

AUSTRALIAN UNIVERSITY SPORT (“AUS”)

**BYLAW OF
SELECTION CRITERIA AND PROCEDURES
FOR AUS TEAM OFFICIALS**

1.0 PHILOSOPHY

- 1.1 The over-riding principles to be applied by AUS (including its selectors) in selecting officials, coaches and managers (“Officials”) for teams to represent Australia and the AUS in various university sport events and activities is to identify and select Officials who have the potential to enable, manage and facilitate selected teams and Officials achieve high quality performance in international university events.
- 1.2 The events and activities for which Officials are required and will be selected under this By-Law include:
- (a) World University Championships;
 - (b) World University Winter Games; and
 - (c) World University Summer Games;
 - (d) international university sport tours, including tours within Australia.
- 1.3 This By-Law will take effect on 16 December 2002, following resolution of the Board of AUS.
- 1.4 This By-Law will remain in force until amended or revoked by the Board of AUS.

2.0 DEFINITIONS

- Official** means a person selected by AUS to represent AUS and Australia at various university sport Events.
- Board** means the Board of Directors of AUS as constituted under the AUS Constitution.
- Chief Executive Officer** means the Chief Executive Officer of AUS from time to time.
- Event** means the events, competitions, tours and other activities for which AUS chooses to enter a team to compete or participate.

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FISU

means the Federation Internationale Du Sport Universitaire or the International University Sports Federation of which AUS is a member.

- Selection Panels*** means the groups of persons appointed in accordance with **clause 4.0** who are together responsible for selecting Officials.
- Selected*** means the Official has been chosen on behalf of AUS by the Selection Panel to be a member of the relevant team for the relevant Event as set out in this By-Law.
- Exceptional Circumstances*** includes but is not limited to circumstances caused by illness or any other matters outside of the control of the Official which in the opinion of the relevant Selection Panel, resulted in either their performance being adversely affected.
- Other Considerations*** means the considerations which the relevant Selection Panel may take into account in addition to the other criteria in the By-Law as described in **clause 6.5**.
- Sport*** means a sport which is approved by the Board of AUS as one in which AUS may select teams to compete and which includes but is not limited to: Aerobics, Alpine Skiing, Athletics, AFL, Badminton, Baseball, Basketball, Biathlon, Boardsailing, canoeing, Cricket, Cross Country Running, Cross Country Skiing, Cycling, Diving, Fencing, Golf, Gymnastics, Hockey, Ice Racing, Ice Skating, Judo, Karate, Kendo, Mountain Bike, Netball, Orienteering, Rowing, Rugby League, Rock Climbing, Rugby Union, Sailing, Snowboarding, Soccer, Softball, Squash, Surfing, Swimming, Table Tennis, Taekwondo, Tennis, Touch Football, Triathlon, Ultimate Frisbee, Volleyball, Waterpolo, Wakeboarding, Water Skiing, Windsurfing.

3.0 CHANGES TO THIS BY-LAW

- 3.1 The Board may change this By-Law from time to time, provided that it shall provide as much notice of such change as is possible to all affected persons as determined by the Board.
- 3.2 The Chief Executive Officer will take reasonable steps to give written notice to relevant persons affected by any amendments and/or supplements to this By-Law.

4.0 SELECTION PANELS

- 4.1 There shall be a Selection Panel for each Event. Each Selection Panel shall be appointed by the Board and comprise at least three persons as per **Appendix 3** to this By-Law and wherever possible ensuring both genders are represented.

- 4.2 The Board may also direct any member of any Selection Panel to vacate the relevant Panel for such period as the Board considers appropriate where the Board considers, in its sole discretion, the Panel member has an association with an Official which may give rise to a question of bias or conflict of interest in the selection process.
- 4.3 Where any member of the Panel advises the Chief Executive Officer that s/he considers s/he is unable or unwilling to meet his/her responsibilities under this By-Law, or the Board makes a direction under **clause 4.2**, the Board will appoint a replacement to assume that member's role on the relevant Selection Panel.
- 4.4 Additional member(s) may be appointed by the Board of AUS to any of the Selection Panels if it considers it appropriate to do so to ensure adequate skills, experience and gender representation.

5.0 PROCESS FOR SELECTION

- 5.1 To be eligible for selection under this By-Law, each Official must first:
- (a) Satisfy AUS' Chief Executive Officer that s/he meets such eligibility requirements as are set by the Board from time to time, and by the due date and time; and
 - (b) Complete and sign the application form in **Appendix 1** (for FISU events) or **Appendix 2** (for non-FISU events); and
- return the above to the Chief Executive Officer by no later than the due date and time specified. The Chief Executive Officer may accept the above after this time if in his/her opinion there were/are exceptional circumstances which caused the delay in meeting the due date/time.
- 5.2 If an Official is selected under this By-Law, the Official acknowledges and agrees that:
- (a) S/he will be required to sign the AUS Officials Agreement as a condition of such selection;
 - (b) S/he may be subject to drug testing by the Australian Sports Drug Agency and other recognised drug testing authority, and must comply with the AUS' Anti-Doping By-Law; and
 - (c) S/he must pay the fee or levy (which is non-refundable), if any, as determined by the Board by the due date, as notified to the Official by AUS or on its behalf.
- 5.3 Failure to comply with any part of **clauses 5.1** or **5.2** may result in the Official not being eligible for selection or if selected, being removed from the team.

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- 5.4 An Official seeking selection may withdraw their application for selection at any time prior to the selection by giving notice in writing to that effect to the Chief Executive Officer.

- 5.5 Subject to **clause 5.8**, the decision of a Selection Panel is final. The Selection Panels may, in their discretion, provide reasons for their respective decisions, but there is no obligation on them to do so.
- 5.6 The Selection Panels will determine selections by such date as is advised to the Officials by the Chief Executive Officer.
- 5.7 There is no obligation on any Selection Panel to fill all or any places for a team, under this By-Law
- 5.8 Where an Official is not selected he or she may appeal the Selection Panel's decision. The Official shall lodge his or her appeal with AUS within 48 hours from the time the decision of non-selection was communicated to him or her. The appeal shall be in writing and should set out grounds of appeal upon which the non-selected Official is relying.
- 5.9 Following receipt and consideration by AUS of:
- (a) the grounds of appeal; and
 - (b) all other information which AUS considers relevant and which is available;

AUS shall arrive at a finding regarding the Official's appeal.

- 5.10 AUS shall notify the Official of its finding as soon as practicable.
- 5.11 There shall be no further appeal or review available to the Official in respect of AUS' decision under this clause.

6.0 SELECTION CRITERIA

- 6.1 The Selection Panels shall select Officials for each Sport or Event in accordance with the selection criteria set out in the nomination information.
- 6.2 Subject to **clauses 6.3** and **6.4**, in all selections to which this By-Law applies the criteria to be applied by the Selection Panel for the relevant Sport or Event is that set out in the relevant nomination information for that position but subject always to the overriding principles set out in **clause 1** of this By-Law.
- 6.3 The overriding philosophy set out in **clause 1** shall apply for all selection decisions and as such there is no obligation on the selectors to select Officials to fill all available places available for the Event.
- 6.4 In all selections made under this By-Law the Selection Panels may decide in their absolute discretion to take account of any Exceptional Circumstances which may result in an Official's nomination being adversely affected.

6.5 In addition to **clauses 6.1 to 6.4**, in all selections made under this By-Law the Selection Panels may decide in their absolute discretion to take into account Other Considerations including but not limited to:

- (a) the past performances of the Official at club, state, national and international level in the past two years
- (b) the attitude and behaviour (past and current) of the Official
- (c) the Official's current level of qualification
- (d) any other factors considered relevant in the circumstances.

7.0 **SELECTION WITHDRAWAL**

7.1 An Official who is selected under this By-Law may be withdrawn by AUS if s/he:

- (a) breaches or fails to comply with this By-Law;
- (b) breaches or fails to comply with the AUS Officials Agreement; or
- (c) brings AUS or the team into disrepute.

7.2 A selected Official may be withdrawn by AUS if any of the grounds in **clause 7.1** occur in AUS' reasonable opinion. AUS shall notify the Official in writing of the alleged breach or grounds upon which it is proposed that s/he be withdrawn. The Official shall be given 48 hours from written notification to provide reasons, either orally or in writing, to AUS why s/he should not be withdrawn.

7.3 Following receipt and consideration of:

- (a) reasons from the Official why s/he should not be withdrawn under **clause 7.2**; and
- (b) all other information which AUS considers relevant and which is available;

AUS shall arrive at a finding regarding the Official's withdrawal.

7.4 AUS shall notify the Official of its finding as soon as practicable.

7.5 There shall be no further appeal or review available to the Official in respect of AUS' decision under this clause.

7.6 A selected Official may withdraw his/her selection by giving notice in writing to the Chief Executive Officer. AUS reserves the right to demand payment of any funds it has incurred on behalf of the Official in respect of their selection. If such withdrawal occurs while the Official is at the Event, the Official shall

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be required to meet all costs (including travel, accommodation) from the time of such withdrawal

- 7.7 If a selected Official is withdrawn from selection, the Selection Panel may consider another Official who in the Selection Panel's opinion will best achieve the overall philosophy as set out in the **clause 1**.

8.0 NOTIFICATION

- 8.1 All Officials seeking selection under this By-Law shall be notified by the Chief Executive Officer that they have or have not been selected (as the case may be) by mail to the address specified in the completed application form (**Appendix 1 or Appendix 2**) as soon as practicable after the Selection Panel has made its decision. The Chief Executive Officer may also advise the selected Officials of their selection in person.

9.0 INTERPRETATION

- 9.1 Unless the context otherwise requires, the terms used in this By-Law shall have the same meaning as in AUS' Constitution.
- 9.2 No particular part of the selection criteria in this By-Law shall be weighed more or less significantly by reason only of the order in which that criteria appears in this By-Law.

APPENDIX 1

AUS SELECTION APPLICATION FORM FOR FISU EVENTS

(Please print or type)

I, _____
(insert full name)

of _____

(postal address)

(email address)

(nominate an address for service of notice)

apply for selection as the _____ *(insert position nominating for)*
in the _____ *(insert Event)*

At the time of signing this form:

- (a) I acknowledge I have been provided with a copy of AUS' Officials Selection By-Law, which I have read and understood;
- (b) I acknowledge that I have been provided with a copy of AUS' Anti-Doping By-Law which I have read and understood;
- (c) I agree I am bound by the provisions contained within the AUS Officials Selection By-Law and AUS Anti-Doping By-Law;
- (d) I declare that I have not engaged in doping and that I am not currently subject to any sanctions for being in breach of my sport's anti-doping rules; and
- (e) I understand that as a condition of my selection I am required to sign the AUS Officials Agreement.
- (f) I acknowledge that a non-refundable levy may be payable by me if I am selected for the Event.

Signed: _____

Dated: _____

APPENDIX 2

AUS SELECTION APPLICATION FORM FOR NON-FISU EVENTS
(Please print or type)

I, _____
(insert full name)

of _____

(postal address)

(email address)

(nominate an address for service of notice)

apply for selection as _____ *(insert position nominating fort)* in
the _____ *(insert Event)*

At the time of signing this form:

- (a) I acknowledge I have been provided with a copy of AUS' Selection Officials By-Law, which I have read and understood;
- (b) I acknowledge that I have been provided with a copy of AUS' Anti-Doping By-Law which I have read and understood,
- (c) I agree I am bound by the provisions contained within the AUS Officials Selection By-Law and AUS Anti-Doping By-Law;
- (d) I declare that I have not engaged in doping and that I am not currently subject to any sanctions for being in breach of my sport's anti-doping rules;
- (e) I understand that as a condition of my selection I am required to sign the AUS Officials Agreement; and
- (f) I acknowledge that a non-refundable levy may be payable by me if I am selected for the Event.

Signed: _____

Dated: _____

APPENDIX 3
SELECTION PANELS

FISU UNIVERSIADES

i) Chef De Mission

- a} The President of AUS
- b} A Director of AUS
- c} Australian Sports Commission Consultant or delegate

ii) Assistant Manager

- a} Chef De Mission
- b} A Director of AUS
- c} The President of AUS or delegate

iii) Senior Medical Officer

With advice from Sports Medicine Australia and or the Australasian College of Sports Physicians or other relevant bodies where necessary

- a} Chef De Mission
- b} A Director of AUS
- c} Australian Sports Commission Consultant or delegate

iv) Other Medical Officers - Physiotherapists, Psychologists, Sports Therapists, Doctors and Others

With advice from Sports Medicine Australia and/ or the Australasian College of Sports Physicians or other relevant bodies where necessary

- a} Chef De Mission
- b} A Director of AUS
- c} Senior Medical Officer

v) Section Managers and Coaches

With advice from Australian Sports Commission Consultant or Delegate where necessary

- a} Chef De Mission
- b} A Director of AUS
- c} Nominee from the relevant National Sports Body

vi) Referees, Umpires & Judges

Selection by relevant National Sports Body when required.

FISU CHAMPIONSHIPS

i) **Team Manager or Coach**

- a} A Director of AUS
- b} A nominee of the relevant National Sports Body
- c} One other person who has experience with university sport or the relevant sport for which selections are to be considered

With advice from Australian Sports Commission Consultant or Delegate - where necessary

ii) **Other Personnel** - {Assistant Managers, Physiotherapists, etc}

- a} A Director of AUS
- b} Nominee from National Sports Body
- c} One other person who has experience with university sport or the relevant sport for which selections are to be considered

With advice from relevant Australian Sports Commission Consultant or Delegate - where necessary

iii) **Referees, Umpires & Judges**

Selection by the relevant National Sports Body when required

AUS DOMESTIC & INTERNATIONAL TOURS

i) **Team Manager or Coach**

- a} A Director of AUS
- b} Nominee from the relevant National Sports Body
- c} One other person who has experience with university sport or the relevant sport for which selections are to be considered

With advice from the Australian Sports Commission Consultant or delegate - where necessary

ii) **Other Personnel** - {Assistant Manager, Assistant Coach, Physiotherapist, Trainer etc} - if applicable

- a} A Director of AUS
- b} The Team Manager or Coach (whomever is to be responsible for the appointee)
- c} Nominee from the relevant National Sports Body

With advice from any relevant bodies where necessary

iii) **Referees, Umpires & Judges**

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Selection by relevant National Sports Body when required.