

BEIJING 2022 OLYMPIC WINTER GAMES
NOMINATION CRITERIA FOR BIATHLON EVENTS

BIATHLON NEW ZEALAND INCORPORATED

1. Application of this Nomination Criteria

1.1 **Status:** This Nomination Criteria is issued by the Board of Biathlon New Zealand and shall take effect from **11 November 2020**. This Nomination Criteria supersedes any previous correspondence, discussions and representations (whether written or oral) by Biathlon New Zealand regarding nomination and selection for the Games.

1.2 **Scope:** This Nomination Criteria applies to:

- all Athletes wishing to be considered for nomination to the Games Team to compete in the Games in a Biathlon Event; and
- Biathlon New Zealand, including its Selectors, that wish to nominate Athletes to NZOC to be considered for selection to the Games Team for the Games.

1.3 **Process:** Selection to the Games Team in a Biathlon Event is a three step process:

- (a) each Athlete must be eligible in accordance with clause 3 of this Nomination Criteria;
- (b) Biathlon New Zealand nominates Athletes to the NZOC in accordance with this Nomination Criteria and the NZOC Nomination and Selection Regulation; and
- (c) the NZOC selects Athletes to the Games Team in accordance with the NZOC Selection Policy and the NZOC Nomination and Selection Regulation.

2. Selectors

2.1 **Composition:** The Selectors have been appointed by the Board. The **three** Selectors who will consider nomination of Athletes to NZOC to be considered for selection in the Games Team are:

- Tim David,
- Sam Lee,
- Grant Cagney.

3. Eligibility

3.1 **Athlete Eligibility:** To be eligible to be nominated to the NZOC by Biathlon New Zealand, an Athlete must:

- have returned a completed Athlete Application to the NZOC, in the form prescribed by the NZOC by the following dates (“Application Date”):
 - i. no later than 5.00pm, 2 April 2021; and
 - ii. in exceptional circumstances before 5.00pm, 4 August 2021 (or such extended date as agreed by the NZOC Board) where Biathlon New Zealand provides the NZOC with evidence that demonstrates that Athlete could not have been reasonably in contemplation on 2 April 2021; and
- have returned a completed Athlete Agreement in the manner prescribed by the NZOC to NZOC prior to the Nomination Date; and
- be a member of Biathlon New Zealand or one of its affiliates; and
- be a New Zealand citizen and has a New Zealand passport; and
- fulfil one of the following eligibility criteria in accordance with IBU’s Qualification System for Beijing 2022 Olympic Winter Games (“IBU Qualification System”):
 - (i) 180 IBU qualifying points or less as of January 2022 (after World Cup 5); or
 - (ii) during the Qualification Period, compete in two (2) competitions earning 140 IBU qualifying points or less at the IBU Cup, Open European Championship, World Championship and/or World Cup in the Biathlon Sprint or Individual Events;
 - (iii) during the Qualification Period, achieve two (2) finishes in the top half of the Junior World Championship; or
 - (iv) during the Qualification Period, achieve one (1) result from each of the eligibility criteria ii. and iii. above; and
- have demonstrated to the satisfaction of Biathlon New Zealand that they are not suffering any physical or psychological impairment that would prevent them from competing in the Games to the highest possible standard; and
- have acted in such a manner so as not to bring the Athlete, the sport, Biathlon New Zealand or the NZOC into public disrepute; and
- not be under investigation for any breach of any part of the Biathlon New Zealand and IBU’s anti-doping regulations, the Sports Anti-Doping Rules and/or the NZOC Integrity Regulation; and
- no later than 4 August 2021 (or such extended date as agreed by the NZOC Board) have provided their name and contact address details to NZOC for the purpose of out of competition drug testing with Drug Free Sport New Zealand.

3.2 **Qualification:** New Zealand must qualify for places in a Biathlon Event(s) in accordance with the IBU Qualification System and/or IBU requirements for the Games. Qualification for a place in any Biathlon Event(s) by an Athlete does not guarantee that Athlete will be nominated or selected to compete in the Biathlon Event(s) at the Games.

