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## Para-Rowing Classification Regulations and By-Laws

September 2016

### Rowing Australia Para-Rowing Classification Regulations

The RA Para-Rowing Classification Regulations and By-Laws are an integral part of the RA Rules of Racing, related By-Laws and Event Regulations. These Regulations and By-Laws have been developed and adapted from the FISA Para-Rowing Classification Regulations to suit the Rowing Australia Classification Guidelines 2016-2020. RA reserves the right to amend these Classification Regulations and By-Laws.

### IPC Classification Code and APC Classification Policies and Standards

The International Paralympic Committee (IPC) governs classification in Paralympic sport through a standardised set of policies, procedures and principles for classification, known as the IPC Classification Code. The IPC Classification Code sets the framework for classification across Para sports.

Para-Rowing has implemented these Classification Regulations and By-Laws having regard to the IPC Classification Code (the IPC Code) and Australian Paralympic Committee (APC) classification policies and standards. In the event that these Classification Regulations fail to provide for a matter in respect of which there is provision in the IPC Code or APC Classification policies and standards, the provisions appearing in the IPC Code and/or APC Classification policies and standards shall apply and be regarded as being part of these Regulations.

### Classification Partners

- Australian Paralympic Committee (APC)
- Sport Inclusion Australia (SIA)
- FISA

### 1. Introduction to Classification

#### 1.1 Classification: An Overview

- 1.1.1 In accordance with the International Paralympic Committee (IPC) Classification Code, the term classification, as used in these Regulations, refers to the process by which athletes are evaluated by reference to the impact of impairment on their ability to compete in the sport of Para-Rowing. The purpose of Classification is to provide a structure for fair competition.

Classification is undertaken to ensure that an athlete's impairment is relevant to sport performance and to ensure that the athlete competes equitably with other athletes. Classification determines the eligibility to compete and groups athletes for competition.

- 1.1.2 Where an athlete is deemed ineligible for the sport of Para-Rowing, RA is not disputing whether the athlete has an impairment or not, but determining whether the impairment meets minimal eligibility for the sport of Para-Rowing.
- 1.1.3 The allocation to an athlete of a Sport Class is determined by a medical and technical assessment of the athlete, and, if required, observation in training and/or competition. These processes are explained in these Classification Regulations.
- 1.1.4 A Sport Class will be allocated to an athlete who has an impairment that is the direct result of a health condition which has resulted in a permanent and verifiable activity limitation which meets the minimum impairment criteria to compete as a para-rower.
- 1.1.5 Following is a list of the eligible impairment types in RA Para-Rowing:

**Visual Impairment:** Athletes with impaired vision have reduced or no vision caused by damage to the eye structure, optical nerves or optical pathways, or visual cortex of the brain. Examples include: retinitis pigmentosa and diabetic retinopathy.

**Impaired Range of Movement:** Athletes with impaired range of movement have a restriction or a lack of passive movement in one or more joints. Examples include: arthrogryposis and contracture resulting from chronic joint immobilisation or trauma affecting a joint.

**Impaired Muscle Power:** Athletes with impaired muscle power have a health condition that either reduces or eliminates their ability to voluntarily contract their muscles in order to move or to generate force. Examples include: spinal cord injury (complete or incomplete, tetra-or paraplegia), muscular dystrophy, post-polio syndrome and spina bifida.

**Limb Deficiency:** Athletes with limb deficiency have total or partial absence of bones or joints as a consequence of trauma (for example traumatic amputation), illness (for example amputation due to bone cancer) or congenital limb deficiency (for example dysmelia).

**Hypertonia:** Athletes with hypertonia have an increase in muscle tension and a reduced ability of a muscle to stretch caused by damage to the central nervous system. Examples include: cerebral palsy, traumatic brain injury and stroke.

**Ataxia:** Athletes with ataxia have uncoordinated movements caused by damage to the central nervous system. Examples include: cerebral palsy, traumatic brain injury, stroke and multiple sclerosis.

**Athetosis:** Athletes with athetosis have continual slow involuntary movements. Examples include cerebral palsy, traumatic brain injury and stroke.

**Intellectual Impairment:** Athletes must meet the edibility criteria outlined in the Sport Inclusion Australia National Eligibility document.

## 1.2 Non Eligible Impairments

1.2.1 Any impairment not listed in Article 1.1 is referred to as a non-eligible impairment. Examples include:

- Pain;
- Hearing impairment;
- Low muscle tone;
- Hypermobility of joints;
- Joint instability, such as unstable shoulder joint, recurrent dislocation of a joint;
- Impaired muscle endurance;
- Impaired motor reflex functions;
- Impaired cardiovascular functions;
- Impaired respiratory functions;
- Impairment metabolic functions;
- Tics and mannerisms, stereotypes and motor perseveration

1.2.2 The IPC has specified certain health conditions that do not lead to an Eligible Impairment. Examples include:

- Health conditions that primarily cause pain, such as myofascial pain-dysfunction syndrome, fibromyalgia or complex regional pain syndrome.
- Health conditions that primarily cause fatigue, such as chronic fatigue syndrome.
- Health conditions that primarily cause joint hypermobility or hypotonia, such as Ehlers-Danlos syndrome.
- Health conditions which are primarily psychological or psychosomatic in nature, such as conversion disorders or post-traumatic stress disorder.

## 1.3 Submission of Medical Documentation

1.3.1 An Athlete must email the RA Classification Manager all required relevant medical documentation no later than 30 days prior to the date of classification. The purpose of this documentation is to permit the Classification Panel to verify that an Athlete's

impairments are the direct result of a health condition which has resulted in a permanent and verifiable activity limitation. Medical documentation includes but is not limited to medical history and results from any relevant investigations (MRI, CT scan, EMG, EEG, nerve conduction, visual tests), athlete's date of birth, cause of impairment and date acquired.

