

# PARIS 2024 PARALYMPIC GAMES

## Swimming New Zealand

### Nomination Criteria

#### 1 Application of this Criteria

- 1.1 This Criteria is issued by the Board of Swimming New Zealand and forms part of Schedule N of the Paralympics New Zealand (PNZ) Selection Regulation. A copy of the PNZ Selection Regulation is available on the [PNZ website](#).
- 1.2 This Criteria shall take effect from **13 June 2023**, or such other date specified by PNZ.
- 1.3 This Criteria applies to:
- i. all Para athletes wishing to be considered for nomination to the Paralympic Games Team to compete in the Paralympic Games; and
  - ii. **Swimming NZ**, including their Sport Specific Selectors that wish to nominate Para athletes to PNZ to be considered for selection to the Paralympic Games Team for the Paris 2024 Paralympic Games.

#### 2 Definitions

<b>Application Date</b>	means <b>20 October 2023</b> , or any other date as specified by PNZ, by which Para athletes must submit a completed Para athlete Application to PNZ in accordance with the PNZ Selection Regulation.
<b>Para athlete</b>	means a person who wishes to be considered for nomination to the Paris 2024 Paralympic Games Team.
<b>Para athlete Agreement</b>	means the agreement that must be completed by any Para athlete wishing to be considered for nomination and selection to the Paris 2024 Paralympic Games Team and which is attached to the PNZ Selection Regulation as <b>Appendix 2</b> .
<b>Para athlete Application</b>	means the form that must be completed by any Para athlete applying to be nominated and selected to the Paris Paralympic Games Team and which is attached to the PNZ Selection Regulation as <b>Appendix 1</b> .
<b>Board</b>	means the Board of <b>Swimming New Zealand</b> as constituted under the Constitution.

<b>Board Members</b>	means the members of the Board of <b>Swimming New Zealand</b> as defined in the Constitution.
<b>Chief Executive</b>	means the Chief Executive/Officer (CE) of <b>Swimming New Zealand</b> and includes their nominee.
<b>Commencement Date</b>	means the date this Criteria came into force, namely 13 June 2023.
<b>Constitution</b>	means the Constitution of <b>Swimming New Zealand</b> .
<b>Criteria</b>	means this Criteria and is also known as the “Nomination Criteria”.
<b>DFSNZ</b>	means Drug Free Sport New Zealand.
<b>Paralympic Games</b>	means the Paris 2024 Paralympic Games to be held in Paris, France from 28 August – 8 September 2024.
<b>Paralympic Games Team</b>	means the New Zealand Paralympic Team selected in accordance with this Regulation to compete in the Paralympic Games and excludes any Para athletes selected as reserves.
<b>General Nomination Criteria</b>	means the criteria set out in clause 5.3.
<b>IF</b>	means an International Sports Federation.
<b>IPC</b>	means the International Paralympic Committee.
<b>Member</b>	means the members of PNZ as specified in the Constitution.
<b>Nominated Para athlete</b>	means a Para athlete nominated by <b>Swimming New Zealand</b> in accordance with the PNZ Selection Regulation.
<b>Nomination Criteria</b>	means the criteria made up of the General Nomination Criteria, the Over-Riding Nomination Criteria and the Specific Nomination Factors, and is also referred to as “this Criteria”.
<b>Nomination Date</b>	means <b>Friday 19th April 2024</b> , or any other date specified by PNZ, by which <b>Swimming New Zealand</b> must submit any Nominated Para athletes to PNZ.
<b>NSO</b>	means a National Sporting Organisation.
<b>Over-Riding Nomination Criteria</b>	means the criteria set out in clause 5.4.
<b>PNZ</b>	means Paralympics New Zealand Incorporated.

