

1. PURPOSE

The purpose of the Code of Conduct (Code) is to describe the type of behaviour Badminton Australia (BA) is seeking to promote and encourage in its squad and team members.

As a squad or team member, you are expected to not only follow this Code as a set of rules, but to enact the spirit of its intent.

2. SCOPE

BA and squad/team members recognise that they are part of a sports system. This system is made up of athletes, staff, board members, officials and volunteers who work together in tournaments and programs. Players are the 'front end' and most visible element of that system. Their behaviour should always reflect positively upon the system and the individual.

3. GOVERNANCE

This code is solely for athletes as all other persons acting for and on behalf of BA are governed by the relevant code for their positions.

4. KEY PRINCIPLES

- 3.1 BA wishes to operate in an environment where people show respect for others and their property. Respect is defined as consideration for another's physical and emotional well being and possessions, to ensure no damage or deprivation is caused to either.
- 3.2 BA wishes to operate in an environment that is free from harassment. Harassment is defined as any action directed at an individual or group that creates a hostile, intimidatory environment. (Refer to Australian Sports Commission Guidelines for Harassment-Free Sport).
- 3.3 BA wishes to operate in a non-discriminatory environment. Respect the right, dignity and worth of every human being - within the context of the activity, treat everyone equally regardless of gender, sexuality, ethnic origin or religion.
- 3.4 At all times athletes are required to follow the international rules of the game, any applicable competition rules and BA By-Laws and BA Policies. In addition BA has various policies relating to the administration of the game, which will apply. From time to time additional policies may be developed. Athletes will be advised of them.
- 3.5 Persons to whom this Code applies acknowledge and agree to comply with the disciplinary and grievance procedures promulgated by BA. If any disciplinary action is taken, persons directly affected shall be given the opportunity to participate in those proceedings and the right to appeal.

5. KEY ELEMENTS

All persons who are bound by this code shall:

- Act in a manner which is compatible with the interests of BA;
- Accord people involved in badminton - such as other players, team managers, board members, staff, officials - with courtesy, respect and regard for their rights and obligations;
- Act as an ambassador and uphold and not injure or compromise the standing or reputation of badminton or Australia;
- Respect the confidentiality of information which they receive in the course of fulfilling their duties;
- Treat people's property with respect and due consideration of its value;
- Not misuse any funds provided or property belonging to another party;
- Respect the law and customs of the places they visit;
- Observe and comply with the BA Anti-Doping Policy and the Anti-Doping rules as set out by Australian Sports Drug Agency and the International Badminton Association in its Anti-Doping Policy, and;
- Show a positive commitment to BA's policies, rules, procedures, guidelines and agreements.

6. UNACCEPTABLE BEHAVIOUR

This list provides examples of behaviour deemed to be unsuitable and not in the best interests of the sport.

- 'Sledging' of and swearing to other athletes, officials or event organisers. 'Sledging' is defined as a statement that is deemed to denigrate and/or intimidate another person, or behaviour likely to constitute emotional abuse.
- Engaging in conduct, on or off the court, which in the reasonable opinion of BA reflects unfavourably on the goodwill, good name, reputation and image of the sport, BA or its sponsors.
- Derogatory or demeaning remarks about other players, managers, officials and coaches.
- Statements that are deemed to denigrate the group that an individual is representing.
- All forms of harassment as described by the Australian Sports Commission Guidelines for Harassment-Free Sport.
- Drinking alcohol at any time while participating as a member of a team or squad, except if the team manager agrees. The consumption of alcohol by minors is prohibited.

- Athletes who represent BA shall refrain from the smoking of cigarettes or other narcotics whether legal or illegal in the following circumstances:
 - (1) where other players, officials, administrators or members of the public are affected or are likely to be affected;
 - (2) where the person is in team uniform.
- Sexual relations between an appointed official and a junior athlete (under the age of consent), irrespective of the wishes and desires of the athlete. In all other cases such relations are strongly discouraged.
- The use of or encouragement of the use of banned or prohibited substances as detailed in the World Anti-doping Agency (WADA) Prohibited List.
- Any type of gambling, betting or organization of betting at any Badminton event, while competing, officiating or undertaking a management role.
- Damaging another person's property or depriving them of that property.

7. PROCESS FOR DEALING WITH A BREACH OF THE CODE

Each case will be treated in accordance with the facts of the case and surrounding circumstances.

In the case of Teams/Squads travelling, the Team Manager is responsible for the Team/Squad and will deal with breaches of the Code under BA By-Laws 10.8 and 12.3 (see attached). If there is a conflict of interest (where a breach for example, directly involves the Team Manager), the Team Manager may refer the matter to BA for resolution.

In other situations, By- Law 25 applies (see attached).

8. PENALTY FOR BREACH OF CODE OF CONDUCT

If a breach of the Code of Conduct is determined, the athlete will be notified by BA advising of the breach and the penalty. The penalty will be relative to the severity of the offence. BA may in its absolute discretion do any one of the following:

- 1) Withhold player benefits under the Player Agreement such as funding support for travel to tournaments and/or training activities / opportunities;
- 2) Place players on a probationary period as a member of the squad;
- 3) Remove the player from the Squad and/or the Team for a period of time;
- 4) Terminate the Player Agreement and involvement of the player in BA organised activities.

9. APPEAL

If any disciplinary action is taken the player has the right of appeal under By-Law 25 and By-Law 23 (see attached).

10. WHAT BA EXPECTS OF TEAM/SQUAD MEMBERS.

1. Playing, Fitness and Performance:

BA expects players to keep themselves in peak physical condition to enable them to play to their best in both training and tournament. If players are injured or ill they must inform the Coach immediately.

Players may be required to undertake specialist assessments including fitness, medical, musculoskeletal and nutritional evaluations and to follow any advice arising from those assessments.

Players agree to members of the High Performance Management team including the Coach, to receive and retain the results of those assessments directly from the relevant specialist consultant, so that BA may keep track of player progress. This information may be disclosed to team management and official support personnel.

2. Training:

BA expects players to attend and participate in the training program arranged for the Team/Squad. The planned training program is an essential part of the athletes commitment to BA.

3. Availability:

Team/Squad members are expected to make themselves available for BA events and activities when requested including Squad/Team information sessions, official functions, promotional activities. If you are unable to attend, then you must notify the Manager and the Coach as soon as possible.

4. Role Model:

BA expects squad and team members to be good role models. BA expects players to represent Australia both on and off the court to the highest possible standards, bring credit to the sport and Badminton Australia not only for their commitment to the game but for their manners and the positive way they treat all people directly and indirectly involved with the sport, notwithstanding any difficult circumstances.

BA expects players to foster an inclusive team spirit that is a model for both players following them in the sport and for players in other countries that they will come in contact with.

BA hopes that the above clearly sets out what BA expects from you as a member of the Team/Squad and the processes if these expectations are not met. If you agree to participate as a member of the Team/Squad on this basis, then please sign below and return one copy of this document to BA. A copy of the signed document will be returned to you for your records.

CODE OF CONDUCT



I hereby accept and agree to the terms and conditions of my selection in the Team/Squad.

Athlete Signature: _____

Print Name: _____

Date: _____

AND if under 18 years of age:

Parent/Guardian Signature: _____

Print Name – Parent/Guardian: _____

Junior Development Manager/National Executive Director: _____

Print Name: _____

Date: _____

Appendix 1

Badminton Australia By-Laws – Sections 10, 12 and 25 & 23

SECTION 10 TEAM MANAGERS

10.1 TRAVEL

The Manager shall be responsible for arranging and ensuring all travel and transportation at the location of play, and, if local transportation is necessary, between locations. All other transportation, i.e. interstate or international, shall be the responsibility of the National Office.

10.2 ACCOMMODATION

The Manager shall be responsible for all accommodation not pre-arranged by the National Office or local hosts, or in emergency when such accommodation is unsuitable or unavailable.

10.3 DRESS AND UNIFORM

The Team Manager must be familiar with all Rules and By-Laws on uniform, local and foreign, as applied to the event in which his team is engaged. He must also be responsible for the good appearance of the team, and maintain the best standards of apparel.

10.4 RULES AND LAWS

Immediately upon selection/appointment, the Team Manager must procure and study a copy of the rules governing the event(s) involved

10.5 HEALTH AND FITNESS

Final decisions relating to authorisation of medical or paramedical treatments to the team shall rest with the Manager. Each Manager shall be responsible to procure and provide, at Association cost, a standard medical kit, as appropriate to circumstances governing that tour or team.

10.6 AREAS OF COACHING

The Team Manager shall be responsible for procuring/securing coaching facilities, accommodation and equipment for his team.

10.7 ENTERTAINMENTS AND PUBLIC RELATIONS

Team Managers shall be responsible, subject to finances/ circumstances pre-identified, and allowances provided, for reciprocal limited entertainments while on tour. They shall be responsible to ensure representation at all functions and events as required, and shall be the spokesman of the team in all formal, public or publicity occasions demanding such voice.

10.8 DISCIPLINE

Team Managers shall enforce By-Law 12.3 when necessary, and shall have the authority to send a player or players home if necessary under this By-Law. The Team Manager shall be the final arbiter in all matters of curfews, punishments, restrictions, and disputes, and shall answer to the Association for any external breaches of behaviour by the team.

10.9 FINANCE

Team Managers shall be responsible to the Association for all monetary transactions of the team. They shall be custodian and distributor of all team funds. They must submit full and detailed accounting of the spending of all funds entrusted to them.

10.10 PHOTOGRAPHS AND DOCUMENTATION

Team Managers must be responsible for organising, at Association expense, a formal team photograph. They shall also, if possible secure and provide any local press or other documentation or publicity available on the event(s).

10.11 REPORTS AND RESULTS

Team Managers are responsible for providing to the National Office, results of the events immediately they are available, by whatever means pre-determined. They are also required to provide within one month of the end of the event(s) a detailed Report of the tour or event.

10.12 ATTENDANCE OF THE TEAM

Team Managers shall be responsible to be attendant on the team at all times from official assembly to final dispersal.

SECTION 12 AUSTRALIAN TEAMS

12.1 EXPENSES

- 12.1.1 Unless otherwise decided for specific occasions, the Association shall be responsible for the expenses of Australian teams as follows:
- 12.1.1.1 Travel costs from team member's home cities to the city where a match is to be played.
- 12.1.1.2 A meal allowance as determined by the Board shall be paid for the duration of the tour.
- 12.1.1.3 All accommodation involved from departure from home city until return, unless return is delayed for personal reasons beyond the time of return stipulated by the Association. Accommodation to be of a reasonable standard, but not luxurious.
- 12.1.1.4 Transport costs between accommodation and playing venues or function venues, if not provided by local hosts. Transport should be appropriate to the circumstances, and public transport may be used.

12.2 APPOINTMENTS OF MANAGER AND COACH

- 12.2.1 When an Australian team is announced early, the team Manager and Coach should be announced no later than the date of the announcement of the team, to enable early training activities to be initiated.

12.3 AUTHORITY OF MANAGERS AND CAPTAINS

The Manager or non-playing Captain of Australian teams shall have the ultimate authority to suspend any player from any further participation in the relevant event if or when considered necessary.

12.4 SELECTION DATES FOR AUSTRALIAN TEAMS

The date for selection of Australian teams shall be at the discretion of the Board and shall as a minimum reflect IBF Competition Rule 5 as varied from time to time.

12.5 CONDITIONS OF SELECTION

- 12.5.1 Before a player is considered for Australian team selection, he or she must have played in:
- 12.5.1.1 The Australian Championships in the preceding 12 months, or
- 12.5.1.2 Have represented Australia in International competition in that time.
- 12.5.2 In the absence of either of the foregoing, the player must submit documented evidence of playing performances during the preceding 12 months in Australia or overseas,

acceptance of which, and evaluation of which shall be at the discretion of the Australian selectors.

12.6 INSURANCE OF PLAYERS

Except where already covered by personal insurance, teams shall be insured for sickness, injury, etc. for the period from departure from home city to return, unless such return be delayed for reasons not related to the requirements of the Association.

12.7 TEAM REPORTS

Reports raised by officials of Australian teams shall be submitted to the Board, if timing is appropriate, for consideration of that Report before its release.

12.8 FURTHER CONDITIONS FOR SELECTION

Except under extraordinary circumstances (which shall be submitted to and determined by the Board, from the Selectors or a player), no player shall be considered for selection in an Australian team or training squad if that player is absent from the venue at the proposed time of the event for which he or she is considered for selection, and whose selection would incur additional travel costs to the Association.

12.9 TEAM BLAZERS AND UNIFORMS

12.9.1 An Australian uniform shall be awarded to:

12.9.1.1 The Manager of an Australian Team.

12.9.1.2 Playing members of Australian teams on their first appearance.

12.9.2 An Australian uniform will be considered periodically by the Board.

SECTION 25 DISCIPLINARY REGULATIONS

25.1 Applicability

25.1.1 These regulations are created to provide a framework for the handling of disciplinary action for players, officials, or other persons who are participating in events or involved in the sport under the auspices of Badminton Australia or any of its Members. These Disciplinary Regulations do not apply to Doping Offences that are within the jurisdiction of the International Badminton Federation.

25.1.1 The term respondent in these regulations shall refer to the player, competition official, or other person who is alleged to have committed the offence in question.

25.2 Disciplinary Committee

- 25.2.1 The Board has the power to appoint a standing Disciplinary Committee to deal with disciplinary matters as they arise or to appoint a specific Disciplinary Committee to deal with a particular alleged offence.
- 25.2.2 A Disciplinary Committee shall comprise the Chair, who will conduct any meeting of the Committee, and two other members. Members of the Disciplinary Committee may be members of the Board or other persons with requisite skills and qualifications. Two members must be directly involved in a meeting to form a quorum and the Chair shall have a casting vote in the case of an equality. At the Chair's discretion and subject to Rule 3.1 below, the Committee is not required to physically meet but may conduct a hearing using available means of communication such as video conferencing, email, subject to the keeping of proper records of discussion.
- 25.2.3 A member of a Disciplinary Committee may not be a witness or give written evidence in a particular case and must not have been an official at an event where the alleged offence took place or a witness to the alleged offence.

25.3 Disciplinary Process

- 25.3.1 It shall be permissible to consider an alleged offence using only written reports and evidence. In such cases, the Disciplinary Committee must take its decision based only on the written reports and evidence and any submission from the respondent or the respondent's Member Association. However alleged offences against the dope testing regulation that is not within the jurisdiction of the IBF must be heard at a meeting to which the respondent is invited.
- 25.3.2 Any respondent who is alleged to have committed an offence must be informed in writing either direct or via their Member Association of the fact that the Disciplinary Committee is considering the alleged offence and outlining the nature of the evidence available.
- 25.3.3 For all but hearings for offences against the dope-testing regulations, copies of any written evidence or reports shall be sent with the letter about the alleged offence. This is to allow the respondent to be aware of the evidence and to permit a written submission to be made stating any facts and circumstances from the respondent's viewpoint and/or the Member Associations viewpoint.
- 25.3.4 When a respondent attends a Disciplinary Committee meeting, the respondent shall be entitled to be accompanied by an adviser or representative, together with an interpreter if desired, as meetings will be conducted in English.

