

## Amended Nomination Criteria – 2016 Olympic Games

<b>Competition</b>	<b>2016 Olympic Games Rio de Janeiro (Brazil) August 5<sup>th</sup>-21<sup>st</sup></b>
Initial Release Date	4 <sup>h</sup> May 2015
Amended	17 June 2015
Second Amendment	30 October 2015
Third Amendment	19 February 2016
Fourth Amendment	5 April 2016

<b>1. Application of this Nomination Criteria</b>	<p>1.1. This Nomination Criteria is issued by the Board of Swimming New Zealand (SNZ)</p> <p>1.2. This Nomination Criteria shall take effect from April 15<sup>th</sup> 2015</p> <p>1.3. This Nomination Criteria applies to:</p> <ul style="list-style-type: none"> <li>a. all Athletes wishing to be considered for nomination to the Games Team to compete in the Games in a Swimming Event; and</li> <li>b. SNZ, including its Selectors, whose responsibility it is to nominate Athletes to NZOC to be considered for selection to the Games Team for the Games.</li> </ul>
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<b>2. SNZ Selectors</b>	<p>2.1 Composition: The Board of SNZ shall appoint the Selectors. The Selectors who will consider nomination of Athletes to NZOC for selection in the Games Team by the NZOC will be:</p> <p>Mark Saunders, John West and Dylan Dunlop Barrett who have been appointed by the Board of SNZ in accordance with the SNZ Selectors Terms of Reference.</p>
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<b>3. Nomination Dates</b>	<p>3.1 Marathon Swimming: June 17<sup>th</sup> 2016.</p> <p>3.2 Pool:</p> <ul style="list-style-type: none"> <li>a. For Individual Non-Relay Events: April 12<sup>th</sup> 2016.</li> <li>b. For Relay Events: June 8<sup>th</sup> 2016.</li> </ul>
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<b>4. Nomination</b>	<p>4.1 Conditions of Eligibility for Nomination: the SNZ Selectors may only consider an Athlete for nomination if the Athlete has satisfied the following conditions of nomination:</p> <ul style="list-style-type: none"> <li>a. returned a completed Athlete Application to SNZ prior to July 1<sup>st</sup> 2015; and</li> <li>b. returned a completed Athlete Agreement in the manner prescribed the NZOC prior to: <ul style="list-style-type: none"> <li>– Marathon Swimming Athletes: August 1<sup>st</sup> 2015.</li> <li>– Pool Athletes: April 8<sup>th</sup> 2016; and</li> </ul> </li> <li>c. demonstrated to the satisfaction of SNZ that they are not suffering any physical or mental impairment that would prevent them from competing in the Games to the highest possible standard; and</li> <li>d. acted in such a manner so as not to bring the Athlete, the sport, SNZ or the NZOC into public disrepute; and</li> <li>e. to SNZ's knowledge has not used or administered any substance which, if it had been detected as being present in the Athlete's</li> </ul>
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	<p>body tissue or fluids, would have constituted doping, or used any prohibited method or committed any other doping offence as defined in the SNZ, FINA or NZOC’s Anti-Doping Bylaw; and</p> <p>f. from 5 February 2016 has provided their name and contact address details to the NZOC for the purpose of out of competition drug testing by DFSNZ.</p> <p>4.2 Qualification: New Zealand must qualify for places in a Swimming Event(s) in accordance with the FINA Qualification System for the Games of the XXXI Olympiad – Rio 2016 (“FINA Qualification System”). Qualification for a place in any Swimming Event(s) by an Athlete (or Relay Team) does not guarantee that Athlete (or Group of Athletes which comprise the Relay Team) will be nominated to, or selected by, the NZOC to compete in such Swimming Event(s) at the Games.</p> <p>4.3 Nomination if Eligibility Criteria Met: Provided the eligibility requirements set out in clause 4.1 and 4.2 are met, SNZ Selectors shall nominate those Athletes it considers meet the Overriding and Specific Nomination Criteria set out below.</p>
<p><b>5. Nomination Events</b></p>	<p>5.1 Marathon Swimming Nomination Events:</p> <p>a. FINA Olympic Marathon Swim Qualifier 2016 (June 11<sup>th</sup> and 12<sup>th</sup> 2016).</p> <p>5.2 Pool Individual Non-Relay Nomination Events:</p> <p>a. SNZ Open Championships March 28<sup>th</sup> – April 1st 2016; or b. Canadian National Championships April 5<sup>th</sup> – April 10<sup>th</sup> 2016.</p> <p>For the sake of clarification an Athlete may only swim in one Pool Nomination Event. The Nomination Event for all Pool Athletes shall be deemed to be the SNZ Open Championships unless an Athlete notifies SNZ prior to February 29<sup>th</sup> 2016 that it wishes the Canadian National Championships 2016 to be the Athlete’s chosen Nomination Event.</p> <p>5.3 Pool Relay Nomination Events:</p> <p>a. SNZ Open Championships March 28<sup>th</sup> – April 1st 2016; or b. Canadian National Championships April 5<sup>th</sup> – April 10<sup>th</sup> 2016; or c. Arena Pro Series Charlotte May 12<sup>th</sup> to 15<sup>th</sup> 2016</p>
<p><b>6. Overriding Nomination Criteria</b></p>	<p>6.1 Overriding Nomination Criteria: in determining whether or not to nominate an Athlete (or Group of Athletes for Relay Events) the SNZ Selectors must be satisfied overall that:</p> <p>a. the Athlete (or Group of Athletes) is or are capable of achieving a top 16 placing at the Games in an Individual Non-Relay Event or a top 12 placing in a Relay Event, with the potential to win an Olympic Diploma (top 8 placing); and</p> <p>b. the Athlete (or Group of Athletes) has or have a track record of sufficient quality and depth that SNZ believes demonstrates the Athlete (or Group of Athletes) will be competitive at the Games and will perform credibly in the Event(s).</p>

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### 7. Specific nomination criteria

7.1 Evidence: In determining whether or not the Athlete (or group of Athletes) has or have met the Overriding Nomination Criteria for Individual Events in clause 6.1, the SNZ Selectors shall consider the following specific criteria:

a. Marathon Swimming

Performances and results in the Marathon Swimming Nomination Event.

b. Pool Events: Individual Non-Relay

I. Achieved a time equal to or better than the times detailed below (FINA Olympic Qualifying Standards A) at their chosen Pool Nomination Event in the relevant Individual Non-Relay Event;

Male	Event	Female
00:22.27	<b>50 Freestyle</b>	00:25.28
00:48.99	<b>100 Freestyle</b>	00:54.43
01:47.97	<b>200 Freestyle</b>	01:58.96
03:50.44	<b>400 Freestyle</b>	04:09.08
	<b>800 Freestyle</b>	08:33.97
15:14.77	<b>1500 Freestyle</b>	
00:54.36	<b>100 Backstroke</b>	01:00.25
01:58.22	<b>200 Backstroke</b>	02:10.60
01:00.57	<b>100 Breaststroke</b>	01:07.85
02:11.66	<b>200 Breaststroke</b>	02:26.94
00:52.36	<b>100 Butterfly</b>	00:58.74
01:56.97	<b>200 Butterfly</b>	02:09.33
02:00.28	<b>200 Individual Medley</b>	02:14.26
04:16.71	<b>400 Individual Medley</b>	04:43.46

II. Should two or more Athletes achieve the same qualifying time at a Pool Nomination Event then the Athlete's second fastest time in the relevant Individual Non-Relay Event during his/her designated Pool Nomination Event will be used to determine which Athlete will be considered by the SNZ Selectors to be the faster Athlete.

c. Pool Events: Relay

I. Subject to qualification of the Relay Team under the FINA Qualification System, a Group of Athletes will be eligible for nomination as a Relay Team if:

a. Freestyle Relay: They are the four fastest Athletes Available at the 100 and/or 200 freestyle events at the Nomination Events;

b. Medley Relay: They are the four Athletes Available who are calculated to produce the fastest combined time in each stroke of the 100m Individual Non-Relay Events at the Nomination Events.

c. The SNZ Selectors may consider (in its absolute discretion) the nomination of a fifth athlete to a Relay Team where the time that the fifth athlete swam in his/her Individual Non-

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	<p>Relay Event at a nomination event could be interchanged with the time of a member of the nominated Relay Team to produce a total team time which is equivalent to or better than a time that would have placed in the top 16 at the Kazan World Championships in 2015.</p> <p><i>Note: For information on how a Group of Athletes who meet the specific nomination criteria can qualify a Relay Team for the Games under the FINA Qualification System see SNZ document: Relay Qualification – Rio 2016</i></p> <p>II. A maximum of two Athletes not qualified for Individual Non-Relay Events can be nominated as part of a Relay Team provided that they have swum a time equal to or better than the times detailed below (FINA Olympic Qualifying Standards B) at their chosen Pool Nomination Event in the relevant Individual Non-Relay Event that corresponds with the Relay Event or, in the case of the Medley, the leg of the Relay Event in which they seek nomination.</p> <table border="1" data-bbox="609 875 1275 1084"> <thead> <tr> <th>Male</th> <th>Event</th> <th>Female</th> </tr> </thead> <tbody> <tr> <td>00:50.70</td> <td><b>100 Freestyle</b></td> <td>00:56.34</td> </tr> <tr> <td>01:51.75</td> <td><b>200 Freestyle</b></td> <td>02:03.13</td> </tr> <tr> <td>00:56.26</td> <td><b>100 Backstroke</b></td> <td>01:02.36</td> </tr> <tr> <td>01:02.69</td> <td><b>100 Breaststroke</b></td> <td>01:10.22</td> </tr> <tr> <td>00:54.19</td> <td><b>100 Butterfly</b></td> <td>01:00.80</td> </tr> </tbody> </table> <p>III. At the sole discretion of the NZOC, Athletes who have been selected by NZOC for an Individual Non-Relay Event may, upon request by SNZ, be permitted to start in a Games Relay Event where there is an available place and where competing in this Relay Event will not have any detrimental effect on the event(s) for which they have already been selected.</p> <p>IV. The final composition of the Relay Teams at the Games will be determined by the team leader at the Games in their sole discretion and in accordance with FINA rules.</p>	Male	Event	Female	00:50.70	<b>100 Freestyle</b>	00:56.34	01:51.75	<b>200 Freestyle</b>	02:03.13	00:56.26	<b>100 Backstroke</b>	01:02.36	01:02.69	<b>100 Breaststroke</b>	01:10.22	00:54.19	<b>100 Butterfly</b>	01:00.80
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<p><b>8. Specific nomination factors</b></p>	<p>8.1 When considering the Overriding Nomination Criteria above, the SNZ Selectors may also take into account the following factors about an Athlete:</p> <ol style="list-style-type: none"> <li>a. adequate fitness and a commitment to maintain a fitness and training programme as agreed with the applicable coach(es);</li> <li>b. demonstrated good behavior, including a commitment to training and attendance at training camps;</li> <li>c. demonstrated compatibility with others in a team environment;</li> <li>d. demonstrated compliance with the rules of events and competitions;</li> <li>e. understanding and respect for the obligations that accompany being a member of a New Zealand team when competing at the Games, including respect for team members and support staff</li> </ol>
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	<ul style="list-style-type: none"> <li>f. willingness to promote SNZ in a positive manner;</li> <li>g. demonstrated ability to take personal responsibility for self and their results;</li> <li>h. proven ability to be reliable;</li> <li>i. any other factor(s) the SNZ Selectors consider relevant</li> </ul> <p>8.2 Own Enquiries: In considering any one or more of the above factors, the SNZ Selectors may make such enquiries of the Athlete, or other persons, as they see fit.</p> <p>8.3 Weight to be Given to Specific Nomination Factors: The SNZ Selectors may give weight to any one or more of the Specific Nomination Factors and, if it does, to apply such weighting to one or more athletes. No particular factor shall be weighted more or less significantly by reason only of the order in which that factor appears in this Nomination Criteria.</p> <p>8.4 Extenuating Circumstances: In any decision regarding the nomination of Athletes to the Team, the SNZ Selectors may, in their sole discretion, take into account any extenuating circumstances in accordance with clause 9 below.</p> <p>8.5 Nomination Procedure: After consideration of this Nomination Criteria, the SNZ Selectors shall follow the procedure set out in clause 7 of the NZOC / SNZ Agreement.</p>