<b>PNZ Selection Regulation</b>	means the regulation adopted by the PNZ Board to clearly document and make available to all Para athletes and NSOs the application, nomination and selection process to be used by PNZ in selecting Para athletes for the Paralympic Games Team to compete in the Paralympic Games.
<b>Selection Event</b>	means the <b>NZ Open Swimming Championships 9<sup>th</sup> to 13<sup>th</sup> April 2024.</b>
<b>Supporting Evidence</b>	means the supporting evidence set out in clause 5.5
<b>Specific Nomination Factors</b>	means the nomination factors set out in clause 5.6
<b>NSO</b>	means any National Sporting Organisation that is a Member of PNZ.
<b>SSS</b>	means sport specific selectors appointed by the <b>Swimming New Zealand</b>
<b>Team</b>	means a group of Para athletes in a team event.
<b>Technical Considerations</b>	means the technical considerations set out in clause 5.8
<b>WADA</b>	means the World Anti-Doping Agency.

Unless specified otherwise, any other terms used in this Criteria shall have the meanings set out in the PNZ Selection Regulation.

### 3 Sport Specific Selectors

3.1 **Composition:** The Sport Specific Selectors from **Swimming New Zealand** shall be appointed by the SNZ CEO. The SSS from **Swimming New Zealand** who will consider nomination of Para athletes to PNZ to be considered for selection in the Paralympic Games Team are:

- Brent Layton
- Gary Francis
- Rebecca Dubber
- Phillip Rush

### 4 Nomination Procedure

4.1 **Nomination if Criteria met:** If the conditions of nomination set out in the PNZ Selection Regulation are met to the satisfaction of the SSS, the SSS shall then nominate those Para athletes it considers meet the Nomination Criteria set out below.

### 5 Nomination Criteria

5.1 **Nomination Criteria:** The **Swimming New Zealand** Nomination Criteria for nomination to the Paralympic Games Team is made up of the following parts:

- i. the General Criteria specified in clause 5.3;
  - ii. the Over-Riding Criteria specified in clause 5.4; and
  - iii. the Supporting Evidence specified in clause 5.5
- 5.2 In determining the General Nomination Criteria and the Over-Riding Nomination Criteria the SSS must also take into account:
- i. any Specific Nomination Factors specified in clause 5.6 of this criteria; **and**
  - ii. any Technical Considerations specified in clause 5.8 of this criteria.
- 5.3 **General Nomination Criteria:** Firstly, taking into account the Specific Nomination Factors **and Technical Considerations**, the SSS **must** be satisfied that the Para athlete:
- i. has met the conditions of nomination specified in clause 8.2 of the PNZ Selection Regulation;
  - ii. will, in the opinion of the SSS, be an effective and harmonious member of the Paralympic Games Team;
  - iii. has not acted in such a manner so as to bring the Para athlete, the sport, **Swimming New Zealand** or PNZ into public disrepute; and
  - iv. in the opinion of the SSS, has acted and will continue to act, as a positive role model to all New Zealand Para athletes.
- 5.4 **Over-Riding Nomination Criteria:** Secondly, taking into account the Specific Nomination Factors **and Technical Considerations**, the SSS **must** be satisfied overall that, in their opinion, that the Para athlete or Team has met the following:
- 5.4.1 **Individuals:** A Para athlete being considered for individual events, has demonstrated to the satisfaction of the SSS that they are capable of:
- a. achieving a medal placing in the Paralympic Games in their event; or
  - b. achieving a top eight (8) placing in the Paralympic Games in their event and a medal placing at Los Angeles 2028 Paralympic Games.
- 5.4.2 **Teams:** A Team has demonstrated to the satisfaction of the SSS that the Team is capable of:
- a. achieving a medal placing in the Paralympic Games in their event; or
  - b. achieving a top five (5) placing in the Paralympic Games in their event **and** a medal placing at the Los Angeles 2028 Paralympic Games.

5.5 **Supporting Evidence:** In demonstrating a Para athlete or Team's capability, the SSS must assess the evidence showing tracking of the Para athlete's and Team's performances and results. This evidence may include, but is not limited to, the following information:

- i. The shortfall, if any, in performance to achieve a medal placing based on the performances and results to date;
- ii. The rate of the Para athlete's or Team's progression and forecasted placing at the Paralympic Games;
- iii. The rate of the Para athlete's or Team's progression and forecasted placing at the Los Angeles 2028 Paralympic Games;
- iv. The rate of progression of other Para athletes and teams from other nations in that event; and
- v. The likelihood of Para athletes or teams from other nations being selected for the Paralympic Games (based on that nation's selection criteria).

