

SWIMMING AUSTRALIA NOMINATION CRITERIA
TOKYO 2020 PARALYMPIC
GAMES SWIMMING
(TO BE HELD IN 2021)

Purpose of this Criteria

This criteria outlines the eligibility and performance standards required to be nominated for selection to the 2020 Australian Paralympic Team in the sport of Swimming.

1 Definitions and Interpretation

This Nomination Criteria is to be read in conjunction with the Swimming Australia Nomination and Selection Guidelines. All defined terms in this Nomination Criteria have the same meaning as in the Guidelines, unless otherwise stated.

1.1 Definitions

Unless otherwise defined below, capitalised terms in this Nomination Criteria have the meaning given to them, certain of which have been reproduced below for the sake of convenience.

PA means Paralympics Australia and any of its officers, employees or agents and any committee it convenes including the PA Selection Committee.

PA General Selection Criteria means the document adopted by PA which governs, among other things, the nomination and selection of Athletes to the team for the Paralympic Games.

PA Selection Committee means the committee established by PA to select athletes and appoint officials to the Australian Paralympic team for the Games.

PA Board means the Board of PA.

Alternative Qualifying Events means the Designated Consideration Meets and Secondary Consideration Meets, to be considered by the SA Selection Committee only if the Qualifying Event is cancelled.

Athlete means a person who:

- (a) participates in the Sport; and
- (b) is recognised by the National Federation or PA as eligible for nomination to PA for selection to the Team pursuant to this Nomination Criteria.

Designated Consideration Meets means the events set out in clause 14.

Extenuating Circumstances means:

- (a) injury or illness;
- (b) equipment failure;
- (c) travel delays;
- (d) bereavement or disability arising from death or serious illness of an immediate family member, which means a spouse, de facto partner, child, parent, grandparent,

- grandchild or sibling;
- (e) an unanticipated event occurring at the Qualifying Event; or
 - (f) any other factors considered by the National Federation to constitute extenuating circumstances.

IPC means International Paralympic Committee

Games means Tokyo 2020 Paralympic Games

Individual Paralympic Event means an individual swimming event that will form part of the 2020 Paralympic Games program.

International Federation means World Para Swimming

Multi Class Point Score (MCPS) means the scoring system administered by Swimming Australia and available at: <https://www.swimming.org.au/swim-1/compete/multi-class>

National Federation means Swimming Australia Limited.

Nomination Date means Friday, 18 June 2021.

Paralympic class means the classification of the athlete.

Paralympic Event means an event that is on the schedule for the Tokyo 2020 Paralympic Games.

Qualification System means the eligibility, participation and qualification criteria for the Sport in respect of the Games issued by the International Federation.

Qualifying Event means the 2021 Australian Swimming Trials, 12-17 July 2021.

SA means Swimming Australia

Secondary Consideration Meets means the events set out in clause 15.

Swimming Australia Selection Panel means the committee established by the Swimming Australia Board to endorse and monitor the nomination and selection criteria for all Swimming Australia teams on behalf of the High Performance Committee. The committee members are a Swimming Australia Director who is a Member of the High Performance Committee; the Chief Strategist – High Performance (Chair); the head coach; the GM - Performance Pathway; and the GM - Paralympic & Open Water Programs. A quorum of all members must be present.

Swimming Australia Qualifying Time means a time standard determined by Swimming Australia as outlined in appendix 1.

Sport means Swimming.

Sport Entries Deadline means the date on which entries to the Games must be submitted by PA.

Team means the team of athletes and officials selected by PA to participate in the Sport at the Games.

WPS means World Para Swimming.

WPS Ranking or **World Para Swimming Ranking** means the published online rankings of performance by event.

1.2 Interpretation

- (a) Unless the context otherwise requires, reference to:
 - (i) a clause is to a clause of this Nomination Criteria;
 - (ii) the singular includes the plural and the converse also applies;
 - (iii) persons include incorporated and unincorporated bodies, partnerships, joint ventures and associations and vice versa and their legal representatives, successors and permitted assignees and substitutes;
 - (iv) a party includes the party's executors, administrators, successors and permitted assignees and substitutes.
- (b) If a person to whom this Nomination Criteria applies consists of more than one person, then this Nomination Criteria binds them jointly and severally.
- (c) A reference to time, day or date is to time, day or date of Sydney, Australia.
- (d) Headings are for convenience only and do not form part of this Nomination Criteria or affect its interpretation.

2 General

- 2.1 This Nomination Criteria is issued by Swimming Australia, the National Federation. The National Federation must provide, or otherwise make available, this Nomination Criteria to all Athletes.
- 2.2 The National Federation may only nominate Athletes to PA in accordance with this Nomination Criteria.
- 2.3 This Nomination Criteria will take effect on and from 1 February 2020 and will cease to have effect at the conclusion of the Games.
- 2.4 This Nomination Criteria applies to:
 - (a) all Athletes;
 - (b) the National Federation; and
 - (c) PA.
- 2.5 The terms of the PA General Selection Criteria for Tokyo 2020 are incorporated by reference into this Nomination Criteria.

3 Long List

- 3.1 For the purpose only of identifying prospective members of the Team, the National Federation and PA will maintain a Long List of Athletes.
- 3.2 The purpose of the Long List is to create a list of potential athletes, some but not all of whom will be nominated by the National Federation.

4 Athlete Quota Positions

- 4.1 The National Federation may only nominate Athletes to PA for selection to the Team where, pursuant to the Qualification System, the International Federation (WPS) has awarded PA athlete quota positions.
- 4.2 The National Federation may not nominate more Athletes than are permitted to be nominated by PA under the Qualification System and Quota system.
- 4.3 The National Federation may nominate a maximum number of 17 male and 15 female athletes. This number of 32 total is the team size.

5 Eligibility Criteria

The National Federation will nominate each Athlete as at the Nomination Date, where the National Federation is satisfied on reasonable grounds that the Athlete:

- (a) is a member of the National Federation;
- (b) satisfies the Qualification System;
- (c) is likely to satisfy the PA Selection Criteria;
- (d) has not breached the PA Anti-Doping policy, unless the Athlete has been sanctioned for the breach and has completed the sanction imposed;
- (e) does not, and is not likely to in the foreseeable future, suffer from any physical or mental impairment that would prevent the Athlete from competing at the Games to the highest possible standard for that Athlete; and
- (f) satisfies the Classification Eligibility Criteria.

6 Classification Eligibility Criteria

- 6.1 Swimming Australia will only nominate an athlete who holds a valid international classification, listed on the WPS classification master list, with a sport class and sport class status that meets the requirements under the Tokyo 2020 qualification guide. Athletes must be Internationally classified with a 'Confirmed' sport class status or a 'Review' sport class status with a review date after 31 December 2021.

Athletes must also agree to:

- (a) abide by the WPS Para sport classification rules and regulations, the IPC Athlete Classification Code and any relevant PA and/or Swimming Australia classification; policies and requirements, including attending classification assessment as required.
 - (b) complete any classification education modules as released by WPS, Swimming Australia or PA;
 - (c) disclose previous classification documentation and/or medical diagnostic documentation from relevant specialists for classification; and
 - (d) notify Swimming Australia, Paralympics Australia or WPS if there is any changes in level of impairment, medical intervention undertaken, or medical history which may impact their classification in any way, and agrees to undergo further classification assessment if required.
- 6.2 Swimming Australia will only nominate athletes who have not breached the WPS classification

rules and regulations, or the IPC Athlete Classification Code, unless the athlete has been sanctioned for the breach and has completed the sanction imposed. However, if the sanction was equal to or greater than 2 years, the athlete is ineligible for nomination. For the purpose of this clause, a breach may include, among other things:

- (a) An athlete under investigation for Intentional Misrepresentation where a notice has been issued, or the athlete has been sanctioned under the WPS Classification Rules and Regulations; or
 - (b) A failure to comply with an athlete's obligations under the WPS Classification Rules and Regulations.
- 6.3 Paralympics Australia reserves the right to review the selection of athletes, including deselection, if exceptional circumstances arise that relate to the athlete classification for the sport or classification qualification criteria as detailed in the Tokyo 2020 Paralympic Games Qualification Guide.
- 6.4 In the event that COVID travel restrictions prevent Australian athletes requiring a classification review to be assessed prior to the Nomination date the following will apply:
- (a) Athletes with qualifying performances can be tentatively held for nomination. If, and when classification eligibility can be resolved, the athlete can be nominated for selection.
 - (b) Where an athlete with 'new' classification status can undergo the classification process(es) to be eligible prior to the games deadline, this athlete may also be tentatively held for nomination.
 - (c) For the benefit of doubt, an athlete who achieved the qualifying performance and who has a tentative or pending nomination can receive the same support as other team members and be included in Games preparation activities, until the classification is confirmed.

7 Nomination Criteria

Individual Paralympic Events

- 7.1 Subject to clause 7.4, the first, second and third fastest Athletes, per Paralympic Class, who equal or better the Swimming Australia Qualifying Time in any race of an Individual Paralympic Event at the Qualifying Event (or, if relevant, the Alternative Qualifying Events) and who are available to swim in that Individual Paralympic Event at the Games will be nominated to PA for selection to the team.
- 7.2 If less than three Athletes are selected for an Individual Paralympic Event at the Qualifying Event (or, if relevant, the Alternative Qualifying Events), then another Athlete who has been nominated and who has produced a valid race time that equals or betters the IPC meet entry time for that specific event will be able to nominate for that individual event. Entries will be ranked on time.
- 7.3 If the number of Athletes who achieve a Swimming Australia Qualifying Time at the Qualifying Event (or, if relevant, the Alternative Qualifying Events) exceeds the maximum number of quota places available under the Qualification System, then:
- 7.3.1 each Athlete's performance in the Individual Paralympic Events will be compared by ranking the performances based on the 2019 WPS World Rankings (three athletes per nation, all countries included) and the higher ranked Athlete will be

given priority for nomination; and

7.3.2 in the event of a tie for the final position on the Team based on the 2019 World Para Swimming Rankings, then the current Multi Class Point Score will be used to compare each Athlete's performance in the Individual Qualifying Paralympic Event, and the athlete with the higher scoring performance will be given priority for selection; and

7.3.3 in its sole and absolute discretion, the National Federation may prioritise relay swimmers over Athletes who achieve Swimming Australia Qualifying Times in Individual Paralympic Events.

7.4 Irrespective of this clause 7, the National Federation will only nominate Athletes who, in the opinion of the National Federation, in its absolute discretion are, and will remain, a positive ambassador for the Sport, the National Federation and the Games.

Relay Events

7.5 In determining which Athletes will be nominated for Relay Events, the National Federation may have regard to any, all or none of the following factors, in its absolute discretion, which may or may not be exercised:

- (a) the Athlete's past relay performances at domestic and international competitions including past relay skills, such as changeover times and splits;
- (b) the Athlete's physical form and fitness;
- (c) the benefit or detriment of the Athlete's membership in the relay with respect to relay dynamics and team performance; and
- (d) any other factors the Swimming Australia head coach considers relevant.
- (e) will be most likely to achieve the highest competitive results at the Games; and
- (f) are, and will remain until the conclusion of the Games, positive ambassadors for the Sport, the National Federation and the Games.

Meeting Slot Allocations

7.6 In determining the total nomination of athletes and alignment with the number of quota positions for male (17) and female (15) as outlined in 4.3. After the athletes who equal or better the Swimming Australia Qualifying Time, as per 7.1, and after additional relay athletes have been included as per 7.5, Athletes may be nominated on a discretionary basis subject to quota slots remaining using the following criteria, which is not in priority order, is not exhaustive, the application of discretion does not require all of the criteria to be considered and is subject to sufficient places remaining for the event (three (3) per nation). This is at the complete discretion of the national federation selection committee and may be based on the below considerations:

- (d) Closest percentage to Qualifying time.
- (e) Athletes unable to compete at the qualifying event due to injury/illness/classification.
- (f) Previous performance record at major championships.

