ELECTORAL CODE OF
MYANMAR FOOTBALL FEDERATION

[30 DECEMBER 2023]

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DEFINITIONS

Whenever relevant, the terminology used in this Electoral Code shall refer to the terms defined in the Definitions section of the Statutes of Myanmar Football Federation.

I. GENERAL PROVISIONS

Article 1 Scope of application

1 This Electoral Code is applicable to the elections of the members of the Executive Committee and of the independent committees as defined in the Statutes of Myanmar Football Federation.

2 This Electoral Code is also applicable to the elections of the members of the relevant bodies of the Members of MFF, if their statutes specifically stipulate this. The statutes of the Members of Myanmar Football Federation shall define the exact scope of application of this Electoral Code and if the Electoral Committee of MFF shall supervise the relevant electoral process.

Article 2 Principles and obligations

1 General good governance principles, such as the separation of powers, independence, transparency, and the obligation to avoid situations of conflicts of interest shall be observed without exception throughout the entire electoral process.

2 Any undue influence from third parties in the electoral process shall not be permitted. MFF shall immediately inform FIFA, AFC and AFF of such influence in the electoral process.

3 MFF shall ensure that any electoral rules and guidelines of its bodies are in line with the provisions of this Electoral Code, the Statutes of MFF as well as the Statutes, regulations, directives, and decisions of FIFA.

4 MFF shall, at least Thirty (30) days before the date of the relevant elections, inform FIFA, AFC and AFF about the nature of the elections (i.e., number of members to be elected, duration of mandates, reason for the elections, etc.) and provide FIFA, AFC and AFF with a copy of its valid Electoral Code and, if applicable, any other electoral rules and guidelines.

5 Unless stated otherwise in the Statutes and regulations of MFF, the members of the relevant bodies of MFF shall continue to exercise their functions until the completion of the electoral process.

II. ELECTORAL COMMITTEE

Article 3 Basic principles

1 The Electoral Committee shall supervise the electoral process in accordance with the relevant provisions of the Statutes of MFF and of this Electoral Code.

2 The members of the Electoral Committee shall not be members of any other body of MFF and may not hold any executive position in any government body. Members of the Electoral Committee may not be candidates for any of the positions to be filled within MFF as long as they are still under mandate.

3 The members of the Electoral Committee shall immediately withdraw from the matter in progress and refrain from taking any decision if:

a) they are an immediate family member of one of the candidates running for any of the positions to be filled.

b) there is a risk or possibility of a conflict of interest as defined in the Disciplinary and Ethics Code of MFF.

4 In the event that a member of the Electoral Committee does not fulfil any of the above requirements and/or has to step down as member of the Electoral Committee for any reason, the member shall be replaced in accordance with the provisions of art. 4 par. 3 of this Electoral Code.

5 The members of the Electoral Committee shall always act in good faith and observe the utmost impartiality when carrying out their duties.

Article 4 **Composition**

1 The Electoral Committee shall be composed of five (5) members as follows:

a) a chairperson.

b) a deputy chairperson.

c) Three ordinary members.

2 An appropriate number of substitutes shall also be appointed by the Congress.

3 If the chairperson is absent or unavailable, the deputy-chairperson shall deputise, and if the deputy-chairperson too is absent or unavailable, then an ordinary member shall deputise. Any ordinary member who is absent or unavailable shall be replaced by a substitute.

4 The chairperson shall appoint one of the members as a secretary, who shall be responsible for relevant logistical and administrative matters for the relevant case. The secretary may call upon the general secretariat to assist him/her in his/her duties.

5 The Chairperson of the Electoral Committee shall be qualified to practise law.

Article 5 Duties of the Electoral Committee

The Electoral Committee shall be responsible for all tasks relating to the organisation, running and supervision of the elections to take place during the Congress. In particular, the Electoral Committee shall be responsible for:

a) strictly enforcing the Statutes and regulations of MFF as well as this Electoral Code.

b) ensuring that any applicable electoral rules or guidelines of the bodies of MFF are in line with the provisions of this Electoral Code and the Statutes of MFF as well as the Statutes, regulations, directives, and decisions of FIFA.

c) strictly enforcing the statutory deadlines for elections.

d) providing information to the Members as well as to relevant government authorities (where necessary, i.e., when expressly provided for under the national legislation), the media and the public, notably by holding a media conference (where necessary).

e) where necessary, managing relations with relevant government authorities.

f) the candidature procedure (launch, distribution of information, evaluation, publication of official list, etc.).

g) drawing up the list of voters (delegates), assisted by the general secretariat, in accordance with the statutory provisions of MFF.

h) verifying the identity of the voters (delegates) and their representation powers.

i) monitoring the electoral and voting procedure, including taking decisions regarding the validity or invalidity of ballot papers, passing a definitive decision on any matters relating to the electoral procedure during the elective Congress and certifying the official results.

j) performing checks regarding the fulfilment of the eligibility criteria, independence and integrity requirements stipulated in the Statutes of MFF.

k) All other tasks to ensure the smooth running of the electoral process.

Article 6 Meetings, Quorum, and Decisions

1 The Chairperson shall convene the meetings of the Electoral Committee. Only an Electoral Committee that has been duly convened has the authority to deliberate and pass decisions.

2 The Electoral Committee shall not engage in valid debate unless a majority (more than 50%) of its members are present.

3 The Electoral Committee shall reach its decisions by a majority (more than 50%) of the valid votes cast. Abstentions as well as voting by proxy or by letter are not permitted. In the event of a tied vote, the chairperson shall have the casting vote.

4 The decisions taken shall be recorded in minutes signed by the chairperson and the secretary of the Electoral Committee.

III. CANDIDATURES

Article 7 Eligibility criteria

1 The eligibility criteria for the positions to be filled within the relevant bodies of MFF are defined in the relevant provisions of the Statutes of MFF.

2 The Electoral Committee shall not impose any eligibility criteria that are not provided for in the Statutes of MFF or any other formal requirements that are not provided for in this Electoral Code or in the Statues of MFF. The Electoral Committee shall only request the documents that help establish whether the relevant eligibility criteria have been fulfilled.

3 The Electoral Committee shall publish the full list of eligibility criteria (with reference to the relevant provisions of the Statutes of MFF), as well

as the documents to be provided for each of the positions within the deadlines stipulated in the Statutes of MFF.

Article 8 Submission and examination of candidatures for the Executive Committee

1 No fees or charges of any sort shall be requested from any of the candidates at any point during the entire electoral procedure unless they have previously been approved by the Congress. In any event, any fees or charges agreed upon shall remain reasonable and shall only serve to cover the costs of the relevant administrative burden.

2 Candidatures for any of the positions of the Executive Committee shall be sent by recorded post, by email with delivery notification, or delivered by hand in exchange for confirmation of receipt, to the general secretariat at least forty-five (45) days before the relevant elective Congress. Candidatures received by the general secretariat shall immediately be forwarded to the secretary of the Electoral Committee as well as to the Audit and Compliance Committee for the relevant integrity checks to be carried out as per Annexe A of the Statutes of MFF.

3 Within [seven days (7)] days of the deadline for submission of the candidatures, the Electoral Committee shall inform in writing those candidates who have failed to provide all the relevant documents in support of their candidatures and grant them another [seven days (7)] days to complete their applications. If the relevant candidates fail to complete their applications within the prescribed deadline, their candidatures shall be declared invalid. This paragraph does not apply to the expressions of support stipulated in art. 31 par. 4 or art. 31 par. 3 of the Statutes, which need to be submitted within the deadline for submission of the candidatures for the Executive Committee without failure.

4 The candidatures for the Executive Committee shall be examined by the Electoral Committee within seven (7) days of the deadline for their submission and the candidates shall be informed of the decision of the Electoral Committee within the same period.

