

**2010 AUSTRALIAN OLYMPIC WINTER TEAM  
Australian/Victorian Biathlon Association Inc  
NOMINATION CRITERIA**

*NOTE: The AOC reserves the right to require amendments to the Nomination Criteria and amend its Selection Criteria as necessary, particularly where there is a change to the Qualification Systems or significant circumstances affecting the nomination process.*

**1 Shadow Team**

- (1) The Australian/Victorian Biathlon Association 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) The Australian/Victorian Biathlon Association 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.
- (3) In order to be chosen by the Australian/Victorian Biathlon Association Inc as a member of the Shadow Team each Athlete must have qualified under the International Biathlon Union Qualification System to compete at World Cup events to be staged in the Current Season or whose performances, in the opinion of The Australian/Victorian Biathlon Association, demonstrate a realistic potential to achieve this qualification.
- (4) 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 Australian/Victorian Biathlon Association Inc at 258 Karoo Road Rowville Victoria 3178.
- (5) The Australian/Victorian Biathlon Association Inc will provide all Athletes chosen or recognised as members of the Shadow Team with the Guide to Selection, the Selection Criteria this Nomination Criteria. The AOC Selection By-Law and the Qualification Systems will be made available on the AOC's website ([www.olympics.com.au](http://www.olympics.com.au)).
- (6) If an Athlete breaches the requirements of the Nomination Criteria, the Selection Criteria or the Selection By-Law, the Australian/Victorian Biathlon Association Inc may suspend or terminate the Athlete's membership of the Shadow Team.

**2 Nomination of Athletes**

For the purposes of nomination to the AOC of individual Athletes for selection to the 2010 Australian Olympic Winter Team the Australian/Victorian Biathlon Association Inc will:

- (1) only nominate Athletes who are, or are recognised by the AOC as, members of the Shadow Team;
- (2) only nominate those Athletes it honestly believes have met the requirements described in the Selection Criteria;
- (3) only nominate those Athletes who have signed the Athlete Nomination Form as issued by the AOC from time to time;
- (4) not nominate more Athletes (including reserves) than the maximum number permitted under the Qualification Systems;
- (5) 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;
- (6) only nominate those Athletes who have competed in:
  - (a) the National Biathlon Titles held on 22 – 23 August 2009 in Mt Hotham, Victoria; and

- (b) at least two (2) IBU World Cups during the 2008/2009 or 2009/2010 season up to and inclusive of events until 18 January 2010.
- (6) nominate Athletes for the positions made available to Australia under the Qualification System, in order of highest ranking, calculated in accordance with paragraphs (a) – (e):
- (a) Athlete rankings will be determined by taking the average of each Athlete’s best two Percentage Results in a World Cup Event in the Current Season and listing those results from lowest average percentage to highest average percentage;
  - (b) an Athlete’s best two Percentage Results may be achieved in any combination of World Cup Events;
  - (c) in the event that two Athletes have an equal ranking, the Athlete with the lowest Percentage Result in any third World Cup Event in the Current Season will be ranked higher than the other Athlete. The third World Cup Event used by either Athlete does have to be the same distance;
  - (d) an Athlete will not receive a ranking under this clause, or be considered for nomination, unless they have completed at least two World Cup Events in the Current Season;
  - (e) the Athlete or Athletes nominated in accordance with this clause will be nominated to participate in the sprint event and individual event at the 2010 Olympic Winter Games. That Athlete or Athletes may also participate in the pursuit event and mass start event, provided the IBU Qualification standards (as set out in clause Chapter 3, 12.6.1.2 and 12.6.1.3 of the IBU Rule Book (edition Congress 2008) are met.

### 3 **Nomination for Relay Events**

For the purpose of nomination to the AOC of a relay team for inclusion in the 2010 Australian Olympic Winter Team the Australian/Victorian Biathlon Association Inc will:

- (1) only nominate members of the relay team who are, or are recognised by the AOC as, members of the Shadow Team;
- (2) only nominate members of the relay team it honestly believes have met the requirements described in the Selection Criteria;
- (3) only nominate members of the relay team who have signed the Athlete nomination form issued by the AOC from time to time;
- (4) not nominate more relay teams (including reserves) than the maximum number permitted under the Participation Criteria;
- (5) not nominate as a member of a relay team any Athlete who has breached the AOC Anti-Doping By-Law for which the Athlete has been sanctioned and has not completed the sanction imposed; and
- (6) nominate Athletes for positions in an Australian relay team in order of highest ranking, calculated in accordance with paragraphs (a) to (d):
  - (a) Athlete rankings will be determined by taking the average of each Athlete’s best two Percentage Results in a World Cup sprint event in the Current Season and listing those results from lowest average percentage to highest average percentage;
  - (b) in the event that two Athletes have an equal ranking, the Athlete with the lowest Percentage Result in a third World Cup sprint event in the Current Season will be ranked higher than the other Athlete. The third World Cup sprint event used by either Athlete does have to be the same distance;

