

Badminton Confederation Africa – Proposed amendments to the BCA Constitution for the Virtual AGM 2020 – 19 Dec 2020

BCA Constitution - Current Wording as at May 2019	Suggested Amendments – as from 20 Dec 2020
	SECTION 1 – GENERAL PROVISIONS
<p>1. NAME</p> <p>1.1 The Confederation shall be known as the “Badminton Confederation Africa” (BCA).</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>1.2 BCA shall have an emblem with the map of Africa with a shuttle and other wordings, as may be approved in General Meetings.</p> <p>1.3 In French, the name of the Confederation shall be “Badminton Confédération Africaine” (BCA).</p> <p>_____</p> <p>[Moved Clause 5 – Language to this position]</p> <p>5. LANGUAGES</p> <p>5.1 The official spoken and written language of BCA shall be English. However, French, Arabic and Portuguese may also be used for communications and publications.</p> <p>5.2 In case of dispute or misunderstanding, the English version shall be accepted as the correct one.</p>	<p>1. NAME</p> <p>1.1 The Confederation shall be known as the “Badminton Confederation Africa” (BCA).</p> <p>1.1.1 In French, the name of the Confederation shall be “Badminton Confédération Africaine” Confédération Africaine de Badminton’ (BCA).</p> <p>1.2 The BCA was established on 31 August 1977 with 7 founding Members.</p> <p>1.3 The BCA is a Continental Confederation of the BWF and is organised as a non-profit organisation.</p> <p>1.4 The BCA 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.</p> <p>1.2 BCA shall have an emblem with the map of Africa with a shuttle and other wordings, as may be approved in General Meetings.</p> <p>Moved to 1.1.1 [see above]</p> <p>_____</p> <p>[Moved Clause 5 – Language – becomes Clause 2]</p> <p>2. LANGUAGES</p> <p>2.1 The official spoken and written language of the BCA shall be English. However, French, Arabic and Portuguese may also be used for communications and publications.</p> <p>2.2 In case of dispute or misunderstanding, the English version shall be accepted as the correct one.</p>

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<p>5.3 Any document submitted for consideration shall be written in either English or French.</p> <p>5.4 Discussions, presentations or debates in any Meeting shall be in either English or French.</p> <p>[Moved Clause 4 – Purposes and Principles]</p> <p>4. PURPOSES AND PRINCIPLES</p> <p>The purposes and principles of BCA includes:</p> <p>4.1 Promoting and controlling the sport of Badminton and any other matter related to it, from a continental aspect, in all countries in the African continent.</p> <p>4.2 To achieve general unity of action.</p> <p>4.3 Enabling mutual recognition of Member Associations in their dealings with each other.</p> <p>[Relocated 4.7]</p> <p>4.7 Strengthening the bond of friendship between the existing Member Associations, encouraging and helping the setting up of new Member Associations in countries where there is none.</p> <p>4.4 Making regulations for all events held in Africa and publishing them as the BCA regulations.</p> <p>4.5 Ensuring the observance of BWF laws of Badminton and the BWF and BCA competition regulations in all competitions held in Africa.</p> <p>NEW CLAUSE</p>	<p>2.3 Any document submitted for consideration shall be written in either English or French.</p> <p>2.4 Discussions, presentations or debates in any Meeting shall be in either English or French.</p> <p>[Moved Clause 4 – Purposes and Principles – becomes Clause 3]</p> <p>3. PURPOSES AND PRINCIPLES OBJECTIVES</p> <p>The purposes and principles objectives of the BCA includes are:</p> <p>3.1 Promoting and developing controlling the sport of Badminton and any other matter related to it, from a continental aspect, in all countries in the African continent.</p> <p>3.2 To achieve Achieving general unity of action.</p> <p>3.3 Enabling mutual recognition of Members Associations in their dealings with each other.</p> <p>3.4 7 Encouraging the formation of new Members Associations and S strengthening the bonds of friendship between the existing Members Associations. encouraging and helping the setting up of new Member Associations in countries where there is none.</p> <p>3.5 4 Making regulations for all events BCA Tournaments held in Africa and publishing them as the BCA competition regulations.</p> <p>3.6 5 Ensuring the observance of the BWF Laws of Badminton and the BWF and the BCA competition regulations in all competitions held in Africa.</p> <p>3.7 Organizing, conducting and presenting continental Badminton competitions in cooperation with the BCA Members and ensuring BWF sanctioned competitions in Africa region meet appropriate standards.</p>

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<p style="text-align: right;">NEW CLAUSE</p> <p style="text-align: right;">NEW CLAUSE</p> <p>4.6 Managing the funds of BCA in such manner as shall be deemed expedient.</p> <p>[Moved position of 4.7 up to after 4.3]</p> <p>4.8 Upholding the principles on which BCA is founded; taking such measures as may appear expedient for advancing the interests of Badminton from a continental point of view, and generally doing such things that are incidental or conducive to the above objects or any of them.</p> <p>4.9 The general and fundamental principles of the Olympic Charter are applicable and no provision of the rules and regulations of BCA shall be deemed to conflict with or derogate from those principles.</p> <p>Move Clause 4.9 to next section – “Principles” and it is now 4.7.</p> <p>4.10 Member Associations constitutions shall not be in conflict with or derogate with those of BWF and BCA as far as possible.</p> <p>4.11 To ensure that the activities of Member Associations are guided by and are not in conflict with the principles of BWF and BCA as far as possible.</p>	<p>3.8 Protecting the integrity of Badminton and supporting the delivery of anti-doping and anti-match manipulation programmes.</p> <p>3.9 Publishing and promoting the BCA Statutes and Principles.</p> <p>3.9.1 Upholding the BWF and the BCA Statues</p> <p>3.10 6 Managing the funds of the BCA in a responsible and sustainable way to achieve the objectives of the BCA. such manner as shall be deemed expedient.</p> <p>3.11 8 Upholding the principles on which BCA is founded; taking such measures as may be appear expedient for a Advancing the interests of Badminton from a continental point of view, and generally doing such things that are incidental or to achieve conducive to the above objectives of the BCA. or any of them.</p> <p>3.10 Member Associations constitutions shall not be in conflict with or derogate with from those of BWF and BCA as far as possible.</p> <p>[This responsibility sits at the BWF level and clause 8.3 of the BWF constitution covers this criteria to be a member of BWF – and automatically to BCA. The ongoing membership obligations and criteria are monitored and applied by BWF].</p> <p>3.11 To ensure that the activities of Member Associations are guided by and are not in conflict with the principles of BWF and BCA as far as possible.</p>

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<p>4.12 To look into disputes between or within Member Associations,</p> <p>by appointing a mediator(s) or arbitrator(s) or a panel to look into the matter and recommend actions and/or sanctions if need be. [See 3.6]</p> <hr/> <p style="text-align: right;">NEW CLAUSE</p> <hr/> <p style="text-align: right;">NEW CLAUSE</p>	<p>[This responsibility sits at the BWF level and clause 8.3 of the BWF constitution covers this criteria to be a member of BWF – and automatically to BCA. The ongoing membership obligations and criteria are monitored and applied by BWF].</p> <p>3.12 Assisting BWF to look into resolve disputes between or within Members Associations.</p> <p>by appointing a mediator(s) or arbitrator(s) or a panel to look into the matter and recommend actions and/or sanctions if need be.</p> <hr/> <p>[New Sub-Section – Principles]</p> <p>4. PRINCIPLES</p> <p>4.1 Autonomy</p> <p>The autonomy of international sport is a fundamental principle.</p> <p>The BCA 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 BWF, in consultation with the BCA shall take any appropriate measures.</p> <p>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 BWF’s Constitution. Any external form of interference or attempt shall be reported to the BWF.</p> <p>4.2 Equal Opportunity</p> <p>Badminton has equal representation of men and women on the field of play. The BCA supports the active participation of women in Badminton at all levels and the representation</p>

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	<p>of both men and women in the affairs of the BCA beyond the field of play.</p> <p>NEW CLAUSE 4.3 Fair Play</p> <p>The BCA and its Members shall take all reasonable care to ensure Tournaments and those participating in Tournaments respect “fair play”. The BCA 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 matches.</p> <p>NEW CLAUSE 4.4 Harassment Free Sport</p> <p>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 BCA shall ensure there are no forms of harassment whether that be physical, psychological or other forms of harassment.</p> <p>NEW CLAUSE 4.5 Non-Discrimination</p> <p>The BCA 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.</p> <p>NEW CLAUSE 4.6 Transparency</p> <p>The BCA shall operate in a transparent way so that its decisions and actions are open to scrutiny by its membership and the general public. Comprehensive information on its decisions, regulations, policies and programmes shall be available to all.</p>

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<p>Moved from 4.9 above – Objectives and Principles</p> <p>4.9 The general and fundamental principles of the Olympic Charter are applicable and no provision of the rules and regulations of BCA shall be deemed to conflict with or derogate from those principles.</p> <hr/> <p>2. DEFINITIONS</p> <p>2.6 AGM – Annual General Meeting of MAs representatives as described in Rule 8.</p> <p>2.1 BCA – Badminton Confederation Africa.</p> <p>2.3 MA – Member Association as described in Rule 3.</p> <p>2.2 BWF – Badminton World Federation.</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p>	<p>4.7 4.9 Olympic Charter</p> <p>The general and fundamental principles of the Olympic Charter are applicable and no provision of the rules and regulations of BCA Statutes shall be deemed to may conflict with or derogate from those principles.</p> <hr/> <p>5. DEFINITIONS</p> <p>2.6 5.1 AGM – Annual General Meeting of MAs Member representatives as described in Clause 9 Rule 8.</p> <p>2.1 5.2 BCA – Badminton Confederation Africa.</p> <p>2.3 5.3 MA-BCA Members Association as described in Rule 3. – means any Members or Associate Members of the BWF from the Continental Confederation of Africa who automatically become Members of the BCA.</p> <p>2.2 5.4 BWF – Badminton World Federation.</p> <p>5.5 CAS – means the Court of Arbitration for Sport.</p> <p>5.6 Council – the governing board elected by the AGM as defined in Clause 11.1 with its roles and responsibilities described in Clause 13.</p> <p>5.7 Covered Persons: means Officials, Players, and Related Persons and also:</p> <p>Includes Members of the BCA, as well as any natural person or organisation that has accepted BCA's jurisdiction.</p> <p>Any person who ceases to be a Covered Person for any reason shall for all purposes under these rules be deemed to be and to remain a Covered Person in respect of any investigation or allegation into conduct while that person was a Covered Person, and:</p> <p>Any person who became a Covered Person shall be deemed to be and to remain a Covered</p>

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<p>2.5 Delegate – means the physical person officially appointed on the delegate form by a MA to be its official representative in the General Meeting.</p> <p>2.7 EGM – Extraordinary General Meeting of MAs representatives as described in Rule 8.</p> <p>2.8 EB – Executive Board set up by the Council as described in Rule 11.</p> <p style="text-align: right;">NEW CLAUSE</p> <p>2.4 General Meeting – an official meeting attended by delegates of Member Associations and other authorised stakeholders.</p> <p style="text-align: right;">NEW CLAUSE</p> <p style="text-align: right;">NEW CLAUSE</p>	<p>Person for a continuous period of 12 months after the date, on each occasion, upon which that person became a Covered Person.</p> <p>Any person who is not otherwise a Covered Person but who engages in conduct which would amount to conduct which is a breach of the Statutes shall be deemed for the purposes of these Procedures as a Covered Person but shall be liable only to the Sanction(s) of a Suspension and/or a Venue Exclusion Order.</p> <p>2.5 5.8 Delegate – means the physical person officially appointed on the delegate form by a MA Member to be its official representative in the a General Meeting.</p> <p>2.7 5.9 EGM – Extraordinary General Meeting of MAs Member representatives as described in Clause 10 Rule 8.</p> <p>2.8 EB – Executive Board set up by the Council as described in Rule 11.</p> <p>5.10 Executive Board – the board appointed by the Council composed of the President, the Deputy President, the Treasurer and four other members of the Council and whose duties are described in Clause 16.3.</p> <p>2.4 5.11 General Meeting – an official Annual General Meeting or an Extraordinary General Meeting attended by delegates of Members and other authorised stakeholders.</p> <p>5.12 Judicial Panel – means the judicial body established by the Council under Clause 13.2.7 who shall be responsible for hearing and deciding on any potential breaches of the BCA Statutes under its competency.</p> <p>5.13 Member in Good Standing – means a Member who:</p> <p style="padding-left: 40px;">5.13.1 does not have any BWF subscriptions due;</p> <p style="padding-left: 40px;">5.13.2 is not under suspension by the BWF;</p>

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<p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>2.9 Stakeholders in Rule 19.2:</p> <p>2.9.1 - Means any organisation or corporate bodies legally or sportingly constituted such as an MA as defined in Rule 2.3 and 3.</p> <p>2.9.2 - Any physical person acting in any capacity, as an elected or non-elected official of a MA, as a coach, as a technical official, as a player, a staff member or in any other such capacity that may be related to BCA affairs.</p> <p>NEW CLAUSE</p> <p>2.10 Parties in Rule 19.3 – defines same bodies or persons as defined in Rule 2.9 and 19.2.</p>	<p>5.13.3 has submitted a completed Schedule A to the BWF for the current year.</p> <p>5.14 Official means any person (whether paid or unpaid) who is an employee, office holder (including a nominated candidate) or representative of the BCA or who officiates, is a technical official or who is part of the workforce in any Tournament.</p> <p>5.15 Player means any player who enters or participates in any badminton Tournament.</p> <p>5.16 Related Person means any coach, trainer, therapist, physician, management representative, agent, family member, tournament guest, business associate or other affiliate or associate of any Player, or any other person who receives accreditation at a badminton Tournament at the request of the Player or any other Related Person.</p> <p>2.9 Stakeholders in Rule 19.2:</p> <p>2.9.1 — Means any organisation or corporate bodies legally or sportingly constituted such as an MA as defined in Rule 2.3 and 3.</p> <p>2.9.2 — Any physical person acting in any capacity, as an elected or non-elected official of a MA, as a coach, as a technical official, as a player, a staff member or in any other such capacity that may be related to BCA affairs.</p> <p>[This definition is confusing and does not add clarity of meaning – see clauses 5.15, 5.16, 5.17 for equivalent definitions]</p> <p>5.17 Statutes – means the BCA constitution and the full body of regulations of the BWF or the BCA, accordingly, in force at any relevant time, and as published.</p> <p>2.10 Parties in Rule 19.3 – defines same bodies or persons as defined in Rule 2.9 and 19.2.</p>

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<p style="text-align: right;">NEW CLAUSE</p> <p>2.11 Votes cast - mean the total number of valid votes (yes or no/for or against) that have been voted. Abstentions, blank ballots or wrongly voted ballots shall not be counted.</p> <p style="text-align: right;">NEW CLAUSE</p> <p>Moved from 19.11 - Others</p> <p>19.11 Words signifying the masculine gender in this Constitution include the feminine and neuter genders and vice versa.</p> <p style="text-align: right;">NEW CLAUSE</p>	<p>[This definition is not necessary as there is a new section on Judicial provisions which covers this]</p> <p>5.18 Tournaments means badminton tournaments recognised by the BWF and belonging to the BCA in accordance with the General Competition Regulations (BWF Statutes, Section 5.1) and the Para badminton General Competition Regulations (BWF Statutes Section 5.5).</p> <p>5.19 2.11 Votes e-Cast – means votes by a show of hands or valid votes the total number of valid votes (yes or no/for or against) that have been voted submitted in a secret ballot. Abstentions, blank voting slips, blank pieces of paper or void voting papers are not "Votes Cast". ballots or wrongly voted ballots shall not be counted. Similarly an abstention in a show of hands does not count as a Vote Cast. Voting majorities shall be calculated only on a basis of Votes Cast.</p> <p>5.20 Words signifying persons in this Constitution include corporations and all legal persons including any other entities or bodies whether incorporated or not.</p> <p>19.11 5.21 Words signifying the masculine gender in this Constitution include the feminine and neuter genders and vice versa.</p> <p>5.22 Any deadline referred to in this Constitution shall mean midnight on the day of the deadline at the location of the BCA headquarters.</p>
	SECTION 2 – MEMBERSHIP
<p>3 – MEMBERSHIP</p> <p>3.1 BCA shall have as members the National Badminton Associations herewith called Member Associations (MA) or similar organisations conducting the sport of Badminton in a country or territory of the African continent together with the adjacent islands, this subject to the Member</p>	<p>6 - Membership</p> <p>3.1 BCA shall have as members the National Badminton Associations herewith called Member Associations (MA) or similar organisations conducting the sport of Badminton in a country or territory of the African continent together with the adjacent islands, this subject to the Member</p>

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Associations or organisations being a member of or recognised by the BWF.	Associations or organisations being a member of or recognised by the BWF.
NEW CLAUSE	6.1 To be a Member of the BCA, that organisation must be a Member or an Associate Member of the BWF.
NEW CLAUSE	6.2 Upon becoming a Member or Associate Member of the BWF, the BWF Members and Associate Members from Africa automatically become Members or Associate Members of the BCA.
Clause 3.3 has been moved up.	
3.3 The territorial region of BCA shall consist of all the countries of Africa including the adjacent Islands, as may be decided by BWF.	3.4 6.3 The territorial region of the BCA shall consist of all the countries of Africa including the adjacent I islands, as may be decided by BWF.
3.2 Member Associations shall operate in such a way to enable the participation of their inhabitants without distinction of colour, race, creed, religion or political opinion.	3.2 6.4 Members Associations shall operate in such a way as to enable the participation of their inhabitants players in BWF sanctioned competitions without discrimination . distinction of colour, race, creed, religion or political opinion.
3.4 In no circumstances shall two organisations be recognised as Member Association or Associate Member in one country or territory. In case of dispute, the one recognised by BWF will be accepted in BCA.	3.4 In no circumstances shall two organisations be recognised as Member Association or Associate Member in one country or territory. In case of dispute, the one recognised by BWF will be accepted in BCA. [See clause 6.2 which replaces this clause]
3.5 In specific circumstances, an organisation running Badminton in a given territory may be accepted as an Associate Member of BCA, with the approval of BWF, and allowed to participate in BCA activities like other Member Associations.	3.5 In specific circumstances, an organisation running Badminton in a given territory may be accepted as an Associate Member of BCA, with the approval of BWF, and allowed to participate in BCA activities like other Member Associations. [See 6.2]
3.6 In case of dispute on matters of jurisdiction within a given territory or country, Council may temporarily suspend the participation of a Member Association or Associate Member in any BCA activities and refer the matter to BWF for final decision.	3 6.5 In case of dispute on matters of jurisdiction within a given territory or country, the BCA Council shall may temporarily suspend the participation of a Member Association or Associate Member in any BCA activities and refer the matter to the BWF for a final decision.
3.7 Every Member Association shall supply to the Secretary General not later than 01 st April each year, a list of their current office bearers and their contact details and the name and	3.7 6.6 Every Member Association shall supply to the Secretary General not later than 01 st April each year, a list of their current office bearers and their contact details and the name

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<p>contact details of a specific person with whom BCA will do all official communications for the said Member Association.</p> <p style="text-align: right;">NEW CLAUSE</p> <p>6. REGIONS</p> <p>6.1 The African countries shall be grouped into Regions as may be decided by the General Meeting, which will also decide on the number of Regions to have and it shall not be less than four or more than seven.</p> <p>6.2 The activities in each Region shall be under the responsibility of a Council member as Vice President of that Region and he shall be from a country of that Region preferably.</p> <p style="text-align: right;">NEW CLAUSE</p>	<p>and contact details of a specific person with whom BCA will do all official communications for the said Member Association.</p> <p>6.6.1 Every Member shall supply to the BWF Secretary General, not later than 30 September each year, a BWF Schedule A document.</p> <p>6. REGIONS</p> <p>6.7 ± The African countries shall be grouped for operational reasons into Regions as may be decided by the General Meeting, which will also decide on the number of Regions to have and it shall not be less than four or more than seven.</p> <p>6.8 ± For each region, Council shall appoint one Vice-President from within Council. The Vice-Presidents shall preferably be from their own respective regions. The activities in each Region shall be under the responsibility of a Council member as Vice President of that Region and he shall be from a country of that Region preferably.</p> <p>6.9 Each Vice-President shall oversee the activities of his region.</p>
	SECTION 3 - GOVERNMENT
<p>7. MANAGEMENT</p> <p>The following bodies shall manage the affairs of BCA.</p> <p>7.1 The General Meeting.</p> <p>7.2 The Council.</p> <p>7.3 The Executive Board (EB).</p> <hr/> <p>8. GENERAL MEETING</p> <p>8.1 The ultimate decision making body is the General Meeting.</p> <p>8.2 The General Meeting may delegate all or any of its powers to the Council or the</p>	<p>7. MANAGEMENT STRUCTURE</p> <p>The following bodies shall manage govern the affairs of the BCA.</p> <p>7.1 The Annual General Meeting (AGM) or the Extraordinary General Meeting (EGM).</p> <p>7.2 The Council.</p> <p>7.3 The Executive Board (EB).</p> <hr/> <p>8. GENERAL MEETINGS</p> <p>8.1 The ultimate decision making body is the a General Meeting (AGM or EGM) of the BCA.</p> <p>8.2 The A General Meeting may delegate all or any of its powers to the Council or the Executive</p>

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<p>Executive Board, to take decisions in the interval between two meetings.</p> <p>8.3 The General Meeting shall be conducted in conformity with these rules ■</p> <p>■ 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 of substance without the consent of the meeting.</p> <p>8.4 The General Meeting may take any decision on any matter as may be considered important in the interest of Badminton provided that two-thirds majority of votes cast agree that the matter is of sufficient importance to be considered immediately. After which the matter may be discussed and decisions made.</p>	<p>Board, to take specific decisions or actions in the interval of the next between two General Meeting s.</p> <p>8.3 The General Meetings shall be conducted in conformity with these rules; the BCA Constitution.</p> <p>8.4 8.5 The Chair A 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 of substance without the consent of the meeting.</p> <p>8.4 8.5 The A General Meeting may take any decision on proposals for which due notice has been given and which appear on the agenda circulated to the membership. A Any other matter as may be considered important in the interest of Badminton provided that two-thirds majority of votes cast agree that the matter is of sufficient importance to be considered immediately. After which the matter may be discussed in other business and if necessary, a delegation may be made to Council to take action before the next General Meeting decisions made.</p>
<p>Annual General Meeting</p> <p>Clause 8.8 and 8.7 have been moved up.</p> <p>8.8 The AGM shall be held once yearly at a place decided by the Council.</p> <p>8.7 The Secretary General shall convene the General Meeting as directed by the Council or at the request of MAs as per Rule 8.17.</p> <p>NEW CLAUSE</p> <p>8.5 Notice of AGM and EGM shall be sent at least six weeks before the date fixed for such meeting, ...</p>	<p>9. ANNUAL GENERAL MEETINGS</p> <p>8.8 9.1 The AGM shall be held once a year by no later than 30 June at a place location and time decided by the Council.</p> <p>8.7 The Secretary General shall convene the General Meeting as directed by the Council or at the request of MAs as per Rule 8.17.</p> <p>Notice of the AGM and Deadlines</p> <p>9.2 The Notice of the AGM shall be sent to the membership by the Secretary General no later than twelve (12) weeks before the date of the AGM.</p> <p>8.5 Notice of AGM and EGM shall be sent at least six weeks before the date fixed for such meeting, ...</p>

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<p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>FROM SECOND HALF OF 8.5 ABOVE.</p> <p>... but accidental omission to give notice to any party shall not invalidate the proceedings of a General Meeting.</p> <p>The business of the AGM shall be:</p> <p>8.9 To confirm the minutes of the last meeting and of any EGM (see Rule 8.19) held since the last meeting.</p> <p>8.10 To receive the report of the Council.</p> <p>8.11 To consider and approve the annual accounts duly audited</p> <p>[8.11]....to approve the annual budget and to consider any other financial matters.</p> <p>NEW CLAUSE</p> <p>8.12 To elect members of the Council as and when that is due.</p> <p>8.13 To consider and deal with proposals and motions as stipulated in Rule 18.</p>	<p>9.3 The Notice of the AGM shall include a) the date of the AGM, b) the location and c) the closing date for submitting proposals and nominations for elections.</p> <p>9.4 The closing date for submitting proposals and nominations for elections shall be no later than eight (8) weeks before the date of the AGM.</p> <p>9.5 The Agenda for the AGM including a) proposals submitted by Members in Good Standing and seconded by another Member in Good Standing, b) proposals by Council and c) any nominations for election submitted by Members in Good Standing and seconded by another Member in Good Standing before the deadline shall be sent to the membership no later than six (6) weeks before the date of the AGM.</p> <p>9.6 Accidental omission to give notice in Clause 9.2 to any party shall not invalidate the proceedings of a General Meeting.</p> <p>Business of the AGM</p> <p>8.9 9.7 To confirm the minutes of the last General m Meeting and of any EGM (see Rule 8.19) held since the last meeting.</p> <p>8.10 9.8 To receive the report of the Council.</p> <p>8.11 9.9 To consider and approve the annual accounts, duly audited, for the previous year.</p> <p>9.10 To approve receive the annual budget for the current year and forecast for the following year to consider any other financial matters.</p> <p>9.11 To receive the strategic plan of the BCA.</p> <p>8.12 9.12 To elect members of the Council as and when that is due.</p> <p>8.13 9.13 To consider and deal with proposals for which due notice has been given which are under the competent business of the AGM and which have not been specifically delegated to Council or any other body under the constitution. and motions as stipulated in Rule 18.</p>

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<p>8.14 To consider matters related to Events and Development as may be recommended by Council.</p> <p style="text-align: right;">NEW CLAUSE</p> <p>8.15 To transact any other business of the Confederation.</p> <p>8.16 To consider issues of subscriptions to be paid by Member Associations as recommended by Council.</p> <hr/> <p>8.6 Delegates of fifteen Member Associations who have paid their subscriptions for the current year shall form the quorum.</p> <p>Moved from Rule 12.1 President</p> <p>12.1 He shall preside over all the meetings (except committees where another person is appointed as Chair) and has a casting vote in case of parity, except when voting at elections.</p> <p>12.2 In his absence or incapacity or has resigned, the Deputy President shall act as President. In case both are absent or incapacitated or have resigned, the General Meeting or the Council shall appoint someone as acting President.</p> <p>12.3 In the General Meetings, If both the President and the Deputy President are absent, the meeting shall appoint a Chair of the day.</p> <p>19.9 All matters that need voting (except first part of Rule 8.4; Rule 19.8 and Rule 20.1), shall be decided by simple majority of votes cast.</p>	<p>8.14 To consider matters related to Events and Development as may be recommended by Council.</p> <p>9.14 To appoint a registered auditor as per recommendation of the BCA Council</p> <p>8.15 9.15 To transact discuss any other business. of the Confederation.</p> <p>8.16 To consider issues of subscriptions to be paid by Member Associations as recommended by Council.</p> <hr/> <p>Meeting Procedures</p> <p>8.6 9.16 Delegates, representing at least 40% of all the BCA Members in Good Standing with voting rights, of fifteen Member Associations who have paid their subscriptions for the current year shall form the quorum for a General Meeting.</p> <p>12.1 9.17 He shall preside over The President shall act as the Chair of all the General in Meetings (except committees where another person is appointed as Chair) and has a casting vote in case of parity, except when voting at elections.</p> <p>9.18 In the President's his absence or incapacity or has resigned, the Deputy President shall act as Chair President. In case both the President and Deputy President are absent ... are absent or incapacitated or have resigned, the General Meeting or the Council shall appoint someone as acting President.</p> <p>12.3 In the General Meetings, If both the President and the Deputy President are absent, ... the meeting shall appoint a Chair of the meeting. day.</p> <p>19.9 9.19 All matters that need voting shall be decided by simple majority of v Votes e Cast except for Clauses 27 and Clause 28.</p>

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<p>19.10 Except at elections (Rule 10.12), any other decision that requires voting shall be done by a show of hands or secret ballot as may be decided by the meeting.</p>	<p>19.10 9.20 Except at for elections which shall be by secret ballot only (Clause 11.13), any other decision that requires voting shall take place be done by a show of hands or secret ballot, if requested by a Delegate and approved by a simple majority of Votes Cast. as may be decided by the meeting.</p>
<p>18. PROPOSALS OR MOTIONS</p> <p>18.1 Notice in writing of any proposals or motions to be considered by the General Meeting may be given by any Member Association. It must be seconded by another Member Association to be valid.</p> <p>18.2 The proposals or motions and its seconding shall be sent to the Secretary General so as to reach him at least two months before the date fixed for that meeting.</p> <p>18.3 Any valid proposal or motion received by the appropriate date must be circulated to Member Associations at least three weeks before the date fixed for the General Meeting.</p> <p style="text-align: right;">NEW CLAUSE</p> <p>18.4 The Council is allowed to make proposals or motions to be considered by the General Meeting with due notice. Proposals or Motions made by the Council do not need to be seconded, but explained.</p> <p>18.5 Before a valid proposal or motion be discussed and voted upon, the chair will invite a delegate to support/present it. Thereafter the chair will ask whether a delegate from another Member Association is prepared to second the proposal or motion. If no delegate</p>	<p>Proposals and Amendments</p> <p>18.1 9.21 Notice in writing of any proposals or motions to be considered by the General Meeting may be given submitted in writing by any Member Association in Good Standing. It must be seconded by another Member Association in Good Standing to be valid.</p> <p>18.2 9.22 The proposals or motions and its seconding shall be sent to the Secretary General so as to reach him at least two months eight weeks before the date fixed for that meeting.</p> <p>18.3 9.23 Any valid proposal or motion received by the appropriate date must be circulated to Members Associations at least three six weeks before the date fixed for the General Meeting.</p> <p>9.24 Before the proposal is sent out as per Clause 9.23, 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.</p> <p>18.4 9.25 The Council is allowed to make proposals or motions to be considered by the General Meeting with due notice the same deadlines as for proposals by Members Associations in Good Standing. Proposals or Motions made by the Council do not need to be seconded, but need to be explained.</p> <p>18.5 9.26 Before a valid proposal or motion be is discussed and voted upon, the Chair Chair will invite a the delegate from the proposing Member Association the delegate from the proposing Member Association to support/present it to the meeting. Thereafter the chair will ask delegates to speak in turn either "for" the proposal or "against" the proposal until such time as the</p>

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<p>is prepared to second it, it will not be discussed or voted upon.</p> <p>18.6 The Chair of the meeting shall not accept any amendment, other than one of wording, which does not alter the meaning or intent of the original proposal or motion, unless it has been sent to the Secretary General at latest four weeks in advance of the meeting. The Secretary General shall circulate the amendments received to Member Associations before the meeting.</p> <p>18.7 For a proposal or motion to be valid, it is the responsibility of the Member Associations proposing or seconding it to make sure that both are received by the Secretary General by the stipulated closing date and the annual subscriptions of both Member Associations have been paid as at the closing date.</p>	<p>Chair puts the proposal to the meeting for a vote. whether a delegate from another Member Association is prepared to second the proposal or motion. If no delegate is prepared to second it, it will not be discussed or voted upon.</p> <p>18.6 9.27 The Chair of the meeting shall not accept any amendment, other than one of wording, which does not alter the meaning or intent of the original proposal or motion, unless it has been sent to the Secretary General at latest four weeks in advance of the meeting. The Secretary General shall circulate the amendments received to Members Associations before the meeting.</p> <p>18.7 For a proposal or motion to be valid, it is the responsibility of the Member Associations proposing or seconding it to make sure that both are received by the Secretary General by the stipulated closing date and the annual subscriptions of both Member Associations have been paid as at the closing date.</p> <p>[Repetition – see 9.21]</p>
<p>17. REPRESENTATION AND VOTING STRENGTH AT GENERAL MTGS.</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 no less than 12 months.</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>Representation and Voting Strength.</p> <p>17.1 9.28 Each Member Association in Good Standing has the right to appoint not more than two delegates to represent it at the a General Meeting. Both delegates shall have the right to speak, but only one of them neither shall be permitted to second a proposal or motion made by the other. vote in a General Meeting.</p> <p>17.2 9.29 A delegate can either be the President, the Secretary General or any other elected member of the Member's Association's board he is nominated to represent; or a staff member of the association who has been employed for no less than 12 months.</p> <p>17.3 Whenever a Member Association is represented by two delegates in the a General Meeting, only one delegate shall cast all the votes to which the said Member Association is entitled.</p>

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<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 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:</p> <ul style="list-style-type: none"> ○ 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>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 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>	<p>17.4 9.30 It is the responsibility of Members 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 9.31 Members Associations are entitled to one vote per unit of BWF 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 Members Associations will have one or two additional votes (B to EF) for each of the following based on precedent year data:</p> <ul style="list-style-type: none"> ○ Organised at least one BWF Sanctioned International Series or higher level tournament - one additional vote. ○ One team Participated in the Africa Senior Championships - two one additional votes. ○ One team Participated in the Africa U15/U19 Championships - two one additional votes . ○ One team Participated in the BCA Africa Schools Championships - two one additional votes . ○ Participated in the Africa Para Badminton Championships - one additional vote. <p>17.5.1 9.31.1 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 9.32 Delegates of Members Associations whose annual subscriptions for the current year have not been paid at latest 24 hours before the starting time of the General Meeting shall not be allowed to vote at the meeting.</p> <p>17.7 9.33 No person shall act as the delegate of more than one Member Association.</p> <p>17.8 9.34 Delegates from non-financial paid Members Associations, Associate Member Associations have and other stakeholders or guests no voting rights, but have the right to attend and speak at General Meetings, but have no voting rights.</p>

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<p style="text-align: right;">NEW CLAUSE</p> <hr/> <p>Extraordinary General Meeting (EGM):</p> <p>8.17 An EGM may be convened at any time by the Council, or must be convened by the Secretary General on a date within 12 weeks of the receipt of a requisition in writing to that effect given by Member Associations who hold at least 50% of valid votes at that time.</p> <p>Every such requisition and the convening notice shall specify the business for which the meeting is to be convened.</p> <p>8.18 The Council can call an EGM to consider any proposal or motion, provided due notice is given.</p> <p style="text-align: right;">NEW CLAUSE</p> <p>8.19 The minutes of EGMs shall be presented to the next General Meeting.</p>	<p>9.35 The Chair has authority to admit observers to a General Meeting. Such observers are not be permitted to speak at the meeting, unless authorised by the Chair.</p> <hr/> <p>10. Extraordinary General Meeting (EGM):</p> <p>8.17 10.1 An EGM may be convened called for at any time by the Council, or must be convened called for by the Secretary General on a date within 12 weeks of the receipt of a requisition in writing to that effect given by 50% of Members Associations in Good Standing at the time of the immediately preceding AGM. who hold at least 50% of valid votes at that time.</p> <p>10.2 Every such requisition and the convening calling notice shall specify the business for which the meeting is to be convened.</p> <p>8.18 10.3 The Council can call an EGM to consider any proposal or motion, provided due notice of 8 weeks is given.</p> <p>10.4 The quorum and meeting procedures shall be the same as for AGMs.</p> <p>8.19 10.5 The minutes of EGMs shall be presented to the next General Meeting for approval.</p>
	SECTION 4 - COUNCIL
<p>9. COUNCIL</p> <p>9.1 The General Meeting shall elect the President, the Deputy President, the Treasurer, and 12 other members to form a Council of 15 members</p>	<p>11. COUNCIL STRUCTURE</p> <p>9.1 11.1 The AGM General Meeting shall elect a Council which shall have administrative powers to carry on the work of the BCA between AGMs. The Council shall consist of:</p> <p style="margin-left: 20px;"> 11.1.1 the President 11.1.2 the Deputy President 11.1.3 the Treasurer 11.1.4 the Chair of the BCA Athletes Commission 11.1.5 11 other members </p> <p>to form a Council of 15 members</p>

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<p>.... for a term of office of</p> <p>9.2 The President shall automatically become the BWF Vice President for Africa.</p> <p style="text-align: right;">NEW CLAUSE</p> <p>10. ELECTIONS</p> <p>10.1 Nomination for election as President, Deputy President, Treasurer and as other members of the Council shall be made by a Member Association in writing....</p> <p>....A different Member Association from the proposer shall second the nomination in writing....</p> <p>...Such nomination and seconding letters shall be sent to the Secretary General so as to reach him at latest two months before the date fixed for the General Meeting where elections will be held.</p> <p>10.2 The Secretary General shall circulate the list of valid candidates at latest three weeks before the date fixed for the General Meeting where the elections will be held.</p> <p>10.3 Whenever an election is held, the notice calling for candidates shall be sent out at latest three months before the date fix for the General Meeting where election will take place</p>	<p>12. ELECTION OF COUNCIL</p> <p>12.1 The President, Deputy President, Treasurer and 11 other members of Council, as per Clause 11.1, shall be elected in that order, at the AGM in the year <u>before</u> the Summer Olympic Games [as from 2023] and will serve for a term of office of four (4) years [with the current Council elections in 2021 being for a two (2) year term].</p> <p>12.2 The President shall automatically become the BWF Vice President for Africa.</p> <p>12.3 The Chair of the BCA Athletes Commission will be appointed, with full voting rights, by the Athletes Commission as per Guidelines approved by Council.</p> <p>10. ELECTIONS</p> <p>10.1 12.4 Nomination for election as President, Deputy President, Treasurer and as other members of the Council shall be made in writing by a Member Association in Good Standing in writing.</p> <p>12.5 A different Member Association in Good Standing from the proposer shall second the nomination in writing.</p> <p>12.6 Such nomination and seconding letters shall be sent to the Secretary General so as to reach him at latest two months before no later than the date fixed for receipt of proposals and nominations [clause 9.4] for the General Meeting where elections will be held.</p> <p>10.2 12.7 The Secretary General shall circulate the list of valid candidates for the elections at latest three six (6) weeks before the date fixed for the General Meeting where the elections will be held.</p> <p>10.3 Whenever an election is held, the notice calling for candidates shall be sent out at latest three months before the date fix for the General Meeting where election will take place and the</p>

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<p>and the closing date shall be at least two months before the date of the meeting.</p> <p>10.4 For a nomination to be valid, it is the responsibility of the Member Associations nominating or seconding a candidate to make sure their subscriptions for the current year have been paid as at the closing date for nominations.</p> <p>10.5 Council shall put in place guidelines to be followed by all the stakeholders concerned with elections.</p> <p>10.6 Whenever a vacancy occurs on the Council, it shall be filled through election as stipulated in Rule 10.1. If the position requires an interim, the Council or the General Meeting shall appoint someone to the interim position.</p> <p>10.7 Whenever a replacement election is held, the term of office of the elected candidate(s) will be to only complete the remaining term of office of the vacant position(s).</p> <p>10.8 In spite, candidates have been called for a replacement election, Council may recommend to the AGM to not fill the vacant seat if the term of office of the position will end in slightly less or slightly more than one year. The final decision is made by the AGM.</p> <p style="text-align: right;">NEW CLAUSE</p> <p>10.9 At election, in case of parity of votes between two or more candidates, a second round of voting shall be held for them.</p> <p style="text-align: right;">NEW CLAUSE</p>	<p>closing date shall be at least two months before the date of the meeting.</p> <p>See new clause 8.3, 8.4 and 8.5.</p> <p>10.4 For a nomination to be valid, it is the responsibility of the Member Associations nominating or seconding a candidate to make sure their subscriptions for the current year have been paid as at the closing date for nominations.</p> <p>10.5 12.8 Council shall put in place guidelines to be followed by all the stakeholders concerned with elections.</p> <p>10.6 12.9 Whenever a vacancy occurs on the Council, it shall be filled through election as stipulated in clause 12.4 -12.7. Rule 10.1. If the position requires an interim, the Council or the General Meeting shall appoint someone to the interim position.</p> <p>10.7 12.10 Whenever a replacement election is held, the term of office of the elected candidate(s) will be to only complete the remaining term of office of the vacant position(s).</p> <p>10.8 In spite, candidates have been called for a replacement election, Council may recommend to the AGM to not fill the vacant seat if the term of office of the position will end in slightly less or slightly more than one year. The final decision is made by the AGM.</p> <p>12.11 Council may decide not to call for an election to fill a vacancy if such an elected Council member cannot serve on Council for at least 18 months of the original term.</p> <p>10.9 12.12 At election, in case of parity of votes between two or more candidates, a second round of voting shall be held for them.</p> <p>12.13 Each delegate should vote for as many candidates as there are vacant seats. Voting</p>

