



**Badminton
Confederation
Africa**

09 April 2019

To: BCA Member Associations
BCA Council Members

Notice is hereby given that the Annual General Meeting of the Badminton Confederation Africa will be held at the Wanda Vista Hotel, Nanning China on Wednesday 22 May 2019 at 0900 hours.

AGENDA

1. Preliminary Business

- 1.1 President's Remark
- 1.2 Roll Call
- 1.3 Appointment of Scrutineers

2. Minutes

Matters arising and approval of minutes of last AGM held on Thursday 17 May 2018.

3. Council Report

- 3.1. To receive the Report of Council and its Committees for the year ending 31 December 2018.
- 3.2. To adopt the Financial Statements, duly audited, for the year ending 31 December 2018.
- 3.3. To adopt the 2019 budget.

4. Financial Investigative Commission Report

To receive the report of the BCA Financial Investigative Commission as per recommendation of the 2018 AGM.

5. Proposals – BCA Council

The Council of the BCA proposes the following to the membership for approval:

5.1 To amend clause 9.8 of the BCA Constitution as follows:

Constitution - Current Wording	Constitution – Proposed Wording
<p>9.8. The Council may co-opt not more than five other members without voting rights, including BWF Council members from African countries, who are not elected members of the BCA Council.</p>	<p>9.8. The Council may co-opt not more than five other members without voting rights, including:</p> <ul style="list-style-type: none"> • BWF Council members from African countries, who are not elected members of the BCA Council. • The Chair of the BCA Athletes Commission. • The Chair of the BCA Women in Badminton Commission. • Any other people with skills or expertise in specific areas as may be decided by Council.

Rationale

In line with the introduction of an elected BCA Athletes Commission, the amendment of clause 9.8 of the BCA Constitution will provide further details on who can be co-opted on the BCA Council.

5.2 To amend clause 17 of the BCA Constitution as follows:

Constitution - Current Wording	Constitution – Proposed Wording
<p>17.1. Each Member Association has the right to appoint not more than two delegates to represent it at the General Meeting. Both delegates shall have the right to speak, but neither shall be permitted to second a proposal or motion made by the other.</p>	<p>17.1. Each Member Association has the right to appoint not more than two delegates to represent it at the General Meeting. Both delegates shall have the right to speak, but neither shall be permitted to second a proposal or motion made by the other.</p> <p>17.2. A delegate can either be the President, the Secretary General or any other elected member of the Member Association's board he is nominated to represent; or a staff member of the association who has been employed for</p>

Constitution - Current Wording	Constitution – Proposed Wording
<p>17.2. Whenever a Member Association is represented by two delegates in the General Meeting, only one delegate shall cast all the votes to which the said Member Association is entitled.</p> <p>17.3. It is the responsibility of Member Associations to make sure their delegate nomination form is correctly filled and is received by the Secretary General at latest 24 hours before the starting time of the General Meeting.</p> <p>17.4. Member Associations are entitled to one vote per unit of subscriptions paid for the current year (known as vote A), in any case not more than three votes are allowed per Member Association based on subscriptions. Then Member Associations will have one or two additional votes (B to E) for each of the following based on precedent year data: Organise International, one additional vote. One team in Africa championship, two additional votes. One team in Africa U15/U19 championship, two additional votes. One team in BCA schools championships, two additional votes.</p> <p>17.4.1. At the beginning of the year, the Secretary General shall publish the number of votes each Member Association will have in the current year.</p> <p>17.5. Delegates of Member Associations whose annual subscriptions for the current year have not been paid at latest 24 hours before the starting time of the</p>	<p>no less than 12 months. No proxy voting shall be allowed.</p> <p>17.3. Whenever a Member Association is represented by two delegates in the General Meeting, only one delegate shall cast all the votes to which the said Member Association is entitled.</p> <p>17.4. It is the responsibility of Member Associations to make sure their delegate nomination form is correctly filled and is received by the Secretary General at latest 24 hours before the starting time of the General Meeting.</p> <p>17.5. Member Associations will be entitled to one (1) vote for each of the following:</p> <ul style="list-style-type: none"> • All BWF and BCA subscriptions paid for the current year and no outstanding subscriptions from previous years. • Organise a BWF sanctioned 'International Series' or a higher level tournament, as per BWF regulations, in the precedent year. • Participate in the Team and Individual Events of the last All Africa Senior Championships. • Participate in the Team and Individual Events of the last All Africa Under 15 or Under 19 Championships. • Participate in the Team and Individual Events of the last All Africa School Championships. • Participate with at least 4 players in the last All Africa Para-Badminton Championships. <p>In no case shall a Member Association have more than 6 votes.</p> <p>17.5.1. At the beginning of the year, the Secretary General shall publish the number of votes each Member Association will have in the current year.</p> <p>17.6. Delegates of Member Associations whose annual subscriptions for the current year have not been paid at latest 24 hours before the starting time of the</p>

Constitution - Current Wording	Constitution – Proposed Wording
<p>General Meeting shall not be allowed to vote at the meeting.</p> <p>17.6. No person shall act as the delegate of more than one Member Association.</p> <p>17.7. Delegates from non-paid Member Associations, Associate Member Associations and other stakeholders or guests have the right to attend and speak at General Meeting, but have no voting rights.</p>	<p>General Meeting shall not be allowed to vote at the meeting.</p> <p>17.7. No person shall act as the delegate of more than one Member Association.</p> <p>17.8. Delegates from non-paid Member Associations, Associate Member Associations and other stakeholders or guests have the right to attend and speak at General Meeting, but have no voting rights.</p>

Rationale

- Throughout the years, there have been several complains from African Member Associations regarding proxy voting in BCA AGMs. The BCA Statues also do not properly define who can be a competent delegate of a Member Association in general meetings.
- For fairer and better representation of the voting strength at general meetings, Council is proposing to reduce the maximum number of votes from 10 to 6. Many members have also been complaining about this huge difference in vote numbers. However, Council recognizes that it is important to keep a proper balance and to empower countries that are contributing more in the development of badminton at a continental level.

5.3. To receive and endorse the BWF External Ethics Panel's decision, of 21 November 2018, on the case of Mr. Raj Gaya as follows:

Council is proposing that the AGM receives and endorses the BWF decision regarding Mr. Raj Gaya, a former BCA and BWF official.

5.4. To write off any funds payable to Mr. Raj Gaya and the Mauritius Badminton Association as at 31 May 2017

In line with all the findings enumerated in the BWF report, council is also proposing that all funds payable to Mr. Gaya, as at 31 May 2017 be written off. Funds payable to Mr. Gaya's bank account as at 31 May 2017 also include claims for Mauritius; consequently, Council is also proposing that the Mauritius account in BCA's books, as at 31 May 2017, be written off.

Rationale

The BWF report states:

"The BWF submits that in the relevant time period, Mr Gaya, on his own admission, and by the evidence of Pultoo, Mungroo and Nagel, had produced a substantial number of forged documents. The production of a forged document is of itself dishonest. The dishonesty is compounded by the "bare lie" in the letter of 26 March 2016 that the MBA could not receive foreign currency." (p28, no. 89)

"The general purpose of the forged documents is clear says the BWF. It was to allow funds intended for the purposes of benefitting the MBA and the sport of Badminton in Mauritius to be:

- a. Paid to Mr Gaya; and*
- b. To be controlled by Mr Gaya without further financial or governance control of the MBA." (p28, no.90)*

"Once the monies were paid to Mr Gaya he had, on his own admission, used them for purposes other than those that he knew them to be intended to be used for and for purposes other than promoting the sport of Badminton. The purposes he did use those monies for included political purposes." (p28, no. 91)

"In the Panel's view Mr Gaya's behaviour has significantly damaged the sport of Badminton." (p32, no. 122)

"There is no other conclusion than that Mr Gaya has acted with a deceptive, dishonest purpose to serve his own financial interest, which has gone on over a prolonged period." (p32, no. 123)

From the report it is known that signatures were forged; claims, receipts and other documents were faked to show the supposed acknowledgement of the Mauritius Badminton Association (MBA). In line with these falsified documents, funds on the MBA account cannot be paid as the validity of claims and invoices sent to BCA by Mr. Gaya, on behalf of the MBA, were confirmed to be spurious.

6. Proposal of the Cameroon Badminton Association - Eligibility of Candidates for the post of President and Deputy President of the Confederation

Cameroon Badminton Association, seconded by Equatorial Guinea Badminton Association, is proposing the following to the membership for approval:

For the post of President and Deputy President of the Confederation, candidates for election should:

1. Be the current president of their national associations
2. Have been on the BCA Council for at least 4 years

7. BCA Subscription

BCA Council is proposing the following BCA Subscription for the year 2020:

Sn	Country	2019 (\$)	2020 (\$)
1	Algeria	400	400
2	Benin	0	200
3	Botswana	400	200
4	Cameroon	200	200
5	Congo	200	0
6	Egypt	400	400
7	Ethiopia	200	200
8	Ghana	200	400
9	Ivory coast	200	200
10	Kenya	200	200
11	Mauritius	400	400
12	Morocco	400	200
13	Nigeria	400	400
14	Seychelles Island	200	200
15	South Africa	600	600
16	Uganda	200	200
17	Zambia	200	200
18	Zimbabwe	200	200
19	Reunion Island	200	200

The other BCA Member Associations not listed above will not be eligible to pay any BCA Subscription for 2020.

Criteria used to determine BCA subscription are:

- The number of registered players as per the BWF Schedule A and as approved by BWF Council on 31 October 2018;
- And the level of development of the Member Association, including organization of Internationals tournament and participation in BCA Events.

8. BCA Election - One (1) Council Member

9. AOB

By order of the BCA Council

Sahir EDOO

Secretary General