- (c) in the event that less than four Athletes have completed two or more World Cup sprint events in the Current Season, all remaining positions will be filled by Australia's highest ranked Athletes (excluding those already ranked under paragraph (a)), calculated in accordance with the following:
  - (i) Athlete rankings will be determined by taking the average of each Athlete's best two Percentage Results in a World Cup Event in the Current Season and listing those results from lowest average percentage to highest average percentage provided that an Athlete's best two Percentage Results may be achieved in any combination of World Cup Events;
  - (ii) in the event that two Athletes have an equal ranking, the Athlete with the lowest Percentage Result in any third World Cup Event in the Current Season will be ranked higher than the other Athlete. The third World Cup Event used by either Athlete does have to be the same distance;
- (d) an Athlete will not receive a ranking under this clause 3(6), or be considered for nomination, unless they have completed at least two World Cup Events in the Current Season.

#### 4 **Illness/Misadventure/Extenuating Circumstances**

This clause will only apply in determining whether an Athlete has met the additional criteria imposed by Australian/Victorian Biathlon Association Inc pursuant to clause 2(6)(a).

- (1) In considering the attendance of Athletes at the National Biathlon Titles required under clause 2(6)(a) of this Nomination Criteria the Australian/Victorian Biathlon Association Inc may in their discretion give weight to extenuating circumstances.
- (2) For the purposes of this clause 4, "extenuating circumstances" means an inability to compete and/or attend the National Biathlon Titles arising from:
  - (a) injury or illness;
  - (b) equipment failure (where applicable);
  - (c) travel delays;
  - (d) bereavement or disability arising from death or serious illness of an immediate family member; and/or
  - (e) any other factors reasonably considered by the Australian/Victorian Biathlon Association Inc to constitute extenuating circumstances.
- (3) Athletes unable to compete at the National Biathlon Titles required under this Nomination Criteria must advise the Australian/Victorian Biathlon Association Inc Executive Officer in writing of this fact and the reasons before the commencement of the event required under this Nomination Criteria.
- (4) In the case of illness or injury, Athletes will be required to undergo a medical examination by a doctor or doctors nominated by Australian/Victorian Biathlon Association Inc.
- (5) A decision in each case of extenuating circumstances will be made by the Australian/Victorian Biathlon Association Inc on an individual basis. Any such decision will not be binding on the AOC.

#### 5 **Athlete Withdrawal from Nomination Process**

An Athlete may withdraw from nomination by providing written notice to the Executive Officer of the Australian/Victorian Biathlon Association Inc by 18 January 2010. If an Athlete's nomination is withdrawn,

that Athlete will be removed from the Athlete rankings and all Athletes ranked below will be moved up one place.

## 6 **Making of Nominations**

Nominations by Australian/Victorian Biathlon Association Inc 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 the Australian/Victorian Biathlon Association Inc 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 *22 January 2010* deadline for the making of nominations by the Australian/Victorian Biathlon Association Inc applies irrespective of any deadline prescribed under the Participation Criteria or by the Organising Committee for the 2010 Olympic Winter Games.

Any nominations by the Australian/Victorian Biathlon Inc to the AOC will be made subject to confirmation of the quota places by the IBU on 24 January 2010.

## 7 **Amendments to Nomination Criteria**

This Nomination Criteria may be amended by Australian/Victorian Biathlon Association Inc with the prior written approval of the AOC. Any amended Nomination Criteria will be distributed by Australian/Victorian Biathlon Association Inc. Details of any amendment to the Nomination Criteria will be emailed to members of shadow team, posted on the Australian/Victorian Biathlon Inc ([www.biathlon.asn.au](http://www.biathlon.asn.au)) website and verbally brought to the attention of the Shadow team members.

## 8 **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:

“IBU” means the International Biathlon Union

“Current Season” means the events held in the World Cup season immediately prior to the 2010 Olympic Winter Games but concluding after the final World Cup prior to the deadline for the nominations to be made to the AOC, being 18 January 2010.

“Percentage Result” means the percentage behind the average time of the top three competitors in that event;

“World Cup Event” means either a Biathlon World Cup sprint event or a Biathlon World Cup individual event.

## 9 **Law**

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

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

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Australian/Victorian Biathlon Association Inc

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[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](http://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 Winter 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.)**

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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 Winter 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**

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Australian/Victorian Biathlon Association Inc

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[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 Biathlon ("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 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)

