

BADMINTON ASSOCIATION OF GHANA

CONSTITUTION



Adopted on April 29, 2017

PREAMBLE

The Badminton Association of Ghana was formed in the year 1974 under the auspices of the then National Sports Council (now Authority) and became a full member of the Badminton Confederation of Africa and Badminton World Federation in 1976. It is recognized by -National Sports Authority and the Ghana Olympic Committee as the apex governing and supervisory body for Badminton in Ghana.

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ARTICLE 1 - NAME

The name of the association shall be called "Badminton Association of Ghana" and shall be known and called the 'BADMINTON ASSOCIATION OF GHANA' Herein referred to as "Association".

1. DEFINITIONS

In these Rules, unless the context otherwise requires:

- i. "Association" means "The Badminton Association of Ghana".
- ii. "Affiliated member" means Regional Associations, institutions and services affiliated with the Association pursuant to the Rules that is set forth below
- iii. Except where otherwise stated every reference in these Rules to the masculine gender shall also apply to the feminine.

ARTICLE 2 - OBJECTS AND POWERS

The objects and powers of the Association are:

1. To promote, expand and control the game of badminton throughout Ghana, and to participate in any other athletic sports and pastimes;
2. BAG shall not allow political, religious, racial, ethnic, or gender discrimination to affect its decisions or actions;
3. To develop and implement strategies for the development of the Sport in the territory including strategies for each performance at international and national level competitions in increasing participation;
4. Encouraging and supporting the participation of youth especially females in the Sport at all levels;
5. Promoting the welfare of players, clubs and fostering healthy relations among all badminton stakeholders;
6. To affiliate with the Badminton World Federation and to represent Ghana thereon, and to deal with the Badminton Associations of the various countries of the world for the advancement and control of badminton in the world;
7. Organise national and regional tournaments, preparing and presenting national teams to participate in continental, international and World championships / games and other events;
8. Upholding and enforcing the Olympic charter;
9. To control and regulate the game of badminton in Ghana, for and through the affiliated members and to set the geographical boundaries of those members;
10. To license and sanction Associations / Clubs, sanction Badminton Championships, tournaments;
11. Adopt, formulate, interpret and enforce Rules and Regulations for the conduct thereof and to aid by advice, instruction, or other means, associations, institutions, organisations and clubs conducting local or sectional competitions and events;
12. To make repeal, amend, maintain and enforce Rules and Regulations governing the play, umpiring and administration of the game of Badminton in Ghana and for the control, administration and government of Badminton championships, tournaments and matches in Ghana and elsewhere between teams from Ghana and overseas teams;
13. To interpret, train, develop, adopt, formulate, interpret and enforce regulations for the conduct and promotion of Para-badminton for all Clubs/Associations to foster para-badminton activities and development in Ghana,



thereby encouraging the active participation of people with disability in our sport incorporating modified rules and classifications; seek funding for Para-Badminton programs for people with a disability, so that nationwide good practice models can be developed and shared across our sport in close liaising with National Paralympic Committee (on Para multi-sport events only). All other activities with BWF on Para-Badminton International events and promotion will be championed by the Badminton Ghana Association.

14. To determine, implement and enforce disciplinary and disputes procedures for its Members, including imposing sanctions;
15. To constitute an authoritative organisation for the final determination in Ghana of all questions and matters which may arise in the play, technical officiating or participation in the game of Badminton; to interpret the Rules and Regulations and to serve as the arbitrator of controversies on all matters directly or indirectly pertaining to the game of Badminton in Ghana
16. To affiliate with any other Association or organisation in Ghana or elsewhere with common objects and interest of the Association
17. To borrow any amounts of money required for the purposes of the Association with or without securities and to execute liens over any of the property of the Association or issue securities for the repayment of any such amounts of money
18. To do all such other things as in the opinion of the Association may be incidental or conducive to the attainment of any of the foregoing objects or the exercise of any of the foregoing powers
19. Affirm our commitment to the statutes of the Doping Control Regulations of World Anti-Doping Agency.

ARTICLE 3 - MEMBERSHIP

Membership of the Association shall consist of the following classes: Membership means voting and non-voting members of the Association in good standing

1. All Registered Regional and District Badminton Associations within a clearly defined area in Ghana
2. All Registered Badminton Clubs/Institutions as categorized in status
3. Other organisations admitted into the membership of the Association by the Executive Board and subsequently registered by the Association
4. Honorary life members appointed in the manner hereinafter provided.
5. Such other associations or organisations as Council will propose for ratification at the General Assembly shall resolve to be accepted for affiliation.
6. All affiliated members in good standing

ARTICLE 4 - RESPONSIBILITIES/PRIVILEGES OF MEMBERSHIP

1. All individual members in good standing of Ghana shall be entitled to a complete range of benefits and services.
2. Only registered members who have been issued with membership cards and access credentials shall be eligible to participate in the affairs, seminars, championships and tournaments of the Association.
3. A member of the association shall respect and abide by this Constitution, internal rules and regulations of the Association, Regional Association and community/local clubs of which they are members.
4. A volunteer Board of Directors, volunteer Standing Committees, volunteer Operational Committees, and dedicated full-time and part-time Staff;



5. Eligibility to participate in Badminton Ghana Sanctioned Tournaments, Clinics, and Camps (players, coaches, and officials);
6. Eligibility to participate in Badminton Ghana Coaching Courses and Officials Courses;
7. Coverage through Badminton Ghana's accident and liability insurance program with portability provided for local, regional, and international events;
8. An open line of communication with Badminton Ghana office;
9. Eligibility to access updated Ranking information;
10. Access to subsidized online membership, tournament, technical officiating and coaching course registration;
11. Access to the External Sport Grant and Scholarship programs ;
12. Access to Athlete Assistance Program;
13. Partnership management with the Government of Ghana, Ministry of Youth & Sport and other regulated sporting agencies;
14. Discounted Equipment Manufacturers and Distributors as the case may be;

ARTICLE 5 - ANNUAL MEMBERSHIP FEES

1. Regional and District Associations, Badminton Clubs, and organisations who are registered members of the Association shall pay annual membership fees as set out under this Article.
2. The Executive Board shall from time to time fix the annual membership fee that shall be paid by all registered members of the Association.
3. Membership Fees shall be paid each year and shall be paid directly to National Treasurer of the Association with a set date of payment.
4. Members who fail to pay their membership fees on the date shall lose their membership and status
5. Subscription fees shall be cumulative, such that failure by any member to pay subscription from a previous year(s) shall have his/her/its outstanding fee added to subsequent payment(s) that ought to be made by the defaulting member with interest penalties.
6. Membership of the Association shall automatically be restored as soon as the annual subscription fee(s) is paid in full in the next calendar year.

ARTICLE 6- AFFILIATION

1. Applications for affiliation shall be made in writing to the Secretary-General of the Association. All such applications shall be dealt with by the leader of Council which may grant or refuse affiliation provided always that affiliation shall not be granted unless the following conditions are satisfied:
 - A. Affiliate shall apply to the Association and shall send the amount of admission and affiliation fee to the treasurer with a copy of the rules and regulations, a list of office bearers and the list of Districts affiliated to it and any other schedules as may be prescribed, in meeting the requirement set forth.
 - B. Shall conform to the rules regulations and bye-laws of the Association in force from time to time.
 - C. Shall submit its Annual Report, Statement of Accounts and the list of the Executive Board to the Association within one month from the date of conclusion of an AGM.
 - D. Shall conduct at least one sanctioned championship event in mini, junior and senior events and send its report by registered mail to the Secretary-General within 5 days of the organised event.



E. For all tournament events that will be defined per policy, the affiliated unit must apply and receive sanction from the Executive Board, if athletes are from a different affiliated unit.

2. **Associate Affiliates**

A. The Executive Board may also grant affiliation to various Sports Control Boards on a national level in the country without any voting right for the purpose of Inter-Institutional Tournaments and open and major tournaments, with a view to encourage and promote the game. The Admission fee for associate membership shall be a non-refundable amount of GHC 480 per annum.

B. The acceptance or rejection of such application shall rest with the Executive Board but an Association whose application is rejected may appeal to the Council. If the application is rejected, the amount of admission and affiliation fee shall not be refunded.

3. **Club Affiliates**

A. The Executive Board may also grant affiliation to any club or group of clubs for holding inter-club badminton tournament and other open tournaments in their area of operation, with a view to encourage and promote the game. However, such membership shall not confer any voting right to them to vote in any meeting of BAG except as chosen as a delegate representation.

