

MACCABI AUSTRALIA INCORPORATED

22nd MACCABIAH 2025 (M25) TEAM AUSTRALIA SELECTION BY-LAWS – Athletes and Officials

March 2024

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1 BACKGROUND AND PURPOSE

- 1.1 Maccabi Australia Incorporated (**MAI**) is a not-for-profit organisation, committed to the connection and continuity of the Australian Jewish community through sport and wellbeing.
- 1.2 MAI sends a team to the Maccabiah Games in Israel every four years, providing a unique opportunity to Jewish athletes to:
- (a) strive for sporting excellence;
 - (b) represent Australia at an international sporting event;
 - (c) develop and deepen a sense of connection to one another, the Maccabi movement, and Israel; and
 - (d) foster the growth of Maccabi clubs at a local level.
- 1.3 MAI has exclusive authority to select and send an Australian team to the Maccabiah Games.
- 1.4 The purpose of these By-Laws is to:
- (a) govern the process for the selection of all Athletes and Officials for the Maccabiah Games 2025; and
 - (b) establish a selection appeals mechanism.
- 1.5 These By-Laws have been ratified by the Board of MAI (**Board**), and the Board may amend these By-Laws at any time at its discretion.

2 DEFINITIONS

- 2.1 In these By-Laws:
- (a) **Applicant** means a person who applies to be a Team Member;
 - (b) **Athlete** means an athlete who is selected to be part of the Team;
 - (c) **Coach** means a person selected to train, develop, instruct and/or direct a sport team and/or Athletes within the Team;
 - (d) **Board** means the Board of MAI from time to time;
 - (e) **Divisions** means Open, Junior, Masters and Para;
 - (f) **Games** means the 2025 Maccabiah Games, and includes any pre-camp or other MAI activities that occur in Israel preceding the Games;
 - (g) **General Manager** means the person appointed by the Board to this role;
 - (h) **Head of Delegation** means the person appointed by the Board to this role;
 - (i) **Integrity Policies** means MAI's Code of Conduct and other policies contained in the Member Protection Policy Handbook, and any other similar and associated policies and procedures in place from time to time that MAI identifies as being integrity-related;
 - (j) **Maccabi State Member Associations** means:
 - (i) Maccabi New South Wales Inc;

- (ii) Maccabi Queensland Inc;
 - (iii) Maccabi Victoria Inc;
 - (iv) Maccabi Western Australia Inc; and
 - (v) any other organisation that is accepted by the Board as a State Member of MAI;
- (k) **Maccabi Club** means a sports club affiliated with a Maccabi State Member Association;
- (l) **MAI** means Maccabi Australia Incorporated;
- (m) **MWU** means Maccabi World Union;
- (n) **Official** means the Head of Delegation and all Managers and Leaders of teams, sections, regions and other functions including Operations, Finance, Medical, Media, Safety and Security, Head of Finance, Youth Leaders and all other persons who report to them and who are appointed to work with, treat or assist Team Members, but not any person appointed by the Board to be an Integrity Officer;
- (o) **Team** means Maccabiah 2025 Team Australia. (A particular sport team is referred to in these By-Laws as 'sport team' – whether or not the sport is a team sport or an individual sport);
- (p) **Team Manager** means the manager of a sport team;
- (q) **Team Member** means an:
- (i) Official;
 - (ii) Athlete; or
 - (iii) Accredited Supporter,
- who accepts a position on the Team by signing the Team Membership Agreement;
- (r) **Team Membership Agreement** means the Team Membership Agreement approved by the Board for the Games; and
- (s) **Team Selection Committee** means the committee established by the Board to select Athletes and Officials, which will be an odd number of people and will include at a minimum five people, being the:
- (i) MAI Chair of International Sport or other nominee of the Board;
 - (ii) Head of Delegation;
 - (iii) General Manager; and
 - (iv) at least two other suitable persons with experience in sport and who are nominees of the Board.
- 2.2 If in a particular situation a member or members of the Team Selection Committee has a conflict of interest, then the Board may appoint an alternative member, members or Team Selection Committee as appropriate.

3 OVERVIEW

3.1 A person becomes a Team Member if:

- (a) the person applies to become a Team Member in accordance with these By-Laws;
- (b) MAI:
 - (i) accepts the person's application on the basis that MAI determines that the person is eligible to apply and has complied with the process set out in these By-Laws;
 - (ii) in the case of Athletes and Officials, selects the person for the relevant role; and
 - (iii) offers the person a position on the Team; and
- (c) the person accepts the offer by signing the Team Agreement and paying any amount determined by MAI from time to time.

