

2016 AUSTRALIAN OLYMPIC TEAM
Basketball Australia
NOMINATION CRITERIA – Men’s Basketball

NOTE: AOC reserves the right to require amendments to the Nomination Criteria and amend its Selection Criteria as necessary, particularly where there is a change to the Qualification System or significant circumstances affecting the nomination process.

1 Shadow Team

- (1) Basketball Australia will choose Athletes from within its sport to be members of the AOC’s 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 Basketball Australia as a member of the Shadow Team each Athlete must
 - (a) have been a member of a BA national senior squad between 2012 and 2016; or
 - (b) have been identified for inclusion on the Shadow Team at the discretion of the Men’s Head Coach based on the following factors;
 - (i) required positional balance of the team (for example, a team consisting of solely guards would lack balance);
 - (ii) performances in international and national competitions including but not limited to NBL, NBA (USA) and club competitions in Europe or other major leagues overseas.
- (3) In order to be recognised as a member of the Shadow Team the Athlete must have signed:
 - (a) the Consent to Shadow Team Membership Form (FORM 1A, attached) and in the case of minors, the Parents/Guardians Acknowledgment for Minors Form (Attachment 1B) and provided the original to the AOC electronically; and
 - (b) the AOC statutory declaration regarding anti-doping matters as required by the AOC from time to time (FORM 2, attached) and provide the original to the AOC at PO Box R1788 Royal Exchange NSW 1225.
- (4) Basketball Australia will provide all Athletes chosen or recognised as members of the Shadow Team with the Guide to Olympic Team Selection, the Selection Criteria and this Nomination Criteria. The AOC Olympic Team Selection By-Law and the Qualification System will be made available on the AOC’s website (www.olympics.com.au).
- (5) Basketball Australia will advise the AOC of the Athletes that it has chosen as members of the Shadow Team at such time as required by the AOC.
- (6) If an Athlete breaches the requirements of the Nomination Criteria, the Selection Criteria or the AOC Olympic Team Selection By-Law, Basketball Australia or AOC may suspend or terminate the Athlete’s membership of the Shadow Team.

2 Nomination of Athletes

For the purposes of nomination to the AOC of Athletes for selection to the 2016 Australian Olympic Team Basketball Australia will:

- (1) only nominate those Athletes who to the satisfaction of the Basketball Australia Men’s Selection Panel have competed in the events or trials, completed the training regime and other attendance and team participation requirements as follows:

- (a) commitment and availability for the program organised by BA for the period from 1 January 2015 to 31 July 2016 which includes training camps and international competition as follows:
 - 2015 Oceania Championship preparation 21 July – 20 August 2015; and
 - 2016 Olympic Games selection camp 1 – 8 July 2016

- (2) only nominate Athletes who, to the satisfaction of Basketball Australia Men's Selection Panel in its sole and absolute discretion, will achieve the optimum team compatibility and balance and assist in achieving the best possible results for Men's Basketball at the 2016 Olympic Games. In determining which athletes will be chosen, the Basketball Australia Men's Selection Panel will consider factors including, but not limited to:
 - (a) performances in international and national competitions, including, but not limited to; NBL, NBA (USA), and club competition in Europe or other major leagues overseas during the period 1 January 2015 to 6 July 2016;
 - (b) performances in playing for, and training with, the national team during the period 1 January 2015 to 6 July 2016;
 - (c) consideration may also be given to performances in clauses 2(2)(a) and 2(2)(b) above in the period from the completion of the 2012 Olympic Games to 31 December 2014;
 - (d) the positional balance of the team (for example, a team consisting of solely guards would lack balance);
 - (e) statistics obtained by Athletes in club competition;
 - (f) fitness, health and wellbeing including the state of injury/illness as assessed by Basketball Australia's nominated medical personnel;
 - (g) specific positional skills as well as versatility to play alternative positions; and
 - (h) demonstrated attitude and commitment to the team's Trademarks and previous BA teams/squads as assessed by the Basketball Australia Men's Selection Panel.

- (3) only nominate Athletes who are, or are recognised by the AOC as, members of the Shadow Team;

- (4) only nominate those Athletes it honestly believes have met the requirements described in the Selection Criteria;

- (5) only nominate those Athletes who have signed the AOC statutory declaration regarding anti-doping matters as required by the AOC from time to time;

- (6) not nominate more Athletes (including reserves) than the maximum number permitted under the Qualification System;

- (7) not nominate Athletes who have breached the AOC Anti-Doping By-Law unless the Athlete has already been sanctioned for the breach and has completed the sanction imposed.

3 **Illness/Misadventure/Extenuating Circumstances**

This clause will only apply in determining whether an Athlete has met the additional criteria imposed by Basketball Australia pursuant to clauses 2(1) and 2(2):

- (1) In considering the performances of Athletes at events, training camps or other attendances required under clauses 2(1) and 2(2) of this Nomination Criteria Basketball Australia selection panel may in their discretion give weight to extenuating circumstances.
- (2) For the purposes of this clause 3, “extenuating circumstances” means an inability to compete and/or attend events, trials, training camps or other attendances arising from:
 - (a) injury or illness;
 - (b) travel delays;
 - (c) bereavement or disability arising from death or serious illness of an immediate family member; and/or
 - (d) any other factors reasonably considered by Basketball Australia to constitute extenuating circumstances.
- (3) Athletes unable to compete at events, training camps or other attendances required under this Nomination Criteria must advise Basketball Australia Executive Officer in writing of this fact and the reasons before the commencement of the events, training camps or other attendances required under this Nomination Criteria.
- (4) In the case of illness or injury, Athletes will be required to undergo a medical examination by a doctor or doctors nominated by Basketball Australia.
- (5) A decision in each case of extenuating circumstances will be made by Basketball Australia selection panel on an individual basis. Any such decision will not be binding on the AOC.

4 **Making of Nominations**

Nominations by Basketball Australia must be received by the AOC by 5pm AEST on Tuesday 12 July 2016. Nominations made after this deadline (or within such further deadline as the AOC may allow) will be invalid unless made pursuant to a direction or award in respect of an appeal against non-nomination to Basketball Australia Appeals Tribunal or the Court of Arbitration for Sport pursuant to the AOC’s Olympic Team Selection By-Law and which appeal had been commenced prior to the deadline for receipt of nominations by the AOC.

The 5pm AEST on Tuesday 12 July 2016 deadline for the making of nominations by Basketball Australia applies irrespective of any deadline prescribed under the Qualification System or by the Organising Committee for the 2016 Olympic Games.

The following timeline will be followed in making the nominations. These timelines may be revised as deemed appropriate by Basketball Australia within the deadline noted above.

5 **Amendments to Nomination Criteria**

This Nomination Criteria may be amended by Basketball Australia with the prior written approval of the AOC. Any amended Nomination Criteria will be distributed by Basketball Australia will be emailed, to members of shadow team; posted on Basketball Australia website and brought to the attention of the Shadow team members).

6 **Interpretation**

(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) In this Nomination Criteria the following words and phrases have the following meanings:

“Basketball Australia Men’s Selection Panel” - means the panel of selectors appointed by Basketball Australia from time to time comprising of the following:

Men’s National Team Head Coach, Men’s National Team Assistant Coach (x2) the Men’s National Team Technical Assistant Coach (x2) and the BA General Manager, High Performance.

“NBL” – means the National Basketball League in Australia

“NBA (USA)” – means the National Basketball Association of the United States of America

Qualification System: means the 2016 International Basketball Federation Qualification System issued and approved by the IOC.

“Trademarks” – means the agreed values as defined by Basketball Australia’s Men’s athlete group and coaching personnel.

7 **Law**

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

2016 AUSTRALIAN OLYMPIC TEAM
CONSENT TO SHADOW TEAM MEMBERSHIP

[insert name of NF]

[insert name of Athlete]

I consent to being a member of the Shadow Team for nomination by the above NF for selection to the 2016 Australian Olympic 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 I have been provided with, and will provide to the AOC, the AOC statutory declaration regarding anti-doping matters as required by the AOC from time to time.
- 5 The decision whether or not to nominate me to the AOC for selection in the 2016 Australian Olympic Team is subject to the Nomination Criteria and is at the discretion of my NF.
- 6 In the event that my NF nominates me to the AOC for selection in the 2016 Australian Olympic Team I am not guaranteed to be selected in the 2016 Australian Olympic Team. The decision whether or not to select me as a member of the 2016 Australian Olympic Team is subject to the AOC's Olympic Team Selection By-Law and Selection Criteria and is at the absolute discretion of the AOC.
- 7 (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.

FORM 1A

- (2) 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 2016 Australian Olympic Team or the Shadow Team;
- (3) I have not at any time (whether before or after the date of my selection) been convicted of, or charged with, any serious offence involving violence, 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;
- (4) 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) or (3) 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;
- (5) any matter arising under (1), (2),(3) or (4) 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) or (4) above ie identify any disreputable conduct, criminal convictions or criminal charges.)

8 My contact details are: Address: _____

Facsimile: _____
Email: _____

9 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) facsimile transmission, the announcement or notice is deemed to have been received by me by properly addressing the facsimile transmission and transmitting it to the number supplied by me and to have been received by me the next business day after the date of its transmission; and

(3) 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.

10 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 (being 5 February 2016). This request is subject to the approval of the AOC in accordance with the 2016 Australian Olympic Team Membership Agreement – Athletes.

