



TRIATHLON

AUSTRALIA

SELECTION POLICY – U23 Team

**2009 Triathlon World Championships
Gold Coast, AUSTRALIA**

11 – 13 September 2009

A INTRODUCTION

1. This Policy details the process and criteria by which Triathlon Australia (TA) will determine the members for Team Triathlon Australia – Under 23 (U/23) (TEAM) category, for the 2009 ITU Triathlon World Championships (TWC).
2. ITU Race Competition Rules (as of February 2008) stipulate that TA may nominate a maximum of **four** male and **two** female Athletes to represent Australia at the 2009 ITU TWC.

Neither this policy nor the ITU require TA to select the maximum of **four** males and **two** females to the TEAM for TWC. Final TEAM numbers are at the absolute discretion of the TAESC as set out in this Policy.

3. To be considered for selection to the Australian U/23 Team for the 2009 TWC, Athletes must be 18-23 years of age with age determined on 31 December 2009. (ie, at least 17 years of age turning 18 years of age in 2009 and no older than 22 years of age, turning 23 years of age in 2009).
4. If a selected Team member is determined to be injured, ill or unfit subsequent to selection, their continued status as a Team member will be re-assessed by the TA Elite Selection Committee (TAESC) in consultation with the National Performance Director (NPD), relevant Team Manager and the TA Medical Director or nominated representative as set out in clause G of this Policy. A final decision on Team members will be made two weeks (14 days) before 2009 TWC.

For the purposes of this Policy, NPD means the National Performance Director and/or his nominee

5. If a selected TEAM member should withdraw, is withdrawn or is declared unfit to continue as a TEAM member the TAESC **may** replace that TEAM member with a further selection made pursuant to E1-4 below. This discretion is absolute and need not be exercised.
6. 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 any one as a result of any such amendment.

7. TA will circulate this Selection Policy – U/23, to its State & Territory Triathlon Association (STTA) members and will list the Policy on the TA website. Athletes will be responsible for ensuring they are fully aware and understand the Policy and its contents and any such changes to the Policy should they occur.
8. This Policy is contingent on the International Triathlon Union (ITU) making no change to the current Race Competition Rules on U/23 team size or other eligibility specifications for nations competing at the 2009 TWC.

B. ELIGIBILITY

1. There are specific rules laid down by the ITU regarding eligibility when competing for a particular National Federation. Rules regarding nationality and citizenship are based on the conditions laid down in the charter of the International Olympic Committee.

The ITU requirements for Team membership can be summarised as follows:

- (a) Athletes must be a Citizen or national of Australia; and
- (b) Must maintain a current TA Professional Licence and be in good standing with the TA/STTAs; and
- (c) Must not have represented another country in the last three years.

Other rules apply to naturalised persons and those with dual citizenship. If there is any doubt regarding eligibility to compete for Australia, Athletes must contact the Chief Executive Officer (CEO) of TA for clarification.

2. TA's additional requirements for Team membership are:
 - (a) Athletes must meet the age eligibility criteria set out at the introduction to this policy at A3.
 - (b) Athletes must complete and sign the application form in Annexure 1 and return it to TA, no later than **6 February 2009**. The NPD may accept a completed form after this time in his absolute discretion.
 - (c) Athletes must complete and sign the 2009 Athlete Agreement. This Agreement will set out the rights, entitlements and obligations of the Athlete having agreed to

become a member of TA's National Team and the rights, entitlements and obligations of TA in its management and control of the sport and its National Team. The Agreement will also impose restrictions on the Athlete in relation to self promotion designed to protect TA's sponsors and the sponsors of the National Team. It is proposed that this Agreement will be available early in the year 2009.

For the avoidance of any doubt, any Athlete who has not returned a signed copy of the Athlete Agreement to TA within 14 days of the Agreement being made available to the Athlete will, at the discretion of the NPD, be ineligible for selection in the TEAM.

- (d) All Athletes who wish to be considered for the TEAM must submit a 1km Swim (50 metre pool) and 5 km Track Run time trial result to the NPD by **13 February 2009**. These time trials need not be performed on the same day but must be completed between 1 December 2008 – 13 February 2009 and be endorsed by the relevant SIS/SAS Triathlon Coach or designated nominee.
- (e) Except as set out in clause B(2)(g), in order to be eligible to be considered for selection in the TEAM, Athletes must achieve the following minimum results in the Time Trials set out in 2(d) above:

	Male	Female
1km Swim (50m Pool)	12:30 mins	13:30 mins
5km Track Run	15 mins 45 secs	17 mins 45 secs

- (f) If any Athlete is, for reason of illness or injury, unable to perform either of the trials set out in 2(d) and (e) above in the timeframe required, or believes that because of illness or injury they will be unable to meet the minimum performance standards required in either of the trials, it is the Athlete's obligation to notify the appropriate SIS/SAS Head Coach at the earliest possible date. The Athlete must provide the SIS/SAS Head Coach with a written report on injury/illness status from a relevant medical practitioner or give permission for the SIS/SAS Head Coach to discuss injury/illness status with the relevant medical practitioner.

The NPD, in consultation with the SIS/SAS Head Coach at his discretion may set an alternative date for the trial or trials or make such other recommendation to the TAESC as deemed appropriate by the Head Coach and/or NPD. The TAESC, in its absolute discretion, will determine if the Athlete in question is eligible for selection in the TEAM.

- (g) The minimum time trial eligibility requirements set out in clause B(2)(e) above do not apply to any athlete selected at the discretion of the Selectors to play a “team role” as set out in clause E(2).

C. SELECTION CRITERIA

1. Athletes can qualify for the TEAM by right of performance in either of two **selection races** as set out in clauses D1 and D2 below.

The selection races from which Athletes may automatically qualify for the TEAM are as follows:

- **2009 ITU Oceania Championships (Gold Coast)**
U/23 category, racing within the Elite event.
Gold Coast Triathlon: Luke Harrop Memorial, Gold Coast, QLD – Sunday 1st March 2009.
 - **2009 Australian Elite & U23 Championships (Perth)**
U/23 category, racing within the Elite event.
City of Perth Challenge, Perth, WA - Sunday 15th March 2009.
2. Following allocation of automatic team selections pursuant to clauses D1 and D2 below, any remaining team positions will be selected at the discretion of the TAESC as per Section E below.

D. AUTOMATIC SELECTIONS

1. The highest placed eligible Athlete (male and female) **if** that Athlete achieves either of the results set out immediately below:
 - (a) 1st place; **or**
 - (b) 2nd place in a 2% (or higher) QOF; **or**
 - (c) 3rd place in a 4% (or higher) QOF
 at the **2009 ITU Oceania Championships** (Gold Coast, QLD) on the 1st March 2009, will be automatically selected to the U/23 2009 World Championship TEAM.

For the avoidance of doubt, only one male and one female can earn the right to automatic selection from the 2009 ITU Oceania Championships.

Any automatic position not awarded by right of performance in the **2009 ITU Oceania Championships** (Gold Coast, QLD) will be selected as set out in Section E below (discretion).

2. The highest placed eligible Athletes [one male & one female], in the **2009 Australian Championships** (Perth, WA), not already selected pursuant to clause D1 above, will be automatically selected, subject to those Athletes finishing in the top **3 (Female)** and **top 5 (Male)** positions overall, and who do not qualify (and choose to race) for the Open Elite team.

Any automatic team selection not awarded in the 2009 Australian Championships (Perth, WA) (both male and/or female) will be selected pursuant to Section E below (discretion)

E. DISCRETIONARY POSITION(S)

1. After the allocation of automatic selection positions as per D1, and D2 above, any remaining TEAM positions (up to the maximum allowed by the ITU) **may** be selected at the discretion of the TAESC up to **23 July 2009**. This discretion is absolute and it need not be exercised.
2. 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 an U/23 team.

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

- (a) Performance in the two selection events.
- (b) Performances in ITU Continental Cups.
- (c) Performances in the 2008 TWC U/23 category
- (d) Overall consistency of performance at U/23 level in ITU draft legal racing.
- (e) Individual strengths, which may contribute to the performance of the TEAM as a whole at the 2009 TWC.
- (f) Willingness and ability to fill and/or complete a role that may enhance Australia's medal potential at the 2009 TWC.
- (g) Potential to develop from the International experience provided by being a Member of the TEAM, for future national teams.

For the avoidance of any doubt, the matters set out above are not to be regarded as selection criteria. They are merely matters that

the TAESC may consider in any combination, and in combination with any other factors or matters not listed, that in the opinion of the TAESC are relevant to the selection of an U/23 team.

3. The TAESC may make the discretionary selection of any particular Athlete pursuant to this Section E subject to the Athlete meeting further conditions. Those further conditions may include achieving a particular result in a future race, completing a fitness trial to the satisfaction of the National Performance Director and the Team Manager or any other condition that, in the opinion of the TAESC, is reasonable in the circumstances of the particular Athlete.
4. If a particular Athlete's discretionary selection is made subject to the Athlete meeting further conditions as set out in Section E3 above, those conditions will be communicated to the Athlete in question prior to the TEAM being announced. The fact that the Athlete's selection is conditional will be mentioned at the TEAM announcement and if considered appropriate by the TAESC, the additional conditions may also be announced.
5. In addition to selecting any remaining team positions as set out in E1-4 above, the TAESC has the discretion to name a reserve or reserves for the TEAM at any time prior to the 2009 TWC. This discretion is absolute and need not be exercised.

F. ANNOUNCEMENT OF THE TEAM

1. U/23 Athletes who have met the Automatic TEAM position criteria will be announced by the National Performance Director on or before the 15th March 2009:
2. Athletes may be added at any stage upto and including the 15 April 2009. If an athlete is selected by the TAESC and receives preliminary endorsement by the TA Board, the athlete will be advised accordingly.
2. The final Australian U/23 TEAM will be confirmed on 23 July 2009.

G. FURTHER REQUIREMENTS – TEAM AGREEMENT, MEDICAL AND FITNESS ASSESSMENT

1. Following selection and naming to the TEAM pursuant to this Policy all members of the TEAM will be required to comply with the additional requirements set out in this section G.

2. Any Athlete in the TEAM who does not meet the requirements set out in this clause G to the satisfaction of the NPD is subject to exclusion from the TEAM at the discretion of the NPD.
3. Any Athlete who is determined to be ill, injured or unfit as defined in subclauses G16 and G17 respectively is at the discretion of the NPD and is subject to exclusion from the TEAM.
4. All members of the TEAM will be required to sign an ASADA Drug Testing form distributed by Triathlon Australia within 14 days of the announcement of the TEAM.
5. All members of the TEAM must sign and agree to be bound by the terms of an Athlete Agreement within 14 days of the Agreement **being made available to the Athlete.**

The Team Agreement will set out the minimum standard of behaviour for Team members whilst assembled or travelling as part of the TEAM.

For the avoidance any doubt, any selected member of the TEAM not willing to sign the Athlete agreement will be excluded from the TEAM, and replaced at the discretion of the TAESC.

6. All members of the TEAM must provide the name and contact details of all their relevant health care professionals (general practitioner, sports medical practitioner and physiotherapist) and their accredited HOME Coach to the NPD within 14 days of the announcement of the TEAM.
7. Once named in the TEAM each team member has a personal obligation to maintain the level of fitness that will enable them to compete in TWC to the standard at which they were selected.
8. All Team members must submit a monthly injury and illness report to the NPD and/or the Team Medical Director on the 1st of each month beginning in April.
9. All Team members must immediately inform the NPD of any illness or injury that could reasonably impact on the Athlete's ability to perform at the level expected of the Athlete at the 2009 TWC.
10. On request from the TA Medical Director or his/her nominee, a TEAM member must give permission to any one of their nominated health care professionals to discuss and/or disclose confidential information to the TA Medical Director in relation to

their health or injury status as relevant to their performance in TWC.

