

**2016 AUSTRALIAN OLYMPIC TEAM
WATER POLO AUSTRALIA
NOMINATION CRITERIA – MEN**

NOTE: The 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) Water Polo Australia (“WPA”) 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 WPA as a member of the Shadow Team each Athlete must:
 - (a) be an Australian citizen and a registered member of a Member State or Territory of Water Polo Australia; and
 - (b) have participated in at least three (3) of the following events during 2015 or 2016 (each a “Selection Event”):
 - i. The National Water Polo League;
 - ii. European water polo leagues conducted under the auspices of LEN;
 - iii. Other international water polo leagues approved by WPA;
 - iv. International Competition(s), i.e. FINA World Championships, FINA World League and other International Competition(s) organised by FINA, LEN, WPA or the IOC;
 - v. National Training Camp(s);
 - vi. Australian National Age Championships.
- (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 (Attachment 1A) and in the case of minors, the Parents/Guardians Acknowledgment for Minors Form (Attachment 1B) and provided it to Tom Hill, High Performance Manager, WPA, [PO Box 580, Sydney Markets NSW 2129]; and
 - (b) the 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) WPA 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) WPA 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. The AOC shall provide WPA with at least 14 days advance notice of the date by which WPA must advise the AOC of the Athletes that WPA has chosen as members of the Shadow Team.

- (6) If an Athlete breaches the requirements of the Nomination Criteria, the Selection Criteria or the AOC Olympic Team Selection By-Law, WPA or the AOC may suspend or terminate the Athlete's membership of the Shadow Team.

2 **Nomination of Athletes**

The National Men's Coach will identify athletes to be nominated to the AOC in accordance with the process outlined in clauses 2(1)-(6) below. Prior to nomination to the AOC, athletes identified by the National Men's Coach for nomination will be submitted to the WPA Board of Directors for approval. Following approval by the WPA Board of Directors, WPA will nominate athletes to the AOC for selection.

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

- (1) only nominate those Athletes who to the satisfaction of the National Men's Coach have met the following requirements:
- (a) demonstrated ability to:
 - i. contribute to the appropriate balance of Athletes across the various specialist playing positions; and
 - ii. achieve desired playing strategies;
 - b) demonstrated possession of or the potential for improvement in the following attributes - mental strength, decision making ability, physique and aerobic/anaerobic capacity, speed and ball handling skills;
 - c) performances in international and national competitions from 1 January 2013 until 30 June 2016 including, but not limited to, FINA World League, FINA World Cup, FINA World Championships, LEN Water Polo Tournaments, Test matches, WPA National Water Polo League, WPA National Water Polo Championships details of which can be found on FINA, LEN and WPA websites. For the avoidance of doubt, athletes do not need to have participated in each of these events to be eligible for nomination;
 - d) demonstrated ability to work with coaching staff, team officials and other players;
 - e) demonstrated positive attitude, behaviour that meets culture standards complying with applicable codes of conduct and commitment to WPA regarding national representation
 - f) a level of skill and physical fitness that is suitable for an Athlete to perform at the requisite level as determined by the National Men's Coach;
 - g) absence of any injury or illness which will or has the potential to impair, inhibit or prevent the Athlete from performing at the requisite level; and
 - h) the Athlete's compliance with FINA's Eligibility Guidelines

For the avoidance of doubt, while the views and/or recommendations of National Coaches (Senior and Junior), National Training Centre Program Coaches and Club Coaches will be considered, the decision regarding nomination will be made by the National Men's Coach in their absolute discretion, and as ratified by the board of directors of WPA;

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

- (3) only nominate those Athletes it honestly believes have met the requirements described in the Selection Criteria;
- (4) only nominate those Athletes who have signed the AOC statutory declaration regarding anti-doping matters as required by the AOC from time to time;
- (5) not nominate more Athletes (including reserves) than the maximum number permitted under the Qualification System;
- (6) 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**

