

1.4 – SELECTION AND NOMINATION APPEALS PROCEDURE

BADMINTON NEW ZEALAND

Purpose and scope	This Procedure sets out the process for appealing Badminton New Zealand national team selection and deselection decisions for both Senior and Junior teams. Unless expressly stated otherwise, references to "selection" within this Procedure include nomination decisions and are to be read accordingly. This Procedure remains in force until amended, replaced, or withdrawn by Badminton New Zealand.
Principles	Anyone wishing to lodge an appeal under this procedure must be fully familiar with the detailed provisions of Badminton New Zealand's Selection Criteria for the relevant competition. This is intended to be a streamlined procedure to enable any challenge to be resolved as quickly as is reasonably possible. Where possible the intention is to return a decision on appeal within 5 working days. This Procedure is the sole and exclusive process for appealing selection and deselection decisions and constitutes the complete agreement between each athlete (including, where the athlete is under 18 years of age, their parent or legal guardian) and Badminton New Zealand (together, the Parties) in relation to the challenge of such decisions. The Parties agree to make every reasonable effort to resolve any selection dispute through the appeal process established under this Procedure. Except where otherwise required by law, no party may commence or pursue any external process until this Procedure has been concluded. Decisions of the Appeal Panel are final in respect of Badminton New Zealand's internal selection processes.
The Appeal Process	An athlete who wishes to appeal a selection or deselection decision must submit a written Notice of Appeal to the Chief Executive Officer of the Badminton New Zealand within 24 hours of the selection decision being communicated in accordance with the applicable Selection Policy. The Appellant will be asked to pay to Badminton New Zealand a deposit of \$250 as a contribution to the administrative costs of holding the Appeal. The fee will be refunded in full in the case of a successful appeal. The Notice of Appeal must clearly identify the grounds of appeal and provide full particulars of the basis for the appeal, including details of how the appellant believes the Selection Criteria, or selection process was not properly applied or followed. The Notice of Appeal should

	include all information and supporting documentation upon which the appellant intends to rely. If a Notice of Appeal is not received within 24 hours, the right of appeal will lapse, unless the Appeal Panel determines that exceptional circumstances exist which justify an extension of time. Upon receipt of a valid Notice of Appeal, the Chair of the Selection Appeals Panel will provide a copy of the Notice of Appeal to the relevant Badminton New Zealand Selection Panel and invite a written response within a timeframe determined by the Chair. The Appeal Panel will consider the Notice of Appeal, the Selection Panel's response, and any supporting information submitted by the parties. Unless the Appeal Panel determines otherwise, the appeal will be conducted on the basis of the written material provided. Appeals will ordinarily be determined without an oral hearing, the calling of witnesses, or the presentation of oral evidence. The Appeal Panel may, however, request further information or convene a hearing if it considers this necessary to fairly determine the appeal.
Grounds of Appeal	The sole ground of appeal against a decision of a Selection Panel is that the applicable Selection Criteria, or selection process was not properly applied or followed. This Selection Appeals Procedure is provided for that limited purpose only and is not an opportunity to challenge the merits of a selection decision or to dispute the judgement, assessment, or opinion of the Selection Panel where the relevant criteria and process have been correctly applied. In making selection decisions, the Selection Panel acts in its capacity as an expert body and is required to exercise professional judgement and discretion. Athletes acknowledge that the exercise of such judgement and discretion, in itself, does not constitute grounds for appeal. No appeal may be made against the content, validity, or appropriateness of the published Selection Criteria. Where the Selection Panel has applied the Selection Criteria and selection process, its decision is not subject to appeal. An appeal may only be brought on the grounds that the Selection Criteria, or selection process was not properly applied or followed.
Communications and Notices	Due to the timescales involved, the Badminton New Zealand Selection Panel will use any reasonable method of communicating with athletes which will include oral announcements to groups of athletes, telephone calls, text messages, or email and athletes must be aware of this and keep a constant review of these communication channels to receive the selection decision. Athletes are advised that they should inform the Performance Manager of a preferred method of communication and accept full responsibility for ensuring relevant contact details are provided.

	Any Notice of Appeal must be sent by email addresses to the Chief Executive Officer to office@badminton.org.nz.
Appeal Panel	The Appeal Panel will consist of three people who will be appointed by Badminton New Zealand. Any Appeal Panel member who has an actual, potential, or perceived conflict of interest in relation to an appeal, including through a relationship with or involvement concerning the appellant or any affected athlete, must not sit on the Appeal Panel for that appeal. Badminton New Zealand may appoint an alternative panel member to replace the conflicted member.
Conduct of the Appeal	As soon as reasonably practicable following the receipt of the Notice of Appeal the Chair of the Appeal Panel shall contact the Chair of the Selection Panel to inform them of the Appeal, provide them with a copy of the Notice of Appeal and request that the Chair provides any response on behalf of the Selection Panel within 24 hours of this notification. The Selection Panel and the Appellant will not be entitled to appear before the Appeal Panel but may at the discretion of the Appeal Panel be invited to provide information by telephone or in writing. Until the appeal is decided, Badminton New Zealand will refrain from publishing any further details in relation to the selection, which is the subject of the appeal, although the existing details will remain where originally published before the Notice of Appeal was received. Where it appears to the Appeal Panel that the interests of some other athlete (other than the Appellant, referred to as the "Third Party") may be affected by any decision of the Appeal Panel, they may invite the Third Party to comment on the merits of the Appeal and provide the Third Party with copies of all relevant documentation. In such a situation it is likely that the decision of the Appeal Panel will determine the rights of all the affected athletes (not just the appellant) and therefore the Third Party will be prohibited from raising again by way of a separate or further appeal matters which have already been decided upon. The Appeal Panel will seek to reach its conclusion no later than 72 hours of receipt of the Notice and will inform all interested parties in writing and by telephone (or such other method of communication as the Appeal Panel shall decide) as soon as possible.
Determination	The Appeal Panel will be entitled to rescind the decision of the Selection Panel and confirm the selection of the Appellant only in clear cases where the Selection Policy has not been followed and it is plain that had it been followed the appellant would have been selected. The Appeal Panel shall be entitled to confirm the decision of the Selection panel and reject the Appeal. The Appeal Panel may also quash the selection decision and remit the matter back to the Selection Panel identifying the errors they have

	identified in the conduct of the Selection process and requesting that a new decision is made within one week.
Minor Breaches of This Procedure	Except for the time limit for lodging an appeal, which must be strictly complied with, any failure by a party to adhere to a procedural requirement under this Procedure will not invalidate the appeal process or the decision of the Appeal Panel unless the Appeal Panel determines that the non-compliance has materially affected, or created a significant risk of affecting, the fairness or outcome of the appeal.
Confidentiality of Proceedings and Publication of Decision	Badminton New Zealand, the Appellant, and any other party to the appeal must maintain the confidentiality of all appeal proceedings conducted under this Procedure. Except as expressly permitted by this Procedure or required by law, no party may disclose or make any public statement regarding the Notice of Appeal, any submissions, evidence, deliberations, or any other information arising from or exchanged during the appeal process. Where an appeal is upheld, in whole or in part, Badminton New Zealand may publish or otherwise communicate the decision of the Appeal Panel to the extent reasonably necessary to inform affected and interested parties of any changes to the previously announced selection decision and the resulting selection outcome.
Changes and Amendments	Badminton New Zealand will be entitled to amend this procedure from time to time, and such amendments will take effect from the first date of publication of the complete amended procedure on the Badminton New Zealand website.
Review Protocol	Policy Reviewed By: Risk & Compliance Committee Date Reviewed: 10/2026 Next Review Date: 10/2028 Revokes Policy Reviewed: N/A Approved by: