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**Tribunal dismisses appeal against non-selection for  
2019 BMX World Championships**

The Sports Tribunal has dismissed an appeal by Michael Bias against a decision of Cycling New Zealand (CNZ) not to select him to compete in the 2019 BMX World Championships to be held in Zolder, Belgium later this month.

Mr Bias had raised a number of grounds of appeal, including deviation from the Selection Regulations; a failure to afford a reasonable opportunity to satisfy the Selection Regulations; or actual bias. The Tribunal found that there was no evidence to support any of these grounds, though it observed Mr Bias had met the base requirements for appointment to the team; there was a vacancy available and no other cyclist would be put in jeopardy by his appointment.

The Tribunal observed its task to be to consider whether the decision taken in accordance with the Selection Regulations was properly available to the selectors. It found that the legal position was very clear – that it could and should only intervene if there was no basis or justification for the decision reached by the selectors.

The Tribunal expressed substantial concern about Mr Bias' future and men's BMX in general. It found that while riders should be encouraged to maintain their interest and participation in the sport, Mr Bias' non-selection involved a judgment call and there was nothing that suggested the selectors had misunderstood or misapplied the requirements of the procedure.

The Tribunal observed that there had been a multitude of considerations and reconsiderations of the case by the selectors, and there had been an exhaustive inquiry by the Selection Ombudsman. It found that all three selectors were of the clear and consistent view that Mr Bias should not be selected.

The Tribunal held that it had no option but to dismiss the appeal.

The decision in this case is available from the website of the Sports Tribunal ([www.sportstribunal.org.nz](http://www.sportstribunal.org.nz)). See *Michael Bias v Cycling New Zealand* (ST 06/19). Copies can also be obtained directly from The Registrar, Sports Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: [info@sportstribunal.org.nz](mailto:info@sportstribunal.org.nz)).