Electoral Code

All Nepal Football Association

2022 edition

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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 ANFA.

NB: Terms referring to natural persons are applicable to both genders. Any term in the singular applies to the plural and vice versa.

Article 1. Scope of application of the directive

1. This Electoral Code shall apply to the elections of the members of the Executive Committee and of the independent committees as defined in the Statutes of ANFA.

2. This Electoral Code shall also be applicable as a minimum threshold of standard for the elections of relevant bodies of the Members of ANFA. The Statutes and the relevant electoral code of the Members of ANFA and Provincial Football Associations may stipulate the exact procedure of the elections. However, their statutes and electoral code shall not be in contravention with the provisions stipulated in this code.

3. In case the provisions of this electoral code are inconsistent with the provisions of the ANFA Statutes, the provisions of the ANFA Statutes shall be enforceable.

4. In case the provisions of the statutes and/or electoral code of member associations and Provincial Football Association are inconsistent with the provisions of this electoral code and/or with the provisions of the Statutes of the ANFA, such inconsistent provision in the statutes and/or electoral code of the member associations and provincial football associations shall be void for the purpose of electoral process, and the provision of this code and ANFA Statutes shall be enforceable.

Article 2. Principles, obligations and rights of parties and Government Intervention

1. The democratic principles of separation of power, independence, transparency, the obligation to avoid situations of conflicts of interest and public notification of ANFA's electoral process must be adhered to without exception throughout the entire electoral process.
2. No government interference is allowed in the election process or in the formation of ANFA's election body (Congress). Therefore, government rules relating to elections shall not apply to ANFA's elected internal bodies and ANFA's electoral rules shall not be subject to approval by any government body. Also:

    A. ANFA shall formulate and approve the electoral rules and guidelines of its elected internal bodies in accordance with this Electoral Code as well as with the relevant Statutes, regulations, directive and decisions of FIFA.

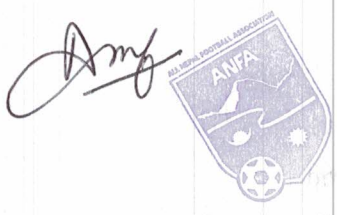
    B. ANFA shall notify FIFA and the AFC that the election of its elected internal bodies has begun. The announcement of the election and its electoral rules will be announced one month in advance. It will also inform FIFA and the AFC about the nature of the elections (i.e. number of members to be elected, duration of mandates, reason for the elections, etc.) and provide FIFA with a copy of its valid Electoral Code and, if applicable, any other electoral rules and guidelines. ANFA will immediately notify FIFA and the AFC if there is any government interference in the election process.

    C. Unless otherwise stated in this Electoral Code, the elected internal bodies of ANFA shall continue to exercise their powers till the completion of the election process.

3. The electoral rules and guidelines shall be made available by ANFA in a clear and unambiguous manner within the relevant time frame provided for in the Statutes of ANFA.
4. Any undue influence from third parties in the electoral process shall not be permitted.
5. ANFA shall ensure that any electoral rules and guidelines of its bodies are in line with the provisions of this Electoral Code, the Statutes of ANFA as well as the Statutes, regulations, directives and decisions of FIFA and the AFC.

Article 3. Formation of Electoral Committee

1. Pursuant to article 31.2 (o) of the ANFA Statutes, the ANFA Congress shall elect an Electoral committee for a term of four years.



2. Members of the Electoral Committee shall not be allowed to hold office for more than two terms continuously or repeatedly.
3. The Congress of ANFA shall select two substitute members in addition to the three members for the Electoral Committee and the Election Appeal Committee.
4. The Electoral Committee shall consist of three members
   I) a chairperson;
   II) a deputy-chairperson;
   III) one ordinary member.
5. The chairperson of the Electoral Committee shall be qualified to practice law.
6. The Committee shall nominate one of its members as the Secretary of the Electoral Committee. The secretary of the committee shall be responsible for the relevant logistical and administrative matters. The General Secretariat of ANFA may assist the Secretary of the Electoral Committee in their duties.
7. The members of the Electoral Committee shall officially declare their candidature for the elected position so that the above mentioned replacement process may be completed amicably without any time pressure that may adversely affect the election of the body to be elected.
8. If the chairperson is absent or unavailable, the vice-chairperson shall preside and if he/she is also absent or unavailable, the Ordinary Member shall preside. Any ordinary member who is absent or unavailable shall be replaced by a substitute.

Article 4. Basic Principles of the Electoral Committee

1. The Electoral Committee shall manage and oversee the electoral process and make all decisions related to the election in accordance with the relevant provisions of the Statutes of ANFA and of this Electoral Code.
2. Under no circumstances shall the members of the Electoral Committee be members of the Executive Committee or any other body of ANFA and they shall not be allowed to hold executive positions in any government body. Members of the Electoral Committee may not be candidates for any of positions to be filled within ANFA as long as they are still under mandate.
3. The members of the Electoral Committee shall immediately refuse to give their opinion in the following cases and if they are in the procedure of any issue, they must withdraw:
   A. If a candidate for the elected position;
   B. Immediate family members of one of the candidates for any post to be filled;
   C. The risk and possibility of conflict of interest as defined in the Ethics Code of FIFA and the AFC.
4. If the member of the Electoral committee does not fulfill the above requirements, the disputed member shall immediately resign and be replaced in accordance with art. 3.8.

Article 5. Duties of the Electoral Committee

1. The Electoral Committee is responsible for the organization, operation and supervision of elections to take place during the ANFA Congress. In particular, it is responsible for the following:
   A. Strictly enforcing the Statutes, and regulation of ANFA as well as this Electoral Code;
   B. ensuring that the electoral rules and guidelines of ANFA are in line with the provisions of this Electoral Code and the Statutes of ANFA as well as the Statutes, regulations, directives and decisions of FIFA and the AFC;
   C. Strictly enforce the statutory deadline for elections;
   D. To disseminate information to the affiliated bodies of the ANFA Congress as well as to the media and the public;
   E. Liaison management with government agencies (where necessary);
   F. Candidacy process (commencement, dissemination of information, evaluation, publication of official list etc.)
   G. Administratively and technically organizing ANFA Congress;
   H. To prepare voter list in accordance with the statutory provisions of ANFA;
   I. the electoral and voting process;
   J. All other functions required for smooth conduct of the election process.

2. Logistics matters will be handled by ANFA Secretariat.

Article 6. Meetings and Quorum of Electoral Committee

1. The Electoral committee has the right to decide only if its chairperson has called it with legitimacy
2. The majority of the members of the Electoral committee (more than 50%) of its members are present shall be considered as quorum to engage in valid debate.

Article 7. Decision

1. Decisions of all Electoral committees must be passed by a majority of valid votes (more than 50%). If the votes are equal, the Chairperson of the Electoral committee will get the casting vote. Voting by proxy or by letter is not permitted.
2. Decisions will be recorded in the decision booklet signed by the Chairperson and secretary of the Electoral committee.
3. To eliminate the possibility of appealing against the decisions of the Electoral Committee to any other body, especially government bodies, such appeals can be filed only with the Election Appeal Committee of ANFA.

Article 8. Eligibility of candidates

1. The eligibility criteria for the positions to be filled within the relevant bodies of ANFA are defined in the relevant provisions of the Statutes of ANFA.
2. The Electoral Committee shall not impose any eligibility criteria that are not provided for in the Statutes of ANFA or any other formal requirements that are not provided for in this Electoral Code or in the Statues of ANFA. 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 ANFA), as well as the documents to be provided for each of the positions within the deadlines stipulated in the Statutes of ANFA.

Article 9. Submission and examination of candidature

1. Pursuant to article 37 (7) of ANFA Statutes, the final claim of candidature must be submitted by post, by email with delivery notification, or delivered by hand in exchange for confirmation of receipt, to the general secretariat at least 25 days' prior the date of the Elective Congress. Candidatures received by the general secretariat shall immediately be forwarded to the secretary of the Electoral Committee.

2. Candidate shall register his / her candidature in person at the office of ANFA Electoral Committee with the Nomination form along with a copy of Nepali citizenship after paying the prescribed fee.

3. Within two 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 3 days to complete their applications. If the relevant candidates fail to complete their applications within the prescribed deadline, their candidatures shall be declared invalid.

4. Candidates can take the election schedule and candidate nomination form published by the office of ANFA Electoral Committee on the basis of writing in the nomination form (template) issued according to the format prescribed by the Secretariat.

5. Except as previously approved by the Congress, the entire election process and fees will not be changed.

6. In the election of the ANFA Executive Committee, one person can run for only one post. Nomination letters can be submitted at the ANFA Secretariat by the candidate by mentioning the position one wants to run for, along with the recommendation letter of the member (District Football Association, Club and Member Referee, Player, Coach and Women's Association). The member wishing to run for office shall fill up the form according to the post s/he wants to run for office and submit the original copy along with the mandatory recommendation and seal of the President of the concerned member organization.

7. ANFA Executive Committee office bearers, members, general secretary, CEO, treasurer, assistant secretary general, assistant CEO, co-treasurer, honorary President, senior honorary vice-President will be eligible to be a candidate even if they are not representative of any members of ANFA.

8. Executive Committee, General Secretary, Chief Executive Officer, Treasurer, Assistant Secretary General, Assistant CEO, Co-Treasurer, Honorary President, Senior Honorary Vice-President can participate in the Congress. They will not have the right to vote. During their tenure, the members of the Executive Committee will not be allowed to be appointed as the delegates of their association.

9. There will be separate ballot papers for president, senior vice president, vice president and member positions.

Article 10. Member Associations (Districts, Provinces, Associations and Clubs)

1. District and other member associations will publish their election schedule and ANFA will be informed about the formation of the Electoral Committee Election Appeal Committee and the election schedule at least 10 days before the election.

2. Duly registered football clubs participating in the various levels of football competition organized by the respective district football association (such as district league, knockout level etc) are eligible members of the District Football Association.

3. In accordance with the Article 22(2) of the ANFA Statutes, to participate in the elections of the District Football Association and ANFA, at least 10 clubs must have participated in football activities as members of the District Football Association.

4. A. The Congress of the District Football Association is made up of representatives representing football clubs. In case the number of clubs representing in the Congress of District Football Association is only ten (10), all such members shall get One (1) vote each at the Congress.

   In case there are more than 10 member clubs in the District Football Association, the vote shall be allocated as follow:

   B. In the district league, the clubs which are selected and participated in the A division competition will get 1 club 1 vote.
   C. The clubs who participated in the immediate past election of the District Football Association, and have continuously participated in the district league competitions and have completed all due process shall get 1 Club 1 Voting right like the first division.
   D. Clubs participating in the second division (Knockout stage) and have completed all required processes as prescribed by the District Football Association shall get maximum of 50% voting rights of total numbers of clubs in first division pursuant to Art. 10(4) (B) and (C). The numbers and names of such clubs shall be as per the decision of the Executive Committee of the District Football Association.

5. The clubs should have participated in the latest completed season of the competitions (League Division, Knock-out Division and other divisions, if applicable). Clubs which are not duly registered and have not participated in the latest competitions (either of League Division, Knock-out Division or any other division) at the District Football Association are not eligible to be considered as Members of the District Football Association.

6. The District Football Association must have organized and completed at least one season of competitions from the date of the latest elective congress of ANFA in order to participate at the Elective Congress of ANFA.

7. In case there are an excess number of district football associations in a province than as stipulated in Article 26(1)(d) of the ANFA Statutes, the congress and election of the Provincial football association shall choose and decide which district football associations shall participate at the ANFA Congress.

8. The Electoral Committees of the District, Provincial and Associations shall publish the election schedule of the districts, provinces and Associations (i.e. players, Coach, women's referee associations) and will prepare a report after the election results and send it to ANFA. The same report will be considered official.

9. The Electoral committee of district/province and Associations will have 3 members in which the coordinator, deputy coordinator and a member together with the general secretary of the respective district, province and associations will facilitate the entire election process.

10. The Election Appeal Committee of District, Province and Associations shall have 3 members where arrangements for Chairperson, deputy chairperson and a member will be made. The committee will decide in accordance with the statutes of the respective district, province and associations as well as the Statutes of ANFA and this electoral code and the decision will be final.

11. ANFA shall appoint observer/s as per the decision of the meeting of the Executive Committee to observe the election of the member associations including the Provincial associations.

12. In accordance with article 26 of the ANFA Statutes, only the representatives appointed by the decision of their Executive Committee regarding clubs participating in the Martyrs' Memorial A, B and C Divisions and the clubs selected for the National League shall participate. The clubs should have fulfilled the necessary provisions including Annual Congress as provided in their statutes.

13. In case of representation of clubs from the Martyrs' Memorial A, B, and C division clubs, if there is relegation but no upgrade, the relegated club will be given an opportunity to participate in the general meeting from the old place. The four clubs selected for the National League will attend the ANFA Congress with voting rights.

14. The statutes of all the member associations including provincial associations should be formulated pursuant to ANFA Statutes.

15. The players, referees, women and coaches members of the association and the voting representatives shall be as mentioned in the statutes of the association. The rest of the process must be completed like any other member organization.

16. Elections for the following posts will be held in accordance with article 22 (3) and article 22 (4) (b) (5) of the ANFA Statutes of District and Provincial Football Associations.

