

**1. Background**

- (a) The Swimming Australia Limited (**SAL**) Australian Swim Team (**Team**) will compete at the 2018 Commonwealth Games (**Competition**) which is to be held on 5-10 April 2018 on the Gold Coast, Australia.
- (b) This nomination policy (**Policy**) details the process and criteria by which SAL will nominate athletes to Commonwealth Games Australia (CGA) for selection on the Team to compete at the Competition.
- (c) This Policy can be amended at any time by SAL, with the approval of the CGA, if SAL is of the opinion that such an amendment is necessary for any of the following reasons:
  - (i) as a result of any change in Team eligibility criteria or rules;
  - (ii) as a result of any change in the rules governing the Competition or a particular event;
  - (iii) to give effect to the Policy following a drafting error or oversight; or
  - (iv) to clarify any ambiguity or otherwise give effect to the intended meaning of the Policy.
- (d) SAL will publish amendments to the Policy on its website and those amendments shall take effect immediately. Otherwise, SAL shall not be responsible or liable in any way to anyone as a result of any such amendment.

**2. Team composition, size and rankings.***Team composition and size*

- (a) The SAL Selection Panel will select the Team to be nominated to the CGA.
- (b) When nominating the Team, the SAL Selection Panel will select the Team based on this Policy, the composition of which is to be determined by the SAL Selection Panel and is to consist of a maximum of 50 swimmers, subject to confirmation by the CGA of the maximum team size (the **Team Size**).
- (c) Neither this Policy, nor SAL or the CGA requires SAL to select the maximum number of athletes to the Team. Final Team members and composition of the Team are determined at the absolute discretion of the SAL Selection Panel as set out in this Policy. For the avoidance of doubt, nothing in this Policy operates so as to require the Selection Panel to select any athletes to the Team or fill all available positions on the Team.
- (d) For the avoidance of doubt, athletes selected to the Team in the individual event are also eligible to be, but are not automatically, selected for the Team for relay events in the Competition.

*Rankings*

- (e) Where more athletes meet the Performance Requirements for individual selection to the Team than the Team Size permits, those athletes will be ranked from highest to lowest within Priority 1 to Priority 4 based on the **Priority**

**System**, in individual events according to the 2017 "Swim Vortex two-per-nation world-ranking system (excluding Australians)" (**Ranking System**) with the number of top-ranked athletes equal to the Team Size being selected to the Team.

- (f) In the event of a tie for the final position on the Team based on the Ranking System, then the 2018 FINA point score(s) for the tied athletes will be used to separate the tied athletes.
- (g) If the tied athletes remain tied on the 2018 FINA point score, then the SAL Selection Panel will nominate the athlete(s) to the Team from the tied athletes at their absolute discretion, in accordance with the discretion and Factors provided at clauses 4(l) and 4(m)

### 3. Eligibility Criteria

To be eligible for selection in the Team for the Competition, an athlete must:

- (a) be an Australian citizen who is eligible to represent Australia at the Competition as per FINA General Rule 2;
- (b) meet all eligibility rules, including any age requirements, imposed by FINA (if applicable);
- (c) meet the Performance Requirements applicable to the event in question; and
- (d) be a registered member of, and in good standing with, SAL.
- (e) Have not breached CGA Anti-Doping By-Law, unless the athlete has already been sanctioned by the breach and completed the sanction imposed
- (f) Have not by their actions or omissions brought themselves or their Sport into disrepute; and
- (g) Sign the 2018 Commonwealth Games Team Agreement.

### 4. Athlete Selection Process and Criteria

The requirements to be met in order to be considered for selection (**Performance Requirements**) for different events at the Competition are as follows and are subject at all times to adjustments to the Team due to:

- (a) Extenuating Circumstances under clause 5; and
- (b) the Team Size and Ranking System under clause 2.

#### *Priority 1 - Individual Olympic Events*

- (c) The first, second and third placed eligible athletes in the 'A' Final of an individual Olympic event at the 2018 Hancock Prospecting Australian Swimming Selection Trials (**Selection Trials**) will be selected to the Team subject to the time that they swim in the 'A' Final equalling or beating the SAL Qualifying Time for that event listed in Appendix 1. An athlete that equals or beats the SAL A Qualifying Time will be a Priority 1 athlete.

*Priority 2 - Relay Events*

- (d) The following criteria will apply to determine the selection of athletes for the following events at the sole and absolute discretion of SAL Selection Panel.

*Medley Relay*

- (e) The Medley Relay involves a 100m swim of each discipline, each by a different athlete.
- (f) The first and second placed eligible athletes in the 'A' Final in each of the 100m Freestyle, Backstroke, Breaststroke and Butterfly events at the Selection Trials, may be considered for selection to the Team for the Medley Relay.

*100m and 200m Freestyle Relay*

- (g) The first and second placed eligible athletes in the 'A' Final of the 100m and 200m Freestyle at the Selection Trials will be selected to the Team.
- (h) The eligible athletes ranked 3rd-8th in the 'A' Final of the 100m and 200m Freestyle events at the Selection Trials may be considered for selection onto the Team as a "relay-only" athlete (**Relay Only**). In selecting the Relay Only athletes, the SAL Selection Panel at their absolute discretion may select the athletes, from those ranked 3rd-8th in the relevant 'A' Final, to fill the remaining positions in the Team at its absolute discretion. Without in any way limiting the discretion of SAL Selection Panel, in making a determination as to which of the athletes to select as Relay Only athletes under this clause, the SAL Selection Panel may consider the following factors (the **Factors**):
- (i) past relay performances;
  - (ii) past relay skills;
  - (iii) performances at previous domestic and international events;
  - (iv) any other factors the SAL Selection Panel considers relevant
- (i) the discretion granted to the SAL Selection Panel in clause 4(h) above is absolute and it need not be exercised. In exercising its discretion, the SAL Selection Panel may consider any Factor, or combination of Factors that is, in the opinion of the SAL Selection Panel, relevant for consideration when selecting athletes to the Team and may attribute whatever weight it deems appropriate to any particular Factor when making its decision. For the avoidance of doubt, the SAL Selection Panel is not required to consider, turn their mind to or rely on all the Factors in the exercise of their discretion to make a selection decision (for example, the SAL Selection Panel is therefore entitled to rely on one Factor, two Factors, three Factors, etc. or a combination of a number of Factors in the exercise of discretion to make a selection decision).

*Priority 3 - Non-Olympic Events*

- (j) The first, second and third placed eligible athletes in the 'A' Final of the Men's and Women's 50m Backstroke, 50m Breaststroke, 50m Butterfly at the Selection Trials will be selected to the Team subject to the time that they swim in the 'A' Final equalling or beating the SAL Qualifying Time for that event listed

in Appendix 1. An athlete that equals or beats the SAL A Qualifying Time will be a Priority 3 athlete.

#### Priority 4 – All events

If three athletes are not selected under Priority 1, 2 or 3, then the first, second and third placed eligible athletes in the 'A' Final of all events at the Selection Trials will be selected to the Team subject to the time that they swim in the 'A' Final equalling or beating the SAL B Qualifying Time for that event listed in Appendix 1. An athlete that equals or beats the SAL B Qualifying Time will be a Priority 4 athlete.

- (k) If no athletes equal or beat the relevant SAL Qualifying Times, then no athlete will be selected to the Team for that relevant Individual Olympic Event (**Relevant Event**) based on the 'A' Final selection process. However, athletes selected to the Team for other Individual Events may be entered by the National Head Coach to compete in the Relevant Event at the Competition, subject to that athlete having met any applicable qualification time(s) for the Relevant Event. Any selection for a Relevant Event on the basis of this paragraph:
- (i) may be made by the National Head Coach at its absolute discretion, which need not be exercised; and
  - (ii) is not capable of being appealed either under the Appeal Charter or otherwise.
- (l) In the case of a tie by two or more athletes in the 'A' Final of an individual Olympic event at the Selection Trials, and that tie is determinative of whether some of the tied athletes are selected to the Team and they swam a time in the 'A' Final that equals or betters the applicable SAL Qualifying Time listed in Appendix 1, a further race will be conducted at the Selection Trials between the tied athletes at a time to be determined by the Competition Technical Manager, with the winner of that race obtaining selection to the Team, and where a second place remains available in that event for the Team (for example, where three athletes are competing for two positions on the Team), the second placed athlete will be selected to the Team.

## 5. Extenuating Circumstances

- (a) Notwithstanding anything contained within this Policy, the Executive Manager, High Performance (EM, HP) may recommend to the SAL Selection Panel, and the SAL Selection Panel may make a change to the athletes selected to the Team for any event due to Extenuating Circumstances preventing an athlete from otherwise meeting the Performance Requirements.
- (b) Only Extenuating Circumstances which prevent an athlete from meeting the Performance Requirements will be considered. In considering the performances of athletes at the Selection Trials, the EM, HP at its absolute discretion, may recommend to the SAL Selection Panel that they give weight to Extenuating Circumstances.
- (c) For the purposes of this Policy, "Extenuating Circumstances" means:
- (i) injury or illness;

- (ii) equipment failure (where applicable);
  - (iii) travel delays;
  - (iv) bereavement or disability arising from death or serious illness of an immediate family member;
  - (v) an unanticipated event occurring at the Selection Trials; and/or
  - (vi) any other factors reasonably considered by the EM. HP at its absolute discretion, may recommend to the SAL Selection Panel to constitute Extenuating Circumstances.
- (d) A decision in each case of Extenuating Circumstances will be made by the Selectors on an individual basis.

## **6. Appeals**

- (a) Subject to clause 7(b), Athletes may appeal their non-selection to the Team by the SAL Selection Panel. Appeals will be conducted in accordance with, and governed by, the procedures provided in the SAL Appeal Charter.
- (b) Decisions by the SAL Selection Panel relating to:
  - (i) Relevant Events made under clause 4(d) of the Policy; and
  - (ii) the non-Olympic events made under clause 5 of the Policy,are not subject to any right of appeal under the SAL Appeal Process or otherwise.

## **7. Withdrawal**

- (a) Should an athlete withdraw from the Team following their selection in the Team, the EM, HP may request that the SAL Selection Panel nominate a replacement to the CGA for approval. The SAL Selection Panel may nominate any athlete at its absolute discretion provided the replacement athlete satisfies the Eligibility Criteria in Clause 3, has met the relevant SAL Qualifying Time, and in making its decision the SAL Selection Panel is again granted the discretion granted to it at clause 4(k) and 4(l).
- (b) Once CGA has considered a nomination and confirmed selection to the Team, it is entirely a matter for CGA as to whether it de-selects from the team and/or selects a replacement athlete to the Team.

## **8. Team Membership**

- (a) Athletes selected to the Team are to sign a CGA and SAL Team Agreement to confirm their selection and agree to be bound by its terms and conditions.
- (b) Athletes agree that the SAL Selection Panel may recommend to the CGA an athlete be removed from the Team at any time and immediately on notice to the relevant athlete where:
  - (i) that athlete has not met SAL's requirements in relation to training and participation in training camps as required by SAL;

- (ii) the SAL Selection Panel is not satisfied that the athlete is appropriately committed to training and has achieved and is maintaining an appropriate level of health and fitness to achieve their peak performance at the Competition; and
  - (iii) that athlete has not completed, signed and returned to the SAL the Team Agreement, Medical and Next of Kin form and a guardian form (where applicable) as required by SAL.
- (c) Once CGA has considered a nomination and confirmed selection to the Team, it is entirely a matter for CGA as to whether it de-selects an athlete from the Team.

## APPENDIX 1 QUALIFYING TIMES

2018 Commonwealth Games Qualifying Times				
SELECTION EVENTS	MEN		WOMEN	
	SAL A	SAL B	SAL A	SAL B
50m Freestyle	21.77	22.47	24.59	25.18
100m Freestyle	48.31	48.93	53.2	54.90
200m Freestyle	1:46.28	1:47.73	1:56.34	1:58.68
400m Freestyle	3:46.14	3:48.15	4:06.48	4:10.57
800m Freestyle			8:30.66	8:36.56
1500m Freestyle	14:59.32	15:12.79		
50m Backstroke	24.84	25.29	27.60	28.52
100m Backstroke	53.76	54.06	59.82	1:00.61
200m Backstroke	1:56.11	1:58.55	2:07.64	2:11.53
50m Breaststroke	26.96	27.51	30.49	31.22
100m Breaststroke	59.24	1:00.35	1:06.81	1:07.58
200m Breaststroke	2:08.80	2:11.11	2:23.81	2:25.91
50m Butterfly	23.31	23.67	25.73	26.49
100m Butterfly	51.31	52.29	57.64	58.48
200m Butterfly	1:55.58	1:57.28	2:07.82	2:09.77
200 IM	1:57.81	2:00.22	2:10.45	2:13.41
400 IM	4:15.69	4:17.90	4:37.14	4:43.06

**APPENDIX 2  
PRIORITY SYSTEM AND RANKING SYSTEM**

The Priority System operates as follows:

**Introduction**

1. During the relevant qualifying event (as specified in clause 4(c) of the Policy), athletes who equal or beat:
  - (a) the SAL A Qualifying Time are to be **Priority 1 or 3 Athletes** (depending on the event).
  - (b) the SAL B Qualifying Time but do not equal or beat the SAL A Qualifying Time are to be **Priority 4 Athletes**.
2. After the relevant qualifying event, the number of Priority 1, 2, 3 and 4 Athletes will be determined.
3. Where there is a reference to athletes being "ranked" in the Priority System, that ranking is done so in accordance with the Priority Ranking of the athletes as set out in the Ranking System section of this Appendix 2.

**Selection**

4. Where the number of Priority 1 Athletes is less than the Team Size:
  - (a) all Priority 1 Athletes are nominated to the Team;
  - (b) the number of positions in the Team remaining is determined (**Remaining Positions**) and these Remaining Positions are filled by the number of top-ranked Priority 2 Athletes which is equal to the Remaining Positions; and
  - (c) any remaining Priority 2 Athletes are not nominated to the Team.
5. Where the number of Priority 1 Athletes is equal to the Team Size:
  - (a) all Priority 1 Athletes are nominated to the Team; and
  - (b) no Priority 2 Athletes are nominated to the Team.
6. Where the number of Priority 1 Athletes is more than the Team Size:
  - (a) the number of top-ranked Priority 1 Athletes which is equal to the Team Size are nominated to the Team; and
  - (b) no Priority 2 Athletes are nominated to the Team.

**Examples**

7. **Example 1:** If the Team Size is ten and there are six Priority 1 Athletes and seven Priority 2 Athletes then:
  - (a) the six Priority 1 Athletes are nominated to the Team;
  - (b) the Priority 2 Athletes are all ranked; and



- (c) the top four-ranked Priority 2 Athletes are nominated to the Team. The remaining three Priority 2 Athletes are not selected to the Team.
8. **Example 2:** If the Team Size is ten and there are twelve Priority 1 Athletes and seven Priority 2 Athletes then:
- (a) the Priority 1 Athletes are all ranked;
  - (b) the top ten-ranked Priority 1 Athletes are nominated to the Team. The remaining two Priority 1 Athletes are not selected to the Team.
  - (c) the seven Priority 2 Athletes are not nominated to the Team.

### The Ranking System

The FINA two-per-nation world-ranking system (excluding Australians) operates as follows:

- 9. The Ranking System is used to give each Priority 1, Priority 2, Priority 3 and Priority 4 Athlete a ranking against each other athlete in that Priority. It allows athletes who compete in different events to be compared by determining who has a higher ranking in their particular event.
- 10. When ranking athletes, their time swum in the final of the applicable event at the Selection Trials is used.
- 11. That athlete's time is compared to the 2017 world rankings excluding Australians for that event.
- 12. The two-per-nation limit means that a maximum of two from a country can be ranked ahead of an athlete. For example, if an athlete is ranked 5<sup>th</sup> in the world based on the times considered at section 10 above, but athletes 1-4 are all from the USA, that athlete's ranking will be 3. That athlete will then have their world ranking for that event (**Event Rank**).
- 13. All athletes that finish ahead of an athlete in A Final will be included in the rankings and be ranked ahead of an athlete. For example, if an athlete's two per nation rank is 6<sup>th</sup> based on section 12 above, but they are the second placed athlete in that event than that athlete's ranking will be 7. That athlete will then have their world ranking for that event (**Event Rank**).
- 14. Where material to a selection (for example under 5(c) and 7(a) above), each athlete in the relevant priority is ranked in this manner and given their Event Rank.
- 15. The Event Rank of each athlete in the relevant priority is then compared with all athletes in the priority (with the lower number for an Event Rank being the best) so that each athlete has a ranking in their priority (**Priority Ranking**).
- 16. The athletes selected to the Team will be the number of athletes, in order of Priority Ranking, that are equal to the number of positions to be filled. For example, if there were six positions to be filled, the top six ranked athletes by Priority Ranking are selected to the Team.
- 17. Where two or more athletes have the same Event Rank, and that Event Rank is material to selection to the Team (for example if the number of positions to be filled is 10 and athletes with a Priority Ranking of 9-11 had the same Event Rank), then the FINA point score is used to separate them as set out in clause 2(f) of the Policy.