

Nomination Criteria Paris 2024 Olympic Games - Taekwondo

While the information provided serves as a helpful guide, comprehensive details and specifics can be found within the policies. It's always advisable to consult the policy for a complete understanding of the subject matter.

Policies governing the appeals process include:

- [Australian Taekwondo Nomination Criteria Paris 2024 Olympic Games Taekwondo](#) (AusTKD Nomination Policy); and
- [AOC Olympic Team Nomination and Selection By-Law](#) (AOC Selection Policy).

Appeals [Clause 10 AusTKD Nomination Policy]

An non-nominated athlete may only appeal their non-nomination in accordance with 9.6 or 9.9 of AOC Selection Policy.

Any Nomination Appeal commenced under 9.6 will be heard by the National Sports Tribunal General Division in accordance with 9.6(c) of AOC Selection Policy.

Nomination Appeal Process [Clause 9.6 AOC Selection Policy]

STEP 1: ADR – must complete first before commencing an appeal [9.6(a)]

1. A Non-Nominated Athlete must submit written notice to the Australian Taekwondo CEO that they dispute their non-nomination within 48 hours which states the reason/s to support their dispute.
2. Australian Taekwondo must provide written reasons for not nominating the Athlete within 24 hours of receipt of notice.
3. The Athlete responds within 24 hours of receipt of reasons, indicating whether they want to proceed to a tribunal hearing under clause 9.6(c).
4. Communications are confidential and without prejudice.

STEP 2: General Division National Sports Tribunal – first instance appeal [9.6(c)]

1. Grounds for appeal include
 - o non-compliance with requirements cl 5.3,
 - o improper application of Nomination Criteria,
 - o actual bias, and

- o lack of reasonable basis.
- 2. The Non-Nominated Athlete must complete and lodge the National Sports Tribunal application form identifying the ground/s application is brought, pay the application fee (\$500) and notify the AOC within 24 hours (as noted in point 3 under ADR above)
- 3. An extension of time to make an application may be granted by the National Sports Tribunal .
- 4. National Sports Tribunal service charges may be negotiated between the parties and determined by the CEO of the National Sports Tribunal at the preliminary conference. Generally, National Sports Tribunal service charges will be apportioned evenly between the parties.
- 5. Onus is on the Appellant to establish grounds of appeal.
- 6. An appeal may determine
 - o To uphold or dismiss the appeal
 - o May be referred back to Australian Taekwondo for reconsideration and redetermination.
- 7. Findings are final and binding on the parties and are subject only to an appeal to the Appeals Arbitration Division of Court Arbitration of Sport.

ALTERNATIVE PROCESS: Fast track Appeal Process – decision within 14 days of Sport Entries deadline [Clause 9.9 AOC Selection Policy]

Here are the key steps:

1. Initiating the Appeal:

- o Where within 14 days of Sport Entries Deadline an athlete is notified of their non-nomination or non-selection may bring a Fast track Appeal to Court of Arbitration for Sport (CAS).

2. Nomination Fast Track Appeal (for non-nominated athletes):

- o Grounds for appeal include
 - non-compliance with requirements cl 5.3,
 - improper application of Nomination Criteria,
 - actual bias, and
 - lack of reasonable basis.
- o They must notify their National Federation and AOC within 24 hours of their intention to appeal.

- Within 24 hours, the National Federation then provides reasons for the non-nomination.
- Within 24 hours, Athletes can choose to file an appeal with a fee (CHF500) and share their appeal with relevant parties.

3. Hearing of the Appeal:

- An arbitration division reviews the appeal, and the process must be in line with the law of New South Wales and CAS Code.
- The hearing is public, and the arbitrator's review is limited to determining if the appeal grounds are valid.

4. Determination of the Appeal:

- The arbitration division may uphold or dismiss the appeal.
- If upheld, the case may be sent back to the NF or AOC for reconsideration, or the arbitration division may make the final decision.
- The award made by the arbitration division is binding, and parties agree not to pursue legal action in regular courts.

Olympic Appeal Consultant [Clause 9.3 AOC Selection Policy]

- Athletes can consult with an independent Olympic Appeal Consultant for advice on the appeal process.
- The Olympic Appeal Consultant provides information and advice, keeping it confidential and cost-free to the Athlete.
- The AOC and National Federations are not liable for any consequences arising from advice provided by the Olympic Appeal Consultant.