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<p>10.10 Only a maximum of two candidates from the same Member Association may be elected on Council, if there are more than two, only the two with more votes cast for them will be considered as elected.</p> <p>10.11 Voting at elections shall be done by secret ballot.</p> <p>9.4 Council members assume office immediately following the conclusion of the General Meeting at which they were elected and they remain in office up to the conclusion of the General Meeting at which new elections are held.</p> <hr/> <p>9.6 Council members upon election are not the representative of any Member Association on the Council; they cannot be suspended, dismissed or expelled from their function in BCA by any Member Association directly.</p> <p>9.7 The Council or a Member Association seconded by another one may propose to the General Meeting to terminate the office of any elected official. The Council proposal does not need to be seconded but explained.</p> <p>9.3 The mandate of the President, Deputy President and Treasurer shall be a four year mandate renewable once.</p> <hr/>	<p>slips containing more or fewer names than the exact number of vacant seats will be invalid.</p> <p>10.10 12.14 Only a maximum of two candidates from the same Member Association may be elected on Council, if there are more than two, only the two with more v Votes e Cast for them will be considered as elected.</p> <p>10.11 12.15 Voting at elections shall be done by secret ballot.</p> <p>9.4 12.16 Council members assume office immediately following the conclusion of the General Meeting at which they were elected and they remain in office up to the conclusion of the General Meeting at which new elections are held.</p> <hr/> <p>Conditions and Terms of Appointment</p> <p>9.6 12.17 Council members upon election are not the representative of any Member Association on the Council; they cannot be suspended, dismissed or expelled from their function in BCA by any Member Association directly.</p> <p>9.7 The Council or a Member Association seconded by another one may propose to the General Meeting to terminate the office of any elected official. The Council proposal does not need to be seconded but explained.</p> <p>[see Section 26 'Sanctions']</p> <p>9.3 12.18 The term of the President, Deputy President, and Treasurer shall be a four year mandate renewable once. maximum of two (2) consecutive terms mandates of 4 years each. [The two (2) year transition term, starting in 2021 and ending in 2023, shall not count as a full term]</p> <hr/>

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<p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>9.5 The President, the Deputy President and the Treasurer being elected directly by the General Meeting, the Council shall confer the following responsibilities to its remaining members.</p> <p>9.5.1 One Vice President for each of the Regions, the number of which shall be as decided by the General Meeting as per Rule 6.</p> <p>9.5.1 The remaining members, if not elected as Chair of main committees shall act as simple members of the Council.</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p>	<p>13. COUNCIL ROLE AND RESPONSIBILITIES</p> <p>13.1 The Council has the responsibility to conduct and oversee the day to day affairs of the BCA between AGMs.</p> <p>13.2 The role of the Council is to:</p> <p>13.2.1 Take the necessary steps to achieve the objectives of the BCA.</p> <p>13.2.2 Implement the decisions of General Meetings.</p> <p>13.2.3 Uphold and ensure observance of the Statutes.</p> <p>13.2.4 Appoint ■</p> <p>9.5 The President, the Deputy President and the Treasurer being elected directly by the General Meeting, the Council shall confer the following responsibilities to its remaining members.</p> <p>9.5.1 ■ one Vice President for each of the Regions, the number of which shall be as decided by the AGM. General Meeting as per Rule 6.</p> <p>9.5.1 The remaining members, if not elected as</p> <p>13.2.5 Determine the Standing Committees, their Terms of Reference and elect the Chairs of main Committees shall act as simple members of the Council.</p> <p>13.2.6 Determine regulations, codes, guidelines and policies that are not under the competent business of the AGM and communicate these to members and publish these on the BCA website.</p> <p>13.2.7 Appoint a Judicial Panel which shall be responsible for hearing and deciding on potential breaches of the BCA Statutes under its competence.</p>

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<p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</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. 	<p>13.2.8 Decide who will determine questions which may arise as to the interpretation of the Statutes and whose decisions will be final.</p> <p>13.2.9 Oversee the administrative and financial matters of the BCA.</p> <p>13.2.10 Develop and approve a four year strategic plan and monitor progress against the objectives and performance indicators.</p> <p>13.2.11 Receive reports from Standing Committees, the Judicial Panel and Commissions.</p> <p>13.2.12 Formulate proposals for the AGM.</p> <p>9.8 13.3 The Council may co-opt not more than five other members without voting rights to assist them with their work and these may, include in:</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. [see 11.1.4] ○ 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.
<p>NEW CLAUSE</p> <p>9.9 The quorum for the Council meeting shall be eight members present and no proxies are allowed.</p> <p>9.11 The Secretary General shall convene the Council with at least four weeks' notice.</p>	<p>14. COUNCIL PROCEDURES</p> <p>14.1 The President and Deputy President shall assume the role of Chair and Deputy Chair of Council respectively.</p> <p>9.9 14.2 The quorum for the Council meeting shall be eight members present and no proxies are allowed.</p> <p>9.11 14.3 The Secretary General, on the instructions of the President, shall convene call the Council meetings with at least four six weeks' notice.</p> <p>14.3.1 For virtual meetings (via video conference), notice shall be at least one week.</p>

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<p>9.12 Between two meetings, the Council may make decisions by mail agenda.</p> <p>9.13 All the official documents bidding BCA shall be signed by any two of the President, the Treasurer and the Deputy President.</p> <p>9.14 Rule 9.13 do not apply to administrative documents that are signed by the Secretary General.</p> <hr/> <p>16. COMMITTEES</p> <p>16.1 The Council shall appoint such committees or sub-committees with such terms of reference as may be deemed necessary.</p> <p>16.2 The main committees of the Council shall be chaired by elected members of the Council.</p> <p>16.3 The Chair of each committee shall oversee the activities related to the committee.</p> <p>16.4 The Chair of the main committees shall submit an annual report, which will be tabled in the AGM as part of the Council report.</p>	<p>9.12 14.4 Between two (face-to-face) meetings, the Council may make decisions by email or by video conference agenda.</p> <p>9.13 14.5 All the official documents bidding that commits BCA financially or legally such as contracts and other agreements shall be signed by any two of the President, the Treasurer and the Deputy President.</p> <p>9.14 Rule 9.13 do not apply to administrative documents that are signed by the Secretary General.</p> <hr/> <p>15. COUNCIL COMMITTEES</p> <p>16.1 15.1 The Council shall appoint such Standing Committees or and Sub- Committees with such terms of reference as may be deemed necessary.</p> <p>16.2 15.2 The main Standing Committees of the Council shall be chaired composed of by elected members of the Council.</p> <p>16.3 15.3 The Chair of each eCommittee shall oversee the activities related to the eCommittee.</p> <p>16.4 15.4 The Chair of the main Standing eCommittees shall submit an annual report, which will be tabled in the AGM as part of the Council report.</p>
11. EXECUTIVE BOARD	SECTION 5 – EXECUTIVE BOARD
<p>11.1 The Council shall appoint an EB composed of the President, the Deputy President, the Treasurer and four other members of the Council.</p>	<p>16 EXECUTIVE BOARD</p> <p>11.1 16.1 The Council shall appoint an Executive Board composed of the President, the Deputy President, the Treasurer, the Chair of the Administration and Remuneration</p>

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<p>11.4 The EB shall not have more than three members from the same Region.</p> <p>11.2 The EB is authorised:</p> <p>11.2.1 To take any urgent decision on the interpretation of the Confederation's rules.</p> <p>11.2.2 To act on behalf of the Council between its meetings.</p> <p>11.2.3 To nominate representative(s) to BWF sub-committees or to any other continental, regional or international body as and when needed.</p> <p>11.3 The EB shall be responsible for matters in Rule 4.12.</p> <p>11.5 The EB shall be responsible and deal with all staff/human resources matters.</p>	<p>Committee, the Chair of the Development Committee, the Chair of the Events Committee and the Chair of the Finance Committee. and four other members of the Council.</p> <p>11-16.2 The Executive Board shall not have more than three members from the same Region.</p> <p>11.2 16.3 The Executive Board is authorised:</p> <p>11 16.3.1 To take any urgent decision on the interpretation of the Confederation's rules.</p> <p>11 16.3.2 To act on behalf of the Council between its meetings.</p> <p>11 16.3.3 To nominate representative(s) to BWF sub-committees or to any other continental, regional or international body as and when needed.</p> <p>11-16.4 The EB shall be responsible for matters in Rule 4.12.</p> <p>[It is the BWF's responsibility to look into disputes between and within Member Associations. See new Clause 3.10 and 6.6]</p> <p>11 16.4 The EB shall be responsible and deal with all staff/human resources matters.</p>
<p>12. PRESIDENT</p> <p>12.1 He shall preside over all the meetings (except committees where another person is appointed as Chair) and has a casting vote in case of parity, except when voting at elections.</p> <p>12.2 In his absence or incapacity or has resigned, the Deputy President shall act as President. In case both are absent or incapacitated or have resigned, the General</p>	<p>17. PRESIDENT</p> <p>12.1 17.1 He The President shall preside over all the meetings (except Standing eCommittees where another person is appointed as Chair) and has a casting vote in case of parity, except when voting at elections.</p> <p>12.2 17.2 In his absence or incapacity or has resigned, the Deputy President shall act as President. In case both are absent or incapacitated or have resigned, the General If the President is absent, incapacitated absence or incapacity or has resigned, the Deputy President shall act as President. In case both are absent or incapacitated or have resigned, the General</p>

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<p>Meeting or the Council shall appoint someone as acting President.</p> <p>12.3 In the General Meetings, If both the President and the Deputy President are absent, the meeting shall appoint a Chair of the day.</p> <p>12.4 He shall be responsible for all matters relating to membership.</p> <p>12.5 He shall appoint the disciplinary committee.</p> <p>12.6 He shall coordinate the work of all the committees.</p> <p>12.7 He shall make an annual report to the AGM as part of the Council report.</p> <hr/> <p>CLAUSE 13 - MOVED BELOW</p> <p>14. THE TREASURER</p> <p>14.1 He shall be responsible for all financial matters.</p> <p>14.2 He shall prepare the annual accounts & financial report and the annual budget to be considered by the General Meeting.</p>	<p>Meeting or the Council shall appoint someone as acting President.</p> <p>12.3 In the General Meetings, If both the President and the Deputy President are absent, the meeting shall appoint a Chair of the day. See 9.18</p> <p>12.4 He shall be responsible for all matters relating to membership.</p> <p>12.5 He shall appoint the disciplinary committee. (Appointed by Council – see 13.2.7)</p> <p>12.6 17.3 He shall coordinate the work of all the committees.</p> <p>12.7 17.4 He shall make an annual report to the AGM as part of the Council report.</p> <hr/> <p>18. THE TREASURER</p> <p>14.1 18.1 He shall be responsible for all financial matters.</p> <p>14.2 18.2 He shall prepare the annual accounts & financial report and the annual budget to be considered by the General Meeting.</p>
	SECTION 6 – ADMINISTRATIVE PROVISIONS
<p>13. SECRETARY GENERAL</p> <p>NEW CLAUSE</p> <p>NEW CLAUSE</p>	<p>19. SECRETARY GENERAL STAFF</p> <p>19.1 The Council shall employ staff as is deemed necessary.</p> <p>19.2 Council shall appoint a Secretary General who shall be responsible for the effective day to day management of the BCA, within the policies and objectives approved by the Council and in accordance with the Statutes and the decisions of the Members at General Meetings.</p>

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<p>13.1 He shall be the head of the administration, responsible for the day-to-day management and be the head of the staff.</p> <p>13.2 He shall send notice for all meetings, where notice is required.</p> <p>13.3 He shall send invitation for all events and other activities held under the aegis of BCA.</p> <p>13.4 He shall attend the meetings of the Executive Board, the Council and the General Meeting without voting right.</p>	<p>13.1 19.3 He The Secretary General shall be:</p> <p>19.3.1 – be the head of the administration, responsible for the day-to-day management and be the head of the staff.</p> <p>19.3.2 19.2 He shall send notice for all meetings, where notice is required.</p> <p>13.3 19.3.3 He shall send invitations for all events and other activities held under the aegis of the BCA.</p> <p>13.4 19.3.4 He shall organise attend the meetings of the Executive Board, the Council and the General Meeting without voting right.</p>
19 OTHERS	
<p>19.1 BWF rules and regulations shall apply to all matters not stated in this constitution.</p> <p>19.2 In case of dispute on any matter, any stakeholder can make an appeal to the Council. If the concerned stakeholder is still unsatisfied, an appeal shall be made to the General Meeting.</p> <p>19.3 Parties unsatisfied with decision reached under Rule 19.2 may appeal only to BWF for arbitration and no party has the right to bring the said matter elsewhere or to a court of justice.</p> <p>19.4 If any stakeholder takes BCA disputes and other matters elsewhere than within BCA or to BWF for arbitration, then that stakeholder is automatically no longer authorised to participate in any meeting of BCA, until the case is discussed and decided in the General Meeting.</p>	<p>19.1 BWF rules and regulations shall apply to all matters not stated in this constitution.</p> <p>Clauses 19.2, 19.3, 19.4 and 19.5 relate to Judicial Processes – see SECTION 8 Judicial Procedures. This new wording covers all of these clauses below. See SECTION 8.</p> <p>19.2 In case of dispute on any matter, any stakeholder can make an appeal to the Council. If the concerned stakeholder is still unsatisfied, an appeal shall be made to the General Meeting.</p> <p>19.3 Parties unsatisfied with decision reached under Rule 19.2 may appeal only to BWF for arbitration and no party has the right to bring the said matter elsewhere or to a court of justice.</p> <p>19.4 If any stakeholder takes BCA disputes and other matters elsewhere than within BCA or to BWF for arbitration, then that stakeholder is automatically no longer authorised to participate in any meeting of BCA, until the case is discussed and decided in the General Meeting.</p>

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<p>19.5 Disputes that have not followed Rule 19.3 and 19.4 shall be considered null and void.</p> <p>19.6 Council shall put in place guidelines to be followed by all the stakeholders concerned with appeals.</p> <p>Clause 19.7 and 19.8 moved to Final Provisions.</p> <p>Clause 19.9 and 19.10 – move to Annual General Meetings – Clause 8.</p> <p>Clause 19.11 – moved to Definitions – Clause 5.</p>	<p>19.5 Disputes that have not followed Rule 19.3 and 19.4 shall be considered null and void.</p> <p>19.6 Council shall put in place guidelines to be followed by all the stakeholders concerned with appeals.</p>
	SECTION 7 – FINANCIAL PROVISIONS
<p>15. FINANCE</p> <p>15.1 The financial year shall close on 31st December each year or at any other date as may be decided by the General Meeting.</p> <p>15.2 A qualified auditor shall be nominated by the General Meeting or the Council to audit the accounts.</p> <p>15.3 Each Member Association shall pay an annual subscription, as may be decided by the General Meeting.</p> <p>15.4 Beside the BWF subscriptions, each Member Association shall pay annual BCA subscriptions, as may be proposed by Council and decided by the General Meeting.</p>	<p>20. FINANCE</p> <p>20.1 The financial year shall close on 31st December each year.</p> <p>20.2 The Executive Board shall ensure the audited financial statements are available not later than four months after the close of the financial year or at any other date as may be decided by the General Meeting.</p> <p>15.2 20.3 A registered auditor shall be nominated appointed by the General Meeting or the Council to audit the accounts.</p> <p>Subscription</p> <p>15.3 Each Member Association shall pay an annual subscription, as may be decided by the General Meeting.</p> <p>15.4 20.4 Beside the e Each Member Association shall pay a BWF subscriptions as decided by the BWF AGM. , each Member Association shall pay annual BCA subscriptions,</p>

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<p>15.5 In case, the General Meeting decides that Member Associations shall pay a BCA annual subscription (Rules 8.16, 15.3 and 15.4); Council shall decide which Member Associations shall pay it and the amount to be paid.</p> <p>15.6 Member Associations must have paid all their subscriptions for the current year to be able to exercise any membership right. BCA subscription is subject to Rules 15.3, 15.4 and 15.5.</p> <p style="text-align: right;">NEW CLAUSE</p> <p>15.7 BCA may have more than one bank account in any country and in any currency as may be decided by the Council ...</p> <p>...The signatory to the accounts shall be any two of the President, the Treasurer and the Deputy President.</p>	<p>as may be proposed by Council and decided by the General Meeting.</p> <p>15.5 In case, the General Meeting decides that Member Associations shall pay a BCA annual subscription (Rules 8.16, 15.3 and 15.4); Council shall decide which Member Associations shall pay it and the amount to be paid.</p> <p>15.6 20.5 Members must not have any paid all their BWF subscriptions due for the current year to be able and have completed the BWF Schedule A for the current year to be in Good Standing exercise any membership right. BCA subscription is subject to Rules 15.3, 15.4 and 15.5.</p> <p>20.5.1 If a General Meeting is held between the time BWF issues the subscription invoices in November and when BWF subscriptions are due on 31 January, Members who have paid the current years' subscription (for year ending 31 December) and who have submitted the current Schedule A due (as of 31 December), shall be considered in Good Standing for the meeting.</p> <p>15.7 20.6 The BCA may have more than one bank account in any country and in any currency as may be decided by the Council.</p> <p>20.7 The signatory to the BCA bank accounts shall be any two of the President, the Treasurer and the Deputy President.</p>
	<p>SECTION 8 – JUDICIAL PROVISIONS</p> <p>All SECTION 8 – JUDICIAL PROVISIONS is new and current clause 9.10 has been deleted.</p>
<p>9.10 The Council shall appoint a panel of twelve persons among whom the President shall appoint a disciplinary committee composed of three to seven members as and when needed.</p>	<p>21. Jurisdiction</p> <p>21.1 Covered Persons shall recognise and accept the following:</p> <p>21.1.1. the BCA Statutes and their mandatory nature;</p> <p>21.1.2 BCA's authority within its sphere of activity concerning Badminton in the region of</p>

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	<p>Africa including its jurisdiction and its right to make decisions and impose sanctions based on the BCA Statutes;</p> <p>21.1.3 that the BWF judicial bodies and CAS are the only competent judicial authorities external to the BCA, in respect of BCA and its Statutes, to the exclusion of any ordinary court of law in respect of the BCA and its Statutes, any civil judicial authority of any country and any other arbitration body;</p> <p>21.1.4 the requirement to abide by the decisions of the BCA, the BWF and/or CAS without attempting to hinder their application.</p> <p>22. Application of BWF Statutes</p> <p>In addition to the BCA Statutes, Covered Persons are bound by:</p> <p>22.1 The BWF Judicial Procedures; 22.2 The Badminton Code of Ethics; and 22.3 The BWF Codes of Conduct (BWF Statutes, Section 2.2), except where the BCA has opted out.</p> <p>22.3.1 If BCA wishes to opt out of the BWF Codes of Conduct, the BCA General Meeting shall be the competent body for the following:</p> <p style="padding-left: 40px;">(a) Section 2.2.1 – Candidates for Election Code of Conduct (b) Section 2.2.2 – Elected Officials Code of Conduct.</p> <p>22.3.2 The BCA Council shall be the competent body to opt out of all other BWF Codes of Conduct.</p> <p>23. Judicial Authority</p> <p>23.1 The following bodies of the BCA have judicial powers in accordance with the BCA Statutes:</p> <p>23.1.1 The General Meeting; 23.1.2 The Council; 23.1.3 The Judicial Panel</p>

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	<p>23.2 The judicial bodies have the power to make decisions and impose penalties in their areas of duty set out in the BCA Statutes.</p> <p>23.3 Potential breaches of the BWF and the BCA Statutes shall be processed in accordance with the BWF Judicial Procedures.</p> <p>24. Judicial Procedures</p> <p>24.1 Judicial bodies recognise and shall follow the procedures and principles as set out in the BWF Judicial Procedures.</p> <p>24.2 The BCA judicial bodies shall provide fair procedures to all parties involved and shall respect their fundamental rights.</p> <p>24.3 All processes undertaken shall respect the following principles:</p> <p>24.3.1 Presumption of innocence;</p> <p>24.3.2 Right to a fair hearing, within reasonable time, by an impartial hearing panel;</p> <p>24.3.3 Right to be represented by lawyer;</p> <p>24.3.4 Right to be informed of nature and cause of charges, as well as the possible consequences;</p> <p>24.3.5 Right to call witnesses and give evidence in his/her defence;</p> <p>24.3.6 Right to have an interpreter; and</p> <p>24.3.7 Right to a timely, written, reasoned decision;</p> <p>24.3.8 Right to appeal a decision where such decision is appealable under the BWF Judicial Procedures.</p> <p>25. Judicial Panel</p> <p>25.1 The Judicial Panel shall have general jurisdiction on any dispute that is not governed by the BWF Judicial Procedures. In particular, it shall be responsible for hearing and deciding on potential breaches of the BCA Statutes related to governance matters.</p>

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	<p>25.2 The Judicial Panel shall be composed of five members appointed by the Council. Two members shall be BCA Council members (elected or appointed) and the other three shall external and independent of the BCA. The three external and independent members of the BCA shall have knowledge of sports law and governance.</p> <p>25.3 The members of the Judicial Panel shall serve a four year term. Casual vacancies shall be filled by Council as and when required.</p> <p>25.4 The Council shall appoint a Chair from the two Council members on the Judicial Panel.</p> <p>25.5 The Chair of the Judicial Panel shall appoint three members of the Judicial Panel to form a hearing panel to hear a particular case. One member shall be from the two Council representatives and the other two shall be selected from the external members on the Judicial Panel.</p> <p>25.6 Decisions of the Judicial Panel are final at the BCA level and may only be appealed through the appeal routes set out in the BWF Judicial Procedures as “BCA Governance cases”.</p> <p>26. Sanctions</p> <p>26.1 The Judicial Panel shall have the power on behalf of the BCA to impose penalties, within the BCA’s competence, on any Covered Person who acts against the interest of the BCA, who breaches the BCA Statutes, or who fails to comply with a decision by the BCA or any of its bodies.</p> <p>26.2 The following penalties may be imposed by a Judicial Panel on Covered Persons:</p> <ul style="list-style-type: none"> a) Reprimand; b) Suspension of Officials and Related Persons; c) Dismissal; d) Venue Exclusion Order; e) Fine; and f) Administrative Fines and Administrative Sanctions.

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20. DISSOLUTION	SECTION 9 – FINAL PROVISIONS
<p>Moved from Clause 19.</p> <p>19.7 Proposal or motion to alter or change the Constitution can only become effective with a two-thirds majority of votes cast.</p> <p>19.8 Amendments/changes to the constitution shall become effective immediately after being voted by the General Meeting, unless decided with conditions.</p> <p>20.1 BCA shall not be dissolved except at an EGM specially convened for that purpose and the proposal or motion shall be carried by a majority of four-fifths of the votes cast in that respect.</p> <p>20.2 All the assets and the balance of funds in hand or in bank, if any, shall be transferred to BWF.</p>	<p>Moved from Clause 19.</p> <p>27. Alteration of this Constitution</p> <p>19.7 27.1 Proposal or motion to alter or change the Constitution can only become effective with a two-thirds majority of votes cast.</p> <p>19.8 27.2 Amendments changes to the constitution shall become effective immediately the day after being voted by the General Meeting, unless amendments are decided with implementation conditions.</p> <p>28. Dissolution</p> <p>20.1 28.1 The BCA shall not be dissolved except at an EGM specially convened for that purpose and the proposal or motion shall be carried by a majority of four-fifths of the votes cast in that respect.</p> <p>20.2 28.2 All the assets and the balance of funds in hand or in bank, if any, shall be transferred to the BWF.</p>