8 Qualification Event Cancellation, Nomination and Consideration

8.1 In the event that the 2021 Australian Swimming Trials are canceled, athletes will be nominated for selection by the Swimming Australia Selection Committee with the following principles:

(a) Athlete performance will be considered from the results achieved at the Designated Consideration Meets (section 14).

(b) In the event that one, two or three of the listed Designated Consideration Meets are cancelled, the remaining Designated Consideration Meets listed will be considered (Section 14).

(c) In the event that all Designated Consideration Meets in section 14 are cancelled the selection committee will give consideration to the Secondary Consideration Meets as outlined in section 15 provided the athlete has a valid Tokyo 2020 Paralympic Games qualification entry time.

9 Extenuating Circumstances

9.1 In determining whether an Athlete has satisfied the criteria set out in clause 7 or clause 8, the National Federation may, in its absolute discretion, have regard to Extenuating Circumstances.

9.2 In the event that an athlete is not able to attend the Qualifying Event due to COVID imposed travel restrictions the athlete will be considered for nomination subject to clause 7.1, 7.2, 7.3, 7.5 and 7.6 under the process outlined in clauses 9.3 and 9.4. For the avoidance of doubt, an Athlete who is not able to attend the Qualifying Event due to COVID imposed travel restrictions may be nominated in the place of an athlete that would otherwise have qualified for nomination under clause 7.

9.3 In the event that an Athlete determines that they are unable to attend the Qualifying Event, that Athlete must notify the National Federation of their non-attendance in writing as soon as practicable. For the avoidance of doubt, an Athlete who is not able to attend the Qualifying Event due to COVID imposed travel restrictions may be nominated in the place of an athlete that would otherwise have qualified for nomination under clause 7.

9.4 The National Federation may consider an Athlete's non-attendance at the Qualifying Event to be an Extenuating Circumstance in its absolute discretion. The National Federation may require an Athlete to undergo a medical examination as a condition of treating the Athlete's non-attendance at the Qualifying Event as an Extenuating Circumstance. . If the National Federation exercises its discretion, Athlete performance will be considered from the Alternative Qualifying Events.

10 Submission of Nominations

10.1 The National Federation must notify Athletes of the Nomination Date in writing and publish the list of nominated Athletes on the National Federation website (swimming.org.au) within 48 hours of the Nomination Date.

10.2 PA may, in its absolute discretion extend the Nomination Date for the National Federation for any reason.

10.3 Nominations submitted to PA must be on the form prescribed by PA or in a form that is otherwise acceptable to PA and include any such information that is required pursuant to the PA General Selection Criteria.

10.4 PA may, in its absolute discretion, accept a nomination submitted after the Nomination Date where it is submitted by the National Federation.

11 Appeals

- 11.1 Athletes may appeal their non-nomination to PA in accordance with the SA Appeal Charter. A non-nomination decision may only be appealed on the following grounds:
- (a) that the applicable Nomination Policy has not been properly followed
 - (b) that the Decision was affected by actual bias; or
 - (c) there was no material on which the Decision could reasonably be based.

12 Amendments

This Nomination Criteria may only be amended with the written consent of PA.

13 Governing Law

This Nomination Criteria is governed by the laws of the State of New South Wales.

14 Designated Consideration Meets

Designated Consideration Meets	
Meet 1	2021 Australian Age Swimming Championships, 5-12 April, Gold Coast
Meet 2	2021 Australian Swimming Championships, 14-18 April, Gold Coast
Meet 3	2021 Sydney Open, 13-16 May, Sydney

15 Secondary Consideration Meets

Secondary Consideration Meets	
Meet a	2020 NSW Senior State Age Championships, 12 -17 December
Meet b	2020 McDonald's Queensland Championships, 12-18 December
Meet c	2020 WA State Championships 18-22 December
Meet d	2021 SA State Swimming Championship 22-24 January
Meet e	2021 Victoria State Championships, 18-21 February, Melbourne
Meet f	2021 NSW State Championships, 18-21 March, Sydney

16 Appendix 1.
Swimming Australia Qualifying Time (updated February 2020)

MEN														
Event	S14	S13	S12	S11	S10	S9	S8	S7	S6	S5	S4	S3	S2	S1
50m Free		0:24.29			0:23.91	0:25.91		0:28.14		0:33.12	0:39.60	0:45.94	0:45.94	
100m Free			0:53.62	0:59.79	0:52.08		0:59.59		1:07.30	1:13.02	1:25.18	1:25.18		
200m Free	1:56.57									2:44.30	2:59.54	3:30.22	4:23.39	4:23.39
400m Free		4:09.00	4:09.00	4:38.61	4:10.66	4:20.62	4:37.57	4:46.69	5:14.70					
50m Back										0:36.54	0:42.91	0:47.04	0:59.52	1:30.03
100m Back	1:01.42	1:01.55	1:02.03	1:11.27	1:01.03	1:02.91	1:10.06	1:10.52	1:16.40	1:16.40			2:04.96	3:16.10
50m Fly								0:30.06	0:31.78	0:34.85	0:34.85			
100m Fly	0:57.64	0:58.06	0:58.39	1:05.07	0:59.30	1:01.74	1:05.32	1:05.32						
	SB14	SB13	SB12	SB11		SB9	SB8	SB7	SB6	SB5	SB4	SB3	SB2	SB1
50m Breast														
100m Breast	1:07.48	1:06.28	1:06.80	1:12.77		1:09.38	1:10.96	1:18.99	1:22.87	1:30.52	1:46.72	1:46.72		1:03.68
	SM14	SM13	SM12	SM11	SM10	SM9	SM8	SM7	SM6	SM5	* SM4	* SM3	* SM2	SM1
200 Ind. Medley	2:11.98	2:13.82	2:13.82	2:31.12	2:13.65	2:19.31	2:29.21	2:35.67	2:44.95	3:26.54	2:39.17	3:08.15	3:08.15	
WOMEN														
Event	S14	S13	S12	S11	S10	S9	S8	S7	S6	S5	S4	S3	S2	S1
50m Free		0:28.00		0:31.06	0:28.55		0:30.90		0:33.93		0:42.62			
100m Free			1:01.44	1:09.11	1:01.48	1:03.75		1:13.19		1:23.22	1:23.22			
200m Free	2:07.78									2:54.01	2:54.01			
400m Free		4:32.40^	4:32.40^	5:19.14	4:38.20	4:48.98	4:54.70	5:22.76	5:23.10					
50m Back										0:45.84	0:55.82	0:59.61	1:14.86	1:14.86
100m Back	1:09.02	1:07.40	1:12.40	1:21.03	1:11.20	1:11.04	1:17.94	1:21.56	1:25.62				2:41.18	2:41.18
50m Fly								0:36.23	0:36.85	0:46.34	0:46.34			
100m Fly	1:07.24	1:05.22	1:07.91	1:48.33	1:08.50	1:08.82	1:13.87	1:13.87						
	SB14	SB13	SB12	SB11		SB9	SB8	SB7	SB6	SB5	SB4	SB3	SB2	SB1
50m Breast														
100m Breast	1:17.24	1:16.92	1:16.79	1:26.61		1:19.63	1:23.19	1:34.46	1:39.39	1:44.63	1:55.20	1:55.20		
	SM14	SM13	SM12	SM11	SM10	SM9	SM8	SM7	SM6	SM5	* SM4	* SM3	SM2	SM1
200 Ind. Medley	2:27.80	2:28.98^	2:28.98^	2:51.06	2:31.09	2:37.83	2:44.33	2:59.22	3:05.14	3:39.01	3:03.02^	3:03.02^		

Notes: Purple = no event for class but can swim up, Orange = no event for class but can compete for relay selection, * SM3 – SM4 is 150m Individual Medley, NR = No rankings data available. ^ Time is derived from 3rd fastest time after combining rankings of eligible classes.