

2016 OLYMPIC SUMMER GAMES - RIO DE JANEIRO

AGREEMENT FOR THE SELECTION OF ATHLETES FOR THE SPORT OF:

Aquatics Table of Contents

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AGREEMENT FOR THE SELECTION OF ATHLETES FOR THE SPORT OF:

Aquatics

The Olympic Council of Ireland ("OCI ") and Irish Amateur Swimming Association Limited trading as Swim Ireland ("the National Federation") agree the following nomination and selection standards and procedures for the selection of athletes for the 2016 Olympic Summer Games in Rio de Janeiro (the "Olympic Games") for the sport of the Aquatics.

The parties acknowledge and agree that the standards and procedures set out in this Agreement may exceed those stipulated by the International Olympic Committee ("IOC") the Association of National Olympic Committees (ANOC) and the Federation Internationale de Natation (FINA) ("International Federation")

Accordingly, the parties agree that an athlete or team will not be considered eligible for selection as a member of the Irish Olympic Team for the Olympic Summer Games, even though he/she may have achieved the standard stipulated by the International Federation and/or the IOC, unless he/she fulfils the relevant criteria and/or achieves the relevant standard(s) pursuant to and in accordance with this Agreement.

IT IS AGREED THAT:

1. OCI Selection

- 1.1 The parties acknowledge that under Paragraph 2.1 of Rule 28 of the Olympic Charter the OCI has the exclusive power for the selection and participation of the Irish Olympic Team at the Olympic Summer Games. The parties further acknowledge that under Paragraph 2.1 of the Bye-law to Rules 28 of the Olympic charter, the OCI is required to constitute, organise and lead its delegation at the Olympic Games and that the OCI has the exclusive power in accordance with that Bye-law, to "decide upon the entry of athletes proposed by their respective national federations. The National Olympic Committees (NOCs) must ensure that the entries proposed by the national federations comply in all respects with the provisions of the Olympic Charter".
- 1.2 Under paragraph 2.3 of the bye-law to Rules 28 - The NOC have the sole and exclusive authority to prescribe and determine the clothing and uniforms to be worn, and the equipment to be used, by the members of their delegations on the occasion of the Olympic Games and in connection with all sports competitions and ceremonies related thereto.
This exclusive authority does not extend to specialised equipment used by athletes or their delegations during the actual sports competitions. For the purposes of this rule, specialised equipment shall be limited to such equipment acknowledged by the Olympic Council of Ireland as having a material effect on the performance of athletes, due to the specialised characteristics of the equipment. Any publicity in respect of any such specialised equipment must be submitted to the Olympic Council of Ireland for approval if there is any reference, express or implied, to the Olympic Games.
In accordance with its exclusive authority, the OCI reserves the right to require any individual nominated by the National Federation to undergo a medical examination carried out under the control of the OCI Chief Medical Officer (and/or his/her appointed representative) at any time prior to, or during the Olympic Games to determine an individual's medical fitness to perform to the best of his/her ability at the Olympic Games and/or to determine whether or not an individual has breached any of the rules contained in or referred to under the Olympic Charter or the Team Member's Agreement in force at the time.
- 1.3 If, pursuant to and in accordance with the results of any such medical examination, the Chief Medical Officer considers in his/her reasonable opinion that an individual nominated and/or selected for the Olympic Games is not physically fit to perform and/or has breached any of the rules referred to in the Team Members Agreement, the OCI may at its absolute discretion not select or may de-select such an individual.
- 1.4 The parties agree that pursuant to and in accordance with the OCI's exclusive authority, the OCI may at its absolute discretion refuse to select an individual nominated by the National Federation for selection to the Team.
- 1.5 The OCI agrees to notify the National Federation of its selection or refusal to select any nominated athlete as soon as reasonably practicable after the OCI receives the National Federation's relevant nomination.
- 1.6 No Team Member's selection will be ratified by the OCI until all relevant documentation and required procedures are fully completed.

2. National Federation Nominations

The National Federation agrees to submit to the OCI its nomination of any individual(s) or team(s) eligible for consideration under clause 3 below within the relevant deadlines set out in clause 17 below.

The National Federation agrees to provide the OCI with all such relevant documentation, including official results and ranking listings as the OCI may require in order to verify the eligibility of any individual so nominated by the National Federation at the time of nomination.

3. Eligibility for Consideration for Pool Swimming

- 3.1 Only 'Olympic Qualifying Time (OQT)' standards as agreed by the IOC/ANOC/FINA will be acceptable.
- 3.2 The parties agree that they shall not consider any individual or team eligible to participate as a member of the Irish Olympic Team at the Olympic Games (the "Team") unless he/she/they have achieved or exceeded, as agreed with the OCI, the relevant qualification method or standard as set out by their International Federation and agreed with the IOC and the Association of National Olympic Committees (ANOC) and complies with the nationality requirements as set out in the Olympic Charter and to provide the relevant information to the OCI.
- 3.3 The National Federation agrees that it shall not nominate any individual whose form and/or consistency does not merit nomination. Further, the National Federation agrees to monitor and, if necessary, test an athlete on an ongoing basis in order to ensure his/her current form is of a standard to perform at the Olympic Games.
- 3.4 The National Federation shall not nominate any athlete who is the subject of an anti-doping ban.
- 3.5 The National Federation shall inform the OCI immediately of the results of any anti-doping test of any athlete who is on the long list submitted to the OCI.
- 3.6 The National Federation shall not submit nominations for athletes who have received Tripartite (IOC/ANOC/IF) invitations, re-allocated places or wildcards or who have achieved qualification by means other than that described in the IOC/ANOC/IF qualification system and in this agreement.
- 3.7 Swim Ireland shall submit the following with regard to the qualification of a relay team(s):
 - 3.7.1: 27th April 2016 – Swim Ireland to confirm to the Olympic Council of Ireland the participation of a relay team(s) which qualified at the 16th FINA World Championships, Kazan, Russia, in August 2015
 - 3.7.2: 15th June 2016 – Swim Ireland to confirm to the Olympic Council of Ireland the participation of a relay team(s) where qualification was achieved on or before the 1st June 2016 in accordance with the qualification system for the Olympic Games
 - 3.7.3: 3rd July 2016 – Swim Ireland to recommend the individual swimmers, with all the relevant information to the Olympic Council of Ireland for selection on the

relevant relay team(s) for Rio 2016.

4. Eligibility for Consideration for Marathon Swimming

- 4.1 Only 'Olympic Qualifying Finishing Position (OQFP)' standards as agreed by the IOC/ANOC/FINA will be acceptable
- 4.2 The parties agree that they shall not consider any individual or team eligible to participate as a member of the Irish Olympic Team at the Olympic Games (the "Team") unless he/she/they have achieved or exceeded, as agreed with the OCI, the relevant qualification method or standard as set out by their International Federation and agreed with the IOC and the Association of National Olympic Committees (ANOC) and complies with the nationality requirements as set out in the Olympic Charter and to provide the relevant information to the OCI.
- 4.3 The National Federation agrees that it shall not nominate any individual whose form and/or consistency does not merit nomination. Further, the National Federation agrees to monitor and, if necessary, test an athlete on an ongoing basis in order to ensure his/her current form is of a standard to perform at the Olympic Games.
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- 4.5 The National Federation shall inform the OCI immediately of the results of any anti-doping test of any athlete who is on the long list submitted to the OCI.
- 4.6 The National Federation shall not submit nominations for athletes who have received Tripartite (IOC/ANOC/IF) invitations, re-allocated places or wildcards or who have achieved qualification by means other than that described in the IOC/ANOC/IF qualification system and in this agreement.

5. Eligibility for Consideration for Diving

- 5.1 Only 'Olympic Qualifying Finishing Positions (OQFP)' standards as agreed by the IOC/ANOC/FINA will be acceptable.
- 5.2 The parties agree that they shall not consider any individual or team eligible to participate as a member of the Irish Olympic Team at the Olympic Games (the "Team") unless he/she/they have achieved or exceeded, as agreed with the OCI, the relevant qualification method or standard as set out by their International Federation and agreed with the IOC and the Association of National Olympic Committees (ANOC) and complies with the nationality requirements as set out in the Olympic Charter and to provide the relevant information to the OCI.
- 5.3 The National Federation agrees that it shall not nominate any individual whose form and/or consistency does not merit nomination. Further, the National Federation agrees to monitor and, if necessary, test an athlete on an ongoing basis in order to ensure his/her current form is of a standard to perform at the Olympic Games.

- 5.4 The National Federation shall not nominate any athlete who is the subject of an anti-doping ban.
- 5.5 The National Federation shall inform the OCI immediately of the results of any anti-doping test of any athlete who is on the long list submitted to the OCI.
- 5.6 The National Federation shall not submit nominations for athletes who have received Tripartite (IOC/ANOC/IF) invitations, re-allocated places or wildcards or who have achieved qualification by means other than that described in the IOC/ANOC/IF qualification system and in this agreement.

6. Close of Nominations to the OCI

The closing date of the nominations to the OCI of athletes for the sport of Swimming is 12th July, 2016.

7. Appeals

- 7.1.1 The National Federation shall have an appeals process available to Team members and have submitted same to the OCI no later than 22nd May, 2015. Any internal appeals process must be concluded prior to nomination to the OCI.
- 7.1.2 Appeals to the OCI may be heard by the OCI Executive Committee or a subcommittee appointed by the Executive Committee for that purpose. It is agreed by the parties that the decision of the OCI is final.

8. Team Members Agreement

- 8.1.1 Each team member must sign the OCI's Team Members Agreement and the IOC eligibility form.
- 8.1.2 Failure to sign the agreement and eligibility form will prevent entry to the Olympic Games.

9. The Announcement of Team Selection

- 9.1.1 The National Federation agrees not to disclose any nominated athlete's name to the press or any other media until the OCI has selected the team member for the Rio Olympic Games and announced it to the press and other media.
- 9.1.2 The National Federation further agrees not to make any announcement to the press or other media in any form relating to any individual or team selected or proposed to be selected by the OCI as a member of the Team unless any such announcement is made jointly by the OCI and the National Federation under the OCI's management and control.
- 9.1.3 The parties agree that no commercial organisation shall be involved in any way in any publicity or advertising at any such joint OCI and National Federation announcement other than one or more of the OCI's sponsors and/or commercial partners.

10. Communication of Information

- 10.1.1 The National Federation shall circulate the information contained in this Agreement and its Schedule(s) to the athletes, team managers, coaches and other relevant individuals within its sport and shall procure their compliance with it.
- 10.2.1 The OCI and the National Federation shall publish this agreement and its schedule on their websites.
- 10.2.2 The OCI shall issue the agreement to all National Federations.
- 10.2.3 The NF shall publish this agreement subsequent to the OCI doing so.
- 10.2.4 The NF shall indemnify the OCI for any loss or damage suffered by it as a result of or in connection with the nomination procedure other than those arising from the OCI's negligence.

11. Medical Data Capture Form

Each team member must complete the OCI Medical Data Capture Form

12. Agreed Events for Olympic Qualification for Pool Swimming

Qualification Events:

- 12.1.1 Qualification can only take place at FINA Approved Meets which are on the FINA Calendar for the 2015 and 2016 seasons
- 12.1.2 The meets must have electronic timing and doping control operated by WADA or by WADA agents
- 12.1.3 Meets which will be used for qualification attempts must also be approved by the National Federation and communicated to and agreed with the OCI
- 12.1.4 Only events listed in the published official programme of the meet may be used for qualification attempts. Events subsequently added to the programme will be ineligible for qualification purposes
- 12.1.5 Meets at which qualification may be attempted and which are subsequently added to the agreed OCI/National Federation list of such meets must also have FINA approval
- 12.1.6 Retrospective FINA approval will not be accepted
- 12.1.7 No other events or meets will be eligible for qualification purposes

Advance notice of qualification attempts

- 12.1.8 The National Federation must receive not less than 4 days' notice, to include details of a discipline, from an athlete entering a meet in order to attempt qualification
- 12.1.9 The notice referred to in 12.1.8 must be forwarded to the OCI via email not less than 3 days before the meet.

13. Agreed Events for Olympic Qualification for Marathon Swimming

Details to be provided by FINA.

14. Agreed Events for Olympic Qualification for Diving

Details to be provided by FINA.

15. Final Selection

15.1.1 The final selection of all Swimming, Open Water, and Diving athletes shall be determined by the OCI and their decision shall be final.

16. Advance Information

16.1.1 Prior to 22nd May, 2015 the National Federation must submit their selection policy of Athletes for the Olympics for recommendation to the Olympic Council of Ireland and the approval of the Olympic Council of Ireland.

16.1.2 Prior to 22nd May, 2015 the National Federation are required to submit their "fit to perform policy for approval by the Olympic Council of Ireland"

17. Key Deadlines

30th January, 2015

The 'Long List' of all potential team members to be submitted by NF and received by the OCI and this must include an updated athlete profile.

29th January, 2016

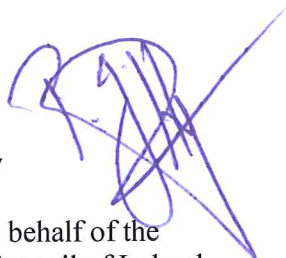
Revised (Short) list to be submitted by National Federation and received by the OCI.

12th July, 2016

National Federation nominations to be received by the OCI with all supporting information for selection.

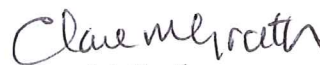
Signed by:

Pat Hickey
President
For and on behalf of the
Olympic Council of Ireland



Signed by:


Clare McGrath
Clare McGrath
Chairman
For and on behalf of Swim Ireland





Dermot Henihan
Honorary Secretary
For and on behalf of the
Olympic Council of Ireland

Date:



Mary McMorrow
Company Secretary
For and on behalf of Swim Ireland

Date:

