BADMINTON AUSTRALIA TRANSGENDER POLICY

Title:	Badminton Australia Transgender Policy
Type of Policy	Governance
Last Review Date:	N/A
Version:	BA Transgender Policy FINAL Board Approved
Next Review Date:	June 2027
Responsible Person:	CEO & Integrity / Legal
Authority	Approved by the Board

1. Purpose

Badminton Australia (BA) is committed to a safe, welcoming and inclusive sport. This policy sets objective and transparent eligibility conditions for elite participation by transgender and gender diverse (TGD) athletes in BA sanctioned competitions, balancing inclusion, fairness and legal parameters, and complementing BA's LGBTQ+ Inclusion Policy and Integrity Framework.

2. Scope & Application

2.1 Subject to section 2.2, this policy applies to elite competition under BA's jurisdiction, defined as BA sanctioned tournaments and activities that carry national ranking points and/or form part of selection pathways to represent at state or national level, including national championships, national ranking events, and any BA selection trials/camps. It does not govern community/non-sanctioned activities, which remain fully inclusive under the BA LGBTQ+ Inclusion Policy.

2.2 This policy applies to players **from the age of 14 and above**, aligning with BA's selection policy whereby athletes are eligible for national junior squad selection from **age 14**. Athletes aged under 14 can participate in the gender category with which they identify with in any badminton activities, including BA-sanctioned tournaments.

2.3 In accordance with Section 42 of the Sex Discrimination Act 1984 (Cth), BA limits participation in elite competition as described within this policy to ensure fair competition given that the strength, stamina or physique of competitors is a relevant factor to the outcome.

2.4 BA has adopted a serum testosterone threshold of < 5 nmol/L as an objective and proportionate eligibility criterion for participation in the women's and girls' categories at elite level. This threshold is consistent with approaches used across a range of Australian and international sports where strength, speed, power and endurance are relevant to competition outcomes, and reflects a balance between inclusion, competitive fairness, athlete welfare and legal obligations. This approach aligns with guidance from the Australian Institute of Sport (AIS) and the Australian Sports Commission (ASC), which recognise that sex-based eligibility criteria, including hormonal thresholds, may be applied in elite and high-performance contexts where physical attributes linked to male puberty confer a material performance advantage.

BA acknowledges that scientific understanding continues to evolve and will keep this threshold under review in line with updated AIS/ASC guidance, international federation requirements and emerging evidence.

2.5 Participation in BWF sanctioned international competitions (including any Australian events run under BWF authority) is governed solely by BWF regulations. Where a competition serves BWF selection/qualification, BWF regulations take precedence over this policy. BA will support athletes to understand applicable BWF/IOC requirements and will update this policy as BWF guidance evolves.

2.6 This policy operates alongside BA's National Integrity Framework, Member Protection and Privacy Policies, and is subject to applicable Australian law.

3. Definitions (short-form)

BA adopts the definitions in the BA LGBTQ+ Inclusion Policy (e.g. gender identity, transgender, nonbinary, transition/affirmation) - a number of which are included below for reference. Where needed, BA may issue a glossary with this policy. Note that this policy does not apply to people with intersex status.

Transgender (commonly abbreviated to 'trans') is a general term used to describe a person whose gender identity is different to the sex they were assumed at birth. Being transgender is about how an individual describes their own gender. It is not necessarily about their biological characteristics. Trans people may position 'being trans' as a history or experience, rather than an identity, and consider their gender identity as simply being female, male or a non-binary identity. Some trans people connect strongly with their trans experience, whereas others do not. Processes of gender affirmation may or may not be part of a trans or gender diverse person's life.

Non-Binary is a term used to describe a person who does not identify exclusively as either a man or a woman. Genders that sit outside of the female and male binary are often called non-binary. A person might identify solely as non-binary or relate to non-binary as an umbrella term and consider themselves genderfluid, genderqueer, trans masculine, trans feminine, agender, bigender, or something else.

---

4. Principles

- **Inclusion & dignity.** All athletes must be treated with respect. Harassment, discrimination and vexatious complaints are prohibited.
- **Fairness & objectivity.** Eligibility criteria for women/girl's category participation uses objective measures to minimise subjectivity and protect legal defensibility.
- **Child safety.** Processes for athletes aged **14–17** prioritise privacy, minimal intrusiveness, and safeguarding.
- **Privacy.** Sensitive medical/personal information is handled strictly confidentially, used only for applying/enforcing this policy and protected under BA's Privacy Policy.

---

5. Eligibility Conditions

5.1 Women/Girl's Category — Trans women (assigned male at birth)

To compete in **women's or girl's events** at BA sanctioned elite competitions, a trans woman or girl is required to:

a) Provide a written, signed declaration that her gender identity is female (in a form required by BA) or non-binary in the case of election under section 5.3 below.

b) Demonstrate, to BA's satisfaction, that her serum testosterone concentration has been < 5 nmol/L continuously for at least 12 months prior to first eligibility, with any longer period determined case by case if required to minimise any retained advantage; and commit to maintaining levels < 5 nmol/L while competing in the women/girl's category. (Testing must use LCMS/MS methods.)

c) Receive written confirmation of eligibility from BA. Ongoing eligibility is conditional on continued compliance.

Puberty blocker exemption. An athlete who has not undergone male puberty (e.g., continuous use of puberty blockers delaying male puberty) may be exempt from the testosterone criterion upon providing medical evidence from a qualified specialist acceptable to BA.

Testing cadence. At minimum: verify eligibility preclearance; then periodic monitoring (e.g., seasonal or random) and on reasonable cause. BA may also rely on antidoping samples/data where lawfully available.

5.2 Men's/Boy's Category — Trans men (assigned female at birth)

To compete in **men's or boy's events** at BA sanctioned elite competitions, a trans man or boy is required to provide a written, signed declaration that his gender identity is male or non-binary in the case of election under section 5.3 below. BA will then issue written eligibility to compete in the men's/boy's category.

Effect of masculinising hormones. Once an athlete has commenced testosterone (or other prohibited substances) for gender affirmation, participation in the women/girl's category is not permitted and antidoping/TUE obligations apply under the applicable code/standards (see section 5.4b).

5.3 Non-binary athletes

For elite competitions that are sex classified, a nonbinary athlete must elect a competition category (women/girl's or men's/boy's/open) at entry. If electing the women/girl's category and the athlete has undergone male puberty, the same conditions as 5.1 apply; if they have not, they may be considered under the puberty blocker exemption pathway above. If electing the men's/boy's category, the same conditions as 5.2 apply.

5.4 Conditions applicable to all TGD athletes

a) After first competing in a category consistent with gender identity, an athlete may not switch to another category in BA sanctioned elite events unless **≥ 12 months** have elapsed, and they meet all eligibility conditions for the new category.

b) All standard entry, selection and antidoping rules remain in force. Nothing here permits noncompliance with other BA or BWF constitution, rules, regulations, codes, policies or bylaws, or the World Anti-Doping Code or TUE requirements. See in particular SIA's fact sheet for further guidance regarding hormone therapy: Gender diverse athletes – TUE fact sheet

6. Monitoring, Compliance & Investigations

6.1 BA may monitor compliance at any time, with or without notice, using random or targeted serum testosterone testing (LCMS/MS), and may use antidoping samples/data where lawful. Athletes agree to provide samples on request.

6.2 Only BA may initiate investigations and only on reasonable grounds from reliable sources (e.g., the athlete's own disclosure, routine health checks, or credible lab data). BA will aim to conduct investigations respectfully, with discretion and with the privacy, safety and wellbeing of the athlete at the forefront.

6.3 Abuse/harassment, campaigns, or complaints made in bad faith (including appearance based targeting) are strictly prohibited and may constitute serious breaches subject to discipline under BA's National Integrity Framework and/or Member Protection policy.

6.4 If a trans woman previously certified for women's or girl's competition fails to maintain < 5 nmol/L, she becomes ineligible for the women/girl's category until she demonstrates a new continuous 12month period < 5 nmol/L.

7. Processes & Safeguards

Processes must be non-invasive, trauma-informed and proportionate; no humiliating or appearance-based checks. Testing is scheduled to minimise disruption to health (and any school) needs.

7.1 Application & certification

- BA will appoint an Eligibility Panel (comprising a medical advisor, integrity/legal representative, and a senior high-performance official) to assess documentation and issue certifications. (Panel composition aims to avoid overly subjective "case panels" while ensuring due process.)
- An athlete may choose, but is not obliged, to involve their club, association or other BA Affiliate in the application process, in which case, that organisation must act in good faith and cooperate with the process as reasonably required by BA.
- What to submit (women's and girl's categories applicants):
  – Signed gender identity declaration;
  – Laboratory evidence demonstrating serum testosterone < 5 nmol/L for the preceding 12 months (LCMS/MS), or medical evidence supporting the puberty blocker exemption;
  – Consent to monitoring consistent with this policy.
- Validity: Certifications state an effective date and review window (typically annual, or shorter where clinically indicated).

7.2 Athletes aged 14–17 (child safety)

- Parental/guardian involvement is required per BA child safeguarding policy, with the young person's agency respected.

7.3 Privacy & confidentiality

All information provided under this policy is sensitive personal/medical information and will be handled confidentially, used only for applying/enforcing this policy, disclosed only where necessary or required by law, and otherwise protected per BA's Privacy Policy.

Access to any minor's information is restricted to essential BA personnel and the Eligibility Panel only.

7.4 Appeals

An applicant whose certification is refused by the Eligibility Panel may appeal that decision in writing to BA within 14 days on one or more of the following grounds:

- Error of Law: The decision-maker failed to properly interpret or apply the policy;
- Procedural Fairness: The applicant was denied natural justice or procedural fairness in the handling of their application;
- Lack of Evidence: The decision was not supported by the evidence provided, such that no reasonable decision-maker could have reached that conclusion; or
- New Evidence: Material evidence has emerged that was not available at the time of the decision, and which would likely have resulted in a different outcome.

The appeal shall be heard by an adjudicator appointed by the Badminton Australia Board (or their delegate) who must be a person with a minimum of 7 years' post-admission legal experience and not involved in the initial decision.

The adjudicator shall conduct the appeal as a review of the decision and not as a de novo hearing, except where the ground of appeal is New Evidence.

The adjudicator may either dismiss the appeal (and confirm the decision) or uphold the appeal in whole or in part. Where upheld, the adjudicator must not substitute their own decision. Instead, they shall remit the matter back to a newly constituted Eligibility Panel for re-determination. The newly constituted panel must act in accordance with any directions or findings of fact provided by the adjudicator in their written determination. No further appeal is permitted from the newly constituted panel.

The decision of the adjudicator is final and binding on the parties.