25.4 Timescale and venue

- 25.4.1 Any Disciplinary Committee hearing shall be convened as quickly as is practicable following receipt of evidence of misconduct.
- 25.4.2 The venue for a Disciplinary Committee meeting shall be set by BA. The venue shall normally be held in Melbourne but this shall be entirely at BA's Discretion.
- 25.4.3 At a Disciplinary Committee meeting, 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 of the respondents Member Association or Club. Expenses of the meeting room, administration and travel and subsistence of the committee and any persons requested to attend by BA shall be met by BA.
- 25.4.4 A Disciplinary Committee meeting shall be conducted without formal rules of procedure, but adhering to the following general principles:
- 25.4.4.1 The Chair is in charge of the meeting and any rulings from the Chair are binding.

- 25.4.4.2 The only people who may be present at the meeting are the Committee, a Minute Secretary, the respondent, the respondent's adviser or representative, an interpreter, a representative of the respondents Member Association, a person introducing the evidence to substantiate the alleged offence and a particular witness. Additional observers without the right of speaking may be present at the discretion of the Chair.
- 25.4.4.3 The Chair shall start the meeting by introducing those present and explaining each person's role.
- 25.4.4.4 A Person introducing the evidence (who must not be a member of the Disciplinary Committee) 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 Association or direct shall be sent a copy a reasonable time in advance of the meeting.
- 25.4.4.5 For each piece of evidence, the respondent, the respondent's adviser or representative and the representative of the respondents Member Association shall have the right to ask questions.
- 25.4.4.6 If a witness or expert is called, questions may be asked of the witness by the respondent, the respondent's adviser or representative and the representative of the respondents Member Association.
- 25.4.4.7 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.
- 25.4.4.8 Any member of the Disciplinary Committee may ask questions of any witness.
- 25.4.4.9 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.
- 25.4.4.10 The Committee shall consider their decision with no other person present.
- 25.4.4.11 If the Committee decision is that the respondent is found guilty of the offence then, before deciding on any penalty the respondent or the respondent's adviser or representative shall be given the opportunity to make a statement.
- 25.4.4.12 With no other person present, the Committee shall consider what penalty, if any, is to be applied and shall then announce it.
- 25.4.4.13 The decision (guilty or not and any penalty applied) shall be confirmed in writing as soon as possible after the meeting to the respondent direct or through the Members Association.
- 25.4.4.14 The fact that a Disciplinary Committee meeting is being held, the name of the respondent and the proceedings themselves shall normally be kept confidential by BA. This shall not preclude BA from confirming outline details if it is evident that the media are aware of the meeting. The decision of the Committee shall be publicised at BA's discretion.

25.5 Appeals

- 25.6 The respondent may appeal against a Disciplinary Committee decision.
- 25.7 An appeal will only be valid if:
 - 25.7.4 it is made in writing within 14 Days of the Disciplinary Committee decision.
 - 25.7.5 it states the grounds for appeal; and for appeals under this by law it is accompanied by a deposit of \$500 which will not be returned if the appeal is considered trivial or frivolous by the Appeal Committee.
 - 25.7.6 BA shall appoint an Appeal Commissioner pursuant to By Law 23 for other than Doping Appeals. Appeals against Doping Offences will be to the Court of Arbitration for Sport.
- 25.8 The Appeal Commissioner can reverse a finding of guilt, or can vary the penalty imposed by the original Disciplinary Committee. Variation of a penalty can be to increase or decrease any element of the penalty as the Appeal Commissioner in his sole discretion sees fit.

