



**CONSTITUTION
OF TRINIDAD & TOBAGO
BADMINTON ASSOCIATION**

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CONSTITUTION OF THE TTBA

1.0 NAME

- 1.1 The name of the sport body shall be the **Trinidad and Tobago Badminton Association** (hereinafter called “**the TTBA**”)

2.0 DEFINITIONS AND INTERPRETATION

In this constitution unless the contrary intention appears: -

- 2.1 ‘Board’ means the Board of Officers of the TTBA
- 2.2 ‘Bye-Laws’ means any by-laws made by the Board under **Section 35**
- 2.3 ‘Clear days’ means all the days excluding the first and last days.
- 2.4 ‘Clubs’ means sporting organizations affiliated to the TTBA
- 2.5 ‘Competitions’ means and includes:
- i. Any championship (national or otherwise) organized or conducted by a Member for or on behalf of the TTBA;
 - ii. Any championship or competition (national or otherwise) sponsored by or conducted by or on behalf of the TTBA; or
 - iii. Any international championship or competition at which the TTBA is represented.
- 2.6 ‘Competitor’ means an athlete, sportsman or sportswoman who participates competitively in competition.
- 2.7 ‘Constitution’ means the Constitution for the time being of the TTBA
- 2.8 ‘Court of law’ means the Magistrate’s Court or the Supreme Court of Justice of Trinidad and Tobago.

2.9	'Delegate'	means the person elected or appointed from time to time by a Member to act for and on behalf of that Member and represent it at General Meetings.
2.10	'Financial member'	means a member whose subscription fees have been fully paid for that financial year.
2.11	'Financial year'	means the year ending September 30th each year;
2.12	'General Council'	means the officers and representatives from all members;
2.13	'General Meeting'	means the annual or any special general meeting of the TTBA;
2.14	'Honorary Life Member'	means an individual upon whom Life Membership of the TTBA has been conferred under Section 7 ;
2.15	'Intellectual Property'	means all rights or goodwill subsisting in copyright, business names, trademarks (or signs), logos, designs or patents or marks relating to the TTBA or any event, competition, championship, meeting or sporting activity of or conducted, promoted or administered by or for the TTBA;
2.16	"Mediation"	means that form of non-binding dispute resolution that is facilitated by a third party chosen by the disputants
2.17	'Objects'	means the objects of the TTBA set out in Section 4 ;
2.18	'Officer'	means a member of the Board and includes any person acting in that capacity from time to time for the time being of the TTBA;
2.19	'Official'	means any person elected or appointed to any position within the TTBA or the Members;
2.20	'President'	means the president for the time being of the TTBA;
2.21	'Secretary'	means that officer of the TTBA as defined in Section 17 .

- 2.22 'Special Resolution' means a resolution passed:
- i. At a General Meeting of the Association of which 30 days notice, accompanied by notice of intention to propose a resolution as a special resolution, has been given to the Members in accordance with this Constitution; and
 - ii. By at least three quarters of those Members present whether voting in person or by proxy or unless otherwise stated.
- 2.23 'Zonal Association' means North, South, East, Central, or Tobago Zone or any such geographical zone in which a sporting organization is divided and managed.
- 2.24 In this Constitution, unless the context otherwise requires:
- i. Words importing the singular include the plural and vice versa;
 - ii. Words importing any gender include the other gender;
 - iii. References to a person include the legal personal representatives, successors and permitted assigns of that person;
 - iv. All headings contained in this Constitution are for guidance and do not form part of the substance of the Constitution;
 - v. If any provision of this Constitution or any phrase contained in it is invalid or unenforceable in any court of law, the phrase or provision is to be read down for all purposes, if possible, so as to be valid and enforceable. If it cannot be read down it shall be severed to the extent of the invalidity or unenforceability, without affecting the remaining provisions of the Constitution or affecting the validity or enforceability of that provision.

3.0 PURPOSES

3.1 The TTBA

- i. Is an unincorporated Association.
- ii. Will promote and develop the game of Badminton in Trinidad and Tobago in accordance with the Objects
- iii. Is not carried on for the purpose of profit or gain to its individual members.
- iv. Will strive to secure representation of national teams/representatives on the local, regional and international stages of sport participation

4.0 OBJECTS

4.1 The Objects of the TTBA are to:

- i. Affiliate and otherwise liaise with the Badminton World Federation or its successor or assign and such other bodies as may be desirable to achieve these Objects;
- ii. Conduct, encourage and promote Badminton in and throughout Trinidad and Tobago
- iii. Foster the promotion and administration of Badminton activities through its Members for the mutual and collective benefit of the Members;
- iv. Act in good faith to ensure the sustainability of the TTBA, its standards and reputation for the benefit of the Members and Badminton
- v. Promote mutual trust, respect and confidence between the TTBA and the Members in pursuit of these Objects;
- vi. Arrange and provide for the holding of courses or seminars for the instruction and teaching of Badminton to athletes/sport participants, teachers, coaches, instructors, officials and other administrative personnel;
- vii. Promote the economic and sporting success and stability of the TTBA
- viii. Ensure compliance with the rules and by-laws as amended from time to time of the Badminton World Federation;

- ix. Make Trinidad and Tobago a leading nation in Badminton.
- x. Use and protect the Intellectual Property of the TTBA.
- xi. Collect, distribute and publish information in connection with Badminton;
- xii. Promote national, regional and international meetings, competitions and championships/ conferences held in Trinidad and Tobago.
- xiii. Secure uniformity in such rules as may be necessary or appropriate for the management of Badminton and related activities in Trinidad and Tobago;
- xiv. Advertise and promote Badminton to the widest public.
- xv. Ensure as best as possible the health and safety of all Members;
- xvi. Pursue such sponsorship and marketing opportunities as are appropriate, to further these Objects;
- xvii. Formulate or adopt and implement appropriate policies on sexual harassment, equal opportunity, drugs in sport/drug use among youths, health, safety, and such other matters which may arise as issues to be addressed in Badminton; and
- xviii. Do all that is reasonably necessary to enable these Objects to be achieved and to enable the Members to receive the benefits which these Objects are intended to achieve;
- xix. To promote and encourage non-competitive (social) badminton across Trinidad and Tobago as to increase the membership base and overall popularity as a sport for all. (AGM 2017)
- xx To promote badminton for Special and Para Olympic athletes. (AGM 2017)

5.0 POWERS

- 5.1 The TTBA shall have the following powers:
- i. To become a Member of and co-operate with another association or organization, whether incorporated or not, whose objects are altogether or in part similar to those of the TTBA.
 - ii. To purchase or otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes and objects of the TTBA.
 - iii. To take such steps as may be deemed expedient for the purpose of procuring contributions to the funds of the TTBA in the shape of Donations and annual subscription fees. (AGM 2018)
 - iv. To appoint from time to time and with or without remuneration, agents, attorneys or any persons under power of attorney or otherwise
 - v. To hire and employ staff to terminate their employment and to pay to them and to other persons for services rendered to the TTBA such fees salaries wages gratuities and bonuses as may be thought fit.
 - vi. To undertake and execute any trust which may seem to the TTBA conducive to any of its objects.
 - vii. To exercise jurisdiction over all Members in all matters pertaining to Badminton including discipline, expulsion, suspension, disqualification or otherwise dealing with them.
 - viii. To impose levies or fines.