A.	President	1
B.	Vice-President	3
C.	Member	11 (including one female member)

If there is more than one candidate for the post of women member, a separate election will be held for that post.

17. In case of representations of clubs from 'B' and 'C' Division League, such clubs shall respectively (B and C Division league) convene and conduct an election by secret ballot to choose the clubs that are to participate at the ANFA Congress pursuant to Article 26 of the ANFA Statues. Clubs with majority votes in such selection process shall be represented in the ANFA Elective Congress with voting rights.

18. Districts, Provinces, Associations and Clubs may make further arrangements in accordance with their statutes other than those provided in ANFA statutes and this electoral code. In case of conflict of provisions, the statutes of ANFA and these rules will apply.

19. The referees, players, coaches and women's associations shall be governed by their own Statutes.

Article 11. Candidacy check

1. The candidature will be investigated by the Electoral Committee and the integrity will be checked by the concerned body as per the Statutes of ANFA.
2. Candidates will be informed about the decision on the integrity check and eligibility check by the Electoral Committee within 10 days of receipt of the complete applications.
3. The official list of candidates will be published.

Article 12. Appeal process

1. Along with the ANFA Electoral Committee the ANFA Congress shall also elect an Election Appeal Committee. Among the members, the chairperson of the Election Appeal committee shall require to have a valid license to practice law.
2. Any appeal, duly motivated, shall be sent by recorded post, or delivered in exchange for confirmation of receipt, to the general secretariat within 6 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 Election Appeal Committee
3. Appeals shall be considered by the Election Appeal Committee within 5 days of their receipt and communicated to the candidates within the same period
4. The ANFA Electoral Committee shall have the right to decide in case of any dispute regarding the candidates participating in the election.
5. The ANFA Electoral Appeal Committee shall make decisions in accordance with the Statutes of FIFA, the AFC and ANFA, the ANFA Electoral Codes.
6. The decision of the Election Appeal Committee is final and not open to review by any other bodies or entities, including the government.
7. Rs. 10,000/- cash along with the proof must be submitted for the claim against the candidacy

Article 13. Distribution of final official list of candidates

The final official list of candidates will be sent to all the affiliated bodies of ANFA Congress and, if necessary, to the concerned government bodies at least 10 days before the convening of ANFA Congress. It will also be published on the website of the ANFA. Likewise, a notice regarding the same shall be put out at the ANFA Secretariat.

Article 14. Voting delegates

1. The Secretariat must send the names of the voting representatives and representatives of the member associations to the Electoral Committee at least 20 days in advance. If any member association fails to convene the conference and finalize the representatives for various reasons, there will be no obstacle for the election process to proceed from among the available member organizations.
2. The voting representatives of the member association shall be in accordance with the decision of the Executive Committee of the association.
3. In case of death of any of the participating delegate members or in case of death of family members leading to the case of inability to participate in the process, the voting member can be changed by submitting the proof thereof.
4. When changing the voting representative member, the voting representative can be changed only from among the remaining one (1) representative. In such a case, the first elected representative shall give the authority. No representative can be added.
5. In case of death of the voting representative, the other one (1) representative will automatically get the right to vote.

Article 15. Deadline for convening election general meeting

1. The elective Congress shall be convened according to the provisions of the Statutes of ANFA. The relevant deadlines in relation to the elective Congress shall be published in the press and, where necessary, communicated to the relevant government authorities.
2. Notice of the Elective Congress shall be addressed to all ANFA affiliates and, if necessary, to the concerned Government bodies.
3. The election of the ANFA Congress will be announced through the media.

Article 16. Duties of the Electoral Committee during the elective Congress

The functions of the Electoral Committee are as follows.

1. To verifying the identity of the voters (delegates)
2. To monitor the voting process during the ANFA Congress using the electoral registration book prepared by ANFA;
3. Counting votes;
4. To take any necessary decision regarding the validity or invalidity of the ballot;
5. To pass a definite decision on any matter relating to the ANFA Congress voting process in general;
6. To draft the official election decision booklet (ie minutes) and distribute it to ANFA affiliates;
7. Announcing official results;
8. To organize and hold press conferences if necessary.

Article 17. Ballot paper

1. The general secretariat of ANFA will prepare the ballot paper under the supervision and responsibility of the Electoral Committee. Ballot papers will be printed clearly and distinctly.
2. Ballot papers will be of different colors for each round of election.

Article 18. Ballot box

1. Before the voting process begins, the ballot boxes - as transparent as possible - will be opened and presented to the ANFA Congress members. After that, it will be closed and placed in a visible place near the members of the Electoral Committee.
2. During the voting, the ballot box will be monitored by one of the members of the Electoral committee.