SECTION 23 APPEALS

23.1. BASES OF APPEALS

Appeals to the Commissioner as provided below may only be brought against decisions made by or on behalf of the ABA on any one or more of the following grounds:

- 23.1.1. That a breach of the rules of natural justice occurred in connection with the making of the decision;
- 23.1.2. That procedures which were required to be observed in connection with the making of the decision were not observed;
- 23.1.3. That the person or persons who purported to make the decision did not have the jurisdiction to make the decision;
- 23.1.4. That the decision was not authorised pursuant to the power in pursuance of which it was purported to be made;
- 23.1.5. That the decision was an improper exercise of the power in pursuance of which it was purported to be made in that:
 - 23.1.5.1. Either an irrelevant consideration was taken into account or a relevant consideration was not taken into account in the exercise of the power;
 - 23.1.5.2. The power was exercised for a purpose other than the purpose for which the power was conferred;
 - 23.1.5.3. An exercise of a discretionary power was in bad faith or at the direction or behest of another person or in accordance with a rule or policy without regard to the merits of the particular case;
 - 23.1.5.4. The exercise of the power was so unreasonable that no reasonable person could have so exercised the power;

23.1.5.5. The exercise of the power was in such a way that the result of the exercise of the power is uncertain.

23.1.6. That the decision was induced or affected by fraud;

23.1.7. That there was no evidence or other material to justify the making of the decision (but this ground shall not be taken to be made out unless the person who made the decision;

23.1.7.1. Was required to reach that decision only if a particular matter was established and there was no evidence or other material from which he or she could reasonably be satisfied that the matter was established: or

23.1.7.2. Based on the decision on the existence of a particular fact and that fact did not exist)

23.1.8. Provided that in the case of appeals in respect of the non-selection of a player for any competition an appeal can only be brought in respect of the grounds set out in 23.1.2, 23.1.3, 23.1.4, 23.1.5, or 23.1.6 or 23.1.7.

23.2. APPOINTMENT OF COMMISSIONER

23.2.1. Shall be made by the BA Board.

23.2.2. Such a person shall be one of good standing with the ability to investigate and analyse any submission on appeal.

23.2.3. All expenses for the work of the Commissioner on ABA Appeals business shall be met from the ABA Account.

23.3. DUTIES OF THE COMMISSIONER

23.3.1. To hear appeals from Members (States/Territories) affected by decisions made by the ABA in the exercise of powers conferred upon or otherwise available to it.

23.3.2. To hear appeals from decisions made by the ABA, which affect persons being competitors who are subject to, or court officials or coaches whose work comes under, the direct or immediate jurisdiction of the ABA.

23.4. POWERS OF COMMISSIONER

23.4.1. To call for and examine any papers and documents relating to the appeal.

23.4.2. To interview any person he believes can assist the appeal.

23.4.3. To make written recommendations relating to the appeal to the ABA Board and for the purposes of this Section 23.4.3 "recommendations" includes the ordering of a review of a decision by way of reconsideration or the hearing or the making of a

declaratory or other order revoking the decision appealed against and/or substituting a decision in lieu thereof or affirming or varying the decision appealed against.

23.4.4. To have the discretion to make orders relating to the costs to be paid by the ABA or an appellant in respect of an appeal especially in the case of frivolous or vexatious or unnecessary appeals.

23.5. OBLIGATIONS OF THE ABA BOARD

23.5.1. To acknowledge in writing receipt of an appeal and notify the appellant of the submission thereof to the Commissioner.

23.5.2. Within seven days of receiving the appeal to lodge such appeal with the Commissioner.

23.5.3. To receive the recommendations from the commissioner and take appropriate action in response thereto.

23.6. OBLIGATIONS OF THE APPELLANT

23.6.1. To submit the appeal in writing outlining in detail the nature of and reasons for the appeal.

23.6.2. To lodge a fee of \$100.00 with the appeal of which all or part may be refunded according to the recommendations of the Commissioner.

23.7. RESOLUTION OF DISPUTE

23.7.1. The actions of the commissioner and the following actions of the ABA Board shall be final and no further correspondence will be entered into on any matters relating to the appeal or the reasons for such an appeal.