Article 9 Appeal Committee

1 As stated in Article 63 of MFF Statutes, the Appeal Committee shall consist of a Chairperson, Deputy Chairperson, and the number of members three (3) people maximums. The function of this body shall be governed by the Statutes and Electoral Code of the MFF.

2 The function of these committees is governed by the Disciplinary and Ethics Code, and the Electoral Code of the MFF.

3 The Appeals Committee is responsible for hearing appeals against decisions from the Disciplinary and Ethics Committee and the Electoral Committee that are not declared final by the relevant regulations of the MFF.

4 Decisions pronounced by the Appeal Committee may only be referred to the Code of Arbitration for Sport (CAS).

Article 10 Appeal procedure for candidates for the Executive Committee

1 Appeals against decisions of the Electoral Committee may be lodged only with the Election Appeal Committee, thereby precluding the possibility of appealing said decisions before any other body, particularly a government body.

2 Any appeal, duly motivated, shall be sent by recorded post, or delivered in exchange for confirmation of receipt, to the general secretariat within five (5) days of receipt of the decision of the Electoral Committee. Appeals received by the general secretariat shall immediately be forwarded to the members of the Appeal Committee.

3 Appeals shall be considered by the Appeal Committee within seven (7) days of their receipt and communicated to the candidates within the same period.

4 Appeals shall be either upheld, dismissed, or declared inadmissible by the Appeal Committee. In case the appeal is upheld, the Appeal

Committee shall take a decision on the merits replacing the decision of the Electoral Committee.

6 The decisions of the Appeal Committee may only be referred to the Code of Arbitration for Sport (CAS).

Article 11 Procedure for candidates for other bodies of Myanmar Football Federation

1 Candidatures for any of the positions of all other bodies of MFF (Audit and Compliance Committee, electoral committees, and judicial bodies) shall be sent by the Executive Committee to the general secretariat at least thirty (30) days before the relevant elective Congress. Candidatures received by the general secretariat shall be immediately forwarded to the Electoral Committee as well as to the relevant body in charge of carrying out the integrity checks.

2 Within fifteen (15) days of receipt of the candidatures, the Electoral Committee shall confirm to the general secretariat whether the formal requirements for the relevant positions have been fulfilled. If one or more candidates cannot be validated, the Executive Committee shall propose additional candidates for the relevant positions.

Article 12 Official list of candidates

1 The official list of candidates for all the bodies of MFF shall be sent to the Members of MFF at least fifteen (15) days before the elective Congress.

2 The official list of candidates shall be published in the press and, where necessary (i.e., when expressly provided for under the national legislation), sent to the relevant government authorities for information.

IV. VOTING PROCEDURE

Article 13 Ballot papers

1 The general secretariat shall produce the ballot papers under the supervision of the Electoral Committee. The ballot papers shall be printed clearly and legibly.

2 The ballot papers shall be of a different colour for each round of the election.

Article 14 Ballot boxes

1 Before the start of the voting procedure, the ballot boxes – which shall be transparent, if possible, shall be opened and presented to the delegates of the Congress. The ballot boxes shall then be closed and placed in a visible spot close to the members of the Electoral Committee.

2 During the entire voting process, the ballot boxes shall be monitored by one of the members of the Electoral Committee.

Article 15 Casting of ballots

1 Before the delegates are requested to cast their vote, the chairperson of the Electoral Committee shall explain in detail the electoral procedure (ballot boxes, ballot papers, valid and invalid ballot papers, count, required majorities, results, etc.) and refer to the relevant statutory provisions.

2 The elections of the members of the Executive Committee and of other bodies of MFF shall take place as follows:

a) The chairperson of the Electoral Committee shall call in turn each delegate of the Members present and eligible to vote to move to the front of the Congress Hall where the election is taking place.

b) Once called, the relevant delegate shall move to the front of the Congress Hall and, after signing receipt of the ballot paper form, receive a ballot paper.

c) The delegate shall then complete the ballot paper in the polling booth designated for this purpose. The polling booth shall be placed in a visible spot, but still allow the delegate to cast his/her vote secretly. No mobile phones, cameras or any other recording devices shall be allowed in the polling booth.

d) The delegate shall then deposit the ballot paper in the ballot boxes, sign the electoral register and return to his/her seat.

