FAM Electoral Code

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Chapter Article Page

CHAPTER ARTICLE PAGE 1

I. GENERAL REMARKS 2

ARTICLE 1 SCOPE OF APPLICATION 2
ARTICLE 2 PRINCIPLES, OBLIGATIONS AND RIGHTS OF PARTIES, GOVERNMENT INTERFERENCE 2

II. ELECTORAL COMMITTEE 2

ARTICLE 3 BASIC PRINCIPLES 2
ARTICLE 4 ELECTION 3
ARTICLE 5 COMPOSITION 3
ARTICLE 6 DUTIES 3
ARTICLE 7 CONVOKING THE ELECTORAL COMMITTEE AND QUORUM 4
ARTICLE 8 DECISIONS 4

III. CANDIDATURES 4

ARTICLE 9 CRITERIA 4
ARTICLE 10 SUBMISSION OF CANDIDATURES 4
ARTICLE 11 EXAMINATION OF CANDIDATURES 5
ARTICLE 12 APPEAL PROCEDURE 5
ARTICLE 13 DISTRIBUTION OF THE FINAL OFFICIAL LIST 5

IV. VOTING PROCEDURE 6

ARTICLE 14 DEADLINE FOR CONVOKING AN ELECTIVE CONGRESS 6
ARTICLE 15 DUTIES OF THE ELECTORAL COMMITTEE 6
ARTICLE 16 BALLOT PAPERS 6
ARTICLE 17 URN 6
ARTICLE 18 POLLING BOOTHS 6
ARTICLE 19 VOTE 6

V. COUNT 7

ARTICLE 20 GENERAL PRINCIPLES, DECISIONS IN THE EVENT OF DISPUTE 7
ARTICLE 21 INVALID BALLOT PAPERS 7
ARTICLE 22 SPELLING MISTAKES 7
ARTICLE 23 COUNT AND DECLARATION OF RESULTS 7
ARTICLE 24 DECLARATION OF FINAL RESULTS 8
ARTICLE 25 VERIFICATION OF PROCEDURE 8

VI. FINAL PROVISIONS 8

ARTICLE 26 VIOLATIONS, ARCHIVING OF DOCUMENTS, OMISSIONS 8
ARTICLE 27 ENFORCEMENT 9

I. GENERAL REMARKS

Article 1 Scope of application

1. This code is applicable to all elections to FAM bodies and any other bodies of members affiliated to FAM according to the pertinent statutes and regulations.

2. This electoral code is also applicable to elections to all bodies that are subordinate to the association (e.g. leagues, regional associations, and affiliated members) and whose regulations and procedures are controlled exclusively by the association.

Article 2 Principles, obligations and rights of parties, government interference

1. The democratic principles of segregation of powers, transparency and publicising of the electoral processes of the FAM must be observed without exception.

2. Government interference of any kind in the electoral process or composition of the elective body (Congress) of the FAM is not permitted. Consequently, government rules on elections shall not apply to the elected internal bodies of the FAM and the electoral rules of the FAM shall not require the approval of any government body. Furthermore:

   a) the FAM shall adapt and approve the electoral rules of its elected internal bodies in accordance with this code and pertinent FIFA regulations;

   b) at the very least, the FAM Electoral Code shall include the following information: the number of members and elections, if appropriate, of the Congress; deadlines, requirements, regulations and the announcement of the final lists of candidates; the voting procedure, ballot papers, urns, polling booths and the announcement of the results; verification of the procedure and appeals.

   b) the FAM should inform FIFA and AFC of the commencement of the elections to its elected internal bodies, the announcement of the elections and its electoral rules at one month's notice. It should likewise inform FIFA and AFC of the duration of the elections and of the mandates. The FAM is obliged to immediately inform FIFA and AFC of any government interference in the electoral process.

   c) unless this code states otherwise, the elected internal bodies of the FAM shall continue to exercise their functions until the completion of the electoral process.

II. ELECTORAL COMMITTEE

Article 3 Basic principles

1. The electoral committee organises and supervises the election process and takes all decisions relating to the election.

2. The members of the electoral committee must under no circumstances be members of the executive or legal body of FAM.

3. The members of the electoral committee shall be bona fide members of FAM.

4. The members of the electoral committee must immediately decline to give an opinion and withdraw from the matter in progress if they are:

   a) a candidate for an elected post;

   b) a relative, whether by birth or marriage, of one of the candidates for an elected post;

c) a government official of any kind.

5. In the event that a member of the electoral committee does not fulfil the above requirements, the member in question shall immediately leave his position and be replaced by a substitute.

Article 4 Election

1. The three members of the electoral committee are elected by the FAM Congress for a term of four years, in accordance with the provisions of the FAM Electoral Code. The electoral committee appoints the chairman and deputy chairman from among its members.

2. The members of the electoral committee are not permitted to serve for two consecutive terms.

Article 5 Composition

1. The electoral committee shall be composed of 3members and must be formed within the FAM

2. The electoral committee comprises:

a) a chairman;

b) a deputy chairman;

c) a member.

3. The general secretary of the FAM serves as the secretary to the electoral committee. He takes part in the activities of the electoral committee in a consultative capacity, is responsible for the related logistical matters and takes care of administrative matters.

4. In the event that one or more members of the electoral committee stand as candidates for an elected post or are unable to carry out their duties, they shall resign from the electoral committee. For any member who resigns, a replacement shall be elected at the following FAM Congress.

5. The members of the electoral committee shall officially declare their candidature for elected posts in such a way as to allow the replacement process described above to be carried out harmoniously and without any time pressure that would be prejudicial to the elections of the bodies to be elected.

6. The electoral committee may be assisted by members of the general secretariat at any time provided that they are not standing as candidates for elected posts.

Article 6 Duties

1. The electoral committee is responsible for all tasks relating to the organisation, running and supervision of the elective FAM Congress. In particular, it is responsible for:

b) strictly enforcing the statutes, directives and regulations of FIFA, AFC and the FAM;

c) strictly enforcing the FAM Electoral Code;

d) strictly enforcing the statutory deadlines for elections;

e) distributing information to the members of the FAM Congress as well as to the media and the public;

f) managing relations with government bodies (where necessary);

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

h) organising, in administrative and technical terms, the elective FAM Congress;

i) verifying the identity of the voters;

j) the voting procedure;

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

2. Logistical matters shall be taken care of by the FAM.

Article 7 Convoking the electoral committee and quorum

1. Only if the electoral committee is convoked validly by its chairman is it entitled to deliberate and pass decisions.

2. A quorum is constituted by more than 50% of the members of the electoral committee.

Article 8 Decisions

All of the electoral committee's decisions must be passed by more than 50% of the valid votes cast. If a vote is tied, the chairman of the electoral committee shall have the casting vote. Decisions are recorded in minutes signed by the chairman and the secretary of the electoral committee. Appeals against the electoral committee's decisions may be lodged only with the election appeal committee of the FAM, to the exclusion of the possibility of appealing said decisions before any other body, particularly a government body.

III. CANDIDATURES

Article 9 Criteria

The eligibility criteria are defined by this code and the FAM statutes and must comply with the statutes and regulations of FIFA.

Article 10 Submission of candidatures

1. The lists of candidates shall be sent by recorded post or delivered in exchange for confirmation of receipt to the general secretariat of the FAM at least 35 days before the FAM Congress is held. These candidatures shall be transmitted immediately to the electoral committee.

2. The lists of candidates submitted to the general secretariat of the FAM shall be complete (i.e. for each position of the Executive Committee a different candidate shall be listed) and it shall be specified which candidate shall occupy which position within the Executive Committee. In case the list is not complete or the required documents are missing, the Electoral Committee will give three days to the candidates to rectify.

3. A candidate which is mentioned on two different lists shall be excluded from the process.

4. In case a candidate which is listed for the position of President of the FAM drops out due to his withdrawal or for another reason after the deadline for submitting the candidatures, the list shall be considered invalid and therefore excluded from the electoral process. Apart from the candidate for the position of President and in case that one or up to four candidates who are registered on the same list drop out due to withdrawal or for any other reason after the deadline for submitting the candidatures, the respective list shall remain valid provided that it is approved by the electoral committee and, in case of an appeal, by the electoral appeal committee. In case such list is elected, the newly elected Executive Committee of the FAM shall fill the vacant position(s) of the respective member(s) of the Executive Committee until the next Ordinary General Meeting of the FAM when the replacement(s) for the concerned position(s) shall be elected for the remaining term of the respective mandate.

5. The same procedure applies in case the electoral committee (and in case of an appeal also the appeal committee) decides that up to for candidates (apart from the candidate for presidency) do not comply with the necessary requirements for a candidature but approves the rest of the list.

6. In any case of five or more candidates of the list drop out due to withdrawal or for any other reason after the deadline for submitting the candidatures, the list shall be considered invalid.

7. In no case, any new candidatures or replacements for candidates shall be accepted after the deadline of closure of candidatures.

Article 11 Examination of candidatures

1. The submitted lists of candidates shall be examined by the electoral committee within 14 days of the deadline for their submission.

2. After this deadline, the candidates shall be informed of the decision of the electoral committee.

Article 12 Appeal procedure

1. The three members of the election appeal committee are elected by the FAM Congress for a term of four years at the same time as the members of the electoral committee, in accordance with the provisions of the FAM Electoral Code. One of these members shall have legal training.

2. Any appeal, with its reasons, shall be sent by registered post or delivered in exchange for confirmation of receipt to the general secretariat of the FAM within 2 days of receipt of the electoral committee's decision.

3. Appeals shall be considered by the election appeal committee within 3 days of their receipt by the general secretariat of the FAM.

4. The decisions of the election appeal committee are final and may not be monitored by any government body.

5. The approved lists of candidates shall be published.

Article 13 Distribution of the final official list

The final and approved official lists of candidates shall be sent to all the members of the FAM Congress and, where necessary, to the relevant government bodies no less than 10 days before the elective FAM Congress is held. It shall also be published in the press.

IV. VOTING PROCEDURE

Article 14 Deadline for convoking an elective Congress

An elective FAM Congress shall be convoked the requisite number of days before it takes place as stipulated in the FAM statutes. Notification shall be addressed to all the members of the FAM Congress. The elective FAM Congress shall be announced through the media.

Article 15 Duties of the electoral committee

The duties of the electoral committee are as follows:

a) to monitor the voting procedure during the elective FAM Congress using the electoral register that it has compiled;

b) to count the votes;

c) to take any decision that is necessary regarding the validity or invalidity of ballot papers;

d) in general, to pass a definitive decision on any matters relating to the voting procedure during the elective FAM Congress;

e) to draft official minutes of the election and distribute them to the members of the FAM;

f) to declare the official results;

g) to organise a media conference, where necessary.

Article 16 Ballot papers

The general secretariat of FAM shall produce the ballot papers under the supervision and charge of the electoral committee. The ballot papers shall be printed clearly and legibly.

Article 17 Urn

1. Before the start of the voting procedure, the urn – which shall be transparent where possible – shall be opened and presented to the members of the FAM Congress. It shall then be closed and placed in a visible position near to the members of the electoral committee.

2. During the vote, the urn shall be monitored by one of the members of the electoral committee.

Article 18 Polling booths

Polling booths shall be erected near to the urn and the polling station so that the members of the FAM Congress who are entitled to vote may complete their ballot paper in secret.

Article 19 Vote

1. The chairman of the electoral committee shall explain in detail the voting procedure (urn, ballot papers, valid and invalid ballot papers, count, required majorities, results etc.) and cite any relevant statutory or legislative provisions.

2. The chairman of the electoral committee calls in turn each member of the FAM Congress who has the right to vote and invites him to move to the front of the hall where the election is taking place.

3. Once called, the member of the FAM Congress moves to the front of the hall and, after signing, he receives his ballot paper.

4. The member of the FAM Congress then completes his ballot paper in the polling booth designated for this purpose.

5. The member of the FAM Congress in question deposits his ballot paper in the urn, signs the electoral register and then returns to his seat.

6. The counting procedure begins as soon as all of the members of the FAM Congress with the right to vote have deposited their ballot papers in the urn. A member of the electoral committee opens the urn and tips out the ballot papers. The count then commences.

V. COUNT

Article 20 General principles, decisions in the event of dispute

1. Only the members of the electoral committee may take part in the count. All operations (opening the urn, counting the ballot papers, counting the votes etc.) shall be carried out in a way that can be followed clearly by the members of the FAM Congress.

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

Article 21 Invalid ballot papers

1. The following 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 lists of candidates;

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

   d) ballot papers that bear identifying marks.

2. The chairman of the electoral committee shall write on the back of any invalid ballot paper (in red) the reasons for its invalidity and confirm with a signature.

3. In the event of disputes regarding the validity or invalidity of a ballot paper, the validity or invalidity of a vote, the drafting of the minutes, the declaration of the results or any other matter relating to the counting procedure, the electoral committee's decision shall be final.

Article 22 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 lists of candidates.

Article 23 Count and declaration of results

1. Once the urn has been opened, the members of the electoral committee shall count out loud 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 different list of candidates.

3. Once the count has been completed and verified, the chairman shall officially declare the results to the members of the FAM Congress.

4. If a second (or subsequent) round of voting is required, the voting procedure shall be repeated in accordance with the above articles. The members of the FAM Congress 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).

Article 24 Declaration of final results

1. After each round of the election, the chairman of the electoral committee shall declare the results officially to the members of the FAM Congress. The minutes are to be drafted and signed by all the members of the electoral committee.

2. The final minutes shall be distributed to the members of the FAM Congress and, where necessary, to government bodies. They shall be entered in the record of the deliberations of the FAM Congress.

Article 25 Verification of procedure

A notary or other person of equivalent legal status recognised by the courts shall attend the elective FAM Congress and draw up minutes. He is specifically responsible for verifying the identity of the voters and ensuring compliance with the voting procedure.

VI. FINAL PROVISIONS

Article 26 Violations, archiving of documents, omissions

1. Failure by the FAM to apply the principles of this code shall be considered a serious violation of the pertinent provisions of the FIFA Statutes and shall lead to the consequences or the disciplinary measures provided for under and described in the FIFA Statutes.

2. The electoral committee shall hand over all the official documents relating to the elections to the general secretariat of FAM, which is responsible for passing them on to the relevant bodies, where required, and for archiving them.

3. All matters relating to the administrative and technical organisation of the elective FAM Congress that are not covered by this code shall be ruled upon by the electoral committee.

4. All matters relating to the running of the elections not covered by this code shall be ruled upon by the electoral committee.

5. The members of the electoral committee shall observe the utmost impartiality when carrying out their duties.

Article 27 Enforcement

This FAM Electoral Code was approved by the FAM Executive Committee when it convened in XXX on XXX and comes into force immediately.

…., XX.XX.XXXX

FOR THE FAM EXECUTIVE COMMITTEE

President: General Secretary: