



Selection Policy ELITE TEAM

2009 ITU Long Distance Triathlon World Championships (LDTWC) PERTH, WESTERN AUSTRALIA 24 & 25 OCTOBER 2009

3 km Swim / 80 km Cycle / 20 km Run

A. ELIGIBILITY

1. ITU Entry Rules allow up to 10 males and 10 females to be entered by Triathlon Australia for the Elite Division of the 2009 ITU Long Distance Triathlon World Championships.
2. There are specific rules laid down by the International Triathlon Union (ITU) regarding eligibility when competing for a country. Rules regarding nationality and citizenship are based on the conditions laid down in the charter of the International Olympic Committee (IOC).

The requirements for team members are:

- i) be a citizen or national of Australia
 - ii) has not represented another country in the last three years
 - iii) for **Selection**, must hold a current 2008/2009 Triathlon Australia (TA) Professional Licence and be in good standing with TA and the State/Territory Triathlon Associations (STTAs).
 - iv) to **Compete**, must hold a 2009/2010 Triathlon Australia (TA) Professional Licence and be in good standing with TA and the State/Territory Triathlon Associations (STTAs).
3. Other rules apply to naturalised persons and those with dual citizenship. If there is any doubt regarding eligibility to compete for Australia please contact the Chief Executive Officer of TA for clarification.

4. The terms of this Policy do not require TA to select the maximum number of males and females to the Elite TEAM for LDTWC. Final TEAM numbers are at the discretion of the TAESC as set out in this Policy.
5. This Policy can be amended at any time by TA if TA is of the opinion that such an amendment is necessary as a result of any change in ITU guidelines, to give effect to the policy following discovery of a drafting error or oversight or for any other reason determined to be in the best interests of TA by TA. TA shall not be responsible or liable in any way to anyone as a result of any such amendment.

B. SELECTION CRITERIA

1. **All** Athletes wishing to be considered for selection in the Elite Division of LDTWC must apply for selection by completing the accompanying SELECTION APPLICATION DOCUMENT (Annexure 3). This notification form must reach the Chair of the TA Elite Selection Committee (TAESC) on or before **4 MARCH 2009**. Application forms can be obtained from STTAs, TA and from the TA HP website (www.tahp.org.au).
2. The following event will be used as the Elite Selection Race:

Selection Race: 2009 Australian Long Distance Triathlon Championships, Huskisson, NSW - 22 February 2009 (3km/80km/20km)
3. The holder of a current Australian Professional Triathlon Licence who finishes 1st, 2nd, 3rd, 4th or 5th place (Top 5) in the ELITE Category (both male and female) of the 2009 Australian Long Distance Triathlon Championships, Huskisson, NSW, will be automatically selected, subject to that Athlete meeting ELIGIBILITY requirements.
4. After allocation of automatic selection positions as per B3 above, any remaining positions will be awarded at the absolute discretion of the Triathlon Australia Elite Selection Committee (TAESC) as set out in clause 5 below.
5. In exercising its discretion, the TAESC may consider any factor, or combination of factors that is, in the opinion of the TAESC, relevant for consideration when selecting the Elite LDTWC TEAM.

Without in anyway limiting the discretion of the TAESC as set out immediately above, the TAESC may consider the following:

- A. Performances in the 2008 ITU World Long Course Championships.
- B. Performances in international and domestic Long Course races over the 2008 & 2009 period.
- C. Performances in international Half-Ironman races over the over the 2008 & 2009 period.
- D. Ability to win a medal for Australia.

C. ANNOUNCEMENT OF THE TEAM

The Team will be announced **1 APRIL 2009**.

D. APPEALS PROCESS

See Annexure I.

E. FUNDING

There is **NO funding support** for athletes intending to compete in the 2009 ITU Long Distance World Championships. Athletes are responsible for funding all areas related to competing in the 2009 World Championships, including Entry Fees, Team Management Fees, Uniform and Travel.

