

2010 AUSTRALIAN COMMONWEALTH GAMES TEAM

BOXING AUSTRALIA INCORPORATED

NOMINATION CRITERIA

1. OBJECTIVE

- 1.1 To identify and nominate to the Australian Commonwealth Games Association (ACGA) those athletes who will achieve the best possible results at the 2010 Commonwealth Games.

2. NOMINATION CRITERIA

- 2.1 These criteria may be varied by Boxing Australia Incorporated (BAI) and may include the introduction of any matter which has not originally been provided for in these criteria. Any variation to these criteria, including by amendment to, supplementation of or deletion from, must be first approved by the ACGA. Any such variation will be published on BAI's website by BAI's Chief Executive Officer (CEO) who will, also, endeavour to advise through BAI's Member Associations athletes affected by any variation to these criteria.

3. PROCESS OF NOMINATION AND SELECTION

- 3.1 To be selected to compete in the first 2010 Commonwealth Games Selection Trial (CGST) athletes must meet their Member Association criteria and the BAI criteria, in particular, BAI Competition Rules 1.1.8, 1.1.9, 3.1.1 and 3.1.2.
- 3.2 Athletes must compete in the first 2010 CGST to be held 18-21 March, 2010 at the Esplanade Hotel, Fremantle, Western Australia to be eligible to compete in the second CGST.
- 3.3 The winner and the runner-up in each Commonwealth Games weight category at the first 2010 CGST will be required to compete against the other in the second CGST.
- 3.4 The second CGST will be held 4 July, 2010 in a venue and location to be determined by BAI. At the second CGST the winner of each bout held between the winner and the runner-up in each Commonwealth Games weight category at the first 2010 CGST will be nominated to the ACGA for selection in the 2010 Australian Commonwealth Games Team unless BAI determines pursuant to Rule 3.5 that a further selection bout or bouts in that weight category is required.
- 3.5 In the event the winner or runner-up of a weight category at the first 2010 CGST is not available to compete in the second CGST

through injury or illness or any other cause, a further selection bout or bouts may be held if so resolved by the BAI Board to determine an athlete in that weight category to compete in the second CGST. And, also, in relation to the first CGST where the BAI Board of Directors resolves, pursuant to Rules 3.1.5 or 3.1.6 of BAI's Competition Rules, a further selection bout or bouts will be held to determine a winner in that weight category or weight categories.

3.6 The first and second 2010 CGSTs and any further selection bout or bouts will be conducted under BAI's Competition Rules with the exception that in each weight category at the first CGST :

- if two winners of any Men's Elite weight categories at the 2009 Australian Championships are contesting the same weight category they shall be placed in the Draw so as to not be able to compete against the other until the Final
- if more than two winners of any Men's Elite weight category at the 2009 Australian Championships are contesting the same weight category a name of one of the winners will be drawn in a ballot of those winners and be placed in one half of the Draw table so that he cannot compete in that weight category against any of the other athletes in that ballot until the Final and the remaining athletes drawn in a ballot so that they will not compete against each other until the semi-final, unless the category has four winners in which case they will be drawn so each will not meet until a semi-final.
- if a winner and a runner-up of any Men's Elite weight category at the 2009 Australian Championships are contesting the same weight category and no other winner of a Men's Elite weight category at those Championships is contesting that weight category, they shall be placed in the Draw so as to not be able to compete against the other until the Final
- if a winner of a Men's Elite weight category at the 2009 Australian Championships is contesting a weight category and no other winner of a Men's Elite weight category at the 2009 Australian Championships is contesting that weight category, and more than one runner-up of a Men's Elite weight category at the 2009 Australian Championships are contesting that weight category, the runners-up will be drawn in a ballot of the runners-up athletes and be placed on the Draw table so that they will not compete against each other until the semi-final if possible and the winner of a Men's Elite weight category at the 2009 Australian Championships

contesting that weight category will not be able to compete against the runners-up until the Final.

- if two winners and two runners-up of a Men's Elite weight category at the 2009 Australian Championships are contesting the same weight category the winners will be drawn in a ballot and be placed on opposite sides of the Draw table and the runners-up will be drawn in a ballot and be placed on opposite sides of the Draw table so that they will not compete against the winners until the semi-final.
- if no winners of a Men's Elite weight category at the 2009 Australian Championships are contesting a weight category and two runners-up at the 2009 Australian Championships are contesting that weight category they shall be placed in the Draw so as to not be able to compete against the other until the Final,
- if no winners of a Men's Elite weight category at the 2009 Australian Championships are contesting a weight category and more than two runners-up of any Men's Elite weight category at the 2009 Australian Championships are contesting the same weight category a name of one of the runners-up will be drawn in a ballot of the runners-up athletes and be placed on one half of the Draw table so that he cannot compete in that weight category against any of the other athletes in that ballot until the Final and the remaining runners-up drawn so that they will not compete against each other until the semi-final, unless the category has four runners-up in which case they each will not meet until a semi-final, and
- if a winner of any Men's Elite weight category at the 2009 Australian Championships is contesting the same weight category as an Australian representative to the 2009 AIBA President's Cup and no other winner or runners-up of a Men's Elite weight category at those 2009 Australian Championships is contesting that weight category, they shall be placed in the Draw so as to not be able to compete against the other until the Final, and where any further winners or runner-ups are contesting the same weight category the draw will if possible be conducted so that they will not meet until a semi-final.

3.7 BAI reserves the right to withdraw and replace with another athlete any nominated athlete who does not attend all BAI approved compulsory training camps unless prior approval has been given by BAI.

4. PROTESTS

- 4.1 A protest on behalf of an athlete against a decision in a bout at the first or second 2010 CGST or any further selection bout or bouts may be lodged according to the procedures in BAI's Competition Rules.
- 4.2 The protest must be made in writing to the Chairman of the Jury at the selection bout in accordance with BAI's Competition Rules and be accompanied with a \$220 fee (includes GST) that will only be refunded if the protest is successful.

5. FURTHER SELECTION BOUTS

- 5.1 In the event any further selection bout is held it will be conducted under BAI's Competition Rules.
- 5.2 Any such further selection bout or bouts will be held subject to the following conditions:
 - (i) athletes compete on a date and time at a venue in a location determined by BAI, and
 - (ii) must be conducted by 18 July, 2010; the result of any selection bout held subsequent to that date will not be recognised nor taken into account in nomination of the Team to the ACGA.

6. EXPENSES RELATED TO ATTENDANCE AT 2010 CGSTs AND/OR ANY FURTHER SELECTION BOUT/S

- 6.1 An athlete in any selection bout or bouts competition for nomination for selection in the Australian Team to the 2010 Commonwealth Games unless specifically exempted by the BAI Board must meet all his expenses associated with competing in any such bout or bouts. For the avoidance of any doubt these expenses may include, but are not limited to, any airfares, accommodation and meals for the athlete, his team manager and his coach associated with attendance at the selection bout or bouts.

7. APPEALS AGAINST NON-NOMINATION FOR SELECTION

- 7.1 The appeal process concerning non-nomination for selection is two tier, with the appeal being first heard by the BAI Appeal Panel with any subsequent appeal to be heard by the Court of Arbitration for Sport (CAS). However, with agreement of both parties the appeal to the BAI Appeals Panel may be dispensed with and the appeal can proceed directly to the CAS. In all cases an appeal to the CAS will be at the expense of the appellant.
- 7.2 The sole grounds for any appeal are that this Nomination Criteria was not properly followed and/or implemented.

7.3 Any appeal by an athlete against his non-nomination for selection made to the BAI Appeal Panel must accord with the following procedure:

- (a) The appellant must give written notice of his appeal to BAI's CEO within 48 hours of the announcement of the decision against which the appeal is made.
- (b) Within five (5) working days of submitting his written notice of appeal, the appellant must submit in writing to BAI's CEO the grounds of that appeal accompanied by a deposit of \$330 (includes GST).
- (c) Before hearing the appeal the BAI Appeal Panel will determine, at its sole discretion, any monies that should be lodged prior to the hearing with BAI's CEO by parties to the appeal to meet the reasonable costs of the BAI Appeal Panel in conducting the appeal including, but not limited to, all costs of employment, travel, accommodation and meals. Any such monies lodged with BAI's CEO, as a result of a determination by the BAI Appeal Panel pursuant to this clause, may not be refundable. The BAI Appeal Panel may, at its sole discretion, determine that any party to the appeal should be liable for all or a proportion of the costs of conducting the appeal.
- (d) The BAI Appeal Panel will comprise the following persons appointed by the BAI Board of Directors:
 - (i) a barrister or solicitor who will act as Chairman;
 - (ii) a person with a thorough knowledge of amateur boxing, and
 - (iii) one other person of experience and skills suitable to the function of the BAI Appeal Panel

No person is eligible to be appointed to the BAI Appeal Panel if he or she is a member of the BAI Board or the BAI Selectors Committee or by reason that his or her relationship with the appellant or any member of the BAI Board or the BAI Selectors Committee would be reasonably considered to be other than impartial.

- (e) The BAI Appeal Panel will convene a hearing as soon as possible after the submission of the grounds of appeal. The hearing may occur in such manner as the Chairman decides, including telephone or video conferencing. The BAI Appeal Panel is not bound by the rules of evidence but must observe the principles of procedural fairness.

- (f) Prior to the hearing, BAI will provide the BAI Appeal Panel and the appellant with a written statement as to the reasons for the decision against which the appeal is made.
 - (g) The BAI Appeal Panel will give its decision as soon as practicable after the hearing and will provide BAI's CEO and the appellant with a statement of the reasons for its decision.
- 7.4 Any appeal from a decision of the BAI Appeal Panel must be solely and exclusively resolved by the CAS according to the Code of Sports-Related Arbitration. The decision of the said Court will be final and binding on the parties. BAI, in adopting these nomination criteria, agrees it will not institute or maintain proceedings in any court or tribunal other than the said Court. The athlete, in seeking nomination for selection in the Australian Team to the 2010 Commonwealth Games under these criteria, agrees he will not institute or maintain proceedings in any court or tribunal other than the said Court.
- 7.5 An athlete wishing to appeal to the CAS must give written notice of that fact to BAI's CEO within 48 hours of the announcement of the decision against which the appeal is made. He must then file his statement of appeal with the CAS within five (5) working days.
- 7.6 Failure to observe the above 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.

8. NOMINATION OF ATHLETES TO THE ACGA

- 8.1 Athletes who win their Commonwealth Games weight category in the second 2010 CGST or subsequent further selection bout or bouts will be nominated by the BAI Board to the ACGA for selection as a member of the 2010 Australian Commonwealth Games Team.
- 8.2 In the event of a withdrawal of both the winner of a weight category in the second 2010 CGST or the winner of any subsequent selection bout or selection bouts competition in that weight category for the 2010 Commonwealth Games Team, then the BAI Board may choose an athlete from the same weight category from the entries in the first 2010 CGSTs. Any such selection of an athlete can include a decision that a further selection bout or bouts take place.

- 8.3 The fact that an athlete or official is nominated to the ACGA does not ensure that the ACGA will select that person as a member of the 2010 Australian Commonwealth Games Team. Selection to the Team and to participate in events at the 2010 Commonwealth Games is at the discretion of the ACGA.
- 8.4 The ACGA will determine the date when it will announce the selection of athletes and officials in the 2010 Australian Commonwealth Games Team.

9. OFFICIALS

- 9.1 The number and type of officials to be nominated to the ACGA as members of the 2010 Australian Commonwealth Games Team will be subject to ACGA determination.
- 9.2 Officials have no right of appeal against nomination or non-nomination to the ACGA, or selection or non-selection by the ACGA.

10. JURY

- 10.1 The Jury will consist of three (3) members appointed by BAI to officiate at each bout of the first and second 2010 CGSTs and any further selection bout or bouts. The Jury members must be present and observe the selection bout or bouts for which they have been appointed. The Jury's members may be different for any selection bout.
- 10.2 Each member of the Jury shall be entitled to one vote only. All decisions shall be decided by a majority vote.
- 10.3 The BAI Board of Directors has no power to change any properly taken decision of the Jury.

11. NOMINATION AND NON-NOMINATION DECISIONS

- 11.1 All BAI decisions concerning nomination and non-nomination of athletes and officials are subject to the approval of the BAI Board of Directors. The Chairperson of the BAI Board of Directors has a casting vote as well as a deliberate vote.