

**2018 AUSTRALIAN COMMONWEALTH GAMES TEAM
AUSTRALIAN RUGBY UNION
NOMINATION CRITERIA – RUGBY SEVENS MEN
Version 1 – 16 June 2017**

This document will outline the process and time frames that will be applied for the final nomination and selection of 2018 Commonwealth Games team.

1 Background

- (1) Australian Rugby Union (“**ARU**”) will nominate Athletes from within its sport to be members of Commonwealth Games Australia (“**CGA**”) Team according to the terms of this Nomination Criteria.
- (2) CGA has the exclusive authority to select Athletes to represent Australia at the 2018 Commonwealth Games, Gold Coast (“**2018 Games**”).

2 Objective

The objective of this Nomination Criteria is to identify and nominate a team of Athletes who have the potential to achieve a podium outcome.

3 Nomination of Athletes

For the purposes of nomination to CGA of Athletes for selection to the 2018 CGA Team, ARU will:

- (1) only nominate Athletes who are Australian citizens, are contracted by the ARU and have not by their actions or omissions brought themselves or rugby into disrepute;
- (2) only nominate Athletes who have been members of the National Men’s Rugby Sevens Program at some point during the period 1 January 2016 to 20 February 2018;
- (3) only nominate those Athletes it honestly believes have met the requirements described in this Nomination Criteria;
- (4) only nominate those Athletes who have signed CGA Team Agreement;
- (5) not nominate more than 13 Athletes (including reserves) than the maximum number of Athlete allocations awarded by the Commonwealth Games Federation (“**CGF**”);
- (6) not nominate Athletes who have breached CGA Anti-Doping By-Law unless the Athlete has already been sanctioned for the breach and has completed the sanction imposed;
- (7) only nominate Athletes who, to the satisfaction of the Men’s Rugby Sevens Head Coach in consultation with the Australian Rugby Union Sevens National Selection Panel in their sole and absolute discretion, will achieve the optimum team compatibility and balance and assist in achieving the best possible results for Men’s Rugby Sevens at the 2018 CGA teams. In determining which Athletes will be chosen, the Men’s Rugby Sevens Head Coach and the Australian Rugby Union Sevens National Selection Panel will consider factors including, but not limited to:
 - (a) the current form of the Athlete;
 - (b) recent performances at international level;
 - (c) national/international experience of the Athlete;

- (d) the Athlete's performance and discipline during their time with the National Men's Rugby Sevens Program;
 - (e) current level of health and fitness of the Athlete;
 - (f) team compatibility on and off the field; and
 - (g) specific positional requirements to achieve optimal team balance.
- (8) for the avoidance of doubt, the final decision regarding nomination to CGA for selection will be made by the Men's Rugby Sevens Head Coach.

4 Illness/Misadventure/Extenuating Circumstances

This clause will only apply in determining whether an Athlete has met the additional criteria imposed by ARU pursuant to clause 3(7):

- (1) In considering the performances of Athletes at events, trials, training camps or other requirements under clause 3(7) of this Nomination Criteria, the Men's Rugby Sevens Head Coach in consultation with the Australian Rugby Union Sevens National Selection Panel may in their discretion give weight to extenuating circumstances.
- (2) For the purposes of this clause 4, "extenuating circumstances" means an inability to compete and/or attend events, trials, training camps or other attendances arising from:
 - (a) injury or illness;
 - (b) travel delays;
 - (c) bereavement or disability arising from death or serious illness of an immediate family member; and/or
 - (d) any other factors reasonably considered by the Men's Rugby Sevens National Selection Panel to constitute extenuating circumstances.
- (3) Athletes unable to compete at events, trials, training camps or other requirements under clause 3(7) must advise the Men's Rugby Sevens Head Coach in writing of this fact and the reasons before the commencement of the relevant event, trial, training camp or other requirement.
- (4) In the case of illness or injury, Athletes will be required to undergo a medical examination by a doctor or doctors nominated by the ARU.
- (5) A decision in each case of extenuating circumstances will be made by the Men's Rugby Sevens Head Coach in consultation with the Australian Rugby Sevens National Selection Panel on an individual basis. Any such decision will not be binding on CGA.

5 Making of Nominations

Nominations by ARU must be received by CGA by 5pm AEST on 20 February 2018.

6 Amendments to Nomination Criteria

This Nomination Criteria may be amended by ARU with the prior written approval of CGA. Any amended Nomination Criteria will be posted on the Australian Rugby Union website (www.rugby.com.au).

7 Grievance Policy

In order to facilitate the expeditious and orderly handling and resolving of disputes, consonant with the requirements of natural justice and procedural fairness, the following procedures will exclusively apply.

(1) Definitions

In this Grievance Procedure, unless the subject or the context otherwise requires:

- (a) “Dispute” means a complaint by a Player concerning the act or omission of ARU or ARU concerning the act or omission of a Player

(2) Initiation of Grievance Procedure by a Player

- (a) If a Player is of the opinion that he has a Dispute with ARU, the Player must first discuss the Dispute with the Performance Manager. If the Dispute is not resolved to the satisfaction of the Player as a result of such discussion, the Player may serve a written notice setting out the particulars of the Dispute to the Performance Manager.
- (b) The Performance Manager must notify the Player in writing of ARU's decision in relation to the Dispute within seven days after receipt of the written notice from the Player.
- (c) If such decision does not resolve the Dispute to the satisfaction of the Player, the Player may serve a further written notice on the Chief Executive Officer of ARU. The Chief Executive Officer of ARU must, within 14 days of receipt of such notice, refer the Dispute to Mediation.
- (d) If Mediation is able to bring about a settlement of the Dispute to the satisfaction of the Player and ARU, the Mediator must serve a written notice on the Player and ARU setting out the terms of such settlement, which terms will, upon acceptance by ARU and the Player, be final and binding on ARU and the Player.

(3) Initiation of Grievance Procedure by ARU

- (a) If the Performance Manager is of the opinion that he/she has a Dispute with a Player selected by ARU, the Performance Manager must first discuss the Dispute with the Player. If the Dispute is not resolved to the satisfaction of the Performance Manager as a result of such discussion, the Performance Manager may serve a written notice setting out the particulars of the Dispute on the Player.
- (b) The Player must notify the Performance Manager in writing of the Player's decision in relation to the Dispute within seven days after receipt of the written notice from the Performance Manager.
- (c) If such a decision does not resolve the Dispute to the satisfaction of the Performance Manager, the Performance Manager may serve a further written notice on the Player and the parties must within 14 days of receipt of such notice refer the Dispute to Mediation.
- (d) If Mediation is able to bring about a settlement of the Dispute to the satisfaction of the Player and the Performance Manager, the Mediator must serve a written notice on the Player and ARU setting out the terms of such settlement, which terms will upon acceptance by Player and ARU be final and binding on the Player and ARU.

7. Interpretation

In this Nomination Criteria Australian Rugby Union Sevens National Selection Panel means the panel comprised of the Performance Manager Rugby 7s, General Manager, Pathways and Performance and the Australian Rugby Sevens – Men, Head Coach.

8. Law

This document is governed by the laws applicable in the State of New South Wales.