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<p><b>9. Extenuating circumstances</b></p>	<p>9.1 Extenuating circumstances: in considering the nomination of Athletes in accordance with this Nomination Criteria, the SNZ Selectors may, in their sole discretion, give weight to any extenuating circumstances which may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. injury or illness;</li> <li>b. travel delays;</li> <li>c. equipment failure;</li> <li>d. bereavement or personal misfortune; and/or</li> <li>e. any other factors reasonably considered by the SNZ Selectors to constitute extenuating circumstances.</li> </ul> <p>9.2 Athlete to Advise: Athletes unable to compete at the Nomination Events or other attendances required under this Nomination Criteria, must advise the Chief Executive of the extenuating circumstances and reasons, in writing, with as much advance notice as possible and not less than three (3) weeks when it's possible prior to the commencement of the Nomination Event or other attendance. If the Chief Executive is not notified of any extenuating circumstances in accordance with this Nomination Criteria, then the SNZ Selectors have no obligation to rely on such circumstances.</p> <p>9.3 Medical Certificate: In the case of injury or illness, Athletes may be required by the SNZ Selectors to provide a medical certificate and/or to undergo an examination by a health practitioner/s nominated by the SNZ Selectors, and to provide that opinion and/or report to the SNZ Selectors. Any failure to agree to such a request may result in the SNZ Selectors being unable to consider the injury or illness as an extenuating circumstance.</p> <p>9.4 Case by Case: In the case of any extenuating circumstance/s, the SNZ Selectors will make a decision on a case-by-case basis.</p>
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<p><b>10. Appeal procedure</b></p>	<p>10.1 Nomination Appeals: An athlete may appeal to SNZ against their non-nomination to the NZOC by the SNZ Selectors provided that the Athlete has returned a completed:</p> <ul style="list-style-type: none"> <li>a. Athlete Application to SNZ by July 1<sup>st</sup> 2015 (that has been certified by SNZ); and</li> <li>b. Athlete Agreement in the manner directed by the NZOC prior to August 1<sup>st</sup> 2015 for Marathon Swimming and April 8<sup>th</sup> 2016 for Pool.</li> </ul> <p>10.2 Procedures for Nomination Appeals: Any appeal under paragraph 10.1 must be made in accordance with the procedures set out in clause 11 of the NZOC / SNZ Agreement.</p>
<p><b>11. Inconsistencies</b></p>	<p>11.1 NZOC / SNZ Agreement: In the event there is any inconsistency between this Nomination Criteria and the NZOC / SNZ Agreement, the NZOC / SNZ Agreement shall prevail.</p> <p>11.2 FINA Qualification System: If this Nomination Criteria imposes a higher qualification standard or a lesser number of participants than stated by the FINA Qualification System, this shall not be regarded as an inconsistency.</p>
<p><b>12. Amendments to this nomination criteria</b></p>	<p>12.1. Prior to Nomination Date: This Nomination Criteria may be amended or supplemented from time to time by the Board, before the Nomination Date, provided NZOC has approved the amendment/s and supplement/s.</p> <p>12.2 Notice: The Board will give as much notice as possible of any amendment/s or supplement/s made under clause 11.1 to this Nomination Criteria, to persons it considers may be affected by any such amendment/s or supplement/s.</p>
<p><b>13. Definitions</b></p>	<p>13.1 <b>Application Date:</b> is July 1<sup>st</sup> 2015, by which athletes must submit a completed Athlete Application in accordance with clause 6.1(a) of the NZOC / SNZ Agreement.</p> <p>13.2. <b>Athlete:</b> is a person who wishes to be considered for nomination to the Games Team in a Swimming Event and Group of Athletes shall have a corresponding meaning.</p> <p>13.3 <b>Athlete Agreement:</b> means the agreement that must be completed by any Athlete wishing to be considered for nomination and selection to the Games Team in accordance with clause 6.1(b) of the NZOC / SNZ Agreement.</p> <p>13.4 <b>Athlete Application:</b> means the form that must be completed by any athlete applying to be nominated and selected to the Games Team and which is attached as Schedule A to the NZOC / SNZ Agreement.</p> <p>13.5 <b>Available:</b> means an Athlete has indicated their availability on the individual entry form to the Nomination Events.</p> <p>13.6 <b>Board:</b> means the Board of SNZ as constituted under the Constitution.</p> <p>13.7 <b>Chief Executive:</b> is the Chief Executive Officer of SNZ and includes his / her nominee.</p> <p>13.8 <b>Constitution:</b> is the Constitution of SNZ.</p> <p>13.9 <b>Games:</b> means the 2016 Olympic Games to be held in Rio de Janeiro, Brazil from 5 August 2016 to 21 August 2016.</p> <p>13.10 <b>Games Team:</b> means the New Zealand Team at the Games selected in accordance with the NZOC Selection Policy for the Games.</p>