- 1.3.2 This documentation must be provided on the RA Medical Diagnostics Form for athletes with physical impairment.
- 1.3.3 The documentation must be in English, be dated and signed by an appropriate medical authority.
- 1.3.4 Athletes with a Vision Impairment are classified through the APC and are required to follow the APC processes outlined on their website - [www.paralympic.org.au/vision-classification/](http://www.paralympic.org.au/vision-classification/)
- 1.3.5 Once received, the Classification Panel will review and either accept the documentation as sent, or request the Athlete to provide specific additional information that is required. Members of the RA Classification Management Committee, Classification Panel and/or Chief Classifier may at any stage seek additional medical, technical or scientific opinion. It is important to note that the Classification Panel will also review all medical documentation with the athlete present. The Classification Panel may still decide, and may decide that the athlete does not have an eligible impairment at the time of classification based on information with the athlete present.
- 1.3.6 If the RA Classification Panel and/or RA Chief Classifier deems that such documentation is not available by the specified date or is unsatisfactory in proving an eligible and permanent impairment, the Athlete Evaluation may be deferred until the documentation is available and a Sport Class will not be assigned. If the documentation does not provide evidence beyond reasonable doubt that the impairment is a result from a permanent and verifiable health condition, the athlete will be issued a Sport Class of Not Eligible.
- 1.3.7 Rowing Australia will coordinate all athlete medical documentation for all National and Provisional Classifications.

## 2. Consent and Confidentiality

### 2.1 Athlete Consent for Evaluation

- 2.1.1 All athletes must provide written consent prior to the classification process indicating their willingness to undergo classification and an agreement to provide full effort and co-operation in the classification process.



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- 2.1.2 Athletes will be required to consent to share relevant information with identified third parties such as the APC, National Federation, FISA, competition organisers, health professional as deemed necessary for classification purposes.
- 2.1.3 Athletes may also be requested to consent to allow photographs and/or videotaping for classification purposes.
- 2.1.4 Athletes should be adequately briefed regarding the process of classification, as part of the consent process.

## 2.2 Confidentiality of Classification Data

- 2.2.1 Classification data shall be stored confidentially by Rowing Australia.
- 2.2.2 Athletes only may request a copy of the classification data held by Rowing Australia. If an athlete is under 18 years of age this may be requested by their parent/guardian.

## 3. Classifiers

### 3.1 Classification Personnel

- 3.1.1 The IPC Classification Code, APC Classification policies and standards and Rowing Australia recognise Classifiers as RA Rowing Officials.
- 3.1.2 All communication with RA Physical Impairment National Trainees and National Classifiers will be through Rowing Australia.
- 3.1.3 Classifiers are volunteers and must not receive financial gain (payment) for conducting Athlete Evaluations to ensure the system is transparent, fair and free from conflict of interest.
- 3.1.4 The following personnel have a key role in the administration, organisation and execution of classification, and are appointed by RA.

#### **Rowing Australia Classification Manager**

The person responsible for the direction, administration, coordination, management and implementation of classification matters for RA. Typically an RA employee.

#### **Rowing Australia National Classification Management Committee**

A panel comprised of an APC representative, RA Classification Manager and one accredited RA National Medical and Technical classifier. The Management Committee is responsible for reviewing National and Provisional classifications, Protests and overseeing



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the National Classification System to ensure its compliance with national and international standards, regulations and by-laws.

### **APC**

The APC is responsible for national Code Compliance in the Australian classification system, will provide guidance to RA on all matters relating to classification, and will be used during the Appeals process.

### **Rowing Australia Chief Classifier**

An International Classifier who attends and oversees National Classification sessions and ensures compliance. In the absence of an International Classifier, the Rowing Australia National Classification Management Committee may appoint another classifier who they deem capable to take on this position.

A Chief Classifier is a Classifier appointed for a specific RA recognised classification opportunity who is responsible for on the day direction, administration, co-ordination and implementation of classification matters at that classification opportunity. The duties of the Chief Classifier may include, but are not limited to, handling/submitting protests, coordinating all medical documentation and classification paperwork at the specific event and supervising Classifiers and trainee Classifiers in their duties as member of Classification Panels and to ensure compliance. The Chief Classifier may delegate specific responsibilities and/or transfer specific tasks to other Classifiers, RA staff or representatives, Classification Manager or APC staff or representatives.

### **Rowing Australia National Classifier**

A Classifier is a person appointed and certified by RA and the APC as being competent to evaluate athletes (as part of a Classification Panel), in accordance with the RA Classification Regulations, at the occurrence of a RA recognised competition.

3.1.5 Classifiers for athletes with a physical impairment are managed through RA. Classifiers for athletes with a vision impairment are managed by the APC and classifiers for athletes with an intellectual impairment are managed by Sport Inclusion Australia.

3.1.6 RA Classifiers for a physical impairment must be qualified in one or more of the following disciplines:

### **Medical Classifier**

A qualified medical doctor, doctor of osteopathic medicine, or physiotherapist, all of whom have the competencies and qualifications relevant to conduct the medical section of the classification.

### Technical Classifier

A person with extensive practical knowledge of rowing, such as a rowing coach, sport scientist, former rower, or similarly qualified person, all of whom have the competencies and qualifications relevant to conduct the technical section of the classification.

## 3.2 Classifiers – Levels and Duties

3.2.1 RA categorises its Classifiers (all of whom must comply with the IPC Classification Code and IPC Classifier Code of Conduct, FISA Classifier Code, APC Classification policies and standards and RA Classifier Code of Conduct) as follows:

### Trainee

An individual who is in the process of formal training by RA, but has not met the requirements of an RA National Classifier as outlined in the RA National Classifier Training and Certification Standard. Trainee Classifiers shall not serve on a National Classification Panel but may continue to practice their skills through observation and practical learning alongside a classification panel.

### National Classifier

An individual who has successfully completed a basic classification workshop endorsed by RA and has demonstrated their ability to classify rowers, has shown competence in performing all of the classification tasks and has met the requirements of RA as outline in the RA Classifier Training and Certification Standard. A National Classifier can serve on an RA National Classification Panel.

### International Trainee

An individual who is in the process of formal training by FISA to become an international classifier and has been endorsed by RA and the APC to undergo this training.

### International Classifier

An individual who has met the requirements of a FISA International Classifier as outlined in the FISA Classification Regulations.

## 3.3 Classifiers – Training and Competencies

3.3.1 RA, in conjunction with FISA, will provide training to national trainee classifiers. Classification Workshops will be offered for people wishing to become Trainee Classifiers.

3.3.2 National Trainee Classifiers must meet the requirements of an RA National Classifier as outlined in the RA National Classifier Training and Certification Standard before progressing to a National Classifier and serve on a National Classification Panel.

