

Golf Australia

By-law: Policy about player selection, appeals, disciplinary matters and Australian rankings

1 Definitions

In this by-law:

Term	Definition
Advisory Committee	means the committee consisting of key stakeholders from each state program to help guide the High Performance staff on the future direction of the program
Appeal Tribunal	means the tribunal referred to in clause 4.2.
Athlete	means a golfer who: <ul style="list-style-type: none"> (a) is qualified to be a member of a Team or a Representative; (b) has signed and given to GA such consents or undertakings as it from time to time designates as requirements for selection; and (c) if a minor, has given to GA such acknowledgements or consents, signed by a parent or guardian, as GA from time to time designates.
Athlete Agreement	means the agreement in terms determined from time to time by GA, to be signed by Athletes or Support Staff either: <ul style="list-style-type: none"> (a) generally; or (b) for a particular competition in respect of which they have been selected, to be eligible, or retain eligibility.
Australian Ranking Points Event	means an annual event the winner of which is the Athlete who, at 31 October, or earlier date when all Australian Ranking Events for a year ending 31 October have been held, has the lowest average from Australian Amateur Ranking Events under the Australian Rankings System.
Australian Ranking	means an Athlete's ranking in a relevant category determined by reference to points under the Australian Rankings System.
Australian Amateur Ranking Events	means the events so designated in any GA selection policy or otherwise to categorised by the Board
Australian Rankings Systems	means the systems described in clause 6.
Board	means the board of directors of GA.
CAS	means the Court of Arbitration for Sport.
CAS Costs	means the costs and expenses of CAS and incidental to an appeal to CAS.
External Ranking	means an Athlete's ranking in a relevant category determined by reference to an External Rankings System.

Term	Definition
External Rankings Systems	means: <ul style="list-style-type: none"> (a) R & A World Amateur Golf Rankings; (b) Scratch Players World Amateur Rankings; (c) NCAA rankings; (d) Golf Week College Rankings; (e) Golf Stat College Rankings; and (f) such other rankings or ranking systems, maintained to rank players internationally or within a country other than Australia, as is determined by the Board as relevant and published by GA in a list of External Ranking Systems from time to time.
GA	means Golf Australia.
HP Advisory Panel	means the committee of that name established by the HP Director and ratified by the Board
HP Director	means the person designated by GA from time to time to administer its high performance program.
HP Program	Means as the case requires: <ul style="list-style-type: none"> (a) the Golf Australia HP Program; or (b) any other high performance or elite squad program administered by or under the auspices of GA or one of its members
HP Program Staff	means persons employed, or designated by GA from time to time, to implement its high performance program.
International Committee	means the committee in charge of a competition conducted outside Australia.
IGF	means the International Golf Federation.
Mediator	means a person with training and experience suitable to facilitating a mediation discussion under clause 4.1, appointed by GA
National Coach	means the National Coach appointed in each State by GA to work with GA, their home State HP Programs, national and potential national squad players from that State
National Squad	means the squad by that name comprising of a number of Australia's best male and female amateur players.
Notice	means notice in writing by letter, facsimile, other written means of communication, or email.
Representative	means an individual entered by, or representing GA in a competition.
Selection Advisory panel	means the Panel of that name established by the GA Board. The Selection Advisory Panel will be comprised of three National Coaches, the GA CEO and an appointed GA Board member. The National Coaches to be on the panel for the odd years will be Queensland, Tasmania, and Western Australia and the even years Victoria, New South Wales and South Australia.

Term	Definition
Selection Policy	means the rules and policies about selections in clause 2.
Selectors	means the persons who are members of the Selection Committee.
Squad	means individual Athletes chosen for on-going training generally, or training for a particular competition.
Support Staff/Service Providers	means assistant managers, chiropractors, coaches, conditioners, gear stewards, managers, massage therapists, medical practitioners, nutritionists, physiotherapists, psychologist, section managers, sports scientists, technicians and other officials of a Team or Representatives.
Team	means any team entered by or representing GA in a competition.
Team Manager	means a Support Staff person selected as manager of a Team.
Team Member	means an Athlete or Support Staff person selected by GA as a member of, or to accompany, a particular Team.
Tier 1 Events	means the events so designated by GA from time to time and until any change are those in Appendix 1 Squad and team selections will be based on selecting a team most likely to deliver the best performance for that particular event.
Tier 2 Events	means the events so designated by GA from time to time and until any change are those in Appendix 1. Squad and team selections will be based upon maximising the development opportunities for our up and coming talent and a team most likely to deliver the best performance for that particular event.
Tier 3 Events	means an event that is not a Tier 1 Event or Tier 2 Event: Squad and team selections will be based upon maximising the development opportunities for our up and coming talent

2 Selection Committee

2.1 There will be a selection committee consisting of:

- (a) the HP Director and the selection advisory panel. The HP Director will be the sole selector of Australian Teams and Squads in conjunction with the Selection Advisory Panel.

The selection committee will need an understanding of the following items:

- (a) an understanding of the current requirements for Athletes to compete and have success at the international level;
- (b) understanding of the tools required to have the potential to be a major championship winner or a top 100 world ranking
- (c) an understanding of the long term development of high-performance Athletes;
- (d) an appropriate breadth of knowledge about Australian male and female amateur golfers of all age categories;

- (e) a demonstrated ability to work cooperatively in a team environment;
- (f) ability to attend nominated selection trials in the Selector's home state and to attend selected Australian championships;
- (g) ability to maintain confidentiality;
- (h) an understanding of golf competitions and competition requirements;
- (i) familiarity with modern communication modes, especially email;
- (j) commitment to comply with the '*Golf Australia Members Protection Policy with regard to Working with Children*';
- (k) an understanding of the GA anti-doping policy;
- (l) an ability to give a detailed, comprehensible written report following the conclusion of each event attended by the Selector on conduct of the event and Athlete performance at the event, Selection Committee must keep confidential all matters concerning deliberations of the selection process

2.2 The functions of the HP Director are to:

- (a) Formally convene a meeting with the selection advisory panel (phone, email or face to face) to table the proposed team selection and rationale, for endorsement, and will also highlight who was close to team selection and reasons for their non-selection
- (b) select teams approximately six weeks prior to competition. This provides the best possible balance and allows for adequate preparation time and helps to assist with the aim of having players in reasonable form playing in important events.
- (c) utilize the Golf Australia high performance staff as team managers where appropriate, the national coaches and elite up and coming coaches to be used as coaches during international events. This will allow for better development information being passed back to the home base coach and State HP Programs. It will also give our up and coming elite coaches more education opportunities as they travel and learn from other countries and international players the requirements and tools for success at the international level.
- (d) be responsible for all elements of the preparation phase for events.
- (e) select team managers and coaches who will work under the direction of the HP Director, and will be responsible for ensuring that all playing/practicing, physical, logistical and medical preparation is conducted as efficiently and effectively as possible.
- (f) monitor performance of Athletes in those squads and teams.

2.3 For performance of those functions each Selector must:

- (a) be familiar with requirements:
 - (i) generally of international team competition; and
 - (ii) when published, of each relevant international event;

- (b) ensure in selection discussions any particular requirements of or needs for an event or squad are taken into account;
- (c) attend designated domestic events
- (d) promptly after the end of each event attended send a report to the HP Director and fellow selection committee members containing:
 - (i) brief details about the event and its operation; and
 - (ii) detailed information about the performance of National Squad members or potential members who participated in it;
- (e) comply with the '*Golf Australia Members Protection Policy with regard to Working with Children*';
- (f) ensure communication with other members of the Selection Committee is open, transparent and free of any bias;
- (g)
- (h) present the highest standards of dress and behaviour when attending any golf event or any function in the Selector's capacity as a Selector.

2.4

- (a) National coaches are to attend national ranking events in designated states and provide feedback on players to the selection committee.

3 Process for selection of teams etc.

The Selectors may consider any factor or combination of factors that is, in their opinion, relevant for consideration when selecting an Australian Team.

3.1 Subject to other provisions, the Selectors will take into account Athletes' progress by:

- (a) Australian Ranking;
- (b) External Ranking,
- (c) record in interstate teams matches;
- (d) criteria in clause 3.3(a).

3.2 Without in any way limiting their discretion under clause 0, the Selectors may consider:

- (a) performances in previous Australian Teams;
- (b) overall level and consistency of performance at an international level;
- (c) individual strengths that may contribute to the performance of the Squad or Team as a whole;
- (d) the suitability of an Athlete's game (by reference to its strengths and weaknesses) to the course at which the competition is to be held, taking into account:

- (i) course layout;
 - (ii) known or expected course conditions;
 - (iii) known or expected climatic conditions; and
 - (iv) whether the competition is stroke play or match play, or a combination of both;
- (e) the Athlete's past general behaviour, on-course and off-course, at events in which the Athlete has participated;
- (f) the Athlete's level of physical fitness (determined by reference to appropriate objective reports or tests); and
- (g) the Athlete's ability, determined by the Selectors (acting reasonably), to:
- (i) handle the demands of travel relevant to the event; and
 - (ii) Act co-operatively in a team environment.

3.3 Subject to clause 3.2, the criteria for selection of an Athlete in:

- (a) a Team for a Tier 1 Tier 2 or Tier 3 Events are that the Athlete:
- (i) is an Australian citizen;
 - (ii) is a member of a currently-affiliated golf club; and
 - (iii) if relevant, satisfies particular tournament eligibility criteria (in the tournament conditions for the tournament for which an Athlete is being considered for selection),

3.4 For Tier 3 Events, all selections are at the discretion of the HP Program Director (made after consultation by them with the selection advisory panel).

3.5 To be eligible, or retain eligibility for selection in membership of an Australian Squad or Team, an Athlete must:

- (a) have signed and given to GA the:
- (i) Athlete Agreement; and
 - (ii) Australian Sports Anti-doping Authority (or other relevant body or authority) drug testing form,
- within the time required by GA;
- (b) at all times have abided by GA's '*Code of Conduct*' and "3 strike policy" so not to have brought golf or a Team into disrepute;
- (c) satisfy relevant eligibility requirements in clause 3.3.

3.6 Following selection of a Team:

- (a) all Team Members:

- (i) must meet minimum standards of a behaviour for team members while assembled, travelling or training as part of the Team (and any Team Member who does not, in the assessment of the Board (if the Team has not departed) or Team Manager (after the Team has departed, will be dismissed from the Team));
 - (ii) must immediately inform the Team Manager of any illness or injury that could reasonably impact on the Athlete's ability to perform at the level expected of the Athlete at the relevant event;
 - (iii) must, if required, submit to a medical examination (conducted by a medical practitioner appointed by GA) not less than 2 weeks before the relevant event;
- (b) if at any time before departure for the relevant event any Team Member is assessed as injured, ill or unfit, that Team Member may be withdrawn from the Team at the discretion of the Board;
- (c) Team Members must attend pre-event training and other activities, if so required by GA;
- (d) during the period between the announcement of the Team and the date of departure, may be required to demonstrate that they are physically fit, performing well and likely to compete at a level appropriate to the event for which they have been selected, and in that respect:
- (i) periodic assessment may be made as to the selected Athletes' standard of fitness, progress in training and preparedness for the relevant event in which they have been selected (such assessment to be directed by, and be under the control of the HP Director); and
 - (ii) if, as a result of such assessment, it appears that by reason of ill health, injury or some other matter, a selected Athlete has not maintained their fitness or standard of performance so as to be able to represent Australia at a standard comparable to that exhibited so as to gain selection, the manager will immediately notify the High Performance Director or chief executive officer of GA, and the Board will have the power to withdraw that Athlete from the Team and select a replacement.

3.7 The procedure for notifying the Board of selection recommendations is:

- (a) in respect of Athletes to be selected for the National Squad, HP Director will notify the chief executive officer of GA, who in turn will notify the Board, of the Selection Committee's recommendations;

3.8 Promptly after the Board has ratified selections or selection recommendations:

- (a) HP Director will notify:
 - (i) the selected Athletes of their selection; and

Both by telephone and email;
- (b) In the case of Support Staff, the HP Director will notify those concerned both by telephone and email of their selection.

4 Appeals against non-selection

4.1 The process for dealing with an appeal by an Athlete against non-selection is:

- (a) consultation and mediation by which the Athlete and either the HP Director or a Selector nominated by GA meet (with a Mediator as facilitator) to discuss the decision;
 - (b) if, but only if the parties do not reach agreement by consultation and mediation within seven days (or a shorter period reasonably dictated by time constraints) after the Athlete gives notice under clause 4.15, the Athlete may appeal to the Appeal Tribunal;
 - (c) if, but only if the Athlete is dissatisfied with the decision of the Appeal Tribunal, the Athlete may appeal against the decision to the Appeals Arbitration Division of CAS (**CAS**).
- 4.2 The Appeal Tribunal will consist of the following persons appointed by the Board:
- (a) a barrister or solicitor, who will act as chairman;
 - (b) a person with a thorough knowledge of golf and who preferably has had international competitive or managerial experience in golf; and
 - (c) one other person of experience and skills suitable to the function of the tribunal.
- 4.3 Such appointments will be for a calendar year.
- 4.4 However, if a member of the Appeal Tribunal is unable to engage in a particular hearing, the Board will appoint another person as a member for that hearing.
- 4.5 A person who is:
- (a) a member of the Board or the Selection Committee; or
 - (b) by reason of his or her relationship with:
 - (i) the Athlete concerned;
 - (ii) any member of the Board or Selection Committee; or
 - (iii) any person whose interest may be affected by the outcome of the appeal,is not eligible to be appointed to the Appeal Tribunal;
- 4.6 The Appeal Tribunal will convene a hearing as soon as possible, but in any event not more than seven days, after the submission of the grounds of appeal.
- 4.7 If the Athlete concerned challenges the impartiality of any member of the Appeal Tribunal, the challenge will be determined by the members of the Tribunal other than the member challenged.
- 4.8 The hearing may occur in such manner as the chairman decides, including by telephone or video conferencing.
- 4.9 In any hearing before the Appeal Tribunal:
- (a) the tribunal must observe the rules of natural justice;
 - (b) the tribunal is not bound by the rules of evidence and may inform itself as to any matter in such manner as it thinks fit;
 - (c) the Athlete must establish one or more grounds of appeal to the reasonable satisfaction of the tribunal with full regard to the importance and gravity of the issue;

- (d) if a question of law arises during the course of the hearing, the Athlete or GA may seek an adjournment in order to obtain legal advice; and
 - (e) neither the Athlete nor GA is entitled to be represented by a barrister or solicitor, except with the leave of the tribunal, which leave will only be granted in exceptional circumstances.
- 4.10 Not less than three days (or a shorter period if exigencies reasonably so require) before the hearing, the Selection Committee must provide the Appeal Tribunal and the Athlete with a written statement of the reasons for the decision against which the Athlete appealed.
- 4.11 The Appeal Tribunal will give its decision as soon as practicable after the hearing and will provide GA's Chief Executive Officer and the Athlete with a statement of the reasons for its decision.
- 4.12 If the Selection Committee's decision is set aside, only in extreme circumstances (such as a pressing deadline) may the Appeal Tribunal itself make a selection.
- 4.13 The decision of the Appeal Tribunal will be binding on the parties and, subject only to any appeal under clause 4.18, neither party can institute or maintain proceedings in any court or other tribunal.
- 4.14 The sole grounds for appeal to the Appeal Tribunal are that:
- (a) the Selection Policy was not properly followed or implemented; or
 - (b) the selection process was affected by actual bias.
- 4.15 The Athlete must give written notice of his or her appeal to GA by 5.00pm (Australian Eastern Standard Time) on the second business day following announcement of the Team and contemporaneously pay to GA the sum of \$500 as an appeal fee (which is refundable if at mediation under clause 4.1 or on a subsequent appeal to the Appeal Tribunal the Athlete's appeal is upheld).
- 4.16 The sole grounds for an appeal against a decision of the Appeal Tribunal are:
- (a) a breach of the rules of natural justice by the tribunal; or
 - (b) that there has been an error on a question of law.
- 4.17 Any appeal from a decision of the Appeal Tribunal must be solely and exclusively resolved by CAS according to the Code of Sports-Related Arbitration. The decision of CAS will be final and binding on the parties and it is agreed that neither party will institute or maintain proceedings in any court or tribunal other than CAS.
- 4.18 An Athlete wishing to appeal to CAS must:
- (a) give written notice of that fact to GA's Chief Executive Officer by 5.00pm Australian Eastern Standard Time on the second business day following the announcement of the decision against which the appeal is made; and
 - (b) file a statement of appeal with the CAS, and pay any fee prescribed by CAS rules, within five working days or shorter period prescribed by CAS rules.
- 4.19 Failure to comply strictly with clause 4.18 will render any appeal to CAS a nullity unless, on an application by the Athlete to CAS for an extension of time in which to commence an appeal, CAS grants an extension.

- 4.20 If the Appeal Tribunal or CAS determines to uphold any appeal in respect of the non-selection of an Athlete:
- (a) it will as a matter of usual practice refer the question of re-selection back to the Selection Committee for determination in accordance with the Selection Policy; and
 - (b) CAS will itself only conclusively determine the issue of selection of Athletes where CAS has determined that it would be impractical to refer the question of selection back to the Selection Committee in the time available.
- 4.21 The Athlete and GA will bear CAS Costs in the proportions determined by CAS rules or CAS as the case may be.
- 4.22 An Athlete may withdraw his or her appeal by written notice to GA (and also CAS if the Athlete has appealed under clause 4.18) at any time before the appeal has been decided.
- 4.23 For removal of doubt, an Athlete who appeals against non-selection is bound by all the preceding provisions of this clause 4.

5 Managers and other Support Staff

- 5.1 The:
- (a) GA HP staff will be considered for roles as the Manager of international teams where appropriate:
 - (b) National Coaches will be considered for roles as the coach of international team competitions.
 - (c) Coach development will be an important consideration when appointing Australian Team Coaches
- 5.2 The HP Director will make recommendations to the CEO and responsible Board member for appointments of support staff.
- 5.3 The HP Director will communicate with state associations to identify potential support staff.
- 5.4 The HP Director to communicate with potential support staff prior to team being announced.
- 5.5 Persons appointed as Support Staff personnel will be notified of their appointments:
- (a) Support staff to be named after team is announced for best player -support staff relationship
 - (b) for a particular event, not later than two months before the commencement date of the event.
- 5.6 Despite any other provision, the Board may:
- (a) terminate the appointment of a manager or other member of the Support Staff at any time; and
 - (b) in the case of a vacancy, replace an appointee who has died, resigned or whose appointment has been terminated.

5.7 Attributes to be taken into account in the case of prospective appointees as Team managers are:

- (a) an understanding of the current requirements for Athletes to compete at international level;
- (b) ability to understand concerns of and communicate effectively with squad and team members;
- (c) the ability to work cooperatively in a team environment;
- (d) commitment to comply with the '*Golf Australia Members Protection Policy with regard to Working with Children*';
- (e) an ability to give a detailed, comprehensible written report following the conclusion of each event attended by the manager on conduct of the event and Athlete performance at the event,
- (f) having high-level organisational and logistical capabilities, particularly relating to group travel and managing in a team environment,

all of which are desirable attributes.

6 Australian Ranking Systems

6.1 The Australian Ranking Systems will:

- (a) seek to rank the performances of amateur golfers within their defined category over a 12 month period;
- (b) provide a mechanism for establishing fields (entry standard) for GA and other tournaments;
- (c) aim to increase participation in Australian Amateur Ranking Events;
- (d) be meaningful, respected, transparent and robust;
- (e) provide a supporting tool for Team selections;
- (f) be implemented and maintained in the following categories for both males and females:
 - (i) Open;
 - (ii) Junior (under 18 years);
 - (iii) Senior (55 years and over); and
 - (iv) such other categories as the Board from time to time determines.

6.2 Those systems will:

- (a) commence on 1 November each year and conclude on the following 31 October;
- (b) operate on a 12 month rolling period; and
- (c) will be points-based (rather than using a scoring average), so players are neither advantaged nor disadvantaged by course difficulty.

- 6.3 A player is not required to compete in a minimum number of events to be eligible to win the Australian Ranking Points Event in their category.
- 6.4 A player's points will be divided by a minimum divisor, (which is based on the number of events a player can realistically contest each year, taking into account historical evidence and aimed at a desirable 45-55% of available events) and which for each category is:
- (a) Open (Men): 9
 - (b) Open (Women): 7
 - (c) Juniors (Boys): 6
 - (d) Juniors (Girls): 4
 - (e) Seniors (Men): 8
 - (f) Seniors (Women): 5
- 6.5 The points gained by a player from each Australian Amateur Ranking Event in the previous year will be replaced by the current year's event's points.
- 6.6 Points are allocated to different events depending on the importance of the event. The more prestigious the event or the higher the quality of players competing in the event (based on the specific event's past fields), the more points are allocated to each position in that event. Allocation of points for a specific event may change from year to year.
- 6.7 Events which comprise stroke play rounds followed by match play rounds are considered two separate events.
- 6.8 The events listed in Appendix 1 are included in the respective Australian Ranking Systems

7 Alterations – Powers etc.

- 7.1 A power to adopt policies and make and alter by-laws is conferred on GA by its constitution (limited only to the extent the policy or by-law must not conflict with the constitution) and no such power need be separately conferred by this by-law.
- 7.2 Any change to this by-law will be publicised in ways provided for in clause 8.
- 7.3 GA is not liable to an Athlete or other person who is affected in any way by a change in policy reflected in this by-law or change to this by-law.

8 Publicity and promotion

- 8.1 GA will publicise this by-law in a reasonable way having regard to the location and interests of the Athletes and others who reasonably ought to be made aware of its contents.
- 8.2 That will include (but not necessarily be limited to):
- (a) publication on GA's web site;
 - (b) emailing copies to those Athletes and others (including GA's members) as are reasonably identified as being primarily interested in, or needing to know, its content;

- (c) publication on GA's web sites of warnings about impending important dates, such as closing dates for entries in Australian Amateur Ranking Events and performance qualification periods; and
- (d) conducting seminars and training or information forums for current and potential Athletes.

9 Policy/by-law review

- 9.1 GA will review at any time and in any case will review annually, each December, the policy and provisions contained in this by-law, including this clause 9, as to their efficacy and their continued propriety in the light of any changed circumstances GA considers relevant.
- 9.2 The review will include, but not necessarily be limited to, examination of whether or not:
 - (a) the Australian Rankings Systems apparently are functioning in an appropriate way;
 - (b) the selection processes (including selection criteria) have resulted in selection of Squads or Teams which have delivered acceptable results (for the purpose of which the reviewers must consider whether performance by Athletes at events for which they were selected reasonably could have been foreseen at the time of selection and whether at that time any Athletes not selected reasonably could have been expected to perform better than any who were); and
 - (c) the selection processes and criteria and appeal rules have a high level of Athlete acceptance as reasonable and appropriate,

and in any case whether or not change might bring about improvement from the point of view of GA or Athletes.

10 By-law commencement

This by-law was approved by the Board, and commences, on [

] 2011.

