

## **CONFIDENTIAL**

### **LAWN TENNIS ASSOCIATION LIMITED**

#### **SELECTION POLICY FOR NOMINATION TO THE BRITISH OLYMPIC ASSOCIATION FOR THE GREAT BRITAIN TENNIS TEAM AT THE TOKYO 2020 OLYMPIC GAMES**

##### **1. Overview**

- 1.1 This document outlines the process by which Lawn Tennis Association Limited (the LTA) will arrive at its decisions to nominate players to the British Olympic Association (the BOA) for selection for the Team GB entry into the Tokyo 2020 Olympic Games (the Games). The names of the players selected will be put forward to the International Tennis Federation (the ITF) to consider against the ITF Qualification System (<https://event.itftennis.com/media/302284/302284.pdf>) for acceptance into the Games. Please note that the ITF's 2020 Olympic Tennis Event Regulations state that each country is only able to enter a maximum of 6 men and 6 women (with a maximum of 4 men and 4 women in the singles events and a maximum of two teams in both men's and women's doubles) across all the tennis events at the Games.
- 1.2 Notwithstanding anything else in this policy, the LTA Selection Panel shall utilise its discretion, when assessing which athletes/ combinations of athletes to nominate for selection to the Games, to determine which players and/or pairings have (a) the highest prospects of acceptance into the relevant events at the Games, and (b) the greatest chance of medal success at the Games. As such, should an athlete secure a quota place or otherwise be eligible to compete at the Games, this shall not guarantee such athlete's nomination and in fact – subject to the provisions set out in this policy – the LTA shall reserve the right to nominate whichever combination of singles/ doubles/ mixed doubles players ultimately provides the best chance of medal success.

##### **2. Selection Criteria**

All players must first meet the Essential Eligibility Criteria set out at paragraph 2.1 below before they are assessed against the Specific Selection Criteria for each event set out at paragraph 2.2.

###### **2.1 Essential Eligibility Criteria**

To be eligible for consideration by the LTA Selection Panel, each player must:

- have British nationality and hold a valid British Passport and be eligible to represent Great Britain under the Rules of the ITF (<https://www.daviscup.com/media/299263/299263.pdf> or <https://www.fedcup.com/media/299243/299243.pdf>);
- comply with the eligibility requirements for the Games as set out in the ITF's 2020 Olympic Tennis Event Regulations (which can be found at <https://event.itftennis.com/media/267450/267450.pdf> )
- comply with the provisions of the Olympic Charter (which can be found at <https://www.olympic.org/documents/olympic-charter> );
- be approved by the LTA as medically fit to perform;
- have no pending or outstanding anti-doping violations.

All players meeting the Essential Eligibility Criteria can then be considered for nomination by the LTA Selection Panel against the specific Selection Criteria. The LTA Selection Panel will use its expert knowledge and discretion in assessing players against these criteria.

## 2.2 Specific Selection Criteria

### 2.2.1 Men's and Women's singles

2.2.1.1 The Men's and Women's Singles events will each consist of a draw of 64 players, with a maximum of four players per country. The breakdown of the places in each is as follows and can be found here <https://event.itftennis.com/media/302284/302284.pdf> :

- (i) 56 direct acceptance places based on the ATP/WTA rankings as of 7 June 2021;
- (ii) 8 Final Qualification Places (ITF Places) into each draw, awarded based on:
  1. Continental Qualification – the following athletes will qualify for an ITF Place provided his/her ranking is within the top 300 on the Singles Rankings of 7 June 2021 and provided the quota for the athlete's NOC has not already been filled via Direct Acceptance.

Continent	Qualification Route	Quota Place	Quota per gender
North & South America	2019 Pan American Games	Singles first placed and runner up	2
Asia	2018 Asian Games	Singles first placed	1
Africa	2019 African Games	Singles first placed	1
Europe	Universality	Highest ranked athlete on the Singles Rankings that is from an NOC not yet represented in singles	1
Oceania	Universality	Highest ranked athlete on the Singles Rankings that is from an NOC not yet represented in singles	1

*(Note: Athletes who achieve both a Continental Games qualification place and, subsequently, a Direct Acceptance ranking, will qualify using the Continental Qualification quota place)*

2. Olympic Gold Medallist/Grand Slam Champion (one (1) quota place) - an athlete who has not achieved Direct Acceptance but who has previously won a Gold Medal in the Olympic Singles competition or who has won a Grand Slam singles title will qualify, provided his/her ranking is within the top 300 in the Singles Rankings on 7 June 2021 and provided the quota for their NOC has not already been filled via Direct Acceptance and Continental Qualification. If more than one (1) athlete meets these criteria, the place will be allocated to the athlete with the higher number of titles. Should two (2) or more athletes meet these criteria and have the same number of titles, the highest ranked athlete on the 7 June 2021 Singles Rankings will qualify.
3. Host Nation Place – if the Host Nation does not have a representative via Direct Acceptance or through a Final Qualification Place (ITF place) above, its highest ranked athlete based on the Singles Rankings of 7 June 2021 shall qualify. If the highest ranked athlete is ineligible for selection (through injury, or according to the eligibility requirements in section C of the ITF Qualification System, or for any other circumstance acceptable to the ITF) then its next best ranked eligible athlete shall qualify.

2.2.1.2 Taking into account the process for acceptance outlined at 2.2.1.1 the LTA Selection Panel will provisionally nominate in ranking order (subject to 2.2.4) up to a maximum of 4 singles players who have qualified for the Men's or Women's singles at direct acceptances based on the ITF acceptance list using ATP and WTA rankings as of 7 June 2021.

2.2.1.3 If there are less than 4 men or women who have qualified as a direct acceptance based on the ITF acceptance list, the LTA Selection Panel will then consider any athletes who are eligible to be nominated for an ITF place.

2.2.1.4 Before finalising which players to provisionally nominate the LTA Selection Panel will also consider the following factors:

- (i) **Professional commitment and conduct:** the LTA will only nominate a player who has demonstrated the highest level of commitment, professionalism and dedication towards their tennis.
- (ii) **Fitness or recent injury / illness:** a player must be medically fit to perform at their best at the Olympic Games. If there is a fitness concern over a player the process outlined at paragraph 7(i) will be followed to deem whether they are fit to compete. The LTA Panel may also consider cases where a player has suffered from injury, illness or other exceptional circumstances which may have limited ranking progression and prevented a player from achieving a high enough ranking or results to warrant consideration in paragraphs 2.2.1.1 (i) and (ii).
- (iii) **Composition of team:** pursuant to clause 1.2, the LTA may elect not to nominate athletes who qualify a singles Direct Acceptance place if, in their discretion, they believe that nominating a higher proportion of doubles players will lead to a greater chance of medal success.

Once the provisional nominations for Men's and Women's singles have been confirmed, they will be further considered at 2.2.4 as required in order to determine the final composition of the team.

## **2.2.2 Men's and Women's doubles**

2.2.2.1 The Men's and Women's Doubles events will each consist of a draw of 32 teams, with a maximum of two teams per country in each draw. The breakdown of the places in each is as follows:

- (i) 31 direct acceptance places based on the international rankings as of 7 June 2021. These will be awarded as follows:
  - Doubles Ranking – Top 10: Athletes ranked 1 to 10 in the Doubles Ranking on 7 June 2021 will gain Direct Acceptance for the doubles event, providing:
    - i. their nominated partner has a minimum ranking of 300 on the Singles or Doubles Rankings of 7 June 2021;
    - ii. they and their partner have been nominated as a Doubles team by their respective NOC/National Association; and
    - iii. the nomination does not bring the total number of competitors of the respective gender from that NOC to more than six (6).
  - Combined Ranking: Additional places up to and including the 24th Direct Acceptance team will be allocated to the highest ranked teams based on the Combined Ranking of each team on 7 June 2021.
  - Singles Priority: Following allocation of the first 24 Direct Acceptance places, should the quota of 86 athletes per gender not yet be reached, additional places will continue to be allocated based on the above 'Combined Ranking' process. At the point that the quota is reached, any remaining team places in the Doubles event will be allocated according to the below, in priority order:
    - i. Highest combined ranked teams with both athletes accepted into the singles event
    - ii. Highest combined ranked teams with one athlete accepted into the singles event
    - iii. Highest combined ranked teams remaining

*Note: In the event of tied combined rankings in doubles events, the ITF will implement the relevant Grand Slam rules in force as at 7 June 2021 to resolve the tie(s).*

- (ii) 1 Host Nation Place:

The highest ranked nominated team from the host nation will qualify directly provided the Combined Ranking of the team does not exceed 300.

