

**BEFORE THE SPORTS TRIBUNAL
OF NEW ZEALAND**

ST 11/10

BETWEEN **WAYNE GEAR**

 Appellant

AND **TABLE TENNIS NEW ZEALAND
INCORPORATED**

 Respondent

**DECISION
13 JULY 2010**

Hearing: In Auckland on 13 July 2010

Counsel: M Smyth, for Appellant
 S Cottrell, for Respondent

Tribunal: B J Paterson QC, Chairman
 A Greenwood
 R Cheatley

Registrar: B Ellis

1. Because of time exigencies this decision is given without reasons, which will be issued within the near future.
2. The appeal is allowed and the nomination of Mr Finch as table tennis coach for the Youth Olympic Games is set aside.
3. The nomination of the coach is referred back to the respondent for determination in accordance with the selection criteria of the respondent, modified to comply with the requirement of the New Zealand Olympic Committee.
4. The two candidates to be considered for nomination are Mr Finch and Mr Gear.
5. Mr Seaholme should not be a member of the Board or committee considering the nomination.
6. The respondent may in discretion consider all matters, in accordance with the said criteria, which it considers to be relevant.
7. It is recommended that the respondent's chairman, discuss with the New Zealand Olympic Committee its requirements for such nominee.
8. Costs are reserved.



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B J Paterson QC
Chairman