

AUSTRALIAN CYCLING TEAM

***NOMINATION
CRITERIA***

2020 PARALYMPIC GAMES





NOMINATION CRITERIA

2020 Paralympic Games

25 August – 6 September 2020, Tokyo, Japan

1. DEFINITIONS AND INTERPRETATIONS

1.1. Definitions

Unless otherwise defined below, capitalised terms in this Nomination Criteria have the meaning given to them in the *APC General Selection Criteria – Australian Paralympic Team*, certain of which have been reproduced below for the sake of convenience.

APC means the Australian Paralympic Committee Limited and any of its officers, employees or agents and any committee it convenes including the APC Selection Committee.

APC General Selection Criteria – Australian Paralympic Team means the document adopted by the Executive which governs, among other things, the nomination and selection of Athletes to a team for a Paralympic Games or Paralympic Winter Games.

APC Selection Committee means the committee established by the APC to send athletes and appoint officials to the Australian Paralympic Team for the Games.

APC Selection Criteria means the criteria adopted by the APC in respect of the Games which outlines the requirements for an athlete to be selected by the APC 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 APC as eligible for nomination to the APC for selection to the Team pursuant to this Nomination Criteria.

Disciplines mean Track and Road cycling.

Classification means the criteria, rules, policies and processes, including athlete assessment and allocation of sport class and sport class status, for the specific Para-sport or discipline.

Executive means the Executive of the APC.

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;
- e) a direction from the Para-cycling Technical Director (TD) that the Athlete not compete at or attend one or more training camps or events to ensure optimal management of the Athlete's overall competition load, where such direction is approved by the NF Performance Director (PD); or
- f) any other factors considered by the National Federation to constitute extenuating circumstances.

Games means the Tokyo 2020 Paralympic Games.

International Federation means Union Cycliste Internationale (UCI).

IPC means International Paralympic Committee

Long List: means the nomination list sent by the NF to the APC to be comprised of athletes who are considered to have a prospect of being nominated for the Tokyo 2020 Paralympic Games Team. Those athletes must agree to be bound by the *APC General Selection Criteria – Australian Paralympic Team*.

National Federation (NF) means Cycling Australia (NF).

Nomination criteria means the NF will prepare Nomination Criteria for that sport and have it endorsed by the APC prior to being published.

Nomination Date means 24 June 2020

Qualification System means the *Tokyo 2020 Paralympic Games Qualification Regulations* which sets out the eligibility, participation and qualification criteria for the Sport in respect of the Games issued by the International Paralympic Committee, available here

https://www.paralympic.org/sites/default/files/document/181005162205805_2018_10_05%2BTokyo%2BQG.pdf

Sport means Cycling (**Disciplines** mean Track and Road cycling)

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

Team means the team of athletes and officials selected by the APC 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. OBJECTIVES

- 2.1.** The National Federation will consider Athletes for nomination that it believes, in its absolute discretion, can achieve or contribute to Gold medal winning performances at the Paralympic Games. The National Federation may also consider Athletes for nomination that it believes, in its absolute discretion, can achieve or contribute to medal winning performances at the Paralympic Games.
- 2.2.** Nominations shall have full regards to **Factored and Mixed events (*Factored Events Rules Article 16.01.005).*

3. GENERAL

- 3.1.** This Nomination Criteria is issued by the board of the National Federation. The National Federation must provide, or otherwise make available, this Nomination Criteria to all Athletes.
- 3.2.** The National Federation may only nominate Athletes to the APC in accordance with this Nomination Criteria.
- 3.3.** This Nomination Criteria will take effect on and from 1 December 2018.
- 3.4.** This Nomination Criteria applies to:
 - a) all Athletes;
 - b) the National Federation; and
 - c) the APC
- 3.5.** The terms of the *APC General Selection Criteria – Australian Paralympic Team* are incorporated by reference into this Nomination Criteria. The National Federation must provide, or otherwise make available, the *APC General Selection Criteria – Australian Paralympic Team* to all Athletes.

4. NATION QUOTA PLACES

- 4.1. For all Disciplines, quota places are allocated to the APC in accordance with the Qualification System available on the IPC website.
- 4.2. The National Federation may only nominate Athletes to the APC for selection to the Team where, pursuant to the Qualification System the International Federation has awarded the APC or the National Federation quota places.
- 4.3. A National Federation may not nominate more Athletes than are permitted to be nominated to the APC under the Qualification System.
- 4.4. The National Federation may nominate fewer Athletes than are permitted under the Qualification System, in its absolute discretion.
- 4.5. The final number of places may be affected by “ring fenced events” which the UCI Para-cycling Department will apply to some, or all, of the NF’s qualification slots in order to protect the viability of each event. Any classes where slots are nominated as “ring fenced” by the UCI and/or IPC will therefore, reduce the number of qualification slots to be filled by this Nomination Criteria and selected by the APC.
- 4.6. Exceptions may be granted through the Bipartite Commission Invitation allocation method. In the case of a Bipartite Commission invitation the qualification slot is allocated to the individual athlete not to the National Federation.

5. ELIGIBILITY CRITERIA

- 5.1 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) satisfies the Qualification System;
 - c) is likely to satisfy the *APC General Selection Criteria – Australian Paralympic Team*;
 - d) 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;
 - e) has a current racing licence issued by the NF or another federation affiliated with the International Federation, with nationality recorded as ‘AUS’;
 - f) has read, signed and returned the execution page of the current NF National Team Agreement;
 - g) has read, signed and returned the NF No Doping Declaration and declared that their circumstances have not changed since submitting the declaration;

- h) agrees to participate in and meet all competition, training and participation requirements as determined by the NF Performance Director and Para-cycling Technical Director;
- i) agrees to compete in the 2020 Australian Championships for their relevant discipline, unless exemption is granted;
- j) has not breached the Anti-Doping Policies of the APC, UCI or NF, unless the Athlete has been sanctioned for the breach and has completed the sanction imposed (unless the sanction was equal to or greater than 2 years, in which case the Athlete is ineligible for nomination). For the purpose of this clause, a breach of an Anti-Doping Policy may include, among other things:
 - i) an Athlete under investigation for an Anti-Doping Rule Violation (ADRV) where an infraction notice has been issued or the Athlete has been stood down under UCI and/or NF Anti-Doping Policies; or
 - ii) a failure to comply with an Athlete's obligations under either UCI or NF Anti-Doping Policy, even if such a breach does not result in an ADRV.
- k) has completed ASADA Anti-Doping Education Level 1 and 2: <http://www.asada.gov.au/education/index.html> for more information;
- l) is not suspended from the sport for any reason; and
- n) has not been charged or convicted of an offence or is not under investigation for a criminal offence.
- k) agrees to abide by the UCI Para-cycling classification rules and regulations, the IPC Athlete Classification Code and any relevant APC and/or NF classification policies, including attending classification assessment as required;
- l) agrees to complete any classification education modules as released by the UCI, IPC, NF or APC;
- m) agrees to disclose previous classification documentation and/or medical diagnostic documentation from relevant specialists for classification which may include, amongst other things:
 - i) providing medical diagnostic information detailing the athlete's health condition and eligible impairment;
 - ii) undertaking any additional medical assessment or provide further medical diagnostic information as required by the APC, NF or UCI for the purposes of classification;
 - iii) if an athlete has any medical intervention, or if changes occur to the athlete's impairment which may impact on their classification, athletes must provide medical documentation to the APC, NF or UCI.

- n) has been internationally classified by UCI, is listed on the UCI Para-cycling classification master list, and has met the classification qualification criteria as detailed in the Qualification System;
- o) agrees to notify the APC, NF and UCI if there is any change to assistive devices, competition devices or equipment used which may impact their classification in any way, and agrees to undergo further classification assessment if required;
- p) has not breached the UCI Para-cycling classification rules and regulations, or the IPC Athlete Classification Code, unless the Athlete has been sanctioned for the breach and has completed the sanction imposed (unless the sanction was equal to or greater than 2 years, in which case the Athlete is ineligible for nomination). For the purpose of this clause, a breach may include, among other things:
 - i) an Athlete under investigation for Intentional Misrepresentation where a notice has been issued, or the Athlete has been sanctioned under the UCI Classification Rules and Regulations; or
 - ii) a failure to comply with an Athlete's obligations under the UCI Classification rules and regulations or the IPC Athlete Classification Code.

6. PERFORMANCE CRITERIA – ALL DISCIPLINES

- 6.1.** The National Federation Nomination Panel (NFNP) will be responsible for determining which Athletes will be nominated to the APC for selection to the Team. In making its determination, the NFNP may, in its absolute discretion, have regard to clause 6.3 and the relevant Discipline specific criteria contained in the Schedule.
- 6.2.** The NFNP will consist of:
- (a) the Australian Cycling Team Performance Director;
 - (b) The Australian Cycling Team Head of Coaching and Performance Pathways;
 - (c) the Australian Cycling Team Operations Manager;
 - (d) the Australian Cycling Team Para-cycling Technical Director; and
 - (e) a person endorsed by the NF Board or its authorised nominee who has experience in and an understanding of cycling or high-performance sport and has suitable skills for membership of the NFNP.
- 6.3.** The NFNP may have regard to any, all or none of the following factors, in its absolute discretion, which may or may not be exercised:
- (a) the Athlete's ability to achieve or contribute to NF's objective of medal winning performances at the Games, as stated in clause 2;
 - (b) podium finishes at international benchmark competitions such as the World Championships 2018, 2019, 2020;

- (c) the Para-cycling Technical Director's assessment of the Athlete's ambition and demonstrated commitment to their performance plan and objectives;
- (d) the Athlete's potential to contribute to Paralympic qualifying places leading into the Games;
- (e) the Athlete's performance at trials and testing under the direction of the Para-cycling Technical Director;
- (f) the Athlete's technical and tactical execution in training and competition;
- (g) the Athlete's consistency in training and performance against targeted objectives or benchmarks;
- (h) the Athlete's attitude, conduct, attendance, and performance in training while a member of a high-performance program recognised by NF's high-performance team.

The criteria listed in this clause are not arranged in any order of priority or importance and none of it has any weighting.

7. PRIORITY EVENTS

- 7.1.** The Qualification System for Para-cycling permits athletes qualified in one discipline to be entered in other Para-cycling events provided the limits for participation are not exceeded. If the NFNP determines that any particular discipline is a priority to achieve the objectives set out in clause 2, then the NFNP has the right to exercise its discretion to nominate athletes who are best placed to help achieve this priority. If selected, such athlete(s) may then be entered in events for both the discipline in which they were nominated and the discipline which the NFNP has deemed the priority. Such athlete(s) must comply with the Qualification System for each discipline in which they will compete, however they will only be required to comply with the Nomination Criteria specific to the discipline in which they were originally nominated.

8. LONG LIST

- 8.1.** Nomination by NF does not guarantee a place in the Paralympic Long List – the APC has final say in this regard.
- 8.2.** Athletes will be added to the Paralympic Long List upon achieving the Paralympic Long List performance standards in Schedule 1.
- 8.3.** Athletes who are current members of the Australian Cycling Team will be added to the Paralympic Long List.
- 8.4.** The NF will use absolute discretion when nominating athletes to the APC for inclusion on the Paralympic Long List who have a prospect of being nominated to the APC for selection in the 2020 Australian Paralympic Cycling Team.
- 8.5.** All athletes who are nominated for the Paralympic Long List must agree to be bound by the *APC General Selection Criteria* to be eligible to be nominated and selected into the Team. Athletes who have not agreed to be bound by the *APC*

General Selection Criteria will not be eligible for nomination or selection into the Team.

- 8.6. The NF will only nominate and recognise members of the Paralympic Long List who are Australian citizens and who hold a license issued by NF or other UCI affiliate nation with nationality recorded as 'AUS'.
- 8.7. The NF will only nominate an athlete for selection to the Australian Paralympic Team who holds a valid international classification, listed on the UCI Para-cycling classification master list, with a sport class and sport class status that meets the requirements under the Qualification System. The NF may include an athlete to the Paralympic Long List who has the likelihood of meeting this criterion prior to nomination for the Australian Paralympic Team, including instances or exceptional circumstances where the athlete has an international review status and is required to attend a future international classification assessment to meet the qualification criteria for selection.
- 8.8. If an athlete breaches the requirements of the NF's Nomination Criteria or the *APC General Selection Criteria*, then the APC may suspend or terminate the athlete's membership of the Paralympic Long List.