5.6 **Specific Nomination Factors:** When considering the General Nomination Criteria and the Over-riding Nomination Criteria above, the SSS **shall** also take into account any one or more of the following factors about a Para athlete and a Team:

- i. the performance and results of the Para athlete, or Team in which the Para athlete was a member, including consistency of performance and results at events (particularly internationally), competitions, and activities (such as camps and trials), in the period two (2) years preceding the possible selection of the Nominated Para athlete;
- ii. adequate fitness and a commitment to maintain a fitness and training programme as agreed with the applicable coach(es);
- iii. demonstrated good behaviour, including a commitment to training and attendance at training camps;
- iv. demonstrated compatibility with others in a team environment;
- v. demonstrated compliance with the rules of events and competitions;
- vi. understanding and respect for the position on the Team and/or when competing in the Paralympic Games Team at the Paralympic Games, including respect for team members and officials;
- vii. willingness to promote PNZ in a positive manner;
- viii. demonstrated ability to take personal responsibility for self and their results;
- ix. proven ability to be reliable; and

- x. any other factor(s) the SSS considers relevant.

In considering any one or more of the above factors, the SSS may make such enquiries of the Nominated Para athletes, or other persons, as it sees fit.

**5.7 Weight to be given to Specific Nomination Factors:** The SSS **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 Para athletes. No particular factor shall be weighted more or less significantly by reason only of the order in which that factor appears in this Criteria.

**5.8 Technical Considerations:** When considering the General Nomination Criteria and the Over-Riding Nomination Criteria the SSS shall also take into account the following factors:

5.8.i.1 The Athlete must hold an active IPC Swimming Athletes License for 2024; and

5.8.i.2 The Athlete must be internationally classified before 14<sup>th</sup> April 2024 and with a ‘Confirmed’ or ‘Review’ sport class status with a review date of 2025 or later

5.8.i.3 Have competed in at least one Para Swimming World Series between 1 October 2022 and 14th April 2024 (inclusive) and the World Para Swimming Championships. Manchester 2023.

5.8.i.4 The Athlete must have achieved, and Minimum Qualification Standard (MQS) Appendix 3 at a World Para Swimming Recognised 50m Competition (WPS Competition, WPS Sanctioned Competition or WPS Approved Competition, including the SNZ Selection Event) for the respective individual event between 31st July 2023 and 14th April 2024

5.8.i.5 Where an Athlete has achieved an MQS for the respective individual event as per the dates and requirements above in 5.8.i.5 at a meet other than the Swimming New Zealand Selection event 2024, the Athlete is still required to compete at this event and provide sufficient evidence to the SSS that they remain on track to their previously outlined performance(s) at the Paris 2024 Games.

5.8.i.6 When considering General Nomination Criteria and the over-riding criteria the SSS shall also take in to account the following factors:

- a) PNZ will be awarded ‘quota allocations’ per event and gender based on New Zealand athlete performances at WPS Recognised 50m Competitions (WPS Competition, WPS Sanctioned Competition or WPS Approved Competition). Therefore SNZ will only be able to nominate athletes up to the number of these allocations. Quota allocations numbers shall be sent to PNZ by WPS by 16<sup>th</sup> February 2024. In the situation where there are less quota allocations available to SNZ than Swimming New Zealand athletes who have achieved the relevant MQS, the SSS will use the following factors to nominate, in the following order:

- i. World Rankings from the Swimming New Zealand Selection Event 2024
  - ii. Medal placing while achieving the MQS in Appendix 3 at the 2023 WPS World Championships;
  - iii. Tracking to podium, including in no order of priority:
    - Performance History: The athlete's history of performance at Paralympic Games and IPC Swimming World Championships.
    - Gap to Podium: The gap between the athlete's performances at the 2023 WPS World Championships or the 2024 Swimming New Zealand Selection Event and a projected medal-winning performance at Paris 2024, based off WPS World Rankings as of 31 December 2023;
    - Rate of Progression: The rate of the Athlete's progression and projected performance at the Games;
- 5.9 **Relay Events:** In line with the WPS Selection Regulations, consideration of Nomination of a Relay team shall be considered if:
- i. There are 4 Athletes that have met an MQS in Appendix 3 in an Individual Event
  - ii. The 4 Athletes as per 5.9 i meet the points requirement for the relevant Relay Event.
  - iii. The Relay Event MQS as per Appendix 3 has been met at a WPS Recognised 50m Competitions (WPS Competition, WPS Sanctioned Competition or WPS Approved Competition) between the 31st July 2023 and 14<sup>th</sup> April 2024 (inclusive)
- 5.10 **Number of events:** The number of events an athlete is deemed to be tracking towards winning a medal at the Games.
- 5.11 **Extenuating Circumstances:** In any decision regarding the nomination of Para athletes and Teams to PNZ for the Paralympic Games Team, the SSS may, in their sole discretion, take into account any extenuating circumstances in accordance with clause 5.14 below.
- 5.12 **Nomination Procedure:** After consideration of the Nomination Criteria the SSS shall follow the procedure set out in the PNZ Selection Regulation.
- 5.13 **Overriding Discretion:** Notwithstanding the criteria, in considering Para athletes and Teams for selection, PNZ has an absolute overriding discretion to select (or not select) Para athletes or Teams (including those who may not meet the above criteria) for the Paralympic Games Team. In doing so it may take into account factors such as, but not limited to, compatibility of Para athletes, Para athletes prior conduct, or factors that may affect the Paralympic Games Team as a whole.

5.14 **Extenuating Circumstances:** PNZ may in its sole discretion take into account extenuating circumstances and therefore waive or vary some or all of the above criteria. Detailed evidence must be provided with any nomination seeking consideration of extenuating circumstances which has affected a Para athlete's/team's progress. For the purpose of this Policy, "extenuating circumstances" means the inability of a Para athlete or Team to compete or perform to an optimum level due to factors such as:

- i. injury or illness of a Para athlete;
- ii. equipment failure;
- iii. travel delays;
- iv. bereavement or personal misfortune; and
- v. such other circumstances as the selectors reasonably consider constitute "extenuating circumstances."

5.15 Para athletes unable to compete at events, trials, or other attendances required under this Criteria, must advise the Chief Executive of the extenuating circumstances, and reasons, in writing, with as much advance notice as possible and ideally 5 working days prior to the commencement of the event, trial or other attendance. If the Chief Executive is not notified of any extenuating circumstances in accordance with this Criteria, then the SSS has no obligation to rely on such circumstances. In the case of injury or illness, Para athletes may be required by the SSS to provide a medical certificate and/or to undergo an examination by a health practitioner/s nominated by the SSS, and to provide that opinion and/or report to the SSS. Any failure to agree to such a request may result in the SSS being unable to consider the injury or illness as an extenuating circumstance.

5.16 In the case of any extenuating circumstance/s, the SSS will make a nomination decision on a case by case basis.

## 6 Appeal Procedure

6.1 **Nomination Appeals:** Any Para athlete who has applied for nomination and selection to the Paralympic Games Team and who has returned a completed Para athlete Application to PNZ by the Application Date and a Para athlete Agreement to PNZ by the Nomination Date may appeal to **Swimming New Zealand** against their non-nomination to PNZ by the SSS of **Swimming New Zealand** in accordance with the procedures set out in the PNZ Selection Regulation.

## 7 Inconsistencies

7.1 In the event there is any inconsistency between this Criteria and the PNZ Selection Regulation, the PNZ Selection Regulation shall prevail.



7.2 If this Criteria imposes a higher qualification standard or a lesser number of participants than stated by the IPC this shall not be regarded as an inconsistency.

## **8 Amendments to this Criteria**

8.1 This Criteria may be amended or supplemented from time to time by the Board.

8.2 The Board will give as much notice as possible of any amendment/s or supplement/s to this Regulation, to persons it considers may be affected by any such amendment/s or supplement/s.

8.3 This Criteria includes any amendments to the IPC rules, regulations, policies and codes.

### **Version control amendments**

28 September 2023      Clause 2 – Para Athlete Application Form close date