

BETWEEN **RYAN TAYLOR**

Appellant

AND **NEW ZEALAND OLYMPIC COMMITTEE**

Respondent

AND **NEW ZEALAND SHOOTING FEDERATION
INCORPORATED**

Interested Party

AND **NATALIE ROONEY**

Interested Party

DECISION DATED 6 JULY 2012

Hearing: By telephone conference on 5 July 2012

Counsel: D Kalderimis and J Upson for Appellant
T Castle and M Clarke for Respondent
G Paton representing New Zealand Shooting
Federation
P David and K Morrison for N Rooney

Others Present: R Taylor (Appellant)
G Taylor (in support of Appellant)
K Smith and S Wickham (for Respondent)
G Rooney (in support of Natalie Rooney)

Tribunal: Barry Paterson QC, Chairman
Anna Richards
Rob Hart

Registrar: Brent Ellis

INTRODUCTION

1. This is an appeal by Mr Taylor against his non-selection for the London Olympic Games. Because of the time exigencies, dictated by the closing date of 9 July 2012 for competitors for the London Olympics, this decision is being given without reasons. The reasons will follow in due course.
2. The essential findings for the Tribunal are:
 - (a) The appeal is a selection appeal under the provisions of clause 9 of the Agreement between the New Zealand Olympic Committee Incorporated (NZOC) and the New Zealand Shooting Federation Incorporated (NZSF) detailing the application, nomination and selection processes for the London Olympics (the Agreement).
 - (b) The Tribunal has jurisdiction to determine the appeal.
 - (c) The decision of the NZOC selectors dated 12 June 2012, against which Mr Taylor appeals, was revoked by a further decision of the NZOC Selection Committee on 1 July 2012 when Mr Taylor was held to have satisfied the selection criteria for the London Olympic Games.
 - (d) The NZOC selectors were acting within their powers when making the decision of 1 July 2012. Clause 7.6 of the Agreement allows the selectors to terminate the selection of an athlete and select another athlete in that athlete's place.
 - (e) Ms Rooney's selection was terminated and Mr Taylor has been selected to compete in the London Olympic Games subject to the quota available to the NZOC being reallocated for the benefit of Mr Taylor.
3. The Tribunal has no jurisdiction in respect of the quota reallocation but would expect that both the NZOC and the NZSF

will now co-operate to apply for the reallocation of the quota to Mr Taylor.

Decision

4. Mr Taylor succeeds on his appeal which is allowed.

Dated 6 July 2012

A handwritten signature in blue ink, appearing to read 'B J Paterson', is positioned above a dotted line.

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B J Paterson QC
Chairman