

# RULES



**BADMINTON  
EUROPE**

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# Section 1: General Provisions

## 1. Name, Foundation and Legal Status

- 1.1. The name of the organisation is Badminton Europe Confederation, hereafter called “the Confederation”.
- 1.2. The Confederation was established on 24 September 1967 in Frankfurt am Main by 11 founding Members.
- 1.3. The Confederation is a Continental Confederation of the BWF.

The Confederation is, until otherwise decided by a Delegates’ Meeting, based in Denmark.

The Confederation is a non-profit organisation.

## 2. Objectives

The objectives of the Confederation shall be:

- 2.1. to promote and develop of the game of badminton in Europe;
- 2.2. to encourage the formation of new Members and seek to strengthen the bonds between Members and resolve disputes between Members;
- 2.3. to make, publish and enforce the Rules, regulations and policies of the Confederation from time to time including regulations for European Championships and other European tournaments.
- 2.4. to conduct European Championships and other European tournaments and activities in co-operation with Member Associations;
- 2.5. to control the use of the words Europe, European, Euro or any derivations thereof in connection with any badminton events held by or within the territories of any Member Association. (See also Rule 25.2.);
- 2.6. to develop and maintain the Strategic Plan;
- 2.7. to engage in commercial, marketing and public relations activities for the sport of badminton in Europe to assist with the sustainable development of the Confederation and badminton in Europe.

In cooperation with BWF:

- 2.8. take responsibility for technical officials training and administration, with the twin aims to answer international requirements in Europe and to supply a resource for BWF training, selection, accreditation and certification;

- 2.9. take responsibility for administration of tournaments in Europe in accordance with the Constitution and regulations of BWF in force from time to time;
- 2.10. take responsibility for promotion and organisation of a range of development programmes, courses and activities within Europe and between the Continents;
- 2.11. take reasonable steps to protect the integrity of badminton and to provide all reasonable assistance to the BWF in ensuring that the Members comply with the BWF's Integrity Programme including Anti-Doping Regulations; and
- 2.12. take reasonable steps to safeguard children and vulnerable adults who participate in badminton in Europe.

### **3. Principles**

- 3.1. The Confederation and its Member Associations are fully committed to the principles of the equality of opportunity and the Confederation is responsible for ensuring that no job applicant, employee, volunteer of the Confederation, Member or participant (including players) in a Confederation's event receive less favourable treatment on grounds such as age, gender, colour, disability, ethnic minority, parental or marital status, nationality, religious belief, social status or sexual preference;
- 3.2. Badminton has equal representation of women and men on the field of play. The Confederation supports the active participation of women in Badminton at all levels and the representation of both men and women in the affairs of the Confederation beyond the field of play;
- 3.3. The Confederation will endeavour to ensure that badminton in Europe is open to all those who wish to participate in the sport and that all participants are treated fairly;
- 3.4. The Confederation recognizes that all badminton participants, including children and vulnerable adults, are entitled to participate in an enjoyable and safe environment and it is committed to implementing policies and procedures to ensure that the Confederation, its Members and others involved in the game of badminton in Europe to protect its participants from harm;
- 3.5. The Confederation 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.

- 3.6. The Confederation recognizes the fundamental principle of the autonomy of sport and shall take reasonable steps to protect and maintain the autonomy of the game of badminton within Europe;

- 3.7. The Confederation and its Members recognize and agree to abide by the Principles of the BWF set out in the BWF Constitution available on the BWF website, from time to time, and which are deemed incorporated into these Rules.
- 3.8. The Confederation shall take a responsible approach to safeguarding the environment and managing resources throughout its activities.

#### **4. Language and Communication**

- 4.1. The official language of the Confederation shall be English.
- 4.2. All official communication between the Confederation and Members shall be through e-mail unless specifically agreed in writing by the General Secretary of the Confederation and a Member.
- 4.3. Member Associations are required to check their official email address on a daily basis and to immediately report any technical problems or any changes of their official e-mail address to the General Secretary of the Confederation.
- 4.4. The Confederation shall notify all Member Associations of any Confederation's official e-mail address change and shall keep a regularly updated list of Member Association's official e-mail addresses published on its web page.

## Section 2: Membership

### 5. Members

- 5.1. To be a Member Association or an Associate Member of the Confederation, that organisation must be a Member Association or an Associate Member of the BWF.

Together, the Member Associations and the Associate Members shall be known as the Members of the Confederation.

- 5.2. Members of the Confederation must at all times:
- a) comply with these Rules and any rules, regulations, policies, procedures or decisions issued or approved by the Confederation from time to time;
  - b) fulfil the ongoing membership requirements of the BWF (if applicable) as set out in the BWF Constitution, as updated from time to time, including, but not limited to, submitting a completed Schedule A in accordance with its terms;
  - c) observe and uphold the Principles of the Confederation; and
  - d) comply with all appropriate financial obligations.
- 5.3. The General Secretary together with the President, or such other person appointed by the Board of Directors, shall be responsible for notifying the Members of any new Memberships, following notification from BWF of the acceptance of new Members, and the Confederation shall keep an up-to-date list of its Members on its website from time to time.

### 6. Good standing

- 6.1. A Member shall be considered to be in Good Standing if it complies with Rule 5.2.
- 6.2. The Board of Directors, acting reasonably, shall have the absolute discretion to determine whether a Member is in Good Standing. A decision by the Board of Directors that a Member is not in Good Standing shall be effective when communicated to the Member by the General Secretary.
- 6.3. A Member shall not be considered to be in Good Standing:
- a) If it fails to comply with 5.2; and
  - b) in circumstances where the Board of Directors, acting reasonably, has declared such failure to be a serious breach of these Rules; or
  - c) if a Member has had its membership of the BWF suspended.
- 6.4. A Member that is not in Good Standing:

- a) shall have no right to send proposals to, nominate any person for election or to vote at any Delegates' Meeting;
  - b) shall not be eligible for funding or any other support from the Confederation.
  - c) may be subject to the penalties set out in cause 32.3.
- 6.5. The sanctions in 6.4 shall continue until the circumstances that have led to that Member not being in Good Standing have been remedied, to the reasonable satisfaction of the Board of Directors, and this has been communicated in writing to the Member by the General Secretary.



## **Section 3: Government**

### **7. Structure**

The Confederation shall be governed by the:

- 7.1. Annual Delegates' Meeting (ADM) or the Extraordinary Delegates' Meeting (EDM);
- 7.2. Board of Directors.

### **8. The Annual Delegates' Meeting**

- 8.1. The Annual Delegates' Meeting shall be held annually, normally in the month of April, but not later than 15 months after the previous Annual Delegates' Meeting and at a place and time determined by the Board of Directors.

### **9. Notice and Agenda of Annual Delegates' Meeting**

9.1. The Board of Directors will fix the time and location of the Annual Delegates' Meeting and will inform the Members with minimum 6 months' notice while also setting out which positions will be up for election and the information contained in 9.2 and 20.4.

9.2. Any Member wishing to have a matter placed on the agenda of the Annual Delegates' Meeting shall send this proposal by e-mail to the General Secretary so that it is received not less than three months before the date of the meeting. The proposal must be clearly formulated and include brief reasons for the proposal. The General Secretary must confirm receipt of proposals by e-mail.

9.3. Formal notice of the Annual Delegates' Meeting, as approved by the Board of Directors, shall be circulated, by the General Secretary, not later than 6 weeks before the date of the meeting. The notice shall state the date, time and place of the Annual Delegates' Meeting and include the agenda for the meeting (which shall include the matters set out in Rule 10.2) together with the text of any proposals submitted to the Confederation in accordance with Rule 9.2. Notice shall be circulated to:

- a) the Members;
- b) the members of the Board of Directors;
- c) the Auditors;
- d) the staff of the Confederation;
- e) the Honorary Vice-Presidents;
- f) the BWF Secretary General; and

g) nominees for election at that Annual Delegates' Meeting.

9.4. No amendment shall be accepted by the Chair of the Delegates' Meeting, unless it is approved by a majority of two-thirds of the votes cast at the Delegates' Meeting.

9.5. The Board of Directors has the right to make amendments to related clauses that are affected by the original proposal or amendments to the proposal.

## **10. The Business of the Annual Delegates' Meeting**

10.1. The business of an Annual Delegates' Meeting varies from year to year. There is however a basic mandatory framework which covers the essential business that must be placed before such a meeting.

10.2. Matters that must be dealt with at the Annual Delegates' Meeting are:

- a) to consider any business arising from the previous Delegates' Meeting;
- b) to consider the report of the Confederation;
- c) to consider and approve the audited accounts of the Confederation for the preceding year;
- d) to consider and approve the budget for the current year;
- e) to consider the financial forecasts;
- f) to consider the Strategic Plan;
- g) to appoint an auditor of the Confederation who shall retire annually but may be eligible for re-appointment;
- h) to deal with any proposals to alter these Rules or any other regulation whose alteration requires the approval of the Members;
- i) to deal with any other proposals of which due notice has been given in accordance with Rule 9.2;
- j) to elect Directors to the Board of Directors for the appropriate term;
- k) to elect the European BWF Vice President (if applicable); and
- l) to deal with any other competent business.

## **11. Extraordinary Delegates' Meeting**

11.1. An Extraordinary Delegates' Meeting may be convened by the Board of Directors, or at the written request by at least one third of the Member Associations, provided such request specifies the business for which the Extraordinary Delegates' Meeting is to be called. No other business shall be transacted at such meeting.

- 11.2. If the Extraordinary Delegates' Meeting is called by the Member Associations the General Secretary must send out the notice no later than four weeks after the request has been received.
- 11.3. The date of any such Extraordinary Delegates' Meeting shall be fixed, by the Board of Directors, on a date not less than six weeks prior to the date on which notice of the Extraordinary Delegates' Meeting is sent to the Member Associations.
- 11.4. The agenda for the Extraordinary Delegates' Meeting shall be drawn up by the General Secretary and sent out at the same time as the notice.

## **12. Representation**

- 12.1. Each Member Association shall have the right to nominate one Voting Delegate and one Non-Voting Delegate. If the Voting Delegate:
- a) is not present (for whatever reason) at the Delegates Meeting; or;
  - b) becomes unable to represent the Member Association; or
  - c) is determined by the President and General Secretary, not to, fulfil the conditions to represent the Member Association,
- then the Non-Voting Delegate of that Member Association (if any) may vote on its behalf provided always that the Non-Voting Delegate fulfils the conditions to represent that Member Association, as set out in Rule 12.6.
- 12.2. Each Associate Member shall have the right to nominate two Non-Voting Delegates. Associate Members shall not have voting rights.
- 12.3. To be entitled to be represented and/or to vote at the Delegates Meeting, the Member must be in Good Standing.
- 12.4. Each Member shall send to the General Secretary not later than eight days prior to the date of the Delegates' Meeting a Power of Attorney identifying their Delegate(s) and, where applicable, which Delegate shall be their Voting Delegate. A Member Association's Power of Attorney must clearly set out the reasons why the Voting Delegate meets the conditions set out in Rule 12.6.
- 12.5. The General Secretary shall confirm the receipt of the Power of Attorney. If the Power of Attorney is received late, as defined in 12.4, the Power of Attorney shall be rejected.
- 12.6. A Delegate must:
- a) belong to the Member that they are nominated to represent; and
  - b) be appointed by the appropriate body of that Member; and

- c) hold the citizenship (passport) of the Member that they represent. If a Delegate originates from a Member Association that does not have a unique citizenship (passport), pertaining only to such a Member Association (e.g. Scotland, Wales, England, Greenland, Faroe Islands, Gibraltar), the citizenship (passport) criteria for such a Member Association shall be fulfilled if the Delegate holds any common citizenship (passport), recognized within the territory of such a Member, and is domiciled in such a Member; or
  - d) if the Delegate does not or becomes unable to fulfil the citizenship (passport) criteria set out in Rule 12.6. c), the Delegate must either be a member of the Board or Constitutional Committee of the Member, or be an employee of that Member and must have held that position for no less than 12 months.
- 12.7. The General Secretary of the Confederation and any Delegate may challenge whether a particular Delegate meets the conditions set out in Rule 12.6. If challenged, the Delegate must provide proof that the relevant conditions are met. The President and General Secretary shall have the absolute discretion to determine whether the proof presented is sufficient.
- 12.8. Members of the Board of Directors of the Confederation shall have the right to attend and to speak at the Delegates' Meeting, but they shall not have the right to vote unless they are a nominated Voting Delegate. If the Chair of the Confederation's Athletes Commission is unable to attend a Delegates' Meeting another member of the Confederation's Athletes Commission may attend in their place.
- 12.9. The General Secretary and Confederation's staff members shall have the right to attend and speak at the Delegates' Meeting, but not to vote.
- 12.10. Nominees for election not otherwise authorised to vote or speak may attend the Annual Delegates' Meeting but are not permitted to speak, unless authorised by the Chair.
- 12.11. The Chair has authority to admit observers to a Delegates' Meeting. Such observers are not permitted to speak at the meeting, unless authorised by the Chair.

### **13. Quorum**

- 13.1. The quorum of a Delegates' Meeting shall be the presence of Delegates representing at least 40 % of the total number of Member Associations. Only a quorate Delegates' Meeting shall have the power to make decisions.
- 13.2. If the quorum is not met, for whatever reason, the Delegates' Meeting shall not be held.
- 13.3. If the Annual Delegates' Meeting is not quorate, the Board of Directors shall arrange for the meeting to be reconvened as soon as practicable and the agenda shall remain as originally issued. The required quorum for such a reconvened Annual Delegates' Meeting shall be the presence of Delegates representing at least 20 % of the total number of Member Associations. If a Director's term of office should have ceased at the Annual Delegates' Meeting that was not quorate, such Director's term of office shall continue until the reconvened Annual Delegates' Meeting.

- 13.4. If a reconvened Annual Delegates' Meeting is also not quorate, the business of that Meeting shall be referred to the next ordinary Annual Delegates' Meeting.

## **14. Voting**

- 14.1. All general matters shall be decided by simple majority, i.e. by the highest number of votes cast in favour.
- 14.2. All elections shall be decided by absolute majority, i.e. by more than half of the votes cast in favour.

If there are more candidates than available positions, the candidates with the most votes, who also have absolute majority, will be elected in turn until all positions are filled.

If no candidates achieve absolute majority the candidate with the least votes will be eliminated.

If at least one candidate obtains absolute majority, and is elected, the candidate with the least votes will not be eliminated.

Elections will continue until all available positions are filled.

- 14.3. Any proposal to change these Rules requires a two third majority of the votes present cast in favour.
- 14.4. A proposal to dissolve the Confederation requires a two thirds majority of the total number of Member Associations.
- 14.5. Each Member Association shall have one vote in the Delegates' Meeting. Only the Member Associations present are entitled to vote.

## **15. Procedure**

- 15.1. The Chair of the Delegates' Meeting shall be the President of the Confederation. In the event that the President is not present, a Vice-President shall chair the meeting. If no Vice-President is available to chair the meeting the Board of Directors shall appoint a Chair.
- 15.2. The Chair shall be responsible for the general conduct of the Delegates' Meeting, and his rulings on matters of procedure and conduct shall be final, except for matters covered by these Rules.
- 15.3. Prior to any formal business being transacted the Chair shall request that the voting Delegates confirm, by a simple majority vote, that the meeting has been properly convened.
- 15.4. Except for a proposal to amend these Rules, any proposals to amend the agenda of a Delegates' Meeting must be proposed immediately after the meeting has been approved as properly convened and must be approved by a majority of two thirds of the votes cast.

15.5. The Meeting shall approve the appointment of at least 2 scrutineers who cannot be Members of the Board of Directors, Staff of the Confederation or Delegates nominated for the Meeting.

## **16. Decisions**

16.1. Any decision taken by a Delegates' Meeting cannot be rescinded or amended until the next following Delegates' Meeting. If any decision made by a Delegates' Meeting is subsequently found to contravene any existing Rule or regulation (which was not the subject of the decision) then that decision shall be deemed suspended until the next following Delegates' Meeting.

16.2. All Rules, regulations and elections approved by the Delegates' Meeting shall take effect the day following the Meeting, unless the decision of the Delegates' Meeting specifies otherwise.

## **17. Minutes**

17.1. Minutes, of all business that takes place at a Delegates' Meeting, shall be taken.

17.2. The Minutes shall be prepared by the General Secretary with assistance from the Staff of the Confederation and sent out to the Members within 60 days of the Delegates Meeting. The Minutes shall be regarded as approved if, within 30 days of circulation, no written objections are received by the General Secretary. If an objection is received, the General Secretary will seek to resolve any objection with that Member for a maximum of 30 days. If the objection is resolved the General Secretary shall re-circulate the amended Minutes within 14 days of the date of resolution making clear what amendment(s) have been made. The amended Minutes shall be regarded as approved if, within 14 days of circulation, no written objections are received by the General Secretary. If any such final objection is received, or if the initial objection was not resolved, the Minutes shall be placed on the agenda of the next Delegates' Meeting for consideration.

## **Section 4: The Board of Directors**

### **18. The Board of Directors**

- 18.1. Between Delegates' Meetings the business of the Confederation shall be managed by the Board of Directors.
- 18.2. The Board of Directors shall meet as often as may be necessary but shall meet at least three times per year.
- 18.3. Each member of the Board of Directors shall act in the best interests of the Confederation while carrying out their duties on behalf of the Confederation and shall comply with any rules, regulations or guidance issued by the Confederation.

### **19. Composition**

- 19.1. The Board of Directors shall consist of the President, two Vice-Presidents, the Director of Finance, nine Directors and the Chair of the Confederation's Athletes' Commission elected pursuant to the Athletes' Commission Regulations.
- 19.2. If the President is incapacitated for a period of time, a Vice-President appointed by the Board of Directors will act as President. If the President is unable to complete his term of office, a Vice-President appointed by the Board of Directors will act as President until the next Annual Delegates' Meeting.
- 19.3. The Board of Directors has no power to co-opt Directors.

### **20. Nomination and Term**

- 20.1. Nominations for members of the Board of Directors and for the position of the European BWF Vice-President may be made by:
  - a) any Member Association; or
  - b) the Board of Directors.
- 20.2. A person being nominated for the position of the European BWF Vice-President must be a Director of the Confederation.
- 20.3. Nominations must be made by e-mail to the General Secretary in such form as determined by the Board of Directors from time to time.
- 20.4. Nominations for election made by a Member Association must be received by the General Secretary not later than three months prior to the date of the Annual Delegates' Meeting. Nominations for election made by the Board of Directors must be received by the General Secretary not later than two months prior to the date of the Annual Delegates' Meeting.

- 20.5. The General Secretary must confirm receipt of nominations. The name of the candidate, the Member Association to which the candidate belongs together with the name of the proposer, will be mentioned on the Agenda.
- 20.6. All members of the Board of Directors shall normally be elected for a period of four years.
- 20.7. Each Director will retire at the end of the period for which they are elected, but may be re-elected for further terms of office if properly nominated for election.
- 20.8. If a Director does not complete the term of office, a successor shall be elected for the remainder of the term at the next Delegates' Meeting.

## **21. European BWF Vice-President**

- 21.1. The European BWF Vice-President shall be elected for a period of four years at an Annual Delegates' Meeting held the year before an Olympic Games.
- 21.2. The European BWF Vice-President may be re-elected for a further term of office if properly nominated for election.
- 21.3. If the European BWF Vice-President does not complete the term of office, or is not re-elected as a Director, an Acting BWF Vice-President shall be appointed by the Board of Directors from within the Board of Directors and a successor shall be elected for the remainder of the term at the next Delegates' Meeting.

## **22. Duties of the Board of Directors**

- 22.1. The Board of Directors shall have the non-exhausting duties to:
- a) allocate any and all of the Confederation's events;
  - b) make any amendments to the Confederation's regulations, guidelines and policies save for these Rules, the Disciplinary Regulations and to such other regulations as the Delegates' Meeting determines from time to time;
  - c) determine whether a Member is not in Good Standing;
  - d) take such reasonable steps as may be necessary to uphold the Principles and achieve the Objectives of the Confederation;
  - e) uphold and ensure the observance of these Rules, the regulations, policies and guidelines of the Confederation;
  - f) oversee and take responsibility for the execution of decisions taken by any Delegates' Meeting;



- g) establish the specific duties of individual members of the Board of Directors and to appoint such Committees and Commissions, their membership and terms of reference as the Board of Directors shall determine necessary to achieve the Objectives of the Confederation;
  - h) appoint the Chairs and Vice-Chairs of the Commissions for a two-year term upon consideration of the recommendation of the President;
  - i) ensure that the Confederation's Championships and tournaments sanctioned by the Confederation are run to an appropriate standard as determined by the Rules, regulations and guidelines of the Confederation and BWF;
  - j) in their absolute discretion, acting reasonably, determine any question that arises as to the interpretation of these Rules and any other regulations, policies and guidelines of the Confederation;
  - k) appoint the General Secretary on such terms and conditions as it determines appropriate from time to time;
  - l) oversee the administrative and financial management of the Confederation and determine the authorised signatories for contracts and other documents;
  - m) register, if applicable, the Confederation logo from time to time and administer its use;
  - n) receive the reports of the Committees and Commissions;
  - o) create, update and maintain the Strategic Plan on consideration of the reports of the Committees and Commissions on an on-going basis;
  - p) monitor progress against the agreed key performance indicators on an on-going basis;
  - q) receive the decisions of the Disciplinary Committee and any Appeals Panel and to implement such decisions;
  - r) determine the content and running order of the Members' Forum;
  - s) consider whether the creation of any commercial organisations, subsidiaries or trusts of the Confederation should be proposed to the Delegates' Meeting; and
  - t) ensure the Confederation is appropriately represented at international events and forums.
- 22.2. The Board of Directors may delegate any of its duties to one or more of the Directors or to the General Secretary as it may determine in its absolute discretion from time to time.
- 22.3. In carrying out its duties, the Board of Directors may seek external expert advice on matters that it deems appropriate from time to time.

### **23. Honorary Vice-President**

- 23.1. An Annual Delegates' Meeting shall have the power to elect Honorary Vice-Presidents for services rendered to the Confederation in the past.
- 23.2. Proposals for the position as Honorary Vice-President may be made by the Board of Directors or by any Member Association, subject to the approval of the Board of Directors, and must be done in accordance with Rule 9.2.
- 23.3. Honorary Vice-Presidents shall be entitled to attend and speak at Delegates' Meetings but shall have no vote.
- 23.4. General Secretary shall ensure that an up-to-date list of Honorary Vice-Presidents shall be maintained on the Confederation's website.

## **Section 5: Administration**

### **24. The General Secretary and Staff**

- 24.1. The Board of Directors shall appoint a General Secretary.
- 24.2. The General Secretary is responsible for the daily management of the activities of the Confederation and for carrying out the business of the Confederation in accordance with the Rules, regulations, guidelines, policies and with decisions of the Delegates' Meeting and/or the Board of Directors.
- 24.3. The General Secretary shall have the power to employ, appoint or dismiss such other staff, contractors and/or officers of the Confederation as are determined necessary to carry out his duties upon terms and conditions and within the budget approved by the Board of Directors.
- 24.4. The General Secretary and other staff of the Confederation may attend all meetings of the Board of Directors and shall be entitled to speak but shall not be entitled to vote.

### **25. Rights of the Confederation**

- 25.1. Any and all intellectual property rights, and/or commercial rights, arising or created as a result of, or in connection with, any event or activity organized or sanctioned by the Confederation, including but not limited to any rights in websites, social media, television or radio recordings or broadcasts, audio or visual recordings, moving pictures, player' imagery and logos shall belong to the Confederation.
- 25.2. The words Europe, European, Euro or any derivation thereof is the property of the Confederation when used in connection with a badminton promotion, and shall be subject to the terms set out in the following paragraph.
- 25.3. The Confederation may grant licences and/or concessions in respect of its rights. The Confederation shall enter into an agreement with the promoting Member Association, or other promoting body, for the use of such rights on such terms and conditions as the Confederation shall determine in its absolute discretion.
- 25.4. The allocation of a European Championship shall only be final when both the Organiser and the Confederation have agreed and signed the contract for the event. The contract and the relevant events regulations shall alone specify the terms of organising the event.

### **26. Subsidiaries**

- 26.1. The Confederation may establish commercial organisations, subsidiaries, trusts or associated companies with the approval and upon such terms and conditions as the Delegates' Meeting shall determine.

26.2. Any such established organisation must report regularly to the Board of Directors that shall report to the Members at the Annual Delegates' Meeting.

## **27. Indemnity**

27.1. The Confederation shall fully indemnify, and hold harmless, the Board of Directors and members of staff from, and against, any costs, expenses, liabilities and awards arising out of any action instituted in any jurisdiction, at any time, against the Confederation, or any of the above such persons, as a direct result of the activities of such persons, where they are/were acting within the scope of their responsibilities and on behalf of the Confederation, except when they act in a fraudulent way or in a manner which is ultra vires.

27.2. A Member Association staging a Championships authorized and sanctioned by Confederation shall indemnify the Confederation against any claims submitted by any participant for any cause whatsoever.

## Section 6: Financial Provisions

### 28. Financial Provisions

- 28.1. The official currency of the Confederation is Euro.
- 28.2. All payments to the Confederation must be made in the Confederation's official currency without any deductions.
- 28.3. The Financial Year of the Confederation shall be from 1 January to 31 December for each year.
- 28.4. The Annual Delegates' Meeting shall approve the appointment of an Auditor to hold office to the date of the following Annual Delegates' Meeting and the name of the proposed Auditor shall appear on the agenda for the Delegates' meeting. The Board of Directors shall be authorised to fix the Auditor's fee. The Auditor's report shall be distributed to all Members with the agenda for the Annual Delegates' Meeting.

### 29. Authority to Represent

- 29.1. The President represents the Confederation. In case the President is unavailable, a Vice-President or another Member of the Board of Directors represents the Confederation.
- 29.2. The President, together with either a Vice-President or the Director for Finances or the Secretary General, is entitled to sign contracts or enter into financial obligations on behalf of the Confederation. The General Secretary can be authorized, by the Board of Directors, to sign contracts up to an agreed value without an additional signature.
- 29.3. In the event that the President is unavailable to sign any contract, the President shall have the power to delegate such signing authority to another Member of the Board of Directors.

### 30. Fees

- 30.1. Each Member shall pay an Annual Administration Fee based upon a scale of units. The Administration Fee, including the value of the unit, shall be determined by the Annual Delegates' Meeting from time to time, on consideration of the proposal of the Board of Directors and be published on the Confederation website.
- 30.2. The scale of units on which the Administration Fees are based is set out in the following table:

<b>Number of Players</b>	<b>Units</b>
Up to 2999	<b>1</b>
3000 - 4999	<b>2</b>
5000 - 9999	<b>4</b>
10000 - 14999	<b>6</b>

15000 - 24999	<b>10</b>
25000 - 49999	<b>20</b>
50000 and above	<b>25</b>

The latest numbers of players as accepted by the BWF apply.

- 30.3. The applicable Annual Administration Fee is due on 31<sup>st</sup> of January of each year.
- 30.4. Sanction fees shall be determined by the Delegates' Meeting from time to time on consideration of the proposal of the Board of Directors and be published on the Confederation website. Sanction fees shall be payable by the Member to the Confederation immediately after an invoice for such fees has been issued to that Member. Sanction fees will not be refunded.
- 30.5. Entry fees and participation fees for participation in a Championships, or activity, organized or sanctioned by the Confederation shall be determined by the Board of Directors and be published on the Confederation website. Such fees shall be due on receipt of entry and must be paid not later than the start of play in the relevant Championships.
- 30.6. Any Member Association that fails to pay the Annual Administration Fee when due;
- a) shall be notified to the Board by the General Secretary who may recommend that the Board declare that Member to not be in Good Standing; and
  - b) upon approval of the Board of Directors, that Member may be prohibited from entering, or playing, any players in an event organised or sanctioned by the Confederation.

## **Section 7: Judicial Provisions**

### **31. Judicial Provisions**

31.1. The following bodies of the Confederation have judicial powers:

- a) The Annual Delegates' Meeting;
- b) The Extraordinary Delegates' Meeting;
- c) The Board of Directors; and
- d) The Disciplinary Committee and the Appeals Committee.

31.2. The judicial bodies of the Confederation shall follow the procedural provisions and shall have the power to make decisions and impose penalties in their respective areas of duty and as determined by the Confederation.

31.3. Members acknowledge and agree to:

- a) renounce the right to take a dispute with the Confederation or with another Member before any Court of Justice and recognize the BWF and the CAS as the only external judicial authorities to which an appeal can be made;
- b) take any dispute, with the exception of the disciplinary proceedings, which shall follow the Disciplinary Regulations of the Confederation, first to the Annual Delegates' Meeting of the Confederation or a properly convened Extraordinary Delegates' Meeting, then, if necessary, to the BWF and finally to the CAS, unless otherwise agreed by the parties in dispute and the Confederation; and
- c) subject only to appeal to the BWF and the CAS, accept as final and binding the decisions of the competent judicial bodies within the Confederation and to act in accordance with such decision.

### **32. Penalties**

32.1. The Confederation may, in accordance with the Disciplinary Regulations of the Confederation, in force from time to time, impose a penalty on any Member, player or official who acts against the interests or reputation of the Confederation or who breaks these Rules, any regulation of the Confederation or any rules, regulation or policy of the BWF or who fails to follow any decision of the Confederation. The procedure set out in the Disciplinary Regulations (including the rights of appeal) shall be based on the rules of a fair trial and shall respect fundamental rights of all parties.

32.2. All parties are required to respect and follow any final decisions, resulting out of disciplinary proceedings as set in the Disciplinary Regulations of the Confederation, without attempting to hinder their application.

32.3. The Board of Directors shall have the right to refuse a Member's entry to any Championships or other activity organized or sanctioned by the Confederation if such Member is not in Good Standing in accordance with of Rule 6.3.



## **Section 8: Final Provisions**

### **33. Amendments to the Rules**

- 33.1. The rules of the Confederation may be amended from time to time at a Delegates' Meeting, provided due notice of the proposal is given in accordance with Rule 9.2.
- 33.2. No such proposal shall be carried unless two thirds of the votes cast are in favour in accordance with Rule 14.3.
- 33.3. In accordance with Rule 16.2, any such amendments, if approved, shall take effect on the day following the Delegates' Meeting, unless the decision to amend these Rules provides otherwise.

### **34. Dissolution of the Confederation**

- 34.1. The Confederation shall not be dissolved except by a Delegates' Meeting specially convened for that purpose. No proposal for dissolution shall be carried unless two thirds of the votes cast are in favour.
- 34.2. In the event that the proposal for dissolution is carried, the assets of the Confederation, after settling all liabilities, shall be distributed to charity organisations in the country where the office of the Confederation is located.
- 34.3. Any proposal for the dissolution of the Confederation, and the result of the vote, shall be reported immediately to the BWF.

## Section 9: Definitions

### 35. Definitions

- 35.1. **Associate Member** - means a national European badminton association that is an Associate Member of the BWF and, accordingly, a Member of the Confederation in accordance with Rule 5.1.
- 35.2. **Annual Administration Fee** - means the annual fee payable by Member Associations for membership of the Confederation and calculated in accordance with Rule 31.2.
- 35.3. **Annual Delegates' Meeting** - means the annual meeting of the Delegates of the Confederation's Members convened in accordance with Rule 19.3.
- 35.4. **Board of Directors** - means the body elected by the Annual Delegates' Meeting to carry out the business of the Confederation pursuant to Rule 18. The Chair of the Confederation's Athletes Commission is also a member of the Board of Directors, but is elected pursuant to Athletes' Commission Regulations.
- 35.5. **BEC Commission** – means an expert group consisting of Directors and external persons nominated by their Member Associations to assist the Board of Directors in a specific field.
- 35.6. **BEC Committee** – means an expert group consisting of BEC Directors to assist the Board of Directors in a specific field.
- 35.7. **BWF** - means the Badminton World Federation, the International Federation for the game of badminton.
- 35.8. **BWF Constitution** - means the Constitution of the BWF as available on the BWF website and updated from time to time.
- 35.9. **CAS** - means the Court of Arbitration for Sport.
- 35.10. **Confederation** - means the Badminton Europe Confederation, the Continental Confederation for the game of badminton in Europe.
- 35.11. **Court of Justice** - means any national court or tribunal of a Member.
- 35.12. **Delegate** - means a nominated delegate of a Member who meets the conditions to represent a Member at the Delegates' Meeting set out in Rule 12.6 who is entitled to speak at the Delegates' Meeting and but not to vote on behalf of that Member.
- 35.13. **Delegates' Meeting** - means any meeting of the delegates of the Members including the Annual Delegates' Meeting and any Extraordinary Delegates' Meeting called and held in accordance with these Rules.
- 35.14. **Director** - means a member of the Board of Directors.

- 35.15. **European BWF Vice-President** - means a person who is elected at the Annual Delegates' Meeting to represent the Confederation on the BWF Council in accordance with the BWF Constitution and Rule 21.
- 35.16. **Extraordinary Delegates' Meeting** - means a meeting of the Delegates convened in accordance with Rule 11.
- 35.17. **European Championships** - means the championship organized by the Confederation that determines the best male and female badminton players in Europe and held annually save for the years in which a European Olympic Games is held.
- 35.18. **Good Standing** - Has the meaning set out in Rule 6.
- 35.19. **Members** - means the Associate Members and Member Associations of the Confederation
- 35.20. **Member Association** - means a national European badminton association that is a Member Association of the BWF and, accordingly, a member of the Confederation in accordance with Rule 5.1.
- 35.21. **Members' Forum** - Means the forum run for the Members in association with the Annual Delegates' Meeting whose content is determined by the Board of Directors in accordance with Rule 22.1.r.
- 35.22. **Non-Voting Delegate** - means a nominated delegate of a Member who is entitled to speak at the Delegates' Meeting but not to vote.
- 35.23. **Objectives** - means the Objectives of the Confederation set out in Rule 2.
- 35.24. **Principles** - means the Principles of the Confederation set out in Rule 3.
- 35.25. **Present and/or presence** – means a Delegate who, on the day of and prior to a Delegates' Meeting, has registered their attendance at the Delegates' Meeting with the Confederation.
- 35.26. **Rules** - means these Rules of the Confederation as updated from time to time and approved by a Delegates' Meeting.
- 35.27. **Strategic Plan** - means the document that sets out the long term and short term aims of the Confederation based upon a generally agreed strategy for development of the game and the image and business of badminton in Europe at all levels.
- 35.28. **Votes cast** – means votes by a show of hands or valid votes that are submitted in a secret ballot. Blank voting slips, blank pieces of paper and void voting papers are not "Votes cast". Similarly, an abstention in a show of hands does not count as a "Vote cast". Voting majority will be calculated only on the basis of "Votes cast".
- 35.29. **Voting Delegate** - means a nominated delegate of a Member Association who meets the conditions to represent a Member Association at the Delegates' Meeting set out in Rule

12.6 who is entitled to speak at the Delegates' Meeting and to vote on behalf of that Member Association.

ADOPTED by BEC ADM on [INSERT DATE] and VALID from [INSERT DATE]