B. The players selected by such club(s) would directly participate in the Tournaments organised by the respective associations, which may consider them while making selections for the National Level or any other sanctioned ranking tournaments.

C. The admission fee for club membership shall be a non-refundable amount to be determined by the executive board.

D. As far as possible, clubs should be classified with its adjoining parameters of membership categories.

4. **Individual Affiliate**

The Executive Board may also grant affiliation to an individual person(s), who are of eminent personality in the country, with a view to encourage and promote the game; such members shall not have any right to vote in any meeting of BAG.

ARTICLE 7 - DISAFFILIATION AND RESIGNATION

1. Disaffiliation: If the annual subscription remains unpaid for more than one month, the Board may disaffiliate the defaulting affiliated unit, associate member or club member after giving a registered notice immediately after the expiry of the due date, then the affiliated cannot enter players in any sanctioned tournament.

2. Resignation: An affiliated unit, associate member, club member or individual member desirous of resigning from the Association may give written intimation thereof, to the Secretary on or before the 31st December and the Executive Board shall accept the resignation provided that no amount is due to the Association by such applicant.

ARTICLE 8 - SUSPENSION OR EXPULSION

1. If an affiliated unit, associate member or official directly or indirectly connected with the Association refuses or neglects to comply with any provision of the Rules or is guilty of such conduct as the Executive Board deem likely to affect the character or stability or interest of the Association, such official or affiliated unit or associate member shall be liable for expulsion or suspension for such periods as the Council may fix by a resolution provided that not less than 1/3 of the members of the Council present at such meeting shall have voted in favor of the same, provided also that at least 14 days before the meeting, at which such a resolution is passed, he/she shall have had notice thereof and of the intended.

The resolution, for his/ her expulsion or suspension and that he/ she shall at such meeting and before passing of such resolution, has had an opportunity of giving in writing any explanation he/she may deem think fit, refusal to accept the service of notice shall be regarded as service of that notice. On the adoption of such resolution official or affiliated units or associate member shall not have any claim against the Association.

2. In respect of players, board, development, technical and coaching officials, the Executive Board shall be competent to act by bare majority after calling for an explanation. Pending enquiry, interim action can be taken by President. Also, when the punishment proposed is for more than five years in respect of the individual, directly or indirectly connected, the Executive Board is to act by one-third majority based on explanation available.
3. If any club affiliate or individual affiliate refuses or neglects to comply with any provisions of the rules or is guilty of such conduct as the Executive Board deem likely to affect the character or stability or interest of the Association, such Club Affiliate or Individual Affiliate shall be liable for expulsion or suspension for such period(s) as the Council may fix by resolution provided that club(s) have had an opportunity of giving orally or in writing any explanation or defense he/ she/it may think fit. On the adoption of such resolution club affiliate or individual affiliate shall not have any claim against Association.
4. It is made clear that in respect of the club affiliates or individual affiliates, the Council shall be competent to act by bare majority.

ARTICLE 9 - RE-ADMISSION

1. An affiliated unit, associate member or club affiliate removed from the list of membership may be re-admitted by the Executive Board if the subscription due for the period is paid.
2. Expelled affiliated units, associate members or club affiliate under may be re-admitted, not before twelve months from the date of acceptance or re-admission, by the Council on due notice.

ARTICLE 10 - BOUNDARIES

1. The Council of the Association shall every 1 year review the existence of admission and fees due affiliated Associations.
2. The review shall consider any changes with regards the size and activeness of the affiliated Associations and the need to preserve competitiveness.

ARTICLE 11 - HONORARY LIFE MEMBERS

1. Any person who has rendered meritorious service to Badminton may be appointed an Honorary Life Member of the Association and shall be recommended to the Council for approval.

ARTICLE 12 - EXTRA ORDINARY GENERAL MEETING

1. An Extra Ordinary General Meeting may be called at any time by a resolution of the Executive Board or on a requisition addressed to the President with a copy to the Secretary General in writing of at least one-fourth of the members of the Association or at the discretion of the President to consider such matters as may be mentioned in the Resolution or Requisition or as many be indicated by the President. Secretary-General shall give not less than 15 ordinarily days' notice of such meeting to all members and shall also circulate, with the notice a copy of the agenda. No other business shall be transacted at such meetings.
2. The name or the rules of the Association may be amended by additions, deletions, changes etc. by resolutions passed at a Special General Meeting convened for this purpose of which written or printed notice shall have been delivered or sent by post to every member of the Association 21 days prior to the date of the Special



General Meeting, and the resolutions proposing the amendments is passed by two-thirds votes cast in favor of the resolution by the members of the Association.

3. In the case of an emergency, the President in his discretion may convene a meeting at shorter notice.

ARTICLE 13 - ATTENDANCE, VOTING RIGHTS AND MODE OF VOTING AT GENERAL MEETINGS

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

1 vote	A Member of the Association.
1 additional vote	More than 200 registered players in each of the four years of the Assessment Period.
1 additional vote	Participation and organised sanctioned School Events and Competitions, Community Championship Events, Regional Championship Events (in total of 3 events) of the four years of the Assessment Period.
1 additional vote	Having 2 players or more in the top 400 world ranking in any of the five (5) Disciplines as per the world ranking list for the qualification for the most recent Olympic Games held off the four years of the Assessment Period at three months to the time of Congress
1 additional vote	Having an athlete participated in BCA and BWF sanctioned 3 out of these 12 events during the Assessment Period: Sudirman Cup (2 events), Thomas Cup or Uber Cup Continental stage (2 events), World Championships (3 events), Olympic Games (1 event).

2. Each affiliated unit which has won a bid to host two National Championship during a four year period shall be entitled to nominate two delegates and the others will be one delegate each to represent it at every



General Meeting.

3. Such delegates shall either be the office bearers or members of the Executive Board of the respective member organisations.
4. The name of each delegate shall be sent or given in writing by the Secretary of the affiliated unit he/ she is to represent, to the Secretary General of the Association of the General Meeting along with the nomination.
5. The voting right shall vest with authorised & eligible delegates as defined in rule and who are not disqualified
6. Save as provided otherwise in these rules or by-laws, voting shall be by ballot and not by a show of hands all decisions and any amendment to the constitution shall be taken by majority of at least two-thirds of the cast votes.
7. The Minutes of all the meetings of the Council shall be recorded by the Secretary-General and after the approval of the President, they shall be circulated to the members, within one month from the date of the meeting.

ARTICLE 14 - QUORUM

1. General Meeting

At any General Meeting of the Council, 1/3 of the total members of the Council shall form a quorum. If at any meeting there is no quorum, the meeting shall stand adjourned and shall be held after one hour at the same place and at the same time. No quorum shall be necessary at this adjourned meeting. Except for want of quorum, no meeting of the Council once shall be adjourned unless two-thirds of the members present to ask for such adjournment.

2. Chairman at the General Meeting

The President or in his absence, Vice President or in absence of all of them, members present at the General Meeting, will elect a Chairman from amongst them and he/she will preside at any General Meeting and shall have casting vote besides his / her vote in the case of equality of votes or any question / an item on agenda.

3. Right to Interpret Rules

At any General Meeting, the Chairman shall decide all points of order or procedure raised by members and his/ her decision shall be binding and final.

ARTICLE 15 - GOVERNANCE STRUCTURE

The Association shall have the following organs:

- a. General Assembly
- b. Executive Council
- c. Executive Board- At least a Seven (7) member Executive Board headed by the President. This body shall be responsible for the management of the Association and shall be the executing organ of the Association in accordance with the provisions of this Constitution;
- d. A Secretariat, which shall be headed by a Secretary-General. The Secretary-General shall be responsible for organizing the day-to-day administrative activities of the Association.

1. GENERAL ASSEMBLY

This Constitution hereby establishes an organ of the Association called the General Assembly.

- A. The General Assembly shall be the supreme decision-making organ of the Association and shall possess the exclusive authority to:



- i. Elect members of the Executive Board of the Association every four (4) years or elect Executive Board members at any other time to fill a vacancy within the Executive Board; and
 - ii. Amend the whole or part of this Constitution in accordance with Article 16 of this Constitution or take any other decision that requires the approval of the General Assembly under this Constitution.
 - iii. For purposes of this Constitution a meeting of General Assembly shall accordingly be referred to as:
 - “Congress”** when it meets to elect members of the Executive Board of the Association every four (4) years or meets at any other time to fill a vacancy or vacancies within the Executive Board; or as
 - “General Meeting”** when it meets to amend the whole or part of this Constitution or conduct or take any other decision that requires approval of the General Assembly outside of Congress under this Constitution.
- B. General Assembly shall comprise the following officers and representatives of registered regional associations of the Association who shall possess the exclusive right to attend and vote at **“Congress”** or at any **“General Meeting”**:
1. The President
 2. Vice President
 3. Treasurer
 4. Secretary-General as may be elected or appointed
 5. 4 elected Executive Board Members
 6. Immediate past-president of the Association
 7. Chairperson of Athlete Commission
 8. Chairperson, Development Committee
 9. Chairperson, Events Committee
 10. Women’s Commission
 11. Para-Badminton Board Rep
 12. Chairman and Secretary from each registered Regional Association
 13. 1 Rep from Shuttle time Board
 14. As far as possible a foreign national can be accepted as an ex-officio member for all member affiliates
- C. Immediate past Executive Board Members and any other persons or associations not expressly mentioned in Article 15(B) above shall only have observer status and shall not possess the right to vote at Congress or General Meeting.
- D. The General Assembly of the association shall in accordance with Article 13 and Article 15 of this Constitution take all its decisions at a properly convened ‘Congress’ or ‘General Meeting’.
- E. The power to convene General Assembly shall be vested in the Executive Board.
- The Annual General Meeting shall, as far as possible, be held before BCA/BWF AGM’s of the same year at a time and place as the Executive Board may fix;
- a. Ten clear days’ notice of all General Meetings shall be sent under certificate of posting by email to all the authorised and eligible representatives of affiliated units, associates, office bearers and Committee



members of the Association whose names are in the records of the Association. In the case of Annual General Meetings, the notice shall be accompanied by a printed or cyclostyled Annual Report and Statement of Accounts for the previous year.

- b. Notice of resolution to be moved at any meeting of the General Body shall be sent in writing to the designated Secretary-General at least one week prior to the issue of the meeting notice. Resolution to be moved at the Annual General Meeting shall be included in the Agenda.
1. The business at an Annual General Meeting shall include:
 - a. Confirmation of the Minutes of previous Annual General Meeting and Special General Meeting if any held;
 - b. Adoption of the Annual Report;
 - c. Passing of the statement of account and the budget estimate presented by the Executive Board.
 - d. The election of the officers and members of Executive Board. (This item shall be included in the Agenda of every quadrennial General Meetings and not every Annual General Meeting).
 - e. Appointment of Auditors and solicitors if need be
 - f. To fix up the venue and dates of the Inter-regional and National Badminton Championships to be bided
 - g. To consider the valid resolution, amendment or alteration in any rule as passed and approved by the Executive Committee of Badminton Association of Ghana and the same shall be circulated to the members along with the agenda.
 - h. Any other business

ARTICLE 16 - PROCEDURE FOR CONGRESS AND GENERAL MEETING

1. Every meeting of Congress or General Meeting shall be presided over by a Chairperson who shall be the President of the Association or in his absence the Vice President or the next in hierarchy
2. A notice for Congress or General Meeting for General Assembly shall be sent out together with the Agenda and supporting documents at least Twenty-One (21) days to all members and associations entitled to attend and vote.
2. A notice for Congress or General Meeting for General Assembly notwithstanding that it is called by a shorter notice than specified in Article 18 (2) of this Constitution shall be deemed to have been duly called if it is so agreed:
 - i. In the case of Congress by all members entitled to attend and vote there at; or
 - ii. In the case of a General Meeting, by many members of General Assembly.
3. The Quorum for a valid session of Congress or General Assembly shall be one-third of the total membership of the Association entitled to attend and vote under Article 15 and Article 13 above.
4. A member under Article 6 entitled to attend and vote at Congress or General meeting of the General Assembly shall be entitled to appoint another person, as proxy to attend and vote instead of that absent member. Such proxy shall have the same rights as the member to speak at the General Assembly and shall at the Congress or General Meeting 14 clear days before present a formal letter authorizing him or her to act as proxy.
5. The decisions by the General Assembly shall be by way of resolutions through votes taken by secret ballots and shall be passed by a simple majority of members present save for instances under Article 17 of this Constitution.
6. Each member of the General Assembly shall be entitled to only one vote except where that member or representative is acting by proxy and is also entitled to attend and vote as member of General Assembly in which



case the person may have one additional vote. A member shall not hold more than two (2) proxies for any General Assembly.

7. If there is a deadlock in votes cast at Congress or General Meeting, the Chairperson of the Congress or General Meeting shall have a casting of vote to break the deadlock.

I. Executive Council

The AGM/Congress of the association shall be held at least once every year.

- a. The control of the Association shall be vested in the Executive Council which delegates administrative powers and management to the Executive Board. The Executive Council (hereinafter referred to as the 'Council') shall consist of members of Article 13 and Article 15

The Council shall exercise the following powers:

- i. Ensure that all the affairs of the Association, the provisions of the constitution, the regulations and the Bye-Laws of the Association, are complied with in all respects.
- ii. Sanction and control expenditure in accordance with the budget approved by the AGM and shall generally supervise and conduct the business of the Association.
- iii. The Board shall hear and decide all questions submitted to it. All its decisions shall be complied forth with, but an appeal may be filed with the Council by any member who is dissatisfied with the decision of the Council within 7 days from the date of the communication of the decision.
- iv. Appoint sub committees as deemed necessary.
- v. Frame by-laws in accordance with and not repugnant with the Memorandum and Rules of the Association.
- vi. To print, publish and circulate rules, periodicals or leaflets profile, DVPs or VCDs, contract web sites etc. in furtherance of the aims and objects of the Association.
- vii. To impose and enforce penalties for any violation of the Association Rules by affiliated units, officials and/or individuals.
- viii. To conduct an enquiry on any affiliated unit, player or official and call for all papers connected with the enquiry.
- ix. To enforce standardization of constitution of the affiliated units in line with the rules and bye-laws of the Association
- x. Employ such staff including a paid and non-paid, as it may deem fit, for the smooth working of the Association and fix their remuneration and term of service.
- xi. Fill in any vacancy that may occur in Council /Committees during its tenure.
- xii. The Council shall ordinarily meet four times in a year and often, if necessary.
 - a. The quorum for such meetings shall be seven.
 - b. Copies of the proceedings of the meeting shall be sent to all the members of the Committee and affiliated organization within one month of the date of the meeting.
 - c. In the interval between meetings of the council, action might be taken, if the President so desires, and shall communicate to the members by e-mail or any acceptable social platform, and in every such case the votes so taken, shall be recorded by the Secretary-General and will have the same force as the decisions taken at a regular meeting.

- d. Any member of the Executive Council desirous of raising any matter at a forthcoming meeting of the Executive Board shall give one-month notice to one of the Secretary-General prior to the meeting and the subject matter of such notice along with the name of the proposer shall appear on the agenda of the meeting.

II. Executive Board

1. The management of the Association shall be vested in the Executive Board. The Executive Board (hereinafter referred to as the 'Board') shall consist of:
 - a. The President,
 - b. Vice President,
 - c. Treasurer,
 - d. Secretary-General as may be elected or appointed
 - e. 4 Executive Board Members
2. The affairs of the Association shall be managed by the Executive Board constituted to provide; Rules, direct, manage and control the affairs of the Association, including:
 - a. Preparation and implementation of policies and programs decided by the Annual General Meeting of the Association.
 - b. Setting up and appointment of all committees required to serve the objectives of the Association, and to monitor their conformation with the policies and by-laws laid down for their operation.
 - c. Appointment of all officials required to serve the objectives of the Association and to monitor their performance in the discharge of their duties.
 - d. Disbandment of any committee and termination of appointment of any committee member or another official as deemed necessary by the Executive Board.
 - e. Determination of advice and instruction to be given to Association delegates to the Badminton Association of Ghana, Ghana Olympic Committee, National Sports Authority and any other organisations as may deem necessary.
 - f. Continual review of these Rules, and the making of recommendations for changes to such at Annual General Meetings of the Association.
- g. Continual review of the by-laws of the Association, and the effecting changes as necessary for the proper operation of the Association.

III. Conduct of Executive Board Meetings

1. All meetings of the Executive Board and the business conducted thereat shall be conducted in accordance with the constitution of the Association as to such meetings;
2. At meetings of the Executive Board one-third members shall constitute a quorum;
3. At any meeting at which a quorum is not present at any time after the expiration of thirty minutes after the time fixed for the meeting, the Chairman shall adjourn the meeting to such time and place as he shall determine.
4. Each Executive Board member shall have one deliberative vote on each motion at Executive Board meetings. The Chairman shall also have a casting vote when necessary.
5. Written notice of each Executive Board meeting shall be served on each Executive Board member by sending it by email, addressed to his usual or last known the place of abode at least four (4) days clear before the date of the meeting.



6. Where a member of the Executive Board is a candidate or nominee for an Association position, which position is to be appointed by the Executive Board, he shall be excluded from the Executive Board meeting during all discussion on that matter, up to and including any voting conducted at that Executive Board meeting, for that position.
7. An Executive Council member shall not hold executive position either at the regional, district or club level except waivers are given in writing by the President.

Article 17- NOMINATIONS

1. Nominations of Officers and of the members of the Council shall be made as follows:
 - (a) A member must be a Ghanaian National in good standing
 - (b) A member of the Association who seeks to stand to be elected as an Executive Board Member at Congress, shall as a prerequisite comply with the following requirements:
 - (c) complete and submit a nomination form to the Secretariat Fourteen (14) days before congress; and be vetted and approved by Vetting Committee of three (3) members appointed by the Executive Board on the advice of the Advisory Council.
 - (d) Only members who are approved by the Vetting Committee in accordance with this Article shall be permitted to stand for election as Executive Board Members of the Association.
 - (e) Written nominations may be made by any affiliated member provided they are received by the Secretary-General of the Association not less than 21 business days before the date fixed for the Annual Congress Meeting of the Association. Immediately after the close of written nominations, the Secretary-General shall send a list of those received to all affiliated members.
 - (f) If there are no written nominations for any office or if there are insufficient nominations for the Council, nominations may be made for same by proposer and seconder before the Annual Meeting of the Council.
 - (g) Nominations of candidates for election as officers of the Association shall be delivered to the Executive Board not fewer than 21 days before the date fixed for the holding of the Annual General Meeting.
 - (h) If insufficient nominations are received to fill all vacancies on the Executive Board, the candidate nominated shall be deemed to be elected, and further nominations shall be received at the Annual General Meeting.
 - (i) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
 - (j) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
 - (k) The ballot for the election of officers shall be conducted at the Annual General Meeting in such usual and proper guidelines manner as set out by the Association.
2. For the purposes of the Rules, the office of an officer becomes vacant if the officer:
 - (a) Ceases to be an affiliated Member in good standing;
 - (b) withdrawal or termination of membership
 - (c) resigns his office by a 30-day notice with his/her handing over notes notice in writing given on acceptance by the Executive Board.



3. ALL PERSONS NOMINATED MUST HAVE AT BEAREST MINIMUM THE FOLLOWING SKILLS

Skills and Attributes –

Potential Directors will have one or more of the following skills and/or attributes:

Attributes

1. Knowledge about roles and responsibilities of a Director, Board and Staff or non-staff management
2. Experience in formulating policy
3. Experience in thinking strategically
4. Knowledge about the badminton community
5. Ability to identify principal business risks and ensure implementation of appropriate systems to manage those risks
6. Knowledge of organizational performance mechanisms and ability to monitor, evaluate and report
7. Strategic connectivity to key clients
8. Ethical and values based behaviour
9. Representative of client population (athlete & coach)
10. Accounting designation (CA, CMA, CGA)
11. Legal designation (LL.B.)
12. Professional career qualifications (MD, PhD, MBA, Sport Science)
13. Personnel Management (Human Resource Professional certification designation)
14. Media/Marketing/Public Relations contacts/experience
15. Fundraising and funding source contacts
16. Administration/Management experience
17. Government relations/contacts
18. Organizational development/Strategic Planning experience
19. Other attributes and skills valued by the Board of Directors

ARTICLE 18 - PROCEEDINGS OF THE BOARD

At meetings of the Executive Board/Council/ Annual General Meetings:

- a) The President shall preside, or
- b) if the President is absent, the Vice-President, if absent the Treasurer or one of the remaining members of the Board as may be chosen by the member's present shall preside.

ARTICLE 19 - HONORARY AUDITOR AND SOLICITOR

An Honorary Volunteer Auditor who shall be a member of the Institute of Chartered Accountants and shall not be a member of the Council and an honorary volunteer Solicitor shall be appointed at each four-year Congress Meeting of the Council and shall hold office until the close of the next Annual Meeting.

ARTICLE 20- COUNCIL MEETINGS

1. The Annual General Meeting (AGM) of the Council shall be held each year within four months of the end of the financial year unless an alternative date is otherwise approved by resolution at an Extraordinary General Meeting of the Council passed by most not less than two-thirds of the votes at the meeting.
2. The Annual General Meeting of the Council, when held within six months of the end of the financial year, shall be on a date and at a time and place to be fixed each year by the Council.

ARTICLE 21 - NOTICE OF COUNCIL MEETINGS

1. Notice of every General Meeting shall be posted by the Secretary-General to all officers of the Association, to the Secretary of each affiliated member, to all members of the Council, to all Life Members, at least 21 days prior to the date fixed for such meeting. Such notice shall specify the date, time and place of the meeting and the nature of the business to be transacted.
2. The notice of the Annual General Meeting of the Council shall be accompanied by an agenda and the ensuing year's Programme and Budget. The non-receipt of any notice shall not invalidate the proceedings at any General Meeting. Notice of business desired to be considered at a General Meeting must be given by an affiliated member or person entitled to vote by his office or position to the President at least 21 days prior to the date fixed for the meeting.

ARTICLE 22 - ANNUAL REPORT AND ACCOUNTS

At each Annual General Meeting of the Council the Council shall present:

- (a) An Annual Report and duly Balance Sheet and Income and Expenditure Account for the preceding year.
- (b) A Programme and Budget for the ensuing year.

ARTICLE 23- PROCEEDINGS

The following provisions shall apply to all meetings of the Council:

- (a) The Chairman shall be the President of the Association, or in his absence the Vice President and if the Vice President is not present, the National Treasurer or anyone willing to accept the chair then some other person selected by the meeting.
- (b) No motion or amendment shall be put to the meeting unless it is seconded by an affiliated member, officer or member of the Council who shall be from a different Association from the proposer.
- (c) Except where otherwise provided all questions shall be decided by a majority vote.
- (d) All contested selections shall be by secret ballot on which a poll may be demanded as under Clause (e) hereof. Where there is more than one vacancy to be filled, votes may be cast for one only or more of the nominations.
- (e) A motion put to the vote of the meeting shall be decided on the voices or on a show of hands, unless before a vote is taken a poll is demanded by at least two persons present and entitled to vote, in which event the voting shall be as follows:
 - Each Officer of the Association, each member of the Council, each Honorary Life Member present in person shall have one vote by his office or position.
- (f) The delegate or delegates of every affiliated member present in person shall have, on behalf of such member, the following votes: Regional Associations and Associations affiliated under Article 6: One vote for each
- (g) All such votes on behalf of an affiliated member shall be cast the same way provided however, that any affiliated member may at any time prior to any meeting give notice in writing to the President of the Association requiring that on any poll taken at such meeting its total votes be split and apportioned among its delegates in the manner set out in such notice. At any meeting prior to which such notice has been given the delegates of the member giving such notice shall be entitled to exercise the votes of such member in accordance with such notice.



- (h) A declaration by the Chairman that a resolution has been carried by a majority or lost and an entry to that effect in the Minute Book of the Association shall be conclusive evidence of the fact.
- (i) If a poll is demanded it shall be taken at the meeting in such manner as the Chairman directs.
- (j) In case of equality of votes whether on a show of hands or on a poll, the Chairman in addition to his deliberative vote shall have a casting vote.
- (k) The quorum shall be 12 persons including delegates representing at least 3 affiliated members.
- (l) the President shall be an automatic member of all meetings of the association.

ARTICLE 24 - CASUAL VACANCIES

Any casual vacancy may be filled by the Council but any person so chosen shall retain office only for such period as may be determined by the Council on his appointment and not in any event for a period extending beyond the next Annual Meeting of the Council.

ARTICLE 25 - ATTENDANCE AT MEETINGS

Any member of the Board/Council absenting himself from three consecutive meetings without any reasonable written and acceptable explanation during his tenure of office, is automatically removed from office without further reference and the vacancy may be filled by another vacancy without recourse to the member.

ARTICLE 26 - FINANCIAL

The financial year of the Association shall begin 1st January in each year.

31.1. ANNUAL LEVY

- (a) In addition to the annual subscription fixed under the preceding sub-clause, a levy for any special purpose may be imposed by resolution at any General Meeting of the Council. Every affiliated member in each year shall be liable to pay to the Association any levy so fixed.
- (b) Any member affiliated under Clause 4(c) shall pay such annual subscription and any levy as may be determined from time to time by the Council.
- (c) The subscription and any levy for each affiliated member shall be a twenty-five percent percentage share of Council's Budget requirement for the subscription and any levy.
- (d) Each affiliated member's percentage share shall be calculated as the ratio of the defined serviceable population of the affiliated member to the total of the defined serviceable population of all the affiliated paid members. Percentage shares shall be calculated to two (2) decimal places.
- (e) A 10% monthly penalty shall automatically accrue on any unpaid subscription or levy if such sum or sums remain unpaid one month after their due date.
- (f) If the subscription or levy of any affiliated member remains unpaid three calendar months after the due date such member shall not be entitled to be represented at any General Meeting of the Council and the active members of, or represented by it shall not be entitled to compete in any tournaments or matches controlled by the Association until such subscription or levy is paid.



- (g) Any affiliated member wishing to cancel its affiliation may do so by sending written notice of such desire to the Secretary-General of the Association. Such withdrawal shall become effective 12 months from the date of receipt of the notice if all outstanding subscriptions, levies and amounts are paid at that date.

31.2 BANK ACCOUNT

1. The bankers of the Association shall be such bank or banks as may be decided upon from time to time by the Council.
All payments out of the funds of the Association shall be made by the authority of the Board
2. The account of the Association at its bankers shall be operated upon by such person or persons as the Council shall from time to time determine. All cheques issued by the Association shall be signed by at least two of the persons authorised to sign cheques. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments may be endorsed on behalf of the Association by the President and Treasurer or any one of the persons authorised to sign cheques.

ARTICLE 27 - OBLIGATION OF MEMBERSHIP

Every affiliated member shall each year send to the Secretary-General the Association the following information:

- (a) Within 14 days after the appointment of a new executives of such member, the name and postal and email address of such per schedule A forms to be supplied.
- (b) The Association may, from time to time, request from affiliated members such information as will assist to advance the sport generally.
- (c) By 30th January in each year a copy of the Annual Report and accounts adopted at its last preceding Annual Meeting.
- (d) By 30th October each year the numbers of persons registered with the member as at 30 October of that year, separated into classes of membership as follows:
 - I. Senior
 - II. Veterans
 - III. Junior under 19
 - IV. Junior Under 17
 - V. Junior under 15
 - VI. Junior under 12
 - VII. Junior under 10 (where juniors are under 19 throughout their respective calendar years).
 - VIII. Programmes and activities for the upcoming year
- (e) By 31 December in each year, the number of
 - i. Secondary school competition badminton players;
 - ii. Intermediate school competition badminton players;
 - iii. Primary school pupils involved in Badminton; and
 - iv. The number of casual or unaffiliated players within the boundaries of that affiliated member as at 30 December.

ARTICLE 28 - REGIONAL BADMINTON ASSOCIATIONS

- (1) There shall be one Regional Badminton Association in each Region in Ghana, which shall be affiliated to the Association and registered with the Association. Regional Associations shall organize Badminton affairs and tournaments at the regional level.
- (2) Each Regional Association shall have a codified set of Rules and Regulations that govern the operations of the Regional Association and clearly set out the powers and functions of the Regional Association.
- (3) The Rules and Regulations of a Regional Association shall not be inconsistent with or Repugnant to this Constitution and the BCA/BWF statutes (as amended from time to time).

ARTICLE 29 - REGIONAL ELECTIONS

- (4) Each Regional Association shall hold Regional Elections every four (4) years to elect Regional Executives to govern the affairs of Badminton in the Region. A Regional Association may however, hold Regional Elections at any time to fill a vacancy in the Regional Executive body or amend its Rules and Regulations.
- (5) Each Regional Association shall comprise the following officers who shall possess the exclusive right to attend and vote at Regional Elections:
 - a) The Chairperson
 - b) The Vice Chairperson
 - c) Regional Secretary
 - d) The two other members of the Regional Executive body elected at Regional Elections
 - e) 1 (one) representative from each District Association within the Region; and
 - f) 1 (one) representative from each registered Club within the Region
- (6) All other members shall have only observer status.
- (7) A notice by a Regional Association for purposes of electing Regional Executives, filling vacancies in the Regional Executive body or amending its Rules and Regulations shall be sent out together with the Agenda and supporting documents at least Twenty-One (21) days to all members and associations entitled to attend and vote and to the Association.
- (8) Decisions at Regional Association meetings shall be taken by votes cast through secret ballots and shall be by simple majority. The Chairperson or in his absence the Vice-Chairperson of the Regional Association shall preside at all Regional Association Meetings.
- (9) In the event of deadlock in votes cast at a meeting under Article 15(8), the Chairperson or the Vice Chairperson of the Regional Executive Body shall break a dead in the results from votes cast at a Regional meeting.
- (10) The quorum for a valid session of Regional Meeting of the Regional Association shall be one-third of the total membership of the Association entitled to attend and vote under Article 15(5) above.
- (11) Each member under Article 15(4) at a Regional meeting shall be entitled to only one vote.

Regional Executive Body

- (12) The structure of the Regional Body / Club shall as far as possible conform to the structure of the national of the Association.
- (13) The Executive Members of each Regional Association shall endeavour to convene a regional executive meeting at least once every quarter to deliberate on matters pertaining to the Regional Association.
- (14) The Chairperson of the Regional Association shall preside over all regional executive meetings and in his absence the Vice Chairperson shall preside.



- (15) Decisions and resolutions of the Regional Executive Body shall be by a simple majority. In the event of a deadlock in votes cast at a meeting the Chairperson or presiding regional executive member shall have a second or casting vote.
- (16) The quorum for a properly constituted Regional Executive meeting shall be five (5) members and shall include the Chairperson or the Vice Chairperson. A Regional Executive member may join a meeting of the Executive meeting using Internet or telephone conference facilities that permit him/her to effectively partake in discussions at Executive meeting in real time; in such instances, such members would be deemed to form part of the quorum for the purposes of a Regional Executive meeting.
- (17) Regional Executive members shall not act by proxy. A Regional executive member may, however, in writing appoint another Executive member to act in his stead for a period not exceeding 60 days. Such elected member shall be entitled to act on the instructions of his appointer and be entitled to a personal vote and additional vote for his/her appointer at any meeting of the Regional Executive body.

Approval of Clubs

- (18) Only the National Associations shall have the exclusive power to certify Clubs in their respective regions that have met all the registration requirements set out in Article 15 (21) for registration with the Association.
- (19) All Regional Badminton Associations shall act in accordance with the guidelines they may be issued from time to time by the National Association.
- (20) Each Regional Association shall at the minimum have a Regional Disciplinary Committee, a Technical Committee, an Organization Committee and Sponsorship Committee. The Regional Association shall select members of each of these committees, which shall consist of at least three (3) and at most five (5) members.
- (21) **Registration of Clubs**
A Regional Badminton Association shall (only) recommend any Club for certification by the Association unless the Regional Association is satisfied that the Club meets the following but not limited to requirements:
- a. The Club has a safe badminton environment for its members;
 - b. The Club has at least one coach registered in the national coaching register;
 - c. Venues and equipment are safe at all coaching and competing sessions, with badminton courts for both singles and doubles play complete with appropriate net and a favourable wooden floor.
 - d. The club should aim at producing a strategic plan inculcating a minimum of 6 shuttle time coaches at a minimum for further coaching education.
 - e. Any other requirement as defined by the club mark criteria of BAG.
- (22) A Club that is refused recommendation by a Regional Association may appeal the decision of the Regional Association to the Executive Board of the Association for review. Decisions handed down by the Executive Board of the Association on such matters shall be binding on the Club and Regional Association and the Regional Association shall comply with any consequential orders that are made by the Executive Board of the Association.
- (23) In the event that a Club falls short of any of these requirements stated under this Article after it has been registered, the Club shall within five (5) days inform the Regional Association and state when it shall remedy the default. A club, which fails to remedy the default within the time it proposes, shall have its registration revoked.

ARTICLE 30 - DISTRICT BADMINTON ASSOCIATIONS

- (1) There shall be, as far as is practicable, one District Badminton Association in each Metropolitan, Municipal or District Assembly in Ghana, which shall be registered with and affiliated to the Association and the Regional Association in the Region in which the District Association is located. District Associations shall organize Badminton affairs and tournaments on behalf of the Association at the District level.
- (2) Each District Association shall have a codified set of Rules and Regulations that govern the operations of the District Association and clearly set out the powers and functions of the District Association.
- (3) The Rules and Regulations of a District Association shall not be inconsistent with or repugnant to this Constitution, the Constitution of the relevant Regional Association (if any) and the BWF statutes (as amended from time to time).

Elections at the District Level

- (4) Each District Association shall hold District Elections every four (4) years to elect District Executives to govern the affairs of Badminton in the District. A District Association may however, hold District Elections at any time to fill a vacancy in the District Executive body or amend its Rules and Regulations.
- (5) Each District Association shall comprise of the following members who shall be registered with the Association:
 - a) Chairperson elected at District Elections
 - b) Vice Chairperson elected at District Elections
 - c) Secretary Elected at District Elections; and
 - d) Two other members seconded at District Elections and elected at District Elections
 - e) 1 (one) representative from each registered Club within the District
- (6) A notice by the District Association Meetings for purposes of electing District Executives, Filling vacancies in the District Executive body or amending its Rules and Regulations shall be sent out together with the Agenda and supporting documents at least Twenty-One (21) days to all members and associations entitled to attend and vote and to the Association.
- (6) The decisions at District Association meetings shall be by way of votes cast through secret ballots and shall be by simple majority. In the event of a deadlock in votes cast at a meeting the Chairperson or presiding regional executive member shall have a second or casting vote.
- (7) The quorum for a valid session of the District Association shall be one-third of the total membership of the Association titled to attend and vote under Article 15(5) above.
- (8) Each member under Article 15(5) at a Regional meeting shall be entitled to only one vote.

District Executive Body

- (10) The structure of the District Executive Body shall as far as possible conform to the structure of the Association.
- (11) The Executive Members of each District Association shall endeavour to convene a District executive meeting at least once every quarter to deliberate on matters pertaining to the District Association.
- (12) The Chairperson of the District Association shall preside over all district executive meetings and in his absence the Vice-Chairperson shall preside.
- (13) Decisions and resolutions of the Regional Executive Body shall be by simple majority. In the event of a deadlock the Chairperson or presiding regional executive member shall have a second or casting vote.
- (14) The quorum for a properly constituted Regional Executive meeting shall be four (4) members and shall include the Chairperson or the Vice Chairperson. A District Executive member may join a meeting of the Executive meeting by the use of Internet or telephone conference facilities that permit him/her to effectively partake in



discussions at Executive meeting in real time; in such instances such members would be deemed to form part of the quorum for the purposes of a District Executive meeting.

(15) District Executive members shall not act by proxy. A District executive member may, however, in writing appoint another Executive member to act in his stead for a period not exceeding 120 days. Such elected member shall be entitled to act on the instructions of his appointer and be entitled to a personal vote and additional vote for his/her appointer at any meeting of the Regional Executive body.

ARTICLE 31. EXPULSION OF OFFICERS AND DELEGATES

The President shall have power to suspend for a period or cancel the rights of any delegate to attend meetings of the Council or the Annual Conference of delegates, or to expel any Officer of the Association or member of the Council in the council members case by a resolution passed by most one-thirds of the votes cast at a General Meeting of the Council, notice of intention to propose such resolution having been included in the notice calling such meeting.

ARTICLE 32. SUSPENSION AND EXPULSION OF MEMBERS

- (a) Any affiliated member committing a breach of these Rules or failing to give effect to any decision of the Council or of the Council or permitting or counselling any of its members to do so may be suspended for a period from exercising its rights of membership or may be expelled from membership in each case by resolution passed by a majority of one-thirds of the votes cast at a General Meeting of the Council, notice of intention to propose such resolution having been included in the notice calling such meeting.
- (b) If any unincorporated Regional Association has been affiliated to the Association prior to these Rules coming into force and is still unincorporated after the expiration of one year from the date on which these Rules came into force, it may be suspended from membership by resolution of the Council.
- (c) If any affiliated Regional Association shall affiliate with any Association or Association other than the Association it shall ipso facto cease to be affiliated to the Association.
- (d) Any affiliated member losing its affiliation under this clause shall remain liable for any unpaid subscription and levy.

ARTICLE 33. MISCONDUCT

- (1) A member of the Association shall be guilty of misconduct if he/she conducts himself in a manner prejudicial to the interest of the Association and in particular if that member:
 - (a) Embezzles funds belonging to the Association, uses or misuses' property belonging to the Association with or without proper authorization from the Executive Board.
 - (b) Is inefficient or negligent in the discharge of his/her duties or any tasks assigned to him/her or tarnishes the image of the Association or acts in a manner that puts the reputation of the Association in disrepute.
 - (c) Misappropriates/steals money or property, belonging to the Association or any other body affiliated to the Association.
 - (d) Engages in violent or unruly or un-sportsmanship behavior at any local or international competition.
 - (e) In the case of an Executive Board Member, if he/she without just cause absents himself for three (3) consecutive times at meetings of the Association without proper justification.



- (2) The acts of misconduct stated under article 33 shall not be construed as exhaustive. Any act by an officer or member that puts the name of the Association in disrepute shall be considered as an act of misconduct.
- (3) All cases of misconduct by officers and members shall be referred to the Disciplinary Committee of the Association by the Executive Board upon a formal complaint by a registered member of Association.
- (4) The Disciplinary Committee shall have the exclusive power to investigate all cases of misconduct and in the administration of that function shall have the following powers: (a) Invite officers or members to testify to issues that have arisen; 15 (b) Adjudicate on issues of misconduct by members or officers of the Association; (c) Rule on issues of misconduct and make recommendations to the Executive Board for enforcement.

ARTICLE 34. MUTUAL RECOGNITION

If an affiliated member imposes a suspension on a player:

- (a) The chairman of the Association shall immediately notify all other affiliated members that the player is suspended and for what period;
- (b) The suspended player shall not be entitled to enter any competition or tournament conducted or promoted by or on behalf of the Association or any affiliated member so long as his suspension continues;
- (c) If player may appeal to BAG against his suspension; and in considering the appeal the BAG shall consult the affiliated member who imposed the suspension. The BAG decision shall be binding on all parties.

ARTICLE 35. POLICYS AND BY-LAWS

Subject to the overriding control of the Council and provided they do not act contrary to the previously expressed wishes of the Council, the Council shall be empowered to make, amend, repeal and add to Regulations or By-laws governing or relating to:

- (a) The approval, control and superregional vision of Badminton Championships, tournaments and matches conducted or authorised by the Association or by any affiliated member or by a Sub-Association affiliated to an affiliated Regional Association.
- (b) The persons entitled to compete in any such championships tournaments or matches and the control of such persons.
- (c) The levy or subscription payable to the Association by or in respect of competitors in any such championships, tournaments and matches.
- (d) The playing and technical officiating officials of the game.
- (e) The conditions upon which any other Association or organisation may be affiliated to the Association under Rule 4 (c).
- (f) The Clothing/ Athletes Code.
- (g) The Code of Conduct.
- (h) Drug Testing.
- (i) Policy on Misconduct & Disciplinary Procedures.
- (j) Any other policy whatsoever within the objects and powers of the Association.

ARTICLE 36. COMMON SEAL

The Association shall have a Common Seal which shall be kept in the custody of the President for the time being. The Common Seal shall not be affixed to any document except by the authority of a resolution of the Board and in the presence of two members of the Council and the President each of whom shall sign any document to which the Common Seal is affixed. A register of its use shall be kept.

ARTICLE 37. COLOURS

Each affiliated Regional Association shall be entitled to register its colours with the Council and such colours when approved by the Council shall not be worn by any competitor taking part in a championship, tournament or match unless entitled to do so by virtue of membership or past membership of such Regional Association.

ARTICLE 38. IRREGULARITY IN APPOINTMENT

No act, matter or thing done by the Council, Board or any Sub-Committee or person acting under powers delegated to them by the Council or Council shall be invalidated or called in question by reason only of any irregularity in the appointment or the want of an appointment of any delegate or other person voting or acting on the Board or Council.

ARTICLE 39. PERSONAL BENEFIT

1. No member of the Association or any person associated with a member shall participate in or materially influence any decision made by the Association in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever.
2. Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value of the transaction below a 30% per cent par value).
3. All athletes' and officials donations, remuneration, endorsements, sponsorship, honorarium, scholarship, bonuses, allowances, prize money in cash or in kind, 20% will be deducted or paid at source to BAG (of which 10%, will go to the national association, 5% to the regional association, and 5% will go the club the player is affiliated to- to promote, support and enhance ongoing talent and development programme) of such gross proceeds due athletes and officials at the nomination or participation of regional, national and international competitions, this shall be due in immediately available funds of same day payment.
4. All clubs/ associations will remit a portion of all gross incomes received per executive board decision.

ARTICLE 40. ALTERATIONS TO RULES

These rules may be amended, added to or repealed by resolution at a General Meeting of the Council passed by much of not less than two-thirds of the votes cast at the meeting. Except where an alteration is proposed by the Council, notice of intention to propose the alteration shall be given to the President by the affiliated member or person proposing same at least two calendar months prior to the meeting at which it is intended to propose the alteration. In every case, notice of the proposed alteration shall be embodied in the notice calling the meeting.

ARTICLE 41 - THE DISPUTE RESOLUTION & APPEALS COMMITTEE

- (1) There Constitution hereby establishes a Committee called the Dispute Resolution and Appeals Committee (Dispute Resolution Committee) of the Association.
- (2) The Dispute Resolution Committee shall consist of at least 3 and at most 5 members (including the Chairperson) who shall be selected by the Executive Board of the Association

- (3) The Dispute Resolution Committee shall under this Constitution perform the following functions: a) Preside over and attempt to settle any dispute that may arise within the Association; and b) Exercise Appellate Powers over all National and Regional Disciplinary Committees Decisions.

(4) Dispute Resolution

- a) In the exercise of its Dispute Resolution powers, the Dispute Resolution Committee shall be the first venue/forum for the resolution of any dispute within the Association and shall for the avoidance of doubt be deemed an internal dispute resolution avenue of the first instance for the amicable settlement of any issues within the Association.
- b) In the exercise of its functions the Dispute Resolution Committee shall have the power to request for documentary and testamentary evidence.
- c) The powers of the Dispute Resolution Committee shall only be invoked at the instance of Executive Board
- d) The Executive Board shall within eight (8) weeks of the adoption of this constitution publish detailed guidelines and procedures for seeking redress before the Dispute Resolution Committee by a registered entity or practitioner.
- (5) Appeals from National and Regional Disciplinary Committees
- (1) In the exercise of its appellate powers, the National Dispute Resolution Committee shall have the exclusive powers to review all decisions made by the National Disciplinary Committee or the Regional Disciplinary Committee upon a request by an affected member or entity. Save that in the exercise of this power the Dispute Resolution Committee shall not have the power to review any other decision by any organ or body of the Association beyond the decisions of National Disciplinary Committee or the Regional Disciplinary Committee.
- (2) The Executive Board shall publish detailed guidelines and procedures for appeals against the National or Regional Disciplinary Committees.

ARTICLE 42- OFFICERS AND COMMITTEES

- 1.1 Composition – The Officers will be comprised of the President, Vice-President, Secretary-General and Treasurer.
- 1.2 Officers and their responsibilities:
- a) President:- will be responsible for the general supervision of the affairs and operations of the Association, will preside at meetings of the Members and at meetings of the Board and the Executive Committee, unless an alternate Director has been appointed to Chair, will be the official spokesman of the Association, will oversee and supervise office staff, council, Board and will perform such other duties as may from time to time be established.
- b) Vice President:- will support and assist the President in all duties and will perform such other duties as may from time to time be established by the Board.
- c) Treasurer:- will keep proper accounting records as required by the constitution; will cause to be deposited all monies received by the Association in the Association’s bank account; will supervise the management and the disbursement of funds of the Association; when required will provide the Board with an account of financial transactions and the financial position of the Association ; will prepare annual budgets; and will perform such other duties as may from time to time be established by the Board;
- d) Secretary-General:- will be responsible for the documentation of all amendments to the Association’s bylaws, will ensure that all official documents and records of the Association are properly kept, cause



to be recorded the minutes of all meetings of Members, Board of Directors and Committees of the Association; keep an up-to-date list of Members, and will perform such other duties as may from time to time be established by the Board.

- e) Executive members:-as far as possible will lead in the co-ordination of special committees/commissions as the Board may determine with its adjoining terms of reference.

5.3 SPECIAL COMMITTEES

1. Finance & Administrative Committee
2. Events Committee
3. Para-Badminton Board
4. Shuttle Time Board
5. Marketing & Communication Committee
6. Development Committee

Commissions

Commissions are specialist groups with expertise and are made up of both Council members and external expertise. All committees will have terms of reference and the membership of the Commission will be approved by the Board. The Commissions are;

7. Athletes' Commission
8. Awards Commission
9. Medical Commission
10. High-Performance Commission
11. Technical Official Commission
12. Coaching Commission
13. Women Commission

COACHING & OFFICIATING

1. Seniors (Under 20, Under 23, Seniors)
2. Veterans Coaches-
3. Junior under 19
4. Junior Under 17
5. Junior under 15
6. Junior under 12
7. Junior under 10 (where juniors are under 19 throughout their respective calendar years).
8. Referees, Umpire, Service Judge, Line Judges shall be in line with BCA/BWF Rules and regulations

ARTICLE 43 MATTERS NOT PROVIDED FOR

In the event of any question arising which is not provided for in these rules the question shall, subject to the provisions to be decided by the Board

ARTICLE 44. DISSOLUTION



- (a) In the event of a resolution that the National Association be wound up under the company's code and each affiliated member shall in the event of a deficiency contribute to the funds of the Association in proportion to the amount of the last annual subscription paid by it.
- (b) If upon winding up or dissolution of the Association there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other charitable organisation or body having objects similar to the objects of the Association, or for some other charitable purpose, within Ghana.

ARTICLE 45 EFFECTIVE DATE

These rules shall come into operation on the date of the passing of the resolution adopting them from which date all previous rules of the Association are hereby repealed and shall cease to have effect provided, however, that all appointments and elections made, things done, and powers exercised under the previous rules and in force on the coming into operation of these rules shall ensure for the purposes of these rules as fully and effectively as if made, done or exercised under the corresponding clauses in these rules.

ARTICLE 46- AMENDMENT

Any proposed amendment to this constitution shall be made in writing to the Secretary-General who shall place this on the agenda for the AGM. Such an amendment shall be determined by 2/3 of members present and voting.

ADOPTED AT THE 3RD DELEGATES CONGRESS OF BAG:

THIS DAY THE 29TH APRIL 2017.

Appendix

ARTICLE 47-POLICY ON MISCONDUCT AND DISCIPLINARY PROCEDURE

That the Policy on Misconduct and Disciplinary Procedures be adopted but not limited to BCA and BWF rules and regulation as may be amended

1. Disciplinary Panel

The Executive Board of Badminton Ghana shall establish a disciplinary panel of 3 members, appointed from time to time by the Executive President. Selection of panel members shall be based on relevant experience and/or professional expertise in relation to the incident to be considered. One of the members shall be appointed as the Chairperson of the panel by the Executive President. Any proposed member of the disciplinary panel who has an interest in any matter to be considered by the panel must declare that interest prior to any appointment and be precluded from any participation in any disciplinary process. A replacement shall be appointed by the Executive President.

2. Definitions

Misconduct means any conduct by a competitor, official, club or association that reflects unfavorably on the game or Badminton Ghana, both on and off the court.

Competitor means a person who participates as a player in any badminton event or programme at, or sanctioned by, the Badminton World Federation, Badminton Ghana, a member association, club or any affiliate of those bodies, or as a member of a club or team, and who is:

- a Ghanaian citizen
- or is present in Ghana



- or is competing for Ghana

Official means a Badminton Ghana Executive Board member, Association or club committee member, a manager, coach, referee or umpire or any other person contributing or associated with badminton in any formal capacity other than only as a competitor or only in the course of business.

Participant means any competitor or official

Disciplinary Panel means the three-member Disciplinary Panel appointed by the Executive President

3. Jurisdiction

The Disciplinary Panel shall have jurisdiction to hear and determine allegations of misconduct in respect of the following:

- 3.1 where a formal complaint is received from any source, including the Badminton Ghana Executive President, Management Committee, association, club, official or member of the public
- 3.2 where an allegation of misconduct arises out of or is associated with an event or programme under the control of Badminton Ghana
- 3.3 where any conduct contravenes the Badminton Ghana Drug Policy, Harassment Policy or Code of Conduct

Procedures

3.4 **Complaints procedure and Notice**

- 4.1.1 A written allegation of misconduct shall be received by the Executive President within 3 working days of the incident. Upon receipt of a complaint, the Executive President shall have the authority with immediate effect to:
 - a) Reprimand athlete or officials for the offence
 - b) Appoint a person to make enquires about the alleged misconduct as deemed appropriate;
 - c) Institute formal disciplinary proceedings as outlined below.
 - d) Dismiss the complaint
- 4.1.2 The Executive President shall notify the Executive Board of the complaint and the procedure to be followed within 7 days of receipt of the complaint.
- 4.1.3 Subject to Clause 4.1.1 (a) the Executive President shall, as soon as practicable, determine a time, date and place for hearing of the allegation, which shall not be less than 7 days and not more than 20 days after the date of the notice to the complainant and the person against whom the allegation is made
- 4.1.4 The Executive President shall advise the person, club or association against whom the allegation is made of the following:
 - The nature and of the allegation;
 - The date, time and place of the hearing;
 - Who the members of the Disciplinary Panel will be for that hearing;
 - The requirement for the person, or where the allegation is against a club or association, a person who is authorized to represent that club or association, to appear in person at the hearing, or to present a written submission;
 - The right to be represented at the hearing;
 - The right to bring up to 3 witnesses and/or support persons to the hearing.

The Executive President shall advise the complainant of the following:

- The nature of the allegation;
- The date, time and place of the hearing;
- Who the members of the Disciplinary Panel will be for that hearing;
- The requirement for the person, or where the complaint is made by a club or association, a person who is authorized to represent that club or association, to appear in person at the hearing, or to present a written submission;
- The right to be represented at the hearing;
- The right to bring up to 3 witnesses and/or support persons to the hearing.

4.1.5 For the purposes of clause 4.1.1 (b) the Executive President shall specify such time as he thinks reasonable for the conduct of such investigation and shall require the investigator after such time to provide a written report to the Executive President as to the information obtained.

4.1.6 Where the Executive President has appointed a person to investigate the alleged misconduct in accordance with clause 4.1.1 (b) upon the reporting back of the investigator the Executive President shall then have the authority to take such action as he or she considers appropriate as specified in clause 4.1.1 (a), (c) or (d) hereof.

4.1.7 Where the Executive President has dismissed the complaint in accordance with clause 4.1.2 (d) he/she shall within 7 days of the decision give written notice to the complainant stating the reasons for dismissal.

Procedure of Hearing

The procedure prescribed should be directed at ensuring that the hearing will be fair and that it meets the requirements of natural justice, and should normally include the underrated elements:

3.4.1 The procedures to be followed at the hearing should be explained clearly by the Chairperson of the Disciplinary Panel to all present;

3.4.2 The Chairperson of the panel shall read the complainant's statement;

3.4.3 Evidence/submissions shall be heard in the following order:

- Evidence from witnesses (if any) in support of the complaint
- Evidence from the person, or representative of the club or association, against whom the allegation was made;
- Evidence from his/her witnesses (if any)
- Submissions on his/her behalf (if any)
- Submissions on behalf of the complainant (if any)

3.4.4 Those giving evidence shall be subject to questioning from any member of the Disciplinary Panel

3.4.5 At the conclusion of the evidence and submission, all persons present, other than the Disciplinary Panel, shall leave the room while the Disciplinary Panel deliberates on its decision.

3.5 Evidence admissible at hearing

3.5.1 Hearsay evidence (ie second hand accounts of what occurred and evidence not given at the hearing in the case of an appeal against the Disciplinary Panel's decision) should not be admitted and not considered by the Disciplinary Panel

3.5.2 Character evidence shall be admissible only in relation to the penalty to be imposed by the Disciplinary Panel

3.5.3 Where a person has previously appeared before the Disciplinary Panel, previous incident evidence shall only be relevant in relation to the penalty to be imposed by the Disciplinary Panel

3.6 Proceedings not to be invalidated for technical reasons

No proceedings heard by any Disciplinary Panel shall be quashed or held invalid by the Disciplinary Panel by reason only of any defect, irregularity, omission or other technicality provided the Disciplinary Panel is satisfied there has not been a miscarriage of justice.

3.7 Notification of Decision

In all cases the person against whom the allegation is made must be told without delay the decision of the Disciplinary Panel which conducted the hearing. The decision initially may be given orally and brief reasons for reaching it should be given and this decision should be communicated in writing as soon as practicable.

3.8 Penalties

The range of disciplinary offences is considerable and therefore guideline penalties are not generally appropriate. It should be clearly understood that the Disciplinary Panel will deal severely with proven cases of:

- Abuse of tournament officials
- Physical violence or threatening behavior
- Conduct which may constitute a criminal offence
- Contravention of the Ghana Drug Policy, Harassment Policy and Code of Conduct etc.

Misconduct falling into these categories is likely to result in lengthy suspension and/or financial penalty. The seriousness of a drug or doping infraction is reflected in the mandatory penalties contained in the Ghana Drug Policy and the world Anti-doping for the use of banned substances.

3.8.1 If a complaint is proven to its satisfaction and without reasonable excuse, the Disciplinary Panel shall have the power in consultation with the president to impose on the individual, club or association concerned one or more of the following penalties:

Competitors

- Removal from a team or squad, and immediate return to Ghana if applicable
- Non-availability for selection to a team or squad for a specified period
- Suspension from participation in any event or programme undertaken by Badminton Ghana or any of its members for a finite period
- A total ban from the game for a period
- A financial penalty
- Financial recompense for any damage caused to property
- Payment of expenses incurred by the convening of the Disciplinary Panel, including all witness expenses
- Other reasonable penalty as deemed appropriate

Officials

- Suspension from office for a period
- Removal from office
- Termination or suspension of appointment (ie manager or coach)
- A financial penalty
- Financial recompense for any damage caused to property



- Payment of expenses incurred by the convening of the Disciplinary Panel, including all witness expenses.
- Other reasonable penalty as deemed appropriate.

3.8.2 Prior to imposing any penalty, the Disciplinary Panel may invite the offending participant to make comment on any penalty proposed.

3.8.3 The offending participant shall receive written notification of any penalty imposed within 7 days of the determination.

3.9 **Appeals**

Except in cases of breaches of the World Anti-Doping Policy where the decision of the Disciplinary Panel shall be final regarding BWF statutes, there shall be a right of appeal against decisions of the Disciplinary Panel.

This appeal shall be made within 5 days of the Disciplinary Panel having given written notification of its decision pursuant to clause 4.5, and shall be accompanied by a non-refundable fee of GHC 500. If the Appeals Committee overturns the whole of the Disciplinary Panel's decision.

Fee shall not be repaid to the appellant for any reason

The Executive Board shall appoint an Appeals Committee of three persons of which the President is a member. No person will have been a member of the Disciplinary Panel whose decision is the subject of the appeal.

The procedures for hearing a formal appeal shall be as for the hearing of a complaint.

The decision of the Appeals Committee shall be final. Pending the decision of the Appeals Committee all penalties imposed will be operative.

4 **Notice**

5.1.1 Any notice to be given by the Executive President or the Disciplinary Panel must be in writing and may be given to the person, club or association required to be notified:

- personally
- by post/email to the last known address of the person, club or association; or
- sent by facsimile to the last known facsimile number of such person, club or association

5.1.2 Any such notice shall be deemed to be given:

- if given personally, upon delivery;
- if posted by ordinary post, 5 days after posting, or if posted by airmail, 7 days after posting;
- if by facsimile/email then the same day after sending by such means of delivery.

APPENDIX 2

General Examples of Misconduct (not a finite list)

- Bringing the game into disrepute
- Theft
- Assault
- Verbal abuse
- Bad language

- Abuse of equipment
 - a. Throwing a racquet
 - b. Breaking a racquet
 - c. Abusive use of equipment other than within the intentions of the game
- Drinking under age
- Discourtesy as a guest of a billet
- Ill-mannered behavior
- Inappropriate dress
- Entering and then failing to appear at a tournament
- Breach of player agreements
- Failure to give of one's best
- Failure to follow the reasonable instructions of a manager, coach or referee
- Generally, the rules and regulations of CGR of BCA/BWF will be sanctioned in addition to the above rules and regulations.