3.3 **Nomination if Nomination Criteria Met:** Provided the requirements set out in clause 3.1 and 3.2 are met, the Selectors shall nominate to NZOC for consideration of selection, those Athletes it considers meet the Nomination Criteria set out below.

3.4 **Reserve Athletes:** The Selectors may nominate Reserve Athletes to the NZOC for any Biathlon Event.

4. **Nomination Criteria**

4.1 **Nomination Criteria:** In considering any Athlete for nomination to the NZOC, the Selectors shall consider:

- (a) the Overriding Nomination Criteria specified in clause 5.1; and
- (b) the Specific Nomination Factors specified in clause 5.2; and
- (c) any Extenuating Circumstances in accordance with clause 6.3.

4.2 **Relevance and Weighting:** The Selectors may determine the relevance and weight that they wish to place on any Specific Nomination Factor(s) and any Extenuating Circumstances(s) as they consider appropriate. No particular Specific Nomination Factor shall be weighed more or less significantly based on the order in which it appears in this Nomination Criteria unless expressly specified otherwise.

4.3 **Permission to Start:** At the sole discretion of the NZOC, Nominated Athletes may, on Biathlon New Zealand's request to the NZOC, if they are selected to the Games Team by the NZOC, request permission to start in another Biathlon Event where competing in this Biathlon Event will not have any detrimental effect on the Biathlon Event they have already been selected for.

4.4 **Own Enquiries:** In considering the Specific Nomination Factors, the Selectors may make such enquiries of the Athlete, or other persons, as they see fit.

4.5 **Conditions:** In considering any results and performances of an Athlete at any Key Events and trials, the Selectors may, but do not have to, take into account the conditions in which the results and performances were obtained such as, but not limited to, the weather conditions and the field of competition.

4.6 **Extenuating Circumstances:** In any decision regarding the nomination of Athletes to the Games Team, the Selectors may, in their sole discretion, take into account any Extenuating Circumstances in accordance with clause 6 below.

5. **Overriding Nomination Criteria and Specific Nomination Factors**

5.1 **Overriding Nomination Criteria:**

- (a) In determining whether or not to nominate an Athlete to a Biathlon Event, the Selectors must be satisfied overall that the Athlete:
- i. has demonstrated they are capable of achieving a top 16 placing at the Games in the Biathlon Event, with the potential to win an Olympic Diploma (top 8 placing); and
 - ii. has a track record of sufficient quality and depth that Biathlon New Zealand believes demonstrates the Athlete will be competitive at the Games and will perform creditably in the Biathlon Event.
- (b) In determining whether or not the Athlete satisfies the Overriding Nomination Criteria for Biathlon Events in clause 5.1(a) above, the Selectors shall have regard to:
- i. *Results and Performances:* the results and performances in the Biathlon Event at the following Key Events during the Qualification Period:
 - 2021 World Cup in Östersund (SWE)
 - 2021 World Cup in 2021 in Hochfilzen (AUT)
 - 2021 World Cup in Annecy/Le Grand Bornand (FRA)
 - 2022 World Cup in Oberhof (GER)
 - 2022 World Cup in Ruhpolding (GER)

5.2 **Specific Nomination Factors:** When considering the Overriding Nomination Criteria above, the Selectors may also take into account any one or more of the following factors about an Athlete within the Qualification Period:

- (a) any other performances or results in competitions / events in addition to the Key Events;
- (b) adequate fitness and a commitment to maintain a fitness and training programme as agreed with the applicable coach(es);
- (c) demonstrated good behaviour, including a commitment to training and attendance at training camps;

- (d) demonstrated compatibility with others in a team environment;
- (e) demonstrated compliance with the rules of events and competitions;
- (f) understanding and respect for the obligations that accompany being a member of a New Zealand team when competing at the Games, including respect for Games Team members;
- (g) willingness to promote Biathlon New Zealand in a positive manner;
- (h) demonstrated ability to take personal responsibility for self and their results;
- (i) proven ability to be reliable; and
- (j) any other factor(s) the Selectors consider relevant.

6. Extenuating Circumstances

6.1 **Extenuating Circumstances:** In considering the nomination of Athletes in accordance with this Nomination Criteria, the Selectors may, in their sole discretion, give weight to any Extenuating Circumstances which may include, but are not limited to, the following:

- (a) injury or illness;
- (b) travel delays;
- (c) equipment failure;
- (d) bereavement or personal misfortune; and/or
- (e) any other factors reasonably considered by the Selectors to constitute extenuating circumstances.

6.2 **Athlete to Advise:** Athletes unable to compete at Key Events, trials, or other attendances required under this Nomination Criteria, must advise the Chair of the Extenuating Circumstances and reasons, in writing, with as much advance notice as possible and ideally seven (7) days prior to the commencement of the Key Event, trial or other attendance. If the Chair is not notified of any Extenuating Circumstances in accordance with this Nomination Criteria, then the Selectors have no obligation to rely on such circumstances.

6.3 **Medical Certificate:** In the case of injury or illness, Athletes may be required by the Chair to provide a medical certificate and/or to undergo an examination by a health practitioner/s nominated by the Chair, and to provide that opinion and/or report to the Selectors. Any

failure to agree to such a request may result in the Selectors being unable to consider the injury or illness as an Extenuating Circumstance.

6.4 **Case by Case:** In the case of any Extenuating Circumstance/s, the Selectors will make a decision on a case-by-case basis.

7. **Nomination and Selection**

7.1 **Nomination to NZOC:** Biathlon New Zealand will nominate Athletes (“Nominated Athletes”) and any Reserve Athletes to the NZOC by the Nomination Date.

7.2 **Nomination with Conditions:** Biathlon New Zealand may nominate an Athlete with any conditions, for example, conditions relating to recovery from injury or continuing to meet specified performance levels. If the conditions are not met to the satisfaction of the Selectors, they will not be eligible for selection, unless the NZOC decides to select the Nominated Athlete subject to those or other conditions.

7.3 **Selection by NZOC:** Selection to the Games Team by the NZOC will be made in accordance with the NZOC Nomination and Selection Regulation.

8. **Appeal Procedure**

8.1 **Non-Nomination Appeals:** An Athlete may appeal to Biathlon New Zealand against their non-nomination to the NZOC by the Biathlon New Zealand provided that the Athlete:

- (a) is on the Biathlon New Zealand long list for the Games; and
- (b) meets the eligibility criteria under clause 3 of this Criteria.

8.2 **Procedures for Non-Nomination Appeals:** Any appeal under criteria 8.1 of this Criteria must be made in accordance with the procedures set out in clause 13 of the NZOC Nomination and Selection Regulation.

8.3 **Procedures for Non-Selection Appeals:** If a Nominated Athlete is not selected by the NZOC, the Nominated Athlete may appeal the non-selection in accordance with the procedures set out in clause 14 of the NZOC Nomination and Selection Regulation provided that the Nominated Athlete:

- (a) is on the Biathlon New Zealand long list for the Games; and
- (b) meets the eligibility criteria under clause 3 of this Criteria.

9. Inconsistencies

- 9.1 **NZOC Nomination and Selection Regulation:** In the event there is any inconsistency between this Nomination Criteria and the NZOC Nomination and Selection Regulation, the NZOC Nomination and Selection Regulation shall prevail.
- 9.2 **IBU Qualification System:** If this Nomination Criteria imposes a higher qualification standard or a lesser number of participants than stated by the IBU Qualification System, this shall not be regarded as an inconsistency.

10. Amendments to this Nomination Criteria

- 10.1 **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.
- 10.2 **Notice:** The Board will give as much notice as possible of any amendment/s or supplement/s made under clause 10.1 to this Nomination Criteria, to persons it considers may be affected by any such amendment/s or supplement/s.

11. Definitions

- 11.1 **Application Date** means the dates set out in clause 3.1 of this Criteria, by which Athletes must submit to NZOC a completed Athlete Application in accordance with clause 8.3 of the NZOC Nomination and Selection Regulation.
- 11.2 **Athlete** means a person who wishes to be considered for nomination to the Games Team.
- 11.3 **Athlete Agreement** 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 8.4 of the NZOC Nomination and Selection Regulation.
- 11.4 **Athlete Application** means the form set by the NZOC that must be completed by any Athlete applying to be nominated and selected to the Games Team.
- 11.5 **Biathlon New Zealand** means Biathlon New Zealand Incorporated.
- 11.6 **Biathlon Event** means an event in the Games in which an Athlete competes, namely:

Men's Events	Women's Events	Mixed Events
10km Sprint	7.5km Sprint	Mixed Relay - Women's 2 x 6km +Men's 2 x 7km
20km Individual	15km Individual	
12.5km Pursuit	10km Pursuit	

15km Mass Start	12.5km Mass Start	
4 x 7.5km Relay	4 x 6km Relay	

- 11.7 **Board** means the Board of Biathlon New Zealand as constituted under the Constitution.
- 11.8 **Chair** means the Chair of Biathlon New Zealand and includes his / her nominee.
- 11.9 **Constitution** means the Constitution of Biathlon New Zealand.
- 11.10 **Extenuating Circumstances** means the inability to perform at an optimum level arising from one or more of the reasons set out in clause 6.1.
- 11.11 **Games** means the Games of the XXIII Winter Olympiad to be held in Beijing, China from 4 – 20 February 2022.
- 11.12 **Games Team** means the New Zealand Team at the Games selected in accordance with the NZOC Selection Policy for the Games.
- 11.13 **IBU** means International Biathlon Union.
- 11.14 **Key Events** means an international, continental or national competition listed in clause 5.2(b).
- 11.15 **Nominated Athlete** means an Athlete who has been nominated by Biathlon New Zealand to the NZOC for consideration of selection to the Games Team.
- 11.16 **Nomination Criteria** means the criteria made up of the Overriding Nomination Criteria and the Specific Nomination Factors, and is also referred to as “**this Criteria**”.
- 11.17 **Nomination Date** means on or before 19 Jan 2022 (and includes any alternative date as agreed between NZOC and Biathlon New Zealand), by which Biathlon New Zealand must submit any Nominated Athletes to the NZOC.
- 11.18 **NZOC** means the New Zealand Olympic Committee Incorporated.
- 11.19 **NZOC Integrity Regulation** means the NZOC Integrity Regulation available at <http://www.olympic.org.nz/about-the-nzoc/governance-documents/>.
- 11.20 **NZOC Nomination and Selection Regulation** means the regulation of NZOC relation to the nomination and selection Process for all Olympic and Commonwealth games, including the Games, available at <http://www.olympic.org.nz/about-the-nzoc/governance-documents/>.
- 11.21 **NZOC Selection Policy** means the NZOC Selection Policy for the Games, available at <http://www.olympic.org.nz/games/beijing-2022/selection/>.

- 11.22 **Overriding Nomination Criteria** means the criteria set out in clause 5.2.
- 11.23 **Qualification Period** means the period between 23 November 2020 to 21 March 2021 and 22 November to 16 January 2022.
- 11.24 **Reserve Athletes** means a travelling and/or non-travelling reserve, as designated by the Selectors and in accordance with the IBU Qualification System and the Beijing 2022 Sport Entry Manual.
- 11.25 **Specific Nomination Factors** means the factors listed in clause 5.3 which the Selectors may take into account when applying the Overriding Nomination Criteria.
- 11.26 **Selectors** means the selectors appointed by Biathlon New Zealand in accordance with clause 2 of this Nomination Criteria.