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

Signature of Athlete

Date

Witness Name

Witness Signature

FORM 1B

2016 AUSTRALIAN OLYMPIC TEAM PARENTS/GUARDIANS ACKNOWLEDGEMENT FOR MINORS

[insert name of NF]

[insert name of Athlete]

I/we, the undersigned parents/guardians of the Athlete agree (and if more than one, then jointly and severally agree) as follows:

1. the Athlete is under the age of 18 years as at the date of signing the Consent to Shadow Team Membership;
2. I/we have read and understood the AOC Olympic Team Selection By-Law and the AOC Selection Criteria applicable to the sport of [insert sport] (“the Selection Terms”) and have fully explained to the Athlete the Selection Terms. To this end I/we have obtained independent legal advice as to the Selection Terms in order to clarify any doubts or concerns I/we may have had in this regard;
3. the Athlete has read the Selection Terms and, together with the benefit of our full explanation, understands their meaning and effect;
4. the Selection Terms are for the benefit of the Athlete;
5. the Athlete's eligibility for being considered for nomination by the above NF for selection to the 2016 Australian Olympic Team, may be terminated in the event of any breach of the Selection Terms; and
6. this acknowledgement is governed by the laws applicable in the State of New South Wales.

Dated:

Signed by the Parent/Guardian)
In the presence of:)

.....
(Parent/Guardian's signature)

.....
(Witness' signature)

.....
(Name of Witness)

.....
(Name of Parent/Guardian)

**STATUTORY DECLARATION
OATHS ACT 1900, NSW, EIGHTH SCHEDULE**

Important: BEFORE MAKING THE DECLARATION PLEASE READ CAREFULLY THE INFORMATION REGARDING AUTHORISED WITNESSES AND YOUR IDENTIFICATION REQUIREMENTS ON PAGE 2.

You must delete either statement 1 or 2 below in full, depending on which is a true statement of fact by you. However, you must not make any amendments to the statements. If you are unable to declare either statement 1 or 2 in full, you will not be able to make the statutory declaration and must contact the Australian Olympic Committee on +61 2 9247 2000 for further guidance.

I, _____, of _____
[full name] [residence – full address]

do solemnly and sincerely declare that:

1. I have **not** at any time breached any applicable anti-doping rule or policy, including the World Anti-Doping Code 2009, 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 (as those words are defined in the Australian Olympic Committee’s Anti-Doping By-Law) (each an “Applicable Anti-Doping Rule or Policy”).

----- **OR** -----

2. I have breached an Applicable Anti-Doping Rule or Policy; but
 - (a) the sanction in respect of such breach(es) was formally **eliminated or waived** by the organisation having the authority to do so; or
 - (b) I have **completed** the sanction imposed in respect of such breach(es).

and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1900 (NSW).

[signature of person making the declaration]

Declared at: _____ on _____
[place] [date]

In the presence of an **authorised witness**, who states:

I, _____, a _____
[insert name of **authorised witness**] [insert qualification to be authorised witness ^A]

certify the following matters concerning the making of this statutory declaration by the person who made it:

[*please cross out any text that does not apply]

1. *I saw the face of the person OR *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and
2. *I have known the person for at least 12 months OR *I have confirmed the person’s identity using an identification document*^B and the document I relied on was _____
[describe identification document relied on]

[insert signature of authorised witness] [insert date]

FORM 2

***A: Authorised persons** who can witness the making of this statutory document are:

Within New South Wales

- a Justice of the Peace registered in New South Wales;
- an Australian legal practitioner;

Outside New South Wales

- an Australian legal practitioner;
- an Australian Notary Public;
- an Australian Consular Officer or British Consular Officer;
- any other person authorised by law to administer an oath in the country or place where the oath is administered.

***B: An identification document** means any of the following unless it has expired or been cancelled (however an Australian passport is acceptable if it expired no more than 2 years ago):

<ul style="list-style-type: none"> • a driver's licence or permit with a photograph, whether issued in Australia or another country 	<ul style="list-style-type: none"> • a birth certificate or birth extract, whether issued in Australia, another country or by the United Nations (with an English language translation if not in English)
<ul style="list-style-type: none"> • a NSW photo card issued under the <i>Photo Card Act 2005</i> 	<ul style="list-style-type: none"> • a Centrelink pension card
<ul style="list-style-type: none"> • an Australian proof of age card which contains the person's photograph 	<ul style="list-style-type: none"> • a credit card or passbook, or
<ul style="list-style-type: none"> • an Australian passport (either current or expired less than 2 years ago) 	<ul style="list-style-type: none"> • an account from a bank, building society or credit union, or statement of account up to one year old
<ul style="list-style-type: none"> • a passport or similar document with the person's photograph and signature issued by another country or by the United Nations 	<ul style="list-style-type: none"> • a Medicare card, pensioner concession card, Department of Veterans' Affairs entitlement card or other entitlement card issued by the Federal or any State Government
<ul style="list-style-type: none"> • a national identity card with the person's photograph and signature issued by another country or the United Nations (with an English language translation if not in English) 	<ul style="list-style-type: none"> • an electoral enrolment card or other evidence of enrolment as an elector up to 2 years old
<ul style="list-style-type: none"> • an Australian citizenship certificate or a foreign citizenship certificate (with an English language translation if not in English) 	<ul style="list-style-type: none"> • a student identity card, or a certificate or statement of enrolment up to 2 years old from an educational institution.