- (1) WPA and the National Men's Coach will not have any regard to any extenuating circumstances in assessing whether an Athlete has satisfied the criteria set out in clause 2(1) of this Nomination Criteria.
- (2) The National Men's Coach may, in his or her absolute discretion, give regard to the extenuating circumstances experienced by an Athlete in determining whether the Athlete has satisfied the criteria set out in clause 1(2) (b) of this Nomination Criteria.
- (3) For the purposes of this Nomination Criteria "extenuating circumstances" means an inability to compete in or attend Selection Events because of a certified injury or illness; travel delays outside of the control of the Athlete; bereavement or inability to travel arising from death or serious illness of an immediate family member; and / or any other factors reasonably considered by the National Men's Coach to constitute extenuating circumstances.
- (4) In order for the National Men's Coach to consider the case of extenuating circumstances in respect of the possible nomination to the AOC Shadow Team each of the following requirements must, without exception, have been met:
 - (a) An Athlete seeking to have the National Men's Coach consider the Athlete's extenuating circumstances must have advised the National Men's Coach in writing of the fact that the Athlete is unable by reason of extenuating circumstances to compete in a relevant Selection Event before the commencement of the relevant Selection Event.
 - (b) That written notice given in accordance with clause 3(4)(a) must set out all of the relevant facts, matters and circumstances specifying why the Athlete is unable to participate in the Selection Event because of extenuating circumstances.
 - (c) In the case of extenuating circumstances by reason of illness or injury, the Athlete must supply medical certification, in a form approved by WPA, of the illness or injury and the fact that the illness or injury prevented the Athlete from participating in the Selection Event. The Athlete must also submit to any medical examinations by practitioners nominated by WPA in the event that the National Men's Coach or WPA requires the Athlete to do so.
 - (d) A decision in each case of extenuating circumstances will be made by the National Women's Coach on an individual basis. Any such decision will not be binding on the AOC.

4 **Making of Nominations**

Nominations by WPA must be received by the AOC by 5pm AEST on Monday 4 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 the WPA 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 Monday 4 July 2016 deadline for the making of nominations by WPA applies irrespective of any deadline prescribed under the Qualification System or by the Organising Committee for the 2016 Olympic Games.

5 **Amendments to Nomination Criteria**

This Nomination Criteria may be amended by WPA with the prior written approval of the AOC. Any amended Nomination Criteria will be distributed by WPA by email or mail to members of the Shadow Team and posted on the WPA website (www.waterpoloaustralia.com.au) and brought to the attention of Shadow Team members. The amended Nomination Criteria will also be posted on the AOC website (www.olympics.com.au).

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:

“AOC” means Australian Olympic Committee

“WPA” means Water Polo Australia.

“FINA” means Federation Internationale de Natation

“International Competitions” means a water polo tournament or competition organised by FINA, WPA, LEN or the IOC involving teams representing individual nations.

“Training Camp” means a camp organised by WPA from time to time to prepare a Team and its Athletes for an International Competition.

“World Championships” means any aquatic World Championships conducted by FINA.

“Qualification System” means the 2016 FINA Qualification System issued and approved by the IOC.

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.
- 1) 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.
- 2) 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).
- 3) 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.
- 4) 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.
- 5) 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.
- 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 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.)

7) My contact details are: Address: _____

Facsimile: _____

Email: _____

- 8) 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.
- 9) 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.
- 10) This consent is governed by the laws applicable in the State of New South Wales.

Signature of Athlete

Date

Witness Name

Witness Signature



STATUTORY DECLARATION

OATHS ACT 1900, NSW, EIGHTH SCHEDULE

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 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 (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 violated or breached an Applicable Anti-Doping Rule or Policy; but
 - (a) the sanction in respect of such violation or breach was formally **eliminated or waived** by the Anti-Doping or other organisation with results management responsibility or 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]

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* and the document I relied on was _____
[describe identification document relied on]

[insert signature of authorised witness]

[insert date]