6.0 INCOME AND PROPERTY

The income and property of the TTBA, from wherever derived, shall be applied solely towards the promotion of the Objects of the TTBA as set forth in this Constitution.

7.0 MEMBERS

7.1.1 There shall be five (5) categories of Membership:

7.1.2 Full Membership, which shall comprise:

Properly Constituted Clubs (as denoted in section 13 of the TTBA Constitution) which take part or historically has taken part (within the last four (4) years) in competition organized by the TTBA. These Clubs must have a minimum membership of 15 financial members. (AGM 2017)

7.1.3 Associate Membership which shall comprise:

Properly Constituted Clubs (as denoted in section 13 of the TTBA Constitution) that do not take part or historically never taken part in competition organized by the TTBA. These clubs must have a minimum membership of 15 financial members. (AGM 2017)

7.1.4 Honorary Life Membership,

comprising persons who have provided long and meritorious service to the TTBA. The Honorary Life Member may only be elected by Special Resolution (75% majority of the General Council) at an Annual General Meeting. A person shall become an Honorary Life Member from the date of the Annual General Meeting at which he/she was elected.

7.1.5 Honorary Membership,

comprising persons who are interested in badminton and desirous in contributing financially or otherwise to the objects of the TTBA. The honorary member may only be elected by special resolution (2/3 majority of the general council) at an Annual General Meeting. A person shall become an Honorary Member from the date of the Annual General Meeting at which he/she was elected. The list of Honorary Members shall be subject to review bi-annually.

7.1.6 Individual Membership,

comprising of persons not affiliated to any club or organizations that are members (full or associate)

7.2 Rights of Members:

7.2.1 Full and Associate Members shall be entitled to:

7.2.2 Attend debate and vote at all Meetings, whether Annual or General.

7.2.3 Nominate and second other members eligible for office

7.2.4 Become an Officer of the TTBA

In the case of Secondary Schools Badminton Association, they shall have rights of representation at General Meetings for the purpose of exercising its aforementioned membership rights.

7.2.5 Honorary Life Members shall be entitled to attend and debate at meetings, with the right to nominate, second, vote or become an Officer.

7.2.6 Honorary Members shall be entitled to attend and debate at meeting, without the right to nominate, second, vote or become an officer.

7.2.7 Individual Members shall be entitled to attend and debate at meeting, without the right to nominate, second, vote or become an officer.

7.2.8 The Board has the right and power from time to time to create new categories of membership with such rights, privileges and obligations as are determined applicable. The Board shall convene a Special General Meeting for the purpose of creating the new category of Membership which creation will require a majority vote. The new category created will not be granted voting rights.

7.3 Register of Members:

7.3.1 Each Full and Associate Member shall maintain in a form and with such details as are required by the TTBA, a register of all their respective individual Members. Each Full and Associate Member shall provide a copy of the register at a time and in a form acceptable to the TTBA and shall provide prompt and regular updates of that register to the TTBA when required by the Board. The Secondary Schools Badminton Association shall maintain in a form acceptable to the TTBA a register of all affiliated Secondary Schools and shall provide a copy of the register annually at the end of the first term of each school year.

7.3.2 Membership regulation (competitor/ Transfers):

No competitor shall represent more than one (1) full member club during the calendar year. Transfers from one club to another shall be done during the months of June and December only. Notifications of all such transfers must be submitted in writing to the TTBA within seven (7) days of the transfer being effected. Transfers must be reflected in both member clubs register.

Bye-Law to Section 7

- i. *Application for new membership (Full, Associate, Individual) shall be made on the prescribed form and submitted to the Secretary.*
- ii. *All Applications must be recommended and Seconded by Full Members.*
- iii. *Approval of New members (Full, Associate, Individual) must be given by a majority vote of the General Council at the AGM, any Special General Meeting or by email Round Robin to each club and approved by the club's President and Secretary (changed AGM 2013)*
- i. *Nominations for Honorary Life Membership and Honorary Membership under 7.1.3 and 7.1.4 respectively shall be received by the Secretary no less than 14 days before the Annual General Meeting at which such membership is to be determined.*
- ii. *The nomination form shall be signed by a nominator and a seconder who must both be Full Members.*
- iii. *Any associate member can apply for full membership once they fulfill the following requirements:*
- iv. *Apply for change of membership on the prescribed form which must be submitted to the Secretary of the TTBA.*
- v. *Enter and play in at least two (2) competitions sanctioned by the TTBA.*
- vi. *Approval can only be given by a majority vote of the General Council at the Annual General Meeting, any Special General Meeting. or by email Round Robin to each Member and approved by the Members' President and*

Secretary (AGM 2013)

- vii. Alteration to membership dues can only be approved by a majority vote at the Annual General Meeting or any Special General Meeting.*
- viii. Any full member who does not take part in any sanctioned competition for a period of four consecutive years will be automatically relegated to an Associate Member.*

8.0 REGISTER OF MEMBERS

8.1 Secretary to Keep Register

The Secretary shall keep and maintain a register of all TTBA Members.

8.2 Inspection of Register

Having regard to privacy and confidentiality considerations, an extract of the register, excluding the address of any member, Officer or Delegate, shall be available for inspection (but not copying) upon reasonable request by a Full Member

9.0 EFFECT OF MEMBERSHIP

- 9.1 Members acknowledge and agree that:
- 9.2 This Constitution constitutes a contract between each of them and the TTBA and that they are bound by this Constitution and any related bye-laws.
- 9.3 This Constitution is made in pursuit of the mutual and collective benefit of the TTBA, the Members and Badminton.
- 9.4 This Constitution and the bye-laws, if any, are necessary and reasonable for promoting the Objects and particularly the advancement and protection of Badminton.
- 9.5 They are entitled to all benefits, privileges and services of TTBA membership.

10.0 DISCIPLINE OF MEMBERS

- 10.1 The Board may refer the following matters for investigation or determination by the Disciplinary Committee which is formed pursuant to **Section 34 (Standing Committees)**:
- 10.2 Breach of Constitution: an allegation or grievance (not being capricious, vexatious or frivolous) by a complainant (who may be, but need not be, a Member) that a Member has:
- i. Acted in a manner unbecoming of a Member or prejudicial to the Objects and interests of the TTBA and Badminton; or
 - ii. Brought the TTBA or Badminton into disrepute.
- 10.3 Breach of Constitution: an allegation or grievance (not being capricious, vexatious or frivolous) by a complainant being a Member that another Member has:
- i. Failed or refused to comply with a provision of this Constitution, the bye-Laws or any other decision, resolution or policy of the Board or duly authorized committee;
- 10.4 Members will be subject to the jurisdiction, penalties and appeal mechanisms of the TTBA set out in this Constitution and its bye-laws.
- 10.5 The Disciplinary committee shall have jurisdiction to hear all matters pertaining to the conduct of Full members, Associate Members, Individual members, officers, officials and players of clubs (AGM 2014)
- 10.6 Members undergoing disciplinary proceedings shall be given an opportunity to be heard.

Bye-Laws to Section 10

There shall be a specific procedure for a Member who faces a disciplinary charge:

- i. *The Disciplinary Committee or someone delegated by it shall conduct an investigation to determine whether an offence has been committed.*
- ii. *The offence, if any, must be identified under the applicable rules/laws of*

the TTBA.

- iii. *The Member shall be notified by the Secretary of the TTBA of the offence and given notice of the ensuing disciplinary hearing.*
- iv. *The Member shall be informed of his/ her right to be represented at the hearing. Such representative may be qualified in law, the cost of which shall be borne solely by the member. The Member shall be entitled to bring witnesses to the hearing.*
- v. *At the hearing, the Member shall be afforded the opportunity to be heard and to defend the charge laid against him/ her.*
- vi. *The decision of the Disciplinary Committee shall be communicated to the Member in writing within nine (9) calendar days (AGM 2018) of such decision being taken indicating the penalty, if any, imposed by the Disciplinary Committee.*
- vii. *The Member shall have a right of appeal to the Appeals Tribunal created under **Section 34.1 (v)** of this constitution.*

11.0 DISCONTINUANCE OF MEMBERSHIP

11.1 Members' withdrawal of membership

A Member may withdraw membership by written notice to the Board. Such withdrawal shall be confirmed only by approval of the Board, which approval must not be unreasonably withheld.

11.2 Members' Failure to Comply

Where a Member fails to comply with his financial obligations, including those listed under **Section 12** of this Constitution, the Board may determine that Member to be not of good standing and its membership shall lapse. On determination that a Member is not of good standing, the Board shall give written notice to the Member of its failure to meet the said obligations and of its pending lapse of Membership.

11.3 Forfeiture of Rights

A Member who or which ceases to be a Member, for whatever reason, shall forfeit all right in and claim upon the TTBA and its property including

Intellectual Property. Any TTBA documents, records or other property in the possession, custody or control of that Member shall be returned to the TTBA immediately.

11.4 **Representation Rights**

Where a Member ceases to be a Member of the TTBA, he shall also forfeit all representation rights at General Meetings.

11.5 **Membership May be Reinstated**

Membership which has lapsed, been withdrawn or terminated under this Constitution or its-by-laws, if any, may be reinstated at the discretion of the Membership, on application in accordance with this Constitution.

Bye-Law to Section 11

- i. *Written Notice under 11.1 shall be no less than 28 clear days from the time of the Member's intended withdrawal.*

12.0 SUBSCRIPTIONS AND FEES

12.1 Fees, including annual membership dues, payable by Members to the TTBA shall be determined by resolution at the Annual General Meeting on the recommendation of the Board.

12.2 Monies payable to the TTBA by the Members under **Rule 12.1** shall be forwarded to the TTBA for the TTBA's use.

12.3 Annual Membership Dues:

The Annual membership Dues shall be as follows:

- | | | |
|------|---------------------|--------------|
| i. | Full Members: | \$300.00 TTD |
| ii. | Associate Members: | \$200.00 TTD |
| iii. | Individual Members: | \$150.00 TTD |

All dues must be paid on or before **September 30th** for the ensuing year.

13.0 CLUB CONSTITUTIONS

- 13.1 Each club shall take all necessary steps to ensure its constituent documents are in a form acceptable to the TTBA and are consistent with the Objects of the TTBA.
- 13.2 Each club must include in their constitution relevant sections as it pertains to:
- i. Code of Conduct for its membership (AGM 2017)
 - ii. A Social Media Policy (AGM 2017)

14.0 DELEGATES

- 14.1 **Appointment of Delegates**
- 14.2 Each Full Member Club shall be entitled to appoint two Delegates who have such rights and powers as stated in **Section 7.2.1**. Full Member Clubs shall appoint their Delegates subject to the provisions of **Section 14.3**. A Delegate must:
- i. Be an individual Member of the Full Member Club which appoints him/her; and
 - ii. Be appropriately empowered by his/ her Full Member Club to make decisions at General Meetings.
- 14.3 Each Associate Member Club shall be entitled to appoint one Delegate who has such rights and powers as stated in **Section 7.2.1**. Associate Member Clubs shall appoint their Delegate subject to the provisions of **Section 14.3**. A Delegate must:
- i. Be an individual Member of the Associate Member Club which appoints him; and
 - ii. Be appropriately empowered by his Associate Member Club to make decisions at General Meetings.

14.4 Delegates as Representatives

Delegates shall represent their Full Member/ Associate Member Club at General Meetings and shall have full power to consider and vote on resolutions at General Meetings.

14.5 Delegates who become Officers

A Delegate shall immediately cease to function as a Delegate upon election as an Officer and shall be replaced by an Alternate Delegate.

14.6 Secretary to be advised

Each Full Member/ Associate Member Club shall advise the Secretary of its appointed Delegates and its Alternate Delegates and shall advise the Secretary of any changes in the appointments prior to the next General Meeting following the changes.

14.7 Alternate Delegates

14.8 A Full Member Club may appoint two Alternate Delegates. An Alternate Delegate must comply with the requirements for Delegates set out in **Rule 14.1.1** and has such rights and powers as does a Delegate.

14.9 An Associate Member Club may appoint one Alternate Delegate. An Alternate Delegate must comply with the requirements for Delegates set out in **Rule 14.1.2** and has such rights and powers as does a Delegate.

Bye-Law to Section 14

- i. The role of the Delegate is to represent his Member Club and express its wishes. He/ She therefore act as spokesperson for his Club and not as an individual. A Member Club shall be responsible for choosing as its Delegate such person as can properly meet the abovementioned expectation.*
- ii. The Member Club shall advise the Secretary of its Delegate no less than seven days before the meeting in which the Delegate is expected to participate.*

- iii. *Such communication to the Secretary may be by facsimile, registered mail, hand delivery or electronically.*

15.0 THE OFFICERS

15.1 There shall be fourteen (14) Officers of the TTBA comprising five

(5) Executive positions namely (AGM 2017):

- i. **The President**
- ii. **The Vice President**
- iii. **The Secretary**
- iv. **The Assistant Secretary**
- v. **The Treasurer**

and nine (9) officers who do not hold executive positions. (AGM 2017)

- vi. **Past President:** Mainly responsible for a smooth transition between elections and shall serve a term of six (6) months.

