

**Modern Pentathlon Australia**

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**Nomination Criteria**

**Tokyo 2020 Olympic Games**

**Modern Pentathlon**

**1 Definitions and Interpretation**

**1.1 Definitions**

Unless otherwise defined below, capitalised terms in these Nomination Criteria have the meaning given to them in the AOC Olympic Team Nomination and Selection By-Law, certain of which have been reproduced below for the sake of convenience.

**AOC** means the Australian Olympic Committee Inc and any of its officers, employees or agents and any committee it convenes including the AOC Selection Committee.

**AOC Olympic Team Nomination and Selection By-Law** means the document adopted by the Executive which governs, among other things, the nomination and selection of Athletes to a team for an Olympic Games or Olympic Winter Games.

**AOC Selection Committee** means the committee established by the AOC to send athletes and appoint officials to the Australian Olympic team for the Games.

**AOC Selection Criteria** means the criteria adopted by the AOC in respect of the Games which outlines the requirements for an athlete to be selected by the AOC to participate in the Games.

**Athlete** means a person who:

- (a) participates in the Sport; and
- (b) is recognised by the National Federation or the AOC as eligible for nomination to the AOC for selection to the Team pursuant to this Nomination Criteria.

**Executive** means the Executive of the AOC.

**Extenuating Circumstances** means:

- (a) injury or illness;
- (b) equipment failure;

- (c) travel delays;
- (d) bereavement or disability arising from death or serious illness of an immediate family member, which means a spouse, de facto partner, child, parent, grandparent, grandchild or sibling; or
- (e) any other factors considered by the National Federation to constitute extenuating circumstances.

**Games** means the Tokyo 2020 Olympic Games.

**International Federation** means the International Modern Pentathlon Union (UIPM).

**National Federation** means Modern Pentathlon Australia (MPA).

**Nomination Date** means 30 June 2020.

**Qualification Period** means 23 February 2019 to 1 June 2020.

**Qualification System** means the eligibility, participation and qualification criteria for the Sport in respect of the Games issued by the International Federation.

**Sport** means Modern Pentathlon.

**Sport Entries Deadline** means the date on which entries to a Games must be submitted by the AOC.

**Team** means the team of athletes and officials selected by the AOC to participate in the Sport at the Games.

## 1.2 Interpretation

- (a) Unless the context otherwise requires, reference to:
  - (i) a clause is to a clause of these Nomination Criteria;
  - (ii) the singular includes the plural and the converse also applies;
  - (iii) persons include incorporated and unincorporated bodies, partnerships, joint ventures and associations and vice versa and their legal personal representatives, successors and permitted assigns and substitutes; and
  - (iv) a party includes the party's executors, administrators, successors and permitted assigns and substitutes.
- (b) If a person to whom this Nomination Criteria applies consists of more than one person, then this Nomination Criteria binds them jointly and severally.
- (c) A reference to time, day or date is to time, day or date of Sydney, Australia.
- (d) Headings are for convenience only and do not form part of this Nomination Criteria or affect its interpretation.

## **2 General**

- 2.1 These Nomination Criteria are issued by the board of the National Federation. The National Federation must provide, or otherwise make available, this Nomination Criteria to all Athletes.
- 2.2 The National Federation may only nominate Athletes to the AOC in accordance with these Nomination Criteria.
- 2.3 This Nomination Criteria will take effect on and from the date of publication and will cease to have effect at the conclusion of the Games.
- 2.4 These Nomination Criteria apply to:
- (a) all Athletes;
  - (b) the National Federation; and
  - (c) the AOC.
- 2.5 The terms of the AOC Olympic Team Nomination and Selection By-Law are incorporated by reference into these Nomination Criteria. The National Federation must provide, or otherwise make available, the AOC Olympic Team Nomination and Selection By-Law to all Athletes.

## **3 Long List**

- 3.1 For the purpose only of identifying prospective members of the Team, the National Federation or AOC may maintain a Long List of Athletes.
- 3.2 For the avoidance of doubt, membership of the National Federation's or the AOC's Long List does not increase, decrease or otherwise affect an Athlete's prospects of being nominated by the National Federation, or being selected by the AOC, to the Team.

## **4 Athlete Quota Positions**

- 4.1 The National Federation may only nominate Athletes to the AOC for selection to the Team where, pursuant to the Qualification System, the International Federation has awarded the AOC or the National Federation athlete quota positions.
- 4.2 A National Federation may not nominate more Athletes than are permitted to be nominated by the AOC under the Qualification System.

## **5 Eligibility Criteria**

The National Federation will only nominate an Athlete if, as at the Nomination Date, the National Federation is satisfied on reasonable grounds that the Athlete:

- (a) is an Australian citizen;
- (b) is a member of the National Federation;
- (c) satisfies the UIPM Qualification System;
- (d) has satisfied the Olympic Squad Selection Requirements in section 2 of the [Updated 2019 Modern Pentathlon Australia Selection Criteria](#) as updated and published on the MPA website on 8<sup>th</sup> August 2019;
- (e) has, in the opinion of the National Federation High Performance / Selection Committee and at its absolute discretion, engaged in ongoing and high-level training and international competition during the Qualification Period;
- (f) is likely to satisfy the AOC Selection Criteria;

- (g) has not breached the AOC Anti-Doping By-Law, unless the Athlete has been sanctioned for the breach and has completed the sanction imposed; and
- (h) does not, and is not likely to in the foreseeable future, suffer from any physical or mental impairment that would prevent the Athlete from competing at the Games to the highest possible standard for that Athlete.

## **6 Nomination Criteria**

- 6.1 Australia will receive quota places in accordance with the [UIPM Qualification System](#).
- 6.2 The National Federation will nominate to the AOC the number of Athletes to fill the quota places received.
- 6.3 If Australia qualifies more than two Athletes in either gender (i.e.: more than the maximum number permitted under the Qualification System), in making its determination with respect to an Athlete, the National Federation may have regard to any, all or none of the following considerations, in its absolute discretion:
  - (a) who will be most likely to achieve the highest competitive result at the Games;
  - (b) performances in World Championships, World Cups, and any other international and/or domestic events including previous Olympic Games
  - (c) the Athlete's physical form and fitness;
  - (d) the likelihood that the Athlete will suffer an injury in the lead up to or during the Games;
  - (e) the extent to which the Athlete has demonstrated, during the Qualification Period:
    - (i) discipline;
    - (ii) motivation; and
    - (iii) commitment to the Sport and to the Team.
  - (f) is, and will remain until the conclusion of the Games, a positive ambassador for the Sport, National Federation and the Games

## **7 Extenuating circumstances**

- 7.1 In determining whether an Athlete has satisfied the criteria set out in clause 6.3, the National Federation may, in its absolute discretion, have regard to Extenuating Circumstances.
- 7.2 In the event that an Athlete determines that he or she is unable to attend a competition, camp, training session or other relevant event that Athlete must notify the National Federation of his or her non-attendance in writing as soon as practicable
- 7.3 The National Federation High Performance / Selection Committee may consider an Athlete's non-attendance at a Nomination Event to be an Extenuating Circumstance in its absolute discretion. The National Federation may require an Athlete to undergo a medical examination

as a condition of treating the Athlete's non-attendance at a Nomination Event as an Extenuating Circumstance.

## **8 Submission of Nominations**

- 8.1 The National Federation must notify Athletes of the Nomination Date in writing.
- 8.2 The AOC may, in its absolute discretion extend the Nomination Date for the National Federation for any reason.
- 8.3 The National Federation must nominate Athletes to the AOC by the Nomination Date. The National Federation must inform Athletes of their nomination or non-nomination by no later than:
- (a) 48 hours prior to the Nomination Date, where such written notice would be received by the Athlete 14 days prior to the Sport Entries Deadline; or
  - (b) 24 hours prior to the Nomination Date, where such written notice would be received by the Athlete within 14 days of the Sport Entries Deadline,
- or such later date as the AOC advises the National Federation.
- 8.4 Nominations submitted to the AOC must be in the form prescribed by the AOC or in a form that is otherwise acceptable to the AOC and include any such information that is required pursuant to the AOC Olympic Team Nomination and Selection By-Law.
- 8.5 The AOC may, in its absolute discretion, accept a nomination submitted after the Nomination Date where it is submitted by the National Federation as a result of an appeal brought in accordance with the AOC Olympic Team Nomination and Selection By-Law.

## **9 Amendments**

This Nomination Criteria may only be amended with the written consent of the AOC Selection Committee.

## **10 Governing Law**

This Nomination Criteria is governed by the laws of the State of New South Wales.