



Badminton Pan America

**BADMINTON PAN AMERICA
CONFEDERATION**

CONSTITUTION

APPROVED ON EGM 2022

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SECTION 1 – GENERAL PROVISIONS

1. NAME, FOUNDATION, LEGAL STATUS, DOMICILE

- 1.1 The PAN AMERICAN BADMINTON CONFEDERATION (hereinafter the Confederation) is a non-profit legal entity, fully qualified to carry out its activities.
- 1.2 The Confederation is constituted as a civil association for an indefinite period.
- 1.3 The Civil Association is a Continental Confederation of the Badminton World Federation, and it is recognized as the continental badminton confederation in America, which promotes, develops and regulates badminton with the mutual cooperation and support of the Badminton World Federation.
- 1.4 The Confederation has legal personality, and it has the capacity to enter into contracts.
- 1.5 The domicile of the Confederation shall be the district of Miraflores, Province and Department of Lima, Peru.

2. LANGUAGE

- 2.1 The official language of the Confederation is English, notwithstanding the foregoing: (i) all official publications and communications of the Confederation must be edited in Spanish and English; (ii) all communications and their responses in Spanish shall be accepted; (iii) the corresponding simultaneous translation into Spanish and/or English must be available at the assemblies of the Confederation.
- 2.2 In case of disputes, conflict or misunderstandings, the English version of the document shall be considered as the correct one.

3. AIM AND PURPOSES

The purposes and objectives of the Confederation are:

- 3.1 Promote and develop the sport of badminton from a continental perspective.
- 3.2 Facilitate mutual recognition of Member Associations and strengthen ties between existing Member Associations.
- 3.3 Control the game of badminton, from a continental aspect, in all member countries of the Confederation, and achieve a uniform interpretation of the rules of badminton and control of the game.
- 3.4 Establish the rules for the international competitions that the Badminton World Federation assigns to the Confederation and adopt them as the Competition Rules of the Confederation.



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- 3.5 Ensure compliance with badminton rules in all competitions.
- 3.6 Publish and supervise compliance with the Statutes of the Confederation.
- 3.7 Manage all the funds of the Confederation in a responsible and sustainable manner in order to achieve its objectives.
- 3.8 Promote the interests of badminton from a continental point of view and achieve the objectives of the Confederation.

4. PRINCIPLES

4.1 Autonomy

The Confederation shall respect the full autonomy of its Members in their own territories. It shall not take part in the national affairs of its Members, unless such matters affect in any way the international image or the Olympic and Paralympic status of the sport and do not respect the rules approved by the Badminton World Federation and the Confederation. When the autonomy of a Member Association is compromised, the Confederation shall inform the Badminton World Federation for its reference.

4.2 Equal opportunities

The Confederation promotes equal participation of men and women in badminton sports competitions at all levels.

4.3 Fair Play

The Confederation and its Members shall take all reasonable measures to ensure that the competitions and those participating in the events respect "fair play". The Confederation promotes the highest degree of sportsmanship and integrity among players, officials and administrators.

Players of all levels have the right to participate in badminton free of drugs, violence, discrimination, technical manipulation of any form contrary to fair play

4.4 Harassment-free sport

Everyone who works and participates in the sport of badminton, including players, coaches, technical officials and administrators, has the right to compete, work and participate in a harassment-free environment. The Confederation shall ensure that there is no form of harassment, whether physical, psychological or otherwise.

4.5 No to discrimination

The Confederation shall not allow any form of discrimination to affect its decisions or actions, whether the discrimination is based on race, colour, sex, sexual orientation, language, religion, political opinion or other, national or social origin, property, birth or other status.

4.6 Transparency

The Confederation shall operate in a transparent manner. Information on decisions, rules, policies, programmes and activities shall be available on its website.



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5. DEFINITIONS

5.1 **AGM** – It is the Annual General Meeting that is held every year in accordance with the procedures and guidelines established herein.

5.2 **Members** – These are all the “Member Associations” or “Associate Members” of the American Continent of the Badminton World Federation that, as such, have the right to join the Confederation.

5.3 **Statutes** – These are the provisions contained in the Constitution of the Confederation, and the full body of regulations of the BWF or Confederation, accordingly in force on any relevant date.

5.4 **BWF** – It is the Badminton World Federation.

5.5 **BWF Statutes** – These are the provisions contained in the BWF Constitution document and any regulation, policy and guidelines governing the Badminton World Federation, the Badminton Rules and the set of regulations governing the sport of badminton.

5.6 **CAS** – Court of Arbitration for Sport, located in Lausanne, Switzerland.

5.7 **Covered Persons** – These are the Officials, Players and Related Persons and

also includes the Members of the Confederation, as well as any natural person or organization that has accepted the jurisdiction of the Confederation.

Any person who ceases to be a Covered Person, regardless of the reason, shall be considered and remain a Covered Person, for the purposes of these rules, with respect to any investigation or allegation made while that person was a Covered Person and

Any person who became a Covered Person shall be deemed to be and to remain a Covered Person for a continuous period of 12 months after the date, on each occasion, upon which that person became a Covered Person.

Any person who is not otherwise a Covered Person but who engages in conduct which would amount to conduct which is a breach of the Statutes shall be deemed for the purposes of these Procedures as a Covered Person but shall be liable only to the Sanction(s) of a Suspension and/or a Venue Exclusion Order.

5.8 **Board of Directors** – It is the administrative body elected by the AGM, whose roles and responsibilities are described in the Statutes.

5.9 **Extraordinary General Meeting** – An Extraordinary General Meeting (EGM) is a meeting of the members of the Pan American Badminton Confederation that occurs at a different time from the Annual General Meeting and is called for a particular purpose.

5.10. **General Meeting** – a General Meeting (GM) is the annual or extraordinary meeting of the members of the Pan American Badminton Confederation, under the terms and conditions established in the Statutes.

5.11 **Disciplinary Bodies** – These are the disciplinary authorities of the Pan



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American Badminton Confederation. Disciplinary bodies have the power to make decisions and impose sanctions in the areas established in the Statutes of the Confederation.

5.12 Active Member – It is a Member Association that does not have any outstanding debt or penalty with the Confederation and/or the Badminton World Federation.

5.13 Official – It is any person (paid or unpaid) who is an employee, office holder (including a nominated candidate) or representative of the Confederation; who exercises functions; who is a technical official; or who is part of the workforce in any Tournament.

5.14 Player – It is any player who enters or participates in any badminton Tournament..

5.15 Quorum – It is the number of Active members required for the General Meeting of Members (Clause 9.3.4) or the Board of Directors (Clause 16.2) to meet.

5.16 Related Person – It is any coach, trainer / instructor, therapist, physician, administrative representative, agent, family member, tournament guest, business partner, or other person affiliated or associated with any Player, or any other person receiving accreditation in a badminton Tournament at the request of a Player or any other Related Person.

5.17 Tournaments – These are the badminton tournaments recognized by the Badminton World Federation and belonging to the Confederation in accordance with the General Competition Regulations (BWF Statutes, Section 5.1) and the Para Badminton General Competition Regulations (BWF Statutes, Section 5.5).

5.18 Valid Proposal – It is a proposal to an AGM that a) has been submitted in writing by an Active Member, b) reaches the Chief Operating Officer within the deadlines for the submission of proposals under Article 9.1.5, c) is seconded by a different Active Member, and d) is within the competence of the AGM.

5.19 Votes Cast – Voting can be by (i) raising hands (ii) paper based voting slips or (iii) by electronic means. Voting may be by open ballots or secret ballots. Blank voting slips, blank pieces of paper and void voting papers are not Votes Cast. Abstentions do not count as Votes Cast, Voting majorities shall be calculated only on the basis of a Vote Cast. .

5.20 Words referring to persons in the Statutes include corporations and all legal persons, including any entity or body.

5.21 Words referring to the masculine gender in the statutes include the feminine gender.

5.22 Any deadline mentioned in the Statutes shall refer to midnight on the day of the deadline in the time zone of the Confederation's city of domicile.



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6. SECTION 2 – MEMBERSHIP

6.1 The Member may be a Member Association or Associate Member, having the same status as a Member Association or Associate Member of the Badminton World Federation, based on their geographical proximity to the Pan American Region.

6.2 For quorum requirements and vote count, Member Associations will be grouped into four regions: North America, Central America, South America and the Caribbean. Members belong to the Region corresponding to their geographical location.

The membership to a given region will be listed in the Register of Members.

6.3 The General Meeting of the Confederation may suspend a Member Association or Associate Member of the Confederation from their Member status if that Member seriously compromises the interests of the Confederation.

6.4 The suspension of a member of the Confederation shall have the following consequences:

6.4.1. Not being able to participate in a Confederation General Meeting.

6.4.2. Not being able to submit proposals or nominations to the AGM.

SECTION 3 – GOVERNMENT

7. STRUCTURE

7.1 The governing bodies of the Confederation are:

- General Meetings: the Annual General Meeting (AGM) or the Extraordinary General Meeting (EGM).
- The Board of Directors

8. GENERAL MEETINGS

8.1 The Confederation shall be governed by a General Meeting, which is the supreme body for decision making, which may be held virtually or in person. The Member Associations and Associate Members shall attend the General Meetings represented by delegates appointed in accordance with the provisions of these Statutes.

8.2 A General Meeting may take decisions on duly notified proposals that appear on the agenda distributed to Member Associations and Associate Members.

8.3 Non-face-to-face sessions may be convened by electronic or other means of a similar nature that allow obtaining proof of receipt.

9. ANNUAL GENERAL MEETING

The Annual General Meeting (AGM) shall be held not later than July 31 of each



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year. The date, place and manner of format (face to face or virtual) of the AGM will be determined by the Board of Directors.

9.1 **AGM Notification and Deadlines**

9.1.1 The Chief Operating Officer must send the AGM notification to members at least twelve (12) weeks prior to the date set for the AGM.

9.1.2 AGM notifications must be sent by email to each Member Association, Associate Member, Honorary Member and member of the Board of Directors to the address duly registered in the Register of Members.

9.1.3 AGM notifications must include: a) the date and time of the AGM; b) the place; and c) the closing date for the submission of proposals and, if applicable, nominations for elections.

9.1.4 The Board of Directors may decide to hold a non-face-to-face AGM using technological or telematic means, which allow Members to participate and exercise their rights.

9.1.5 The closing date to submit proposals and nominations for elections is up to eight (8) weeks prior to the date of the AGM.

9.1.6 The Agenda of the AGM, including: a) proposals submitted by Active Member Associations and seconded by another Active Member Association, b) proposals made by the Board of Directors, c) annual reports, and d) any nominations for elections submitted by Active Member Associations and seconded by another Active Member Association before the deadline, must be sent to Members not later than four (4) weeks prior to the date of the AGM.

If the proposals and/or nominations referred to in Article 9.1.5 are not sufficiently clear and/or are not in accordance with Articles 9.4.4 to 9.5.11, amendments may be made to such proposals in consultation with the proposer within two (2) weeks of the agenda being sent at the latest.

9.2 **The duties of the Annual General Meeting are:**

9.2.1 Approve the Minutes of the last Annual General Meeting and any Extraordinary General Meeting held since the last AGM.

9.2.2 Receive the report of the Board of Directors.

9.2.3 Receive the strategic plan of the Confederation once every four years.

9.2.4 Receive and approve the accounts, balance sheet and audited financial statements of the Confederation from the previous fiscal year.

9.2.5 Appoint the auditors for the current year.

9.2.6 Consider and deal with any proposal included in the Agenda.



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9.2.7 Elect the members of the Board of Directors when appropriate.

9.3 **Development of the Meeting**

9.3.1 The President of the Board of Directors of the Confederation shall act as Chairman of the Meeting at all Annual General Meetings. In the absence of the President, the Deputy President shall act as Chairman of the Meeting, and, in the absence of both, the Annual General Meeting shall elect the Chairman for that Meeting.

9.3.2 Annual General Meetings shall be held in accordance with the Statutes.

9.3.3 The Chairman of the Meeting shall take the final decision on all points of order and form, but shall not have the power to decide on matters of substance.

9.3.4 There shall be quorum for the Annual General Meeting with the representation of more than half of the Active Member Associations, where at least one is a Member Association from North America, another is a Member Association from Central America, another is a Member Association from the Caribbean and another is a Member Association from South America.

9.3.5 If there is no quorum at the time of roll call and after one hour, the meeting may be held in the presence of any number of Active Member Associations.

9.3.6 Except otherwise indicated, all matters shall be decided by a simple majority of the Votes Cast by the Active Member Associations.

9.4 **Proposals**

9.4.1 Notification of any proposal for the Annual General Meeting by any Active Member Association must be submitted in writing, seconded by a different Active Member Association, and sent directly to the Chief Operating Officer so that it reaches the President of the Confederation no later than the date mentioned in Article 9.1.5.

9.4.2 The Board of Directors shall have the right to make proposals for the General Meeting until the same deadline indicated in Article 9.1.5. The proposals of the Board of Directors do not have to be seconded by any Member Association.

9.4.3 Any proposal received until the corresponding date and that is within the competence of the AGM must appear on the agenda of the meeting.

9.4.4 Before submitting the proposal in accordance with the Statutes, the Chief Operating Officer, together with the proponent, must ensure that the proposal is written in such a way that it is clear enough so that, if accepted by the Annual General Meeting, it may be incorporated, if applicable, directly into the Statutes.

9.4.5 The Chairman of the Meeting shall not accept any amendment that alters the meaning or intent of the original proposal during the General Assembly,



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unless it was sent directly to the Chief Operating Officer of the Confederation at least two weeks before the AGM.

9.4.6 The Chief Operating Officer, together with the author of the proposed amendments, must ensure that the amendments are clearly written and understandable.

9.4.7 The Board of Directors shall submit amendments to other related clauses that may be affected by the original proposal or its amendments so that the Annual General Meeting takes the consequences into account in case the Meeting accepts the proposal.

9.4.8 The Chief Operating Officer shall send notice of any amendments received, as specified in Articles 9.4.5 through 9.4.7, 10 days prior to the meeting at which the proposal will be considered.

9.5 **Representation and Voting Strength**

9.5.1 Each Active Member Association has the right to nominate a maximum of two delegates to represent it at each General Meeting.

9.5.2 The delegate may be the president or any other current director of the Board of Directors of the Member Association, or it may be an employee or officer of the association with a working seniority of at least 12 months in the Association that nominates this person.

9.5.3 If the Member Association nominates two delegates, it shall appoint one as the Voting Delegate, who shall cast all votes on behalf of the Member Association at the meeting.

9.5.4 Both delegates of the same Member Association shall have the right to speak, but neither shall be allowed to second a proposal made by the other delegate of the same Association.

9.5.5 The name, role in the Member Association and contact information of each delegate shall be sent in writing to the Chief Operating Officer of the Confederation. The Chief Operating Officer of the Confederation shall receive all the information no later than 48 hours prior to the start time of the Meeting.

9.5.6 Delegates must have the citizenship (passport) or 12 months of residence in the territory of the Member they represent. When in doubt in regards to the compliance of the appointment of the delegate, the delegate is responsible for proving his/her position in the Member in question to the satisfaction of the Chief Operating Officer.

9.5.7 Each Active Member Association shall be entitled to one vote, and a Member Association shall not be allowed to grant power of attorney for another Member Association to represent it at the General Meeting.

9.5.8 Each delegate may represent a single Member Association at the



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General Meeting. Therefore, no delegate may cast votes on behalf of more than one Member Association.

9.5.9 Associate Members shall be entitled to the same representation as Member Associations at General Meetings, except that they shall not vote. In other respects, representation shall be governed by Articles 9.5.5 and 9.5.6.

9.5.10 The members of the Board of Directors shall have the right to attend and speak at the AGM; however, they shall not have the right to vote, unless they are delegates of an Active Member Association.

9.5.11 The Chief Operating Officer shall have the right to attend and speak at the General Meetings.

9.6 **Observers**

The Chairman of the Meeting has the authority to allow observers to attend the General Meeting. With the permission of the Chairman of the Meeting, such observers may take the floor.

10. EXTRAORDINARY GENERAL MEETING

10.1 One tenth of the Active Member Associations, the Board of Directors, or the President of the Board of Directors may request to convene an Extraordinary General Assembly (EGM).

10.2 The procedure and period of time to convene the EGM shall be the same as for the Annual General Meeting in accordance with Article 9.

10.2.1. If a General Meeting is held between November, when the Badminton World Federation issues the subscription receipts (dues), and January 31 of the following year, the expiration date of such subscriptions (dues), the Member Associations that have paid the BWF subscription (dues) of the current year shall be considered Active for the meeting.

10.3 The notification must specify the issue for which the meeting is convened, and no other issue shall be dealt with in the meeting.

10.4 The procedures to hold the EGM shall be the same as for the Annual General Meeting.

10.5 The topics covered in an EGM may not be dealt with again until a period of 12 months has elapsed, unless authorized by the Board of Directors.

11. STRUCTURE OF THE BOARD OF DIRECTORS

11.1 The Board of Directors is the body responsible for the administration and representation of the Confederation.

11.2 The Confederation shall have a Board of Directors, elected in the AGM, composed of 8 members who shall be elected as indicated in Article 12.



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11.3 The members of the Board of Directors of the Confederation shall be elected in the AGM to hold the following positions:

- President;
- Deputy President;
- Four Vice Presidents: Vice President for North America, Vice President for South America, Vice President for Central America, Vice President for the Caribbean;
- BWF Vice President, representative of the Pan American Region before the Executive Board of the Badminton World Federation.

11.4 In addition, the Board of Directors shall include as ex officio members:

- Any other elected by the BWF to represent the interests of the Pan American Region, granting them the right to vote.
- Two persons proposed by the President and elected by the Board of Directors itself in order to collaborate in the management of the Board of Directors in certain aspects that will be indicated at the time of their appointment. These directors shall participate in the meetings of the Board of Directors with the right to speak, but not to vote.

12.ELECTION OF THE BOARD OF DIRECTORS

The election of the members of the Board of Directors for the positions of President, Deputy President and four Vice Presidents shall be made in that order in the AGM of the year in which the Pan American Games are held. In this election, two of the elected members must be of the opposite gender.

In the AGM of the year before the Summer Olympic Games are held, the BWF Vice President shall be elected to represent the Confederation as Vice President of the Pan American Region before the BWF Council.

Vice Presidents must come from the Region they represent.

No more than two members of the same nationality may be part of the Board of Directors.

12.1 Nominations

12.1.1 Any Active Member Association or the Board of Directors may propose members for the Board of Directors as long as it complies with the procedure provided in these Statutes.

12.1.2 The nomination shall have the names of the nominees, their proponents, their seconds, and a brief summary of their qualifications shall appear on the agenda of the AGM in which the election will take place.

12.1.3 Nominations shall be seconded by an Active Member Association other than the proponent. Nominations must be seconded in writing and sent to the Confederation no later than the date referred to in Article 9.1.5.



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12.2 Elections

12.2.1 When the results of any election are announced, the number of votes cast for each candidate shall be indicated.

12.2.2 Directors shall take office immediately after their election in the relevant General Meeting.

12.2.3 The members of the Board of Directors shall remain in office for a period of four years, and members shall be eligible for re-election up to a maximum of three consecutive terms in the same position.

13. REMOVAL

13.1 The General Meeting may remove from office any of the members of the Board of Directors at any time.

13.2 The removal from the position of member of the Board of Directors shall be the result of a formal proposal for which due notification has been delivered.

13.3 The Board of Directors shall be authorized to suspend its members from office until the next meeting is held in order to deal with the removal.

14. CASUAL VACANCY

14.1 If for any reason any of the members of the Board of Directors is unable to complete their term, the Board of Directors itself must appoint a provisional replacement until the Annual General Meeting is convened.

14.2 In the next General Meeting to be held after the vacancy or removal from office of a member of the Board of Directors, a successor shall be elected for the remaining time to complete the term of the member who ceased or whose position became vacant.

14.3 Except for the provisions in Article 13, elected directors shall remain in office until they complete the term for which they were elected and are replaced in the relevant Annual General Meeting.

15. ROLES AND RESPONSIBILITIES OF THE BOARD OF DIRECTORS

15.1 The Board of Directors is the body of the Confederation responsible for the administration of the Confederation.

The role of the Board of Directors is:

15.1.1 To fulfill the objectives of the Confederation.

15.1.2 To implement the decisions of the General Meetings.

15.1.3 To defend and ensure compliance with the Statutes.

15.1.4 To determine the Committees, their members, their duties and the duration of the position of the members of the Committee.



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15.1.5 To appoint those responsible for the competitions of the Pan American Championship and/or other activities that the Confederation will organize or sponsor.

15.1.6 To determine the regulations, codes, guidelines and policies that are not within the competence of the AGM, communicate them to the relevant stakeholders, and publish them on the website of the Confederation.

15.1.7 To propose candidates to form a Disciplinary Tribunal that shall be elected by the General Meeting.

15.1.8 To decide who will deal with any issue that may arise as to the interpretation of the Statutes of the Confederation. The decision shall be final.

15.1.9 To oversee the administrative and financial operations of the Confederation, including undertaking activities to generate income, receive donations, and make purchases.

15.1.10 To develop and approve a four-year strategic plan, as well as monitor its progress in accordance with objectives and performance indicators.

15.1.11 To receive reports from the Committees, Disciplinary Tribunal, and any Committee or Working Group that has been formed.

15.1.12 To prepare audited financial statements and circulate them to the countries of the Member Associations together with the documents for the AGM.

15.1.13 To make proposals for the AGM.

15.1.14 To appoint a Chief Operating Officer, who will be responsible for the direction and management of the offices and personnel of the Confederation.

The aforementioned powers are not restrictive. The Board of Directors has all the powers under the Statutes that have not been specifically granted to the General Meeting.

15.2 The Confederation shall assume all expenses as per the Statutes which are incurred by the members of the Board of Directors while carrying out their duties and shall also compensate them, if necessary, for any damage suffered during the exercise of their functions.

15.3 The compensation referred to in Article 15.2 shall not apply in the event of negligence, intentional misconduct or fraud in the exercise of their functions.

16. FUNCTIONING OF THE BOARD OF DIRECTORS

16.1 The President and the Deputy President shall assume the role of Chairman and Deputy Chairman of the Board of Directors, respectively.

16.2 The quorum for all meetings of the Board of Directors shall be half of the members.



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16.3 Decisions shall be taken by a simple majority.

16.4 The right to vote belongs to the elected members of the Board of Directors, such as the President, Deputy President, Vice Presidents representing the Regions, as well as the BWF Vice Presidents who join the Board of Directors as members. In the event of a tie, the President has the casting vote.

16.5 The Board of Directors shall meet as often as necessary.

16.6 Non-face-to-face meetings of the Board of Directors are permitted. Decisions may be made by email, teleconference, or video call. Resolutions adopted in this way must be recorded in the corresponding Minutes, with the quorum and majority established in Articles 16.2. and 16.3

17. ROLE OF THE PRESIDENT

17.1 The President shall act as Chairman in the meetings of the Board of Directors. In the absence of the President, the Deputy President shall preside over the meeting. In the absence of both, the other members shall elect the Chairman.

17.2 The President shall lead the Board of Directors and may take decisions, within the policies approved by the Board of Directors, in case of urgent matters. Such decisions shall be immediately communicated to the Board of Directors and reported in the next meeting of the Board of Directors.

17.3 The President shall represent the Board of Directors on matters related to the Members, Continental Confederations, IOC, ASOIF, PASO, WADA and other entities.

17.4 The President of the Board of Directors shall act as the legal representative of the Association before all types of Authorities, Branches and Judges, and shall have the following powers:

17.4.1 Order to convene General Meetings as per the Statutes, both Annual and Extraordinary.

17.4.2 Convene meetings as per the Statutes, set the agenda, and propose the resolutions of the Board of Directors.

17.4.3 Chair General Meetings and the meetings of the Board of Directors.

17.4.4 Order validly agreed payments.

17.4.5 Sign, together with the Deputy President, the minutes of the General Meetings and the meetings of the Board of Directors, as well as any certification issued by the Chief Operating Officer.

17.4.6 Resolve, in case of emergency and provisionally, issues that fall within the scope of the functions of the Board of Directors, which must be reported in the next meeting to be held.



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18. ROLE OF THE DEPUTY PRESIDENT

The role of the Deputy President shall be to act in the role of President in the event of vacancy, absence or illness of the President; and to represent the President when he cannot be present for whatever reason.

19. ROLE OF THE VICE PRESIDENTS

The role of the Vice Presidents shall be as follows:

19.1 Act as Deputy President of the Confederation in case the Deputy President is absent or unable to exercise his functions.

The Regional Vice President shall be chosen in order of seniority, with the one serving the longest in his or her position in the Confederation being chosen first to hold office. If a difference cannot be established based on this criterion, the eldest shall be chosen.

19.2 Perform the tasks assigned by the President of the Board of Directors for the benefit of the Confederation.

19.3 Advocate for and support the activities and programs of the Confederation in his or her region.

19.4 Participate in the different Committees of the Confederation in which he is appointed by the Board of Directors.

19.5 Represent the Confederation in the Regional Championships in his or her region if necessary and with prior approval by the Board of Directors.

20. ROLE OF DIRECTORS

The role of the directors shall be those assigned to them at the time of their appointment.

21. LIFE HONORARY VICE PRESIDENTS

The Annual General Meeting shall have the power to elect Life Honorary Vice Presidents in recognition of their services provided in the past.

Nominations can be made by the Board of Directors or any Active Member Association, and must have the support of the Board of Directors in order to be submitted to the AGM.

Nominations must reach the Chief Operating Officer of the Confederation, in accordance with Article 9.1.5, as they must appear on the respective agenda of the General Meeting.

22. PERSONNEL OF THE CONFEDERATION

The Confederation shall have the necessary personnel to fulfill its activities.



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The Board of Directors shall appoint a Chief Operating Officer, who will be responsible for the effective day-to-day management of the Confederation, within the policies and objectives approved by the Board of Directors.

The role of the Chief Operating Officer is as follows:

- 22.1 To be responsible for the administration of the office and personnel of the Confederation, as well as to direct and manage the day-to-day operations of the Confederation.
- 22.2 Administer the daily correspondence of the Confederation and, when necessary, with the advice of the President.
- 22.3 Issue, together with the President, any requested certification.
- 22.4 Assist the President in preparing the agendas for the Board of Directors and the AGM, as well as deliver all meeting notifications and meeting-related communications.
- 22.5 Direct the administrative work of the Confederation.
- 22.6 Coordinate working relations with the Badminton World Federation, and provide the necessary support to the Confederation.
- 22.7 Process, coordinate and enter into all kinds of agreements, contracting services and purchasing goods for the Confederation and the proper fulfillment of its purposes, immediately advising the President.

23. FINANCES

- 23.1 The fiscal year of the Confederation coincides with the calendar year and will close on December 31 of each year.
- 23.2 The Board of Directors shall ensure that the annual financial statements are prepared and audited as soon as possible after the end of the fiscal year, but not later than ninety (90) calendar days from the beginning of the following fiscal year.
- 23.3 The Board of Directors shall appoint a qualified auditor to audit the accounts of the Confederation.
- 23.4 The Confederation may have more than one bank account in any country and in any currency, as decided by the Board of Directors.
- 23.5 The Board of Directors shall decide on the signatories of the bank accounts.

24. JUDICIAL PROVISIONS

24.1 Jurisdiction

Covered Persons shall recognise and accept the following:

- 24.1.1 the Pan American Badminton Confederation Statutes and their mandatory nature;



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24.1. 2 Pan American Badminton Confederation's authority within its sphere of activity concerning Badminton in the region of (continent) including its jurisdiction and its right to make decisions and impose sanctions based on the Pan American Badminton Confederation Statutes;

24.1.3 that the BWF judicial bodies and CAS are the only competent judicial authorities external to Pan American Badminton Confederation in respect of Pan American Badminton Confederation and its Statutes, to the exclusion of any ordinary court of law, any civil judicial authority of any country and any other arbitration body;

24.1.4 the requirement to abide by the decisions of Pan American Badminton Confederation, BWF and/or CAS without attempting to hinder their application.

24.2 Application of BWF Statutes

In addition to the Pan American Badminton Confederation Statutes, Covered Persons are bound by:

24.2.1 The BWF Judicial Procedures;

24.2.2 The Badminton Code of Ethics; and

24.2.3 The BWF Codes of Conduct (BWF Statutes, Section 2.2), except where Pan American Badminton Confederation has opted out.

24.2.2.1 If Pan American Badminton Confederation wishes to opt out of the BWF Codes of Conduct, the Pan American Badminton Confederation (General Meeting) shall be the competent body for the following:

(a) Section 2.2.1 – Candidates for Election Code of Conduct

(b) Section 2.2.2 – Elected Officials Code of Conduct.

24.2.3.2 The Pan American Badminton Confederation Board shall be the competent body to opt out of all other BWF Codes of Conduct.

24.3 Judicial Authority

24.3.1 The following bodies of the Pan American Badminton Confederation have judicial powers in accordance with the Pan American Badminton Confederation Statutes:

24.3.1.1 The General Meeting;

24.3.1.2 The Board of Directors;

24.3.1.3 The Judicial Panel

24.3.2 The judicial bodies have the power to make decisions and impose penalties in their areas of duty set out in the Pan American Badminton Confederation Statutes.

24.3.3 Potential breaches of the BWF and the Pan American Badminton Confederation Statutes shall be processed in accordance with the BWF Judicial Procedures.



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24.4 Judicial Procedures

24.4.1 Judicial bodies recognise and shall follow the procedures and principles as set out in the BWF Judicial Procedures.

24.4.2 Pan American Badminton Confederation judicial bodies shall provide fair procedures to all parties involved and shall respect their fundamental rights.

24.4.3 All processes undertaken shall respect the following principles:

24.4.3.1 Presumption of innocence;

24.4.3.2 Right to a fair hearing, within reasonable time, by an impartial hearing panel;

24.4.3.3 Right to be represented by lawyer;

24.4.3.4 Right to be informed of nature and cause of charges, as well as the possible consequences;

24.4.3.5 Right to call witnesses and give evidence in his/her defence;

24.4.3.6 Right to have an interpreter; and

24.4.3.7 Right to a timely, written, reasoned decision;

24.4.3.8 Right to appeal a decision where such decision is appealable under the BWF Judicial Procedures.

24.5 Judicial Panel

25.5.1 The Judicial Panel shall have general jurisdiction on any dispute that is not governed by the BWF Judicial Procedures. In particular, it shall be responsible for hearing and deciding on potential breaches of the Pan American Badminton Confederation Statutes related to governance matters.

25.5.2 The Judicial Panel shall be composed of five members appointed by the Board of Directors. Two members shall be Pan American Badminton Confederation Board of Directors members (elected or appointed) and the other three shall be external and independent of Pan American Badminton Confederation. The three external and independent members of the Pan American Badminton Confederation shall have knowledge of sports law and governance.

25.5.3 The members of the Judicial Panel shall serve a four year term. Casual vacancies shall be filled by Board of Directors as and when required.

25.5.4 The Board of Directors shall appoint a Chair from the two Council members on the Judicial Panel.

25.5.5 The Chair of the Judicial Panel shall appoint three members of the Judicial Panel to form a hearing panel to hear a particular case. One member shall be from the two Council representatives and the other two shall be selected from the external members on the Judicial Panel.



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25.5.6 Decisions of the Judicial Panel are final at the (CC) level and may only be appealed through the appeal routes set out in the BWF Judicial Procedures as “CC Governance cases”.

24.6 Sanctions

24.6.1 The Judicial Panel shall have the power on behalf of Pan American Badminton Confederation to impose penalties, within Pan American Badminton Confederation’s competence, on any Covered Person who acts against the interest of Pan American Badminton Confederation , who breaches the Pan American Badminton Confederation Statutes, or who fails to comply with a decision by Pan American Badminton Confederation or any of its bodies.

24.6.2 The following penalties may be imposed by a Judicial Panel on Covered Persons:

- a) Reprimand;
- b) Suspension of Officials and Related Persons;
- c) Dismissal;
- d) Venue Exclusion Order;
- e) Fine; and
- f) Administrative Fines and Administrative Sanctions;

25. STATUTORY AMENDMENTS

These Statutes may be amended in the General Meeting if the proposal has been duly notified.

Amendments require a two-thirds (2/3) majority of the Votes Cast in the General Meeting in which the proposed amendment has been submitted for consideration.

Amendments to the Statutes shall take effect the day after the General Meeting in which the amendments were approved, unless it is decided that there are conditions for their implementation to be postponed.

26. ECONOMIC REGIME

The Confederation shall have its own assets.

The economic funds necessary to satisfy its purposes are the following:

1. Funds provided by the BWF for the operation of the Confederation.
2. Income and profits from the assets and rights that correspond to it.



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3. Donations, inheritances, legacies or grants that can be legally received.
4. Income obtained through legal activities that are within the purposes of the Statutes.

27. DISSOLUTION OF THE CONFEDERATION

The Confederation may be dissolved if resolved by the General Meeting convened for that purpose and for the reasons established in the legislation.

In the event of dissolution, the attendance of two-thirds (2/3) of the Member Associations is required, and the dissolution must be approved by a four-fifths (4/5) majority of the Votes Cast.

Any assets held by the Confederation shall be transferred to the BWF. If the BWF no longer exists, all its assets would then be transferred to another institution with purposes similar to those of this association.

The Confederation may not be dissolved unless such dissolution is carried out in an Extraordinary General Meeting convened especially for that purpose. Dissolution must be approved by a four-fifths majority of the votes cast, and at least one country from each of the four regions must be present.