

Memorandum



Key Decisions – BWF Council Meeting

Tuesday 1 December 2020

Dear Members and Continental Confederations

Please find below, the topics key decisions of the BWF Council from its virtual meeting of Saturday 21 2020 and further information:

1. **Events Related Regulations**
2. **Para badminton Regulations / Decisions**
3. **Player of the Year Awards 2020**
4. **Administrator Awards 2020 / Hall of Fame**
5. **BWF Statutes - Section 1.2.3** - amendments to the Awards Regulations
6. **BWF Statutes – Section 2 – Ethics** – new **Anti-Doping Regulations** – effective date – 1 January 2021 in compliance with the World Anti-Doping Code 2021.
7. **BWF Statutes - Section 3.1 Judicial Procedures** – amendments effective date 22 Nov 2020 – see enclosed).
8. **Voting Strength (2020 – 2024).**

1. Events Related Decisions / Regulation Changes

Please find attached the following:

1. Letter from Darren Parks – Events Director.
2. Approved Regulation Changes – 22.11.2020.
3. Policy to Waive Outstanding Invoices for Barred Members - 22.11.2020.
4. Special Revisions to Qualification Principles for 2021 Grade 1 Tournaments - 22.11.2020.
5. Table of Offences and Penalties Relating to breaches of Covid 19 Safety Protocols.

Please see that attached letter from Darren Parks which provides a summary of the **Competition Regulation Changes** (effective 22 November 2020).

Please see **BWF Statutes** ([linked here](#)) for the full copy of the regulations in force following these decisions of Council – See CHAPTER 5 – TECHNICAL REGULATIONS.

Policy to Waive Outstanding Invoices for Barred Members

The enclosed policy reads:

*BWF will automatically waive the outstanding invoice(s) of a Member after 120 days of being barred from entering its Players in BWF sanctioned Tournaments.
This automatic waiver would only apply to the first instance; waivers of subsequent outstanding invoice(s) of a Member after 120 days of being barred from entering its Players*

in BWF sanctioned Tournaments, would be considered on a case-by-case basis, and only if requested.

The BWF Secretary General will make the final decision on each case.

2. Para badminton Related Decisions

The BWF Council approved the following at its meeting:

1. The World Ranking points from the 2018 Continental Confederation Championships (Africa, Pan Am, Asia and Europe) and Para Badminton Internationals 2019 will be carried forward to 2021.
 2. Appointed Dr Shamsul Azhar Shah (MAS) as the BWF Head of Classification following the retirement of Dr Silvia Albrecht.
 3. Appointed Becky Bailey (ENG) as a Senior Classifier.
 4. Approved the amendment to Clause 11.20 of the current Para Badminton General Competition Regulations (PBGCR) to provide further clarity.
- 11.20. ~~Continental Championships stay in the ranking list until the next respective Continental Championships is played or end of the year in which the Continental Championships are held.~~

Continental Championships stay in the ranking list until the next respective Continental Championships is played. Should no new continental championships be played two years after the latest, the results from the latest championships will be used for the ranking list until the end of that year.

See the BWF Statutes page - Section 5.5 - Para Badminton General Competition Regulations ([linked here](#)).

3. BWF Player of the Year Awards 2020

The Council approved the combining of years 2020 and 2021 as one period for all *Players of the Year Awards* because there had been too few tournaments in 2020 due to Covid-19 to make a credible decision on all of the Player of the Year Awards for this year.

It is expected that the Player of the Year Awards will be presented for combined years 2020 / 2021 at the HSBC BWF World Tour Finals in December 2021.

4. BWF Administrator Awards 2020 / Hall of Fame

The Council approved a range of Administrator Awards for 2020, and approved the nomination of three iconic players to be inducted into the BWF Hall of Fames. Announcements will be made at the appropriate time.

5. BWF Statutes – Section 1.2.3 – Award Regulations – effective 22 Nov 2020

The Council approved amendments to the BWF Award Regulations. The amendments are related to the following areas:

1. Included the possibility of *Para-sports organisations recognised by the BWF*, to be able to nominate individuals / organisations for some award categories. This is to recognise those who support the development of Para badminton in Para-sport organisations.
2. Clause 1.2.4 – Included a retirement period of three (3) years (rather than five (5) years) and a description for those who have “not been a significant factor on the international circuit for a period of three years” - can be nominated for the BWF Hall of Fame.
3. Clarifying the wording of Clause 3.1 and 3.2.3 for Lifetime Achievement Awards –

Clause 3.1 “...to honour people who have made an exceptional lifetime contribution to the sport **as a coach, technical official, administrator and/or elected official**”.

Clause 3.2.3 – “Nominee must have retired, be retiring **or not have an active role in badminton** at the time of the nomination”.

Please see Section 1.2.3 Award Regulations ([linked here](#)) for the updated regulations.

6. BWF Statutes - Section 2 – Anti-Doping Regulations – effective 1 Jan 2021

The Council approved new [Anti-Doping Regulations](#) which come into effect on 21 January 2021. These new regulations are in line with the World Anti-Doping Code 2021, and have been approved by WADA – the World Anti-Doping Agency.

7. BWF Statutes - Section 3.1 – Revised Judicial Procedures – effective 22 Nov

The Council approved a few amendments Section 3.1 – Judicial Procedures. These few changes can be viewed in the attached document.

Please see **Section 3.1 Judicial Procedures** on the BWF website ([linked here](#)) for the full text of the regulations.

8. Voting Strength 2020 - 2024

The four-year **Assessment Period** (1 Oct 2016 – 30 Sept 2020) to calculate **Voting Strength** ended on 30 September 2020 (see Clause 15.20 of the constitution)

The Voting Strength is **fixed for a four-year period** (1 October 2020 – 30 September 2024). The number of votes a Member has is also used to **calculate subscription amounts**, also fixed for 4 years.

Covid-19 has had an impact on three of the criteria for calculating Voting Strength. The Council applied interim procedures to calculate Voting Strength in order to complete this so the subscriptions can be calculated for 2021 based on this.

Please see the separate Memo on the interim procedures used by the Council and the spreadsheet of the Voting Strength (2020 - 2024).

Please come back to me if you have any questions regarding the enclosed.

Kind regards

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Chief Operating Officer

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Council Approved Amendments

Section 3.1 – BWF Judicial Procedures



The BWF Council approved a few amendments to Section 3.1 – Judicial Procedures at its meeting of 21 November 2020. These amendments can be viewed below.

Please see **Section 3.1 Judicial Procedures** on the BWF website ([linked here](#)) for the updated and current version effective 22 November 2020.

1. Jurisdiction of the Independent Hearing Panel (IHP)

7.5. Jurisdiction

The IHP shall hear and decide cases arising from:

7.5.1 Integrity and Ethics cases:

Breaches of the following regulations:

- 7.5.1.1. Code of Ethics;
- 7.5.1.2. Codes of Conduct for:
 - Candidates for Elections (BWF Statutes, Section 2.2.1); and
 - Elected Officials (BWF Statutes, Section 2.2.2).
- 7.5.1.3. Code on the Prevention of the Manipulation of Competitions (BWF Statutes, Section 2.4); and
- 7.5.1.4. Para-Badminton Classification Regulations (BWF Statutes, Section 5.5.5), in relation to Intentional Misrepresentation.

7.5.2 Sport cases:

Appeals against decisions of the SDP; and

7.5.3 Continental Confederation governance cases:

Appeals against governance-related decisions by Continental Confederations bodies where all internal routes have been exhausted.

7.5.4 Hybrid cases

Situations where a single set of facts is pursued simultaneously as a breach of a regulation under the jurisdiction of the IHP and as a breach of a regulation under the jurisdiction of the SDP.

7.5.4.5 Other cases

Such other cases, as are specifically stated in the BWF Statutes or as decided by the BWF Council.

2. Jurisdiction of the Sports Disciplinary Panel

8.4. Jurisdiction

8.4.1 Except as provided in article 7.5.4. The SDP shall hear and decide cases arising from breaches of the following sports-related regulations:

- 8.4.1.1. General Competition Regulations (BWF Statutes, Section 5.1), where such cases are not governed by the BWF Complaint Procedures;
- 8.4.1.2. Specific tournament regulations adopted by Continental Confederations;
- 8.4.1.3. Codes of Conduct that are not under the jurisdiction of the IHP; and
- 8.4.1.4. Such other cases, as are specifically stated in the BWF Statutes or as decided by the BWF Council.

8.4.2 The SDP shall have general jurisdiction over disciplinary cases originating from breaches of the Statutes that do not fall under the jurisdiction of the IHP as defined under these Procedures.

Council Approved Amendments

Section 3.1 – BWF Judicial Procedures



3. Provisional Suspension / Ability to Provisionally Suspend Prior to Referral

16. PROVISIONAL SUSPENSION

16.1. Definition

A Provisional Suspension is a Suspension that is imposed prior to the hearing relating to a charge that has been referred or that is to be referred to the relevant hearing panel.

16.2. Application for Provisional Suspension

16.2.1 At any time ~~following the referral of a case~~, the Investigating Party may request the Referral Officer to impose a Provisional Suspension on the Covered Person being charged.

16.2.2 In deciding whether to impose a Provisional Suspension, the Referral Officer shall consider whether, on the balance of probabilities, the Covered Person appears to have breached the Statutes.

~~16.2.2~~16.2.3 Where a Provisional Suspension is requested prior to the referral of a case, the Provisional Suspension, if granted, shall lapse after a period of three months, unless the case is referred to the relevant hearing panel within that period, in which case the Provision Suspension shall remain in force until a decision is rendered.
