

**2008 AUSTRALIAN OLYMPIC TEAM
TAEKWONDO AUSTRALIA INCORPORATED
NOMINATION CRITERIA**

A. INTERPRETATION

- (1) Words used in this Nomination Criteria have the same meaning ascribed to them in the AOC's Selection By-Law unless a contrary meaning appears from the context.
- (2) In this Nomination Criteria the following words and phrases have the following meaning:
 - (a) **"AIS"** means the Australian Institute of Sport, Canberra.
 - (b) **"AOC"** means the Australian Olympic Committee.
 - (c) **"BBAP Board"** means the Beyond Beijing Athlete Program Board, which is the High Performance arm of Taekwondo Australia Incorporated.
 - (d) **"Elite International Competitions"** means the Olympic Games, World Championships, World Cups, Asian Championships and relevant 'A' Class Opens.
 - (e) **"IOC"** means the International Olympic Committee.
 - (f) **"Medical Director"** means TA Incorporated Medical Director and/or his or her nominee.
 - (g) **"Official Shadow Team Training Camps"** means the three (3) training camps being conducted by Taekwondo Incorporated the details of which are set out in clause F.
 - (h) **"TA Inc"** means Taekwondo Australia Incorporated.
 - (i) **"TES"** means Taekwondo Australia Incorporated's Elite Squad.
 - (j) **"The Selectors"** means the Taekwondo Australian Incorporated Selection Panel comprising the persons holding the positions of Head Coach, Assistant National Coach and National Junior and Development Coach of Taekwondo Australia Incorporated.
 - (k) **"WTF"** means the World Taekwondo Federation.

B. OBJECTIVES OF THE NOMINATION CRITERIA

The objectives of the Nomination Criteria are as follows:

- (1) To identify the athletes within the Sport of Taekwondo with the best chance of success at the 2008 Olympic Games, Beijing.
- (2) To nominate the athletes identified by TA Inc under this Nomination Criteria to the AOC for selection in the 2008 Australian Olympic Team for the 2008 Olympic Games, Beijing.

C. THE PARTICIPATION CRITERIA

- (1) The Taekwondo events at the 2008 Olympic Games, Beijing will include four (4) individual weight divisions for both men and women. The Participation Criteria (a copy of which is set out in Attachment 4) limits the number of competitors in each weight division to one (1) male and one (1) female from each nation and the overall maximum team size across all weight categories for each nation to two (2) men and two (2) women. Each nation is required to qualify team positions through World and Regional Qualification Tournaments.
- (2) For the 2008 Olympic Games, Beijing, the World Qualification Tournament will be in Manchester, England on 28 - 30 September 2007 and Australia's Regional Qualification Tournament is the Oceania Qualification Tournament to be held in New Caledonia on 15 December 2007.
- (3) According to the Participation Criteria the maximum number of athletes that TA Inc can nominate to the AOC for inclusion in the 2008 Australian Olympic Team, is four (4), being two (2) men and two (2) women.

D. THE SHADOW TEAM

- (1) TA Inc will choose athletes from within its sport to be members of the AOC's Shadow Team. The AOC may recognise other athletes from within this sport to also be members of the Shadow Team.
- (2) TA Inc may only nominate members of the Shadow Team to the AOC for selection in the 2008 Australian Olympic Team.
- (3) TA Inc 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.
- (4) In order to be **eligible** for the Shadow Team, an athlete must:
 - (a) sign the Consent to Consideration for Nomination (Attachment 1 or Attachment 2 as relevant) and provide it to the Executive Director, TA Incorporated, PO Box 1477, Geelong, Victoria, 3220;
 - (b) be an Australian citizen as of 4 July 2008;
 - (c) be over the age of 15 years as of 4 July 2008;
 - (d) be a registered member of TA Inc;
 - (e) be a black belt holding a minimum rank of 1st Dan; Kukkiwon (WTF) qualification in Taekwondo.
- (5) **The Shadow Team will be chosen by the Selectors as follows:**
 - (a) On 4 February 2007 all current members of TES will be automatically included in the Shadow Team.
 - (b) The athletes placed 1st and 2nd in each of the eight (8) male and female weight divisions at the World Championships Selection Trials on 4 February 2007 who are not already members of the Shadow Team by operation of clause (5)(a) immediately above will be automatically included in the Shadow Team on that day.
 - (c) Following the World Championships Selection Trials on 4 February 2007 the Selectors in their discretion **may** name additional athletes to be added to the

Shadow Team at any time. This discretion is absolute and need not be exercised by the Selectors.

In considering whether to exercise their discretion to add further members to the Shadow Team the Selectors may consider any matter that in the opinion of the Selectors is relevant and consistent with clause B above.

Without in anyway limiting the discretion of the Selectors, the Selectors **will** consider the following matters, or any combination of those matters, as they relate to any athlete under consideration for inclusion in the Shadow Team at any particular time:

- (i) The likely strength of the International Competition in each of the weight divisions at the 2008 Olympic Games, Beijing.
 - (ii) The weight divisions 'targeted', or likely to be 'targeted', at any relevant time by the Selectors as the weight divisions that represent Australia's best chances of success at the 2008 Olympic Games, Beijing.
 - (iii) The likely strength of the International Competition in the weight divisions at the 2008 Olympic Games, Beijing being 'targeted', or likely to be 'targeted', by the Selectors as set out in (ii) above.
 - (iv) The weight divisions likely to be considered by the Selectors at any relevant time as the divisions in which Australian athletes are likely to participate in the 2008 Olympic Games, Beijing.
 - (v) The Selectors assessment of past performances in Elite International Competitions.
 - (vi) The Selectors assessment of performances in Elite Competitions is not limited to objective results in those competitions; it includes an assessment of all matters considered relevant by the Selectors including 'tournament draw'.
 - (vii) Potential to progress given exposure to relevant international competition and/or the Official Shadow Team Training Camps.
 - (viii) The Selectors opinion of the potential of a particular athlete to be a realistic contender for inclusion in the list of athletes to be nominated to the AOC for selection in the 2008 Australian Olympic Team taking into consideration all relevant matters including the matters set out in subclauses (i)-(iv) inclusive above.
 - (ix) Any other matter consistent with clause B.
- (6) An athlete who is not chosen by the Selectors to be, or recognised by the AOC as, a member of the Shadow Team may apply to TA Inc and the AOC jointly to be included as a member of the Shadow Team. TA Inc and the AOC will consider such applications in a manner consistent with the provisions of clauses B and D and the likelihood of any athlete concerned being nominated for selection as a member of the 2008 Australian Olympic Team, according to the terms of this Nomination Criteria.
- (7) TA Inc will provide all athletes chosen or recognised as members of the Shadow Team with an information précis of the AOC Selection By-Law, a copy of the Selection Criteria and this Nomination Criteria, and the request of any such athlete, a copy of the AOC Selection By-Law and/or a copy of the Participation Criteria.

E. OBLIGATIONS OF ALL SHADOW TEAM MEMBERS**(1) Training Program**

- (a) All Shadow Team members must submit a detailed training program for the approval of the Head Coach within twenty-eight (28) days of being chosen in the Shadow Team or such later date as agreed by the Head Coach, unless otherwise agreed in writing by the Head Coach.
- (b) If there is any disagreement between the submitted training program and the opinion of the Head Coach as to the appropriate training to be undertaken the decision of the Head Coach will be final.
- (c) Once an athlete's training program has been submitted and approved by the Head Coach the athlete must follow that plan unless given written approval by the Head Coach.

(2) Attendance at Official Shadow Team Training Camps

- (a) All Shadow Team members must attend the first Official Shadow Team Training Camp (refer clause F) at their own expense unless otherwise agreed in writing by the Head Coach.
- (b) All Shadow Team members invited by the Selectors to attend Official Shadow Team Training Camp 2 (refer clause F) must attend the Camp unless otherwise agreed in writing by the Selectors.

(3) Failure to Comply with the Additional Requirements of Clause E.

- (a) All Shadow Team members must comply with the obligations set out in this clause E to the satisfaction of the Selectors.
- (b) If an athlete does not meet his/her obligations set out in this clause E to the satisfaction of the Selectors, having endorsed any decision of the Head Coach, that athlete may at the discretion of the Selectors be removed from the Shadow Team.

F. OFFICIAL SHADOW TEAM TRAINING CAMPS

- (1) TA Inc will conduct two (2) Official Shadow Team Training Camps. Those Camps will be on the following dates:

- Camp 1 – Canberra, Australia Institute of Sport - 23/24 June 2007
- Camp 2 – Canberra, Australia Institute of Sport - 27/28 October 2007

- (2) Attendance at Training Camp 2 is by invitation only from the Selectors.

- (3) Invitations to the second Shadow Team Training Camp will be at the discretion of the Selectors.

Without in anyway limiting the discretion of the Selectors, the Selectors will consider the following matters, or any combination of those matters, in relation to any athlete under consideration for invitation to the second Shadow Team Training Camp.

- (a) Performance at the 2007 World Taekwondo Championships.
- (b) Training and "sparring" performances at the first Official Shadow Team Training Camp.

- (c) Results from the World Qualification Tournament.
 - (d) Any of the matters listed in clause D(5)(c) if relevant.
 - (e) All the relevant matters involved in any continuing assessment of the weight divisions that the Selectors will be 'targeting' for the Australian Team at the 2008 Olympic Games, Beijing.
 - (f) Any other matter consistent with clause B.
- (4) A member of the Shadow Team who is not invited by the Selectors to attend the Second Shadow Training Camp may apply to TA Inc and the AOC jointly to be included in the List of athletes to attend the camp. TA Inc and the AOC will consider such application in a manner consistent with clauses B, D and F(3) and the likelihood of any athlete concerned being nominated for selection as a member of the 2008 Australian Olympic Team, according to the terms of this Nomination Criteria.

G. OLYMPIC QUALIFICATION TOURNAMENTS

- (1) **World Qualification Tournament, Manchester, England, 28-30 September 2007**
- (a) Following the first Taekwondo Shadow Team Training Camp, on or before 27 August 2007, the Selectors in their discretion will name the athletes (maximum two (2) male and two (2) females) from the Shadow Team to contest the World Qualification Tournament in Manchester, England.
 - (b) In determining which **weight division(s)** to be contested at the World Qualification Tournament the Selectors will consider any matter that, in their opinion, is relevant and consistent with clause B and any of the relevant matters set out in clause D(5)(c) and F(3).
 - (c) In determining which **athletes** contest the World Qualification Tournament in Manchester, England the Selectors will consider any matter that in their opinion is relevant and consistent with clause B and any of the relevant matters set out in clause D(5)(c) and F(3).
- (2) **Oceania Qualification Tournament, New Caledonia - 15 December 2007**
- (a) In the event that Australia has not qualified the maximum two (2) male and two (2) female Team positions according to the Participation Criteria at the World Qualification Tournament in Manchester, England the Selection Panel will at their discretion determine both the weight division(s) to be contested at the Oceania Regional Qualification Tournament in December 2007 as well as the athlete(s) to contest the event(s). The athletes will be selected at the discretion of the Selectors from the Shadow Team on or before 15 December 2007.
 - (b) In determining which **weight division(s)** to be contested at the Oceania Qualification Tournament the Selectors will consider any matter that, in their opinion, is relevant and consistent with clause B and any of the relevant matters set out in clause D(5)(c) and F(3) .
 - (c) In determining which **athletes** contest the Oceania Qualification Tournament the Selectors will consider any matter that in its opinion is relevant and consistent with clause B and any of the relevant matters set out in clause D(5)(c) and F(3).

(3) **Appeals regarding Non-Selection in the World or Oceania Qualification Tournament**

Any Shadow Team member wishing to appeal their non-selection for either the World Qualification Tournament or the Oceania Qualification Tournament, must do so according to the process set out in Attachment 3.

(4) **Performances in Qualification Tournaments**

(a) The Participation Criteria for the 2008 Olympic Games stipulates that Team positions awarded at the Qualification Tournaments (World and Oceania) are awarded to the National Olympic Committee and not to any individual who achieves the required result at the Tournament.

(b) For the avoidance of doubt, the fact that a particular athlete secures an Olympic Team position for Australia by virtue of their performance at one of the Qualification Tournaments, does not give that athlete any right to nomination to the AOC for selection in the 2008 Australian Olympic Team. Nomination to the AOC will be made according to the provisions of this Nomination Criteria.

H. NOMINATION OF ATHLETES BY TA INC TO THE AOC

(1) On or before 7 December 2007 (following the Oceania Qualification Tournament) the Selectors, at their discretion, will identify a number of athletes who will be required to live and train at the AIS in Canberra from 7 January 2008 until 4 July 2008. The number of athletes chosen by the Selectors and their gender, will be determined at the discretion of the Selectors taking into consideration the number of places Australia has qualified for the 2008 Olympic Games and the respective weight divisions.

(2) When exercising their discretion according to clause H(1) immediately above, the Selectors will take into consideration any matter that in their opinion is relevant and consistent with clause B and any of the relevant set out in clause D(5)(c) and F(3).

(3) **Appeals regarding omission from the List of Athletes required to live and train at the AIS in Canberra from 7 January 2008 until 4 July 2008.**

Any Shadow Team member wishing to appeal their omission from the List of Athletes required to live and train at the AIS in Canberra from 7 January 2008 until 4 July 2008 must do so according to the process set out in Attachment 3.

(4) The Selectors will choose the final list of athletes to be nominated to the AOC for selection in the Taekwondo section of the 2008 Australia Olympic Team on or before 7 June 2008.

The athletes will be chosen at the discretion of the Selectors from the Shadow Team members chosen by the Selectors to live and train at the AIS in Canberra from 7 January 2008 until 4 July 2008 by operation of clauses H(1) and (2) above.

When exercising their discretion the Selectors may consider any matter that in the opinion of Selectors is relevant and consistent with clause B.

Without in anyway limiting the discretion of the Selectors the Selectors **will** take into account any of the following matters, or any combination of those matters, as they relate to any athlete under consideration for nomination to the AOC for selection in the Taekwondo section of the 2008 Australian Olympic Team:

(a) All of the relevant matters set out in clause D(5)(c) and F(3).

(b) Overall performances at training and in the Shadow Team Training Camps.

- (c) Potential for success at the 2008 Olympic Games, Beijing given the weight divisions in which Australia has qualified positions for the 2008 Olympic Games, Beijing and an assessment of the competition that any Australian Taekwondo athlete will face at the 2008 Olympic Games, Beijing.
- (5) The Selectors will submit the athletes chosen according to subclause H(4) immediately above to the BBAP Board as the athletes to be nominated to the AOC by the TA Inc Board.

Unless the BBAP Board is of the opinion that the Selectors have failed to properly implement the Nomination Criteria they will endorse the athletes chosen by the Selectors as the athletes to be nominated to the AOC and submit the names of those athletes to the TA Inc Board for endorsement as the athletes to be nominated to the AOC.

If the BBAP Board is of the view that the Selectors have failed to properly follow and/or implement the Nomination Criteria they will request that the Selectors reconsider their decision in light of written recommendations provided by the BBAP Board. The Selectors will then reconsider the decisions made according to H(4) in light of the recommendations made by the BBAP Board and resubmit the athletes chosen according to H(4) of the Nomination Policy to the BBAP Board for endorsement as the athletes chosen to be nominated to the AOC. Those athletes will then be endorsed by the BBAP Board and then the TA Inc Board and nominated to the AOC for selection in the Australian Team for the 2008 Olympic Games, Beijing.

- (6) For the purposes of nomination to the AOC of individual athletes for selection to the 2008 Australian Olympic Team TA Inc will:
- (a) only nominate athletes who are, or are recognised by the AOC as, members of the Shadow Team;
 - (b) only nominate those athletes it honestly believes have met the requirements described in the Selection Criteria;
 - (c) only nominate those athletes who have signed the athlete nomination form issued by the AOC from time to time;
 - (d) not nominate more athletes than the maximum number permitted under the Participation Criteria; and
 - (e) not nominate athletes who have breached the AOC Anti-Doping By-Law and have had a sanction imposed which has not been completed.
- (7) Any dispute regarding an athlete's nomination or non-nomination by TA to the AOC shall be made according to the AOC's Olympic Team Selection By-Law.

I. REPLACEMENT ATHLETES

- (1) At any relevant time the Selectors, in their discretion, may identify replacement athletes for any athlete chosen in a Team, Squad, or for nomination to the AOC according to the terms of this Nomination Criteria.
- (2) When exercising their discretion under this clause I, the Selectors may take into consideration any matter that is in their opinion consistent with clause B or any of the specific matters listed as relevant to the exercise of discretion in this Criteria.
- (3) If the Selectors determine that an athlete who has been nominated to and selected by the AOC should be replaced by a replacement athlete then:
 - (i) TA Inc will recommend to the AOC that the athlete is to be replaced; and

- (ii) should the AOC (or during the period of the 2008 Olympic Games, the Chef de Mission of the 2008 Australian Olympic Team) determine that the selected athlete should be replaced; then
 - (iii) TA Inc may nominate a replacement athlete for selection by the AOC (in accordance with this Nomination Criteria); and
 - (iv) the AOC (or during the period of the 2008 Olympic Games, the Chef de Mission of the 2008 Australian Olympic Team) may in its absolute discretion select that nominated replacement athlete. In exercising its discretion, the AOC will be subject to any conditions that apply in relation to entry for the 2008 Olympic Games.
- (4) Any athletes identified by the Selectors as replacements for the athletes chosen by the Selectors to be nominated to the AOC for selection to the 2008 Australian Olympic Team will not be a part of the 2008 Australian Olympic Team unless Policy as applied at the Olympic Games.

J. MAKING OF NOMINATIONS

TA Inc will not make any nominations for selection to the 2008 Australian Olympic Team to the AOC unless it has adopted and implemented an anti-doping policy that conforms with the World Anti-Doping Code. Nominations will not be made to the AOC after 10:00am on 4 July 2008. Any nominations made after this deadline will be invalid unless made pursuant to a direction or award in respect of an appeal against nomination or non-nomination to the TA Inc Appeal Tribunal or the Court of Arbitration for Sport pursuant to the AOC's Selection By-Law and which appeal had been commenced prior to 10:00am on 4 July 2008.

The 10:00am on 4 July 2008 deadline for the making of nominations by the TA Inc is absolute and mandatory and applies irrespective of any deadline prescribed under the Participation Criteria or by the Organising Committee for the 2008 Olympic Games.

K. AMENDMENTS TO NOMINATION CRITERIA

This Nomination Criteria may be amended by TA Inc with the approval of the AOC. Amended criteria will be distributed by TA Inc as follows:

- Posted on the TA Inc Website (www.taekwondoaustralia.org.au).
- Distributed via email to all Shadow Team members.