Four (4) officers shall be nominated by the following respective bodies:

- vii. **CABTAT Representative (Technical Director):** Mainly responsible for Coaching and Development Programmes

viii. Chair -Technical Officials (Chair -TOs)

Mainly responsible for Competition Administration and associated activities. Development of Badminton Officials (AGM 2018)

- ix. **Club Caucus Representative:** Mainly responsible for voicing concerns and recommendations of the Club Caucus
- x. **Secondary School Badminton Association Representative:** Mainly responsible for Badminton Programmes and Competitions in Secondary Schools
- xi. **Two (2) officers appointed by the Executive:**
Public Relations Officer: Mainly responsible for Press Releases and other Public Relations Activities and Promotions. He or She has no voting rights.
- xii. **IT Officer:** Mainly responsible for Website Maintenance and general

use of Computer Technologies. He or She has no voting rights.

xiii. **Two (2) Trustees.**

- 15.2 The Executive Officers of the TTBA shall be elected at the Annual General Meeting in the year that such elections are constitutionally due. These executive officers together with the selected representatives in accordance with **15.1** collectively shall be known as the Board.
- 15.3 The Officers shall be elected from among Delegates including Alternate Delegates and Honorary Life Members.
- 15.4 No Executive Board Member shall hold office for more than two successive terms in accordance with **Section 22 (Term)** of this Constitution.

Bye-Law to Section 15

- i. *For the avoidance of doubt, the provision forbidding the holding of office by an Executive Board Member for two consecutive terms does not prevent him from serving on the Board thereafter provided that such service is in a different capacity from that in which he had previously served.*
- ii. *The two (2) trustees shall be elected at the Annual General Meeting and serve for a period of four (4) years (AGM 2017). They shall be responsible for ensuring checks and balances are maintained with the accounts and the overall operation of the TTBA, in accordance with the constitution.*
- iii. *Either of the two (2) trustees must countersign ALL cheques issued by the TTBA.*

16.0 NOMINATIONS

- 16.1 Nominations must be submitted to the Board and must be received by the Association 30 days prior to the relevant Annual General Meeting.
- 16.2 Nominations for election to the Executive must be:
- i. In writing;
- ii. On the prescribed form provided for that purpose;
- iii. Signed by a nominator and a seconder, who shall be Full/ Associate/

Honorary Life Member

- iv. Certified by the nominee expressing his willingness to accept the position for which he is nominated; and
- v. Endorsed by the nominee's Club confirming the nominee is an individual Member of that Club and is in good standing.

16.3 Nominations for election must be received for the positions of President, Secretary and Treasurer for the Executive for an Election to take place. If nominations are not received for these positions, then the Board can extend the nomination period by 14 calendar days but keeping the date for Elections fixed. If a full slate of Executive Officers is not nominated by the extension given, then the Election is held and vacant positions are filled by the elected Officials at a Special General Meeting to be called no later than 3 months after the Elections have concluded. (AGM 2017)

Bye-Law to Section 16

The Nomination Form shall follow the format below:

Name of Club/Organization: _____
Name of Candidate: _____
Address of Candidate: _____

Please tick the appropriate office being contested:

President: [] *Vice-President:* []
Secretary: [] *Treasurer:* [] *Trustee I* []
Assistant Secretary/ PRO: [] *Trustee II* []

Name of Nominator: _____ *Signature:* _____
Name of Nominator's club/ Organization _____

Name of Seconder: _____ Signature: _____

Name of Seconder's club/ Organization: _____

Date: _____

I, [_____], hereby accept my nomination to serve in the office of

NAME OF NOMINEE

[_____] of the TTBA for the upcoming term.

OFFICE FOR WHICH NOMINATED

Nominee's Signature

I, [_____] of [_____] hereby confirm that

NAME OF ENDORSER

NAME OF SPORT CLUB

[_____] is a member of the [_____] in good standing.

NAME OF NOMINEE

NAME OF CLUB/ ORGANIZATION

Signature of Endorser

17.0 THE ROLES OF THE EXECUTIVE OFFICERS

17.1 **THE PRESIDENT** shall chair any Board meeting at which he is present. If the President is not present, or is otherwise unable to preside, then the Vice President shall chair the meeting. If both are absent or otherwise unable to preside, the remaining Officers shall appoint one of their members to preside as chairman for that meeting only. The President shall present a President's Report on behalf of the Board at the TTBA's Annual General Meeting.

17.2 **THE VICE PRESIDENT** shall support the President in his duties, act in his absence and shall enjoy for the time being the same right as if he were President.

17.3 **THE SECRETARY** shall be responsible for keeping correct Minutes of Board meetings, official correspondence and records of the TTBA. He/ She shall

delegate such of his/ her duties to the Assistant Secretary as he deems fit.

17.4 **THE ASSISTANT SECRETARY** shall be of general assistance to the Secretary, act in his absence and shall enjoy for the time being the same right as if he or she were the Secretary.

17.5 **THE TREASURER** shall keep such books of accounts as the Board may from time to time direct deposit the funds of the TTBA in such financial institution(s) as may be selected by the Board and shall present a Treasurer's Report monthly and audited financial statements at the Annual General Meeting of the TTBA.

Bye-Law to Section 17

- i. Each Board member shall be expected to carry out his functions, duties and responsibilities with reasonable diligence and skill and in accordance with principles of good sport governance.*
- ii. The Board shall be expected to act in the best interests of the TTBA as a whole and not for the personal interests of each member.*
- iii. The Treasurer shall supply reports to the Board monthly.*
- iv. The immediate past president who has completed a full term may sit as the past president for a transitional period of six (6) months. He or she has no voting rights.(AGM 2017)*

18.1 POWERS OF THE BOARD

Subject to this Constitution, the business of the TTBA shall be governed, and the powers of the TTBA shall be exercised, by the Board during its term. The Board shall act in accordance with the objects of the TTBA and shall operate for the collective and mutual benefit of the TTBA, the Members and BADMINTON.

Bye-Law to Section 18

- i. Each cheque issued by the TTBA shall be signed by either the Treasurer or Secretary and either of the two (2) appointed trustees.*
- ii. The board may make temporary rules or regulations for the efficient*

running of Badminton. Such rules must be approved by two thirds of the board and will expire at the next AGM.(AGM 2014)

19.0 REMOVAL AND REPLACEMENT OF OFFICERS

19.1 Removal of Officers

Removal of Officers shall occur at a Special General Meeting convened for that purpose and in accordance with the provisions in **Sections 29.2, 29.3, 29.4 and 29.5. (Special General Meeting)**

19.2 Replacement of Officers

The replacement of Officers shall occur at the same Special General Meeting in which Officers were removed. The names of nominees for the vacant positions shall be submitted to the Secretary no later than 14 days before the Special General Meeting at which the vacancies are to be filled. The nominees must confirm their acceptance of the nomination in writing (**see section 16 bye-Law**).

20.0 MEETINGS OF THE BOARD

20.1 Board to Meet

The Board shall meet monthly and as often as is deemed necessary in every Financial Year for the dispatch of business and may adjourn and otherwise regulate its meetings as it thinks fit.

20.2 Decisions of Board

Subject to this Constitution, questions arising at any meeting of the Board shall be decided by a majority of votes and a determination of a majority of Officers present and entitled to vote shall for all purposes be deemed a determination of the Board. All officers entitled to vote shall have one vote on any one question. (AGM 2018)

The Chairman shall have an original vote and, where the vote count is equal, a casting vote.

20.3 Resolutions not in meeting

A resolution in writing signed or assented to by facsimile or email by all the Officers entitled to vote shall be as valid as if it had been passed at a meeting of Officers duly convened and held. (AGM 2018)

20.4 Quorum

At meetings of the Board the number of Officers whose presence (or participation under **Rule 20.3**) is required to constitute a quorum is Fifty percent (50%) of all Officers entitled to vote. (AGM 2014/2018)

20.5 Notice of Board meetings

Unless all Officers agree to hold a meeting at shorter notice (which agreement shall be sufficiently evidenced by their presence), not less than 14 days' written notice of the meeting of the Board shall be given to each Officer. The agenda and minutes of the previous meeting shall be forwarded to each officer not less than 7 days prior to such meeting.

20.6 Validity of Board decisions

A procedural defect in decisions taken by the Board shall not result in such decision being invalidated.

Bye-Law to Section 20

- i. Procedural defects shall refer to those errors and/or omissions which in the reasonable discretion of the Board are minor, trivial or immaterial.*
- ii. A procedural defect under 20.6 shall include, but is not limited to, notice periods, incorrect dates, spelling errors not related to someone's name and the like. Such defects can be cured without affecting the substance of a decision made under this constitution.*

- iii At Board meetings where the minimum number of officers in attendance form a quorum, least two of the officers present must be non executive with voting rights. (AGM 2014)

21.1 ELECTIONS

Elections of Officers under **Rules 15** and **19.2** shall be by ballot at the relevant General Meeting.

Bye-Law to Section 21

- i. *The ballot shall be prepared by the Secretary.*
- ii. *A Returning Officer, appointed by the Board, shall choose a Full Member to oversee the distribution of the ballot.*
- iii. *The ballot shall be counted by three (3) persons, of whom two shall be the said Returning Officer and one Honorary Life Member or Trustee.*
- iv. *The results of the ballot shall be returned to the Members within 45 minutes of their collection or as quickly as is reasonably practicable if more time for counting is needed.*
- v. All posts held by officers of the board must be declared vacant before the process of the election may begin. (AGM 2017)

22.0 TERM

Each Officer shall hold office for four (4) years but is eligible for re-election subject to this constitution. (AGM 2017)

23.0 TECHNICAL STAFF

23.1 The Technical Director shall be appointed by the Executive. The Technical Director shall be appointed from suitably qualified coaches Level 3 or higher and shall serve for a period of 2 years subject to review by the Executive at any time. The nominations can come from full, associate and individual Members or from any suitably qualified Coaches Local or International.

23.2 The National Senior and Junior Coach shall be appointed by the Board on the

recommendation of the Technical Director from suitably qualified Coaches Level 2 or higher. The nominations can come from full, associate and Individual Members or from any suitably qualified Coaches Local or International.

Bye Law to Section 23:

1. National Coaches will utilize BWF (shuttle time and coaching) programs for all national training programs. The TD/Senior Head Coach will be responsible for keeping all Coaches up to date on any changes made by BWF. (AGM 2018)
2. CABTAT Coaches will be given the opportunity to convert to BWF level 1 ending June 2020. After June 2020 TTBA will no longer recognize nor accept CABTAT Coaching Courses. (AGM 2018)

24.0 GENERAL MEETINGS

24.1 TTBA Powers at a General Meeting

The TTBA during a General Meeting shall act in accordance with the Objects and for the benefit of the Members, Badminton and the general community throughout Trinidad and Tobago. The TTBA in General Meetings will act in its best interests and will:

- i. Requisition a General Meeting;
- ii. Convene a General Meeting;
- iii. Determine Officers' fees (as applicable);
- iv. Alter the Constitution (subject to **Rule 46**);
- v. Accept or reject the Annual Reports of the President and Treasurer;
- vi. Pass or reject Special Resolutions;
- vii. Have power to admit new Members; and
- viii. Be the final arbiter on matters referred to it by the Board.

25.0 ANNUAL GENERAL MEETINGS

- 25.1 An Annual General Meeting of the TTBA shall be held in accordance with this Constitution on a date not later than the last Sunday of March of each year and at a venue to be determined by the Board.

25.2 All General Meetings other than the Annual General Meeting shall be Special General Meetings and shall be held in accordance with this Constitution.

26.0 NOTICE OF GENERAL MEETINGS

26.1 Notice of every General Meeting shall be given to every Member and Officer at the address appearing in the register kept by the TTBA. No other person shall be entitled as of right to receive notices of General Meetings, except the TTBA's auditor(s), legal adviser(s) or other persons invited by the board. (AGM 2018)

26.2 At least 30 days notice of the place and day and hour of the General Meeting shall be given. More than 50% of the membership can agree to hold an emergency General Meeting at shorter notice. The quorum at such meeting shall not be less than 50% of the Members. (AGM 2014)

26.3 At least 14 days notice of the business to be transacted at a General Meeting shall be given, together with:

- i. Any notice of motion received from any Member, Officer or the Board in accordance with this Constitution;
- ii. Relevant accounts, reports or other relevant documentation in accordance with this Constitution.
- iii. A list of all nominations received for positions to be elected at the relevant General Meeting;

27.0 ATTENDANCE AND PARTICIPATION AT GENERAL MEETING

Notwithstanding any other clause of this Constitution, no Member shall be represented at, or take part in a General Meeting, unless all monies are duly paid.

28.0 BUSINESS OF GENERAL MEETINGS

28.1 **Business to be transacted**

- a. The business to be transacted by the Annual General Meeting includes:
 - i. the confirmation of the minutes of the last Annual General Meeting
 - ii. the adoption of the reports of the President, Treasurer & Technical Director

- iii. the election of Officers
 - iv. the consideration of the audited financial statements
 - v. the appointment of auditors
 - vi. the appointment of a legal adviser
 - vii. amendments (if any) to the Constitution
- b. All business that is transacted at a General Meeting, with the exception of those matters set out in **Section 28.1** shall be Special Business. "Special Business" is business of which a notice of motion has been submitted in accordance with **Section 29** of this Constitution.

28.2 No Other Business

No business other than that stated on the notice for a meeting shall be transacted at the General Meeting.

Bye-Law to Section 28

- i. Notwithstanding the provisions of Section 28.2 of this constitution, motions and counter-motions may be received. Each motion or counter-motion must be seconded in order to move forward.*
- ii. Any member moving a motion shall have a maximum of five (5) minutes speaking with an additional minute available at the discretion of the chairman. Counter-motions shall have the same time limits.*
- iii. Voting on motions and counter-motions shall be by a show of hands and decided by a majority of votes.*

29.0 NOTICES OF MOTION

29.1 All notices of motion from Members for inclusion as Special Business at a General Meeting must be submitted in writing (in the required form, if any) to the Secretary not less than 7 clear days after the issue of the notice of the General Meeting in **Section 26**.

Bye-Law to Section 29

- i. The notice of motion form under 29.1 shall take the following format:
TAKE NOTICE that the following items are requested for placement as*

special business on the agenda of the General Meeting scheduled for the day of _____, 20__ at the Head Office of the TTBA:

1. _____
2. _____
3. _____

Dated this ___ day of _____, 20 ___.

Signed: _____

ii. *Movers and seconders of motions shall be Full Members.*

30.0 SPECIAL GENERAL MEETINGS

- 30.1 The Board shall hold quarterly meetings of the General Council on the last Saturday of June, September and December of each year or on such date agreed to by the majority. (changed AGM 2013)
- 30.2 The Board shall on the requisition in writing of two (2) Full Members convene a Special General Meeting.
- 30.3 The requisition for a Special General Meeting shall
- iii. State the purpose of the meeting,
 - iv. Be signed by the Members making the requisition; and
 - v. Be sent to the TTBA.
- 30.4 If the Board does not cause a Special General Meeting to be held within 10 clear days after the date on which the requisition is sent to the TTBA, the requisitionists may convene a Special General Meeting to be held not later than 30 days after that date.
- 30.5 A Special General Meeting convened by Members under this Constitution shall be convened by 21 days written notice to the general membership.

31.0 PROCEEDINGS AT GENERAL MEETINGS

31.1 Quorum Present

No business shall be transacted at any General Meeting unless a quorum is present at the time fixed for the commencement of the meeting. A quorum for General Meetings shall be 50% of the financial full Members represented by their notified Delegates.

31.2 President to preside

The President shall preside at every General Meeting of the TTBA. In his absence, the provisions of **Section 17.1** shall apply

31.3 **Adjournment of Meeting**

- i. If within half an hour from the time appointed for the General Meeting a quorum is not present the meeting shall be adjourned to the same time and venue seven (7) days later, unless the Board determines otherwise. If at the adjourned meeting the quorum of the financial Members is not present within half an hour from the time appointed for the meeting, those present shall form the quorum.
- ii. No business shall be transacted at any adjourned meeting other than the business stipulated on the agenda of the meeting from which the adjournment took place.
- iii. No General Meeting shall be adjourned for more than 7 days.
- iv. It shall be necessary to give notice within 14 days of the completion of a General Meeting to all members of business transacted at the General Meeting.

31.4 **Poll**

At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands, unless, before the show of hands, a poll is demanded:

- i. By the chairman; or
- ii. By the Delegates, once a motion for the poll has been proposed and seconded.

31.5 **Recording of Determinations**

Unless a poll is demanded under **Rule 31.4**, a declaration by the Chairman that a resolution has on a show of hands been carried, or carried unanimously, or by a particular majority or lost, and an entry to that effect in the book containing the minutes of the proceedings of the TTBA shall be conclusive evidence of the fact.

31.6 **Where Poll is demanded**

If a poll is duly demanded under **Rule 31.4** it shall be taken at the meetings at which it is demanded and shall be adjourned if over half the delegates

of , and at any adjournment thereof. [My proxy is hereby authorized to vote in favour of/against the following resolutions.]

- ii. [My proxy is free to vote as he sees fit]
- iii. Signed this day_____of_____, 20 .
- iii. The instrument appointing a proxy and the power of attorney or other authority, if any, under which it is signed or a copy of that power or authority shall be deposited at the registered office of the TTBA not less than 48 hours before the time for holding the meeting or adjourned meeting at which the person named in the instrument proposes to vote
- iv. A proxy remains valid as long as the appointer remains alive unless revoked by the appointer.

Bye-Law to Section 32

- i. *The proxy form may also be in the following format:*
“The undersigned member of the TTBA hereby appoint_____or in his absence_____as the nominee to attend and act for and on behalf of the undersigned, being a Member eligible to vote at_____meeting to be held on the day of_____,20 and at any adjournment or adjournments thereof.”
- ii. Each officer may attend and have the right to debate at General Meetings for the purpose of Election of officers but have no voting rights. (AGM 2017)

33.0 VACANCIES OF OFFICERS

33.1 Grounds for Termination of Officers

The office of an Officer becomes vacant if the Officer:

- i. Dies;
- ii. becomes bankrupt or makes any arrangement or composition with his/her creditors generally;
- iii. becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;

- iv. Resigns his office by providing notice in writing to the TTBA;
- v. is absent from Board meetings for a period of 6 consecutive months without a valid reason; The Board shall give notice to such an Officer during the fifth month that termination is pending;
- vi. is convicted of a criminal offense;
- vii. is removed from office by Special Resolution.

33.2 Remaining Officers May appoint (AGM 2014)

In the event of a vacancy in the office of an Officer, the remaining Officers may fill the vacancy by appointing an **Acting Officer**. Such Acting Officer may be chosen from outside of the board. If the period remaining before the due date for election of Officers is **3 months or less**, then no Acting Officer shall be appointed. If the said period exceeds six months, then the appointment of the Officer will be by election at a Special General Meeting and not an acting appointment.

Bye-Law to Section 33

- i. The filling of a vacancy by appointment under **33.2** shall be done by a majority of the remaining officers by a show of hands. In the event of a tie, the casting vote will rest with the officer chairing the meeting.*

34.0 STANDING COMMITTEES

34.1 Standing Committees

There will be standing committees to assist in the effective administration of Badminton. Persons shall be appointed to these standing committees each year by the Board.

The Board shall call for nominations from members for consideration to appointment to standing committees. Such persons may or may not be listed on the members register. (AGM 2018)

- i. Ways and Means Committee:**

Chaired by the Treasurer and shall consist of not more than five (5) members including the Honorary Secretary and three (3) other persons.

This committee shall be responsible for organizing events and projects geared towards generating funds.

ii. **Selection Committee:**

Chaired by the Technical Director and shall consist of not more than five (5) members including the National Senior and Junior Head Coach and two (2) other persons. This committee shall be responsible for the selection of National Training Squads and the selection and ratification of National Teams.

iii. **Fixtures Committee:**

Chaired by the Chair TOs and shall consist of not more than five (5) members including the Assistant Secretary and three (3) other persons. This committee shall be responsible for the calendar of events sanctioned by the TTBA for the ensuing year.

iv. **Disciplinary Committee:**

Shall not consist of any board members of the TTBA. It shall instead be comprised of (5) members which may include persons from the legal profession, persons familiar with dispute resolution and persons with experience in sports administration. (AGM 2017)

v. **Appeals Committee:**

Shall consist of five (5) members appointed by the board and shall not consist of any members of the disciplinary committee or the board (AGM 2018)

Any three (3) members of the Appeals Committee, not including the appellant member or any other member with an interest in the appeal or any party thereto may sit as an Appeal Tribunal. The Appeals Tribunal shall have power to confirm, increase, vary, amend or reverse any decision of the Disciplinary Committee. In the event of an unresolved dispute, the Trinidad & Tobago Olympic Committee (TTOC) in

accordance with the provisions of Clause 29 of the Constitution of the TTOC (as amended by resolution dated April, 2012) shall be the final arbiter. Members, Official and Officers agree to be bound by the decision of or any settlement by the TTOC.

vi. **Marketing, Publications & Archives Committee**

Chaired by the Public Relations Officer and shall consist of not more than five (5) members. This committee shall be responsible for the maintenance of the TTBA web site. All publication and archiving of all related badminton activities whether electronic or otherwise.

vii. **Benevolence & Awards Committee**

Chaired by the President and shall consist of not more than five (5) members, appointed by the board. This committee shall be responsible for the annual awards function whereby recognition is given to the Badminton fraternity. They shall also be responsible for the determination of the awardees and the TTBA nominees for all National Sports awards. Nominations for awards shall be submitted by member clubs by November 31st of each year.

viii. **Athlete Development Committee**

Chaired by the Technical Director and shall consist of not more than five (5) members including the National Senior and Junior Head Coach and two (2) members appointed by the board. This committee shall be responsible for the structuring and implementation of talent identification and the subsequent development programs.

Appointments to the Standing Committees must be advised within two (2) months after the Annual General Meeting.

34.2 **Operation of Standing Committees**

The standing committees under **Rule 34.1** will function as committees of the Board in accordance with this clause. For the avoidance of doubt the standing committees and their members are responsible to the Board and are subject to the direction of the Board.

Bye-Law to Section 34

- i. *For the purpose of transparency and the avoidance of doubt, all criteria to be used by each standing committee where applicable must be communicated to each member club within one (1) month of such criteria being established.*

35.0 BYE-LAWS

35.1 Board to formulate Bye-Laws

The Board may (by itself or by delegation to a committee) formulate and amend such bye-laws for the proper management and administration of the TTBA. Such bye-laws must be consistent with this Constitution.

35.2 Bye-Laws binding

All bye-laws made under this clause shall be binding on the TTBA and its Members.

35.3 Notices binding on members

Amendments or other changes to Bye-Laws shall be advised to Members by means of notices approved by the Board and prepared and issued by the President. Notices are binding upon all Members.

Bye-Law to Section 35

- i. *All the bye-laws shall form part of this constitution and shall be binding on all classes of membership of the TTBA.*
- ii. *These bye-laws may be only amended at a General Meeting of the TTBA, by a Two- Thirds majority vote of the members present and voting. Notice of such meeting must be given to Members no less than 21 days before the date of the proposed meeting.*

36.0 RECORDS AND ACCOUNTS

36.1 Secretary to Keep Records:

The Secretary shall establish and maintain proper records and minutes concerning all transactions, business, meetings and dealings of the TTBA and

the Board and shall produce these as required.

36.2 Proper record-keeping:

Proper accounting and other records shall be kept in accordance with generally accepted accounting principles and/or any applicable code of conduct. The books of account shall be kept in the care and control of the Treasurer.

36.3 Accounts Conclusive:

The accounts when approved or adopted by an Annual General Meeting shall be conclusive except as regards any error discovered in them within two (2) months after such approval or adoption.

36.4 Inspection of accounts:

A copy of the Accounts of the Association shall be presented to each member not less than 14 days prior to the holding of any general meeting for the purpose of the members being required to ratify the accounts.(AGM 2018)

37.0 AUDITOR

37.1 A qualified auditor or auditors shall be appointed and the remuneration, if any, of such auditor or auditors fixed by the Board. The auditor's duties shall be regulated in accordance with generally accepted principles, or any applicable code of conduct.

37.2 The accounts of the TTBA including financial statements shall be examined by the auditor or auditors at least once in every year.

38.1 LEGAL ADVISER

A qualified legal adviser may be appointed and the remuneration of such legal adviser fixed by the Board. The legal adviser's duties shall be regulated in accordance with generally accepted principles, or any applicable code of conduct

Bye-Law to Section 38

i. The legal adviser to the TTBA shall be bound by the Legal Profession

Act, 1986 and the Code of Conduct therein.

39.0 NOTICES

39.1 Manner of Notices

- i. Notices may be given to any Member by sending the notice by prepaid post or facsimile transmission or where available, by electronic mail, to the Member's registered address or facsimile number or electronic mail address.
- ii. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, prepaying and posting the notice. Service of the notice is deemed to have been effected 2 days after posting.
- iii. Where a notice is sent by facsimile transmission, service of the notice shall be deemed to be effected upon receipt of a confirmation report confirming the facsimile was received at the facsimile number to which it was sent.
- iv. Where a notice is sent by electronic mail, service of the notice shall be deemed to be effected upon receipt of a confirmation report confirming the electronic mail message was received at the electronic mail address to which it was sent.
- v. All Members must have a registered address in Trinidad and Tobago.

40.0 TTBA STAMP

- 40.1 The TTBA has elected not to use a Common Seal, but shall use a TTBA stamp.
- 40.2 Any document, that would have required the use of the Common Seal, shall be authorized by the Board and shall be countersigned by the President or Treasurer or Secretary and one (1) other Officer. The TTBA stamp shall be attached to any such document.

Bye-Law to Section 40

- i. The Association shall retain its right to use a Common Seal, if so directed by the Board.*

41.0 INDEMNITY

41.1 The TTBA to Indemnify Officers

The TTBA shall indemnify its officers, employees, and members of its standing committees against all damages and costs (including legal costs) for which any such officer, employee or member of the standing committee or other committee (AGM 2018)

may be or become liable to any third party in consequence of any act or omission except willful misconduct:

- i. in the case of an Officer, performed or made whilst acting on behalf of and with the authority, express or implied of the TTBA; and
- ii. in the case of an employee, performed or made in the course of, and within the scope of his employment by the TTBA.
- iii. in the case of a standing or other committee member, performed or made in the course of and within the scope of his appointment to the said committee. (AGM 2018)

42.0 DISSOLUTION

42.1 The TTBA may be dissolved only by Special Resolution passed at a Special General Meeting called for the specific purpose of dissolution.

