has met the requirements under clause 3, Australian Biathlon will not have regard to any extenuating circumstances such as injury or illness, equipment failure, travel delays, bereavement or disability arising from death or serious illness of an immediate family member, which means a spouse, de facto partner, child, parent, grandparent, grandchild or sibling.

5. Making of Nominations

- 1) The AOC must receive all nominations from Australian Biathlon by 5:00pm (Sydney time) on Wednesday, 24 January 2018.
- 2) Nominations made after this deadline will not be accepted unless:
 - i. the National Federation is granted an extension of time in writing by the AOC; or
 - ii. the nomination is made subject to the outcome of a non-nomination appeal to either the National Federation Appeal Tribunal or the Court of Arbitration for Sport and the appeal application or other equivalent originating process was lodged prior to 5:00pm (Sydney time) on Wednesday, 24 January 2018.
- 3) The deadline for receipt of nominations applies irrespective of any deadline prescribed under the IBU Qualification System or other documentation.

6. Amendments to Nomination Criteria

- 1) This Nomination Criteria may be amended by Australian Biathlon with prior written approval from the AOC. Amended Nomination Criteria will be communicated to athletes by Australian Biathlon by email to members of Shadow Team and posted on the Australian Biathlon website and brought to the attention of the Shadow Team members by AB.

7. Interpretation

Headings are for convenience only and do not affect interpretation. The following rules apply unless the context requires otherwise.

- 1) Words used in this Nomination Criteria have the same meaning ascribed to them in the AOC's Olympic Team Selection By-Law unless a contrary meaning appears from the context.
- 2) A reference to an agreement or document (including a reference to this agreement) is to the agreement or document as amended, supplemented, novated or replaced, except to the extent prohibited by this agreement or that other agreement or document, and includes the recitals and schedules to that agreement or document.
- 3) A reference to a party to this agreement or another agreement or document includes the party's successors, permitted substitutes and permitted assigns (and, where applicable, the party's legal personal representatives).
- 4) A reference to legislation or to a provision of legislation includes a modification or re-enactment of it, a legislative provision substituted for it and a regulation or statutory instrument issued under it.
- 5) A reference to an agreement includes any undertaking, deed, agreement and legally enforceable arrangement, whether or not in writing, and a reference to a document includes an agreement (as so defined) in writing and any certificate, notice, instrument and document of any kind.
- 6) A reference to conduct includes an omission, statement or undertaking, whether or not in writing.
- 7) A reference to time is to Sydney time, unless otherwise stated.
- 8) Mentioning anything after includes, including, for example or similar expressions does not limit what else might be included.

8. Law

This document is governed by the laws applicable in the State of New South Wales.

9. Definitions

AB or Australian Biathlon means, in this Nomination Criteria, the Australian/Victorian Biathlon Association Incorporated.

AOC means the Australian Olympic Committee.

Eligible Athlete means, in this Nomination Criteria, only athletes who satisfy both the Eligibility for recognition as a member of the Shadow Team criteria in clause 2 and the Nomination criteria in clause 3 inclusive.

IBU means the International Biathlon Union

IF means the International Federation for the particular sport in question and means, in this Nomination Criteria, the IBU.

Open Class means the IBU's Athlete categories of 'Men' and 'Women', not 'Youth' and not 'Junior' as all those terms are defined in the IBU's current IBU Event And Competition Rules, refer http://www4.biathlonworld.com/media/files/rules_2014/IBU_Rules_2014_e_cap3.pdf

Qualification System means in this Nomination Criteria, the document entitled "Qualification System For The XXIII Olympic Winter Games Pyeongchang 2018" as published by the IBU for the time being in force.

Selection Races means, in this Nomination Criteria, only those biathlon races that AB nominates as Selection Races for the 2018 Winter Olympic Games. As at date of publishing these Guidelines AB plans to conduct four Australian 2017 Winter Selection Races at the Whisky Flat Biathlon Range - Mt Hotham as follows:

1. Victorian Individual Championships;
2. Victorian Sprint Championships;
3. Australian Individual Championships;
4. Australian Sprint Championships; where
 - (a) AB reserves the right, in accordance with its Competition Rules, to change the format or length of any Selection race or to cancel a Selection Race (for example, due to snow conditions at the time);
 - (b) If all Australian 2017 Winter Selection Races are cancelled then AB shall organize a single replacement Selection Race. If no replacement Selection Race is held within the Australian 2017 winter season then AB may nominate a Summer Biathlon event as the replacement Selection Race;
 - (c) The details and format of a replacement Selection Race shall be determined at the sole discretion of AB;
 - (d) Selection Races must be conducted in Australia and conducted in accordance with the AB Competition Rules in force on the date of the race;

Criteria means this Nomination Criteria document.

NOC means National Olympic Committee which, for Australia, is the AOC.

2018 AUSTRALIAN OLYMPIC WINTER TEAM

CONSENT TO SHADOW TEAM MEMBERSHIP

Australian Biathlon
(the National Federation or **NF** for Biathlon in Australia)

[insert name of Athlete]

I consent to being a member of the Shadow Team for nomination by the above NF for selection to the 2018 Australian Olympic Winter Team. I make this acknowledgement honestly and fully and confirm that this acknowledgement is not false or misleading:

- 1 I have been provided with, or been given access to, and will be bound by and observe the terms of the AOC Olympic Team Selection By-Law, the AOC Selection Criteria applicable to my sport and my NF's Nomination Criteria in force and as amended from time to time. I acknowledge that all members of the Shadow Team will likewise be bound by and must observe the same terms.
- 2 The AOC's Olympic Team Selection By-Law and the Selection Criteria may be amended by the AOC from time to time. I will be bound by and observe the AOC's Olympic Team Selection By-Law and the Selection Criteria as amended, and acknowledge that any amendments to the AOC's Selection By-Law and Selection Criteria will be posted to the AOC's website (www.olympics.com.au) along with the Qualification System applicable to my event.
- 3 The AOC's Constitution and AOC By-Laws, including but not limited to the AOC Anti-Doping By-Law and AOC Ethical Behaviour By-Law may be amended by the AOC from time to time. To the extent to which they apply to me, I will comply with and be bound by all AOC By-Laws, and acknowledge that amendments to AOC By-Laws will be posted to the AOC's website (www.olympics.com.au).
- 4 The decision whether or not to nominate me to the AOC for selection in the 2018 Australian Olympic Winter Team is subject to the Nomination Criteria and is at the discretion of my NF.
- 5 In the event that my NF nominates me to the AOC for selection in the 2018 Australian Olympic Winter Team I am not guaranteed to be selected in the 2018 Australian Olympic Winter Team. The decision whether or not to select me as a member of the 2018 Australian Olympic Winter Team is subject to the AOC's Olympic Team Selection By-Law and Selection Criteria and is at the absolute discretion of the AOC.
- 6 (1) I have not at any time engaged in Prohibited Association as prescribed under Article 2.10 of the World Anti-Doping Authority (WADA) Code (in effect from 1 January 2015), meaning association in a professional or sport-related capacity with any Athlete Support Personnel who:
 - (a) is serving a period of Ineligibility; or

- (b) has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules; or
 - (c) is serving as a front or intermediary for an individual described in (a) or (b) above.
- (2) I have not at any time violated or breached any applicable anti-doping rule or policy, including the World Anti-Doping Code 2015, the Australian Olympic Committee's Anti-Doping By Law and the anti-doping rules and policies of applicable Anti-Doping Organisations, National Federations and International Federations. Or, if I have breached an applicable anti-doping rule or policy, I have completed the sanction imposed in respect of that breach.
 - (3) I have not at any time engaged in conduct (whether publicly known or not and whether before or after the date of my selection), which has brought, brings or would have the tendency to bring me or my sport into disrepute or censure, or which is or would have the tendency to be inconsistent with, contrary to or prejudicial to the best interests, image or values of the AOC or Team Sponsors, or as a result of which my membership would not be or would not likely be in the best interests of the 2018 Australian Olympic Winter Team or the Shadow Team;
 - (4) I have not at any time (whether before or after the date of my selection) been convicted of, or charged with, any offence involving violence, alcohol, drugs, or any sex offence, or any offence relating to any betting or gambling activities on sport, or any offence which is punishable by imprisonment;
 - (5) I have and will continue to honestly and fully disclose information to my NF and the AOC concerning any conduct that might be in breach of (1),(2) (3) or (4) above or concerning any criminal offence of whatever nature, with which I have been charged, or of which the I have been convicted, and consent to my NF and the AOC making enquiries to relevant authorities for any details of my criminal record (if any), including details of any charges pending or any spent convictions disclosable by law, and consent to those authorities providing that information in answer to those enquiries;
 - (6) any matter arising under (1), (2),(3), (4) or (5) above is to be determined, or breach thereof excused, by the AOC in its sole and absolute discretion.

DISCLOSURE

(Please identify if there are any matters to be disclosed in respect of paragraph 7(1), (2),(3) (4) or (5) above ie identify any anti-doping violations, disreputable conduct, criminal convictions or criminal charges.)

My contact details are:

Address: _____

Email: _____

- 7 I will notify my NF in writing of any change in the above contact details. Any failure by me to advise my NF in writing of a change in my contact details may be to my detriment. Any announcement to be made or notice required to be sent pursuant to the AOC's Olympic Team Selection By-Law may be sent to one or more of the above contacts, or such other contact as notified in writing by me, and in the case of:
- (1) post, the announcement or notice is deemed to have been received by me by properly addressing, prepaying and posting a letter containing the announcement or notice, and to have been received by me on the third business day after the date of its posting. Any announcement or notice sent by post to me overseas will be forwarded by air mail;
 - (2) email, the announcement or notice is deemed to have been received by me by properly addressing the email address and transmitting it to the address supplied by me and to have been received by me on the next business day after the date of transmission unless the AOC or NF is advised that the transmission failed to send to the addressee.
- 8 I acknowledge that Specialised Equipment means equipment acknowledged by the AOC as having a material effect on performance due to the specialised characteristics of the equipment, pursuant to Bye-Law 2.3 of Rules 27 and 28 of the Olympic Charter. If I wish to utilise Specialised Equipment at the Games, I will submit a request in writing to the AOC Director of Sport no later than 6 months prior to the Games. This request is subject to the approval of the AOC in accordance with the 2018 Australian Olympic Winter Team Membership Agreement – Athletes.
- 9 This consent is governed by the laws applicable in the State of New South Wales.

Signature of Athlete

Date

Witness Name

Witness Signature