



CONTENTS

SECTION 1 – GENERAL PROVISIONS

1. Purpose	2
2. Applicability	2
3. Definitions	2
4. Initiating Disciplinary Procedures	4
5. Investigations	5
6. Referrals	8
7. Rights of the Accused Person	8
8. Proof – Burden and Standard of Proof	9
9. Confidentiality	9

SECTION 2 – DISCIPLINARY HEARINGS

10. Administrative Fine Procedure	10
11. Disciplinary Hearing Panel	10
12. Ethics Hearing Panel	11
13. Disciplinary Process by a Hearing Panel	12

SECTION 3 – APPEALS

14. Applicability	15
15. Appeals Panel	16

SECTION 4 – PENALTIES AND FINANCIAL COMPENSATION

16. Penalties and Financial Compensation	17
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APPENDIX – FLOW CHART

Flow Chart – Case Type / Streams	18
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SECTION 1 – GENERAL PROVISIONS

1. PURPOSE

- 1.1 To ensure fair, transparent, systematic and consistent application of principles and procedures covering reporting, investigations, referral, respondent rights, hearings and appeals.
- 1.2 To control how disciplinary action is administered by Disciplinary Committees, Disciplinary Hearing Panels, Ethics Hearing Panels and Appeals Panels.

2. APPLICABILITY

- 2.1 These Regulations are applicable to all Covered Persons.
- 2.2 These Regulations are not applicable to doping related cases which are dealt with under the BWF Anti-Doping Regulations.

3. DEFINITIONS

- 3.1 **Appeals Panel Procedural Head:** the person appointed by Council according to clause 15.3.
- 3.2 **CAS:** refers to Court of Arbitration for Sport.
- 3.3 **Covered Person:** refers to any Member, Continental Confederation, Elected Official, Commission or Working Group member, Staff, Player, Related Person or Tournament Support Personnel.
- 3.4 **Decision:** refers to a decision by the Disciplinary Hearing Panel, Ethics Hearing Panel or Appeals Panel.
- 3.5 **Demand:** refers to a written demand for information issued by the BWF to any Covered Person.
- 3.6 **Disciplinary Hearing Panel:** refers to any disciplinary hearing panel formed under BWF rules, such as the Standing Disciplinary Committee forming a Disciplinary Hearing Panel or a specific Disciplinary Hearing Panel as appointed by Council from time to time to deal with cases defined in clause 6.2.
- 3.7 **Disciplinary Process:** means that process defined under SECTION 1, clauses 4.1-4.8.11 of these Regulations.

- 3.8 **Elected Official:** means a person elected to Council or a person elected to the Athletes' Commission or Para-Badminton Athletes' Commission.
- 3.9 **Ethics Hearing Panel:** means a hearing panel made up of persons from the External Judicial Experts Group dealing with cases defined in clause 6.1.
- 3.10 **External Judicial Experts Group:** means a group of external experts appointed by Council, where the chair of the External Judicial Expert Group shall select the appropriate number of people to sit on the Ethics Hearing Panel or a Doping Hearing Panel to hear a case.
- 3.11 **Event:** refers to badminton tournaments sanctioned by the BWF and any other international badminton event in which Players participate.
- 3.12 **Hearing:** refers to a hearing before a Disciplinary Hearing Panel, an Ethics Hearing Panel or an Appeals Panel. Hearing means a judicial process where an individual, Member or other body has an opportunity to present evidence to support their case and to discover what evidence exists against him or her. A hearing can be conducted as a meeting with physical presence of the parties, but a hearing can also be conducted as a teleconference, Skype call or similar communication method. Written hearing documents (written reports and evidence) that are made available for all parties to comment on will also be considered to constitute a hearing process.
- 3.13 **Hearing Panel:** A panel formed to conduct a Hearing, such as a Disciplinary Hearing Panel (formed from members of the Standing Disciplinary Committee), a specific Disciplinary Hearing Panel (appointed by Council), an Ethics Hearing Panel or an Appeals Panel. The Doping Hearing Panel is not governed by these rules, but is governed by the Anti-Doping Regulations.
- 3.14 **Member:** refers to BWF Members and BWF Associate Members.
- 3.15 **Notice:** refers to a written Notice sent by the BWF to a Covered Person.
- 3.16 **Player:** refers to any player who enters or participates in any badminton competition, Event or activity organised or sanctioned by the BWF, a Member or any other governing body accepted by the BWF.
- 3.17 **Provisional Suspension:** refers to a provisional period of suspension or ineligibility imposed on a Covered Person by the BWF before a Hearing has taken place.
- 3.18 **Regulations:** mean 1) all regulations governing competitions including but not limited to the General Competition Regulations, the Regulations for BWF Events, and 2) any other Regulations including Anti-Doping Regulations,



Disciplinary Regulations, Appeals Regulations, Code of Ethics and related Codes of Conduct, Award Regulations, Council Procedures and Guidelines and policies which are approved by the Council.

- 3.19 **Referral:** means a recommendation to forward a case to a Hearing Panel for judgement.
- 3.20 **Referral Officer:** refers to the person appointed by Council, independent of the BWF and its bodies who is responsible for deciding in accordance with these regulations on the referral of individual cases to the relevant Hearing Panel, on the imposition of Provisional Suspensions, and as otherwise defined in these regulations.
- 3.21 **Related Person:** refers to any coach, trainer, therapist, physician, management representative, agent, family member, tournament guest, business associate or other affiliate or associate of any Player, or any other person who receives accreditation at an Event at the request of the Player or any other Related Person or a BWF Member.
- 3.22 **Respondent:** refers to the Player, Related Person, Tournament Support Personnel, Member, other body or other person who is alleged to have committed the offence in question.
- 3.23 **Staff:** refers to paid or non-paid staff who are working in any capacity for the BWF or any of the Continental Confederations.
- 3.24 **Standing Disciplinary Committee:** means a group appointed by Council according to Clause 31.1 of the Constitution where the members will be selected to form a Disciplinary Hearing Panel to deal with cases.
- 3.25 **Statutes:** includes the full body of the Laws of Badminton, Competition Regulations, Code of Ethics, Codes of Conduct, the BWF constitution and any Regulations governing the sport of Badminton.
- 3.26 **Tournament Support Personnel:** refers to any tournament director, owner, operator, employee, agent, contractor, tournament volunteer, technical official (referee, umpire, line judge), or any similarly situated person at an Event at the request of Tournament Support Personnel.

4. INITIATING DISCIPLINARY PROCEDURES

- 4.1 The BWF may initiate an investigation or a disciplinary process based on information received on allegations of a breach of the BWF Statutes.

- 4.2 A Covered Person, may only make a submission to the BWF to initiate a disciplinary process to address an alleged breach of the Statutes if it meets the following criteria.
- 4.2.1 The content of the submission must not be a complaint or protest that would ordinarily be dealt with under other procedures under the BWF Complaint Guidelines and Procedures.
 - 4.2.2 Submissions around alleged breaches of the Statutes, unless subject to the Administrative Fines procedure Clause 10.1-10.6), shall be in writing and sent to the Secretary General or President if the allegation involves the Secretary General.
 - 4.2.3 Appeals around alleged breaches must be submitted no later than 60 days after the occurrence of the alleged offence, unless exceptional circumstances exist in the opinion of the Referral Officer (such as when the alleged offence is only discovered at a later time, for example, in connection with irregular match-fixing and betting offences).
 - 4.2.4 Submissions around alleged breaches shall set out the facts, reasons and evidence upon which they are based. They shall include a deposit of \$US100, which amount shall be refunded if the submission around the alleged breach is allowed. Cases initiated by the BWF and any appeal against Administrative Fines do not require such deposit.
 - 4.2.5 Submissions around alleged breaches that do not satisfy the above requirements may be rejected by the Secretary General or President if the allegation involves the Secretary General.
- 4.3 If the submission meets the conditions of Clause 4.2.2 – 4.2.5, the Secretary General or President if the allegation involves the Secretary General shall then refer the case according to Clause 6 to the relevant Hearing Panel or Referral Officer within 14 days from reception of the submission.
- 4.4 The Secretary General, or President if the allegation involves the Secretary General, may on his own initiative and sole discretion choose to conduct an investigation and refer a case to a Hearing Panel according to Clause 6 if information warrants such action.