3.2 MAI will set the timetable for this process, and can amend the timetable at its discretion.

4 PROPER CONDUCT AND DISCLOSURE

4.1 MAI may refuse a person's application to be a Team Member at any stage of the application or selection process, or revoke the person's membership of the Team, if the person has at any time:

- (a) engaged in conduct which:
 - (i) is a breach of any Integrity Policy;
 - (ii) has brought, brings, or would have the tendency to bring into disrepute:
 - (A) MAI;
 - (B) the Team;
 - (C) Maccabi generally; and/or
 - (D) their sport; and/or
 - (iii) is otherwise inconsistent with the values, best interests, or image of MAI, the Team or Maccabi generally; and/or
- (b) been convicted of, or charged with, any offence involving violence, alcohol or drugs, or any sex offence, or any offence relating to any betting or gambling activities on sport, or any indictable offence.

4.2 If 4.1(a) or 4.1(b) above applies to an Applicant, the Applicant must disclose details of the situation to the Team Selection Committee.

4.3 For the avoidance of doubt, Applicants must agree to comply with any behavioural rules set by MAI at all relevant times, including during the application and selection process.

5 SPECIAL CIRCUMSTANCES

5.1 MAI aims to create inclusive teams within the context of the competitive framework of the Games and the relevant selection criteria.

- 5.2 As part of this inclusivity, MAI aims to accommodate the individual circumstances of Team Members, when that is reasonably practicable – including for example (and without limitation) injury and other disability, mental health, family commitments and professional commitments.
- 5.3 MAI may refuse a person's application to be a Team Member at any stage of the selection process, or revoke the person's membership of the Team, if (as a result of their individual circumstances) the person has particular needs that MAI considers it cannot safely and reasonably meet.

6 SELECTION OF ATHLETES

GENERAL

- 6.1 To be eligible to apply for selection as an Athlete, a person must generally be:
- (a) an Eligible Person in accordance with the MAI Constitution; and
 - (b) an Australian citizen or an Australian resident for a minimum of six months before the date the Games commence; and
 - (c) a member, or eligible to be a member, of a Maccabi Club or a Maccabi State Member Association.
- 6.2 In some circumstances, within any parameters set by MWU, MAI may accept an application for selection from an Eligible Person from another country, in order to create a viable sport team or otherwise to enable the athlete to participate in the Games.
- 6.3 To apply for selection as an Athlete, a person must:
- (a) complete and submit the application form online through www.maccabi.com.au or as otherwise determined by MAI; and
 - (b) pay a non-refundable application fee of \$50.
- 6.4 An Athlete may be selected as an Emergency Team Member. An Emergency Team Member:
- (a) must complete all team documentation including but not limited to the Team Membership Agreement, and comply with the same fitness and team preparations and financial commitments as other Team Members; but
 - (b) if not ultimately selected to compete, will not be responsible for any travel-related Games expenses other than the application fee.

APPLYING FOR AND COMPETING IN MORE THAN ONE SPORT OR DIVISION

- 6.5 Athletes are allowed to compete in only one sport or Division, but may apply for more than one sport or Division. The only exceptions are:
- (a) swimming and open water swimming. An Athlete may be allowed to compete in one of these sports and another sport, as prescribed by MWU's rules and regulations from time to time; and
 - (b) MaccabiMan/MaccabiWoman and Maccabi Run. As prescribed by MWU's rules and regulations from time to time, an Athlete may compete in each event of these competitions.

Rule 6.7 below does not apply to these situations.

- 6.6 If a person applies to be an Athlete in more than one sport or Division, the application fee is payable once only.

- 6.7 The Team Selection Committee will advise a date by which a person who has applied for more than one sport or Division must select the sport in which they will compete, and by which that Applicant must withdraw in writing from all additional sport(s) or Division(s).

ATHLETE SELECTION CRITERIA

- 6.8 In respect of each sport on the program of the Games, the Team Selection Committee, in consultation with the relevant Team Manager, is responsible to develop and approve eligibility and selection criteria within the parameters set from time to time by MWU, and make these available to Applicants on request.
- 6.9 Team sports will generally be subject to selection trials. Athletes seeking selection must attend trials unless there are exceptional circumstances.
- 6.10 Individual sports will generally be subject to minimum qualification standards.

