

PARIS 2024 OLYMPIC GAMES
NOMINATION CRITERIA FOR SWIMMING EVENTS

SWIMMING NEW ZEALAND INCORPORATED

1. Application of this Nomination Criteria

1.1 **Status:** This Nomination Criteria is issued by the Board and shall take effect from 15th February 2023. This Nomination Criteria supersedes any previous correspondence, discussions and representations (whether written or oral) by Swimming NZ regarding nomination and selection for the Games.

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

- (a) all Athletes wishing to be considered for nomination to the Games Team to compete in the Games in a Swimming Event; and
- (b) Swimming NZ, 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 Swimming Event is a three-step process:

- (a) each Athlete must be eligible in accordance with clause 3 of this Nomination Criteria.
- (b) Swimming NZ 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 Selectors who will consider nomination of Athletes to NZOC to be considered for selection in the Games Team are:

- Dr Brent Layton
- Phillip Rush
- Rebecca Dubber

2.2 The Board reserves the right to change a Selector at any time in its absolute discretion prior to the Nomination Date. In such case, it will publish the change of Selector on the Swimming NZ website.

3. Eligibility

3.1 **Athlete Eligibility:** To be eligible to be nominated to the NZOC by Swimming NZ, an Athlete must:

- (a) 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, 26 July 2023, where an Athlete is not a regular member of Swimming NZ at this date; or
 - ii. no later than 5.00pm, 24 November 2023, where the Athlete is a regular member of Swimming NZ; and
 - ii. in exceptional circumstances before 5.00pm, 26 January 2024 (or such extended date as agreed by the NZOC Board) where Swimming NZ provides the NZOC with evidence that demonstrates that Athlete could not have been reasonably in contemplation on 24 November 2023, provided the Athlete is a regular member of Swimming NZ; and
- (b) have returned a completed Athlete Agreement in the manner prescribed by the NZOC to NZOC prior to the Nomination Date; and
- (c) be a member of Swimming NZ or one of its affiliates; and
- (d) be a New Zealand citizen and has a New Zealand passport; and
- (e) for Individual Swimming Events only, received an invitation by name by WAQ to compete at the Games; and
- (f) have demonstrated to the satisfaction of Swimming NZ 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
- (g) have acted in such a manner so as not to bring the Athlete, the sport, Swimming NZ or the NZOC into public disrepute; and
- (h) not be under investigation for any breach of any part of the Swimming NZ and WAQ’s anti-doping regulations, the Sports Anti-Doping Rules and/or the NZOC Integrity Regulation; and
- (i) no later than 26 July 2023, where the Athlete is not a regular member of the Swimming NZ or 26 January 2024 (or such extended date as agreed by the NZOC Board) where the Athlete is a regular member of the Swimming NZ has 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 Swimming Event(s) in accordance with WAQ’s Qualification System for Paris 2024 Olympic Games (“WAQ Qualification System”) and/or WAQ requirements for the Games. Qualification for a place in any

Swimming Event(s) by an Athlete (or group of Athletes) does not guarantee that Athlete (or group of Athletes) will be nominated or selected to compete in the Swimming Event(s) at the Games.

3.3 **Nomination if Nomination Criteria Met:** Provided the requirements set out in clauses 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 Swimming Event.

4. **Nomination Criteria**

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

- (a) the Over-Riding Nomination Criteria specified in clause 5.1; or
- (b) the evidential requirements for the Over-riding criteria specified in clause 5.2; and
- (c) the Secondary Nomination Criteria specified in clause 5.3; and
- (d) the Specific Nomination Factors specified in clause 5.4; and
- (e) any Extenuating Circumstances in accordance with clause 6.

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 Swimming NZ's request to the NZOC, if they are selected to the Games Team by the NZOC, request permission to start in another Swimming Event where there is an available quota place and competing in this Swimming Event will not have any detrimental effect on the Swimming 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, consider the conditions in which the results and performances were obtained such as, but not limited to, 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, consider any Extenuating Circumstances in accordance with clause 6 below.

5. Over-Riding Nomination Criteria, Secondary Nomination Criteria and Specific Nomination Factors

5.1 **Over-Riding Nomination Criteria:** In determining whether to nominate an Athlete (or group of Athletes) to a Swimming Event, the Selectors must be satisfied overall that the Athlete (or group of Athletes):

- (a) is or are competing in a Swimming Event where a quota place at the Games has been qualified and an invitation issued in accordance with the WAQ Qualification System; and
- (b) is or are capable of achieving a top 16 placing in the Games in that Swimming Event, with the potential to win an Olympic Diploma (top 8 placing); and
- (c) has or have a track record of sufficient quality and depth that the Selectors believe demonstrates the nominated athlete(s) will be competitive at the Games and will perform to the level specified in clause 5.1(b). in that Swimming Event(s).

5.2 Evidence for Over-Riding Criteria

- (a) In determining whether the Athlete (or group of Athletes) satisfies the Over-Riding Nomination Criteria for Swimming Events in clause 5.1, the Selectors shall have regard to:

Results and Performances: the results and performances in the Swimming Event(s) at the following Nomination Events:

- WAQ World Championships, Doha 2nd to 18th February 2024
- New Zealand Swimming Championships 9th to 13th April 2024

- (b) To be eligible for the SNZ Selection Panel to consider nominating an Athlete (or group of Athletes) for consideration of selection by the NZOC, an Athlete must have achieved a time equal to or faster than the times detailed below in Table 1 at either or both of the Nomination Events listed above in 5.32a).

Table 1

Male	Event	Female
21.96	50m Free	24.70
48.34	100m Free	53.61
1:46.26	200m Free	1:57.26
3:46.78	400m Free	4:07.90
7:51.65	800m Free	8:26.71
15:00.99	1500m Free	16:09.09

53.74	100m Back	59.99
1:57.50	200m Back	2:10.39
59.49	100m Breast	1:06.79
2:09.68	200m Breast	2:23.91
51.67	100m Fly	57.92
1:55.78	200m Fly	2:09.07
1:57.94	200 IM	2:11.47
4:12.50	400 IM	4:39.92

Note: Table 1 above consists of both Olympic Qualification and Olympic Consideration Times as set out in the WAQ Qualification System.

- (c) **Quota Restrictions for Individual Swimming Events:** New Zealand are permitted to enter a maximum of two athletes per Individual Swimming Event at the Games. Should more than two Athletes achieve a time as per above in the same Individual Swimming Event at a Nomination Event, the Athletes with the two fastest time at either or both the Nomination Events shall be nominated. In the event of a tie, the Selectors will consider one or more the Specific Nomination Factors set out in clause 5.4
- (d) **Relays:** Relay splits will not be considered for nomination for an Individual Swimming or Relay Swimming Event.

Relay Swimming Events

- (e) **Subject to qualification of a Relay Team under the WAQ Qualification system for the Paris 2024 Games** in determining whether or not a group of Athletes has met the Over-Riding Nomination Criteria for Relay Events in clause 5.1(b) above, the group of Athletes must:
- i. In relation to the 4x 100m and 4x 200m Relay Events, be the four fastest athletes in the 100m and 200m freestyle events (whichever is relevant) at the Nomination Events subject to Clause 6 below; or
 - ii. In relation to the 4x 100m Medley Relays, be the four fastest Athletes calculated to produce the fastest combined time in each of the 100m Individual Swimming Events as the Relay Swimming Event at the Nomination Events subject to Clause 6 below and;
- provided that** the group of Athletes produce a total Relay Team time which is equivalent to or better than a time that would have placed in the top 16 Relay Swimming Events at the WAQ World Championships in 2024.
- (f) All athletes nominated and selected for Individual Swimming Events must be available for selection to Relay Swimming Events.

5.3 **Secondary Nomination Criteria:** Where a quota place has been qualified at the Games and an invitation issued in accordance with the WAQ Qualification System, but where no athlete has met the overriding criteria in clause 5.1(b) and (c) or there are remaining quota places available, then the Selectors may consider nominating an Athlete to an Individual Swimming Event provided that the Selectors are satisfied overall that the Athlete has demonstrated they:

- (a) are capable of achieving an Olympic Diploma (top 8 placing) in the Individual Swimming Event at the Los Angeles 2028 Olympic Games; and
- (b) have a strong upward trajectory; and
- (c) have a strong record of international competition of such quality and depth that the Selectors believe demonstrates the Nominated Athlete will be competitive in the Swimming Event at the Games; and
- (d) have achieved a time equal to or faster than the times detailed below in Table 2 at either or both of the following Nomination Events:
 - WAQ World Championships, Doha 2nd to 18th February 2024
 - New Zealand Swimming Championships 9th to 13th April 2024

Table 2

Male	Event	Female
22.07	50m Free	24.82
48.58	100m Free	53.88
1:46.79	200m Free	1:57.85
3:47.91	400m Free	4:09.14
7:54.01	800m Free	8:29.24
15:05.49	1500m Free	16:13.94
54.01	100m Back	1:00.29
1:58.09	200m Back	2:11.04
59.79	100m Breast	1:07.12
2:10.33	200m Breast	2:24.63
51.93	100m Fly	58.21
1:56.36	200m Fly	2:09.07
1:58.53	200 IM	2:12.13
4:13.76	400 IM	4:39.92

5.4 **Specific Nomination Factors:** When considering the Over-Riding Nomination Criteria or Secondary Criteria above, the Selectors may also consider 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 Swimming NZ 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.

6.5 **Athlete to Advise:** Athletes unable to compete at Key Events, Trials, or other attendances required under this Nomination Criteria, must advise the CEO 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 CEO is not notified of any Extenuating Circumstances in accordance with this Nomination Criteria, then the Selectors have no obligation to rely on such circumstances.

- 6.6 **Medical Certificate:** In the case of injury or illness, Athletes may be required by the CEO to provide a medical certificate and/or to undergo an examination by a health practitioner/s nominated by the CEO, 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.
- 6.7 **Case by Case:** In the case of any Extenuating Circumstance/s, the Selectors will decide on a case-by-case basis.

7. Nomination and Selection

- 7.1 **Nomination to NZOC:** Swimming NZ will nominate Athletes (“Nominated Athletes”) and any Reserve Athletes to the NZOC by the Nomination Date.
- 7.2 **Nomination with Conditions:** Swimming NZ 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 Swimming NZ against their non-nomination to the NZOC by the Swimming NZ provided that the Athlete:
- (a) is on the Swimming NZ 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 Swimming NZ 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 **WAQ Qualification System:** If this Nomination Criteria imposes a higher qualification standard or a lesser number of participants than stated by the WAQ 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(a) 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 **Board** means the Board of Swimming NZ as constituted under the Swimming NZ's constitution.
- 11.6 **CEO** means the Chief Executive Officer of Swimming NZ and includes his / her nominee.
- 11.7 **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.

11.8 **Games** means the Games of the XXXIII Olympiad to be held in Paris, France from 26 July to 11 August 2024.

11.9 **Games Team** means the New Zealand Team at the Games selected in accordance with the NZOC Selection Policy for the Games.

11.10 **Individual Swimming Event** means one of the following events in the Games in which an Athlete competes:

Men's Events	Women's Events
50m Freestyle	50m Freestyle
100m Freestyle	100m Freestyle
200m Freestyle	200m Freestyle
400m Freestyle	400m Freestyle
800m Freestyle	800m Freestyle
1500m Freestyle	1500m Freestyle
100m Backstroke	100m Backstroke
200m Backstroke	200m Backstroke
100m Breaststroke	100m Breaststroke
200m Breaststroke	200m Breaststroke
100m Butterfly	100m Butterfly
200m Butterfly	200m Butterfly
200m Individual Medley	200m Individual Medley
400m Individual Medley	400m Individual Medley

11.11 **Nominated Athlete** means an Athlete who has been nominated by Swimming NZ to the NZOC for consideration of selection to the Games Team.

11.12 **Nomination Criteria** means the criteria made up of the Over-Riding Nomination Criteria, Secondary Nomination Criteria and the Specific Nomination Factors, and is also referred to as "this Criteria".

11.13 **Nomination Date** means on or before 30th April 2024 (and includes any alternative date as agreed between NZOC and Swimming NZ, by which Swimming NZ must submit any Nominated Athletes to the NZOC.

11.14 **Nomination Event** means a competition listed as a key competition for athletes in clauses 5.2 and 5.3.

11.15 **NZOC** means the New Zealand Olympic Committee Incorporated.

11.16 **NZOC Integrity Regulation** means the NZOC Integrity Regulation available at <http://www.olympic.org.nz/about-the-nzoc/governance-documents/>.

11.17 **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/>.

11.18 **NZOC Selection Policy** means the NZOC Selection Policy for the Games, and any updates or amendments to that policy, available at <https://www.olympic.org.nz/games/paris-2024/selection/>.

11.19 **Over-Riding Nomination Criteria** means the criteria set out in clause 5.1.

11.20 **Relay Swimming Event** means one of the following events in the Games in which an Athlete competes together with other Athletes:

Men's Events	Women's Events	Mixed Events
4x100m Freestyle Relay	4x100m Freestyle Relay	4x100m Medley Relay
4x200m Freestyle Relay	4x200m Freestyle Relay	
4x100m Medley Relay	4x100m Medley Relay	

11.21 **Reserve Athletes** means a travelling and/or non-travelling reserve, as designated by the Selectors and in accordance with the IF Qualification System and the Paris 2024 Sport Entry Manual.

11.22 **Secondary Nomination Criteria** means the criteria set out in clause 5.3.

11.23 **Specific Nomination Factors** means the factors listed in clause 5.4 which the Selectors may take into account when applying the Over-Riding Nomination Criteria.

11.24 **Selectors** means the selectors appointed by Swimming NZ in accordance with clause 2 of this Nomination Criteria.

11.25 **Swimming Event** means an Individual Swimming Event or Relay Swimming Event at the Games but does not include a marathon swimming event.

11.26 **Swimming New Zealand** means Swimming New Zealand Incorporated.

11.27 **WAQ** means the International Swimming Federation.