

**2021 Australian Paralympic Team  
Tennis Australia  
Nomination Criteria – Wheelchair Tennis**

**1. Background**

The objective of these Nomination Criteria is for Tennis Australia Ltd (**TA**) to identify and nominate wheelchair tennis athletes to the Australian Paralympic Committee trading as 'Paralympics Australia' (**PA**) for the Tokyo 2020 (2021) Paralympic Games (**Games**).

**2. Summary**

- (a) An athlete's nomination to PA by TA does not guarantee selection to the Games. Athletes will be selected to represent Australia at the Games by PA.
- (b) The Athletes nominated by TA will be the Australian athletes that qualify for the:
  - (i) direct allocation (Regional Games);
  - (ii) singles world ranking allocation; or
  - (iii) Bipartite Commission Invitation allocation;

as set out in the International Paralympic Committee's (**IPC**) Tokyo 2020 (2021) Paralympic Games Qualification Guide (**IPC Qualification Regulations**) attached at Annexure A. The number of athletes nominated by TA will be limited by the maximum quota allocated by IPC to PA for Australian wheelchair tennis athletes at the Games.

**3. Nomination Panel**

TA will establish a Nomination Panel to exercise the powers of TA under these Nomination Criteria. The Nomination Panel will be comprised of:

- (a) TA's Head of Tennis Inclusion - Performance, Wheelchair (Chair);
- (b) a suitably qualified TA appointee with expert knowledge of wheelchair tennis; and
- (c) a suitably qualified TA appointee with expert knowledge of tennis.

**4. Paralympic Preparation Program**

- (a) TA will from time to time invite athletes from within the sport of wheelchair tennis to be members of TA's National Program, which serves as its Paralympic Preparation Program for the purposes of Paralympic Australia's Tokyo 2020 (2021) Australian Paralympic Team General Selection Criteria (**PA General Selection Criteria**).
- (b) If TA is of the view that an athlete may satisfy these Nomination Criteria for the Games or future paralympic games, TA will provide members of the National Program with support in relation to qualifying for, and succeeding at, the Games.

**5. The Long List**

- (a) At any time prior to 14 May 2021, TA may nominate any athlete from the National Academy Program to PA to be included in the wheelchair tennis Paralympic Long List (**Long List**). TA may also remove any athlete from the Long List who no longer satisfies the relevant requirements in these Nomination Criteria.

- (b) PA may also from time to time and of its own accord include additional athletes in the Long List.
- (c) TA will only nominate an athlete to the Long List who:
  - (i) is a member of the National Program; and
  - (ii) in TA's absolute discretion, has genuine prospects of satisfying:
    - (A) the qualification requirements in the IPC Qualification Regulations; and
    - (B) the PA General Selection Criteria.
- (d) Each athlete nominated to the Long List is required to sign an agreement with PA in which the athlete agrees to be bound by:
  - (i) the PA General Selection Criteria; and
  - (ii) these Nomination Criteria.

## **6. Nomination**

- (a) For the purpose of nomination of athletes to PA for selection for the Games, TA will:
  - (i) only nominate an athlete who:
    - (A) is eligible and has qualified to participate in the Games in accordance with the IPC Qualification Regulations;
    - (B) has been included on the Long List;
    - (C) is at the time of nomination in 'Good Standing' with TA;
    - (D) is internationally classified with a 'Confirmed' sport class status or a 'Review' sport class status with a review date after 31 December 2021 as detailed in the Tokyo 2020 (2021) Paralympic Games Qualification regulations;
    - (E) agrees to classification requirements, including to:
      - (1) abide by the ITF Wheelchair tennis classification rules and regulations, the IPC Athlete Classification Code and any relevant TA or PA classification policies and requirements, including attending classification assessment as required;
      - (2) complete any classification education modules as released by PA;
      - (3) disclose previous classification documentation and/or medical diagnostic documentation from relevant specialists for classification which may include:
        - (i) providing medical diagnostic information detailing the athlete's underlying health condition and eligible impairment.;
        - (ii) undertaking any additional medical assessment or provide further medical diagnostic information as required by TA, PA or ITF for the purpose of classification; and
        - (iii) where the athlete has any medical intervention, or if changes occur to the athlete's impairment which may impact on their classification, the athlete must provide medical documentation to PA, TA or ITF; and

- (4) notify TA, PA and ITF if there is any change to assistive devices, or equipment used, which may impact their classification in any way, and agrees to undergo further classification assessment if required;
  - (F) to the best of TA's knowledge, is otherwise eligible for selection in accordance with the PA General Selection Criteria; and
- (ii) not nominate:
  - (A) more athletes than the maximum quota allocated to PA under the IPC Qualification Regulations;
  - (B) any athlete who has:
    - (1) been found by the ITF or IPC to have breached the ITF Wheelchair tennis classification rules and regulations or the IPC Athlete Classification Code (as relevant) and is still under suspension;
    - (2) is currently under investigation for International Misrepresentation where a notice has been issued.
  - (C) any athlete who has been found guilty of an offence under the following TA policies:
    - (1) the Tennis Anti-Corruption Program; or
    - (2) the TA Anti-Doping Policy;

(unless the athlete has already been sanctioned for the offence and served the sanction imposed).
- (b) If the number of athletes who have qualified to participate in the Games under the direct (Regional Games) and singles world ranking qualification systems in the IPC Qualification Regulations exceeds the maximum quota allocated by IPC to PA for Australian wheelchair tennis athletes, TA will nominate eligible athletes in the order of priority that reflects their world singles ranking at 7 June 2021.
- (c) TA intends to make its nominations for the Games on 4 July 2021.
- (d) For the purposes of clause 6(a)(i)(C), 'Good Standing' means the athlete:
  - (i) is free from a suspension imposed by TA or the International Tennis Federation (**ITF**);
  - (ii) has not been convicted by a competent court of any country of an offence:
    - (A) in respect of which an unsuspended custodial sentence of at least 12 months was imposed; or
    - (B) which involved any act or omission which would, in TA's reasonable opinion, be considered to compromise the integrity of tennis; and
  - (iii) in TA's reasonable opinion:
    - (A) respects the spirit of fair play and non-violence at all times; and
    - (B) has not otherwise engaged in conduct which brings the athlete or TA into disrepute.

## 7. Applications to ITF

- (a) TA may from time to time support an official application on behalf of an athlete to the ITF for a Bipartite Commission Invitation allocation in accordance with the IPC Qualification Regulations.
- (b) In order for TA to support such an application:
  - (i) the maximum quota allocated by IPC to PA for Australian wheelchair tennis athletes at the Games must not be already satisfied through the direct (Regional Games) and singles world ranking qualification systems in the IPC Qualification Regulations; and
  - (ii) either of the circumstances set out in clause 8 or 9 must apply.

## 8. Ranking and demonstrated ability

An athlete may satisfy clause 7(b)(ii) by:

- (a) having a world singles ranking within:
  - (i) twenty ranking positions (for men); or
  - (ii) twenty five ranking positions (for women)of the cut-off for the singles world ranking system set out in the IPC Qualification Regulations; and
- (b) satisfying TA, in its absolute discretion, that the athlete has:
  - (i) demonstrated a consistent rate of improvement or competition performance such that the athlete is likely to:
    - (A) make a genuine contribution to the Australian wheelchair tennis team's prospect to win a medal at the Games; or
    - (B) has a realistic prospect of qualifying for a future Paralympic games;
  - (ii) demonstrated the ability to work successfully with the other TA athletes, coaches and management;
  - (iii) demonstrated commitment to setting and achieving goals in consultation with the TA coaches; and
  - (iv) complied with all of the athlete's obligations under his/her support agreement with TA.

## 9. Extenuating circumstances

- (a) An athlete may satisfy clause 7(b)(ii) by satisfying TA, in its absolute discretion, that there are 'Extenuating Circumstances' relating to the athlete that would necessitate supporting such an application.
- (b) For the purposes of clause 9(a), 'Extenuating Circumstances' means an inability to compete or attain ranking points arising from:
  - (i) injury or illness;
  - (ii) equipment failure (where applicable);
  - (iii) travel delays;
  - (iv) bereavement or disability arising from death or serious illness of an immediate family member; and/or

- (v) any other factors reasonably considered by TA to constitute extenuating circumstances.

#### 10. Following nomination

- (a) Athletes who are selected by PA will be required to sign a Team Membership Deed of Agreement with PA in order to participate in the Games (**Team Agreement**). It is the responsibility of each athlete to ensure he/she complies, at all times until after the Games, with both the Team Agreement and these Nomination Criteria.
- (b) If an athlete fails to maintain compliance with the requirements of selection to the Games, TA may nominate the next-ranked athlete to PA as an alternate, in accordance with these Nomination Criteria.
- (c) After an athlete's nomination, he/she must immediately report to TA any injury or medical condition sustained, or any change in circumstances which is likely to detract from the athlete's performance at the Games or continued compliance with these Nomination Criteria.

#### 11. Appeals regarding nomination

Appeals concerning TA's decisions on nomination or non-nomination of athletes must be made and dealt with in accordance with the appeals procedure set out below. *Parties to an Appeal*

- (a) The parties to an Appeal will be:
  - (i) The Appellant – being the athlete who was included in the Long List but was not nominated by TA (and is seeking to appeal TA's decision);
  - (ii) TA; and
  - (iii) Any Interested Party.
- (b) An Interested Party to an Appeal must be either:
  - (i) An athlete who was selected by TA and is directly affected by the Appeal; or
  - (ii) An athlete other than the Appellant who was not nominated by TA but was included in the Long List and is directly affected by the Appeal.
- (c) TA and the Appellant must identify and propose to the NST athletes who may be Interested Parties. Athletes may also identify themselves to the NST as potential Interested Parties.
- (d) In the event that any doubt should arise as to the eligibility of a person as an Interested Party, TA shall determine the matter in its absolute discretion.
- (e) An Athlete identified as a potential Interested Party must, in order to participate in the Appeal, indicate to the NST that they wish to be a party to the Appeal.
- (f) In accordance with the NST procedures, an Interested Party:
  - (i) must receive notice of the Appeal from the NST;
  - (ii) must be given the opportunity to make submissions in the Appeal and give evidence;
  - (iii) must receive a copy of the determination handed down by the NST; and
  - (iv) will be bound by any such determination.

- (g) A person who receives notice from the NST of their identification as an Interested Party may decline to participate as an Interested Party at any time, in which case that person will automatically waive any rights afforded to an Interested Party.
- (h) The decision of the NST in relation to the Appeal is final and binding on the parties. There is no further right of appeal available beyond the decision of the NST as outlined below.

## 12. Appeals process

### *Steps prior to the Appeal*

- (a) The athlete who was included in the Long List but not nominated by TA (**Non-Nominated Athlete**) must not commence an Appeal in the NST unless the provisions of this clause 12 have been complied with.
- (b) Within 48 hours of the time that the Non Nominated Athlete receives notice of their non-nomination, the Non-Nominated Athlete must provide written notice in any form to the Chief Tennis Officer at TA that the Non-Nominated Athlete disputes their non-nomination.
- (c) The Non-Nominated Athlete must provide reasons to support their notice of dispute. The written notice must be accompanied by an \$750AUD application fee, which will be refunded to the Non-Nominated Athlete should the outcome of the dispute or appeal process result in their nomination for the Games.
- (d) Within 7 days of the Non-Nominated Athlete providing written notice to the Chief Tennis Officer at TA in accordance with clause 12(b), the Chief Tennis Officer must provide the Non-Nominated Athlete with a written statement of TA's reasons supporting the non-nomination of the Non-Nominated Athlete.
- (e) Within 7 days of a Non-Nominated Athlete receiving TA's written statement in accordance with clause 12(d), the Non-Nominated Athlete must provide a written response to TA which indicates whether the Non-Nominated Athlete intends to proceed to an Appeal in accordance with clause 13.
- (f) For the avoidance of doubt, any formal written notice (and reasons) or statement made in accordance with this clause 12 may be submitted to the NST for the purposes of the Appeal.

## 13. Appeals heard at the NST

- (a) An Appeal must be heard in the General Division of NST.
- (b) A Non-Nominated Athlete may bring an Appeal to the General Division of the NST for hearing on one or more of the following grounds, which the Non-Nominated Athlete (i.e. the Appellant) bears the onus of making out:
  - (i) that the Nomination Criteria in these Guidelines were not properly applied by TA with respect to the Non-Nominated Athlete;
  - (ii) TA was affected by actual bias in making its decision to not select the Non-Nominated Athlete; and
  - (iii) there was no material on which TA's decision could be reasonably based.

### *Making an Application for an Appeal*

- (c) A Non-Nominated Athlete wishing to make an application for an Appeal to the General Division of the NST must, within 48 hours of indicating to the Chief Tennis Officer at TA their intention to proceed to an Appeal:

- (i) complete and lodge the required NST application form with the NST Registry in accordance with all NST procedures, setting out the grounds of appeal relied on by the Non-Nominated Athlete; and
  - (ii) pay any filing fee required by the NST.
- (d) For clarity, the application fee paid by the Non-Nominated Athlete in accordance with clause 12(c) should be used to pay the filing fee of the NST. If TA is in receipt of the filing fee, it should use such funds to pay the NST application fee.
- (e) Unless agreed by TA and the Non-Nominated Athlete, an extension of time to make an application for an Appeal may be granted by the NST under this clause only in extenuating circumstances outside the control of the Non-Nominated Athlete concerned.
- (f) Service charges may also be payable to the NST, which will be negotiated as between the parties to the Appeal and the NST, and determined by the NST CEO. Generally, service charges will be apportioned evenly between the Appellant and TA. If there are any funds remaining from the filing fee, such leftover funds should be used to pay the NST service charges

#### *Nomination Appeal Procedure*

- (g) An Appeal heard in the General Division of the NST will proceed in accordance with the NST procedure including with respect to the specific procedural matters set out below, which apply to all Appeals:
- (i) A Tennis expert may be appointed by the NST CEO to assist the NST in the arbitration of the Appeal in accordance with section 34 of the *National Sports Tribunal Practice and Procedure Determination 2020*.
  - (ii) Where the NST considers it appropriate to do so and all the involved parties to the appeal agree, the NST may determine the appeal without a hearing.
  - (iii) The NST must provide written notice to the parties of its determination as soon as reasonably practicable after the conclusion of the hearing (in most cases, within 24 hours of the conclusion of the hearing). The NST will provide the parties with a **statement of the reasons** for its determination within three business days of notifying the parties of its determination.
- (h) The determination of the NST is final and binding on the parties. No party may institute proceedings in any other court or tribunal.
- (i) The length of the Appeal hearing will vary depending on time available in accordance with the NST procedure.

#### *Nomination Appeal Outcomes – Reconsideration and Redetermination*

- (j) The NST may uphold or dismiss the Appeal.
- (k) The NST may itself determine the issue of the Appellant's selection, or broader decision regarding nomination for the Games where the NST determines that:
- (i) It would be more efficient and practical for the NST to make the determination;
  - (ii) it would be impractical to refer the selection decision for redetermination to TA given the time available; or

- (iii) a reasonable person would apprehend that it is unlikely that the Nomination Criteria would be applied properly by TA if the decision regarding the Appellant's non-selection was referred back to TA.
- (l) Prior to making a determination under clause 13(k), the NST must advise the parties that the NST intends to make such a determination and provide the parties with a reasonable opportunity to make submissions in relation to the NST's proposed determination. The NST must give proper consideration to any submissions it receives pursuant to this clause.

**14. Appeals regarding selection**

Appeals concerning selection or non-selection of athletes to the team by PA will follow the process set out in the PA Appeals Process in Attachment 2 to the PA General Selection Criteria.

**15. General**

- (a) These Nomination Criteria may be amended by Tennis Australia with the approval of PA. Any amended Nomination Criteria will be distributed by email to members of the National Academy Program.
- (b) These Nomination Criteria are governed by the laws applicable in the State of Victoria.

**Approved by:**



Jacquie Mangan, General Counsel & Company Secretary  
Tennis Australia Ltd

6 November 2020

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Date



## WHEELCHAIR TENNIS

*Amendments to the Qualification System are in red.*

### Medal Events

Male	Female	Mixed	Total
2	2	2	6
Singles Doubles	Singles Doubles	Singles (Quad) Doubles (Quad)	

### Athlete Quota

Male	Female	Gender-free	Total
56	32	16 (Quad)	104

### Allocation of Qualification Slots

The qualification slot is allocated to the individual athlete, not to the NPC.

### Maximum Quota Allocation per NPC

An NPC can be allocated a maximum of four (4) male and four (4) female qualification slots for athletes competing in the men's and women's events, and no more than three (3) qualification slots in the quad sport class for a maximum total quota allocation of eleven (11) qualification slots per NPC.

### Athlete Eligibility

To be eligible for selection by an NPC, athletes must:

- have an official ranking on the Wheelchair Tennis Singles World Ranking List dated **7 June 2021**; and
- be internationally classified either with a 'Confirmed' sport class status or with a 'Fixed Review Date' sport class status with a review date after **31 December 2021** or with a 'Confirmed (Transition)' sport class status;
- have been part of a final nominated team and been present onsite for World Team Cup events (including qualifying and Junior World Team Cup) for a minimum of two (2) years between 2017 and 2020 provided that one of these years is either 2019 or 2020 (exceptions to this requirement may be granted by the ITF in accordance with the ITF Tokyo 2020 Paralympic Wheelchair Tennis Regulations);
- fulfil the minimum eligibility requirements outlined in the ITF Tokyo 2020 Paralympic Wheelchair Tennis Regulations.



For Bipartite Commission Invitations, the ITF and the IPC may consider athletes who do not have an official ranking on the Wheelchair Tennis Singles World Ranking List dated **7 June 2021** as long as they have competed in at least one ITF Wheelchair Tennis competition between 1 January 2018 and **6 June 2021**.

### Maximum Entry per NPC

An NPC can enter a maximum of four (4) qualified male athletes and four (4) qualified female athletes in the men's and women's singles events, respectively.

An NPC can enter a maximum of three (3) qualified athletes in the quad singles - (mixed gender).

An NPC can enter a maximum of two (2) eligible men's teams and two (2) eligible women's teams in the men's and women's doubles events, respectively.

An NPC can enter a maximum of one (1) eligible team in the quad doubles - (mixed gender).

### QUALIFICATION SYSTEM

Qualification slots will be allocated as follows:

METHOD	QUALIFICATION	TOTAL
<b>Regional Games Direct Allocation</b>	One (1) male and one (1) female qualification slot will be allocated in each of the following Regional Games: <u>2018 Asian Para Games:</u> 1 male, 1 female <u>2019 Para Panamerican Games:</u> 1 male, 1 female The winners of the men's and women's singles competitions at each of these Regional Games will qualify.	2 male athletes 2 female athletes
<b>Wheelchair Tennis Singles World Ranking Allocation</b>	The top forty (40) ranked eligible male athletes (not otherwise qualified) on the Wheelchair Tennis Singles World Ranking List dated <b>7 June 2021</b> will qualify. The top twenty-two (22) ranked eligible female athletes (not otherwise qualified) on the Wheelchair Tennis Singles World Ranking List dated <b>7 June 2021</b> will qualify. The top twelve (12) ranked quad athletes on the Wheelchair Tennis Singles World Ranking List dated <b>7 June 2021</b> will qualify.	40 male athletes 22 female athletes 12 quad athletes
<b>Bipartite Commission</b>	Fourteen (14) eligible male athletes will be considered by the IPC and the ITF for Bipartite Commission Invitation slots.	14 male athletes



<b>Invitation Allocation</b>	<p>Eight (8) eligible female athletes will be considered by the IPC and the ITF for Bipartite Commission Invitation slots.</p> <p>Four (4) eligible athletes in the quad sport class will be considered by the IPC and the ITF for Bipartite Commission Invitation slots.</p> <p>To be considered for a Bipartite Commission Invitation, the ITF must receive an official application in writing from the relevant NPC by <b>18 June 2021</b>.</p>	<p>8 female athletes</p> <p>4 quad athletes</p>
<b>Total</b>		<p><b>56 male athletes</b></p> <p><b>32 female athletes</b></p> <p><b>16 quad athletes</b></p>

## TIMELINE

8-16 October 2018	2018 Asian Para Games, Jakarta, Indonesia
23 Aug.-1 Sep. 2019	2019 Para Panamerican Games, Lima, Peru
6 February 2020	Start of Bipartite Commission Invitation application process
7 May 2021 (tbc)	Deadline for Tokyo 2020 Organising Committee to receive accreditation application forms submitted by NPCs ("Accreditation Long List")
6 June 2021	End of the period for athletes to attain performances to be recorded on the Wheelchair Tennis World Ranking Lists
7 June 2021	Wheelchair Tennis World Ranking Lists published
8 June 2021	ITF confirms in writing to the NPCs the allocation of qualification slots
18 June 2021	Deadline for NPCs to confirm in writing to ITF the use of allocated qualification slots
18 June 2021	Deadline for NPCs to submit Bipartite Commission Invitation applications to ITF



2 July 2021

ITF confirms in writing to the NPCs the reallocation of unused qualification slots and the awarding of Bipartite Commission Invitation slots

2 August 2021

Deadline for Tokyo 2020 Organising Committee to receive sport entry forms submitted by NPCs

### CONFIRMATION PROCESS OF ALLOCATED SLOTS

By **18 June 2021** each qualified NPC must confirm to ITF in writing (only emails are accepted) if they wish to use their allocated qualification slots. NPCs that have not responded by this date will lose their qualification slots, and ITF may reallocate these slots.

By **2 July 2021** ITF will confirm in writing the reallocation of all unused qualification slots.

By **2 July 2021** it is officially declared that the respective NPCs will use the allocated slots for the Tokyo 2020 Paralympic Games. Any NPC that does not use its allocated slots may be subject to sanctions by IPC.

### REALLOCATION OF UNUSED QUALIFICATION SLOTS

Any qualification slots allocated and not confirmed by the respective NPC by **18 June 2021** will be reallocated by the ITF to the next highest ranked eligible athlete (not otherwise qualified) on the Wheelchair Tennis World Singles Ranking List dated **7 June 2021** (subject to the maximum quota per NPC).

Should a player be confirmed and subsequently withdraw (through injury, illness, or other special circumstances) the slot will be reallocated as follows:

- Slots from Regional Games and World Ranking List Allocation: To the next highest ranked eligible athlete on the Wheelchair Tennis World Singles Ranking List as of **7 June 2021**.
- Bipartite slots: The Bipartite Commission will select from a reserve list of applicants.

This reallocation process may occur up until the Tokyo 2020 sport entries deadline of **2 August 2021**.

### INTERNATIONAL FEDERATION

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