43.0 DISTRIBUTION OF PROPERTY ON WINDING UP

43.1 If upon winding up or dissolution of the TTBA there remains after satisfaction of all its debts and liabilities any assets or property, the same shall not be paid to or distributed amongst the Members but shall be paid to or distributed to an organization or organisations having objects similar to the Objects and which prohibits the distribution of its or their income and property among its or their members. Such organization to be determined by the Members active at the time of dissolution, at or before the said time of dissolution, and in default thereof by such arbitrator, judicial officer or judge of the High Court of Justice of Trinidad and Tobago as may have or acquire jurisdiction in the matter.

44.0 LAWS AND RULES GOVERNING BADMINTON

- 44.1 Where no provision is made in the Constitution or any rules or bye-laws made under the Constitution, the TTBA may apply to Badminton Pan Am Confederation or Badminton World Federation for a ruling.
- 44.2 The technical laws of the Badminton World Federation as set out in the handbook of the Badminton World Federation with regard to Badminton shall (where practicable) be binding on all competitions held in Trinidad and Tobago. Any alterations or amendments to the Badminton World Federation technical laws shall be immediately notified to all Members by the TTBA and shall become operative two months after the date of approval by the Badminton World Federation

45.0 ELIGIBILITY

- 45.1 To be eligible to compete in any Competition, any Competitor must be;
- i. A Full, Associate or Individual Member in good standing with the TTBA, and
 - ii. A Citizen of the Republic of Trinidad & Tobago, or either of the following:
 - iii. In possession of Dual citizenship status, inclusive of Trinidad & Tobago citizenship
 - iv. Under the jurisdiction of the TTBA in accordance with the BWF regulation Part III section 1A of the General Competition Regulations, sub section 9 (updated 3rd June 2011)

46.0 ALTERATION OR AMENDMENT

- 46.1 Alterations or amendments to this Constitution shall be made by way of Special Resolution.

47.0 HEADQUARTERS

- 47.1 The Headquarters of the TTBA shall be at such place as may be fixed from

time to time by the Board in consultation with the Members.

48.0 DISPUTE RESOLUTION

- 48.1 All Disputes are to be referred to the Internal Dispute Tribunal which shall consist of 3 members, namely:
- i. The Chairman of the Disciplinary Committee; and
 - ii. Two (2) other tribunal members chosen from among the Officers.
- 48.2 Each party to the dispute shall choose one of the tribunal members mentioned in **Section 48.1 (ii)**.
- 48.3 Any appeal from a decision of the Internal Dispute Tribunal shall be submitted first to a mediation process, and in the event that settlement is not achieved, then to an Independent Arbitrator appointed by the Board.

Bye-Law to Section 48

- i. *The Board shall appoint a list of mediators and arbitrators*
- ii. *The mediation process shall involve a sole mediator appointed by the TTBA.*
- iii. *If the mediation process produces a settlement, the parties shall sign a mediation agreement in the form below.*
- iv. *Where arbitration becomes necessary, the panel shall comprise a single arbitrator from the list of appointed arbitrators.*
- v. *The disputants may agree to an arbitration panel of three (3) members instead of a single arbitrator. Such panel shall comprise one arbitrator chosen by each party and a chairman agreed on by the disputants.*
- vi. *Where the Board is a disputant, the 3-man arbitration panel shall be used. Such panel shall be chosen in the same manner as in (v) above.*

Form of Mediation Agreement:

AGREEMENT TO MEDIATE

This Agreement is made this _____ day of _____, 20____

Between:

[_____]

NAME OF DISPUTANT #1

And

[_____]

NAME OF DISPUTANT #2

And

[_____]

NAME OF MEDIATOR

RECITALS

- i. A dispute has arisen between _____ and _____ in relation to [essence of dispute]*
- ii. The parties have requested the Mediator to assist in the resolution of the dispute.*
- iii. The Mediator has agreed on the terms and conditions of this Agreement to assist the parties to resolve the dispute if possible.*

OPERATIVE PROVISIONS

- 1. The parties appoint the Mediator, and the Mediator accepts the appointment, to mediate the dispute (**Mediation**) in accordance with the terms of this Agreement.*
- 2. The Mediator will assist the parties to explore options for and, if possible, to achieve a resolution of the dispute by agreement between them.*
- 3. The Mediator will not make decisions for a party or impose a solution on the parties.*
- 4. The Mediator will not, unless the parties agree in writing to the contrary, obtain from any independent person advice or an opinion as to any aspect of the dispute, and if the parties do so agree then only from such persons as may be agreed by the parties in writing.*
- 5. The Mediator acknowledges that he has disclosed to the parties to the best of his knowledge any prior dealings he has had with either of them and any interest he has in the dispute.*
- 6. The parties must co-operate in good faith with the Mediator and each other during the Mediation.*
- 7. The parties and the Mediator agree in relation to all confidential information disclosed to them during the Mediation to keep that information confidential, unless compelled by law to do otherwise and not to use that information for a purpose other than the Mediation.*
- 8. The Mediator will not be liable to a party for any act or omission made by him in the performance or purported performance of his obligation in this Agreement.*
- 9. To the extent permitted by law the parties jointly and severally release and discharge the Mediator from all liability of any kind whatsoever arising from the*

appointment of the Mediator or the conduct of the Mediation and agree to indemnify and keep indemnified the Mediator against all claims except in the case of fraud by the Mediator arising from the performance or purported performance of his obligations under this Agreement.

Executed as an Agreement on the _____ day of _____, 20____.

Signed for and on behalf of: _____

Signed for and on behalf of: _____

Signed by the Mediator: _____

49.0 AGENTS

- 49.1 The TTBA may allow sportspersons to have authorized agents or representatives who must work in close conjunction with the TTBA.
- 49.2 Sportspersons must enter into written agreements with their agents, which agreements must adopt the rules, regulations and principles of the Badminton World Federation.

50.0 ANTI-DOPING COMPLIANCE

- 50.1 The Organization shall adhere to the principles, intent and spirit of the World-Anti-Doping Code as updated from time to time and shall incorporate, whether by reference or otherwise, the provisions of the National Anti-Doping Policy established by the Trinidad & Tobago Anti-Doping Organization (TTADO).
- 50.2 The Organization shall also comply with the provisions of the Anti-Doping in Sport Act 2010 and shall be amenable to the jurisdiction given to TTADO under the said Act.
- 50.3 Non-compliance with the World Anti-Doping Code, the National Anti-Doping Policy and/or the Anti-Doping in Sport Act may result in a loss of future

Government support, whether financial or non-financial, for the Organization and/or a loss of its status as a Non Governmental Body (NGB).

51.0 CHILD PROTECTION POLICY

51.1 The Organization shall ensure that it has adopted appropriate and up-to-date child protection policies in keeping with international best practice in child protection schemes.

51.2 Non-compliance with Section 51.1 above may result in a loss of future Government support, whether financial or non-financial, for the Organization and/or a loss of its status as an NGB.

52.0 LANGUAGE

52.1 The official language of the TTBA shall be English