11. At **any time** following the announcement of the TEAM any Team member may be required to attend for a medical examination ("special medical") at the discretion of the NPD. This medical examination will be at a place and time to be determined by the NPD or his nominee taking into consideration the Athlete's training, travel and competition plans.
12. **All** Team members will be required to submit to a medical examination ("TEAM medical") conducted by the TA Medical Director or his nominee not less than 3 weeks prior to the 2009 TWC.
13. If after any medical examination the TA Medical Director (or his/her nominee) considers that a Team member may be injured or ill (as defined in G16 below), then that Athlete may be required to undertake an illness/injury assessment at any time before departure for the 2009 TWC. The illness/injury assessment may include a fitness or physical trial to be determined by the NPD in consultation with the TA Medical Director.
14. Any Team member may be required to undergo a fitness assessment at any time before departure for the 2009 TWC. The fitness assessment will be at the absolute discretion of the NPD and may be a designated triathlon race or trial involving one or all three triathlon disciplines.
15. If at any time prior to departure for 2009 TWC any Team member is assessed as injured, ill or unfit pursuant to the terms of this section G, that Team member may be withdrawn from the TEAM at the discretion of the NPD.
16. For the purposes of this section G, a Team member will only be assessed as "injured or ill" if in the opinion of the TA Medical Director or his nominee, the Athlete is injured or ill to such an extent that either of the following situations exist:
 - the Athlete will not be capable of performing in the 2009 TWC to a level at which the Athlete would be expected to perform if not affected by the illness or injury in question;
 - by competing with the injury at the 2009 TWC the Athlete may suffer significant short or long term medical complications.

17. For the purposes of this section G, a Team member will only be assessed as a unfit for the 2009 TWC if in the reasonably held opinion of the NPD, the Athlete's overall physical condition is such that the Athlete is not capable of performing to the level at which the Athlete qualified for, or was selected to, the TEAM pursuant to this Policy.
18. There is no right of appeal against any decision made by TA, the National Performance Director and the TA Medical Director pursuant to this section G.
19. Team members may be required to attend a pre-championships camp at a venue in Australia preceding departure for the 2009 TWC.

H. TA FUNDING

1. It is anticipated that TA will only be partially funding the U/23 Team to the 2009 World Championships and that Athletes will be required to contribute to meeting the costs.

TA reserves the right to fund Athletes in the U/23 at different levels based on capacity to medal at the 2009 World Championships. Confirmation or otherwise of this arrangement will be advised on or before the announcement of the TEAM.

2. Any decision made by TAESC in relation to funding is not a decision from which any affected Athlete has a right of appeal pursuant to this policy.

I. 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 I.
 - (b) The sole grounds of any appeal are that:
 - i. The Athlete's omission from the SQUAD or the TEAM was as result of a failure by TAESC to properly apply the Selection Criteria set out in this Policy;or
 - ii. There was no basis on which the selection decision could reasonably have been made.

For the avoidance of any doubt, an Athlete's right of appeal is limited to procedural grounds and does not extend to an investigation of the merits of a particular selection decision.

- (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 selection decision which is the subject of the 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 of the selection decision which is the subject 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.
- (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.

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 I5(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 15(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.

Triathlon Australia Issued: November 2008

Annexure 1 - Application for Selection

I,(*insert name*)

apply for selection in the 2009 Team Triathlon Australia - U/23 Team to compete in the 2009 Triathlon World Championships (Gold Coast, QLD).

At the time of signing this form, I acknowledge that:

1. I have been provided with a copy of the 2009 ITU TWC Selection Policy from the Australian Triathlon Team, which I have read and understood.
2. I agree to abide by the terms and conditions of the Selection Policy, the TA Constitution and By-Laws and the Triathlon Australia Code of Conduct.
3. I specifically agree that in the case of any appeal I will follow the appeals procedure in the Policy and will not pursue any action in the civil courts in relation to selection.
4. If I am selected, such selection is conditional upon me signing and abiding by the terms and conditions of the TA Team Agreement.
5. By signing this form I warrant that I am eligible for selection and in particular that I am a current registered member of TA.

Signed:.....
(*applicant*)

Where the applicant is under 18 years of age, this form must also be signed by the applicant's parent or legal guardian.

I, am **the parent or guardian** of the applicant. I expressly agree to be responsible for the applicant's behaviour and agree to personally accept the conditions set out in this application.

Parent's signature: Date:
(where applicant is under 18 years of age)

Name:

Annexure 2 - Notice of Appeal

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's U/23 Team for the 2009 Triathlon World
Championships at Gold Coast, QLD on 11-13 September 2009.

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

[attach additional pages if necessary]

Dated this _____ day of _____ 2009

Signed:

□
Appellant