3 The counting procedure shall begin as soon as all the delegates have deposited their ballot papers in the ballot boxes. A member of the Electoral Committee shall open the ballot boxes and tip out the ballot papers in front of all the delegates.

4 The count shall then commence.

V. COUNT

Article 16 General principles

1 Only the members of the Electoral Committee shall take part in the count of the ballot papers. All operations (opening the ballot box(s), counting the ballot papers, counting the votes, etc.) shall be carried out in a way that can be followed clearly by all the delegates of the Congress.

2 In the event of a dispute regarding the validity or invalidity of a ballot paper or of a vote, the drafting of the minutes, the declaration of the results or any other matter relating to the counting procedure, the decision of the Electoral Committee shall be final.

Article 17 Invalid ballot papers

1 The following ballot papers are considered invalid:

a) ballot papers that do not bear the official distinctive marks defined by the Electoral Committee.

b) ballot papers that bear any words other than the names of the candidates.

c) ballot papers that are illegible or have been defaced.

d) ballot papers that bear identifying marks.

2 The chairperson of the Electoral Committee shall write on the back of any invalid ballot paper the reason(s) for its invalidity and confirm with a signature.

Article 18 Spelling mistakes

Spelling mistakes shall result in the invalidity of a vote only if they mean that it is not possible to identify with certainty any of the official candidates.

Article 19 Count and declaration of results

1 Once the ballot box has been opened, the members of the Electoral Committee shall count the number of ballot papers and verify their validity. If the number of ballot papers is equal to or less than the number of ballot papers issued, the ballot is valid. If it exceeds the number of ballot papers issued, the ballot shall be declared void and recommence immediately in accordance with the procedure described above.

2 After the number of ballot papers has been verified, the members of the Electoral Committee shall proceed to count the number of votes cast for each candidate or list.

3 If a second (or subsequent) round of voting is required, the voting procedure shall be repeated in accordance with the above articles. The Members are also to be informed of the statutory provisions that apply for the second (and subsequent) rounds of voting (e.g. any changes to the majority required, elimination of candidates, etc.).

4 After each round of the election, the chairperson of the Electoral Committee shall officially declare the results to the Members.

5 The General Secretary shall put the ballot papers that have been collected and counted into envelopes intended for this purpose. The envelopes shall then be signed by the chairperson of the Electoral Committee and sealed. The general secretariat shall keep these envelopes and destroy them one hundred (100) days after the Congress.

VI. FINAL PROVISIONS

Article 20 Archiving of documents and confidentiality

1 The Electoral Committee and the Election Appeal Committee shall hand over all official documents as well as all documents provided to them during the electoral process to the general secretariat, which shall be responsible for archiving them.

2 The members of the Electoral Committee and of the Election Appeal Committee shall maintain absolute confidentiality and secrecy with respect to any information and documents made available to them during the course of the electoral process. Such obligation shall remain for an indefinite period following the relevant electoral process. Furthermore, they shall not retain any documents (electronic or otherwise) supplied to them during the electoral process.

Article 21 Matters not provided for herein.

1 All matters relating to the administrative and technical organisation of the elective Congress that are not covered by this Electoral Code or by the Statutes and regulations of MFF shall be ruled upon by the Electoral Committee, whose decision shall be final.

2 All matters relating to the running of the elections that are not covered by this Electoral Code or by the Statutes and regulations of MFF shall be ruled upon by the Electoral Committee, whose decision shall be final.

Article 22 Enforcement

This Electoral Code was adopted by the MFF Congress on 30 December 2023 and comes into force immediately.

[Yangon], [30-12-2023]

For Myanmar Football Federation

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