9. EXTENUATING CIRCUMSTANCES

- 9.1. In determining whether an Athlete has satisfied the nomination criteria, the NF may, in its absolute discretion, have regard to Extenuating Circumstances.
- 9.2. In the event that an Athlete determines that he or she is unable to attend a competition, camp, training session or other event which is referred to in this Nomination Criteria (Nomination Event), that Athlete must notify the PD of his or her non-attendance in writing as soon as practicable, and if possible within seven days of the commencement of the Nomination Event. The NF may consider an Athlete's non-attendance at a Nomination Event to be an Extenuating Circumstance in its absolute discretion. The NF may require an Athlete to undergo a medical examination by a doctor nominated by the NF as a condition of treating the Athlete's non-attendance at a Nomination Event as an Extenuating Circumstance.

10. SUBMISSION OF NOMINATIONS

- 10.1. The APC may, in its absolute discretion extend the Nomination Date for the NF for any reason.
- 10.2. The NF must nominate Athletes to the APC by the Nomination Date. The NF must inform Athletes in writing of their nomination or non-nomination by no later than 48 hours prior to the Nomination Date or such later date as the APC advises the NF.
- 10.3. Nominations submitted to the APC must be in the form prescribed by the APC or in a form that is otherwise acceptable to the APC and include any such

information that is required pursuant to the *APC General Selection Criteria – Australian Paralympic Team*.

10.4. The APC may, in its absolute discretion, accept a nomination submitted after the Nomination Date where it is submitted by the NF as a result of an appeal brought in accordance with the *APC General Selection Criteria – Australian Paralympic Team*.

11. AMENDMENTS

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

12. PERFORMANCE TIME PERIOD

12.1. The Performance Time Period for athletes to achieve the times and/or performances specified is from 1 December 2018 to 9AM, 8 June 2020 (ACST).

13. GOVERNING LAW

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

SCHEDULE 1

PERFORMANCE CRITERIA – DISCIPLINE SPECIFIC

In determining which Athletes will be nominated to the APC for selection to the Team, the NFNP may, in its absolute discretion, have regard to clause 6.3 and the relevant Discipline specific criteria contained in this Schedule.

1. TRACK PERFORMANCE STANDARDS

- 1.1 If an Athlete achieves the following times in competition or sanctioned trials from 1 December 2018 to 9AM, 8 June 2020 (ACST), the NFNP may consider those standards favourably when exercising their absolute discretion in nominating Athletes to the APC for selection.

Men	Indiv. Time Trial		Indiv. Pursuit	
Tandem	1.01.0	1km	4.15.0	4km
C1	1.18.0	1km	3.57.0	3km
C2	1.16.0	1km	3.52.0	3km
C3	1.11.0	1km	3.40.0	3km
C4	1.09.0	1km	4.45.0	4km
C5	1.07.5	1km	4.35.0	4km
Women	Indiv. Time Trial		Indiv. Pursuit	
Tandem	1.09.0	1km	3.38.0	3km
C1	45.0	500m	4.45.0	3km
C2	43.0	500m	4.25.0	3km
C3	41.0	500m	4.18.0	3km
C4	40.0	500m	4.02.0	3km
C5	39.0	500m	3.55.0	3km

**subject to Australian Cycling Team Environmental Standardisation Protocol, available on NF website*

- 1.2 If an Athlete achieves a podium performance in the following competitions the NFNP may consider those standards favourably when exercising their absolute discretion in nominating Athletes to the APC for selection.

Competitions	Eligible Dates
UCI Para-cycling Track World Championships	2019, 2020

2. ROAD PERFORMANCE STANDARDS

- 2.1 If an Athlete achieves the following standards in competition or sanctioned trial from 1 December 2018 to 9AM, 8 June 2020 (ACST), the NFNP may consider those standards favourably when exercising their absolute discretion in nominating Athletes to the APC for selection.

Time Trial		
Classification	MEN	WOMEN
	avg. km/hr	avg. km/hr
B (Tandem)	49.5	45.0
C1	39.0	29.5
C2	42.0	36.0
C3	43.5	37.5
C4	46.0	38.5
C5	46.0	41.5
H1	25.0	15.0
H2	33.0	21.0
H3	38.0	33.0
H4	40.0	34.0
H5	40.0	35.0
T1	29.0	25.0
T2	35.0	30.0

3. ROAD COMPETITION PERFORMANCES

- 3.1 If an Athlete achieves **two or more** podium performances in the following competitions, the NFNP may consider those standards favourably when exercising their absolute discretion in nominating Athletes to the APC for selection.

Road Competitions	Eligible Dates
UCI Para-cycling Road World Cup Corridonia (ITA)	9 -12 May 2019
UCI Para-cycling Road World Cup Oostende (BEL)	16 -19 May 2019
UCI Para-cycling Road World Cup Baie-Comeau (CAN)	7 -11 August 2019
UCI Para-cycling Road World Championships Emmen (NED)	12 -15 September 2019
UCI Para-cycling World Road Championships Oostende (BEL)	3 – 8 June 2020 (9AM ACST)

4. TRIALS

4.1 Performance standards can only be recorded in competition or in sanctioned trials as determined below:

- a) NF competitions;
- b) UCI competitions;
- c) Trials held within National Championships - these will be approved at the discretion of the Performance Director / Para-cycling Technical Director.

SCHEDULE 2

APPEALS

In accordance with the provisions of the NF's policies, an athlete may lodge an appeal against non-nomination in a national squad or Australian Cycling Team. The process for dealing with such an appeal is detailed hereafter:

1. GROUNDS OF APPEAL

- 1.1.** An aggrieved person may appeal against a decision of the NFNP in accordance with this policy.
- 1.2.** The sole grounds of any appeal to a Nomination Review Panel (NRP) are that:
 - a) the athlete's omission from nomination was a result of a failure by NF to properly follow and/or implement the process set out in this Policy;
 - b) the appellant was not given a reasonable opportunity by NF to satisfy the nomination criteria;
 - c) the nomination decision was affected by actual bias; OR
 - d) there was no material on which the nomination decision could reasonably be based.

2. PROCEDURE FOR APPEAL

- 2.1** Any appeal against a decision of the NFNP must be made by the prescribed deadline (within 48 hours) following an athlete receiving non-nomination notification.
- 2.2** The appeal must be lodged in writing with the NF CEO and accompanied by the prescribed fee (\$500). If the matter does not proceed to a hearing or if the appeal is successful, the appeal fee may be refunded in part or in full.
- 2.3** All correspondence for appeals and proof of payment should be forwarded to:

Steve Drake
CEO Cycling Australia
PO Box 445, Collins Street West VIC 8007
Email – ceo@cycling.org.au

The prescribed fee is to be deposited by Electronic Funds Transfer:

Australian Cycling Federation
BSB 062 314
Account # 10108020

- 2.4** The application for the appeal must set out the:
 - a) decision of the NFNP in question;
 - b) ground(s) on which the appeal is made; and
 - c) reasons or circumstances supporting the alleged grounds of appeal.

- 2.5 Nothing in this policy prevents the withdrawal of an appeal at any time in writing.
- 2.6 On receipt of an appeal in accordance with this policy, the NF CEO must forward the appeal documents to the NRP without delay.

3. CONSTITUTION OF NOMINATION REVIEW PANEL

- 3.1 The NF Board will appoint a National Review Panel (NRP) who will be constituted by any three persons available to hear the appeal, but which must include the following:
 - a) a person with legal training, experience in dispute resolution, or suitable experience in the process of determining nomination appeals in sport, who will act as Chairperson of the NRP;
 - b) a person with experience and understanding of cycling or high performance sport and with suitable skills for membership of the panel.
- 3.2 No member of the NRP may be a selector or have been a party to or directly interested in the matter under consideration.
- 3.3 All members of the NRP must declare any possible conflict or perception of conflict of interest. The Chairperson of the NRP will review any declaration and determine whether any particular member of the NRP can sit on any particular appeal.

4. FUNCTIONS OF THE NOMINATION REVIEW PANEL

- 4.1 The NRP has no power of nomination or re-nomination. The NRP may review the matter set out in the appeal and may (as appropriate) refer the matter back to the NFNP for consideration.

5. PROCEDURES FOR THE NOMINATION REVIEW PANEL

- 5.1 The NRP shall, as soon as practical after receiving notice of the appeal, investigate and consider the matter and shall, within two days of receiving such notice, progress as follows:

5.2 Preliminary Assessment

Upon request by the NF CEO, the Chairperson of the NRP may conduct a preliminary review of the grounds for Appeal in order to assess the strength of the appellant's submission. The NRP Chairperson reserves the right to contact the appellant and/or NFNP, should it be required, for clarification or additional information in this preliminary assessment phase. The NRP will then act in one of the following ways:

- a) progress to a formal hearing of the appeal, on the basis that preliminary assessments indicate the case warrants a formal hearing; or
- b) dismiss the appeal and not progress to a formal appeal hearing, ruling the case closed due to lack of merit. The appellant will then be informed in writing of these findings;
- c) if the matter warrants referral to a formal hearing the NRP shall, as soon as practicable, having regard to the timing of nomination and proximity of

relevant competition, direct the NF CEO to serve a notice in writing on the aggrieved party:

- i. stating that the aggrieved party may address the decision of the NFNP at a meeting to be held as soon as practicable, and no later than five days from the date of the notice;
 - ii. stating the date, place and time of that meeting; and
 - iii. informing the aggrieved person that he or she may do any one or more of the following:
 - a. attend that meeting personally, by teleconference link or by his or her representative, not being legally trained or qualified; or
 - b. give the NRP, no later than 24 hours before the time of that meeting, a further written statement setting out relevant information surrounding the appeal.
- d) any other athlete/s that may be affected by the outcome of an appeal shall also be notified and;
- i. be advised of the appeal and the grounds submitted for appeal; and
 - ii. be provided the opportunity to lodge a written submission or attend a hearing and provide evidence or be represented at the hearing by a nominated person/s.
- e) the NFNP will also be requested to lodge a written statement outlining the reasons for their nominations that impacted upon the non-nomination of the aggrieved party.
- f) the NRP may conduct a meeting convened in accordance with this policy (or any adjournment thereof) in such manner as it sees fit, but shall:
- i. give to the aggrieved party, affected athlete/s and the NFNP every opportunity to be heard;
 - ii. give due consideration to any written statement by the aggrieved person;
 - iii. allow the aggrieved person to be present along with his or her adult representative (not being legally trained or qualified); and may, request or require the aggrieved person or any other witness to attend the meeting or provide such evidence as is available.
 - iv. allow any affected party to make a submission to the NRP and attend the hearing and provide evidence as is available.
 - v. following consideration of all relevant and available information, the NRP shall arrive at a finding. A decision of the NRP shall be by a majority decision.
 - vi. the NRP shall notify the NF CEO of its finding within 24 hours.
 - vii. if the NRP considers the grounds alleged by the aggrieved person to be satisfied, it shall refer the matter back to the NFNP for

reconsideration of the nomination of the relevant squad, team or individual.

- viii. the NFNP shall comply with any direction provided by the NRP in any referral.
- ix. unless an appeal is lodged under clause 6. any further nomination decision of the selectors under the direction of the NRP shall be final, and no other further appeal shall be available to the aggrieved person in respect of that nomination.

6. COURT OF ARBITRATION FOR SPORT

6.1 Right of Appeal to the Court of Arbitration for Sport

A person who wishes to appeal against a decision of the NRP may appeal to the Court of Arbitration for Sport (CAS). Subject to this document the Code of Arbitration for Sport will apply for the appeal procedures. The decision of the CAS will be final and binding on the parties and it is agreed that neither party will institute or maintain proceedings in any court or tribunal other than the CAS.

6.2 Time in which appeal to the CAS can be lodged

A person wishing to appeal to the CAS must give written notice of that fact to the NF CEO within 48 hours of the announcement of the decision against which the appeal is made and must then file his or her statement of appeal with the CAS within a further 48 hours.

6.3 Failure to observe time limits

Failure of the appellant to observe the above time limits will render any appeal a nullity provided that a person may apply to the NF for an extension of time in which to commence an appeal. The NF may grant such an extension only in extenuating circumstances outside the control of the aggrieved person.

6.4 Grounds of Appeal

The sole grounds of any appeal to CAS under this clause are that:

- a) the NRP erred in law; or
- b) the decision was one that no reasonable panel could have arrived at.