For further information:

TA Selection Committee PH: (02) 9972 7999

PO Box 6039 FX: (02) 9972 7998

Frenchs Forest DC NSW 2086

The selected team will be submitted to the Board of TA for ratification.

Annexure I
TRIATHLON AUSTRALIA
APPEAL PROCESS

1. Right of Appeal
 - (a) An eligible Athlete who fails to be selected for the TEAM pursuant to the process and criteria set out in this Policy may appeal against omission from the Team as set out in this section.
 - (b) The sole grounds of any appeal are that:
 - (i) the Athlete's omission from the Team was as a result of a failure by TAESC to properly apply the Selection Criteria set out in this Policy; or
 - (ii) there was no material on which the selection decision could reasonably be based.
 - (c) Any appeal under this clause will proceed in accordance with the procedure set out below.
2. Notice of Appeal
 - (a) Any eligible Athlete wishing to appeal against his/her omission from the TEAM must lodge a Notice of Appeal in writing in the form set out at Annexure 2 to this Policy to be received by the CEO of TA by 5:00pm on the second clear day following the announcement of the TEAM as set out in Section B which is the basis of the Athlete's appeal.

The Notice of Appeal must set out the grounds upon which the appeal is made.
 - (b) After lodging the Notice of Appeal as set out in subclause 2(a) above, the appellant (the Athlete making the appeal) must file a summary of all the arguments and/or submissions that the Athlete wishes to be considered in support of his/her appeal together with an outline of all the evidence that will be relied upon in support of those arguments and/or submissions. This document must be received by the CEO of TA by 5:00pm on the fifth clear day following the announcement which is the basis of the appeal.
 - (c) The summary of arguments and submissions in support of the Athlete's appeal must be accompanied by an appeal fee of \$500. If the appeal fee is not filed at the same time, and received by the CEO as required by this Section I, the Athlete will be presumed to have withdrawn his/her appeal.
 - (d) The appellant can withdraw an appeal at any time.
 - (e) The time limits for lodging the Notice of Appeal, summary of arguments and submissions and the appeal fee are mandatory, failure to comply with these time limits will, at the absolute discretion of the Triathlon Australia's Selection Appeals Tribunal (TASAT), result in the appeal being dismissed without consideration on the merits.

3. Constitution of TASAT

- (a) The TASAT shall be constituted by any three persons available to hear the appeal, which must include the following:
 - (i) a person with a thorough knowledge of the sport and who preferably has had recent international competition experience in the sport;
 - (ii) another person of experience and skills suitable to the function of the TASAT; and
 - (iii) a barrister or solicitor who will chair the TASAT.
- (b) No member of the TASAT may be a party to or directly interested in the matter under consideration.

4. Functions of the TASAT

The TASAT has no power of selection or re-selection. The TASAT may review the matter(s) set out in the appeal and may (as appropriate) refer the matter back to TAESC for consideration.

The decision of the TASAT will be binding on the parties and neither party may institute or maintain proceedings in any court or tribunal other than TASAT.

5. Hearing of the Appeal

- (a) The TASAT shall, as soon as practical after receiving the appeal documents, investigate and consider the matter and determine whether:
 - (i) the matter should be dismissed because, in the opinion of the TASAT, there is no credible evidence, submission or argument upon which the TASAT could be satisfied that a ground of the appeal can be made out; or
 - (ii) the appeal should be the subject of a hearing as set below.
- (b) If the TASAT determines the matter should be dismissed under clause 5(a)(i) above that decision is final and the appeal has failed.

If the TASAT determines that the appeal should be dismissed without a hearing, the appellant's appeal fee of \$500 is forfeited to TA as the costs of the appeal.

If the TASAT determines the matter warrants a hearing, the TASAT will advise the appellant and set the date for such a hearing as soon as practicable and necessary having regard to the timing of selection and the proximity of relevant events.