- 3.3.3 RA will provide educational and National Classifier refresher opportunities.
- 3.3.4 National Classifiers must meet the annual requirements set out in the RA National Classifier Training and Certification Standard to maintain their standing as a National Classifier.
- 3.3.5 Upon changes to the RA Rules or Classification Regulations, RA will provide Classifiers time to acquaint themselves with the changes before Classifying at an RA recognised opportunity.

## 4. Level of Classification

### 4.1 Provisional Classification

- 4.1.1 Athletes have the opportunity to gain a Provisional Classification. Provisional Classification is a process that may allow sports to offer classification for athletes who do not have access to a full sport specific national classification panel. Provisional classification allows for potential athletes to gain an indication of their classification for their specific sport.
- 4.1.2 Provisional classifications can only be allocated by a recognised classifier in that sport, in line with the classification procedures and class profiles. If an athlete is only assessed by one person on a panel (ie one medical classifier conducts an assessment) or the process is conducted via paperwork, the athlete will be allocated a Provisional Classification.
- 4.1.3 This can be used if athletes are unsure of their sport class or their eligibility for Para-Rowing, or it is a requirement for competition.
- 4.1.4 For athletes with a Physical Impairment, athletes must submit the Rowing Australia Provisional Classification Form and provide all additional supporting documentation outlined on the form. Provisional Classifications have a 14 day processing time and will be co-ordinated by Rowing Australia. Processing time may be longer pending additional medical documentation requirements.
- 4.1.5 The RA National Medical and Technical Classifiers who are members of the RA National Classification Management Committee will review the paperwork and provide an “indication” of sport class.
- 4.1.6 The RA National Medical and Technical Classifier from the RA National Classification Management Committee may seek additional medical, sport or scientific expertise if it considers that this would assist in completing the Provisional Classification.



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- 4.1.7 The Provisional Sport Class provided is a guide only and the athlete must be classified by a full RA National Classification Panel at an RA National Classification opportunity to be eligible to compete at National and/or Selection Events.
- 4.1.8 For athletes with a Vision Impairment, athletes must undergo the Provisional Classification process as determined by the APC. Provisional Classifications will be co-ordinated by the Australian Paralympic Committee.
- 4.1.9 For athletes with a Vision Impairment, the Provisional Sport Class provided is a guide only and the athlete must attend a national face to face classification assessment with a Vision Classifier within 12 months.
- 4.1.10 Provisional Classification is superseded by a National Classification.

## 4.2 National Classification

- 4.2.1 National Classification is a face to face athlete evaluation process, carried out by an authorised Australian classification panel, as per the composition, procedures and classification profiles of the FISA Para-Rowing Classification Regulations, IBSA Classification Rules and Procedures and National Eligibility for Athletes with an Intellectual Disability Guidance Notes.
- 4.2.2 For rowers with a physical impairment, National Classification refers to the process of Athlete Evaluation that is undertaken at, or before, an RA National Competition, or National Selection event, or other endorsed competition with a recognised RA Classification Panel.
- 4.2.3 For rowers with a vision impairment, Classification will take place at an identified vision centre, with APC certified and endorsed Visual Impairment Classifiers. National VI Classification will not be offered in conjunction with RA competitions.
- 4.2.4 For rowers with an intellectual impairment, classification is through the SIA process.
- 4.2.5 National Classifications are valid for competition for athletes competing within events in Australia only.
- 4.2.6 National Classification is superseded by International Classification.

## 4.3 International Classification

- 4.3.1 International classification is carried out by authorised International Classifiers, according to the rules, policies and procedures of FISA.



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- 4.3.2 International Classification is relevant only to athletes who are current or future potential members of High Performance squads and have been endorsed by RA to undergo international classification.
- 4.3.3 International classifications supersede any national classifications. Any athlete with an international classification will compete using this in National competitions.
- 4.3.4 Where an athlete holds an International Classification, but no longer wishes to compete at an International level, the athlete should retire from International classification. Only at this time will the classification be considered to fall back under the procedures that apply at a national level.

## 5. Classification Panels

### 5.1 Classification Panels

- 5.1.1 A Classification Panel for athletes with a physical impairment is comprised of two RA Classifiers empowered by the Rules of the Sport of Para-Rowing to evaluate athletes and allocate Sport Classes. A Classification Panel for rowers with a physical impairment must include a suitably accredited and qualified RA Medical Classifier and RA Technical Classifier.
- 5.1.2 The RA Classification Manager shall appoint Classification Panels for a particular competition and may seek advice from the RA Chief Classifier and/or RA National Classification Management Committee.
- 5.1.3 For rowers with a vision impairment, a Classification Panel must include an APC recognised Visual Impairment Classifier.
- 5.1.4 Members of Classification Panels shall have no significant relationship with any athlete (or any member of the athlete support personnel) that might create any real or apparent conflict of interest.
- 5.1.5 Members of a Classification Panel must disclose any relationship with a team, athlete or athlete support personnel that would otherwise constitute a Conflict of Interest.

### 5.2 National Classification Panels – Athletes with a Physical Impairment

- 5.2.1 A Classification Panel for rowers with a physical impairment must include a suitably accredited and qualified RA National Medical Classifier and a RA National Technical Classifier.



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- 5.2.2 Rowing Australia will appoint RA National Classifiers for classification opportunities based on experience and expertise.
- 5.2.3 The Medical and Technical aspects of a National Classification must be conducted in conjunction with one another, with both classifiers present for all elements of the assessment.
- 5.2.4 A National Classification must be conducted at a venue where an Observation Assessment can be undertaken.
- 5.2.5 A RA National Classification Panel, RA Chief Classifier and/or RA National Classification Management Committee may seek additional medical, sport, or scientific expertise if it considers that this would assist it in completing the process of Athlete Evaluation.
- 5.2.6 If the circumstances of a classification opportunity so require, the RA Classification Manager, RA Chief Classifier and/or RA Classification Management Committee may designate that a Classification Panel may consist of one qualified National Classifier in special cases, in particular where the number of available Classifiers is reduced prior to or at a classification session through unforeseen circumstances. In such instances a Review status shall be issued and the review date will be prior to the next National competition which the rower is entered to compete.

### 5.3 Preparing Classification Panels – Athletes with a Physical Impairment

- 5.3.1 RA will appoint a Chief Classifier for all National Classification opportunities.
- 5.3.2 The RA Classification Manager should, where possible, appoint a Chief Classifier at least three months prior to National Classification opportunities. Classification Panels shall, where possible, be appointed two months before a Competition.
- 5.3.3 The RA Classification Manager and the Chief Classifier must ensure that Classification Panels for National Classifications are certified to conduct Athlete Evaluation.
- 5.3.4 An RA representative or other identified individual may attend and observe National Classification opportunities as required, and will abide by the observers code of conduct.
- 5.3.5 Members of the RA Classification Management Committee and/or others deemed relevant by the Chief Classifier may attend and observe National Classification opportunities as required, and will abide by the observers code of conduct.
- 5.3.6 Trainee Classifiers may, at times, be present during National Classifications as part of their formal classifier training.



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5.3.7 Rowing Australia will endeavour to provide a Protest Panel at National Classification opportunities.

#### 5.4 Classification Schedule – Athletes with a Physical Impairment

5.4.1 RA will co-ordinate National Classification opportunities at a specific National Selection event for athletes nominating for National Selection.

5.4.2 RA will co-ordinate National Classification opportunities at the National Championships for athletes competing at the National event.

### 6. Classification Evaluation

#### 6.1 Athlete Evaluation: General

6.1.1 Athlete Evaluation is the process by which an athlete is allocated a Sport Class and a Sport Class Status.

6.1.2 Athlete Evaluation and its associated processes shall be conducted in English. If the athlete requires an interpreter, the athlete is responsible for arranging the interpreter.

6.1.3 Athletes shall choose one person to accompany them when presenting for Athlete Evaluation. This person should be familiar with the athlete's impairment and sporting ability. The accompanying person may not influence the Athlete Evaluation in any way. If the athlete is a minor, the athlete must be accompanied. All Support Personnel must abide by the RA Support Personnel Code of Conduct.

6.1.4 The athlete is responsible for ensuring that they attend the Athlete Evaluation.

6.1.5 Athletes must make themselves available to undertake classification where this is required for entry into competition or part of the selection requirements.

6.1.6 If an athlete fails to attend an Evaluation Session, the Classification Panel will report failure to attend to the Chief Classifier. The Chief Classifier may, if satisfied that a reasonable explanation exists for the failure to attend the Evaluation Session, specify a revised date and time for a further Evaluation Session. However, this may preclude the athlete from competing at RA National events. If the athlete is unable to provide a reasonable explanation for non-attendance, or if the Athlete fails to attend Athlete Evaluation on a second occasion, no Sport Class will be allocated.

6.1.7 The Athlete must agree to and accept the terms of the Consent Form by signing the form prior to participating in the Athlete Evaluation.



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- 6.1.8 Athletes must provide a recognised form of photo identification, such as passport, driver's licence, proof of age card or school photo ID.
- 6.1.9 Athletes with a physical impairment must attend Athlete Evaluation in sporting attire and with all the necessary sport equipment, including cushions, grips, straps, towel and any additional equipment that each particular rower uses specific to them.
- 6.1.10 Athletes with a vision impairment must attend Athlete Evaluation with any visual aids used, including glasses and contact lenses.
- 6.1.11 The athlete must disclose the use of any medication and/or medical device implant to the RA Classification Panel and/or RA Chief Classifier. The Panel may in its sole discretion decline to proceed with Athlete Evaluation if it considers that the use of such medication will affect its ability to conduct Physical or Medical Assessment. The Classification Panel may agree to Athlete Evaluation taking place at a later time and date in such circumstances. However, this may preclude the athlete from competing at RA National events.
- 6.1.12 Video footage and/or photography may be collected by the RA Classification Panel, RA Chief Classifier, RA Classification Management Committee and/or RA Classification Manager and may be utilised by the RA Classification Panel for all classification purposes connected to National Competition and/or National Selection events.
- 6.1.13 Athlete Evaluation must take place in a manner that respects the provisions of the International Standard for Classification Data Protection and consistent with the provisions of the International Standard for Classification Personnel and Training.
- 6.1.14 The Athlete Evaluation process shall encompass the following stages:
- Assessment of Eligible Impairment
  - Assessment against Minimum Impairment Criteria
  - Allocation of Sport Class and Sport Class Status
- 6.1.15 Rowing Australia will liaise directly with athletes who are over the age of 18 and who do not have a brain injury or intellectual impairment.

## 6.2 Assessment of Eligible Impairment

- 6.2.1 Assessment of an eligible impairment is normally completed prior to the classification evaluation by the Classification Panel and/or Chief Classifier using the medical documentation provided.

6.2.2 While assessment of an eligible impairment can be made by the Classification Panel at the Athlete Evaluation, the Classification Panel and/or the Chief Classifier for an event may, in order to avoid unnecessary travel expenses, may advise in advance to the Athlete if they believe that on the evidence provided, the athlete does not have an eligible impairment and/or does not meet the minimal criteria for Para-Rowing. This will be communicated through the RA Classification Manager. This assessment may be made on the documentation submitted and without the need for the Athlete to be physically present.

### 6.3 Assessment of Minimum Impairment Criteria

6.3.1 An Athlete assessed as having an eligible impairment for Para-Rowing must meet the minimum impairment criteria.

6.3.2 For Athletes with a physical impairment (first six eligible impairments), the minimum impairment is a full loss of three fingers on one hand, or at least a trans-metatarsal amputation of the foot, or the loss of ten points on one limb or fifteen points across two limbs when assessed using the Functional Classification Assessment Chart included in the RA Classification Form for Physical Impairments.

6.3.3 For athletes with a visual impairment, the minimum impairment as assessed by approved VI Classifiers, is according to their level of corrected vision and must have an impairment in both eyes that meet the minimal disability criteria of:

- Visual acuity that is less than or equal to LogMAR = 1.00 (6/60) and/or
- Visual field that is less than a radius of 20 degrees

6.3.4 For athletes with an intellectual impairment, the minimum impairment as assessed by approved SIA processes, must meet the following criteria:

- Intellectual impairment with a score of 75 or lower on an internationally recognised and professionally administered IQ test (eg: a WISC-R or WAIS-III)
- Demonstrated limitations in social, interpersonal, communication or self-care skills
- Evidence of intellectual impairment prior to 18 years of age

### 6.4 Athlete Evaluation Process for Athletes with a Physical Impairment

6.4.1 The Athlete Evaluation process shall include at a minimum, the Physical and Technical Assessment.

#### Physical Assessment

Athletes will be assessed by a RA Classification Panel. The RA Classification Panel will conduct a physical assessment of the athlete to establish that the athlete has a permanent

impairment that qualifies the athlete for participation in para-rowing and if so, to determine the Athletes Sport Class and Sport Class Status.

### Technical Assessment

The RA Classification Panel will conduct a technical assessment of the athlete which may include, but not limited to, an assessment of the athlete's ability to perform, in a non-competitive environment, the specific tasks and activities that are part of rowing. Technical assessment is primarily performed on an ergometer, but may also be performed on water when deemed necessary.

- 6.4.2 These Regulations specify certain means of conducting Physical and Technical Assessments. These means are explained in the RA Classifiers Manual and may be amended and/or updated from time to time by the RA Classification Manager in line with updates from the FISA Para-Rowing Commission.
- 6.4.3 The RA Classification Panel may conduct an on-water Observation Assessment before allocating a final Sport Class or Sport Class Status.
- 6.4.4 On-water Observation Assessment shall only take place if an RA Classification Panel cannot complete the Athlete Evaluation without observing the athlete in competition or on water (for example, in situations where the athlete is borderline between Sport Classes).
- 6.4.5 If an Athlete is required to undertake Observation in Competition Assessment, the Classification Panel will specify to the Athlete what is to be observed and why, how this is to take place and by whom.

### 6.5 Athlete Evaluation Process for Athletes with a Vision Impairment

- 6.5.1 Athletes with a Vision Impairment are Nationally Classified through the Australian Paralympic Committee - <http://www.paralympic.org.au/vision-classification/>
- 6.5.2 The APC will provide the details of all Vision Impairment Classifications that are relevant to Rowing.

### 6.6 Athlete Evaluation Process for Athletes with an Intellectual Impairment

- 6.6.1 Athletes with an Intellectual Impairment are Nationally Classified by Sport Inclusion Australia - <http://sportinclusionaustralia.org.au/eligibility/>
- 6.6.2 It is the responsibility of the Athlete and/or Guardian to provide RA with the details of the athlete classification, such as registration number and/or confirmation email/letter.

## 6.7 Suspension of Athlete Evaluation

6.7.1 A Classification Panel, in consultation with the Chief Classifier, may suspend Athlete Evaluation if it cannot allocate a Sport Class to the Athlete, including but not limited to one or more of the following circumstances:

- a) A failure on the part of the Athlete to comply with any part of the relevant Classification Regulations.
- b) A failure on the part of the Athlete to provide any medical information that is reasonably required.
- c) The Classification Panel believes that the use (or non-use) of any medication and/or medical procedures/device/implant disclosed by the Athlete will affect the ability to conduct Athlete Evaluation in a fair manner.
- d) The Athlete has a health condition that may limit or prohibit complying with requests by the Classification Panel during Athlete Evaluation, which the Classification Panel considers will affect its ability to conduct Athlete Evaluation in a fair manner. This may include the Athlete's inability to demonstrate abilities because of pain.
- e) If an Athlete is unable to communicate effectively with the Classification Panel.
- f) If in the reasonable opinion of the Classification Panel the Athlete is physically or mentally unable to comply with the instructions of the Classification Panel.
- g) The Athlete refuses to comply with any reasonable instructions given by any Classification Personnel to such an extent that Athlete Evaluation cannot be conducted in a fair manner.
- h) The Athlete's representation of his or her abilities is inconsistent with any information available to the Classification Panel to such an extent that Athlete Evaluation cannot be conducted in a fair manner.
- i) The behaviour of any Support Personnel that is in breach of the Athlete Support Personnel Code of Conduct to such an extent that Athlete Evaluation cannot be conducted in a fair manner.

6.7.2 Any athlete found to have been non cooperative or does not comply with the RA Classification Regulations shall not be permitted to undergo any further Athlete Evaluation for a minimum of twelve (12) months starting from the date upon which the athlete failed to cooperate. The athlete will be allocated Classification Not Complete on the National Rowing Master List.

## 7. Sport Class

### 7.1 Para-Rowing Sport Classes

- LTA-PD, LTA-B1, LTA-B2, LTA-B3, LTA-II, TA, AS and NE (Refer to Appendix B)

7.2 The means by which a Sport Class is allocated is explained in the RA Para-Rowing Classifiers Manual, which may be amended and/or updated from time to time by RA in accordance with the FISA Para-Rowing Classifiers Manual.

7.3 A Sport Class will be allocated to an athlete following completion of an Athlete Evaluation.

## 8. Sport Class Status

8.1 A Sport Class Status will be allocated to an athlete following allocation of a Sport Class.

### 8.2 Provisional Review Status (PrR)

8.2.1 PrR is assigned to an athlete who:

- Has completed and returned the RA Provisional Classification Form to RA as per the instructions on the form and as outlined in these Regulations.
- The RA Medical and Technical Classifiers and/or FISA Medical Classifier have determined that the athlete meets minimal criteria for para-rowing based on the information provided and an indication of sport class has been provided.
- PrR athletes are required to attend full a national classification to be eligible to compete at National and/or Selection competitions or events.

### 8.3 National Review Status (NR)

8.3.1 Athlete has been evaluated by a full RA National Classification Panel and the RA National Classification Panel have determined that the Athlete will require further review of their classification. A review sport class is considered valid for competition, but is subject to review at a later date. Review status is typically applied to:

- Athletes who have not reached physical maturity
- Athletes who have not reach training maturity
- Athletes whose condition is deteriorating
- Athletes whose condition is fluctuating
- Athletes with a new injury
- Athletes who have been assessed as not eligible on the first evaluation
- Athletes with borderline classifications



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8.3.2 An athlete with a review status will be required to complete Athlete Evaluation at another opportunity.

8.3.3 NR athletes may compete at National and/or Selection events.

#### **8.4 National Review Status with fixed review year (NR + Year)**

8.4.1 Athlete has been evaluated by a full RA National Classification Panel and the RA National Classification Panel have determined that will require further review of their classification at a pre-determined period of time.

8.4.2 An athlete with a fixed review year will not be required to complete Athlete Evaluation until the year of review, however must undergo Athlete Evaluation if a Medical Review is requested, a Protest is made or if the classification rules change.

8.4.3 NR + Fixed Year Status athletes may compete at National and/or Selection events.

#### **8.5 National Confirmed Status (NC)**

8.5.1 Athlete has been evaluated by a full RA National Classification Panel and the RA National Classification Panel have determined that the Athlete's Sports Class will not change. This also applies to athletes who have been determined to be Not Eligible (NE) on a second evaluation as per article 8.6.

8.5.2 An athlete with a Confirmed Sport Class Status will not be required to complete Athlete Evaluation again, however must undergo Athlete Evaluation if a Medical Review is requested, a Protest is made or if the classification rules change.

8.5.3 NC Status athletes may compete at National and/or Selection events.

#### **8.6 Not Eligible (NE)**

8.6.1 An athlete that does not have a health condition that leads to an eligible impairment or impairment that does not meet the minimum impairment criteria must be allocated a Sport Class of Not Eligible.

8.6.2 The Sport Class Not Eligible does not infer that the Athlete does not have an impairment.

8.6.3 If a Classification Panel allocates an athlete a Sport Class of Not Eligible, the athlete shall automatically undergo Athlete Evaluation by a second Classification Panel as soon as practical thereafter.



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8.6.4 Pending any such second assessment the Athlete will be allocated a Sport Class Not Eligible (NE) and Sport Class Status Review (R) and will not be permitted to compete as a Para-Rower at National and/or Selection Events.

8.6.5 If the second Classification Panel confirms that the athlete's Sport Class is NE, the athlete will be assigned Sport Class Status Confirmed (C) and will not be permitted to compete as a Para-Rower, and will have no further right to Protest.

8.6.6 If the athlete has a deteriorating impairment and has been determined to be NE with a status of Confirmed, the athlete may request a Medical Review process.

## 8.7 National Medical Review

8.7.1 A change in the nature or degree of an athlete's impairment may mean that a review is needed to ensure that any Sport Class allocated to that Athlete is correct. This review is referred to as a Medical Review. A Medical Review is commenced by completing the RA Medical Review Form and submitting to RA as per the instructions on the form. The request must include all relevant supporting information.

8.7.2 The RA National Classification Management Committee will review all information provided. The Committee may seek assistance from additional qualified medical classifiers if needed, including FISA Medical Classifiers.

8.7.3 If an application for review is accepted by the RA National Classification Management Committee, the athlete's Sport Class Status will be amended to Review (R) pending the outcome of the evaluation by a RA Classification Panel at the next RA National Classification opportunity.

8.7.4 Undergoing a review after intervention or change does not guarantee that the athlete's classification will necessarily change.

8.7.5 It is the athlete's responsibility to ensure they inform RA of any changes that might impact upon their classification. This may be a result of medical intervention (surgery or other treatment), or progression of his or her impairment, that the impairment activity limitations are no longer consistent with the Athlete's Sport Class or Sport Class Status.

8.7.6 Athletes with a vision impairment seeking a medical review must follow the APC VI Medical Review Process. Athletes must complete the APC VI Medical Review form and send to APC Classification Services.

## 9. Notification of Athlete Evaluation

- 9.1 Following completion of the Medical and Technical Assessment, the athlete will be allocated a Sport Class and Sport Class Status and will be advised verbally of the outcome at the completion of the evaluation.
- 9.2 The Sport Class and Sport Class Status allocated to the Athlete following completion of the Athlete Evaluation will be notified to the athlete and/or support personnel and a copy of the classification documentation will be emailed to the athlete as soon as practicable.
- 9.3 The Classification Master list will be updated on the RA website as soon as possible following the event.

## 10. Intentional Misrepresentation

- 10.1 An athlete must not intentionally misrepresent his or her skills and/or abilities and/or the degree or nature of Eligible Impairment to a Classification Panel. If an athlete attempts to deceive the Classification Panel during the course of Athlete Evaluation, he or she is guilty of Intentional Misrepresentation.
- 10.2 An Athlete who intentionally misrepresents his/her skills and/or abilities and/or the degree or nature of his/her Eligible Impairment by any act or omission is guilty of Intentional Misrepresentation.
- 10.3 This includes misrepresentation away from Athlete Evaluation, including misrepresentation after allocation of Sport Class such as a failure to make a medical notification as to a change in impairment that an Athlete or Athlete Support Personnel knows it affects or may affect a Sport Class. It also includes actions prior to evaluation, such as deliberately tiring the body as in a co-ordination impairment or failure to take prescribed medication.
- 10.4 Any Athlete or Athlete Support Personnel, who knowingly assists, covers up or disrupts the evaluation process with the intention of deceiving or misleading the Classification Panel, or is in any other way involved in any other type of complicity involving Intentional Misrepresentation is guilty of Intentional Misrepresentation.
- 10.5 If RA commences disciplinary proceedings against an Athlete or Support Personnel in respect to Intentional Misrepresentation (and/or complicity involving Intentional Misrepresentation), RA may impose a provisional suspension from all National and Selection competitions.
- 10.6 An Athlete or Athlete Support Personnel who is subject to a provisional suspension may not, during the period of provisional suspension, participate in any capacity in any

para-rowing competition, event or activity organised, convened, authorised or recognised by RA.

- 10.7 If RA imposes a provisional suspension it should ensure there can be an expected hearing no later than 14 days after the date of imposition of the provisional suspension if the Athlete or Athlete Support Personnel requests such a hearing.
- 10.8 The consequences that will be applied to an Athlete or Athlete Support Personnel who is found to have been guilty of Intentional Misrepresentation and/or complicity involving Intentional Misrepresentation must be one or more of the following: (a) Disqualification from all events at the Competition at which the Intentional Misrepresentation occurred; and (b) Not Eligible for Athlete Evaluation or other participation in Competitions for a specified period of 48 months.
- 10.9 The consequences that will be applied to an Athlete or Athlete Support Personnel who is found to have been guilty of Intentional Misrepresentation and/or complicity involving Intentional Misrepresentation on more than one occasion is up to a lifetime period of being Not Eligible from Athlete Evaluation or other participation in Competitions.
- 10.10 If an Athlete or Athlete Support Personnel who is subject to disciplinary proceedings by another National or International Sport Body in respect to an Intentional Misrepresentation which results in the imposition of a period of being Not Eligible, that period of being Not Eligible will be recognised by RA.
- 10.11 Any consequences to be applied to clubs or states, which include an Athlete or Athlete Personnel Support Personnel who is found to have been guilty of Intentional Misrepresentation and/or complicity involving Intentional Misrepresentation, will be at RA's discretion.

## **11. Athlete and Athlete Support Personnel Code of Conduct**

- 11.1 Athletes and Athlete Support Personnel must conduct themselves according to the IPC Code of Ethics, APC Classification Policy and RA Classification Regulations and By-Laws.
- 11.2 Athletes and/or Athlete Support Personnel who do not adhere to the above, will be considered to be in violation of the sport rules. Such support personnel may be barred from further involvement in national and international competition.

## **12. Publication of Penalties**

- 12.1 RA will disclose on its website details of penalties imposed upon Athletes and Athlete Support Personnel found in breach of these Regulations.

## 13. Protests and Appeals

### 13.1 Protests

13.1.1 The term Protest refers to a procedure by which the outcome of Athlete Evaluation may be challenged. A protest is defined in the IPC Code as a formal objection to an athlete's sport class and/or status.

13.1.2 A Protest may be in respect of the allocation of a Sport Class to an Athlete. No Protest may be made in respect of the designation of an Athlete's Sport Class Status.

13.1.3 A successful protest will result in Athlete Evaluation being conducted by a Classification Panel, which will be referred to as a Protest Panel.

13.1.4 RA may only resolve a Protest in respect of a Sport Class allocated by RA National Classifiers. A Protest received regarding a rower with a visual impairment will be referred to the Australian Paralympic Committee (APC) to resolve.

13.1.5 Protests shall be resolved in a manner that minimises the impact on competition participation, competition scheduled and results.

### 13.2 Parties Permitted to Make a Protest

13.2.1 Protests may only be made by the following parties:

- The Athlete who the Protest relates to
- Athlete Support Personnel (on behalf of the Athlete who the protest relates to)
- RA (Protest Under Exceptional Circumstances)

### 13.3 Athlete Protest Procedure

13.3.1 An Athlete may make a Protest in respect of the allocation of Sport Class relating to their own athlete evaluation.

13.3.2 An athlete and/or athlete support personnel may not protest another athlete's Sport Class. If an athlete or athlete support personnel believes there are grounds for a Protest in respect of the Sport Class allocation to another athlete, it may request RA to make a Protest while providing evidence for the reason for this request.

## 13.4 Athlete and Athlete Support Personnel Protest Procedure

13.4.1 Protests must be submitted in English on a RA Protest Form (available on the RA website). The information and documentation to be submitted with the Protest Form must include the following:

- The name and club of the Athlete whose Sport Class is being Protested
- Details of the Protest Decisions and/or copy of the Protested Decision
- A reasoned explanation for the Protest, including why the Athlete or Athlete Support Personnel believes the Protested decision is flawed
- All documents and other evidence to be offered in support of the Protest
- The signature of the person submitting the Protest

13.4.2 The Protest Form and supporting documentation must be submitted to the event Chief Classifier for the relevant Competition within two (2) hours of the RA National Classification Panel's decision regarding the Sport Class. The Chief Classifier must conduct a review of the Protest to determine if there is a valid reason for a Protest and if all the necessary information is included. In making the decision, the event Chief Classifier may consult with the Medical and/or Technical Classifiers on the RA Classification Management Committee and/or the FISA Head of Classification.

13.4.3 If it appears to the Chief Classifier that the Protest is not supported by evidence and/or otherwise does not comply with the relevant Protest procedures, the Chief Classifier shall decline the Protest and all relevant parties will be notified. In such cases, the Chief Classifier shall provide a verbal explanation as soon as possible and a written explanation will be provided to the Athlete or Athlete Personnel as soon as is practicable.

13.4.4 If the Chief Classifier declines a Protest, the Athlete or Athlete Support Personnel may resubmit the Protest if it is able to remedy the deficiencies identified by the Chief Classifier. The time frame for re-submitting a Protest is 2 hours from the time the Athlete is notified of the decision.

13.4.5 If it appears to the Chief Classifier that the Protest is supported by evidence and complies with the relevant Protest procedures the Protest must be accepted. In making the decision, the Chief Classifier may consult with the Medical and/or Technical Class on the RA Classification Management Committee and/or the FISA Head of Classification.

13.4.6 If the Protest is accepted:

- The Athlete's Protested Sport Class shall remain unchanged pending the outcome of the Protest and the Athlete's Protested Sport Class Status shall be retained or amended as or to Sport Class Status Review (R) as appropriate;

- The Chief Classifier and/or RA Classification Manager shall appoint a Protest Panel to resolve the Protest as soon as is reasonably possible, which must be, if practicable, at the competition the Protest was made.
- The members of the Protest Panel should have had no direct involvement in the evaluation that led to the most recent allocation of the Athlete's Sport Class, unless the most recent evaluation took place more than eighteen (18) months prior.

13.4.7 The RA Classification Manager will notify all relevant parties of the time and date of the Athlete Evaluation that will be conducted by the Protest Panel.

### 13.5 RA Protests

13.5.1 RA may make a Protest in respect of the Sport Class of any Athlete under its jurisdiction at any time.

13.5.2 RA may make a Protest regarding the Sport Class of an Athlete if it has good reason to believe that the Athlete's ability to execute the specific tasks and activities fundamental to rowing are not consistent with the Sport Class that has been allocated to the Athlete.

### 13.6 RA Protest Procedures

13.6.1 The RA Classification Management Committee will advise the Athlete at the earliest possible opportunity that a Protest is to be made.

13.6.2 The RA Classification Management Committee will provide the Athlete with a reasoned explanation as to why the Protest has been made and the basis on which the RA Classification Management Committee believes that the Protest is justified.

13.6.3 If RA makes a Protest:

- The Athlete's protested Sport Class shall remain unchanged pending the outcome of the Protest but the Athlete's Protested Sport Class Status shall be retained or amended to Sport Class Status Review (R) as appropriate;
- A Protest Panel must be appointed by RA to resolve the Protest as soon as is reasonably possible.

13.6.4 A Chief Classifier at an event may make a Protest on behalf of RA if it is in the interests of fairness to Athlete's to do so.

### 13.7 Resolving a Protest: The Protest Panel

13.7.1 A Chief Classifier may fulfil one or more the RA Classification Manager's obligations in relation to this By-Law if authorised to do so by the RA Classification Manager.



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13.7.2 A Protest Panel must be appointed by the RA Classification Manager in a manner consistent with the provisions in these Regulations relating to the appointment of a Classification Panel.

13.7.3 A Protest Panel must not include any person who:

- Was a member of the Classification Panel that made the Protested Decision
- Any person who has been a member of the Classification Panel that was involved in the evaluation that led to the most recent allocation of the Athlete's Sport Class, unless the most recent evaluation took place more than eighteen (18) month prior to the Protest being submitted
- Any person who has been a member of a Classification Panel that has conducted any Athlete Evaluation in respect of the Athlete with the Protested Decision within a period of twelve (12) months prior to the date of the Protested Decision.

13.7.4 The RA Classification Manager will supply all documentation submitted with the Protest Form to the Protest Panel. The RA Classification Manager will notify all relevant parties of the time and date for the relevant components of Athlete Evaluation that will be conducted by the Protest Panel.

13.7.5 The Athlete Evaluation will be conducted by the Protest Panel. The Protest Panel may make enquiries of the Classification Panel that made the Protested Decision and the Chief Classifier if such enquiries will enable the Protest Panel to complete the Athlete Evaluation in a fair and transparent manner.

13.7.6 The Protest Panel may seek additional medical, sport, or scientific expertise in reviewing an Athlete's Sport Class when deemed necessary to assist with the decision.

13.7.7 The Protest Panel will (if able to do so) allocate a Sport Class and designate a Sport Class Status. All relevant parties shall be notified of the Protest Panel's decision as quickly as possible following Athlete Evaluation.

13.7.8 The decision of the Protest Panel is final and is not subject to any further Athlete or Athlete Support Personnel Protests.

### 13.8 Provisions Where No Protest Panel is Available

13.8.1 If a protest is made at a Competition but there is no opportunity for the Protest to be resolved at that Competition;

- The Athlete with a protested decision will be permitted to compete within the Sport Class that is subject of the Protest, pending the resolution of the Protest.

- All reasonable steps will be taken to ensure that the Protest is resolved at the earliest opportunity.

## 13.9 Appeals

13.9.1 An Appeal, as defined by the IPC Code, refers to a procedure by which a formal objection to the manner or process in which Classification procedures have been conducted is submitted and subsequently resolved.

13.9.2 If an Athlete or Athlete Support Personnel believe that RA, in the course of applying its Classification Regulations has made an unfair decision, it may apply by way of an Appeal to have that decision set aside.

13.9.3 A decision will be considered unfair if it has been made in contravention of the procedures set out in the Classification Regulations and there is some manifest unfairness associated with the decision such that it must be set aside.

13.9.4 An Appeal must be made and resolved in accordance with these Regulations.

13.9.5 RA have appointed the Australian Paralympic Committee as the Appeal Body for the hearing and resolution of Appeals. The Appeal Body shall have the power to either rule that the relevant decision must be upheld, or to set the decision aside. The Appeal Body shall have no power to amend any decision and in particular has no power to amend a Sport Class or Sport Class Status.

13.9.6 The Appeal body may decline to rule on an Appeal if it appears that other available remedies, including but not limited to Protest procedures, have not been exhausted.

## 13.10 Appeal Process

13.10.1 An Athlete or Athlete Support Personnel may make an Appeal by submitting a Notice of Appeal to the RA CEO.

13.10.2 A Notice of Appeal must:

- Be made in writing within fifteen (15) days of the decision being appealed
- Identify the decision being appealed, by attaching a copy of the decision (if written) or briefly summarising it
- Specify the grounds for Appeal
- Identify all documents, evidence and witnesses to be put forward in support of the Appeal



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13.10.3 Upon receipt of a Notice of Appeal, if the party bringing the Appeal has complied with all relevant Appeal procedures and exhausted all other available remedies, RA must refer the Appeal to the Appeal Body for resolution

13.10.4 Appeal proceedings are confidential. The parties and the Appeal Body shall not disclose facts or other information relating to the dispute or the proceedings to any person, unless the information is necessary to prosecute or defend the Appeal.

### **13.11 Appeal Decision**

13.11.1 As soon as is practicable following the conclusion of the hearing, the Appeal Body must issue a written decision regarding the Appeal. The Appeal body shall either affirm the decision appealed or set aside the decision. The Appeal Body shall have no further power in respect of its decision.

13.11.2 If the Appeal Body sets aside a decision it may, if appropriate, make recommendations as to the steps to be taken by RA in light of that decision.

13.11.3 The Appeal Body decision shall be provided to all parties.

13.11.4 The decision of the Appeal Body is final and is not subject to any further appeal.

### **13.12 Responsibility for Ensuring Compliance with Protest and Appeal Rules**

13.12.1 The person, club or organisation making a Protest or Appeal is solely responsible for ensuring that all Protest and Appeal process requirements are observed.

## **14. Classification Master List**

14.1 Rowing Australia manages the Australian Rowing Classification Master List and will include recognised classifications for athletes with a physical, vision and intellectual impairment on the Master List.

14.2 The Australian Rowing Classification Master List will be updated as soon as practicable after the Athlete Evaluation. It will include classification outcomes from Provisional, National and International Classification.

14.3 The Classification Master List will be available on the RA website.

14.4 Athletes with more than one impairment type may be eligible to hold multiple classifications, where they meet the minimal disability criteria for each impairment system. The RA Classification Master List will list the classification for each impairment group relevant for athletes with multiple impairment types, where dual eligibility is

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permitted, however an athlete must chose the class under which they compete and must abide by the RA rules and regulations associated with the chosen classification and impairment.