Attachment 1
2008 AUSTRALIAN OLYMPIC TEAM
CONSENT TO CONSIDERATION FOR NOMINATION
Taekwondo Australia Inc

name of athlete

I, the above athlete, consent to being considered for nomination by the above NF for selection to the 2008 Australian Olympic Team. I acknowledge that:

- 1 I have been provided with copies of and will be bound by and observe the terms of the AOC Selection By-Law, the AOC Selection Criteria applicable to my sport and my NF's Nomination Criteria.
- 2 The AOC's 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 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 web site (www.olympics.com.au) along with the Participation Criteria applicable to my event.
- 3 The decision whether or not to nominate me to the AOC for selection in the 2008 Australian Olympic Team is subject to the Nomination Criteria and is at the discretion of my NF.
- 4 If my NF decides to nominate me for selection to the 2008 Australian Olympic Team I will be required to complete a nomination form as determined by the AOC from time to time.
- 5 In the event that my NF nominates me to the AOC for selection in the 2008 Australian Olympic Team I am not guaranteed to be selected in the 2008 Australian Olympic Team. The decision whether or not to select me as a member of the 2008 Australian Olympic Team is subject to the AOC's Selection By-Law and Selection Criteria and is at the sole and absolute discretion of the AOC.
- 6 My contact details are: Address: _____

Facsimile: _____
Email: _____
- 7 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 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 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.

Signature of Athlete

Date

**Attachment 2
2008 AUSTRALIAN OLYMPIC TEAM
CONSENT TO CONSIDERATION FOR NOMINATION**

**Parents/Guardians Acknowledgement for Minors
Taekwondo Australia Inc**

_____ 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 agreement;
- 2. I/we have read and understood the AOC Selection By-Law, the AOC Selection Criteria applicable to the sport of Taekwondo ("the agreements") and have fully explained to the athlete the terms and effects of the agreements. To this end I/we have obtained independent legal advice as to the terms and effects of the agreements in order to clarify any doubts or concerns I/we may have had in this regard;
- 3. the athlete has read the agreements and, together with the benefit of our full explanation, understands its terms and effects;
- 4. the agreements are for the benefit of the athlete; and
- 5. the athlete's eligibility for being considered for nomination by the above NF for selection to the 2008 Australian Olympic Team, ("Team"), may be terminated in the event of any breach of these agreements.

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

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

.....
(Witness' signature)

.....
(Name of Witness)

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

.....
.....
(Address of Witness)

.....
.....
(Address of Parent/Guardian)

Attachment 3

Appeals regarding Selection or Non-Selection in the World or Oceania Qualification Tournaments and Appeals regarding inclusion or omission from the List of Athletes to live and train at the AIS chosen according to H(1) and H(2) of the Nomination Criteria

1. TA Inc APPEALS TRIBUNALS

1.1 The TA Inc Appeals Tribunal that will consist of the following persons appointed by the Board of TA Inc:

- (1) a barrister or solicitor who will act as Chairman;
- (2) a person with a thorough knowledge of the sport of taekwondo and who preferably has had recent international competition experience in the sport; and
- (3) one other person of experience and skills suitable to the function of the Tribunal;

who will constitute a quorum for the purpose of hearing and determining any appeal pursuant to clause 2, provided that with the consent of all parties to an appeal the Tribunal may be constituted by two members, one of whom must be a barrister or solicitor who will act as Chairman.

1.2 No person appointed to the TA Inc Appeals Tribunal may hear and consider any appeal pursuant to clause 2 if he or she is a member of Board of TA Inc or the Selection Panel or if by reason of his or her relationship with:

- (1) the appellant;
- (2) any member of the Board of TA Inc;
- (3) any member of the Selection Panel; or
- (4) any persons whose interests may be affected by the outcome of the appeal;

he or she would be reasonably considered to be other than impartial.

1.3 Should an appellant or other party to an appeal challenge the impartiality of any member of the TA Inc Appeals Tribunal, the challenge will be determined by the Chairman sitting alone.

1.4 The TA Inc Appeals Tribunal will be bound by the following requirements:

- (1) it must observe the principles of natural justice;
- (2) it is not bound by the rules of evidence and may inform itself as to any matter in such manner as it thinks fit;
- (3) it will conduct its hearings with as little formality and technicality and with as much expedition as the proper consideration of the matter permits;
- (4) hearings may occur in such manner as the Chairman decides, including telephone or video conferencing;
- (5) each appellant must establish one or more grounds of appeal to the reasonable satisfaction of the Tribunal with full regard to the importance and gravity of the issue;
- (6) the parties to an appeal will not be entitled to be represented by a barrister or solicitor save with the leave of the TA Inc Appeals Tribunal, which leave will only be given in

exceptional circumstances and, if given, may be given unconditionally or on such conditions as the TA Inc Appeals Tribunal thinks fit;

