



2010 AUSTRALIAN OLYMPIC WINTER TEAM SELECTION CRITERIA - BIATHLON

NOTE: *The AOC reserves the right to amend this Criteria as necessary.*

1 Pursuant to the AOC's Selection By-Law, the AOC has adopted this Selection Criteria in respect of the selection of Athletes to the 2010 Australian Olympic Winter Team as nominated by the Australian/Victorian Biathlon Association.

2 **Eligibility for Selection**

In order to be selected by the AOC as a member of the 2010 Australian Olympic Winter Team, each Athlete (or team where applicable) must:

- (1) have met the requirements of the qualification system prescribed in the Qualification System;
- (2) have met and continue to observe and meet the eligibility requirements for Australian competitors described in the Olympic Charter;
- (3) have met and continue to meet the requirements of Rules 41 and 45 of the Olympic Charter and their By-Laws;
- (4) have signed the 2010 Australian Olympic Winter Team Membership Agreement and agree to sign any entry form required by the IOC and the Organising Committee for the 2010 Olympic Winter Games;
- (5) have been nominated by the Australian/Victorian Biathlon Association on the form issued from time to time by the AOC, which has been signed on behalf of the Australian/Victorian Biathlon Association and also signed by the Athlete;
- (6) have observed and continue to observe the provisions of the AOC's Constitution and its by-laws, including the AOC's Selection By-Law, and must not have breached the AOC's Anti-Doping By-Law unless the Athlete has already been sanctioned for the breach and has completed the sanction imposed;
- (7)
 - (a) have not at any time engaged in conduct (whether publicly known or not), which has brought or would have the tendency to bring the Athlete or the Athlete's 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 the Athlete's membership would not be in the best interests of the 2010 Australian Olympic Winter Team;
 - (b) 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;
 - (c) have and will continue to honestly and fully disclose information to the Athlete's NF and the AOC concerning any conduct that might be in breach of (a) or (b) above or concerning any criminal offence of whatever nature, with which the Athlete has been charged, or of which the Athlete has been convicted, and have consented to the Athlete's NF and the AOC making enquiries to relevant authorities for any details of the Athlete's criminal record (if any), including details of any charges pending or any spent convictions disclosable by law, and have consented to those authorities providing that information in answer to those enquiries;

- (d) any matter arising under (a), (b) or (c) above is to be determined, or breach thereof excused, by the AOC in its sole and absolute discretion.
- (8) undergo medical assessment and testing to the complete satisfaction of the AOC.

Subject to Clause 3, a failure, in the opinion of the AOC, by an Athlete to comply with one or more of the requirements in subclauses (1) to (8) above will render that Athlete ineligible for selection by the AOC.

3 Selection

The AOC has the sole and absolute discretion:

- (1) to determine whether an Athlete (or team where applicable) has met the requirements of this Selection Criteria;
- (2) to determine whether an Athlete (or team where applicable) who has not met the requirements of this Selection Criteria is still eligible for selection by the AOC;
- (3) to determine whether an Athlete (or team where applicable) should not be selected for membership of the 2010 Australian Olympic Winter Team, notwithstanding that the Athlete (or team where applicable) has met the requirements of this Selection Criteria; and
- (4) to determine whether or not it should select the maximum number of Athletes (or teams where applicable) permitted by the Qualification System, notwithstanding the number of Athletes who may have met the requirements of this Selection Criteria and/or the Qualification System.

4 No Extenuating Circumstances

For the purposes of determining whether an Athlete (or team where applicable) has met the requirements of this Selection Criteria and/or the requirements of the qualifying system imposed by the Qualification System, the AOC will not have regard to any extenuating circumstances.

5 Timing of Nominations

Nominations by the Australian/Victorian Biathlon Association 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 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 the deadline for receipt of nominations by the AOC.

The deadline for receipt of nominations by the AOC applies irrespective of any deadline prescribed under the Qualification System or by the Organising Committee for the 2010 Olympic Winter Games.

6 Amendments

This Selection Criteria may be amended by the AOC from time to time as necessary. Any amended Selection Criteria will be made available on the AOC's website (www.olympics.com.au) and Athletes will be notified by the Australian/Victorian Biathlon Association.

7 Interpretation

Words used in these Selection Criteria have the same meaning ascribed to them in the AOC's Selection By-Law unless a contrary meaning appears from the context.

For the purposes of these Selection Criteria the phrase "Qualification System" means the International Biathlon Union (IBU) qualifying system for the XXI Olympic Games, Vancouver 2010 for Biathlon.

8 Law

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