

**2010 AUSTRALIAN OLYMPIC WINTER TEAM
SKI & SNOWBOARD AUSTRALIA
NOMINATION CRITERIA – FREESTYLE – AERIALS**

1 Shadow Team

- (1) Ski & Snowboard Australia 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) Ski & Snowboard Australia will advise the AOC of the Athletes that it has chosen as members of the Shadow Team at such time as required by the AOC.
- (3) No Athlete is eligible to be chosen or recognised as a member of the Shadow Team unless the Athlete has signed the Consent to Shadow Team Membership Form (Attachment 1) and in the case of minors, the Parents/Guardians Acknowledgment for Minors Form (Attachment 2) and provided it to the CEO of Ski & Snowboard Australia at Level 1/ 1 Cobden St South Melbourne 3205 Victoria.
- (4) In order to be chosen by Ski & Snowboard Australia as a member of the Shadow Team each Athlete must:
 - (a) during either the 2008-2009 or 2009-2010 World Cup Seasons, have achieved the minimum FIS points as required by FIS for entry into World Cup Competitions (excluding the 'base quota spot' FIS point minimum requirement); or
 - (b) have been selected by Ski & Snowboard Australia as a member of the 2009 World Championship Team.
- (5) Ski & Snowboard Australia will provide all Athletes chosen or recognised as members of the Shadow Team with the Guide to Selection, the Selection Criteria and this Nomination Criteria. The AOC Selection By-Law and the Qualification System will be made available on the AOC's website (www.olympics.com.au).
- (6) If an Athlete breaches the requirements of the Nomination Criteria, the Selection Criteria or the Selection By-Law, Ski & Snowboard Australia may suspend or terminate the Athlete's membership of the Shadow Team.

2 Nomination of Athletes

Qualification

- (1) Quota places are allocated to Australia in accordance with the FIS Qualification System for the 2010 Olympic Winter Games (available on olympics.com.au). SSA will not nominate more Athletes (including reserves) than the maximum number permitted under the Qualification System;
- (2) Any athlete who qualifies a quota place for Australia by reason of their performance will not be given priority over any other athlete;

Nomination

- (3) For the purposes of nomination to the AOC of individual Athletes for selection to the 2010 Australian Olympic Winter Team, Ski & Snowboard Australia 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 as issued by the AOC from time to time;
- (d) 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; and
- (e) only nominate those Athletes who have produced a World Cup or World Championship top 3 placing during the period from 1 January 2008 to 18 January 2010, noting that:
 - (i) if more athletes achieve a World Cup or World Championships top 3 placing during the period 1 January 2008 – 18 January 2010 than quota places available to Australia, the Ski & Snowboard Australia Selection Panel will, in its discretion, nominate up to the maximum number of quota places to the athlete(s) who in their opinion will achieve the best result at the 2010 Olympic Winter Games. Without in anyway limiting the discretion of the Ski & Snowboard Australia Selection Panel, in forming its opinion, they will take into consideration the following factors:
 - A. the level of competition at each World Cup and/or World Championships considered in clauses 2(3)(e) above, the conditions experienced at the event(s) and any factors that may have adversely affected the final result in the event;
 - B. the athlete's experience at major events and proven performances under pressure;
 - C. current form and fitness including recent training and competition performances, general physical conditioning and/or any physical restrictions/limitations, and the potential to increase their level of performance or degree of difficulty as assessed by the SSA Selection Panel in consultation with the athlete's coach;
 - D. any injury issues relating to the athlete (following consultation with the Aerials program medical staff; and
 - E. any other factor that, in the opinion of the Ski & Snowboard Australia Selection Panel is relevant to achieving the objective of choosing the athlete/s that will achieve the best result at the 2010 Olympic Winter Games.
 - (ii) if additional quota places remain available to Australia following the allocation of quota places according to clause 2(3)(e), the remaining quota places will be filled in priority order of the highest ranked athlete(s) according to the FIS Aerials World Ranking List as published on the FIS website on 18 January 2010.

3 Making of Nominations

Nominations by Ski & Snowboard Australia must be received by the AOC by 10:00am on *Friday 22 January 2010*. 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 Ski & Snowboard Australia Appeals Tribunal or the Court of Arbitration for Sport pursuant to the AOC's Selection By-Law and which appeal had been commenced prior to the deadline for receipt of nominations by the AOC.

The 10:00am on *Friday 22 January 2010* deadline for the making of nominations by Ski & Snowboard Australia applies irrespective of any deadline prescribed under the Qualification System or by the Organising Committee for the 2010 Olympic Winter Games.

4 **Amendments to Nomination Criteria**

This Nomination Criteria may be amended by Ski & Snowboard Australia with the prior written approval of the AOC. Any amended Nomination Criteria will be distributed by Ski & Snowboard Australia. Amendments will be posted on the Ski & Snowboard Australia website skiandsnowboard.org.au and the AOC website (olympics.com.au) and a copy of amendments will be provided to each member of the Shadow Team by email.

5 **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 meanings:
 - (a) SSA or Ski & Snowboard Australia means Ski & Snowboard Australia Ltd;
 - (b) The Ski & Snowboard Australia Selection Panel will consist of:
 - the OWIA Head Coach Aerials.
 - the SSA Chief Executive Officer and
 - Geoff Lipshut

6 **Law**

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

Attachment 1
2010 AUSTRALIAN OLYMPIC WINTER TEAM
CONSENT TO SHADOW TEAM MEMBERSHIP

Ski & Snowboard Australia

[insert name of Athlete]

I consent to being a member of the Shadow Team for nomination by the above NF for selection to the 2010 Australian Olympic Winter 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 Selection By-Law, the AOC Selection Criteria applicable to my sport and my NF's Nomination Criteria in force and as amended from time to time. I acknowledge that all members of the Shadow Team will likewise be bound by and must observe the same terms.
- 2 The AOC's 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 website (www.olympics.com.au) along with the Qualification System applicable to my event.
- 3 The decision whether or not to nominate me to the AOC for selection in the 2010 Australian Olympic Winter 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 2010 Australian Olympic Winter Team I will be required to complete an Athlete Acknowledgement 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 2010 Australian Olympic Winter Team I am not guaranteed to be selected in the 2010 Australian Olympic Winter Team. The decision whether or not to select me as a member of the 2010 Australian Olympic Winter Team is subject to the AOC's 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 conduct (whether publicly known or not), which has brought or would have the tendency to bring me or my sport into disrepute or censure, or which would be inconsistent with, contrary to or prejudicial to the best interests, image or values of the AOC, or as a result of which my membership would not be in the best interests of the Australian Olympic Team or the Shadow Team;
 - (2) I have not at any time been convicted of, or charged with, any serious offence involving alcohol or drugs, or any sex offence, or any offence which is punishable by imprisonment;
 - (3) 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) or (2) above or concerning any criminal offence of whatever nature, with which I have been charged, or of which 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;
 - (4) any matter arising under (1), (2) or (3) 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 6(1), (2) or (3) 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 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 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. This request is subject to the approval of the AOC in accordance with the 2010 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

Attachment 2

AUSTRALIAN OLYMPIC TEAM

PARENTS/GUARDIANS ACKNOWLEDGEMENT FOR MINORS

Ski & Snowboard Australia

[insert name of Athlete]

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

1. the Athlete is under the age of 18 years as at the date of signing the Consent to Shadow Team Membership;
2. I/we have read and understood the AOC Selection By-Law and the AOC Selection Criteria applicable to the sport of Freestyle Skiing - Aerials ("the Selection Terms") and have fully explained to the Athlete the Selection Terms. To this end I/we have obtained independent legal advice as to the Selection Terms in order to clarify any doubts or concerns I/we may have had in this regard;
3. the Athlete has read the Selection Terms and, together with the benefit of our full explanation, understands their meaning and effect;
4. the Selection Terms are for the benefit of the Athlete;
5. the Athlete's eligibility for being considered for nomination by the above NF for selection to the 2010 Australian Olympic Winter Team, may be terminated in the event of any breach of the Selection Terms; and
6. this acknowledgement is governed by the laws applicable in the State of New South Wales.

Dated:

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

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

.....
(Witness' signature)

.....
(Name of Witness)

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