- (c) The TASAT must conduct any appeal hearing in accordance with clause 5(b) as follows:
 - (i) it must observe the principles of natural justice;
 - (ii) it is not bound by the rules of evidence and may inform itself as to any matter in such manner as it thinks fit;

- (iii) it will conduct its hearings with as little formality and technicality and with as much expedition as the proper consideration of the matter permits;
 - (iv) hearings may occur in such manner as the Chairman decides, including telephone or video conferencing;
 - (v) the appellant must establish one or more grounds of appeal to the reasonable satisfaction of the TASAT with full regard to the importance and gravity of the issue;
 - (vi) the parties to an appeal may be represented at a hearing but not by a barrister, solicitor or a legally trained person;
- (d) following consideration of all information that the TASAT considers relevant the TASAT shall arrive at a finding. A decision of the TASAT may be by a majority decision;
- (i) the TASAT shall notify the CEO of its finding as soon as practicable;
 - (ii) if the TASAT considers the ground(s) alleged by the appellant to be made out, it shall recommend that TAESC reconsider the selection of the relevant TEAM position;
 - (iii) where the TASAT considers that a ground of appeal has been made out, it may stipulate that all or part of the appeal fee be refunded to the appellant;
 - (iv) TAESC shall comply with any direction of the TASAT to reconsider the selection of the relevant TEAM position.
 - (v) any further selection decision of TAESC under the direction of the TASAT shall be final and binding, and no other further appeal shall be available to the appellant in respect of that selection

Annexure 2

TRIATHLON AUSTRALIA

NOTICE OF APPEAL

To: Chief Executive Officer
Triathlon Australia
Level 3/20 Rodborough Road
FRENCHS FOREST NSW 2086

Tel: (02) 9972 7999
Fax: (02) 9972 7998
Email: info@triathlon.org.au

1. I, _____ of _____
advise that I wish to appeal my non-selection to the Triathlon
Australia Elite Team for the 2009 ITU LONG DISTANCE World
Championships at PERTH, WESTERN AUSTRALIA on 24 & 25
OCTOBER 2009.

2. The grounds on which my appeal is based are as follows:

[attach additional pages if necessary]

Dated this _____ day of _____ 2009

Signed:

.....

Appellant

Annexure 3

**Application for Selection
ELITE TEAM
2009 ITU Long Distance Triathlon World
Championships (LDTWC)
PERTH, WESTERN AUSTRALIA
24 & 25 October 2009
3 km Swim / 80 km Cycle / 20 km Run**

Name: _____

Address (Within Australia): _____

State: _____ Postcode _____

Phone No. (H) _____

Phone No. (W): _____

Email: _____

Date of Birth: _____ Sex: _____

TA Licence No. _____

Country of Citizenship _____

Automatic Qualification - ELITE Selection Races

If you are applying for an AUTOMATIC Qualifier based on your performances in the nominated Selection Race and according to the Selection Policy, please list your finishing place and time:

SELECTION RACE

**2009 Australian Long Distance Triathlon Championships, Huskisson,
NSW - 22 February 2009 (3km/80km/20km)**

Finishing Place: _____

Time: _____

Non-Automatic Qualification

If you are applying for a NON-AUTOMATIC Qualifier based on your performances in the Long Course and HIM (70.3) races throughout 2008-2009 and according to the Selection Policy, please list the races, finishing place and time:

2008

Race: _____ Date: _____ Place: _____

Race: _____ Date: _____ Place: _____

Race: _____ Date: _____ Place: _____

2009

Race: _____ Date: _____ Place: _____

Race: _____ Date: _____ Place: _____

Race: _____ Date: _____ Place: _____

Documents Required

(Please attach and send with this Application Form)

1. Copy of current 2008/2009 Professional TA licence
2. Copy of birth certificate
3. Proof of Australian citizenship if necessary
4. Copy of RACE RESULTS supporting information supplied in the Non-Automatic Qualification Criteria.

Applications should be sent to:
TA Elite Selection Committee
PO Box 6039
Frenchs Forest DC NSW 2086
PH: (02) 9972 7998
FX: (02) 9972 7998

Applications Close – 4 March 2009

The selected team will be submitted to the Board of TA for ratification.