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	<p>13.11 <b>Individual Non-Relay Event:</b> means one of the following events: Women’s and Men’s 100m, 200m backstroke, 50, 100, 200, 400m freestyle or 100, 200m butterfly, 200, 400m individual medley, 100, 200m breaststroke or Women’s 800m freestyle or Men’s 1500m freestyle.</p> <p>13.12 <b>Marathon Swimming:</b> Olympic (10km) marathon swimming distance event.</p> <p>13.13 <b>Nominated Athlete:</b> is an Athlete who has been nominated to the NZOC by SNZ.</p> <p>13.14 <b>Nomination Criteria:</b> means this Nomination Criteria for the Games, including but not limited to the Overriding Nomination Criteria and the Specific Nomination Factors, and are also referred to as “this Criteria”.</p> <p>13.15 <b>Nomination Date:</b> are the dates set out in paragraph 3 of this Nomination Criteria (and includes any alternative date as agreed between NZOC and SNZ), by which SNZ must submit any Nominated Athletes to the NZOC.</p> <p>13.16 <b>Nomination Events:</b> means the events set out in paragraph 5 of this Nomination Criteria being international, continental or national competitions which are major or pinnacle events for the sport or are at least the equivalent of a World Cup or World Championship, and have an equivalent field of competitors to that which is likely to occur at the Games and the terms Marathon Swimming Nomination Event and Pool Nomination Event shall have a corresponding meaning.</p> <p>13.17 <b>NZOC</b> means the New Zealand Olympic Committee Incorporated.</p> <p>13.18 <b>NZOC / SNZ Agreement:</b> the agreement entered between NZOC and SNZ for the Application, Nomination and Selection Process for the Games.</p> <p>13.19 <b>Overriding Nomination Criteria:</b> is the criteria set out in paragraph 6.</p> <p>13.20 <b>Pool:</b> means either an Individual Non-Relay Event or a Relay Event.</p> <p>13.21 <b>Relay Event:</b> means one of the following events in which 4 Athletes of a Relay Team swim: Men’s and Women’s 4x100, 4x200 freestyle or 4x100 Medley.</p> <p>13.22 <b>Relay Team</b> means a Group of 4 or 5 Athletes who are part of a team to swim in a Relay Event.</p> <p>13.23 <b>SNZ:</b> means Swimming New Zealand Incorporated</p> <p>13.24 <b>SNZ Selectors:</b> means the selectors appointed by SNZ in accordance with paragraph 2 of this Nomination Criteria.</p> <p>13.25 <b>Specific Nomination Criteria:</b> the criteria set out in clause 7.</p> <p>13.26 <b>Specific Nomination Factors:</b> the nomination factors set out in clause 8.</p> <p>13.27 <b>Swimming Event:</b> an event in the Games in which an Athlete competes either alone or together with a Group of Athletes in a Marathon Swimming or Pool event.</p>
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<b>Approved</b>	SNZ Board April 15 <sup>th</sup> 2015
<b>Amendment approved</b>	SNZ Board June 17 <sup>th</sup> 2015
<b>Second Amendment approved</b>	SNZ Board October 21 <sup>st</sup> 2015
<b>Third Amendment</b>	SNZ Board February 19 <sup>th</sup> 2016
<b>Fourth Amendment</b>	SNZ Board 5 April 2016