- (7) if a question of law arises during the course of a hearing, the parties may seek an adjournment in order to obtain legal advice;
 - (8) if the TA Inc Appeals Tribunal is of the view that the outcome of the appeal may affect the interests of any person in addition to the respondent, it must, so far as is practicable, require that notice be given to such other person and will permit that person to appear at the hearing of the appeal and to make submissions;
 - (9) it will give its decision on any appeal as soon as practicable after the hearing and will provide the Executive Director of TA Inc, the appellant and other parties to the appeal with a statement of the reasons for its decision; and
 - (10) Whilst the TA Inc Appeals Tribunal will as a matter of usual practice refer the question of re-selection back to the Selection Panel for determination in accordance with the applicable Nomination Criteria, where it determines to uphold any appeal in respect of the selection or non-selection of an athlete for the World Taekwondo Qualification Tournament or the Regional Taekwondo Qualification Tournament , then it may itself conclusively determine the issue of nomination of athletes where:
 - (a) it has determined that:
 - (i) it would be impractical to refer the question of selection or non-selection back to Selection Panel in the time available in which entries to the respective Taekwondo Qualification Tournament must be submitted; or
 - (ii) there has been such a disregard of the Nomination Criteria by or on behalf of the Selection Panel that a reasonable person could reasonably conclude that it is unlikely the Nomination Criteria will be properly followed and/or implemented; and
 - (b) prior to making the determination in paragraph (a), it has advised the parties and all persons whose interests may be affected by the outcome of the appeal of:
 - (i) the possibility of it making such a determination; and
 - (ii) that it may itself conclusively determine the issue of nomination of athletes; and
- permitting the parties and all such persons the opportunity to make submissions and give evidence in respect thereof;

2. APPEALS PROCESS FOR ATHLETES

- 2.1 Subject to clause 2.10, any dispute regarding an athlete's selection or non-selection of an athlete for the World Taekwondo Qualification Tournament or the Regional Taekwondo Qualification Tournament or any dispute regarding inclusion or omission of an athlete from the List of Athletes to live and train at the AIS chosen according to H(1) and H(2) of the Nomination Criteria will be addressed according to the following appeal procedure:
 - (1) the appeal will be first heard by the TA Inc Appeal Tribunal;
 - (2) any subsequent appeal will be heard by the Appeals Arbitration Division of CAS.
- 2.2 In the event that there is more than one appeal to the TA Inc Appeals Tribunal or to CAS in respect of the same position, then such appeals must so far as is practicable be consolidated and heard together.

- 2.3 The sole grounds for any appeal to the TA Inc Appeals Tribunal are that:
- (1) the applicable Nomination Criteria have not been properly followed and/or implemented; or
 - (2) the athlete was not afforded a reasonable opportunity by TA Inc to satisfy the applicable nomination criteria; or
 - (3) the nomination decision was affected by actual bias; or
 - (4) there was no material on which the nomination decision could reasonably be based.
- 2.4 Subject to clause 2.6 any appeal against non-selection of an athlete for the World Taekwondo Qualification Tournament or the Regional Taekwondo Qualification Tournament or any dispute regarding inclusion or omission of an athlete from the List of Athletes to live and train at the AIS chosen according to H(1) and H(2) of the Nomination Criteria must be made to the TA Inc Appeals Tribunal. Any appeal must accord with the following procedure:
- (1) the appellant must give written notice of his appeal to the Executive Director of TA Inc within 48 hours of the announcement of the decision against which the appeal is made; and
 - (2) within 5 working days of submitting his or her written notice of appeal, the appellant must submit in writing to the Executive Director of TA Inc the grounds of that appeal accompanied by a non-refundable deposit of \$100 payable to TA Inc.
- 2.5 Prior to the hearing of any appeal, the Selection Panel will provide the TA Inc Appeals Tribunal and the appellant with a written statement as to the reasons for the decision against which the appeal is made.
- 2.6 The decision of the TA Inc Appeals Tribunal will be binding on the parties and, subject only to any appeal to CAS pursuant to clause 2.8, neither party may institute or maintain proceedings in any court or tribunal other than the TA Inc Appeals Tribunal.
- 2.7 Where an athlete wishing to appeal a decision concerning his or her selection or non-selection for the World Taekwondo Qualification Tournament or the Regional Taekwondo Qualification Tournament or any dispute regarding inclusion or omission of an athlete from the List of Athletes to live and train at the AIS chosen according to H(1) and H(2) of the Nomination Criteria and TA Inc agrees in writing, the appeal to the TA Inc Appeals Tribunal may be directly referred to Appeals Arbitration Division of CAS and in which instance the grounds of appeal must be one or more of the grounds described in clause 2.3 and the CAS panel will be vested the powers of the TA Inc Appeals Tribunal.
- In such instance,
- (1) the appeal will be solely and exclusively resolved by CAS according to the Code of Sports-Related Arbitration save that CAS will not have the power to vary the time limits pursuant to clause 2.4;
 - (2) the provisions of clause 2.10 will apply to any such appeal in so far as they are relevant and clause 2.12 will not apply; and
 - (3) there will be no subsequent appeal from the decision of CAS.
- 2.8 The sole grounds for any appeal against a decision of the TA Inc Appeals Tribunal are:
- (1) a breach of the rules of natural justice by the TA Inc Appeals Tribunal; or
 - (2) that the decision of the TA Inc Appeals Tribunal is otherwise wrong in law.

- 2.9 Any appeal from a decision of the TA Inc Appeals Tribunal must be solely and exclusively resolved by CAS according to the Code of Sports-Related Arbitration and applying the law of New South Wales.
- 2.10 The decision of CAS will be final and binding on the parties and it is agreed that neither party will institute or maintain proceedings in any court or tribunal other than CAS. In particular, and without restricting the generality of the foregoing and for further and better assurance notwithstanding that such provisions have no applicability, there will be no right of appeal under section 38 of the Commercial Arbitration Act, 1984 (NSW) or equivalent in any of the Australian states or to apply for the determination of a question of law under section 39(1)(a) of such Act or equivalent in any of the Australian states.
- 2.11 An Athlete wishing to appeal to CAS against a decision of the TA Inc Appeals Tribunal must give written notice of that fact to the Executive Director of TA Inc within 48 hours of the announcement of the decision against which the appeal is made (or within such time as the Executive Director may allow) and must then file his or her statement of appeal with CAS within 5 working days. Failure to observe these time limits will render any appeal a nullity provided that an athlete may apply to the body to hear the appeal in question for an extension of time in which to commence an appeal. The body to hear the appeal in question may grant such an extension of time only in extenuating circumstances outside the control of the athlete concerned.
- 2.12 All appeals to CAS will be heard by a panel comprising three arbitrators subject to R50 of the Code of Sports-Related Arbitration.
- 2.13 The power of the CAS panel to review the facts and the law pursuant to Rule 57 of the Code of Sports Related Arbitration will be initially limited to determining whether the appellant has made out one or more of the grounds of appeal pursuant to clauses 2.8. If the CAS panel so determines in favour of the appellant, the hearing will then only proceed as a hearing de novo confined, in the case of a dispute as to nomination or non-nomination of an Athlete, to a hearing as to whether one or more of the grounds of appeal pursuant to clause 2.3 have been established and subject to the CAS panel observing the requirements of clause 2.14.
- 2.14 If CAS determines to uphold any appeal in respect of the selection or non-selection of an athlete for the World Taekwondo Qualification Tournament or the Regional Taekwondo Qualification Tournament or any dispute regarding inclusion or omission of an athlete from the List of Athletes to live and train at the AIS chosen according to H(1) and H(2) of the Nomination Criteria, it will as a matter of usual practice refer the question of re-nomination back to the Selection Panel for determination in accordance with the applicable Nomination Criteria. CAS may itself conclusively determine the issue of nomination or selection of athletes where:
- (1) it has determined that:
 - (a) it would be impractical to refer the question of selection or non-selection back to Selection Panel in the time available in which entries to the respective Taekwondo Qualification Tournament must be submitted; or
 - (b) there has been such a disregard of the Nomination Criteria by or on behalf of the Selection Panel that a reasonable person could reasonably conclude that it is unlikely the Nomination Criteria will be properly followed and/or implemented; and
 - (c) prior to making the determination in paragraph (a), it has advised the parties and all persons whose interests may be affected by the outcome of the appeal of:
 - (i) the possibility of it making such a determination; and
 - (ii) that it may itself conclusively determine the issue of nomination of athletes; and

- (iii) permitting the parties and all such persons the opportunity to make submissions and give evidence in respect thereof.

Attachment 4

A copy of the IOC/WTF Qualification and Participation Criteria appears on the following pages.

WTF – Taekwondo

Men and Women

EVENTS (8)	Men (4) under 58 kg under 68 kg under 80 kg over 80 kg	Women (4) under 49 kg under 57 kg under 67 kg over 67 kg
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ATHLETE QUOTA	Men	62
	Women	62
	Tripartite Invitation places	4
	TOTAL	128

MAXIMUM PER NOC An NOC can enter a maximum of 2 men and 2 women but only 1 athlete in each weight category

ALLOCATION OF QUALIFICATION Qualification is attributed to the NOC

QUALIFICATION SYSTEM PRINCIPLES MEN AND WOMEN

Event	Qualification	Total
Host nation	The host nation will qualify a place in 2 events for men and in 2 events for women	Men: 2 Women: 2
World Taekwondo Qualification Tournament	The first 3 placed athletes in the Olympic weight categories	Men: 12 Women: 12
Continental Taekwondo Qualification Tournaments	48 places for men and 48 places for women will be attributed at the Continental Qualification Tournaments as follows: Africa: 2 men and 2 women per weight category (8 men and 8 women in total) Asia: 3 men and 3 women per weight category (12 men and 12 women in total) Europe: 3 men and 3 women per weight category (12 men and 12 women) Oceania: 1 man and 1 woman per weight category (4 men and 4 women) Pan America: 3 men and 3 women per weight category (12 men and 12 women in total)	Men: 48 Women: 48
Tripartite Commission Invitation	4 places will be allocated by the Tripartite Commission (gender not previously defined)	4
Total	Men Women Tripartite Commission Invitation places	62 62 4

World Taekwondo Federation (WTF)

EVENTS

Men

Under 58kg
(Not exceeding 58kg)

Under 68kg
(Over 58kg & not exceeding 68kg)

Under 80kg
(Over 68kg & not exceeding 80kg)

Over 80kg

Women

Under 49kg
(Not exceeding 49kg)

Under 57kg
(Over 49kg & not exceeding 57kg)

Under 67kg
(Over 57kg & not exceeding 67kg)

Over 67kg

ATHLETE / NOC QUOTA

Athlete quota: 62 men
62 women
4 places for Tripartite Commission Invitation athletes (gender not previously defined)
Total of 128 athletes

Maximum per NOC: 2 men and 2 women, with a maximum of 1 athlete per weight category

QUALIFICATION SYSTEM

Attribution of qualification

Qualification is attributed to the respective NOC.