Article 19. Polling Stations

Ballot boxes and voting booths will be set up near Polling stations so that eligible ANFA Congress members can cast their ballots in secret.

Article 20. Voting

1. Voting shall be conducted in accordance with Article 33 of ANFA Statutes. For this purpose, the chairperson of the Electoral Committee shall elaborate on the voting process (ballot box, ballot paper, valid and invalid ballot paper, counting, required majority, result, etc.) and quote any relevant statutory or legislative provisions.
2. The chairperson of the Electoral Committee calls each member of the ANFA Congress who has the right to vote in turn and invites them to go to the front of the election hall.

3. Upon being called, the concerned members of the ANFA Congress shall proceed to the hall and receive their ballot papers.
4. The delegate shall then complete his 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 vote secretly. No mobile phones, cameras or any other recording devices shall be allowed in the polling booth.
5. The election will be held by secret ballot. (Sent by letter or proxy vote will not be recognized and absentee will not be invalidated and counted.)
6. The counting process begins after all the ballot papers belonging to the ANFA Congress have been cast in the ballot box. A member of the Electoral committee will open the ballot box and take the ballot paper out. Then the calculation begins.

Article 21. Calculations and general principles, decision in case of dispute

1. Only members of the Electoral Committee will be allowed to participate in the counting of votes. All activities (to open the ballot box, count the ballots, count the votes, etc.) shall be carried out in such a manner which may be clearly followed by the members of the ANFA Congress.
2. If there is a dispute over the validity or invalidity of the ballot paper, the validity or invalidity of the vote, the draft procedure, declaration of results or other issues related to the counting process, the decision of the Electoral Committee shall be final.

Article 22. Invalid ballot

1. The following are considered invalid:
   A. Ballot papers without official markings as defined by the Electoral Committee;
   B. Ballot papers containing words other than the names of the candidates;
   C. Ballot papers that are illegible or have been defaced;
   D. Ballot papers with identification marks.
2. The chairperson of the Electoral Committee shall write on the back of any invalid ballot paper (in red), confirm the reason for its invalidity and confirm with a signature.
3. If there is a dispute over the validity or invalidity of the ballot paper, the validity or invalidity of the vote, the draft procedure, declaration of results or other issues related to the counting process, the decision of the Electoral Committee shall be final.

Article 23. Ballot paper

1. ANFA shall make use of printed ballot paper which contains the full name of the candidates running in the relevant elections with a corresponding box for each of the candidates.

2. Voting delegates shall tick on the box that corresponds to the candidate name to whom they want to cast their vote for.

Article 24. Calculation and result announcement

1. After opening the ballot box, the members of the Electoral committee will count the number of ballot papers in a loud voice and verify its 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 invalid and will be restarted immediately according to the procedure described above.
2. Once the number of ballot papers has been verified, the members of the Electoral committee will start counting the votes cast for each different candidate.
3. After the counting and verification of votes, the chairperson of the Electoral Committee will officially announce the results to the members of ANFA Congress.
4. If a second (or subsequent) round of voting is required, the voting process will be repeated according to the rules stated above. Members of the ANFA Congress are also informed of the statutory provisions (such as any changes required for removing candidates from the majority) for the second (and subsequent) round of voting.

Article 25. Results announced and sealed

1. After each round of election, the chairperson of the Electoral Committee will officially announce the results to the ANFA Congress members. The minutes are to be drafted and signed by all the members of the electoral committee.
2. The final decision booklet, (ie minutes) will be distributed to the members of ANFA Congress and, if necessary, to the government bodies. They will be recorded in the discussion of the ANFA Congress.
3. 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 in six months after the Congress.

Article 26. Violations, document records, exemptions

1. Failure by ANFA to adhere to the principles of the Code is a serious violation of the relevant provisions of the FIFA Statutes and may result in disciplinary action as described in the FIFA Statutes.

2. The Electoral Committee will hand over the official documents related to the election to the General Secretary of ANFA, who will be responsible for sending it to the concerned body and keeping records if necessary.
3. 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.
4. The Electoral Committee shall decide on all matters not covered in this Code of Conduct related to the administrative and technical organization of the ANFA Congress.
5. The Electoral Committee shall decide all matters relating to the conduct of elections which are not covered under this Code of Conduct.
6. The members of the Electoral committee shall perform their duties with complete impartiality.

Article 27. Implementation

This Electoral Code will come into force immediately after the approval of the ANFA Executive Committee on 16 and 17 March 2022.