

BASKETBALL SOUTH AFRICA (Basketball SA)

NATIONAL TEAMS - SELECTION POLICY

In accordance with Basketball SA Constitution, the regulation and control of all matters in connection with the selection, management and control of all teams representing South Africa shall be under the sole jurisdiction of Basketball South Africa.

1. PHILOSOPHY

- (a) The objective of the Basketball SA Selection Policy is to achieve the best possible South African representative basketball team(s). The Policy applies to athletes seeking selection to South African representative basketball teams (“**participants**”).
- (b) All participants with strong claims for selection will be considered by the selectors for selection in accordance with this Policy.
- (c) All participants wishing to be considered for selection must complete and sign the application form in **Annexure 1** and return it to Basketball SA, no later than 1 week after receiving the form. The Basketball SA designated Head Coach may accept a completed form after this time in their absolute discretion.
- (d) This Policy remains in force until revoked by Basketball SA.

2. INTERPRETATION

- (a) Unless the context otherwise requires, the terms used in this Policy shall have the same meaning as in Basketball SA’s Constitution and/or By-Laws.
- (b) No particular selection criteria shall be weighted more or less significantly by reason only of the order in which that criteria appears in this Policy.

3. SELECTION

(a) National Selectors

Basketball SA’s Coaches Commission shall appoint, in its sole discretion, up to 5 but no less than 2, National Selectors on the basis of previous Club, Provincial, National, International experience or involvement in basketball competitions. Where any of selectors becomes or is unable to meet his responsibilities under this policy, Basketball SA will appoint a further selector.

(b) Selection criteria

Selection criteria may include the following:

- (i) satisfaction of, or the ability within the relevant time period to satisfy, the applicable eligibility criteria in respect of the squad, team, event or other activity under consideration;
- (ii) past Club, Provincial, National and International performances over such period as determined by the selectors;
- (iii) current Club, Provincial, National and International performances;
- (iv) demonstrated and/or potential ability to work with the coaching staff, team officials and other players;

- (v) demonstrated attitude and commitment to Basketball SA regarding National representation;
- (vi) (where relevant) the participant's current level of skill and physical fitness;
- (vii) (where relevant) any current or potential injury or condition which will impair, inhibit or prevent the participant's performance to the requisite level;
- (viii) the potential of the participant to successfully achieve the objectives of this Policy and of Basketball SA under its Constitution;
- (ix) the participant's compliance with FIBA's Eligibility Guidelines;
- (x) any other factor considered relevant in the circumstances.

In considering the Criteria the selectors may in their discretion give weight to extenuating circumstances. Extenuating circumstances may include injury or personal bereavement.

(c) **Notification to Participants**

- (i) This Policy shall be distributed to all Members of Basketball SA. Basketball SA shall also use its best endeavours to make the Policy available to participants in each member upon request.
- (ii) Any change in the Criteria or this Policy shall be notified to the membership in accordance with the provisions of the Basketball SA Constitution.
- (iii) Basketball SA shall have no general responsibility to give notice of this Policy or Criteria to individual persons, other than in accordance with this Policy however, Basketball SA may do so in its sole discretion.

(d) **Selection Procedure**

- (i) The selectors shall select such squads, teams, individuals or officials as are required, in accordance with such Club, National, Provincial or International time or other constraints or requirements as are required or appropriate.
- (ii) The selectors shall have total discretion in selection and may have regard to any one or more of the Criteria in any selection process. The selectors need not have regard to any of the Criteria.
- (iii) The decision of the selectors shall be final, subject to the Basketball SA Constitution and By-Laws. No reasons need be given for any selection or other decision of the selectors. This shall not prevent, limit or restrict the selectors changing the selection of any squad, team, individual or official at any time in their sole discretion, having regard to all the circumstances.
- (iv) The selectors may from time to time in their discretion select a person who is not otherwise under consideration. This may occur in circumstances such as illness, newly obtained citizenship or otherwise.
- (v) Unless expressly requested by the selectors, participants have no right to make submissions or representations to, or appear before, the selectors. Any right or claim to natural justice in this regard is expressly excluded, such right being preserved in the appeal process under **clause 4**.

(e) **Notification to Relevant Parties**

- (i) Subject to the Basketball SA Constitution and/or By-Laws and any constraints imposed upon Basketball SA by third parties, individuals selected by the selectors (“**Selected Parties**”) shall be notified of their selection as soon as practicable after their individual selection or finalisation of the relevant squad or team.
 - (ii) Notification of the Selected Parties shall also be given to relevant parties within Basketball SA in accordance with the provisions of its Constitution. Following notification of the Selected Parties by Basketball SA, Basketball SA shall make a public announcement of the relevant Selected Parties.
- (f) **Removal from a selected squad or team**
- (i) Any participant who:
 - breaches or fails to observe this Policy, the Basketball SA Constitution or the Regulations;
 - by reason of illness or injury is unable to perform to the required standard in the opinion of the Selectors or the National Coach (after having received advice from a medical practitioner);
 - breaches or fails to fulfil a requirement of the Basketball SA Anti-Doping Policy;
 - breaches or fails to comply, fulfil and observe the requirements in the National Team agreement;is ineligible for selection to or continued membership of the National squad or National team as the case may be.
 - (ii) Any participant may be removed from the National squad or National team by the selectors in consultation with the designated Head Coach as circumstances may require including where the participant has failed to sustain his or her performance and attitude to a satisfactory level, provided that the required performance levels had first been discussed with the participant and the participant had been given the opportunity to attain those performance levels.

4. **APPEAL**

(a) **Appeal**

An aggrieved person may appeal against a failure of the selectors to comply with the procedures set down in this Policy. That is, an appeal may only be made on procedural grounds **not on** the merits of a particular selection decision. Any appeal under this clause will proceed in accordance with this clause.

(b) **Procedure for Appeal**

- (i) Any appeal against a decision of the selectors must be made within 2 days of any public announcement under **clause 3(e)(ii)**.
- (ii) The appeal must be lodged in writing with the Secretary General setting out:
 - A. the particular alleged failure of the selectors in question;
 - B. the ground on which the appeal is made; and
 - C. the reasons or circumstances supporting the alleged ground of appeal; and

must be accompanied by a non refundable appeal fee of R1000.00.

(iii) Nothing in this Policy prevents the withdrawal of an appeal at any time in writing to the Secretary General.

(iv) On receipt of an appeal in accordance with this Policy, the Secretary General must immediately forward the appeal documents to the Selection Review Panel.

(c) **Constitution of Selection Review Panel**

(i) The Selection Review Panel shall be constituted by any three persons available to hear the appeal, which must include the following:

- A. a person with a thorough knowledge of the sport and who preferably has had recent International competition experience in the sport;
- B. a National Executive Committee member of Basketball SA; and
- C. a barrister or solicitor who will chair the Selection Review Panel.

(ii) No member of the Selection Review Panel may be a party to or directly interested in the matter under consideration.

(d) **Functions of the Selection Review Panel**

The Selection Review Panel has no power of selection or re-selection. The Selection Review Panel may review the matter(s) set out in the appeal and may (as appropriate) refer the matter back to the selectors for consideration.

(e) **Procedures for the Selection Review Panel**

(i) The Selection Review Panel shall, as soon as practical after receiving the appeal documents under **clause 4(b)(iv)**, investigate and consider the matter and shall within 7 days of receiving such notice, determine whether:

- A. the matter should be dismissed, because in its determination, the matter is trifling in nature or has no merit; or
- B. the appeal warrants further review and determination in accordance with this Policy; or
- C. the matter should be referred back to the selectors, because in its determination, the selection was not made in accordance with this policy.

(ii) If the Selection Review Panel determines the matter warrants further review under **clause 4(e)(i)B**, it shall as soon as practicable, having regard to the timing of selection and proximity of relevant events, serve a notice in writing on the aggrieved party, the selectors, Coaches Commission and Basketball SA:

- A. stating that the aggrieved party may address the Selection Review Panel at a meeting to be held as soon as practicable, being not earlier than 4 days from the date of the notice;
- B. stating the date, place and time of that meeting; and
- C. informing the aggrieved person that he or she may do any one or more of the following:

- (1) attend that meeting (personally or by his or her representative, not being legally trained or qualified); or
 - (2) give the Selection Review Panel, no later than 24 hours before the time of that meeting, a further written statement setting out relevant information surrounding the appeal.
- D. The Selection Review Panel may conduct a meeting convened in accordance with **clause 4(e)(iii)A** (or any adjournment) in such manner as it sees fit, but shall:
- (1) give to the aggrieved party and the selectors every opportunity to be heard;
 - (2) give due consideration to any written statement by the aggrieved person;
 - (3) allow the aggrieved person to be present along with his or her adult representative (not being legally trained or qualified);

and may
 - (4) request or require the aggrieved person or any other witness to attend the meeting or provide such evidence as is available.
- E. Following consideration of all information which the Selection Review Panel considers relevant and which is available, the Selection Review Panel shall arrive at a finding. A decision of the Selection Review Panel may be by a majority decision.
- F. The Selection Review Panel shall notify the Secretary General of its finding as soon as practicable.
- G. If the Selection Review Panel considers the ground(s) alleged by the aggrieved person to be satisfied, it shall recommend that the selectors again consider the selection of the relevant squad, team or individual.
- H. The selectors shall comply with any direction of the Selection Review Panel in this regard.
- I. Any further selection decision of the selectors under the direction of the Selection Review Panel shall be final, and no other further appeal shall be available to the aggrieved person in respect of that selection.
- J. The Selection Review Panel has no power to award costs. That is, each party will be responsible for their own costs of the appeal.

Annexure 1 - Application for Selection

I, (*insert name*)

apply for selection in the (*insert year*) South African (*insert name of Team*) Basketball SA Team as a

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At the time of signing this form I acknowledge that:

1. I have been provided with a copy of the (*insert year*) Basketball SA Selection Policy, which I have read and understood.
2. I agree to abide by the terms and conditions of the Selection Policy, the Basketball SA Constitution and Regulations.
3. I specifically agree that in the case of any appeal I will follow the appeals procedure in the Policy and will not pursue any action in the civil courts in relation to selection.
4. In the event I am selected I will sign the Basketball SA Player Agreement and will agree to be bound by the terms and conditions of the Basketball SA Player Agreement.
5. By signing this form I warrant that I am eligible for selection and in particular that I am a current registered member of a (“Club or Provincial Basketball Association”) a member of Basketball SA.
6. I will advise Basketball SA now, and at all times in the future, of any injury or illness that may affect my selection or impair, inhibit or prevent my performance at the requisite level or fulfilling the terms and conditions of this Agreement.

Signed: (*participant*)

Witness: (*witness' signature*)

..... (*witness' name*)

Signed: (*by parent/legal guardian where participant under 18 years of age*)

Witness: (*witness' signature*)

..... (*witness' name*)

Dated: