

Nomination Criteria

Beijing 2022 Winter Olympic Games

Short Track Speed Skating

1 Definitions and Interpretation

1.1 Definitions

Unless otherwise defined below, capitalised terms in this Nomination Criteria have the meaning given to them in the AOC Olympic Team Nomination and Selection By-Law, certain of which have been reproduced below for the sake of convenience.

AIR World Cup Team means the group of athletes selected by AIR to compete at ISU World Cup events.

AOC means the Australian Olympic Committee Inc and any of its officers, employees or agents and any committee it convenes including the AOC Selection Committee.

AOC Olympic Team Nomination and Selection By-Law means the document adopted by the Executive which governs, among other things, the nomination and selection of Athletes to a team for an Olympic Games or Olympic Winter Games.

AOC Selection Committee means the committee established by the AOC to send athletes and appoint officials to the Australian Olympic team for the Games.

AOC Selection Criteria means the criteria adopted by the AOC in respect of the Games which outlines the requirements for an athlete to be selected by the AOC to participate in the Games.

Athlete means a person who:

- (a) participates in the Sport; and
- (b) is recognised by the National Federation or the AOC as eligible for nomination to the AOC for selection to the Team pursuant to this Nomination Criteria.

Executive means the Executive of the AOC.

Extenuating Circumstances means:

- (a) injury or illness;
- (b) equipment failure;
- (c) travel delays and border restrictions;
- (d) COVID-19 isolation restrictions required by foreign or Australian Federal, State or Territory Governments;
- (e) 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; or
- (f) any other factors considered by the National Federation to constitute extenuating circumstances.

Games means the Beijing 2022 Winter Olympic Games.

International Federation means International Skating Union (ISU).

National Federation means Australian Ice Racing Inc (AIR).

Nomination Date means 14 January 2022 5:00PM (AEST).

Nomination Trials means Australian Ice Racing competition trials to be held in December 2021, in Australia or overseas (please note that the exact venue, date and time will be announced 30 days prior to the trials start date, while the format of the trials will be announced seven days prior to the start date).

Qualification System means the eligibility, participation and qualification criteria for the Sport in respect of the Games issued by the International Federation.

Sport means Short Track Speed Skating.

Sport Entries Deadline means the date on which entries to the Games must be submitted by the AOC.

Team means the team of athletes and officials selected by the AOC to participate in the Sport at the Games.

1.2 Interpretation

- (a) Unless the context otherwise requires, reference to:
 - (i) a clause is to a clause of this Nomination Criteria;
 - (ii) the singular includes the plural and the converse also applies;
 - (iii) persons include incorporated and unincorporated bodies, partnerships, joint ventures and associations and vice versa and their legal personal representatives, successors and permitted assigns and substitutes; and
 - (iv) a party includes the party's executors, administrators, successors and permitted assigns and substitutes.
- (b) If a person to whom this Nomination Criteria applies consists of more than one person, then this Nomination Criteria binds them jointly and severally.
- (c) A reference to time, day or date is to time, day or date of Sydney, Australia.
- (d) Headings are for convenience only and do not form part of this Nomination Criteria or affect its interpretation.

2 General

- 2.1 This Nomination Criteria is issued by the board of the National Federation. The National Federation must provide, or otherwise make available, this Nomination Criteria to all Athletes.
- 2.2 The National Federation may only nominate Athletes to the AOC in accordance with this Nomination Criteria.
- 2.3 This Nomination Criteria will take effect on and from 10 May 2021 and will cease to have effect at the conclusion of the Games.
- 2.4 This Nomination Criteria applies to:
- (a) all Athletes;
 - (b) the National Federation; and
 - (c) the AOC.
- 2.5 The terms of the AOC Olympic Team Nomination and Selection By-Law are incorporated by reference into this Nomination Criteria. The National Federation must provide, or otherwise make available, the AOC Olympic Team Nomination and Selection By-Law to all Athletes.

3 Long List

- 3.1 For the purpose only of identifying prospective members of the Team, the National Federation or AOC may maintain a Long List of Athletes.
- 3.2 For the avoidance of doubt, membership of the National Federation's or the AOC's Long List does not increase, decrease or otherwise affect an Athlete's prospects of being nominated by the National Federation, or being selected by the AOC, to the Team.

4 Athlete Quota Positions

- 4.1 The National Federation may only nominate Athletes to the AOC for selection to the Team where, pursuant to the Qualification System, the International Federation has awarded the AOC or the National Federation athlete quota positions.
- 4.2 A National Federation may not nominate more Athletes than are permitted to be nominated by the AOC under the Qualification System.
- 4.3 The National Federation must nominate the maximum number of Athletes that are permissible under the Qualification System.

5 Eligibility Criteria

- 5.1 The National Federation will not nominate an Athlete unless, as at the Nomination Date, the National Federation is satisfied on reasonable grounds that the Athlete:
- (a) is an Australian citizen;
 - (b) is a member of the National Federation;
 - (c) satisfies the Qualification System, including that Athletes must be born before 1 July 2006;

- (d) is likely to satisfy the AOC Selection Criteria;
- (e) has not breached the AOC Anti-Doping By-Law, unless the Athlete has been sanctioned for the breach and has completed the sanction imposed; and
- (f) does not, and is not likely to in the foreseeable future, suffer from any physical or mental impairment that would prevent the Athlete from competing at the Games to the highest possible standard for that Athlete; and
- (g) the Athlete must be a financial member of a state member of Australian Ice Racing Inc.

6 Nomination Criteria

6.1 AIR will only nominate athletes to the AOC who:

- (a) have met the ISU qualification requirements set out in the ISU Short Track Speed Skating Technical Rules (June 2018) available on the ISU website www.isu.org;
- (b) subject to clauses 7.2 and 7.3, if selected to the 2021-2022 AIR World Cup Team, have competed in at least two (2) of the ISU World Cup Olympic qualifying competitions; and
- (c) have competed in the Nomination Trials, if such trials are held (please note that the format of the Nomination Trials will be announced seven (7) days prior to the start date of the Nomination Trials).

6.2 Eligibility requirements for contesting in the Nomination Trials are set out as below, whereby the Athlete must be:

- (a) born before 1 July 2006;
- (b) a financial member of a state member of AIR;
- (c) an Australian Citizen; and
- (d) have been selected as a member of any 2021-2022 AIR World Cup Team.

6.3 Nomination of Athletes for Individual Events

- (a) If Australia qualifies a quota place or places for an individual event as per the Qualification System, the National Federation will determine the nomination for quota place(s) to the AOC based on the following factors, in its absolute discretion:
 - (i) the ranking of Athlete(s) at the Nomination Trials (noting that distances included in the Nomination Trials will be dependent on the allocation of quota positions); and/or
 - (ii) consideration of the additional criteria set out in clauses 6.6 and 6.7 below.
- (b) If after the Nomination Trials but before the Nomination Date an Athlete advises the National Federation that they are no longer able to compete at the Games due to illness, injury or other factors then the National Federation will determine the nomination for quota place(s) to the AOC based on the same criteria set out in clause 6.3(a).

6.4 Nomination of a Relay Team

Subject to Australia earning a quota place for its relay team (per gender) in accordance with the ISU Qualification System, the National Federation will:

- (a) nominate to the AOC as members of the relay team any Athlete(s) who are nominated by the National Federation for an individual event under clause 6.3(a).
- (b) nominate to the AOC Athlete(s) for any remaining relay team positions taking into account the following factors, in its absolute discretion:
 - (i) the ranking of Athlete(s) at the Nomination Trials (noting that distances included in the Nomination Trials will be dependent on the allocation of quota positions); and/or
 - (ii) consideration of the additional criteria set out in clauses 6.6 and 6.7 below.

For the avoidance of doubt, such Athlete(s) must have met all the requirements detailed in clauses 6.1 and 6.2, but have not qualified to be nominated by the National Federation to contest for an individual event under clause 6.3..
- (c) If after the Nomination Trials but before the Nomination Date an Athlete advises the National Federation that they are no longer able to compete at the Games due to illness, injury or other factors then the National Federation will determine the nomination to the AOC based on the same criteria set out in clause 6.4(b).

6.5 Replacement of Athletes

- (a) If prior to the Sports Entries Deadline a selected Athlete advises the National Federation that they are no longer able to compete at the Games, the National Federation will immediately notify the AOC and, following de-selection by the AOC of that unavailable Athlete, the National Federation will nominate to the AOC a replacement Athlete based on the same criteria set out in clause 6.3(a) (Individual Events) or 6.4(a) or (b) (Team Relay).
- (b) If after the Sports Entries Deadline a selected Athlete advises the National Federation that they are no longer able to compete at the Games, the National Federation will immediately notify the AOC and, following de-selection by the AOC, the National Federation will request that the AOC replace a selected Athlete with a replacement Athlete if the criteria for replacement under the “IOC / Beijing 2022 Late Athlete Replacement Policy” is satisfied. For clarity, in this circumstance, the National Federation will nominate to the AOC a replacement Athlete based on the same criteria set out in clause 6.3(a) (Individual Events) or 6.4(a) or (b) (Team Relay).

6.6 In making its determination under clauses 6.3 (Individual Events) and 6.4 (Relay Team), the National Federation will nominate Athletes who, in the opinion of the National Federation, in its absolute discretion:

- (a) will be most likely to achieve the highest competitive results at the Games; and
- (b) is, and will remain until the conclusion of the Games, a positive ambassador for the Sport, National Federation and the Games.

6.7 In making its determination under clause 6.6 with respect to an Athlete, the National Federation may have regard to the following considerations, in its absolute discretion:

- (a) the Athlete’s attendance of training regime and other team participation requirements;
- (b) the Athlete’s physical form and fitness;
- (c) the Athlete’s competitiveness in international competitions;

- (d) the likelihood that the Athlete will suffer an injury in the lead up to or during the Games;
- (e) the extent to which the Athlete has demonstrated, during the period from Athlete selection into the AIR World Cup Team until the Nomination Date:
 - (i) adherence to the National Federation's Policy and procedures which can be found at <https://australianiceracing.org/policies/>;
 - (ii) adherence to the National Federation's Code of Conduct found at www.australianiceracing.org;
 - (iii) discipline;
 - (iv) motivation;
 - (v) respect to team dynamics; and
 - (vi) commitment to the Sport and to the Team.

7 Extenuating circumstances

- 7.1 In determining whether an Athlete has satisfied the criteria set out in clause 6, the National Federation may, in its absolute discretion, have regard to Extenuating Circumstances.
- 7.2 In the event that an Athlete determines that he or she is unable to attend any of the four ISU World Short Track Speed Skating World Cups as per the Qualification System and/or the Nomination Trials, that Athlete must notify the National Federation of his or her non-attendance in writing (via email to both president@australianiceracing.org and generalsecretary@australianiceracing.org) immediately.
- 7.3 The National Federation may consider an Athlete's non-attendance at any of the four ISU World Short Track Speed Skating World Cups or the Nomination Trials to be an Extenuating Circumstance in its absolute discretion. The National Federation may require an Athlete to provide independent documentation as evidence or undergo a medical examination as a condition of treating the Athlete's non-attendance at any of the four ISU World Short Track Speed Skating World Cups or the Nomination Trials as an Extenuating Circumstance.

8 Submission of Nominations

- 8.1 The National Federation must notify Athletes of the Nomination Date in writing.
- 8.2 The AOC may, in its absolute discretion extend the Nomination Date for the National Federation for any reason.
- 8.3 The National Federation must nominate Athletes to the AOC by the Nomination Date. The National Federation must inform Athletes of their nomination or non-nomination by no later than:
 - (a) 48 hours prior to the Nomination Date, where such written notice would be received by the Athlete 14 days prior to the Sport Entries Deadline; or
 - (b) 24 hours prior to the Nomination Date, where such written notice would be received by the Athlete within 14 days of the Sport Entries Deadline,or such later date as the AOC advises the National Federation.

- 8.4 Nominations submitted to the AOC must be in the form prescribed by the AOC or in a form that is otherwise acceptable to the AOC and include any such information that is required pursuant to the AOC Olympic Team Nomination and Selection By-Law.
- 8.5 The AOC may, in its absolute discretion, accept a nomination submitted after the Nomination Date where it is submitted by the National Federation as a result of an appeal brought in accordance with the AOC Olympic Team Nomination and Selection By-Law.

9 Amendments

This Nomination Criteria may only be amended with the written consent of the AOC Selection Committee.

10 Governing Law

This Nomination Criteria is governed by the laws of the State of New South Wales.