



## AUSTRALIAN ICE RACING

### Criteria for the Nomination & Selection to 2024 Australian Winter Youth Olympic Team

#### SHORT TRACK SPEED SKATING

##### 1 / INTRODUCTION

- 1.1 This document contains the criteria for nomination and selection of athletes to the Australian Winter Olympic Youth Team for the 2024 Winter Youth Olympic Games (**2024 WYOG**) in Gangwon, South Korea. This document also contains general information about the nomination and selection process.
- 1.2 For ease of reference and simplicity, this document combines the Nomination Criteria set by the National Federation and the Selection Criteria set by the AOC (at Appendix 1).
- 1.3 This document is governed by the AOC Nomination and Selection By-Law (**By-Law**), a copy of which can be accessed on the AOC website at <https://www.olympics.com.au/the-aoc/athlete-guidelines/>. In the event of any inconsistency between this document and the By-Law, the By-Law will prevail to the extent of the inconsistency.

##### 2 / DEFINITIONS

Unless otherwise defined below, capitalised terms in this Nomination Criteria (including Appendix 1) have the meaning given to them in the By-Law, certain of which have been reproduced below for the sake of convenience:

**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 Selection Criteria** means the criteria adopted by the AOC in respect of the 2024 WYOG which outlines the requirements for an athlete to be selected by the AOC to participate in the 2024 WYOG and which appears at Appendix 1 of this Nomination Criteria.

**Athlete** means an athlete who:

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

**By-Law** means the AOC Nomination and Selection By-Law, a copy of which can be accessed on the AOC website at <https://www.olympics.com.au/the-aoc/athlete-guidelines/>.

**Games Period** means 19 January 2024 to 1 February 2024 (inclusive).

**International Federation** means International Skating Union.

**IOC** means International Olympic Committee.

**National Federation** means Australian Ice Racing.

**Nomination Date** means 17 November 2023.

**Nominated Athlete(s)** means an athlete who is nominated by their National Federation to the AOC for selection to the Team.

**NOC** means National Olympic Committee.

**Organising Committee** means the committee commissioned by the IOC which is charged with organising the 2024 WYOG

**Qualification Period** means 1 July 2022 to 8 December 2023.

**Qualification System** means the eligibility, participation and qualification criteria for the Sport in respect of the 2024 WYOG issued by the International Federation.

**Sport** means Short Track Speed Skating.

**Sport Entries Deadline** means 5 January 2024.

**Team** means the team of athletes selected and officials appointed by the AOC to participate in the Sport at the 2024 WYOG.

### 3 / INTERPRETATION

In this Nomination Criteria (and Appendix 1):

- (a) The singular includes the plural and the converse also applies.
- (b) A reference to an agreement or document (including a reference to this document) is to the agreement or document as amended, supplemented, novated or replaced, except to the extent prohibited by this document or that other agreement or document, and includes the recitals and schedules to that agreement or document.
- (c) A reference to a party to an agreement includes the party's successors, permitted substitutes and permitted assigns (and, where applicable, the party's legal personal representatives).
- (d) A reference to conduct includes an omission, statement or undertaking, whether or not in writing.
- (e) A reference to time is to Sydney time, unless otherwise stated.

### 4 / GENERAL PRINCIPLES

In accordance with the requirements set by the IOC under the *Winter Youth Olympic Games Gangwon 2024 Qualification System Principles* document, which is available at <https://stillmed.olympics.com/media/Documents/Olympic-Games/Gangwon-2024/Qualification-System-Principles-Gangwon-2024-YOG.pdf>. The Qualification System for each Sport will stipulate the maximum number of quota places that can be allocated to an NOC for each Sport for the 2024 WYOG and how those places will be allocated between NOCs.

### 5 / NOMINATION AND SELECTION PROCESS FOR THE 2024 AUSTRALIAN WINTER YOUTH OLYMPIC TEAM

5.1 The process for the nomination and selection of athletes for the Team is as follows:

- (a) **Qualification:** the National Federation or the AOC, as Australia's NOC, may be allocated athlete quota positions for a sport on the programme of the 2024 WYOG by the International Federation governing the sport;
- (b) **Nomination:** Where the AOC or the National Federation has been allocated quota places for a sport and the AOC has determined to utilise those quota places, the National Federation governing the sport in Australia must nominate athletes to the AOC for selection to the Team.
- (c) **Selection:** From amongst the Nominated Athletes, the AOC is responsible for determining which athletes should be selected to the Team.

### 6 / NOMINATION BY AUSTRALIAN ICE RACING

#### 6.1 General

- (a) This Nomination Criteria is issued by the board of the National Federation. The National Federation must make available to all athletes participating in the Sport, this Nomination Criteria and the AOC By-Law, by publishing those documents on the National Federation's website.

- (b) The National Federation may only nominate Athletes to the AOC in accordance with this Nomination Criteria.
- (c) This Nomination Criteria will take effect on and from the date of approval by the AOC and will cease to have effect at the conclusion of the 2024 WYOG.
- (d) This Nomination Criteria applies to:
  - (i) all Athletes;
  - (ii) the National Federation; and
  - (iii) the AOC.
- (e) The terms of the By-Law are incorporated by reference into this Nomination Criteria.

## **6.2 Long List**

- (a) For the purpose only of identifying prospective members of the Team, the AOC or the National Federation may maintain a 'Long List' of Athletes.
- (b) For the avoidance of doubt, membership of the 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.

## **6.3 Athlete quota positions**

- (a) 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.
- (b) The National Federation may not nominate more Athletes than the number of athlete quota positions awarded to the AOC or the National Federation under the Qualification System.

## **6.4 Eligibility criteria**

The National Federation may 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 meeting the ISU qualification requirements;
- (d) will satisfy the AOC Selection Criteria set out at Appendix 1;
- (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;
- (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 2024 WYOG to the highest possible standard for that Athlete;
- (g) was born between 1 July 2006 and 30 June 2008;
- (h) participates in the 2023 Australian Open Short Track Speed Skating Championships (to be held from 6 October 2023 to 8 October 2023) in the Junior or Senior Division as an individual;
- (i) attends training camps and required training regimes as designated by AIR and communicated to Athletes within a reasonable time prior to such training camps;
- (j) have competed in the 2023 Australian Open Short Track Speed Skating Championships (to be held from 6th to 8th October 2023) in the Junior or Senior Division as an individual; and
- (k) have contested in the AIR 2024 Winter Youth Olympic Games Nomination Trials to be conducted in October 2023 (if held).

## 6.5 Nomination Criteria

- (a) Subject to the availability of quota places for Australia for the Sport at the 2024 WYOG, AIR will nominate Athletes to the AOC for selection to the Team who in its absolute discretion will be most likely to achieve the highest competitive results at the 2024 WYOG. In making its determination under this clause 6.5(a), AIR will consider all the following factors:
- (i) whether an Athlete has achieved the required ISU qualifying time (gender specific), if applicable;
  - (ii) whether an Athlete has fulfilled the requirements stated in Attachment F of the AIR's 2023-2024 National Selection Policy (effective from 13<sup>th</sup> July 2023 and available at the following URL: <https://australianiceracing.org/wp-content/uploads/2023/07/2023-2024-National-Selection-Policy-Short-Track-board-approved-20230713b.pdf>);
  - (iii) an Athlete's performance at the AIR 2024 Winter Youth Olympic Games Nomination Trials (if held);
  - (iv) the Athlete's physical form and fitness;
  - (v) the benefit or detriment of the Athlete's membership on the Team with respect to team dynamics, team behaviour and team performance; and
  - (vi) the extent to which the Athlete has demonstrated, during the Qualification Period:
    - A. discipline;
    - B. motivation; and
    - C. commitment to the Sport and to the Team

## 6.6 Extenuating Circumstances

- (a) In determining whether an Athlete has satisfied the criteria set out in clauses 6.4(h) to 6.4(k), the National Federation may, in its absolute discretion have regard to Extenuating Circumstances.
- (b) In the event that an Athlete determines that he or she is unable to attend the 2023 Australian Open Short Track Speed Skating Championships and/or the AIR 2024 Winter Youth Olympic Games Nomination Trials (if held) (**Nomination Event**), that Athlete must notify the National Federation of his non-attendance in writing as soon as practicable.
- (c) The National Federation may consider an Athlete's non-attendance at a Nomination Event to be an Extenuating Circumstance in its absolute discretion. The National Federation may require an Athlete to undergo a medical examination and/or seek additional information or documentation, as a condition of treating the Athlete's non-attendance at a Nomination Event as an Extenuating Circumstance.
- (d) For the purposes of this clause, **Extenuating Circumstances** means:
- (i) injury or illness;
  - (ii) equipment failure;
  - (iii) travel delays;
  - (iv) 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

- (v) any other factors considered by the National Federation to constitute extenuating circumstances.

## **6.7 Submission of Nominations**

- (a) The National Federation must notify Athletes of the Nomination Date in writing.
- (b) The National Federation must nominate Athletes to the AOC by the Nomination Date.
- (c) The AOC may, in its absolute discretion extend the Nomination Date for the National Federation for any reason.
- (d) Subject to clause 6.7(e), the National Federation must inform Athletes of their nomination or non-nomination by no later than 48 hours prior to the Nomination Date.
- (e) Where the National Federation is required to nominate an Athlete after the Nomination Date (where, for example, an additional quota place is allocated to the AOC or the National Federation after the Nomination Date), and the date on which that nomination occurs is within 14 days of the Sport Entries Deadline, the National Federation must inform Athletes of their nomination or non-nomination:
  - (i) by no later than 24 hours prior to the Sport Entries Deadline; or
  - (ii) where the Sport Entries Deadline is less than 24 hours from the time the National Federation is required to submit its nominations to the AOC, by a time that affords non-nominated Athletes a reasonable opportunity to commence a nomination appeal in accordance with the By-Law.
- (f) The AOC may, in its absolute discretion, accept a nomination submitted after the Nomination Date or the Sport Entries Deadline.

## **6.8 Amendments**

- (a) This document may only be amended with the written consent of the AOC.
- (b) The AOC may amend the Selection Criteria set out at Appendix 1 from time to time in its absolute discretion. If advised by the AOC of such an amendment, the National Federation must update Appendix 1 and re-upload an updated version of this document to the National Federation's website and advise Athletes of the amendments
- (c) Where the AOC forms a reasonable opinion that this document (other than the Selection Criteria set out at Appendix 1), requires amendment, the AOC must notify the National Federation of the required amendments. The National Federation must work collaboratively with the AOC in good faith to amend this document to the satisfaction of the AOC.

## **6.9 Governing law**

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

## APPENDIX 1

### AOC SELECTION CRITERIA

#### 1. Eligibility for Selection

In order to be selected by the AOC to the Team, a Nominated Athlete must satisfy the following selection criteria:

- (a) have met the requirements of the Qualification System applying to the Sport;
- (b) have satisfied the Nomination Criteria adopted by the National Federation;
- (c) have been nominated to the AOC by the National Federation;
- (d) have met and continue to meet the eligibility requirements for Australian competitors outlined in the Olympic Charter;
- (e) meet the requirements of rules 40 and 41 of the Olympic Charter;
- (f) have signed and will comply with the 2024 Australian Youth Team Membership Agreement for Athletes and agree to sign any entry form required by the International Olympic Committee, AOC or the Organising Committee;
- (g) have signed a consent to consideration of nomination form or any equivalent document prescribed by the AOC;
- (h) if a minor, have provided to the AOC a signed parent or guardian consent and acknowledgement form in respect of the Nominated Athlete's participation in the 2024 WYOG;
- (i) complied with the AOC Constitution and its by-laws, including the By-Law, AOC Anti-Doping By-Law and the AOC Ethical Behaviour By-Law;
- (j) not have breached the AOC Anti-Doping By-Law, unless the Nominated Athlete has been sanctioned for the breach and has completed the sanction imposed;
- (k) have been available for sample collection for the purpose of conducting anti-doping testing and have provided accurate and up to date whereabouts information within the 3-strike policy allowed for athletes under the World Anti-Doping Code;
- (l) not at any time have engaged in conduct (whether publicly known or not), which:
  - i. has brought, brings or would have the tendency to bring the Nominated Athlete or their sport into disrepute or censure; or
  - ii. 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, the Nominated Athlete's continued membership would not be or would not likely be in the best interests of the Team;
- (m) not at any time been charged with any offence involving violence, Child Abuse, alcohol or 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 (unless such charges have subsequently been withdrawn or the offences have been found to be not proven);
- (n) not at any time been convicted of any offence involving violence, Child Abuse, alcohol or 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;
- (o) have disclosed any criminal offence of whatever nature, with which the Nominated Athlete has been charged, or of which the Nominated Athlete has been convicted, and has consented to the National Federation and the AOC making enquiries to relevant authorities for any details of the Nominated Athlete's criminal record (if any), including details of any charges pending or any spent convictions disclosable by law, and consents to those authorities providing that information in answer to those enquiries;

- (p) have and must continue to honestly and fully disclose until the end of the Games Period information concerning any conduct that would cause an actual or potential breach of clauses 1 (a) - (o) above, to the National Federation and the AOC, and consent to:
  - (i) the National Federation and the AOC making enquiries with relevant authorities regarding any disclosures; and
  - (ii) consent to relevant authorities providing information to the National Federation and the AOC in relation to those enquiries;
- (q) have completed or will complete medical assessments to the satisfaction of the AOC, if required.

A breach of, or a failure by a Nominated Athlete to comply with clauses 1(a) – (q) above may render that Nominated Athlete ineligible for selection to the Team, at the complete and absolute discretion of the AOC.

## 2. Other Requirements

Except where the AOC has otherwise agreed in writing, the AOC will not select a Nominated Athlete unless the Nominated Athlete has provided an undertaking that he or she will attend:

- (a) the 2024 WYOG for the entire Games Period, or such other mandatory period during the Games Period stipulated by the AOC;
- (b) any education sessions organised by the Organising Committee; and
- (c) if required, any training and preparation camp convened and facilitated by the AOC.

## 3. Selection

The AOC has the sole and absolute discretion to determine:

- (a) whether a Nominated Athlete has met the requirements of this Selection Criteria;
- (b) whether a Nominated Athlete is eligible for selection to the Team, having regard to the requirements of this Selection Criteria and any other circumstances or criteria the AOC considers appropriate;
- (c) that a Nominated Athlete is ineligible for selection to the Team for any reason (irrespective of whether the Nominated Athlete has met some or all of the requirements of this Selection Criteria); and
- (d) whether it will select the maximum number of athletes (or teams, where applicable) permitted for selection by the AOC, regardless of how many Nominated Athletes meet the standards required under a Qualification System.

## 4. No Extenuating Circumstances

- (a) In determining whether an Athlete has satisfied the criteria set out in clause 1 of this Selection Criteria, the AOC will not have regard to Extenuating Circumstances.
- (b) For the purposes of this clause, **Extenuating Circumstances** means:
  - (iii) injury or illness;
  - (iv) equipment failure;
  - (v) travel delays;
  - (vi) 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
  - (vii) any other factors.

## **5. Amendments**

This Selection Criteria may be amended by the AOC from time to time.