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PART 1 GENERAL PROVISIONS**1. NAME, LEGAL STATUS, FOUNDATION**

The body called the 'Badminton World Federation' hereinafter referred to as "the Federation" is organised as a not-for profit association.

The Federation was established on 5 July 1934 in London with nine founding Members, with the intention of regulating, developing and promoting Badminton internationally.

The Federation shall possess legal personality and have the capacity to contract, to acquire and dispose of immovable property, and to institute and defend in legal proceedings.

2. OFFICIAL LANGUAGE

The official language of the Federation shall be English. *

** Operational footnote (for information): The use of other languages by a speaker is authorised at meetings subject to the provision of interpretation into English being provided by the speaker at their own cost and that notice is given to the Chair of the meeting in advance.*

3. PURPOSES AND OBJECTIVES

The key focus of the Federation is the governance and administration of Badminton worldwide.

The Purposes and Objectives of the Federation shall be to:

- 3.1. publish and promote the Statutes and Principles;
- 3.2. control the game, from an international perspective, in all countries and continents;
- 3.3. promote and popularize Badminton worldwide;
- 3.4. support and encourage the development of Badminton as a sport for all;
- 3.5. encourage the formation of new Members, strengthen the bonds between Members and resolve disputes between Members;
- 3.6. organize, conduct and present world Badminton events to world class standards and ensure other international events meet the appropriate international standards;
- 3.7. protect the integrity of badminton through programmes for the prevention and fight against doping and match-fixing. In particular, the Federation will ensure compliance with the World Anti-Doping ProgrammeCode;
- 3.8. engage in commercial activities that give direct benefits to the sport and ensure the sustainable development of the Federation;
- 3.9. uphold these Principles, Purposes and Objectives, taking such measures as may be necessary for advancing the interests of Badminton from an international perspective.

4. PRINCIPLES

The Federation is an association for national Badminton federations. The Federation and its Members, through their membership, are committed to these principles for the sport and the Federation itself.

4.1. Sports for All

Badminton is a sport for people of all ages and people of all abilities – recreational, competitive and elite world class.

4.2. Fair Play

The Federation and its Members shall take all reasonable care to ensure competitions and those participating in events respect “fair play”. The Federation promotes the highest degree of sportsmanship and integrity among the players, officials and administrators.

Players at all levels must be able to participate in Badminton which is free of drugs, violence, discrimination, technical manipulation, cheating and any form of exploitation in an attempt to win or to manipulate the outcome of a match.

4.3. Harassment Free Sport

All those working and participating in Badminton including players, coaches, technical officials and administrators have a right to compete, work and participate in a harassment-free environment. The Federation shall use its Code of Ethics to ensure there are no forms of harassment whether that be physical, psychological or other forms of harassment.

4.4. Equal Opportunity

Badminton has equal representation of men and women on the field of play. The Federation supports the active participation of women in Badminton at all levels and the representation of both men and women in the affairs of the Federation beyond the field of play.

4.5. Environmental Responsibility

The Federation shall take a responsible approach to safeguarding the environment and managing resources in a sustainable way through its practices in hosting events and in managing its operations.

4.6. Non-Discrimination and Ethics

The Federation shall not allow any form of discrimination to affect its decisions or actions, be it discrimination based on race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.

Anyone who deals with the Federation and / or shares in its activities in any capacity, notably those referred to in Clause 30, commit themselves by their actions to behave in a non-discriminatory and ethical manner.

5. AUTONOMY

- 5.1. The autonomy of international sport is a fundamental principle and the Federation will take appropriate measures to preserve the autonomy of international Badminton.
- 5.2. The Federation shall allow Members complete autonomy in their own territory. It will have no part in purely national issues unless such issues affect the international image, or the Olympic and Paralympic status of the sport in any way. When the autonomy of a Member is being compromised, the Federation shall take any appropriate measures.
- 5.3. Members must manage their internal affairs with total independence and ensure that no third party interferes in their operations. Members must remain autonomous and resist political, religious and financial pressure which may infringe their commitment to conform to the Federation's Constitution. Any external form of interference or attempt shall be reported to the Federation.
- 5.4. Members' constitutions must make provision for an election or internal appointment system that ensures independence of the Member.
- 5.5. Council may take appropriate action against any Members not in compliance with Clause 5.

6. OLYMPIC CHARTER

The general and fundamental principles of the Olympic Charter are applicable, and no provision of the Statutes shall be deemed to conflict with or derogate from those principles.

7. DEFINITIONS AND INTERPRETATION

Definitions

- 7.1. **AGM** – means an Annual General Meeting of the Federation called and conducted in accordance with Clause 15.
- 7.2. **Anti-Doping Regulations** – means such regulations as may from time to time be developed and published by Council in accordance with Clause 28.
- 7.3. **Assessment Period** – means a four (4) year period of time over which the criteria in Clause 15.20 are applied to determine voting strength, and extends from 1 October in the year of the Summer Olympic Games to the 30 September of the year of the subsequent Summer Olympic Games.
- 7.4. **Associate Member** – means an organisation recognised as such in accordance with Clause 11.
- 7.5. **Candidate** – means a nominee for election who has been determined to be Eligible in accordance with the Vetting Rules.
- 7.5-7.6. **CAS** – means the Court of Arbitration for Sport.

7.6.7.7. Closing Date – shall be the date defined in accordance with Clause 15.1.

7.8. Code of Ethics – means the Federation's Code of Ethics, as amended from time to time.

7.9. Constitution – means the Constitution of the Federation, as amended from time to time.

7.7.7.10. Continental Confederations – shall have the meaning set out in Clause 9.

7.11. Council – means the body defined in Clause 17.

7.12. Declaration Form – means the form approved by the Independent Vetting Panel from time to time to collect the necessary consents and the relevant information for the Vetting Process.

7.8.7.13. Deputy President – means the person elected to that role in accordance with Clause 17.18.

7.14. Eligible – has the meaning set out in Clause 2.3 of the Vetting Rules, and Eligibility shall be construed accordingly.

7.15. Eligibility Criteria – means the criteria set out in Clause 2.3 of the Vetting Rules.

7.9.7.16. Executive Board – means the board appointed in accordance with Clause 22.1.

7.17. Federation – means the Badminton World Federation.

7.10.7.18. General Meeting – means an AGM or Extraordinary General Meeting of the Federation called and conducted in accordance with this Constitution.

7.11.7.19. Honorary Life Vice President – means such a person as may be appointed in accordance with Clause 21.1.

7.20. Independent Appointment Body – means the body described in Clause 22A.

7.21. Independent Hearing Panel – means the body described in Clause 7 of the Judicial Procedures.

7.22. Independent Vetting Panel – means the panel described in Clause 3 of the Vetting Rules, including the inaugural Independent Vetting Panel (unless specified otherwise) and the Independent Appointment Body in the circumstances set out in Clause 3.5.2 of the Vetting Rules.

7.12.7.23. IOC – means the International Olympic Committee.

7.13.7.24. Member – means a Member of the Federation as defined in Clause 8.

7.14.7.25. Member in Good Standing – means a Member who:

7.14.1.7.25.1. does not have any subscriptions due (Clause 26);

7.14.2.7.25.2. is not under suspension (Clauses 13.5 –13.10); and

7.14.3.7.25.3. who has submitted a completed Schedule A to the Federation for the current year (Clause 13.1).

7.15.7.26. NOC – means National Olympic Committee.

7.16-7.27. **Notice** – means formal notification by email, fax or mail.

7.28. **Officer** – means a person holding the office of President, Deputy President, or Vice President of the Federation.

7.29. **Ordinary Council Member** – means Council members other than the President, Deputy President, the Vice Presidents (Continental), the Vice President (Para Badminton) and the Chairs of the Athletes' Commission and the Para Badminton Athletes Commission.

7.17-7.30. **Para Badminton** – means Badminton for people with an impairment.

7.18-7.31. **President** – means ~~such the~~ person ~~as may be~~ elected to that role in accordance with ~~Clauses 15.2 and~~ Clause 18.

7.19-7.32. **Principles** – shall have the meaning as set out in Clauses 4.1 to 4.6.

7.20-7.33. **Purposes and Objectives** – shall have the meaning as set out in Clause 3.

7.34. **Referral Officer** – has the meaning given to that term in the Judicial Procedures.

7.21-7.35. **Regional or Special Interest Members** – means those organisations recognised as such in accordance with Clause 10.

7.22-7.36. **Regulations** – ~~mean~~means 1) all regulations governing competitions including but not limited to the General Competition Regulations, the Regulations for Federation Events, and 2) any other Regulations including Anti-Doping Regulations, Disciplinary Regulations, Appeals Regulations, Codes of Conduct, Awards Regulations, Council Procedures and Guidelines which are approved by the Council.

7.37. **Relevant Authority** – has the meaning set out in Clause 1.2.1 of the Vetting Rules.

7.38. **Relevant Person** – has the meaning set out in Clause 1.2.2 of the Vetting Rules.

7.23-7.39. **Schedule A** – means the form submitted to the Secretary General by Members annually which contains such information required for purposes of administration and publication including but not limited to the names, addresses and contact information of its principal officers, the number of member clubs / associations, the total number of registered players affiliated to the Member and a declaration that the provisions of Criteria for Membership (Clause 8) continue to be met.

7.40. **Secretariat** – means the staff of the Federation.

7.24-7.41. **Secretary General** – means a person appointed under Clause 25.1.

7.42. **Scrutineer** – means any person approved under Clause 15.7.1 to witness the voting process. Scrutineers may be from inside or outside the badminton community. For cases where an electronic voting system is used, at least one of the Scrutineers shall be a lawyer independent from the Federation.

7.43. **Sports Disciplinary Panel** – means the judicial body of the Federation described in Clause 8 of the Judicial Procedures.

7.25.7.44. **Statutes** – include the full body of the Laws of Badminton, this Constitution and any Regulations governing the sport of Badminton.

7.26.7.45. **Unit** – shall have the meaning set out in Clause 26.1.

7.46. **Vetting and Vetting Process** – means the process by which the Independent Vetting Panel decides whether Relevant Persons are Eligible, in accordance with the Vetting Rules and Vetting Procedures.

7.47. **Vetting Officer** – has the meaning given to that term in Clause 22A.5.

7.48. **Vetting Procedures** – has the meaning set out in Clause 4.2 of the Vetting Rules.

7.49. **Vetting Rules** – means the rules in Appendix II.

7.50. **Vice-President** – any person elected to that role in accordance with Clause 18.

7.27.7.51. **Votes Cast** – means votes by a show of hands, valid votes that are submitted in a secret ballot or votes made by other technological means. Blank voting slips, blank pieces of paper and void voting papers are not “Votes Cast”. Similarly an abstention does not count as a Vote Cast. Voting majorities will be calculated only on the basis of Votes Cast.

7.28. **WADA** – means World Anti-Doping Agency.

Interpretation

7.52. Unless otherwise specified, references in this Constitution to any Rule, Code, Procedure or Regulation are to the Rules, Codes, Procedures and Regulations of the Federation, as amended from time to time.

7.29.7.53. Words signifying persons in this Constitution include corporations and all legal persons including any other entities or bodies whether incorporated or not.

7.30.7.54. Words signifying the masculine gender in this Constitution include the feminine and neuter genders and vice versa.

7.31.7.55. Any deadline referred to in this Constitution shall mean midnight on the day of the deadline at the location of the Federation headquarters.

PART 2 MEMBERSHIP**8. MEMBERS**

Members and all applicants for membership of the Federation shall fulfil the following criteria:

- 8.1. be formally recognised by the Council as the overall governing body for Badminton in the country;
- 8.2. cover the territory of a country that is recognised as such and recognised as an independent and sovereign state by the international community;
 - 8.2.1. Clause 8.2 shall not apply to Members who were admitted to the Federation before 31 December 2005.
 - 8.2.2. Clause 8.2 shall not apply to territories, which have their own National Olympic Committee recognised by the IOC.
- 8.3. have a constitution that is consistent with that of the Federation and its Principles, Purposes and Objectives as per the guidelines approved by Council, and provide a copy to the Federation for its records;
 - 8.3.1. provide details of any subsequent amendments to the constitution not later than one calendar month after the general meeting at which such amendments were approved.
- 8.4. be a legally registered body and/or can satisfy the Federation that it has the legal and administrative ability to administer the sport to an acceptable standard;
- 8.5. give a formal undertaking to be bound by the Anti-Doping rulesintegrity-related regulations consistent with the requirements of Clause 28;
- 8.6. give a formal undertaking to observe the Statutes of the Federation;
- 8.7. undertake to recognise CAS as the only external judicial authority to which an appeal can be made;
- 8.8. subject only to appeal to CAS, undertake to accept as binding and final the decisions of the competent authorities within the Federation and to be subject to such binding and final decisions;
- 8.9. undertake to make every reasonable effort to impose the obligations in Clauses 8.5 to 8.7 upon its affiliated clubs and associations and their members in all those areas where the Federation has authority;
- 8.10. undertake to adhere to Clause 5 with regard to the autonomy of international sport and the autonomy of Members;

9. CONTINENTAL CONFEDERATIONS

The Federation has endorsed the formation of Continental Confederations for Africa, Asia, Europe, Oceania and Pan America, in accordance with the division recognised by the IOC. The Continental Confederations shall promote, develop and regulate Badminton in their respective continent and in mutual cooperation and will be supported and encouraged in that process by the Federation.

- 9.1. The Continental Confederation's Constitution, principles, purposes and objectives and rules must conform to those of the Federation as per the guidelines approved by Council.
- 9.2. The strategies and policies of the Continental Confederations are required to fulfil the objectives of the Federation.
- 9.3. Each Continental Confederation shall provide the Federation with a copy of its Constitution and with details of any subsequent changes not later than one calendar month after the meeting at which they are made.
- 9.4. Upon achieving membership or associate membership, Members or Associate Members shall automatically become members of the Federation's relevant Continental Confederation.
- 9.5. Continental Confederations may accept other Associate Members without voting rights.
- 9.6. With the acceptance of the parties concerned, an Annual General Meeting has power to vary the Continental Confederation to which a Member belongs.
- 9.7. Parts of a Member which lie wholly within a Continental area other than that in which the Member is situated may, with the permission of the Council and the consent of their Member, be attached to the Continental Federation in whose area they lie for the purpose of competition and the development of Badminton.

10. REGIONAL OR SPECIAL INTEREST MEMBERS

Membership of the Federation is also open to any organisation which may be formed by a grouping of Members or individuals for the further promotion of the game and which adheres to the Constitution of the Federation. Such membership is subject to Council approval at its sole discretion. Such an international organisation shall not accept into membership any association, organisation or grouping of individuals which are not a Member of the Federation.

11. ASSOCIATE MEMBERS

- 11.1. Associate Membership of the Federation is open to:
 - 11.1.1. clubs or organisations trying to form a national badminton organisation in a territory where there is no national Badminton organisation recognised by the Federation;
 - 11.1.2. clubs or organisations trying to form a national Badminton organisation in a territory that is not yet recognised by the international community; and
 - 11.1.3. clubs or organisations which are exclusively for Para-Badminton players and who are not affiliated to a Member.

Clubs and Organisations

- 11.2. Clubs or organisations within countries or (semi) independent territories not yet nationally organised and countries that are not yet recognised as an independent and sovereign state by the international community which

agree to adhere to the Constitution of the Federation may upon application using Schedule A be admitted as Associate Members of the Federation upon such terms and conditions as determined by Council.

- 11.2.1. An Associate Member shall give all practical support to the formation of a National Association (or corresponding organisation) for the country in which it is situated.
- 11.2.2. An Associate Membership other than those admitted as Para-Badminton Organisations (Clause 11.1.3) shall lapse automatically when a properly constituted national association is admitted to Federation membership.
- 11.2.3. The term of an Associate Membership shall not extend more than five years beyond the original affiliation unless a longer term is approved by Council upon written request.

Council may at any time stop recognising a particular body as an Associate Member if such an Associated Member acts against the Federation, its Statutes or its Principles, Purposes or Objectives. Such a decision shall have repercussions to all persons acting under the auspices of such an Associated Member.

Para Badminton Organisations

- 11.3. Associate Membership is open to national organisations serving the needs of Badminton players with a disability for the purposes of providing entry for Para badminton players into international Para badminton events sanctioned by the Federation.
- 11.4. Such organisations must agree to adhere to the Constitution of the Federation and may upon application using Schedule A be admitted as Associate Members of the Federation upon such terms and conditions as determined by Council.

12. ADMISSION TO MEMBERSHIP

Requirements

In order to become a Member of the Federation, a National Badminton association that meets the criteria in Clause 8 may apply to the Council on the form approved by Council (Schedule A) and submit the required supporting documents with its application.

Admission Process

- 12.1. After verification by the Secretary General, and the President or the person appointed by the Council for this purpose, the application with any recommendation shall be notified by the Secretary General to all Members
 - 12.1.1. Supporting documents will be provided to Members on request.
- 12.2. In the absence of the receipt of an objection from five (5) or more Members within a period of one (1) month after such notification, Council shall have power to elect the applicant as a Member. Such election shall be reported to all other Members.

12.3. Application for membership from a Regional or a Special Interest Association or an Associate Member shall be approved by Council.

Protest

12.4. Should a protest be received from five (5) or more Members, the application shall not be dealt with by Council but, together with the reasons for objection and their sources, shall be placed on the agenda for consideration by the next AGM. A simple majority shall suffice to elect the applicant, such election will be effective as of the close of the AGM and is conclusive.

Jurisdictional Disputes

12.5. In the event of any organisation claiming jurisdiction over disputed territory or claiming jurisdiction over territory to which it might not have an obvious claim:

- 12.5.1. The organisation shall submit to Council a statement setting out its claim over the disputed territory and all necessary documents to satisfy the requirements of membership contained in Clauses 8 and 12.
- 12.5.2. The Council shall investigate the claim, and will ensure that the existing Member (if any) is informed of the details of the claim and is given a reasonable opportunity to respond.
- 12.5.3. The Council shall determine the appropriate body to represent the territory. Such determination will be conclusive and the determined body shall assume the status of Member.
- 12.5.4. The Council may impose conditions, determine transitional arrangements or decide on other matters with the objective of ensuring players are not disadvantaged.
- 12.5.5. The Council's decision will be placed on the agenda at the next AGM.
- 12.5.6. In the event of any organisation desiring, or being forced, to alter its area of jurisdiction, whether greater or smaller, from that of its original claim, it shall immediately submit details thereof to the Secretary General together with the relevant supporting documentation. Members shall be advised of the change.

13. ONGOING MEMBERSHIP REQUIREMENTS

13.1. Every Member shall submit to the Secretary General not later than 30 September in each calendar year a completed Schedule A which includes the number of its registered players as at a date within the preceding three (3) months. Council shall have the right by 31 October in the same year to refuse to accept such declarations representing the number of registered players and also, if no Schedule A has been received, to assess the figures on such information as shall be available. A Member shall have the right to object to Council against such assessment within fourteen (14) days of receipt of the notice of Council's decision. The onus of proof shall lie with the Member concerned.

The contact information in Schedule A will be used for the day to day communication with the Member, however with the primary contact person being the President in case of any doubt.

- 13.2. In order to retain its membership status, a Member shall at all times fulfil all the conditions necessary for admission to membership (Clause 8) and promptly advise the Federation of any material change in its status.
- 13.3. A Member must always comply with the Statutes of the Federation and be able to enter into contracts, sue or be sued as a legal person as recognised in its territory of operations.

Retirement

- 13.4. A Member wishing to retire from the Federation must give notice in writing to the Secretary General on or before 30 September in any given year and, in default, will be held liable for the subscription for the next year. Any subscriptions already paid are non refundable. Members will be promptly notified of any retirement.

Suspension

- 13.5. Between General Meetings Council has the power to suspend the membership of a Member who, in the opinion of Council, acts directly against the Federation, its Statutes, or its Principles, Purposes or Objectives. Suspension is a temporary sanction and therefore a General Meeting cannot initiate a suspension or require Council to do so.
- 13.6. Council may remove a suspension at any time.
- 13.7. If a suspension of a Member is in effect at the date of a General Meeting, the General Meeting shall vote to confirm or remove the suspension, a simple majority of the Votes Cast being decisive. Such a vote may be transacted without the matter being previously put on the AgendaAGM agenda.
- 13.8. Members under suspension have the right to speak but not vote on their case at a General Meeting.
- 13.9. Confirmation of a suspension by a General Meeting shall not affect the power of Council to remove the suspension in the light of later developments.
- 13.10. If, and so long as, a Member is suspended, such Member shall be deprived of all rights of membership and shall not be eligible to participate in any playing event promoted or sanctioned by the Federation or in any officially recognised international Badminton fixture or attend General Meetings (save for the purposes of Clause 13.8). Council may vary the conditions of suspension if it believes special circumstances exist.

Expulsion

- 13.11. If a General Meeting decides by at least three-fourths of the Votes Cast that a Member should be expelled from the Federation, such Member shall cease forthwith to be a Member of the Federation. The Secretary General shall subsequently notify the Member concerned about its expulsion and shall also inform all other Members accordingly.

13.12. The Council may recommend to the AGM to expel a Member whose subscriptions have fallen into arrears over consecutive years.

PART 3 GOVERNMENT

14. STRUCTURE

The Federation shall be governed by the:

- 14.1. Annual General Meeting (AGM) or the Extraordinary General Meeting (EGM);
- 14.2. Council; and
- 14.3. Executive Board.

15. ANNUAL GENERAL MEETING

15.0. An AGM shall be held not later than 31 July of each year in a place, at a date and in a format as may be decided by Council following notice given in accordance with Clauses 15.10 and 15.11.

15.0.1. In exceptional circumstances where the accessibility of a significant proportion of Members to the AGM is or may be materially affected, the Council may decide to hold the AGM later than the date mentioned in Clause 15.0, provided it is within the same year. ~~If~~ such a decision is made after notice of the AGM has already been sent in accordance with Clause 15.10, such notice shall be considered as cancelled and a new notice shall be sent in accordance with Clause 15.10.

Closing Date for submitting proposals and nominations to the AGM

15.1. The Closing Date for submitting proposals and nominations to the AGM shall be decided by Council and notified to all Members not later than 31 October of the year preceding the AGM. ~~This~~ Closing Date shall be a minimum of 42~~sixteen~~ (16) weeks before the date established for the AGM.

Subject to Clause 18.17, Council vacancies arising after notification of the Closing Date, but before 5 January, shall also be filled. Members shall be informed before 11 January of such vacancies and shall be given until the Closing Date to submit nominations.

Business of the AGM

15.2. The business of the AGM shall be to:

- 15.2.1. approve the Minutes of the last AGM and of any EGM held since the last AGM;
- 15.2.2. receive the report of Council;

- 15.2.3. approve the accounts, duly audited, for the preceding year;
- 15.2.4. receive the strategic plan of the Federation;
- 15.2.5. approve applications for membership referred by Council;
- 15.2.6. appoint the Independent Appointment Body upon the recommendation of the Secretary General (or confirm the appointment of a replacement Independent Appointment Body), in accordance with Clause 22A;
- 15.2.7. confirm the appointment by the Independent Appointment Body of the members of each of the Independent Vetting Panel and the Independent Hearing Panel, in accordance with Clause 22A;
- 15.2.6.15.2.8. elect the Officers and ~~other members of~~ Ordinary Council Members in that order;
- 15.2.7.15.2.9. approve proposals for amendments to the Constitution and Laws of Badminton (BWF Statutes, Section 4.1) for which due notice has been given;
- 15.2.8.15.2.10. approve other proposals for which due notice has been given which are under the competence of the AGM and which have not been specifically delegated to Council or any other body under this Constitution;
- 15.2.9.15.2.11. appoint an Auditor or Auditors, who shall retire annually, but be eligible for re-appointment;
- 15.2.10.15.2.12. approve the location of the headquarters upon a recommendation of Council; and
- 15.2.11.15.2.13. discuss any other business.

Meeting Procedure

- 15.3. At General Meetings the representation at the meeting of at least one-third of the Members in Good Standing on the day of the General Meeting shall form a quorum.
- 15.4. The President shall act as Chair at all General Meetings. In the President's absence, the Deputy President shall act as Chair and in the absence of both the President and the Deputy President, the meeting shall elect a Chair.
- 15.5. Before a proposal, submitted by a Member and for which Notice has been properly given (Clause 15.12), may be discussed and voted upon, the Chair will invite the delegate of the proposing Member to explain its purpose.
- 15.6. A proposal made by Council must be explained but does not require supporting or seconding before being discussed and voted upon.
- 15.7. Voting may take place by a show of hands, by voice, or by electronic means. If requested by a delegate of a Member in Good Standing and approved by a simple majority of the votes, or if decided by the Chair, a secret ballot may take place.

15.7.1. Scrutineers shall be appointed in advance by Council to witness the preparation of the voting system prior to the General Meeting, and the voting process during the General Meeting.

15.8. Except when provided otherwise, Proposals to General Meetings are decided by a simple majority of Votes Cast.

15.9. General Meetings shall be conducted in conformity with this Constitution; the Chair shall have the final decision upon all points of order and matters of procedure, but shall not have the power to rule on matters relating to the substance of the proposals without the consent of the meeting.

Notice of Meetings

15.10. Notice of every General Meeting, stating the date, time, and place thereof and the business to be transacted shall be sent to:

15.10.1. Each Member;

15.10.2. Officers and each Council member;

15.10.3. Honorary Life Vice-Presidents;

15.10.4. each delegate and alternate delegate appointed by a Member to represent it at such General Meeting as soon as the name and address of such a delegate and alternate delegate has been made known;

15.10.5. each Continental Confederation;

15.10.6. each Regional or Special Interest Member; and

15.10.7. each Associate Member.

15.11. Notice of General Meetings shall be sent at least seven (7) weeks before the date fixed for such meetings. Accidental omission to give notice to any of the above shall not invalidate the proceedings of any General Meeting.

Proposals and Amendments

15.12. Notice in writing of any proposal falling under the competent business of the AGM (Clauses 15.2.7 and 15.2.8), shall be submitted in writing by any Member in Good Standing and must be endorsed by the appropriate Continental Confederation or seconded by two other Members in Good Standing. Such notice of a proposal and the endorsement(s) of the proposal shall be sent directly to the Secretary General of the Federation at the Federation's official address, so as to reach the Federation not later than the date published in accordance with Clause 15.1. Council shall also be entitled to make a proposal at an AGM. Proposals and endorsements received by the appropriate date must appear on the agenda of the meeting.

Before the proposal is sent out according to Clause 15.12, the Secretary General together with the proposer shall ensure that the wording and intended meaning of the proposal is clear so as to ensure that, if the proposal is accepted by the AGM, it could be directly incorporated in the Statutes.

Council has the right to present amendments to related clauses that are affected by the original proposal or amendments to the proposal.

15.13. No amendment, other than one of wording which does not alter the meaning or intent of the original proposal, shall be accepted by the Chair at a General Meeting unless it shall have been sent directly to the Secretary General so as to reach the Federation not later than five (5) weeks in advance of the meeting

The Secretary General together with the proposer of amendments shall ensure that the wording and intended meaning of the amendments are clear. Council has the right to present amendments to related clauses that are affected by the original proposal or amendments to the proposal.

This shall include any amendments made by the proposer of the original proposal. ~~A simple majority shall be required at the meeting to incorporate such an amendment.~~

15.14. Notice of any amendment received as specified in Clause 15.13 shall be sent by the Secretary General to those specified in Clause 15.10 at least four (4) weeks before the date of the meeting at which the proposal shall be considered

Representation and Voting Strength at General Meetings

15.15. Each Member in Good Standing shall be entitled to appoint not more than two (2) delegates to every General Meeting.

15.15.1. The Federation will cover the cost of travel and accommodation for one delegate from each Member in Good Standing to attend General Meetings according to guidelines determined by Council.

15.16. Delegates must belong to the Member that they represent and be appointed by the appropriate body of that Member. Delegates must have the citizenship (passport) of the Member that they represent, or be a member of the governing committee or be an employee of that Member, employed for no less than 12 months.

When the people, originating from a particular Member, do not have a unique citizenship (passport) pertaining only to such a Member (e.g. England, Hong Kong, Greenland), the citizenship (passport) criteria for such a Member shall be fulfilled if a person has any common citizenship (passport), recognised within the territory of such a Member, and a domicile in such a Member's territory.

In case of any dispute, the onus is on the delegate to prove the position in the Member concerned to the satisfaction of the Secretary General.

15.17. Both delegates shall have the right to speak, but neither shall be permitted to second a proposal proposed by the other. Only one (1) delegate from each Member shall cast all the votes to which the Member is entitled.

15.18. Each Member shall complete the delegates nomination form which must be received by the Secretary General not later than forty-eight (48) hours before the start time of the meeting.

15.19. Only Members in Good Standing are entitled to vote at General Meetings.

15.20. A Member in Good Standing shall be entitled to a minimum of one (1) vote and a maximum of five (5) votes as confirmed by Council in accordance with the following criteria applied over the Assessment Period.

1 vote	Membership to the Federation.
1 additional vote	More than 10,000 registered players in each of the four years of the Assessment Period.
1 additional vote	Participation in 6 out of these 10 events during the Assessment Period: Individual Continental Championships (a maximum of 2 events), World Championships (3 events), Olympic Games (1 event), World Junior Team Championships (4 events)
1 additional vote	Having one player or more in the top 40 world ranking in any of the five (5) disciplines as per the world ranking list for the qualification for the most recent Olympic Games held.
1 additional vote	Hosting at least one (1) of these events in three (3) out of the four (4) years of the Assessment Period: Super Series, Grand Prix, International Challenge or the equivalent World Tour events.

15.20.1. The number of votes a Member is entitled to is fixed for a four (4) year period starting after the end of the Assessment Period.

15.21. The voting strength of a Member in Good Standing as described in Clause 15.20 shall apply to any proposal to the AGM under the Constitution of the Federation with the exception of Clauses 12 (Admission to Membership), Clause 13.11 (Expulsion), and Clause 36 (Dissolution). *For a proposal under Clauses 12, 13.11 or 36, each Member in Good Standing shall be entitled to one vote only.*

15.22. No delegate shall be permitted to cast a vote on behalf of more than one Member.

Other attendance and speaking rights

15.23. Continental Confederations, Regional or Special Interest Members or Associate Members, shall have the right to the same representation at General Meetings as is enjoyed by Members in Good Standing except voting rights.
Representatives from these bodies have the right to speak at General Meetings but have no vote.

15.24. Members of Council shall have the right to attend and speak at General Meetings, but unless representing a Member at a General Meeting, shall have no vote.

15.24.1. If not able to attend, the Chairs of the Athletes' Commission and Para Badminton Athletes' Commission may nominate a representative from their respective Commission, who can attend and speak, but shall have no vote.

- 15.25. Honorary Life Vice-Presidents shall have the right to attend and speak at General Meetings but unless representing a Member shall have no vote.
- 15.26. The Secretary General shall have the right to attend and speak at General Meetings but have no voting rights.
- 15.27. **Nominees****Candidates** for election not otherwise authorised to vote or speak can attend the General Meeting in which the election takes place, but are not permitted to speak, unless authorised by the Chair.
- 15.28. The Chair has authority to admit observers to a General Meeting. **Such** observers are not permitted to speak at the Meeting, unless authorised by the Chair.
- 15.29. AGMs may be held physically, virtually, or in a combination of both ("hybrid").
Virtual and hybrid meetings shall follow the same procedure as physical meetings, with necessary adaptations for their virtual environment.
Virtual and hybrid meetings may take place on any virtual platform that is reasonably accessible, and that allows for each participant to hear and be heard, and to vote, if necessary.

16. EXTRAORDINARY GENERAL MEETINGS (EGM)

- 16.1. An EGM may be called for at any time by Council, or must be called for by the Secretary General on a date within ten (10) weeks of the receipt by the Federation of a requisition in writing to that effect given by at least one-fourth of the number of Members in good standing at the time of the immediately preceding AGM. **Every** such requisition and the calling notice, shall specify the business for which the meeting is to be called, and no other business shall be transacted at such meeting
- 16.2. An EGM may be held physically, virtually or in a hybrid format under the same conditions as an AGM.

PART 4 COUNCIL**17. COUNCIL STRUCTURE**

- 17.1. An AGM shall elect a Council which shall have administrative powers to carry on the work of the Federation between AGMs. The Council shall consist of:
 - 17.1.1. The eight (8) ~~officers~~Officers (Clause 18);
 - 17.1.2. Twenty (20) ~~ordinary~~Ordinary Council ~~members~~Members;
 - 17.1.3. The Chair of the Athletes Commission; and
 - 17.1.4. The Chair of the Para Badminton Athletes Commission.
- 17.2. To be a ~~candidate~~, Candidate for election to the Council, and to remain on the Council, an individual must be ~~deemed to be~~ Eligible, ~~as defined in Appendix II (Vetting of Officials)~~.

18. ELECTION OF COUNCIL

The Federation shall have Officers comprising a President, a Deputy President and six (6) Vice Presidents.

- 18.1. The President, the Deputy President, the Vice President Para Badminton and the twenty (20) ~~ordinary~~Ordinary Council ~~members~~Members are elected for a four (4) year term by the Federation AGM in the year after the Summer Olympic Games.

- 18.2. Five of the Vice Presidents are elected by each Continental Confederation in their Continental Confederation general meetings in accordance with election procedures for their Officers, so as to take office immediately upon the conclusion of the Federation AGM the year before the Summer Olympic Games for a four-year term.

Each of the five (5) Vice Presidents (Continental) shall take responsibility for the Federation relations for their specific Continent. Such Vice Presidents are to be ex-officio members of the Continental Confederation Council for which they were elected, but shall have no vote in the Continental Confederation Council unless having a vote per the Continental Confederation Constitution or having been elected on to that Council.

- 18.3. Nominations for election to Council and for Officer positions shall be made in writing by a Member in Good Standing and sent directly to the Secretary General of the Federation so as to reach the Federation not later than the ~~closing date published in accordance with Clause 15.1~~Closing Date.

- 18.4. Nominations shall be seconded by a different Member in Good Standing from the proposer. Seconding of nominations must be in writing, and reach the Federation by the ~~same published closing date as for nominations~~Closing Date.

- 18.5. The Athletes' Commission Chair and Para Badminton Athletes' Commission Chair will respectively be appointed by the Athletes' Commission and the Para Badminton Athletes' Commission according to a process approved by Council.

- 18.6. Each nomination shall be accompanied by a brief statement of the ~~candidate's~~nominee's qualifications.
- 18.7. The names of ~~the nomineeach nominee~~, their ~~proposers~~proposer and ~~seconders~~seconder, and the ~~statements~~statement of ~~qualifications~~qualification shall ~~appear on be~~ communicated by the Federation within five (5) working days following the AGM agenda.
- 18.7. ~~When voting for~~Closing Date. The Federation shall publish a final list of Candidates in accordance with Clause 7.1.2 of the ~~representatives~~, ~~it~~Vetting Rules.
- 18.8. ~~It~~ is the duty of each delegate to vote for as many ~~candidates~~Candidates as there are vacant seats. Voting ballots containing more or fewer names than the exact number of vacant seats will be invalid.
 - 18.8.1. Voting for elections shall be carried out by secret ballot.
 - 18.8.2. Where there is only one ~~candidate~~Candidate for a position, such ~~candidate~~Candidate shall be elected by acclamation, without the need for a vote to take place.
- 18.9. When the results of any election are announced, the number of votes polled for each ~~candidate~~Candidate shall be published.

Representation requirements for Council positions

- 18.10. Representation requirements shall apply as detailed in Appendix I (Council Geographical and Gender Representation).

Conditions and Terms of Appointment

- 18.11. ~~The~~Subject to their continuing Eligibility (see Clause 17.2), the President, the Deputy President, the five (5) Vice Presidents (Continental), the Vice President Para-Badminton and the twenty (20) ~~ordinary~~Ordinary Council Members shall assume office immediately upon the conclusion of the AGM at which they are elected.

The term of the Officers and Ordinary Council Members shall be four years.

Officers and Ordinary Council Members ~~are eligible~~may be re-elected for ~~re-election~~any number of terms, save for the President, who shall be limited to four (4) terms.

- 18.12. Council has the right to propose at a General Meeting the early termination of the term of office of ~~the President, an Officer or any~~ Council Member ~~member~~.

Casual Vacancies

- 18.13. If a President is unable to complete the term of office or the term has been terminated (Clause 18.12), the Deputy President shall be acting President.
- 18.14. If there is an acting President (Clause 18.13) five months before an AGM at which an election for President would not normally have been held, a President for the remainder of the term of office shall be elected in the usual way at that AGM.

- 18.15. If the Deputy President or the Vice President Para-Badminton does not complete the term of office, a person acting in that role shall be appointed by Council from within Council and a successor shall be elected for the remainder of the original term at the next AGM, however subject to notice being given as per Clause 15.1.
- 18.16. If any of the five Vice-Presidents elected by Continental Confederation General Meetings does not complete the term of office an Acting Vice-President shall be appointed by the relevant Continental Confederation from within the Confederation Council and a successor shall be elected for the remainder of the original term at the next Continental Confederation General Meeting.
- 18.17. In case of a vacancy amongst ~~the remaining members on Council, except for the Chairs of the Athletes' and Para Badminton Athletes' Commissions~~Ordinary Council Members, a successor shall be elected for the remainder of the original term at the next AGM, however subject to notice being given as per Clause 15.1. Council may decide not to call for an election to fill a vacancy if such an elected Ordinary Council member~~Member~~ cannot serve on Council for at least 18 months of the original term.

19. COUNCIL ROLE AND RESPONSIBILITIES

The Council has the responsibility to conduct and oversee the day to day affairs of the Federation between AGMs.

- 19.1. The role of Council includes:
 - 19.1.1. Taking such steps as may be necessary to achieve the purposes and objectives laid down in Clause 3 of the Constitution;
 - 19.1.2. Upholding and ensuring the observance of the Statutes;
 - 19.1.3. Ensuring the execution of decisions taken by any General Meeting;
 - 19.1.4. Establishing the duties of the individual members of the Council and appointing the Committees and Commissions, their membership (to include in each case a Chair selected from amongst the members of the Council) and determining their terms of reference as detailed in the Federation Rules and Procedures;
 - 19.1.5. Determining Regulations, Codes, Guidelines and other rules not under the competence of a General Meeting;
 - 19.1.6. Deciding on matters under dispute;
 - 19.1.7. Ensuring the maintenance of proper standards in the organisation of Federation Events and all events and competitions sanctioned by Federation;
 - 19.1.8. Appointing the Chairs of Committees and Commissions for a two-year term upon recommendation by the President;
 - 19.1.9. ~~Nominating Unless specified elsewhere in the president, the deputy president and the members of the Independent Hearing Panel, for approval by the AGM;~~

19.1.10. 19.1.9. Determining Constitution, determining who will decide any questions whichthat may arise as to the interpretation of the Statutes. The decision will be final;

19.1.11. 19.1.10. Appointing the head of the Secretariat, the Secretary General, on such terms and conditions as it agrees;

19.1.12. 19.1.11. Overseeing the administrative and financial management of the Federation;

19.1.13. 19.1.12. Entering into contracts and signing legal documents on behalf of the Federation, including the possibility to delegate this authority;

19.1.14. 19.1.13. Registering and administrating the use of the Federation logo;

19.1.15. 19.1.14. Receiving reports from Committees and Commissions;

19.1.16. 19.1.15. Receiving reports from any disciplinary and appeals cases and, where applicable, act upon them;

19.1.17. 19.1.16. Appointing the president, the deputy president and the members of the Sports Disciplinary Panel; and

19.1.17. Assessing whether any positions or persons employed or engaged with or by the Federation should be subject to Vetting (in addition to those Relevant Persons listed in Clause 1.2.2(a) of the Vetting Rules); and

19.1.18. Ensuring the Federation is appropriately represented at international events and forums.

20. COUNCIL PROCEDURES

Meeting Procedures

- 20.1. The President and Deputy President shall assume the position of Chair and Deputy Chair of Council respectively.
- 20.2. Attendance by more than half the membership of Council is required to form a quorum for every Council Meeting.

21. HONORARY VICE PRESIDENTS

- 21.1. An AGM shall have power to elect Honorary Life Vice-Presidents for services rendered in the past.
- 21.2. Such nominations may be made by Council or by any Member in Good Standing and subject to the approval of Council. Nominations must reach the Secretary General of the Federation no later than the date decided by Council (Clause 15.1), and shall appear on the agenda of the AGM.

PART 5 EXECUTIVE BOARD**22. EXECUTIVE BOARD**

- 22.1. The Federation shall have an Executive Board comprising the Officers (Clause 18) and the Chairs of the Committees formed by Council and identified by Council as Executive Board positions and the Chair of the Athletes' Commission.
- 22.2. The duty of the Executive Board is to make decisions between Council Meetings as delegated by Council.
- 22.3. The Meeting Procedures for Council (Clause 20) apply to the Executive Board.
- 22.4. A person must be Eligible in order to become and to remain a member of the Executive Board.

PART 6 INDEPENDENT APPOINTMENT BODY**22A. THE INDEPENDENT APPOINTMENT BODY**

- 22A.1 Based on a recommendation by the Secretary General, the AGM shall appoint an Independent Appointment Body, whose role shall be to:
 - a) source, vet, recommend, and (in case of vacancy) replace (in each case, subject to confirmation by the AGM in accordance with Clause 15.2.7) the members of the Independent Vetting Panel in accordance with this Clause 22A and the Vetting Rules, and
 - b) source, recommend, and (in case of vacancy) replace (in each case, subject to confirmation by the AGM in accordance with Clause 15.2.7) the members of the Independent Hearing Panel, in accordance with the Judicial Procedures.
- 22A.2 As part of its role as described in Clause 22A.1, and giving due consideration to both gender and geographical representation, the Independent Appointment Body shall:
 - a) publicly advertise roles on the Independent Vetting Panel and Independent Hearing Panel, and conduct a competitive recruitment process to produce a shortlist of suitably qualified and experienced candidates. As part of this process, the position of the Chair of the Independent Vetting Panel shall be advertised as a specific position separate to that of the other Independent Vetting Panel members;
 - b) for roles on the Independent Vetting Panel, conduct the Vetting of the candidates on the shortlist (including instructing a third party provider to conduct due diligence checks on the candidates);
 - c) decide which of the Eligible candidates to recommend to the AGM for appointment (including the position of Chair); and

d) select a member of the Independent Vetting Panel to act as the Deputy Chair of the Independent Vetting Panel.

22A.3 The Independent Appointment Body shall be:

- a) an external body that is institutionally independent of the Federation;
- b) suitable to carry out its role as described in Clause 22A.1, including having experience in assessing the character and suitability of individuals (whether as candidates for appointments to official positions or otherwise).

22A.4 The Independent Appointment Body shall be appointed during the AGM taking place the year before the Summer Olympic Games, for a term of four (4) years that may be renewed thereafter without limitation. If, at any point during the term, the Independent Appointment Body terminates its engagement with the Federation, the Secretary General shall appoint a replacement body, subject to approval at the next AGM.

22A.5 The Independent Appointment Body shall appoint one or more independent persons (each such person a “Vetting Officer”) to administer the process to be followed to determine the Eligibility of Relevant Persons, including facilitating communications between the i) Independent Vetting Panel and ii) Relevant Persons. Persons related to the Federation, a Continental Confederation and/or a Member shall not be eligible to be appointed as a Vetting Officer in accordance with this Clause 22A.5. A person must be Eligible in order to become and to remain a Vetting Officer.

22A.6 The Independent Appointment Body shall have the power to set out its own procedures in line with the Constitution.

PART 6 PART 7 ADMINISTRATIVE ISSUES

23. SUBSIDIARY ORGANISATIONS

Commercial organisations, subsidiaries or trusts may be established with the approval of and under the terms and conditions set by a General Meeting.

24. INDEMNITY

The Federation shall fully indemnify and hold harmless the Council, Officers and members of its servants, the members of staff, –(“indemnified persons”) from and against any costs, expenses, liabilities and awards arising out of any action instituted in any jurisdiction at any time against the Federation or any of the above such persons as a direct result of the activities of such persons where they are/were acting within their scope of the Federations responsibilities on behalf of the Federation.

25. STAFF OF THE FEDERATION

25.1. Council shall appoint a Secretary General who shall be responsible for the effective management of the Federation, within the policies and objectives

approved by the Council. To become Secretary General, and to remain in that position, a person must be Eligible.

- 25.2. The Secretary General will employ such other staff as is deemed necessary within the Council-approved cadre and budget.

PART 7 PART 8 FINANCIAL PROVISIONS**26. SUBSCRIPTIONS & PAYMENTS****Subscription**

- 26.1. In any given calendar year, in order that a Member or its players can take part in any competitive event organised by the Federation itself or requiring the sanction of the Federation, the Member shall pay a subscription based on a scale of Units, the value of which shall be determined as described in Clause 26.3.
- 26.2. The subscription is common to the Federation and to the Member's Continental Confederation. -90% of the total subscriptions collected from the Members of each Continental Confederation shall be transferred to that Confederation. - The remaining 10% shall be retained by the Federation as a service charge.
- 26.3. The subscriptions shall be determined as shown in the following table:

Votes according to Clause 15.20	Total Units
One vote (Membership)	1
Two votes	4
Three votes	9
Four votes	26
Five votes	31

- 26.4. Regional or Special Interest Members and Associate Members shall pay an annual subscription equivalent to the value of one (1) Unit (Clause 26.3).
- 26.5. The value of the Unit in the scale of subscriptions outlined above, and the currency in which it shall be expressed, shall be determined from time to time only at a General Meeting.

Payment of Subscription

- 26.6. A subscription shall be payable prior to a Member or its players taking part in competitive events as in Clause 26.1. Invoices are issued before 1 December in each year, and in order to compete in the subsequent year, subscriptions shall be paid by 31 January of the year following the one in which the invoice has been received, unless the Member concerned notifies the Secretary General by that date of its intention to withdraw from such competitive events for that year.

In no circumstances can a Member's player(s) or a team continue to compete beyond the due date for payment of the subscription, nor can that Member stage a Federation sanctioned tournament.

Council shall have to have the right to waive unpaid subscription, except for the latest issued subscription invoice.

Payment to Members

- 26.7. Payments due to Members will be paid directly and not through third parties.

27. ACCOUNTS

The financial year of the Federation shall close on 31 December for each calendar year and the Chair of the Finance Committee shall ensure that the annual Financial Statements shall be prepared and audited as soon as possible thereafter but not later than three (3) months after the close of the year unless specifically approved by the Council.

PART 8 PART 9 JUDICIAL PROVISIONS

28. ANTI-DOPING

28. INTEGRITY

- 28.1. It is a condition of membership of the Federation that Members support the Federation's Anti-Doping Regulationsintegrity programme.
- 28.2. In particular, Members must adhere to WADAthe Federation's requirements on Anti-Dopingfighting doping and match manipulation, and must co-operate fully with the Federation in measures taken to detect or penalise infringements of those requirements.
- 28.3. Council is empowered to develop and publish Anti-DopingRegulationsregulations to protect the integrity of badminton and to undertake educational programmes to guide players, officials, tournament organisers and administrators in Badminton.

28. DISCIPLINE

Council, or any disciplinary committee it appoints, shall have power on behalf of the Federation to penalise a Member, player, coach, competition official, or other person for infringement of the Statutes, for misconduct during competition, or for actions that bring the game of Badminton or the Federation into disrepute.

29. AUTHORITY

- 29.1. Members or persons dealing with the Federation or sharing in its activities, including a person who:
 - participates as a player in an event under the authority of the Federation;
 - acts as an official (trainer, coach, team manager, delegate, representative, doctor etc) of a team, a Member or its affiliates;
 - officiates as an international technical official or in a similar role;
 - organises or helps to organise (staff, volunteer), a competition which is placed under the Federation's authority; and
 - assumes any role within the Federation.

...shall recognise and accept the following, subject to sub-paragraph g):

- a) the Statutes of the Federation;
- b) the Federation's authority on all matters concerning international Badminton;
- c) the mandatory nature of the Statutes;
- d) the Federation's jurisdiction and the right to make any decision or impose any sanction based on the Statutes of the Federation;
- e) that the Federation appeals, complaints and dispute resolution processes must be fully exhausted before taking any case to the Court of Arbitration for Sport (CAS);
- f) that any appeal against decisions of the Federation and its judicial bodies must be lodged in accordance with the BWF Judicial Procedures;
- g) the Court of Arbitration for Sport (CAS) as the only competent judicial authority external to the Federation, to the exclusion of any ordinary court of law in respect of the Federation and its Constitution and its rules, any civil judicial authority of any country and any other arbitration body;
- ~~h) the final and without appeal status of the decisions made by the CAS; and~~
- ~~h) the decision of the CAS resolving any appeal may not be challenged in any forum or on any ground except as set out in Chapter 12 of the Swiss Federal Code on Private International Law; and~~
- i) the requirement to abide by the decisions of the Federation and/or CAS without attempting to hinder their application.

29.2. A Member shall have the authority over any person acting under its auspices and shall take the responsibility for any penalties that such a person may be given.

29.3. Any repercussions of a Member not being in Good Standing shall extend to all such persons acting under the auspices of that Member.

30. JUDICIAL BODIES OF THE FEDERATION

30.1. The following bodies of the Federation have judicial powers in accordance with the Federation's Statutes:

- 30.1.1. The General Meeting;
- 30.1.2. The Council;
- 30.1.3. The Independent Hearing Panel; and
- 30.1.4. The Sports Disciplinary Panel.

30.2. With the exception of the Independent Hearing Panel, the bodies may delegate their power. In all cases the procedural provisions of the Constitution shall be followed.

The judicial bodies of the Federation have the power to make decisions and impose penalties in their areas of duty set out in the Statutes

- 30.3. Any suspension is from all competitive events for such time as is seen fit, including possibly for life.
- 30.4. Any fine imposed on a player, competition official or other person shall be notified to the Member, to which the person belongs that shall have the responsibility for submitting payment to the Federation within 60 days from the date of that notification.

31. PROCEDURAL RULES APPLICABLE TO THE JUDICIAL BODIES OF THE FEDERATION

The judicial bodies of the Federation shall provide fair procedures to all parties involved and shall respect their fundamental rights. They recognise in particular:

- 31.1. that a person who may have a conflict of interest shall not be a member of the decision-making body;
- 31.2. the right of the person charged to know the charge;
- 31.3. the right to know the penalties which might be imposed;
- 31.4. and at their own expense, the right to be heard, to present a defense, to produce evidence and to be assisted by counsel.

PART 9 PART 10 FINAL PROVISIONS

33. ALTERATION OF THIS CONSTITUTION

Subject to the exceptions contained in Clauses 34 and 35, this Constitution may be altered at a General Meeting, if due notice of the proposal embodying such alteration has been given and such proposal or one having the like effect is carried at the meeting by a majority of two-thirds of the Votes Cast.

- 33.1. Any alteration made to any Clause shall take effect on the day following the General Meeting unless otherwise specified

34. ALTERATION OF REGULATIONS

Council shall decide amendments to Regulations, Codes of Conduct and Guidelines which are not under the competent business of General Meetings.

35. ALTERATION OF THE LAWS OF BADMINTON

- 35.1. The Laws of Badminton (understood as Section 4.1 excluding subsections) may only be altered through a decision of a General Meeting. Any proposal embodying such alteration, or one having a like effect, must be carried by a

majority of two-thirds of the Votes Cast. This Clause shall not be altered without the unanimous consent of a General Meeting.

35.2. Council shall have power, on behalf of the Federation, to authorise temporary (for a well-defined period) experimental variations to the Laws of Badminton.

36. DISSOLUTION

The Federation shall not be dissolved except at a General Meeting specially convened for the purpose and by a proposal carried by a majority of four-fifths of the Votes Cast.

36.1. In the event of such dissolution, any assets in hand shall be divided between the Members in proportion to the subscriptions paid in the year immediately preceding dissolution by each Member as provided in Clause 25.

APPENDIX I: Council Geographical and Gender RepresentationCOUNCIL GEOGRAPHICAL AND GENDER REPRESENTATION

1. PRINCIPLE

The objective of this Appendix I is to put in place election procedures to ensure geographical and gender representation of Council Membersmembers.

2. CONTINENTAL SEAT ALLOCATION

- 2.1. Based on historical background and on the voting strengths held by Members in each of the regions represented by the Continental Confederations, the Continental Confederations have agreed to the below Continental Seat Allocation.
- 2.2. The positions of President, Deputy President, Vice Presidents (Continental) and ordinaryOrdinary Council Member shall be reserved for individuals originating from the following continents:
 - 2.2.1. Asia: 10 seats;
 - 2.2.2. Europe: 9 seats;
 - 2.2.3. Panam: 3 seats;
 - 2.2.4. Africa: 3 seats; and
 - 2.2.5. Oceania: 2 seats.
- 2.3. The Vice President (Para Badminton), and the Chairs of the Athletes' Commission and Para Badminton Athletes' Commission shall not be counted for the purpose of the Continental Seat Allocation.

3. MINIMUM GENDER REQUIREMENTS

- 3.1. The objective of the Minimum Gender Requirements is to reach a minimum representation of 30% of each gender in the BWF Council. The Continental Confederations have agreed that this requirement should apply to each of their continents individually.
- 3.2. Minimum Gender Requirements shall apply to the following positions: President, Deputy President, Vice Presidents (Continental), and the ordinaryOrdinary Council Members. The Minimum Gender Requirements do not apply to the Vice President (Para Badminton), Chairs of the Athletes' Commission and Para Badminton Athletes' Commission.
- 3.3. The following Minimum Gender Requirements shall apply:
 - 3.3.1. Asia and Europe shall each have three members from each gender; and
 - 3.3.2. Africa, Panam and Oceania shall each have one member from each gender.

4. ELECTIONS TIMELINE

- 4.1. For the purpose of calculation of the representation requirements, the time period considered shall start with the Vice President (Continental) elections and finish with the following [BWF Federation](#) elections.

5. ELECTIONS FOR VICE PRESIDENTS (CONTINENTAL)

- 5.1. The Vice Presidents (Continental) shall be elected prior to the [BWF Federation](#) elections, in line with the applicable Continental Confederation rules.
- 5.2. The continent of origin and gender of elected Vice Presidents (Continental) shall be recorded and counted for the purpose of the Continental Seat Allocation and Minimum Gender Requirements.

6. ELECTIONS FOR PRESIDENT AND DEPUTY PRESIDENT

- 6.1. The President and Deputy President shall be elected in accordance with the [BWF Constitution](#).
- 6.2. The continent of origin and gender of the elected President and Deputy President shall be recorded and counted for the purpose of the Continental Seat Allocation and Minimum Gender Requirements.

7. COUNCIL ELECTIONS

The elections for [ordinary](#)[Ordinary](#) Council Members shall be conducted in accordance with the following steps:

Step 1: Pre-vote tally

Before the elections for [ordinary](#)[Ordinary](#) Council Members, a tally of the continent of origin and of the gender of the elected President, Deputy President and Vice Presidents (Continental) shall be made:

- i. The continent of origin of each elected individual shall count as one allocated seat as per the Continental Seat Allocation.

For each continent, the Adjusted Continental Seat Allocation shall be calculated by deducting one seat from the continent's Continental Seat Allocation for each of the elected individuals from that continent.

- ii. The gender of each elected individual shall count as one member of that gender as per the Minimum Gender Requirements.

For each continent, a gender's Adjusted Minimum Gender Requirement shall be calculated by deducting one seat from the continent's Minimum Gender Requirements for each of the elected individuals from that continent and gender.

Step 2: Submission of the ballots

At the required time, Members in Good Standing shall be asked to submit their ballots for the elections. They may vote for any of the [candidates](#)[Candidates](#), regardless of their continent or gender.

Step 3: Grouping by continent

The ballots shall be counted and a tally of the votes shall be made, with the ~~candidates~~Candidates grouped by continent, and listed by number of votes received.

Step 4: Tallying the votes

For each of the continents, ~~candidates~~Candidates shall be elected in the following order:

- **Step 4-A:** For each gender that has not met the Adjusted Minimum Gender Requirements, the ~~candidate~~Candidate with the most votes shall be elected.
 - If the Adjusted Minimum Gender Requirements for either or both of the genders have not been met, Step 4-A shall be repeated, but excluding the ~~candidates~~Candidates that have already been elected.
 - If the Adjusted Minimum Gender Requirements for both genders have been met, proceed to Step 4-B.
 - If there are not enough ~~candidates~~Candidates to meet the Adjusted Minimum Gender Requirements for a gender, the corresponding seat(s) shall remain vacant and elections shall be held for such seat(s) during the following AGM.
- **Step 4-B:** Unless the Adjusted Continental Seat Allocation has already been reached, the next ~~candidate~~Candidate with the most votes, without taking gender into account, shall be elected.
 - If the Adjusted Continental Seat Allocation has already been reached following Step 4-A, or if it is reached following Step 4-B, the elections are deemed complete for that continent.
 - If the Adjusted Continental Seat Allocation has not been reached following Step 4-B, Step 4-B shall be repeated, but excluding the ~~candidates~~Candidates that have already been elected.
 - If there are not enough ~~candidates~~Candidates from a particular continent to reach the Adjusted Continental Seat Allocation, the corresponding seat(s) shall remain vacant and elections shall be held for such seat(s) during the following AGM.

8. MISCELLANEOUS

- 8.1. In case of tie affecting the composition of the Council, a run-off election shall take place between the ~~candidates~~Candidates involved in the tie.

APPENDIX II: Vetting of OfficialsVETTING RULES**1. OBJECTIVE AND DEFINITIONS**

1.1. **Official:** refers to the positions of Council member, Referral Officer, and members of the Independent Hearing Panel and of the Sports Disciplinary Panel.

1.1. Objective

The objective of these Vetting Rules is to maintain public confidence in the governance of the Federation by ensuring that each Relevant Person elected or appointed to a position within the Federation is and remains Eligible. All Relevant Persons are bound by and required to comply with these Vetting Rules.

1.2. Definitions

1.1.1.1.2.1. **Relevant Authority:** a disciplinary body, tribunal, court or other judicial or arbitral body or person or other decision-maker properly constituted by law, or the Statutes, and acting in accordance with the law duly authorised under applicable to its jurisdiction law, or under the Statutes.

1.2.2. **Vetting Panel:** the panel described in Article 4 of this Appendix II (Relevant Person:

- a) each member of Council, each member of the Executive Board, the Secretary General, the Referral Officer (as defined in the Judicial Procedures), each member of the Independent Hearing Panel, each member of the Sports Disciplinary Panel, each member of the Independent Vetting Panel, each Vetting Officer, and any candidate standing for election or appointment to those positions.
- b) any other person whom the Council requests be subject to Vetting pursuant to Clause 19.1.17 of the Constitution.

1.2. **Composition and Term of the Vetting Panel**) and includes the inaugural Vetting Panel, unless specified otherwise.

2. ELIGIBILITY

2.1. **A person seeking election or applying to be a BWF Official (“Applicant”), or to remain in office as a BWF Official (“Existing Official”) must be approved to be Eligible by the Vetting Panel.**

2.2. **To be Eligible, every Applicant or Existing Official shall be found by the Vetting Panel to:**

2.2.1. **Have satisfied all applicable disclosure obligations as required by the BWF; and**

2.2.2. **Not be Ineligible.**

2.3. The decision to approve that an Applicant and Existing Official is Eligible or otherwise shall be made by the Vetting Panel, except for members of the Vetting Panel, in which case the decision shall be made by the AGM.

2.4. An Applicant or Existing BWF Official will be Ineligible if:

2.4.1. **Incompatible Position:** the person is a member of BWF or Continental Confederation staff;

2.1. **Bankrupt:** the person is declared Anyone who wishes to become or remain a Relevant Person must be Eligible to do so. A person may not be elected or appointed as a Relevant Person unless they have first been declared Eligible in accordance with these Vetting Rules.

2.2. The Independent Vetting Panel will assess the Eligibility of Relevant Persons in accordance with these Vetting Rules. The Independent Vetting Panel may assess (and/or reassess) the Eligibility of a Relevant Person at any time, including after their election or appointment, where information comes to its attention (whether due to its own inquiries or from any other source) that it reasonably considers might impact upon that person's Eligibility.

2.3. **Eligibility Criteria:** Subject to Clause 2.4, a Relevant Person is not Eligible if they:

Part 1 – Objective assessment

2.3.1. are less than 18 years of age;

2.3.2. are subject to an order by a Relevant Authority that they are lacking in competence to manage their own affairs;

2.3.3. have been deprived of their civil rights by proper application of law by a Relevant Authority;

2.4.2.2.3.4. have been declared by a Relevant Authority to be an undischarged bankrupt and have not been discharged from bankruptcy or is are subject to a condition not yet fulfilled or any order made under insolvency laws;

2.4.3. **Conviction:** the person has been convicted by a Relevant Authority of any offence related to fraud, homicide, or sexual misconduct, or punishable by a term of imprisonment of two (2) or more years (whether or not a term of imprisonment is imposed);

2.4.4.2.3.5. **Disqualified Director:** the person is prohibited have been disqualified by a Relevant Authority from being a director or promoter of or being concerned or taking part in the management of a company for breach or non-compliance with any law applicable to that person or association;

2.4.5. **Property order:** the person is subject to an order have been convicted by a Relevant Authority that the person is lacking in competence to manage their own affairs;

2.4.6. **Majority:** the person is less than 18 years of age;

2.4.7.2.3.6. Full civil rights: the person is deprived any one or more of his or her civil rights by proper application of the law; and the following offences:

- a) Breach of BWF Integrity-related Statutes: the an offence (whether described as "fraud" or otherwise) that involves dishonestly making a false, untrue, or misleading representation with a view to gain or with intent to cause loss;
- b) an offence involving mistreatment of any person (meaning homicide, physical or sexual abuse or misconduct, racist abuse or misconduct, or a hate crime); or
- c) an offence that is serving or punishable under applicable law by a term of imprisonment of two (2) or more years (whether or not a term of imprisonment is actually imposed);

Such offences must be disclosed by the Relevant Person on the Declaration Form, even if they have been pardoned, or the sentence has been served, at any time, a period of ineligibility in full, or the conviction has been forgotten under applicable law. The Independent Vetting Panel shall not take account of such convictions in assessing this Clause 2.3.6, but may take account of them in assessing Clauses 2.3.12 and 2.4;

2.3.7. are serving a suspension imposed for breach of the BWF Code of Ethics, the Candidates for Election Code of Conduct, the Elected Officials Code of Conduct, the Code on the Prevention of Manipulation of Competitions, or any previous versions thereof; or any code of ethics or other rules of conduct of a Member or another sports organisation;

2.4.8.2.3.8. are serving a period of ineligibility under the Anti-Doping Regulations, the anti-doping rules of any Member, or any other World Anti-Doping Code-compliant anti-doping rules, or (if they were not subject to such rules) have directly and intentionally engaged in conduct within the previous six years that would have constituted a violation of World Anti-Doping Code-compliant anti-doping rules if such rules had been applicable to them;

2.3.9. **Cessation** are a member of **Office:** The staff of the Federation or of a Continental Confederation (other than Secretary General of the Federation);

2.3.10. in the case of an independent position, do not fulfil with the formal requirements for the role, as specified in the Constitution or applicable Federation regulations;

2.3.11. fail to disclose any material information or documentation requested by the Independent Vetting Panel or otherwise relevant to the assessment of the Eligibility Criteria; or

Part 2 – Reputation assessment

2.3.12. are otherwise determined by the Independent Vetting Panel to:

- a) not be of good character and reputation; and/or

b) not be able to meet the high standards of conduct and integrity required of the role in question;

In assessing the criteria under this Clause 2.3.12, the Independent Vetting Panel shall declare a person ineligible, with immediate effect, if any of the following is under investigation, is under provisional suspension, or has been convicted of any offence related to dishonesty, professional misconduct, or any other integrity-related offence, including any offences that have been pardoned or forgotten by law, which in the Independent Vetting Panel's view might bring the sport or the Federation into disrepute. In carrying out this assessment, the Independent Vetting Panel shall take into account the stated objective of these Vetting Rules.

2.5.2.4. Part 3 – Exceptional circumstances in Article 2.4 (Ineligibility) apply to that person as assessment. The Independent Vetting Panel may disregard any matter(s) falling within the Eligibility Criteria (excluding Clauses 2.3.1 and 2.3.7 to 2.3.12) if it considers that, given the circumstances of the particular case, not declaring the Relevant Person to be Eligible would offend the Federation's sense of justice because (for example) the relevant decision is political in nature and/or was reached without due process, or where the offence that is punishable by a term of imprisonment of more than two years would not be recognised as a criminal offence in most jurisdictions, or because of the amount of time that has passed since the person's offence or conviction.

3. THE INDEPENDENT VETTING PANEL

2.6. Composition Interpretation: The Vetting Panel should read and interpret the circumstances listed in Article 2.4 taking into account the spirit of this Appendix II, which is to ensure that BWF Officials are able to uphold the highest standards of good governance. In particular, in an international context with widely differing systems, it is acknowledged that the wording of Article 2.4 may lead to unintended consequences where an individual is unable to satisfy its literal wording. In such cases, the Vetting Panel is explicitly allowed to interpret the intention of the circumstances of Article 2.4 and, providing a justification, declare an Official as satisfying the circumstance.

3. ROLE OF VETTING PANEL

3.1. The role of the Vetting Panel is to decide if an Applicant or Existing Official is Eligible to be, or remain in office as, a BWF Official in accordance with the Statutes.

4. COMPOSITION AND TERM OF THE VETTING PANEL

3.1.

- 3.1.1. The Independent Vetting Panel shall consist of a Chair, Deputy Chair, and three other members.
- 3.1.2. The Independent Vetting Panel members shall be independent of the Federation, meaning that they have not advised or been employed by or instructed to act for the Federation or any of its Affiliates (other than as an Independent Vetting Panel member during any prior term) in the five years preceding the proposed appointment, and during such appointment they shall remain independent (as so defined).
- 3.1.3. The Independent Vetting Panel members shall be comprised of three (3) persons who are independent from the BWF with experience in vetting or screening applicants assessing the character and suitability of individuals (whether as candidates for appointments into official positions, or otherwise). At least two of its five members, including its Chair and Deputy Chair, shall be qualified lawyers with at least seven years of professional experience.

3.2. Appointment and Term

- 4.1.1.3.2.1. The members of the Vetting Panel shall be recommended by the Council, and shall be approved by the Annual General Meeting during its meeting AGM shall appoint the Independent Vetting Panel, based on the recommendation of the Independent Appointment Body, at the AGM taking place two years after the Summer Olympic Games.
- 4.2. The term of office for the Independent Vetting Panel members shall be appointed for an initial term of four (4) years.
- 4.2.1.3.2.2. Members of the Vetting Panel Thereafter they may be reappointed for further terms of office, without limitation, subject to their own Eligibility provided they remain Eligible.

3.3. The decision whether a prospective member or current member of the Vacancies, Removal and Replacement

- 3.3.1. Independent Vetting Panel is Eligible shall be made members may resign from the Independent Vetting Panel prior to the expiry of their term by the AGM, based on a recommendation by the BWF giving written notice to the Secretary General. The Secretary General
- 4.2.2.3.3.2. Independent Vetting Panel members must be and must remain Eligible throughout their term, as determined by the Independent Appointment Body, which shall have the same duties, powers, responsibilities, and procedures as the Independent Vetting Panel with respect to prospective and current members of the Vetting Panel for such purposes.
- 3.3.3. A determination by the Independent Appointment Body that an Independent Vetting Panel member is not Eligible shall have immediate effect, in accordance with Clause 7.2, below.

3.3.4. If any position on the Independent Vetting Panel becomes vacant, the Independent Appointment Body shall appoint a replacement member for the remainder of the term (subject to approval at the AGM).

3.4. Responsibilities

In the exercise of their functions, the Independent Vetting Panel members must:

- 3.4.1. remain independent of the Federation and each Relevant Person;
- 3.4.2. act with fairness and impartiality;
- 3.4.3. avoid and declare any potential, perceived, or actual conflict of interest; and
- 3.4.4. avoid contact with the Federation and Relevant Persons (save as required for administrative matters).

3.5. Jurisdiction

- 3.5.1. The Independent Vetting Panel has jurisdiction to determine whether a Relevant Person is Eligible, except as provided in Clause 3.5.2.
- 3.5.2. The Independent Appointment Body shall determine whether a candidate for appointment to sit (and remain) as Vetting Officer or on the Independent Vetting Panel is Eligible. For such purposes only, the term “Independent Vetting Panel” shall be deemed in these Vetting Rules to refer to the Independent Appointment Body.

5.4. DUTIES, POWERS, RESPONSIBILITIES AND PROCEDURES OF THE INDEPENDENT VETTING PANEL

5.1.4.1. The Independent Vetting Panel shall have such the duties, powers, and responsibilities as set out in the Statutes, which shall include reporting to the AGM, and in these Vetting Rules.

5.2. The Independent Vetting Panel, on recommendation of the BWF Secretary General, shall have the power to set its own procedures.

6. DECISIONS OF VETTING PANEL

4.2. The decisions of (the “Vetting Panel shall be final Procedures”) in line with the Constitution and these Vetting Rules, subject to the right of appeal to the Independent Hearing Panel in accordance with the Statutes, following:

4.2.1. The Vetting Procedures shall clearly describe the process to be followed to determine the Eligibility of Relevant Persons, which shall take the form of an inquiry to ascertain the truth, as opposed to an adversarial process.

4.2.2. The Secretariat shall provide any information it holds that may be relevant to the Eligibility of a nominee to the Vetting Officer, who will in turn provide it (along with any additional relevant information of their own) to the Independent Vetting Panel. However, neither the

Secretariat nor the Vetting Officer should provide any commentary or views on the information passed to the Independent Vetting Panel.

- 4.2.3. The Independent Vetting Panel shall (via the Vetting Officer in accordance with Clause 5.3.4 below) procure due diligence reports on Relevant Persons standing for election or appointment. The Independent Vetting Panel may vary the degree of due diligence required in a particular case depending on the nature of the case, the jurisdiction(s) involved, and the proposed role of the Relevant Person in question.
- 4.2.4. If the Independent Vetting Panel has reached a preliminary decision that the Relevant Person is not Eligible it shall (via the Vetting Officer in accordance with Clauses 5.3.5 and 5.3.7(a) below) give the Relevant Person (i) details of all information on which it has relied in reaching that preliminary decision; and (ii) an opportunity to be heard before making any final decision on the merits.
- 4.2.5. The quorum for the Independent Vetting Panel to take decisions shall be three members and decisions shall be taken by simple majority. Each panel shall consist of the Chair of the Independent Vetting Panel (subject to Clause 4.2.6) and two other members of the Independent Vetting Panel selected by the Chair. The same panel shall vet each Relevant Person being considered for a position as part of an appointment of election process.
- 4.2.6. If the Chair is unavailable or conflicted, the Chair shall be replaced for that Vetting round by the Deputy Chair or another member of the Independent Vetting Panel who is a qualified lawyer.
- 4.2.7. The Vetting Procedures shall be published by the Federation and may be amended from time to time by the Independent Vetting Panel.

4.3. The Independent Vetting Panel shall develop a Declaration Form to be completed by all Relevant Persons, which shall:

- 4.3.1. include an explanation of how the Vetting Process will be conducted, by reference to these Vetting Rules and the Vetting Procedures;
- 4.3.2. explain that (i) Vetting may result in a declaration that a Relevant Person is not Eligible, with immediate effect; (ii) the consequences of such a declaration, as set out in Clause 7.2 below; and (iii) the name of a Relevant Person whose Eligibility remains in issue as at the date of the election may remain in the list of nominees subject always to Clause 7.1.2; and
- 4.3.3. require Relevant Persons to:

 - a) waive any potential claims against the Federation or the Independent Vetting Panel in respect of losses resulting from their participation in the Vetting Process;
 - b) confirm their agreement as set out in Clause 6.1;

- c) confirm that, to the best of their knowledge and belief, they are not aware of any facts or circumstances that would prohibit them from being declared Eligible (or else provide full disclosure of such facts or circumstances but explain why they believe the Independent Vetting Panel should disregard such matter(s) further to Clause 2.4 above);
- d) provide consent to the collection, use and storage of their personal data and waiver of privacy rights (in accordance with applicable data protection and privacy laws and regulations) as required in relation to the Vetting Process; and
- e) declare any actual, apparent or potential conflicts of interest (financial or otherwise).

5. THE VETTING OFFICER(S)

- 5.1. The Independent Appointment Body shall appoint one or more Vetting Officers in accordance with Clause 22A.5 of the Constitution.
- 5.2. The Vetting Officer shall be independent of the Federation, meaning that they have not advised or been employed by or instructed to act for the Federation or any of its Affiliates (other than as a Vetting Officer) in the five years preceding their appointment, and during such appointment they shall remain independent (as so defined).
- 5.3. The Vetting Officer(s) shall be responsible for administering the Vetting Process, including:
 - 5.3.1. Receiving the list of nominees seeking election or appointment from the Secretariat once the Closing Date has passed.
 - 5.3.2. Sending out relevant forms and other materials to those nominees.
 - 5.3.3. On the instruction of the Independent Vetting Panel:
 - a) Requesting that the Secretariat provide any information of which they are aware that might potentially be deemed relevant in respect of the Eligibility of any of those nominees.
 - b) Instructing a third party service provider to conduct due diligence on the nominees as is required by the Independent Vetting Panel (including providing that third party service provider any information already provided by or otherwise relating to the nominee).
 - 5.3.4. Requesting from nominees any other information required by the Independent Vetting Panel.
 - 5.3.5. Collating a case file for each nominee, and passing all relevant information (including all completed forms and accompanying documents) to the Independent Vetting Panel, prioritising those case files that indicate Eligibility may be in issue.
 - 5.3.6. Conducting all other communications with nominees on behalf of the Independent Vetting Panel, including:

- a) Communicating preliminary decisions of the Independent Vetting Panel to nominees (and, where that preliminary decision is that the nominee is not Eligible, providing the nominee with an opportunity to respond to the Vetting Officer on the issues raised by the Independent Vetting Panel)
- b) Communicating final decisions of the Independent Vetting Panel to nominees and to the Federation (and, where that decision is that the nominee is not Eligible, notifying the nominee of their right to appeal the decision in accordance with Clause 7.3 below).
- c) Seeking feedback from nominees who underwent the Vetting Process on its conclusion.

5.3.7. Representing the Federation (including through instructing external counsel, as it considers necessary), in relation to any appeals brought against decisions of the Independent Vetting Panel.

6. VETTING PROCESS

Agreement to Vetting

6.1. Each Relevant Person agrees:

6.1.1. To submit to Vetting to determine their Eligibility in accordance with these Vetting Rules:

- a) As a condition to proceeding with their proposed candidacy or appointment or reappointment; and
- b) If elected or appointed, on an ongoing basis throughout their term, whenever determined to be necessary by the Independent Vetting Panel.

6.1.2. To be bound by the Constitution, these Vetting Rules, the Code of Ethics, the Judicial Procedures, and in the case of Nominees, the Candidates for Election Code of Conduct and the Elected Officials Code of Conduct.

6.1.3. To promptly (and, in the case of Relevant Persons seeking election or reelection to a position, within three (3) days from the Closing Date) submit to the Vetting Officer an accurate and complete Declaration Form, and to promptly update such Declaration Form as necessary to ensure that it remains accurate and complete at all times.

6.1.4. To cooperate fully with the Vetting Officer, including (without limitation) promptly providing any information that might be relevant to their Eligibility, either of their own accord or in response to a request by the Independent Vetting Panel, and agreeing to and assisting in the obtaining of such information from other sources where requested by the Independent Vetting Panel.

6.2. Any violation of these Vetting Rules by a Relevant Person (including the provision of materially false and/or incomplete and/or misleading information to the Independent Vetting Panel, whether on the Declaration Form or

otherwise, and any attempt to prevent the Independent Vetting Panel obtaining relevant information) will constitute a violation of the Code of Ethics and will be referred to the Federation for investigation and possible enforcement action.

6.3. If, once a candidate for election or appointment has been declared Eligible, the Independent Vetting Panel becomes aware (through whatever means) of any new or additional information that might impact upon the assessment of that candidate's Eligibility (including, without limitation, any breaches by the candidate of their obligations to provide and keep updated all information relevant to their Eligibility on their Disclosure Form, and/or any breaches of the Candidates for Election Code of Conduct), the Independent Vetting Panel shall reassess the candidate's Eligibility as soon as reasonably practicable and, where possible, in time to meet any applicable deadlines for the candidate's appointment or election. If the Independent Vetting Panel determines on reassessment that the candidate is no longer Eligible, the consequences in Clause 7.2 below shall apply.

6.4. Admissible material

Facts relevant to the Independent Vetting Panel's assessment of Eligibility may be established by any reliable means, including admissions.

6.5. Standard of proof

Any factual issues relevant to the Eligibility (or otherwise) of a Relevant Person shall be determined by the Independent Vetting Panel on the balance of probability.

6.6. Confidentiality

6.6.1. All information collected or provided in the context of the Vetting Process (the "Vetting Information") shall be kept confidential, save as follows:

- a) Any third party provider appointed to conduct diligence of nominees may have access to the Vetting Information whilst carrying out such diligence as part of the Vetting Process.
- b) The Independent Vetting Panel (and any person assisting it) will have access to the Vetting Information while carrying out the Vetting Process.
- c) The Independent Hearing Panel and the CAS (and any representatives of the Relevant Person and the Federation appearing before them) may have access to the Vetting Information as part of any appeal pursuant to Clause 7.3 below.
- d) Vetting Information may be included as necessary in decisions issued by the Independent Vetting Panel, Independent Hearing Panel and/or the CAS.
- e) The Vetting Officer may notify the Federation of any conflicts of interest disclosed by a Relevant Person on their Declaration Form.
- f) Subject always to any and all applicable law, the Federation may:

i. share the written decisions of the Independent Vetting Panel, Independent Hearing Panel and/or CAS relating to a person's Eligibility; and/or

ii. request that the Vetting Officer share any underlying information relevant to such decisions

with other sports organisations and/or relevant authorities on a need-to-know basis for the purpose of exercising their regulatory functions.

6.7. Questions

Any questions regarding these Vetting Rules, the Vetting Procedures, and/or Vetting Process must be made to the Vetting Officer alone and no other person within the Federation. Any such questions will be determined exclusively by the Independent Vetting Panel, whose determination shall be final.

6.8. Reporting

The Independent Vetting Panel and the Independent Appointment Body shall prepare an annual report to the AGM setting out recommendations for any improvements they consider could be made to these Vetting Rules or the Vetting Process generally.

7. DECISIONS OF THE INDEPENDENT VETTING PANEL

7.1. Timing

7.1.1. The Independent Vetting Panel will issue a final decision as soon as reasonably practicable and (provided the Relevant Person has given due notice of their candidature/application) in time to meet any applicable deadlines for appointment or election of the Relevant Person. The final decision will be communicated in writing to the Relevant Person and to the Federation by the Vetting Officer. If the Independent Vetting Panel determines that the Relevant Person is not Eligible, it shall set out the reasons for that determination.

7.1.2. The Federation shall publish a final list of Candidates either within five (5) working days from completion of the Vetting Process, or 48 hours before the AGM, whichever comes first. If (exceptionally, and in spite of Clause 7.3.2 below) the assessment of a candidate's Eligibility remains in issue as at the date of the election (including as a result of an ongoing reassessment under Clause 6.3 above) then:

a) that person's name shall be included in the final list of Candidates published by the Federation;

b) the elections shall proceed (and shall not be invalidated by any subsequent final declaration as to the candidate's Eligibility); but

c) in the event that the candidate in question is elected, they shall not take up office until a final decision is rendered as to their

Eligibility. In the event that the final decision is that the elected candidate is not Eligible, then the position shall be treated as a casual vacancy and the provisions of Clauses 18.13 to 18.17 of the Constitution shall apply accordingly.

7.2. Effect of decisions

7.2.1. Subject to Clause 7.3 below, decisions by the Independent Vetting Panel are final and have immediate effect.

7.2.2. If the Independent Vetting Panel's decision is that a Relevant Person is not Eligible:

a) If that person is a nominee for election or appointment, their nomination shall be deemed withdrawn upon the expiration of any of the deadlines for appeal in Clause 7.3 (as applicable), unless they appeal the Independent Vetting Panel's or the Independent Hearing Panel's decision (as applicable) in accordance with Clause 7.3 below, in which case their candidature shall remain valid until the appeal is finally determined. However, if upon such final determination the person is confirmed not to be Eligible, their candidature shall be immediately withdrawn.

b) If that person holds office already, they shall be deemed to have resigned from their position with immediate effect, irrespective of whether person intends to, or has, filed an appeal against the decision. If, on final appeal, such person is determined to be Eligible, they shall be reinstated to their position.

7.3. Appeals

7.3.1. Each of: (i) the Relevant Persons listed in Clause 1.2.2(a) to whom an Eligibility decision relates; and (ii) the Federation, has the appeal rights set out in this Clause 7.3. No one else has any such right. The Vetting Officer will represent the Federation (including through instructing external counsel, as they consider necessary), in relation to any such appeals.

7.3.2. Subject to Clause 6.3 above, any and all appeals under this Clause 7.3 should be finally determined in advance of the election or appointment in which the candidature of the Relevant Person whose Eligibility is in question is to be considered.

Appeals to the Independent Hearing Panel

7.3.3. Final decisions issued by the Independent Vetting Panel in relation to the Eligibility of a Relevant Person may be appealed exclusively to the Independent Hearing Panel in accordance with the Judicial Procedures. Such appeal shall be filed within fourteen (14) days from notification of the Independent Vetting Panel's decision and shall be handled on an expedited basis. The Independent Hearing Panel may review the Independent Vetting Panel's findings of facts and of law (de novo), and shall provide their final written decision to the Relevant Person and the Federation.

Appeals to CAS

- 7.3.4. The Independent Hearing Panel's decision may be further appealed exclusively to the CAS Appeals Arbitration Division, but only on the basis that there has been a material breach of the Relevant Person's fundamental procedural rights which has led to an incorrect decision. The CAS will appoint one or three CAS arbitrators to resolve the appeal definitively in accordance with the CAS Code of Sports-related Arbitration.
- 7.3.5. An appeal must be filed with the CAS within fourteen (14) days of receipt of the written decision of the Independent Vetting Panel.
- 7.3.6. The appeal before the CAS shall be heard on an expedited basis, unless otherwise agreed by the parties or ordered by the CAS.
- 7.3.7. The CAS shall provide a final written decision on the Relevant Person's Eligibility to the Relevant Person and the Federation.

7.4. Publication of decisions

The Federation shall not publish or otherwise communicate publicly decisions of the Independent Vetting Panel, Independent Hearing Panel or CAS except in response to public comments attributed to or based on information provided by the Relevant Person or their agent.

7.5. Costs

Relevant Persons shall bear their own costs in relation to the proceedings before the Independent Vetting Panel and in any subsequent appeal. If a Independent Vetting Panel decision is overturned, the Council may decide (at its sole discretion) to reimburse a reasonable amount of the fees incurred by the Relevant Person in question.