Minimum prerequisite for qualification

An athlete must possess an official Kukkiwon Dan certification.

An athlete must be recommended by its pertinent member national association in order to enter for the qualification tournaments.

NOCs are required to confirm the entry of their athletes by no later than 15 February 2008.

NF/NOC entry in qualification events

The maximum number of entries from an NF/NOC in qualification events may not exceed the number of available qualification places for the respective NF/NOC.

QUALIFICATION SYSTEM IN DETAIL**1. World Taekwondo Qualification Tournament**

The first 3 placed athletes in the Olympic weight categories will qualify their NOC a place in the respective event.

3 men (1st – 3rd) x four (4) weight categories: 12 men

3 women (1st – 3rd) x four (4) weight categories: 12 women

Total: 24 athletes

2. Continental Taekwondo Qualification Tournaments

48 men's places and 48 women's places will be allocated through Continental Taekwondo Unions. The respective Unions shall conduct continental qualification tournaments to allocate the number of qualification places specified in the table below.

Allocation of quota by continent

Continent	Men	Women	Quota
Asia	3 per weight category	3 per weight category	24
Europe	3 per weight category	3 per weight category	24
Pan America	3 per weight category	3 per weight category	24
Africa	2 per weight category	2 per weight category	16
Oceania	1 per weight category	1 per weight category	8

Total: 96 athletes

3. Host nation

The host nation shall not participate in any qualification tournament, as it shall be directly qualified in 2 weight categories for men and 2 weight categories for women.

1 man x 2 weight categories: 2 men

1 woman x 2 weight categories: 2 women

The host nation is required to inform the WTF and all member national associations of the weight categories that it wishes to participate in, no later than one month before the start of the World Qualification Tournament.

Total: 4 athletes

4. Tripartite Commission (IOC-ANOC-WTF) Invitation places

Four (4) Tripartite Commission Invitation places will be made available for eligible nations.

The deadline for NOCs to submit their requests for Tripartite Commission Invitation places is 15 November 2007. The allocation of Invitation places will be confirmed, in writing, to the NOCs by July 2008.

Total: 4 athletes

QUALIFICATION TIMELINE

23 - 25 September 2007	World Taekwondo Qualification Tournament, Manchester (GBR)
15 November 2007	Deadline for the submission of requests for Tripartite Commission Invitation places by all NOCs
November 2007 – January 2008	Continental Taekwondo Qualification Tournaments to be conducted
Early November 2007	African Taekwondo Qualification Tournament, <i>site to be confirmed</i>
Late November 2007	Asian Taekwondo Qualification Tournament, Ho Chi Minh City (VIE)
Mid-December 2007	Pan-American Taekwondo Qualification Tournament, Bogotá, D.C. (COL)
Late Dec 2007 or early Jan 2008	Oceania Taekwondo Qualification Tournament, <i>site to be confirmed</i>
Late January 2008	European Taekwondo Qualification Tournament, Istanbul (TUR)
Early February 2008	WTF to confirm qualification places for NFs/NOCs
15 February 2008	Deadline for NOCs to inform the WTF of their intention to use the acquired quota places
March 2008	WTF to confirm the reallocation of unused quota places
July 2008	The Tripartite Commission will confirm, in writing, the allocation of Invitation places to the NOCs
23 July 2008	Deadline for Beijing 2008 Organising Committee to receive entry forms submitted by NOCs

DATES / PROCESS OF CONFIRMATION OF PLACES

The WTF shall confirm to NFs/NOCs the qualification places they have achieved within two weeks of the final qualification tournament, sometime in early February 2008. By 15 February 2008, the respective NOCs must confirm to the WTF the use of qualification places achieved at the 2007 World Taekwondo Qualification Tournament and the Continental Taekwondo Qualification Tournaments. By 31 March 2008, the WTF hopes to confirm the reallocation of any unused places.

REALLOCATION OF UNUSED QUOTA POSITIONS

If an NOC qualified through the World Taekwondo Qualification Tournament relinquishes a qualification slot, the place will be allocated to the NOC of the next highest placed athlete in the respective weight category.

If an NOC qualified through a Continental Taekwondo Qualification Tournament relinquishes a qualification slot, the place will be allocated to the NOC of the next highest placed athlete at this continental qualification tournament in the respective weight category.

If the host nation does not use the available qualification places, or the Tripartite Commission is not able to allocate the Invitation places, these places will be reallocated based on the results of the World Taekwondo Qualification Tournament.