TEAM TRIALS

- 6.11 Team trials must not be held on a Shabbat or Yom Tov, or require an applicant to travel on a Shabbat or Yom Tov in order to attend.
- 6.12 The Team Manager must make arrangements to ensure that the cost of Applicants and selectors attending team trials, including travel, is covered in advance of the trials. Generally speaking, the cost should be shared equally by all Applicants through a separate trial levy, which is non-refundable.
- 6.13 In exceptional circumstances, MAI may consider an athlete's application even if the athlete cannot attend the team trials, generally subject to the following process:
- (a) the athlete must write to the Team Manager, and (unless not reasonably possible) at least 14 days before the scheduled team trial, provide supporting documentation, explaining the reason(s) for their non-attendance;
 - (b) the Team Manager may require the athlete to submit all or some of the following:
 - (i) detailed playing CV;
 - (ii) medical certificate;
 - (iii) references from current and past coaches;
 - (iv) verification of performances from suitable referees; and/or
 - (v) video evidence;
 - (c) the athlete must:
 - (i) pay the trial levy even though they are not attending trials; and
 - (ii) make themselves available at another time for assessment as required by the Team Manager;
 - (d) the Team Manager must:
 - (i) consult with the relevant Regional Leader, General Manager and coach (if relevant), as to whether to accept the athlete's application;
 - (ii) decide whether to accept the application (which keeps the athlete in the selection process), or to reject the application; and
 - (iii) advise the athlete accordingly.

ATHLETE SELECTION PROCESS

- 6.14 In order for an athlete to be selected for a sport team, the Team Selection Committee must satisfy itself that the athlete meets the selection criteria.
- 6.15 Each Team Manager is responsible to put in place a fair selection process, within the framework set by the Team Selection Committee, and to seek approval for that process from the General Manager.
- 6.16 For any sport where the selection process involves selection trials and/or Athlete ranking, the selection process must include:
- (a) a minimum of three selectors, or if more than three then an odd number;
 - (b) each selector having an equal vote, subject to (d)(i);
 - (c) that the Team Manager chooses the selectors, in consultation with the General Manager, taking into account that selectors must be able to exercise professionalism and objectivity, and must declare any relevant conflicts of interest. For the avoidance of doubt, a selector must not be:
 - (i) a close relative or friend of an athlete seeking selection;
 - (ii) the Team Manager of that team, unless they are also the Coach; or
 - (iii) an Athlete in that team, unless they are also the Coach;
 - (d) that the appointed Coach of the sport team is automatically one of the selectors, unless:
 - (i) if there are two Coaches, the two Coaches may both be selectors, but if this occurs then they will have half a vote each;
 - (ii) if a Coach has a conflict of interest (for example an Applicant is a close relative or close friend, or the Applicant is currently being coached by the Coach outside the Games framework), then the Coach will not be a selector, but in this case the selectors must consult with the Coach before making a final decision; and
 - (iii) if the Team Manager is also the Coach, the Team Selection Committee must consider whether it is appropriate for the Team Manager/Coach to be a selector. If it is not appropriate, then the Team Manager will not be a selector, but in this case the selectors must consult with the Team Manager before making a final decision; and
 - (e) the Team Selection Committee ratifying all selection decisions.
- 6.17 For any sport where the selection process is by the Athlete meeting minimum qualification standards, the Team Manager must assess whether the Applicant meets the standards before presenting the proposed Athletes for ratification.
- 6.18 The Team Manager, and Coach if relevant, must present the proposed Athletes to the Team Selection Committee, which has the ultimate authority to:
- (a) ratify the selections; and
 - (b) approve a particular sport team or Athlete attending the Games.

The Team Selection Committee may seek advice from a person with specific sport experience to assist it in making these final decisions.

6.19 The Team Manager must advise Applicants about:

- (a) the selection process, as soon as practicable after their application is accepted; and
- (b) the outcome of their application, as soon as practicable after the selection process is completed.

UNDERAGE ATHLETES

6.20 Subject to international regulations, MWU may permit athletes who are underage (that is, who are younger than the usual age limitations) to participate in a sport, on an ad hoc basis in limited and rare circumstances, taking each application on its merit.

6.21 The Team Selection Committee has a discretion as to whether to apply to MWU for the inclusion of an underage athlete.

6.22 Athletes who are under the age of 12 on the date the Games commence must stay with a parent/guardian for the duration of the Games.

ATHLETE SELECTION APPEALS

6.23 An Applicant who is not deemed eligible for selection or who is not selected to be an Athlete may appeal as follows:

- (a) the appeal must be lodged in writing within five working days of notification of non-eligibility or non-selection;
- (b) the appeal must be sent to the General Manager, who will refer it to the Team Selection Committee;
- (c) grounds for appeal are:
 - (i) the selectors or Team Selection Committee did not follow the procedures laid out in the policies and/or Selection Criteria;
 - (ii) the selectors or Team Selection Committee were influenced by bias;
 - (iii) the information on which the decision was based was incorrect; and/or
 - (iv) the decision reached was otherwise grossly unfair or unreasonable;
- (d) the Team Selection Committee must work to resolve the matter in a timely manner, and must advise all relevant parties in writing of its decision within a reasonable time, and (other than in exceptional circumstances) not more than 20 working days after the General Manager received the appeal.

