

Nomination Criteria

Paris 2024 Olympic Games

Badminton

1 Definitions and Interpretation

1.1 Definitions

Unless otherwise defined below, capitalised terms in this 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 and which is available at <https://www.olympics.com.au/the-aoc/athlete-guidelines/>.

AOC Selection Committee means the committee established by the AOC to select athletes 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 and which appears at Appendix 1 of this Nomination Criteria.

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.

Automatic Qualification means an athlete / pair of athletes obtaining a quota place by name under the Qualification System due to their ranking in the International Federation Race to Paris Ranking List as at 30 April 2024 but excludes circumstances where the quota place obtained is a Continental Representation Place (as defined in the Qualification System).

Continental Representation Place has the meaning given in the Qualification System.

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 Paris 2024 Olympic Games.

International Federation means Badminton World Federation.

National Federation means Badminton Australia.

Nomination Date means 13 May 2024.

Nomination Event means any event that counts towards the International Federation's "Race to Paris Ranking Lists" in accordance with the Qualification System.

Qualification Period means 1 May 2023 to 28 April 2024.

Qualification System means the eligibility, participation and qualification criteria for the Sport in respect of the Games issued by the International Federation, which can be found at the following URL: <https://bwfbadminton.com/news-single/2022/05/01/olympic-qualification-regulations-for-paris-2024>.

Sport means Badminton.

Sport Entries Deadline means the date on which entries to a Games must be submitted by the AOC, being 8 July 2024.

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 this 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 This Nomination Criteria is issued by the board of the National Federation. The National Federation must make this Nomination Criteria available to all Athletes participating in the Sport, including by publishing this Nomination Criteria on the National Federation's website.
- 2.2 The National Federation may only nominate Athletes to the AOC in accordance with this Nomination Criteria.
- 2.3 This Nomination Criteria will take effect on and from the date of approval by the AOC and will cease to have effect at the conclusion of the Games.
- 2.4 This Nomination Criteria applies 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 this Nomination Criteria. The National Federation must provide, and make available on National Federation's website, 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 and 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 the number of athlete quota positions awarded to the AOC or the National Federation under the Qualification System.
- 4.3 The National Federation may nominate less Athletes than the number of athlete quota positions awarded to the AOC or the National Federation under the Qualification System.

5 **Eligibility Criteria**

The National Federation will not nominate an Athlete unless, 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 Qualification System;
- (d) will satisfy the AOC Selection Criteria set out at Appendix 1 of this Nomination Criteria;

- (e) has not breached the AOC Anti-Doping By-Law, unless the Athlete has been sanctioned for the breach and has completed the sanction imposed;
- (f) 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 standard for that Athlete;
- (g) has nominated for, been selected for and maintained their position in the Australian Badminton Falcons (**Falcons**) Program as per the National Federation's Athlete Selection Policy (including any future amendments) located on the National Federation's policy page at <https://www.badminton.org.au/policies-reports/>; and
- (h) has, as at the Nomination Date, attended all Falcons compulsory camps and activities as determined by the National Federation and communicated to Falcons athletes

6 Nomination Criteria

- 6.1 In accordance with the Qualification System, Australia can be represented in the Sport at the Games by a maximum of 8 male and 8 female athletes across five events: men's singles, women's singles, women's doubles, men's doubles and mixed doubles (the **Events**). The National Federation will nominate Athletes to the AOC for selection to the Team via the Automatic Qualification and/or Continental Representation Places processes as set out below.

Automatic Qualification

- 6.2 The National Federation will nominate all Athletes who achieve Automatic Qualification through the Qualification System to the AOC for selection to the Team.

Continental Representation Places

- 6.3 Subject to clauses 6.4 to 6.7, the National Federation will nominate all Athletes who achieve a Continental Representation Place through the Qualification System to the AOC for selection to the Team.
- 6.4 In accordance with the Qualification System, there must be at least one representative from each continent in each Event at the Games. If no athlete from Oceania achieves Automatic Qualification in a singles Event (or pair of Athletes in a doubles Event), then the Continental Representative Place will be awarded to the highest ranked athlete (or pair of athletes) from Oceania, provided that a doubles pair must be ranked in the top 50 and the singles player must be ranked in the top 250 of the International Federation's Race to Paris Ranking List at 30 April 2024.
- 6.5 Australia can receive a maximum of five Continental Representation Places (one for each Event). However, under the Qualification System, Australia can only accept Continental Representation Places for a maximum of two Events and must decline the remaining Continental Representation Places.
- 6.6 If Australia receives one or two Continental Representation Places, the National Federation will nominate the Athlete, or pair of Athletes if for a doubles Event, who achieve the Continental Representation Places, to the AOC for selection to the Team.

- 6.7 If Australia receives three or more Continental Representation Places, the National Federation will determine the two Events in which Australia will be represented, in the following manner:
- (a) the Athlete, or pair of Athletes for a doubles Event, that are the least number of ranking positions away from achieving Automatic Qualification in their Event will be nominated;
 - (b) where two or more Athletes (including any pair of athletes for a doubles Event) are the same number of ranking positions away from achieving Automatic Qualification in their Event, then the National Federation will nominate the Athlete, or pair of Athletes if for a doubles Event, who in the opinion of the National Federation, in its absolute discretion:
 - (i) will be most likely to achieve the highest competitive performance at the Games; and
 - (ii) is, and will remain until the conclusion of the Games, positive ambassadors for the Sport, the National Federation and the Games.
 - (c) In making its determination under clause 6.7(b), the National Federation may have regard to all, any or none of the following considerations, in its absolute discretion:
 - (i) the Athlete's physical form and fitness;
 - (ii) the likelihood that the Athlete will suffer an injury in the lead up to or during the Games;
 - (iii) the benefit or detriment of the Athlete's membership on the Team with respect to team dynamics, team behaviour and team performance; and
 - (iv) the extent to which the Athlete has demonstrated, during the Qualification Period:
 - (A) discipline;
 - (B) motivation; and
 - (C) the Athlete's commitment to the Sport and to the Team.

7 **Extenuating circumstances**

- 7.1 In determining whether an Athlete has satisfied the criteria set out in clause 6.7(b) and (c), 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 Nomination Event, that Athlete must notify the National Federation of their non-attendance in writing as soon as practicable.
- 7.3 The National Federation 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 and/or seek additional information or documentation,

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**

- 9.1 This Nomination Criteria may only be amended with the written consent of the AOC.
- 9.2 The AOC may amend the AOC Selection Criteria from time to time in its absolute discretion. If advised by the AOC of such an amendment, the National Federation must update Appendix 1 to this Nomination Criteria and re-upload an updated Nomination Criteria to the National Federation's website and advise Athletes of the amendment.
- 9.3 Where the AOC forms a reasonable opinion that this Nomination Criteria requires amendment, the AOC must notify the National Federation of the required amendments. The National Federation must work collaboratively with the AOC in good faith to amend this Nomination Criteria to the satisfaction of the AOC.

10 Appeals

- 10.1 A non-nominated Athlete may only appeal against their non-nomination (**Nomination Appeal**) in accordance with the procedure set out in clause 9.6 or clause 9.9 of the AOC Olympic Team Nomination and Selection By-Law (**AOC By-Law**).
- 10.2 Any Nomination Appeal arising out of this Nomination Criteria which is commenced under clause 9.6 of the AOC By-Law will be heard by the National Sports Tribunal General Division in accordance with clause 9.6(c) of the AOC By-Law. For clarity, clause 10.2 does not apply to

appeals against non-nomination commenced under clause 9.9 of the AOC Olympic Team Nomination and Selection By-Law (**Nomination Fast Track Appeal**).

11 **Governing Law**

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

12 **Priority of Documents**

To the extent of any inconsistency, the following documents shall be given the following descending order of precedence:

- (a) the AOC Constitution;
- (b) the AOC Olympic Team Nomination and Selection By-Law (including AOC Selection Criteria); and
- (c) this Nomination Criteria.

Appendix 1 – AOC Selection Criteria