5 INVESTIGATIONS

- 5.1 Investigations may be necessary to determine whether there is sufficient evidence for a Referral to a hearing panel or to gather further facts where there is a clear breach of the Statutes.



- 5.2 The Secretary General, or President if the allegation involves the Secretary General, may lead investigations, supported as required by Secretariat staff, or may delegate this authority to third parties.
- 5.3 In the course of its inquiry and investigation, the person leading the investigation may access legal counsel or other expert opinion.
- 5.4 All Covered Persons shall cooperate fully with investigations conducted by the Secretary General or his appointed investigators and agents including giving evidence at hearings, if requested.
- 5.5 No Covered Person shall tamper with or destroy any evidence or other information related to any alleged breach of the Statutes.
- 5.6 The Secretary General or its appointed investigators and agents shall have the right to conduct an initial interview and follow-up interviews, if necessary as determined solely by the Secretary General, with any Covered Person in furtherance of investigating the possibility of an alleged breach of the Statutes.
- 5.7 The date and time of all interviews shall be determined by the Secretary General, giving reasonable allowances for Covered Persons tournament, work and travel schedules.
- 5.8 The Covered Person shall have the right to have counsel attend the interview(s).
- 5.9 The interview shall be recorded. The recorded interviews shall be used for transcription and evidentiary purposes and thereafter shall be retained by the BWF for a minimum of 3 years in a secure place.
- 5.10 The Covered Person shall have the right to request an interpreter whose cost shall be borne by the BWF.
- 5.11 Transcripts of the interview shall be provided to the Covered Person, upon request, within a reasonable period of time following the conclusion of the interview.

If the BWF believes that a Covered Person may have committed a breach of the Statutes, the BWF may, if required, make a Demand to any Covered Person to furnish to the BWF any information regarding the alleged Offence, including, without limitation, records relating to the alleged offence (including, without limitation, itemized telephone billing statements, text of SMS messages received and sent, Facebook, Twitter and other social media accounts, banking statements, internet service records, mobile devices and tablets, computers, hard drives and other electronic



information storage devices), and a written statement setting forth the facts and circumstances with respect to the alleged offence.

The Covered Person shall furnish such information within seven (7) business days of the making of such Demand, or within such other time as may be set by the BWF.

5.12 Any information furnished to the BWF shall be:

5.12.1 kept confidential except when it becomes necessary to disclose such information in furtherance of the prosecution of an offence, or when such information is reported to administrative, professional, or judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations

and

5.12.2 used solely for the purposes of the investigation and prosecution of a breach of the Statutes.

5.13 By participating in any BWF activity, a Covered Person contractually agrees to waive and forfeit any rights, defences, and privileges provided by any law in any jurisdiction to withhold information requested by the BWF. If a Covered Person fails to produce such information, the BWF may rule against the Covered Person for a lack of cooperation with the investigation.

5.14 Upon submission of a case to the Referral Officer, the Secretary General may also request for a Provisional Suspension to be imposed on the Covered Person. The Referral Officer shall, if comfortably satisfied that an offence was committed, agree to the Secretary General's request and Provisionally Suspend the Covered Person.

5.15 Once a Covered Person has been Provisionally Suspended the case shall be referred to the relevant Hearing Panel, and the matter shall proceed to an expedited Hearing.

5.16 Each Covered Person shall be determined to be immediately contactable at the most current postal address provided to a Member or other relevant governing body including a Member. Any Notice delivered hereunder to a Covered Person at such address, shall be deemed to have been received by the Covered Person on date of delivery to such address in the confirmation of delivery provided by the courier service company. At its discretion, as an alternative to or in conjunction with the courier delivery, any other method of secure and confidential communication may be used, including, but not

limited to hand delivery, facsimile or e-mail, provided that the burden of proving receipt via such alternative methods shall be on the sending party.

6 REFERRALS

6.1 Referrals to the Ethics Hearing Panel shall in the opinion of the Secretary General, relate to alleged breaches of the following:

- 6.1.1 Betting, Wagering and Irregular Match Results Code of Conduct;
- 6.1.2 Candidates for Elections Code of Conduct;
- 6.1.3 Elected Officials Code of Conduct;
- 6.1.4 Bidding Organisations Code of Conduct
- 6.1.5 Infractions mentioned in the Code of Ethics related to Covered Persons, Candidates for Elections, and Bidding Organisations.

6.2 All other cases, except for doping cases according to the Anti-Doping Regulations, shall be referred to a Disciplinary Hearing Panel as decided by Council.

6.3 Once the inquiry, investigation and consideration of a case defined in Clause 6.1 is complete, the Secretary General shall request the Referral Officer to review the case and evidence and to decide on the Referral of the case to a Hearing Panel.

6.3.1 Following consideration of the evidence by the Referral Officer, the Officer may a) decide to refer the case to an Ethics Hearing Panel, b) decide that there is insufficient evidence and recommend that more investigation and gathering of evidence be conducted, or c) decide that the case is not to be referred to a Hearing Panel.

6.3.2 Should the Referral Officer decide that the case should not be referred to a Hearing Panel, the Secretary General may, in his own right, refer the case to the relevant Hearing Panel.

6.4 Following an inquiry, investigation and consideration related to cases defined in Clause 6.2, the Secretary General shall decide whether to refer the case to a Disciplinary Hearing Panel to hear the case.

7 RIGHTS OF THE ACCUSED PERSON

7.1 In all procedures set out in these Judicial Procedures, the following rights shall be respected:

- 7.7.1 The right to be informed of the charges;
- 7.7.2 The right to know the possible penalties which might be imposed;



- 7.7.3 The right to a fair, timely and impartial hearing either by appearing personally in front of the hearing panel and/or submitting a defence in writing;
- 7.7.4 The right to be accompanied and/or represented; and
- 7.7.5 The right to have a panel which has no conflict of interest in the case being heard.

8 PROOF - Burden and Standard of Proof

8.1 The BWF shall have the burden of establishing that a violation has been committed. The standard of proof in all matters under this Code shall be the balance of probabilities, a standard that implies that on the preponderance of this evidence it is more likely than not that a breach of this Code has occurred.

9 CONFIDENTIALITY

9.1 The principle of confidentiality shall be strictly respected by the BWF during all the procedures. Information should only be exchanged with entities on a need to know basis. Confidentiality must also be strictly respected by any person concerned by the procedure until there is a public disclosure of the case.

SECTION 2 – DISCIPLINARY HEARINGS

10. ADMINISTRATIVE FINE PROCEDURE

- 10.1 An Administrative Fine, such as described in the BWF Code of Ethics and the Table of Offences and Penalties may be imposed immediately when a breach is brought to the attention of the Secretary General, without the necessity to follow the disciplinary procedures.
- 10.2 The Administrative Fine decision must include information on how to appeal.
- 10.3 Administrative fine decisions shall be communicated to the Respondent through the Respondent's Member.
- 10.4 An Administrative Fine can be appealed to a Disciplinary Hearing Panel or the relevant judicial body appointed by Council, except for the fine and fees where it is stated that these are not appealable. Withdrawal fees are not appealable.
- 10.5 An appeal of an Administrative Fine is only valid if it is made to the Secretary General no later than 21 days from receipt of the notification of the fine.
- 10.6 An appeal that does not satisfy the requirements stated in Clause 10.4 and 10.5 shall be rejected by the Secretary General.

11 DISCIPLINARY HEARING PANEL

- 11.1 Council has power to appoint a Standing Disciplinary Committee from where a Disciplinary Hearing Panel will be formed to deal with cases defined in clause 6.2 as they arise. A Disciplinary Hearing Panel will be formed from the Standing Disciplinary Committee unless Council decide to appoint a specific Disciplinary Hearing Panel to deal with a particular alleged offence defined in clause 6.2.

All such Disciplinary Hearing Panels shall deal with disciplinary matters according to the Disciplinary Process defined in Clause 13 of these regulations.

A disciplinary case can be rejected by the Disciplinary Hearing Panel or the Standing Disciplinary Committee chair if:

- The case is solely about a result of a match/Event that is considered to be concluded with the finalization of the match/Event
- The case is considered to be concluded with any fine or sanction already imposed

- The case has not followed the normal procedures of dealing with such cases, e.g. that the case should have been dealt with by a Member.

11.2 The Standing Disciplinary Committee shall comprise the chair, a deputy chair and a minimum of three other members as appointed by Council from where a Disciplinary Panel will be formed. The chair will conduct any Hearing of the Disciplinary Hearing Panel together with two other members of the Standing Disciplinary Committee to be appointed by the chair. In case of a conflict of interest of the chair, then the deputy chair shall conduct any Hearing and appoint the two other members of the Disciplinary Hearing Panel. All members of the Standing Disciplinary Committee or any other specific Disciplinary Hearing Panel shall be appointed by Council amongst the members of Council and/or relevant external experts.

11.3 A member of a Disciplinary Hearing Panel may not be a witness or give written evidence in a particular case, and must not have been an official at a tournament where an alleged offence took place, or a witness to the alleged offence. A member shall have no other conflict of interest that might impact his impartiality towards any of the respondents.

12 ETHICS HEARING PANEL

12.1 The Council has power to appoint persons to an External Judicial Experts Group which shall consist of people independent from BWF and its bodies, and coming from the following groups:

12.1.1 People (preferably a minimum of three people) with legal expertise with the purpose of being selected to sit on the Ethics Hearing Panel (connected to cases defined under Clause 6.1) or on the Doping Hearing Panel (see Anti-Doping Regulations). The chair of the External Judicial Experts Group shall be one of the people with legal expertise.

12.1.2 People with medical expertise (preferably a minimum of two people) and science expertise (preferably a minimum of two people) with the purpose of being selected to sit on the Doping Hearing Panel (see Anti-Doping Regulations).

12.1.3 People with knowledge around badminton governance, ethics and/or criminal/corruption investigations (preferably a minimum of two people) with the purpose of being selected to sit on the Ethics Hearing Panel (connected to cases defined under Clause 6.1).

12.2 An Ethics Hearing Panel to hear a particular case is made up of three (3) people appointed by the chair of the External Judicial Experts Group, who shall appoint a chair of the particular Ethics Hearing Panel amongst the people

defined in Clause 12.1.1 and two (2) other people amongst the people defined in Clause 12.1.1 or 12.1.3.

All such Ethics Hearing Panels shall deal with disciplinary matters according to the Disciplinary Process defined in Clause 13 of these regulations.

- 12.3 A member of an Ethics Hearing Panel may not be a witness or give written evidence in a particular case, and must not have been an official at a tournament where an alleged offence took place, or a witness to the alleged offence. A member shall have no other conflict of interest that might impact his impartiality towards any of the respondents.

13 DISCIPLINARY PROCESS BY A HEARING PANEL

- 13.1 Disciplinary procedures in any Hearing Panel shall be based on the rules of a fair trial and shall respect the fundamental rights of all parties. The Respondent has the right to a timely, fair and impartial Hearing.
- 13.2 The Hearing Panel may consider an alleged offence using only written reports and evidence. In such cases, the Hearing Panel must take its decision based only on the written reports and evidence, and any submission from the Respondent or the Respondent's Member.
- 13.3 The Hearing Panel may conduct the Disciplinary Process without calling a Hearing, but only use written communication or any other means of communication. This shall only be permissible if all members of the appointed Hearing Panel agree that a meeting is not necessary to conduct the proceedings. In this case the Respondent (through the Respondent's Member) must be informed that a Hearing will not be called and that the hearing will only take place through written reports and evidence.
- 13.4 Any Respondent who is alleged to have committed an offence must be informed in writing via their Member of the fact that a Hearing Panel is considering the alleged offence. This written communication must include at least the name of the Respondent, the nature of the alleged offence and the nature of the evidence available.
- 13.5 When a Respondent attends a Hearing, the Respondent shall be entitled to be accompanied by an adviser or representative, together with an interpreter if desired, as Hearing will be conducted in English, the official language of the BWF.
- 13.6 Timescale and venue
- 13.6.1 Except if a Hearing is not called pursuant to Clause 13.3, any Hearing to consider the case by the panel, should be convened as quickly as is

practicable following receipt of evidence of misconduct and at the latest two months after the Disciplinary matter has been brought to the attention of the Hearing Panel chair.

13.6.2 The venue or format for a Hearing shall be set by the Hearing Panel chair. To the extent possible, the venue shall be in the same continent as the Respondent's main residence, but this shall be entirely at the Hearing Panel chair's discretion.

13.7 At a Hearing, any expenses of a Respondent, any adviser or representative, and interpreter, together with the expenses of any witnesses called by the Respondent must be met by the Respondent or the Respondent's Member.

Expenses of the meeting room, administration and travel and subsistence of the Hearing Panel and any persons requested to attend by the Hearing Panel shall be met by the BWF.

13.8 A Hearing shall adhere to the following general principles:

13.8.1 The chair is in charge of the meeting and any rulings on procedure from the chair are binding.

13.8.2 The only people who may be present and speak at the meeting are

- 13.8.2.1 the Hearing Panel
- 13.8.2.2 a Minute Secretary
- 13.8.2.3 the Respondent
- 13.8.2.4 the Respondent's adviser or representative
- 13.8.2.5 an interpreter
- 13.8.2.6 a representative of the Respondent's Member
- 13.8.2.7 a BWF representative responsible for introducing the evidence to substantiate the alleged offence and to ask questions around any defence put forward by the Respondent or the Respondent's adviser or representatives
- 13.8.2.8 any particular witness or experts requested by the Respondent or the BWF.

Observers without the right of speaking may be present at the discretion of the chair.

13.8.3 The chair shall start the meeting by introducing those present and explaining each person's role.

13.8.4 A person selected by the BWF introducing the evidence (who cannot be a member of the Hearing Panel) shall first of all summarise the case against the Respondent and shall then introduce the evidence available. In the case of written evidence, the Respondent through his/her

Member shall be sent a copy a reasonable time in advance of the Hearing.

- 13.8.5 For each piece of evidence, any person involved in the proceedings, except a minute secretary, interpreter or observer, shall have the right to ask questions.

If a witness or expert is called, questions may be asked of the witness or expert and these should be answered truthfully.

- 13.8.6 After the evidence against the Respondent has been presented, the Respondent or the Respondent's adviser or representative may introduce additional evidence or call witnesses or experts.
- 13.8.7 After all evidence and witnesses have been heard, the Respondent or the Respondent's adviser or representative will be given an opportunity to summarise the Respondent's point of view.
- 13.8.8 Similarly, the person selected by BWF according to paragraph 4.8.2 G) will be given an opportunity to summarise an opinion around the case.
- 13.8.9 The Hearing Panel shall deliberate with no other person present and take a decision by vote with a simple majority. The chair shall have a casting vote in the case of equality. The decision (guilty or not, and any sanction applied) shall be announced immediately after it is taken.
- 13.8.10 The decision (guilty or not, and any sanction applied) shall be confirmed in writing as soon as possible after the meeting to the Respondent through the Respondent's Member and shall clearly state the reason for the decision.
- 13.8.11 The decision of a Hearing Panel will be published on the BWF website.
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SECTION 3 - APPEALS

14. APPLICABILITY

14.1 Only the following decisions can be appealed to the Appeals Panel:

- 14.1.1 Hearing Panel decisions (except cases concerning only administrative fines and decisions related to the Anti-Doping Regulations) can be appealed by the Respondent (or the Respondent's Member) and the BWF;
- 14.1.2 Confirmations by a Disciplinary Hearing Panel of Administrative Fines cannot be appealed by the Respondent (or the Respondent's Member);
- 14.1.3 Decisions rendered through the judicial process of a Continental Confederation, where the Continental Confederation rules allow an appeal to be brought to the BWF.
- 14.1.4 Decisions regarding the compliance of Member rules to the Statutes of the BWF, providing that they have first been dealt with in all the relevant judicial bodies of the Member. Other decisions concerning rules of a Member cannot be appealed to the Appeals Panel.

A valid appeal shall delay the execution of the imposed penalty, except for administrative fines imposed or in case of suspension.

14.2 An appeal will only be valid if:

- 14.2.1 It is made in writing (e.g. via ordinary letter or email) and received by the Secretary General within 21 days of the receipt of the relevant decision;
- 14.2.2 The case has gone through the normal judicial processes and relevant judicial bodies described, i.e. having been dealt with by a Hearing Panel or all the relevant bodies in the Continent Confederation and Members;
- 14.2.3 All administrative fines have been paid;
- 14.2.4 It states the grounds for the appeal; and
- 14.2.5 It is accompanied by a deposit of US \$500, which will only be returned if the appeal is successful. In case of rejection of the appeal or trivial or frivolous appeal the deposit will not be returned.

An appeal that does not satisfy the requirements stated in Clause 14.2 shall be rejected by the Appeals Panel Procedural Head save for those brought forward by the BWF itself.

15. APPEALS PANEL

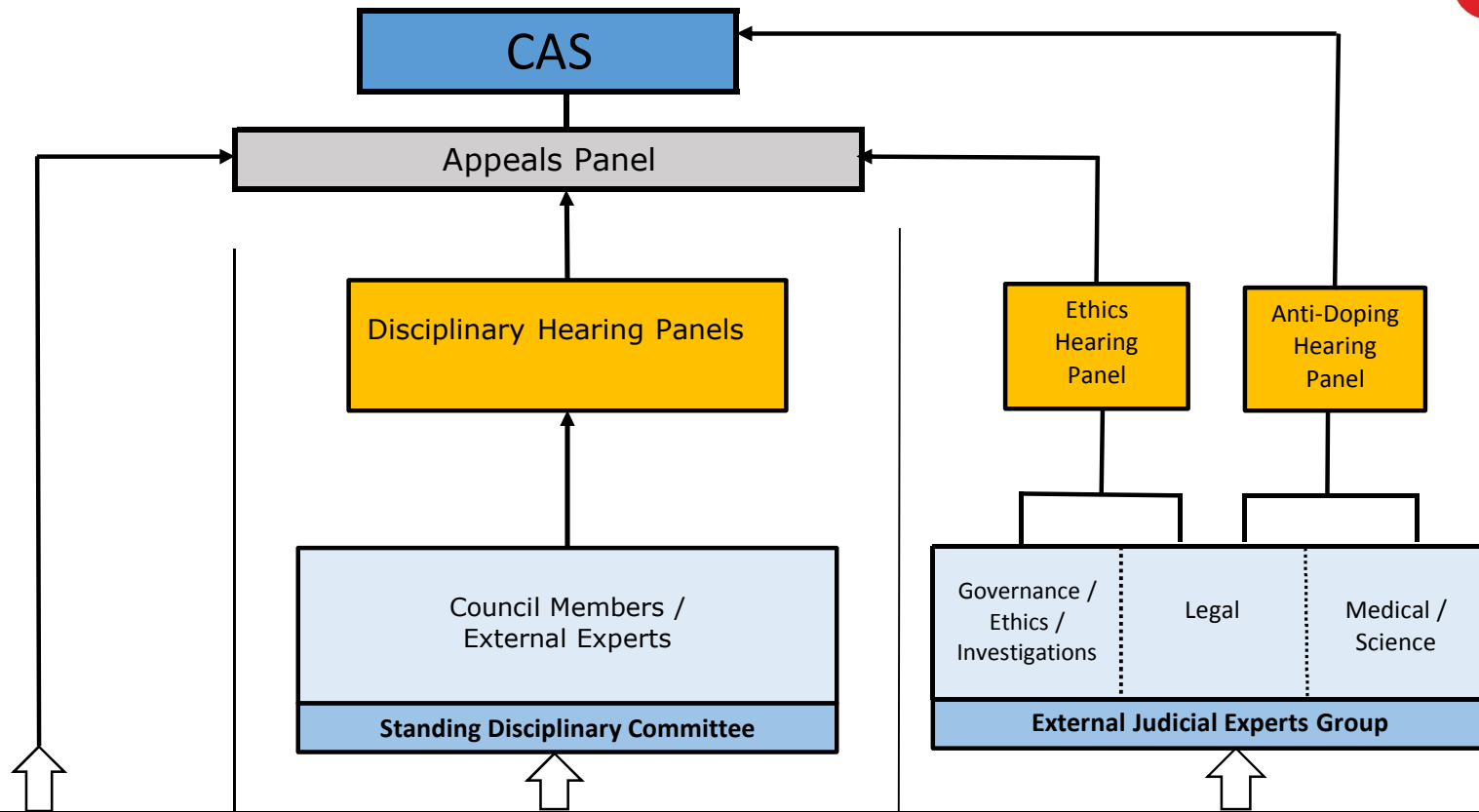
- 15.1 The Appeals Panel for a particular case shall consist of three members, none of whom must have been present in any capacity at any initial Hearing Panel that dealt with the particular case. One member shall be chosen by the Appellant and one member shall be chosen by Council or by the person delegated by Council, no later than 14 days after the receipt of appellant's appeal by the Secretary General. These two members shall in mutual agreement choose the chair of the Appeals Panel. Failing agreement between the parties, the chair shall be drawn by lot from the list of arbiters.
- 15.2 The members of the Appeals Panel shall be chosen from the list of arbiters published by the BWF after appointment by the BWF AGM upon proposal from Council. This list should include at least 2 arbiters from each continent (10) with a maximum of 25 arbiters.
- 15.3 Council shall appoint an Appeals Panel Procedural Head to deal with potential rejections of an appeal according to 14.2. The Appeals Panel Procedural Head shall be appointed from the list of arbiters.
- 15.4 A member of the Appeals Panel may not have an obvious conflict of interest in the appeal presented or towards any party to the appeal. More specifically, the Appeals Panel member may not be linked to the same Member as any party to the appeal or have any family ties with one of the parties
- 15.5 The arbiter named on the list shall not reject his nomination as member of an Appeals Panel, except in case of an existing conflict of interest or if exceptional circumstances arise. An arbiter can request to be removed from the list of arbiters at any time.
- 15.6 The general procedure of the Appeals Panel shall follow that of a Hearing Panel.
- 15.7 An Appeals Panel can reverse a finding of guilt, or can vary the penalty imposed by the original Hearing Panel. Variation of a penalty can be to increase or decrease any element of the penalty, as the Appeals Panel at its sole discretion sees fit.
- 15.8 A further appeal against a decision of the Appeals Panel may only be filed within 21 days of receipt of the Appeals Panel decision and if it is a matter of procedure, interpretation or principle of the case, and must be filed with the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland following the procedures of this Court and its decision will be final.
- 15.9 A disciplinary decision shall be deemed final if there is no appeal or if an appeal was not valid.
- 15.10 The decision of an Appeals Panel will be published on the BWF website.

SECTION 4 - PENALTIES AND FINANCIAL COMPENSATION

16. Penalties and Financial Compensation

- 16.1 The following penalties can be imposed by a Hearing Panels of the BWF:
- 16.1.1 Reprimand;
 - 16.1.2 Exclusion or suspension;
 - 16.1.3 Disqualification;
 - 16.1.4 Ban from competition or from performing a function;
 - 16.1.5 Removal of ranking points;
 - 16.1.6 Return of awarded prizes;
 - 16.1.7 Withdrawal of sanction;
 - 16.1.8 Fine;
 - 16.1.9 Any combination of these penalties, including a combination of an Administrative Fine or other appropriate measure agreed by the Council.
- 16.2 If appropriate, the Hearing Panel concerned may recommend payment of money as financial compensation against those (in particular BWF Members, clubs, associations, players, officials) who have behaved in a negligent or inappropriate manner that has caused financial loss or damage to another party.
- 16.3 Any suspension is from all competitive events for such time as is seen fit, including possibly for life.
- 16.4 Any fine imposed on a Covered Person shall be notified to the Member to which the person belongs that shall have the responsibility for submitting payment to the BWF, within 60 days from the date of that notification.
- 16.5 Penalties related to Elected Officials can include suspension of Council membership for a period, and/or dismissal from Council. Where the penalty is dismissal from Council, Council (other than anyone charged with an offence) votes on the penalty. A simple majority in favour confirms the penalty, while failure to secure a majority causes the penalty to be reconsidered by the relevant Hearing Panel and a new penalty proposed.
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Appendix 1 - Flowchart - Judicial Procedures



Referral Process	N/A	Secretary General	Referral Officer on request from Secretary General
Provision Suspension		Referral Officer on request from Secretary General	Referral Officer on request from Secretary General
Investigation	N/A	Secretary General	Secretary General
Reporting	Secretary General	Secretary General	Secretary General
CASE TYPE	CC -Cases	Withdrawal Penalties	Ethics/Regulations - others
			Ethics Violations - Betting - Elected Officials - Election Candidates - Bidding Organisations
			Doping Violations