

<b>POLICY</b>	<b>Governance</b>
TITLE:	Competitions Policy
AREA:	Sports Services
RESPONSIBILITY:	Chief Executive Officer
RELATED POLICIES:	
DRAFTED BY:	Sports Services Manager
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APPROVED BY:	Paddle Australia
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## CONTENTS

1. APPLICATION .....	3
2. DEFINITIONS .....	3
3. COMPETITION RULES & REGULATIONS.....	4
4. TYPES OF PADDLE AUSTRALIA COMPETITIONS.....	5
5. COMPETITIONS.....	5
6. APPOINTMENT OF JURIES FOR AUSTRALIAN CHAMPIONSHIPS & SELECTION EVENTS.....	6
7. APPEALS AGAINST DECISIONS OF THE COMPETITION COMMITTEE .....	6
8. AWARDS .....	8
9. COMMERCIAL ACTIVITIES.....	9
10. PA SANCTIONED EVENTS.....	9

## 2. APPLICATION

In accordance with Rules 20.1 of the Paddle Australia (PA) Constitution, the following Policy is adopted by the Paddle Australia (PA) Board.

The Competitions Policy sets out the rules that apply to the conduct of all canoeing events under the auspices of PA and provide direction for the administration of competition within the sport.

## 3. DEFINITIONS

In this Policy, the following words have the following respective meanings:

<b>“AOC”</b>	means the Australian Olympic Committee Inc.
<b>“ASC”</b>	means the Australian Sports Commission.
<b>“Athlete”</b>	means a person who has notified PA in accordance with this Policy that he/she wishes to be considered to participate in a National Canoeing Competition.
<b>“Board”</b>	means the PA Board of Directors.
<b>“CAS”</b>	means the Court of Arbitration for Sport
<b>“Class”</b>	means the category of events within a Discipline in each gender. For example, within the Discipline of Slalom the classes include Men’s C1, Women’s K1.
<b>“Competition Rules”</b>	means the rules and regulations applicable to a Competition in accordance with Rule 3.1 of this Policy and includes this Policy, the PA Anti-Doping Policy and the PA Member Protection Policy.
<b>“Discipline”</b>	means the canoeing disciplines of Canoe Marathon, Canoe Polo, Canoe Slalom, Canoe Sprint, Freestyle, Ocean Racing and Wildwater.
<b>“CEO”</b>	means the Chief Executive Officer of PA or their nominee from time to time.
<b>“ICF”</b>	means the International Canoe Federation.
<b>“Individual Member”</b>	means a registered financial individual member of a State Association or Affiliated Club.
<b>“International Competition”</b>	means a competition designated as such in accordance with the ICF Competition Rules.

**“Selection Event “** means an event conducted for the purpose of assisting in the selection process for an Australian Team and designated as such in accordance with the PA Selection Procedures Bylaw

Words not defined in this Policy have the meaning ascribed to them in the Constitution of the PA unless a contrary meaning appears from the context.

## 4. COMPETITION RULES & REGULATIONS

### 4.1. Competition Rules

- 4.1.1. Subject to Rule 3.1 (c), in the Disciplines of Canoe Marathon, Canoe Polo, Canoe Slalom, Canoe Sprint, Freestyle, Ocean Racing and Wildwater, PA Competitions will be conducted in accordance with the applicable ICF Competition Rules as published by the ICF from time-to-time.
- 4.1.2. PA may from time to time issue PA Competition Rules that amend or vary the applicable ICF Competition Rules. Such Rules must be read in conjunction with those rules. PA Competition Rules may also cover situations not covered by the ICF rules.

### 4.2. Changes to PA Competition Rules

- 4.2.1. It is the role of the PA Technical Committees to make recommendations to the Board on rules, regulations and guidelines for the conduct of paddling competitions in Australia for their respective Disciplines.
- 4.2.2. The Board of PA may change this Policy or PA Competition Rules from time to time, provided that any amendments, alterations, interpretations or other changes shall be advised to State Associations by means of notices approved by the Board and prepared and issued by the CEO. State Associations will be obliged to draw such notices to the attention of their respective Members.

### 4.3. Other Rules and Regulations

- 4.3.1. Athletes participating in PA Competitions must:
  - a) Comply with all PA Rules and Policies including the PA Member Protection Policy and the Athletes Codes of Conduct;
  - b) Irrevocably submit themselves to the authority of Paddle Australia's Disciplinary Tribunal, and abide by any decision of the Disciplinary Tribunal properly reached in accordance with the provisions of PA Disciplinary Policy and/or Member Protection Policy;
  - c) Observe and comply with Paddle Australia's Anti-doping Bylaw, the ICF, ASC and AOC Anti-Doping Policies (however named) including submitting to the penalties ordered by either or all.

## 5. TYPES OF PADDLE AUSTRALIA COMPETITIONS

Paddle Australia conducts four categories of “PA Competitions”. In addition to PA Competitions, PA may organise or sanction International Competitions, which will be conducted in accordance with ICF Competition Rules.

### 5.1. Australian Championships

- 5.1.1. The Board grants Australian Championship status to recognised paddling Disciplines. These events are conducted at such locations determined by the Board.
- 5.1.2. Where Classes to be contested at Australian Championships are different from the Classes specified in ICF or ICF Competition Rules, they must be detailed in PA Competition Rules in accordance with Rule 3.1 of this Policy.
- 5.1.3. Australian Championships are designated as “Open” competitions and as such participants are permitted from any recognised National Canoeing Federation. Such competitors compete on an equal footing with Australian residents.

### 5.2. Australian Schools Championships

- 5.2.1. The Board grants Australian Schools Championship status to recognised canoeing Disciplines. These events are conducted at such locations determined by the Board.
- 5.2.2. To participate in Australian Schools Canoeing Championships, Athletes must be attending school either full or part time during the year of competition and must have been enrolled to attend on the last day of the normal school year.

### 5.3. Australian Team Selection Events

- 5.3.1. Australian Team Selection Events are events designated as such by the Board in accordance with the PA Selection Procedures Bylaw for the purpose of assisting in the selection process for an Australian Team.
- 5.3.2. Selection Events may be held in conjunction with an Australian Championship, Australian Schools Championships or “Other PA Competitions” in which case the rules and regulations applicable to Selection Events have precedence when determining the Selection of a Team.

### 5.4. Other PA Competitions

- 5.4.1. Any competition conducted under the auspices of PA, other than an Australian Championship, and Australian Schools Championship or a Selection Event (e.g. PA Canoe Sprint Grand Prix) will be deemed an “Other PA Competition.”

## 6. COMPETITORS

6.1. To be eligible to participate in PA Competitions, all Athletes must first:

- 6.1.1. Satisfy PA’s CEO that they meet or will meet the competition eligibility requirements (if any) as specified in the applicable competition rules;

- 6.1.2. Satisfy PA's CEO that, in the case of an Australian Resident, they are:
    - a) A Financial Member of PA; or
    - b) An approved trialist;
  - 6.1.3. Satisfy PA's CEO that, in the case of a non-Australian Resident, they meet the membership requirements of their respective National Federation and have permission to compete from that National Federation (such permission should be in writing);
  - 6.1.4. Not have any outstanding accounts with PA;
  - 6.1.5. Not be under suspension by any Canoe Club or State Association;
  - 6.1.6. Complete and sign the applicable entry form, including the Event Declaration;
  - 6.1.7. Pay the applicable entry fee; and
  - 6.1.8. Return all of the items above to the applicable Competition Secretary by no later than the applicable closing date as specified on the entry form. The Competition Secretary may in their sole discretion accept the above after this time depending upon the circumstances as considered on a case-by-case basis.
- 6.2. Athletes and Clubs may not promote in any way (e.g. by stickers, uniform, social media) a sponsor that conflicts with or prejudices the products or business of National Sponsors during National Competitions.

If an athlete is unsure if their sponsor does conflict, they must seek approval from the CEO who will not unreasonably withhold his or her approval.

## **7. APPOINTMENT OF JURIES FOR AUSTRALIAN CHAMPIONSHIPS & SELECTION EVENTS**

- 7.1. There will be a Jury for each Australian Championships and Selection Event.
- 7.2. Each Jury will be appointed by the Board of PA and comprise three persons and shall not include a current Board member or PA staff member. The Board shall appoint the members of each of the Juries after considering any recommendations made by the PA Technical Committee responsible for the relevant Discipline. The Board shall appoint one of the three members in each Jury to be the Chair of that Jury.
- 7.3. The Board may at any time, remove a member from the Jury.
- 7.4. Where any member of the Jury advises the CEO that they consider they are unable to meet their responsibilities under this Policy, or the Board makes a direction under clause 6.3, the Board will appoint a replacement to assume that member's role on each of the Juries.

## **8. APPEALS AGAINST DECISIONS OF THE COMPETITION COMMITTEE**

- 8.1. An Athlete may appeal against a decision of the Competition Committee of any Australian Championship or Selection event in accordance with these rules on the grounds that a decision of the Competition Committee was not made in accordance with

the applicable Competition Rules. Such appeals must be made to, and determined by, the Jury. The Jury may permit an appeal to be made by two or more Athletes jointly where in the Jury's opinion their grievance arises out of the same Competition Committee decision.

- 8.2. Decisions of the Competition Committee at Other PA Competitions and Australian Schools Championships are final and binding on the parties and it is agreed that neither party will institute or maintain proceedings in any court or tribunal including the CAS. In particular, and without restricting the generality of the foregoing and for further and better assurance, notwithstanding that such provisions have no applicability, there will be no right of appeal under section 38 of the Commercial Arbitration Act, 1984 (NSW) or equivalent in any of the Australian states or to apply for the determination of a question of law under section 39(1)(a) of such Act or equivalent in any of the Australian states.
- 8.3. Any appeal against a decision of the Competition Committee must be made within sixty (60) minutes of the receipt of notification by the Competition Committee of their decision to dismiss a protest and be accompanied by an appeal fee of \$50.00 which will be refunded where the Jury refers the matter back to the Competition Committee.
- 8.4. The Athlete must make the notice of appeal to the Chief Official in writing setting out the:
  - 8.4.1. Decision of the Competition Committee in question;
  - 8.4.2. Grounds upon which the appeal is made; and
  - 8.4.3. Reasons or circumstances supporting the alleged grounds of appeal.
- 8.5. Nothing in the rules prevents the withdrawal of an appeal by an Athlete at any time by writing to the Chairman of the Jury.
  - 8.5.1. Paddle Australia and the Athlete shall not be entitled to legal representation at the hearing of the Jury.
  - 8.5.2. On receipt of a notice of appeal in accordance with the Rules, the Chief Official must immediately forward the notice of appeal and any accompanying documents to the Jury.
  - 8.5.3. The Jury shall, as soon as practical after receiving a notice of appeal, investigate and consider the appeal and shall within ten (10) minutes of receiving such notice determine whether:
    - a) The appeal should be dismissed, because in its determination, the appeal is trifling in nature or has no merit; or
    - b) The appeal warrants further review and determination in accordance with these rules.
- 8.6. If the Jury determines the matter warrants further review in accordance with these rules, it shall meet for this purpose as soon as practicable, having regard to the proximity of relevant events.
- 8.7. The Jury may conduct a meeting (or any adjournment it permits) in such manner as it sees fit, but shall:
  - 8.7.1. Give to the appealing Athlete and the Competition Committee the opportunity to be heard;

- 8.7.2. Give due consideration to any statement given by the appealing Athlete and the Competition Committee;
  - 8.7.3. Allow the appealing Athlete and the Competition Committee to be present along with their representative; and
  - 8.7.4. May request or require the appealing Athlete, the Competition Committee or any other witness to attend the meeting or provide such evidence as is available.
- 8.8. Following consideration of all relevant and available information, the Jury shall arrive at a finding. A decision of the Jury shall be by a majority decision. The Jury shall notify the Chief Official of its finding as soon as practicable. The Chief Official shall then immediately notify the appealing Athlete and all other relevant people of the Jury's decision in writing.
- 8.8.1. If the Jury considers the ground alleged by the appealing Athlete to be satisfied, it shall direct the Competition Committee to reconsider the matter.
  - 8.8.2. The Jury has no power to substitute its decision for that of the Competition Committee. They must either refer the matter back to the Competition Committee for reconsideration or dismiss the appeal.
  - 8.8.3. The Competition Committee shall comply with any direction of the Jury given a protest back for reconsideration.
  - 8.8.4. Decisions of the Jury are final and binding on the parties and it is agreed that neither party will institute or maintain proceedings in any court or tribunal including the CAS. In particular, and without restricting the generality of the foregoing and for further and better assurance, notwithstanding that such provisions have no applicability, there will be no right of appeal under section 38 of the Commercial Arbitration Act, 1984 (NSW) or equivalent in any of the Australian states or to apply for the determination of a question of law under section 39(1)(a) of such Act or equivalent in any of the Australian states.

## 9. AWARDS

- 9.1. For a class to be contested in any PA Competition there must be a minimum of three entries and two starters.
- 9.2. Official Australian Championship Medals are presented based on result regardless of nationality in recognised classes at all Australian Championships and Australian Schools Championships as follows:
  - 9.2.1. To receive a gold medal there are to be a minimum of two (2) Athletes, crews or teams starting in the class;
  - 9.2.2. To receive a silver medal there are to be a minimum of three (3) Athletes, crews or teams starting in the class;
  - 9.2.3. To receive a bronze medal there are to be a minimum of four (4) Athletes, crews or teams starting in the class.



9.2.4. The only exceptions to the above, are that Medals will be awarded to all placing Athletes, crews or teams in the Junior (U10-U18) and 65+ age groups.

9.3. International paddlers shall progress in events in the same manner as Australian competitors, and those who place in the first three places in a final of the Australian Championships shall be awarded the appropriate championship medal.

9.4. An Australian Champion will have a medal presented to the highest placed Individual Member of Paddle Australia where the gold medal is awarded to a non-Australian Resident.

## **10. COMMERCIAL ACTIVITIES**

10.1. PA holds all commercial and intellectual property rights in relation to Paddle Australia Competitions, including but without limitation, PA logos and designations, PA concepts, sponsorship, ticketing, publications, licensing and telecasting rights.

10.2. Unless the CEO has given his or her prior written consent, a member must not, and must not authorise or permit any third party to:

10.2.1. Use the words "Australian," "National," "Oceania," "Continental," "World" or "International" to denote any Paddling Competition; or

10.2.2. Schedule any Paddling Competitions less than five (5) days before or after an Australian Championships or an International Competition in that discipline; or

10.2.3. Conduct or organise any advertising, marketing or fundraising activities or programs in which reference is made to PA or Paddle Australia Competitions.

10.3. The advertising and promotion through images, symbols, words and slogans of alcohol, tobacco and drugs on any item of equipment, athlete and/or venue is not permitted and must be removed or covered up.

## **11. PA SANCTIONED EVENTS**

11.1. Events conducted and/or sanctioned by State Associations:

11.1.1. State Associations are authorised to conduct and sanction canoeing events in their State providing such events are conducted in accordance with the Rules and Regulations of PA, in particular this Policy and any PA sanctioned event procedures.

11.1.2. The prior written consent of the CEO must be obtained if participants from other states or from overseas are invited to participate.

11.2. Events Conducted by Canoe Clubs:

11.2.1. Affiliated Canoe Clubs are authorised to conduct canoeing events providing such events are for members of their Canoe Club only. A club's State Association must sanction interclub events or any event where non-members are invited to participate. Such events must be conducted in accordance Canoeing Competitions Policy 8 with the Rules and Regulations of PA, in particular this Policy and any PA sanctioned event procedures.

11.2.2. To be eligible to participate in PA sanctioned events, all Athletes must first:

- a) Be a Financial Member of PA; or
- b) Be an approved trialist; or
- c) In the case of a non-Australian Resident, meet the membership requirements of their respective National Federation and have permission to compete from that National Federation (such permission should be in writing).

11.2.3. State Associations and Affiliated Clubs must use any forms, contracts and clauses prescribed by Paddle Australia in order to give effect to this By-Law and any other PA By-Law in such documents as contracts, entry forms and player registration forms, as directed by Paddle Australia.