7 SELECTION OF OFFICIALS

GENERAL

7.1 To be eligible to apply for selection as an Official, a person must generally be:

- (a) if applying for a position other than as a Coach, member of the Medical Team, or Media Team: an Eligible Person in accordance with the MAI Constitution or the parent of an Athlete; or
- (b) if applying for a position as Team Manager or Assistant Team Manager, Coach or a member of the Medical Team: 25 years old or older on the date the Games commence.

However, MAI has a discretion to waive these eligibility rules if it is satisfied that there are exceptional circumstances.

7.2 Officials must:

- (a) hold a valid Working with Children Check clearance at all times between selection and the end of the Games; and
- (b) complete all training required by MAI.

7.3 To apply for selection as an Official, a person must:

- (a) complete and submit the application form online at www.maccabi.com.au; and
- (b) pay any application fee determined by MAI from time to time.

OFFICIAL SELECTION CRITERIA

7.4 The Team Selection Committee is responsible to develop and approve eligibility and selection criteria for Officials and make these available to Applicants, Maccabi Clubs and Maccabi State Member Associations on request.

OFFICIAL SELECTION PROCESS

7.5 In order for an Applicant to be selected as an Official, the Team Selection Committee must satisfy itself that the Applicant meets the selection criteria.

7.6 The Team Selection Committee is responsible to put in place a fair selection process.

7.7 The selection process must include:

- (a) a minimum of three selectors, or if more than three then an odd number;
- (b) each selector having an equal vote;
- (c) that the Team Selection Committee chooses the selectors, taking into account that selectors must be able to exercise professionalism and objectivity, and must declare any relevant potential conflicts of interest. For the avoidance of doubt, a selector must not be a close relative or close friend of a person seeking selection;
- (d) that one of the selectors must be the person to whom the Official will report, unless that person has a conflict of interest, in which case the selectors must consult with that person before making a final decision about selection; and
- (e) the Team Selection Committee and the Board ratifying all selection decisions.

7.8 The Team Selection Committee must advise Applicants about:

- (a) the selection process as soon as practicable after their application is accepted; and
- (b) the outcome of their application as soon as practicable after the selection process is completed.

7.9 MAI reserves the right to require an Applicant to provide a current police check.

NO APPEAL

7.10 There is no appeal against any decision of the Team Selection Committee about the selection of an Official.

8 WITHDRAWALS, REVOCATIONS, CANCELLATIONS AND REFUNDS

WITHDRAWAL FROM THE TEAM

8.1 If:

- (a) MAI offers a person a position on the Team but the person withdraws their application; or
- (b) a person accepts an offer of a position on the Team but withdraws from the Team; or
- (c) MAI revokes an offer of a position on the Team or a Team Membership,

then MAI will hold the person responsible for any money that MAI has expended on the person's behalf that MAI cannot recover, including but not limited to airfares, MWU fees, pre-camp and uniform deposits and administrative costs (**Non-recoverable Expenses**). This means that MAI may:

- (d) invoice the person for the Non-recoverable Expenses;
- (e) require the person to pay any outstanding invoices to the extent necessary to cover the Non-recoverable Expenses; or
- (f) refund the person all amounts paid except amounts necessary to cover the Non-recoverable Expenses.

However, MAI has a discretion not to pursue those expenses if it is satisfied that there are exceptional circumstances (such as medical or other compelling reasons) that are supported by documentary evidence.

CANCELLATION OF TEAM BY MAI OR GAMES ORGANISERS BEFORE DEPARTURE

8.2 There may be unforeseen circumstances that lead to the cancellation of:

- (a) a sport team's participation in the Games, including but not limited to because the sport team is not viable due to insufficient numbers or funding, or MAI is unable to identify a suitable Team Manager or coach;
- (b) a competition at the Games; or
- (c) the Games; or
- (d) the Team's participation in the Games.

8.3 In any of these circumstances, MAI will refund any payments made by an Applicant or team Member in respect of the Games, less any funds raised for the relevant sport team or Team Member. MAI may retain funds raised through events or donations to be used at its discretion including but not limited to covering non-recoverable charges such as airfares, Games fees payable to the Games organiser, pre-camp, and uniform deposits.