2.2.2.2 As stated at paragraph 1 above, Team GB is only able to enter a maximum of 6 men and 6 women across all the tennis events at the Games. The LTA Selection Panel will assess which players

and/or pairings have (a) the highest prospects of acceptance into those events, and (b) the greatest chance of medal success in order to maximise the representation and medal potential of Team GB. This may result in NOC nominations being weighted towards singles, or alternatively towards doubles, at the LTA's discretion based on the factors set out in this policy.

2.2.2.3 Taking into account the considerations outlined at paragraph 2.2.2.2, the LTA Selection Panel will use its expert knowledge to identify and nominate a maximum of two teams in each draw which are likely to progress in the tournaments and represent genuine prospects of medal success.

2.2.2.4 Rankings (singles and doubles) will be a consideration when selecting players for both doubles teams to maximise the likelihood of acceptance into the draw. However the LTA recognises that the best partnership, with the greatest medal potential on court must be put forward and this may mean that the best ranked individual players may not be paired together or indeed selected. In making this decision, the LTA Selection Panel shall utilise its absolute discretion as to which players and combinations offer the greatest medal potential, taking into account factors such as the previous playing record of the proposed doubles team (if applicable, and with particular consideration being given to performance in ATP/WTA tour events and team events (including Davis/Fed Cup)), the likelihood of the proposed team being offered a place in the draw and its expert knowledge as to whether the players under consideration have complementary playing styles. With this in mind consideration will also be given to the following factors (in no particular order):

- (i) **Recent results:** the quality of recent results (or those prior to a recent injury) in other events will be considered. This will mean ATP/WTA or Grand Slam events. As a guide, results from the last three months will be the most relevant.
- (ii) **Regular partner:** the selection panel may consider how frequently a doubles team have played together in their careers, recognising that this may at times be unachievable due to: 1) a regular non British partner; 2) a different playing schedule; or 3) an inability to gain acceptance due to cut offs being higher than the combined ranking of the team.
- (iii) **Top 10 doubles ranking:** whether a player has a top 10 ATP / WTA doubles ranking (on 7 June 2021) given that this would result in automatic acceptance of such player.
- (iv) **Professional commitment and conduct:** The LTA will only nominate players who have demonstrated the highest level of commitment, professionalism and dedication towards their tennis. The conduct of players may be taken into consideration, including if the player has been a breach of any LTA rules, regulations or codes of conduct or those of the ATP/WTA tour or the Grand Slam events.
- (v) **Fitness:** Players must be medically fit to perform at their best at the Olympic Games. If there is a fitness concern over a player the process outlined at paragraph 7(i) will be followed to deem whether they are fit to compete. The LTA Panel may also consider cases where a player has suffered from injury, illness or other exceptional circumstances which may have limited ranking progression and prevented a player from achieving a high enough ranking or results to warrant consideration in clause 2.2.2.4.

2.2.2.5 Once the LTA Selection Panel has confirmed their nominations, these will be further considered at 2.2.4 in order to finalise the composition of the team.

2.2.2.6 Once the composition of the team has been finalised by the BOA, the ITF will consider whether the nominated teams qualify for either a direct acceptance or an ITF Place in the draw in accordance with the ITF Qualifying System (which can be found at the link above in 1.1).

### **2.2.3 Mixed doubles**

2.2.3.1 The Mixed Doubles event will each consist of a draw of 16 teams, with a maximum of two teams per country. Mixed Doubles teams will be selected from athletes that have been accepted for the Singles and/or Doubles events and will therefore already be on-site. Entries for the Mixed Doubles must be made on-site to the ITF by 11am on TBC (likely on or around 27 July). A maximum of four (4) athletes (i.e. two (2) teams) from any one NOC may enter the Mixed Doubles event. Note: In the event of tied combined rankings in doubles events the ITF will implement the relevant Grand Slam rules in force as at 7 June 2021 to resolve the tie(s).

The breakdown of the places is as follows:

(i) 15 direct acceptance places which will be allocated to the highest ranked teams based on the Combined Ranking of each team as of 7 June 2021.

(ii) 1 Host Nation Place, the highest ranked nominated team from the host nation will qualify directly provided both athletes have already qualified for the Singles and/or Doubles events.

2.2.3.2 The LTA Selection Panel will put two teams forward for selection. Players for those teams will be primarily selected based on rankings to ensure the teams with the lowest combined world ranking are nominated. Players for the event must be drawn from players already competing in a singles or doubles event.

2.2.3.3 However, the LTA recognises that the best partnership on court must be put forward and this may, in exceptional circumstances, mean that the lowest ranked individual players may not be paired together. In making this decision, the LTA Selection Panel shall take into account the previous playing record of the proposed doubles team (if applicable), the likelihood of the proposed team being offered a place in the draw and use its expert knowledge to analyse whether the players under consideration have complementary playing styles.

2.2.3.4 The deadline for entry forms to the ITF for this event is 11am (local time in Tokyo) on TBC (likely to be on/around 27 July) and therefore the LTA Selection Panel shall likely convene the day prior to agree which players shall be nominated for selection. As soon as possible after that meeting, the Team GB Tennis Team Leader will inform the players considered for nomination of the decision of the LTA Selection Panel.

2.2.3.5 Once the LTA Selection Panel's nominations have been confirmed by the BOA, the ITF will consider whether the nominated teams qualify for either a direct acceptance or an ITF Place in the draw in accordance with the ITF Qualifying System (which can be found at the link above in 1.1).

#### **2.2.4 Composition of the team**

The Selection Panel may encounter a scenario where more players meet the qualification criteria for places in the singles or doubles events (as stated at paragraph 1). In this situation, and in maximising representation across the events, using their expert judgement the Selection Panel will prioritise their nominations as follows:

1. Players (or teams) with the potential to win a medal in singles or doubles (in determining this the selection panel will consider performances at Grand Slam / ATP 1000 / WTA Premier level (as well as ATP / WTA singles and doubles rankings))
2. Players who are likely to gain acceptance into the Olympic singles event (and also therefore also be eligible for consideration into the doubles event)
3. Players who are likely to gain acceptance into the Olympic doubles event only

This may mean that the initial nominations for doubles may need to be re-considered in order to comply with the maximum team size.

### **3. Timeline**

Owing to the length of the qualification period set by the International Tennis Federation (ITF) (which will close with the ATP/WTA ranking lists published in the week beginning 7 June 2021), the time frames are short for:

- selection nominations by the LTA Selection Panel;
- any player appeals in accordance with the Selection Appeals Procedure set out at Appendix B;
- selection consideration by the BOA; and
- possible appeals to the BOA by the LTA in the event of a player nominated by the LTA not being offered a place on the team by the BOA.

The key dates to remember are set out at Appendix A.

#### **4. LTA Selection Panel**

It is the responsibility of the LTA to nominate the players for the tennis team at the Games and provide these nominations to the BOA for ratification. The LTA delegates this responsibility to the LTA Selection Panel.

The Selection Panel will consist of the following:-

- Team GB Tennis Team Leader (Iain Bates);
- LTA Head of Men's Tennis and GB Davis Cup Captain (Leon Smith);
- LTA GB Fed Cup Captain (Anne Keothavong);
- LTA Senior Performance Advisor (Louis Cayer);
- LTA Performance Director (or their nominee)

Iain Bates will chair the LTA Selection Panel. A member of the LTA Legal Team may attend the selection meeting to advise the LTA Selection Panel on the application of this policy.

The LTA Selection Panel will meet on or around 10 June 2021, following publication of the ATP/WTA singles and doubles rankings, to determine which players will be provisionally nominated to the BOA for selection for the Games. In making these decisions the LTA Selection Panel will assess players eligible for consideration against the Selection Criteria set out below. Mindful that the ITF will only publish a full list of entries on 29 June 2021, the LTA may make a number of provisional nomination decisions on 10 June 2021 which are contingent on different permutations arising after the 29 June, in order for affected athletes to appeal in a timely fashion.

The LTA Selection Panel may invite specialists working with the LTA Performance Programme in sports science and medicine to submit supporting information on players under selection consideration. This information may be delivered in person or in writing.

The BOA is invited to have a non-voting observer at the selection meeting.

If any member of the LTA Selection Panel has a perceived, potential or actual conflict of interest on a selection matter, the member shall declare that interest and the chair of the Selection Panel will determine how the conflict will be managed to ensure fairness. If the chair of the Selection Panel has a perceived, potential or actual conflict of interest on a selection matter, the LTA Performance Director (or their nominee) shall determine how the conflict will be managed.

#### **5. Confidentiality**

All players, coaches, members of the support team and any other individuals involved in the selection process must keep all information relating to the selection process confidential and not disclose any information regarding the process, the nominated athletes and the team selected

unless authorised to do so by the LTA. The BOA and the LTA will work together to agree a media release and announcement of the tennis team for the Games once the team has been finalised.

## **6. Changes to the Selection Process**

The LTA reserves the right to amend or vary this Selection Policy where necessary at any time in order to meet the requirements of the BOA, ITF or International Olympic Committee (IOC). Any such amendments or variations will be clearly communicated to all parties.

## **7. Delegation Registration Meeting (DRM) – 7 July 2021**

Prior to the date of the DRM, the LTA may retain the right to deselect (in consultation with the BOA) an athlete on any grounds in accordance with this selection policy. No variation to the published selection/de-selection policy or criteria is allowed without the prior approval of the BOA.

After the DRM has been completed, de-selection and selection of a replacement athlete is only allowed in accordance with the IOC's Late Athlete Replacement Policy (or any revised or amended IOC policy dealing with athlete replacement). This primarily provides for replacement in the case of injury and/or illness. In the event of there being a query over the ability of an athlete to be able to compete to the best of his/her ability due to an injury or illness the following procedure will be adhered to:

(i) the Team's Chief Medical Officer can require an athlete to undergo a medical examination to determine his/her fitness to participate. This examination will be carried out by the Team's Chief Medical Officer or another doctor delegated by him/her. If the athlete fails the medical examination he/she will be withdrawn from the Team and the LTA may (if appropriate) nominate a replacement athlete in accordance with its selection policy.

(ii) if the athlete passes the medical examination carried out in accordance with (i) above but the LTA and/or the BOA still have concerns over whether or not the athlete is able to compete to a level which would ordinarily have been expected of the athlete due to the underlying injury or illness, the Chef de Mission (in consultation with the LTA) can require the athlete to undergo a set of pre-determined sports specific performance tests. The tests will be conducted under the guidance of the sport's Team Leader (or his/her delegate e.g. team physiotherapist) and a BOA representative or delegate will be present (if possible/available). If the athlete fails the test (which can be undertaken on more than one occasion and within a short time frame if appropriate), he/she will be withdrawn from the Team on medical grounds and, if appropriate, a replacement can be nominated by the LTA in accordance with the criteria set out in this Selection Policy.

## **8. Appeals**

The Selection Appeals Procedure is attached at Appendix B.

No Appeals will be allowed against the content of this published Selection Policy (as amended from time to time).

## **9. Team GB Team Members' Agreement**

All selected players will be required to sign the BOA's Tokyo 2020 Team Members' Agreement (the **TMA**) as a condition of their membership of Team GB. The TMA is a legally-binding document produced by the BOA and its terms are non-negotiable.

## **10. Ultimate Authority**

The BOA has the ultimate authority for the final selection decisions for the Games. If the BOA does not endorse a nomination made by the LTA, it is the LTA's responsibility, not the individual player's, to pursue any appeal.

APPENDIX A

TIMELINE

<b>16 March 2020</b>	Ranking used for Pre-Emptive Appeals (based on no DC/FC eligibility).
<b>14 July 2020</b>	ITF to write to National Associations (NAs) with players inside ATP/WTA top 100 singles and top 50 doubles, inviting pre-emptive appeals for those players who have not met the Davis Cup/Fed Cup minimum participation requirements and who have no more opportunities to participate..
<b>1 August 2020</b>	Deadline for LTA submission to the BOA of long list of players who could qualify for the Games.
<b>18 September 2020</b>	Deadline for ITF to receive appeals from NA's.
<b>1 October 2020</b>	BOA will send the online questionnaire to all those named on the long list who have not yet completed it.
<b>13 October 2020</b>	ITF Olympic Committee appeals hearing (1)
<b>14 October 2020</b>	ITF to inform NAs of appeals outcome
<b>1 November 2020</b>	Database Forms and Eligibility Forms to be submitted by LTA to BOA
<b>1 February 2021</b>	Deadline for LTA submission to the BOA of short list of players who could qualify for the Games
<b>February/March 2021</b>	Team Members' Agreement and Eligibility Forms to be sent to all athletes on the short list
<b>7 June 2021</b>	Ranking lists published, determines direct acceptances.
<b>10 June 2021</b>	ITF to inform NAs/NOCs of qualified players for direct acceptance for men's/women's singles events.
<b>10 or 11 June 2021</b>	LTA Selection Panel convenes to decide which players shall be nominated to the BOA for selection for the Games
<b>11 June 2021</b>	Players will be informed of nomination for selection (or otherwise) by 12 noon. Should a player wish to appeal the decision of the LTA Selection Panel, he/she must follow the Selection Appeals Procedure.
<b>11 June 2021</b>	LTA to confirm nominations to the BOA (subject to any appeals) post 12 noon.
<b>17 June 2021</b>	Final Appeals Deadline (17.00 UK time) for any players not meeting the Davis Cup / Fed Cup eligibility requirements who have not appealed and who now qualify based on the 7 June rankings.
<b>17 June 2021</b>	NAs/NOCs to confirm entry of qualified players to the ITF and submit nominations for men's/women's Doubles events and to submit any appeals not yet heard.



<b>21 June 2021</b>	ITF Olympic Committee appeals hearing (2) with outcomes communicated to NA's asap.  ITF publish full list of entries and the players nominated for the team by the LTA will be confirmed.
<b>5 July 2021</b>	<b>Tokyo 2020 Sport Entries Deadline.</b>
<b>5 July 2021</b>	ITF to reallocate all unused quota places.
<b>7 July 2021</b>	Delegation Registration Meeting ( <b>DRM</b> ) between the BOA and the Tokyo Organising Committee for the Olympic Games ( <b>OCOG</b> ) during which the BOA will confirm the members of Team GB by submitting the formal entry forms for each sport to OCOG.
<b>[23 July –8 August] 2021</b>	Olympic Games Tokyo 2020.
<b>23 July 2021</b>	Tokyo 2020 Olympic Games begin. Opening ceremony
<b>24 July 2021</b>	Tokyo 2020 Olympic Tennis Event begins
<b>26 July 2021</b>	LTA Selection Panel convenes to decide which players shall be nominated to the BOA for selection for the Mixed Doubles event
<b>TBC July 2021 (likely 27 July)</b>	Deadline for ITF to receive on-site entries from NOC's into the Mixed Doubles Event – 11am (Tokyo time).
<b>30 July 2021</b>	Men's Doubles Gold (& Bronze) Medal Match
<b>31 July 2021</b>	Women's Singles Gold (& Bronze) Medal Match; Men's Singles Bronze Medal Match; Women's Doubles Bronze Medal Match; Mixed Doubles Bronze Medal Match
<b>1 August 2021</b>	Men's Singles Gold Medal Match; Women's Doubles Gold Medal Match; Mixed Doubles Gold Medal Match

## APPENDIX B

### LAWN TENNIS ASSOCIATION LIMITED'S SELECTION APPEALS PROCEDURE FOR TOKYO OLYMPIC GAMES 2020

#### 1. Introduction

This document sets out Lawn Tennis Association Limited's (the **LTA**) Appeals Procedure for all appeals by players in respect of the LTA's decisions to nominate players to the British Olympic Association for selection to compete at the Olympic Games 2020 (a **nomination decision**).

#### 2. Parties and Arbitration Agreement

2.1 This Selection Appeals Procedure is binding on the LTA and on each player who is seeking selection to any Great Britain team nominated by the LTA.

2.2 The Selection Appeals Procedure forms the entire agreement between each athlete and the LTA (together the **Parties**) as to how selection decisions are to be challenged. The Parties agree:

- (a) to submit any dispute concerning any matter connected with or arising out of the nomination process to binding arbitration in accordance with the provisions of this Procedure;
- (b) not to commence, continue or maintain any legal challenge to any matter falling under the jurisdiction of the Selection Appeals Panel before any court of law or dispute resolution body without first following this Procedure;
- (c) to treat decisions properly made under this Selection Appeals Procedure as final and binding;
- (d) this Procedure is an arbitration procedure for the purposes of Part 1 of the Arbitration Act 1996 (the **Act**) and the provisions of this clause 2 amount to a binding arbitration agreement for the purposes of section 6 of the Act. The seat of the arbitration shall be England.

#### 3. Grounds of Appeal

3.1 A player may appeal against a nomination decision only on the grounds that:

- (a) there has been a failure to apply the applicable selection criteria; and/or
- (b) there has been a failure to adhere to the procedure set out in the applicable Selection Policy.

3.2 The player does not have a right of appeal against any judgment or discretion exercised in the course of making a nomination decision, or against the content of the applicable selection criteria.

#### 4. How to Appeal

4.1 This Appeals Procedure is commenced when a player affected by a selection decision, or the player's authorised representative, submits a formal written appeal (the **Notice of Appeal**) to the Head of Legal of the LTA (or their nominee) at The National Tennis Centre, 100 Priory Lane, Roehampton, London, SW15 5JQ, email address [pamela.woodman@lta.org.uk](mailto:pamela.woodman@lta.org.uk), with a copy to the Team GB Tennis Team Leader ([jain.bates@lta.org.uk](mailto:jain.bates@lta.org.uk)).

4.2 The Notice of Appeal must be received by the LTA within 72 hours of the selection decision being announced or communicated to the player, whichever is later.

4.3 If the player fails to submit the Notice of Appeal within the time limit set out in this Appeals Process he or she will have lost their right of appeal.

4.4 The Notice of Appeal must set out full details of the player's ground(s) of appeal and include:

- (a) details of the decision which the player is appealing;
- (b) details of the ground(s) of appeal upon which the player relies, including the precise manner in which the player alleges that the selection criteria have not been applied or in which the procedure set out in the applicable Selection Policy has not been followed; and
- (c) any documents or written evidence upon which the player relies in support of his or her appeal. These documents must be relevant specifically to the player's grounds of appeal.

4.5 The Notice of Appeal must be accompanied by a deposit of £500.00, payable to LTA Operations Limited, as a contribution towards the administrative costs of processing the Appeal.

## 5. The Appeal Panel

5.1 The Appeal Panel shall be convened by Sport Resolutions and will normally (though not always) consist of three persons including a Chair who shall be a legally qualified person.

5.2 In the event that any member of the Appeal Panel has any involvement with, or is related to an appellant or any player who might be affected by the outcome of the Appeal, or had any involvement with the selection decision under appeal, or is in any way placed in a position of conflicting interests in respect of the appeal, he or she shall be disqualified from sitting on the Appeal Panel and will be replaced by an independent alternate who shall be nominated by Sports Resolutions.

## 6. Conduct of the Appeal

6.1 Upon receipt of the Notice of Appeal the Head of Legal will notify as soon as possible Sport Resolutions (company number 03351039) and provide Sport Resolutions with a copy of the Notice of Appeal. Sport Resolutions will then as soon as reasonably practicable notify the LTA and the appellant of the members of the Appeal Panel.

6.2 A player or the LTA may object to the composition of the Appeal Panel by notifying Sport Resolutions of the objection and setting out the reasons for such an objection (the **Objection**) no later than two days from the date of the notice of the composition of the Appeal Panel.

6.3 Sport Resolutions shall within three days from the date of the receipt of an objection, notify the player and the LTA that either:

- (a) the composition of the Appeal Panel has been changed and provide details of the new Appeal Panel; or
- (b) the composition of the Appeal Panel has not changed and give reasons why it has not accepted the Objection.

The decision of Sport Resolutions on the composition of the Appeal Panel under this Rule shall be final.

6.4 The Chair of the Appeal Panel will convene a hearing to take place as soon as practical, and in any event within five working days of receipt of the Notice of Appeal by the LTA, at which the Appeal Panel will consider the Notice of Appeal.

6.5 The Chair of the Appeal Panel shall consider whether the interests of any player(s) other than the Appellant (the **Interested Party** or **Interested Parties**) may be affected by the nomination decision under consideration and may direct that such Interested Party/ Interested Parties are joined to the Appeal. Where any Interested Parties are so joined, the Appeal Panel will determine the rights of the Interested Parties and they shall be prohibited from raising matters already ruled upon as separate or further appeals.

6.6 The Chair of the Appeal Panel shall give such directions as are appropriate for consideration of the matter, in particular:

- (a) the date and place at which the Appeal Panel shall meet to determine the Appeal;
  - (b) whether the Appeal will proceed by way of written submission or an oral hearing; and
  - (c) whether the parties and Interested Parties should be required to submit statements of their evidence and/or written submissions prior to the hearing, and if so, a timetable for doing so.
- 6.7 The Appeal Panel will consider the grounds set out in the Notice of Appeal and establish to their reasonable satisfaction whether or not there has been a failure to apply the applicable selection criteria and/or that there has been a failure to adhere to the procedure set out in the applicable Selection Policy.
- 6.8 The Appeal Panel shall be entitled to:
- (a) confirm the nomination decision under appeal and reject the Appeal; or
  - (b) allow the Appeal and quash the nomination decision under appeal and remit the matter back to the original decision maker identifying the errors they have identified in the conduct of the selection process and requesting that a new decision is made within 48 hours.
- 6.9 The decision of the Appeal Panel shall be reached by majority vote.
- 6.10 Sport Resolutions will inform all parties in writing and by telephone (or such other method of communication as the Appeal Panel shall decide) about the Appeal Panel's decision to either uphold or reject the Appeal within 24 hours of the hearing.
- 6.11 If the appeal is allowed, the deposit will be refunded in full to the player.
- 6.12 The Appeal Panel has the power at its discretion to make an order for the costs of the Appeal to be paid in such proportions as the Appeal Panel may decide. The costs may include any room hire, travel and other expenses incurred in establishing the Appeal Panel but nothing shall be included on account of a party's professional charges for representation or otherwise.

## **7. Minor and Non-Consequential breaches of this Procedure**

- 7.1 Save that the time limit for lodging an appeal by the player shall be strictly enforced, where any party deviates from any requirement of this Appeal Procedure, it shall not invalidate the Appeal Procedure or the decision of the Appeal Panel, unless there is a clear and significant risk that the deviation has affected the decision of the Appeal Panel.

## **8. Confidentiality**

- 8.1 The player, the LTA and any third party are under an obligation of confidentiality in respect of any appeal proceeding under this Procedure. Save as permitted under this Appeals Procedure, none of these Parties will make any public statement or disclosure of the contents of the Notice on any other matter referred to by any of the parties during the course of these proceedings.
- 8.2 The LTA shall be entitled to publish the decision of the Appeal Panel in such manner and to such extent as is necessary to inform all properly interested and elected parties of the status of the selection.

## **9. Changes and Amendments to this Procedure**

- 9.1 The LTA will be entitled to amend the Procedure from time to time and such amendments will take effect from the first date of publication of the complete amended Procedure on the LTA website, [www.LTA.org.uk](http://www.LTA.org.uk).