

SWAFF

SOUTH WEST ASIAN
FOOTBALL FEDERATION

Electoral Code

Definitions

In interpreting this Electoral Code, all terms defined within the Definitions section of the most recently adopted SWAFF Statutes and all terms whose meaning can be derived within the context of the SWAFF Statutes shall have the same meaning within this Electoral Code.

For the purposes of this Electoral Code, and provided the context so permits:

- (a) the singular shall include the plural and vice-versa;
- (b) the feminine gender shall include the masculine and vice-versa; and
- (c) reference to natural persons shall include any legal person.

Chapter One: **Administration**

1 Scope of Application

- 1.1 This Electoral Code (Code) is applicable to the elections to the South West Asian Football Federation (SWAFF) Executive Board pursuant to the SWAFF Statutes.
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2 General Principles

- 2.1 The democratic principles of separation of powers, transparency and publication of electoral processes must be observed without exception.
- 2.2 Government interference of any kind in the electoral process is not permitted. Consequently, government rules regarding elections shall not apply to the elected SWAFF bodies, this Code and any SWAFF electoral rules.
- 2.3 The elected members of the Executive Board shall continue to exercise their functions until the completion of the electoral process.

Chapter 2: Electoral Commission

3 Composition

- 3.1 The Electoral Commission organises, supervises, and makes all decisions relating to SWAFF elections unless stipulated otherwise in this Code.
- 3.2 The members of the Electoral Commission shall be the Chairperson of the Disciplinary and Ethics Committee, Chairperson of the Appeal Committee and Chairperson of the Legal Committee as at the date of the convocation of the election.
 - 3.2.1 If a member is ineligible or unwilling to carry out their duties, they shall be replaced by the Deputy of the committee which they chair.
 - 3.2.2 If the replacement is ineligible or unwilling to carry out their duties, they shall be replaced by the most senior member (by time served) of the committee for which they are Deputy.
 - 3.2.3 If the replacement is ineligible or unwilling to carry out their duties, they shall be replaced by the next most senior member (by time served) of the committee from which they were appointed. This process shall be continued until no eligible members exist on a specific committee.
 - 3.2.4 If no eligible members exist on a specific committee, the Executive Board shall appoint an eligible member from the other committees.
- 3.3 The Electoral Commission shall comprise of:
 - 3.3.1 a Chairperson; and
 - 3.3.2 two (2) Deputy Chairpersons.
- 3.4 The Chairperson shall be selected by the members of the Electoral Commission.
- 3.5 The General Secretary serves as the secretary to the Electoral Commission and takes part in its activities in a consultative capacity and is responsible for related logistical and administrative matters.
- 3.6 If any member of the Electoral Commission:
 - 3.6.1 submits a candidature for an election; or
 - 3.6.2 is a relative, whether by birth or marriage, of one of the candidates; or
 - 3.6.3 has an identifiable conflict of interest (e.g. business relationship with a candidate or of same nationality as a candidate),they are ineligible to sit on the Electoral Commission and shall be replaced accordingly for the respective electoral period.

- 3.7 Members of the Electoral Commission shall be expected to officially declare their candidature for an election in such a way as to allow the replacement process to be carried out without any time pressure prejudicial to any election.
- 3.8 The Electoral Commission may be assisted by the General Secretariat at any time provided that such individuals are not candidates for any election.
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4 Powers and Duties

- 4.1 The Electoral Commission is responsible for all tasks relating to the organisation, running and supervision of an elective General Assembly, including without limitation:
- 4.1.1 strictly enforcing the Statutes and Regulations;
 - 4.1.2 strictly enforcing this Code;
 - 4.1.3 strictly enforcing the statutory deadlines for elections;
 - 4.1.4 distributing information to Member Associations, the media and public;
 - 4.1.5 managing relations with government bodies (where necessary);
 - 4.1.6 adopting and strictly enforcing electoral rules;
 - 4.1.7 the candidature procedure;
 - 4.1.8 organising the elective General Assembly;
 - 4.1.9 drawing up the list of voters in accordance with the Statutes;
 - 4.1.10 the voting procedure; and
 - 4.1.11 all other tasks necessary to ensure the smooth running of the electoral process.
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5 Convocation

- 5.1 The Electoral Commission must be convoked validly by the Chairperson to be entitled to deliberate and pass decisions.
- 5.2 A quorum is constituted by an absolute majority of the members.
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6 Decisions

- 6.1 Decisions must be passed by an absolute majority of the votes cast. If a vote is tied, the Chairperson shall have the casting vote.
- 6.2 Decisions are recorded in the minutes signed by the Chairperson and the secretary.

Chapter 3: Nomination and Election Rules

7 Eligibility

7.1 The eligibility criteria for candidates are defined within the SWAFF Statutes.

8 Submission

8.1 Candidatures shall be sent by registered post or electronically to the General Secretariat in accordance with the time limits in the SWAFF Statutes.

9 Examination

9.1 Candidatures shall be examined and an integrity check shall be conducted by the Electoral Commission within fifteen (15) days of the deadline for their submission.

9.2 Candidates shall be informed of the Electoral Commission decision within the same period of fifteen (15) days.

9.3 The official list of candidates shall be provided to the Member Associations in accordance with the SWAFF Statutes. It shall also be published in the media.

10 Election Rules

10.1 No individual may undertake any activity directly or indirectly linked to their impending candidature outside the period prior to the publication of the list of candidates or prior to their approval by the Electoral Commission.

10.2 Each candidate may promote their candidature by conducting an electoral campaign with dignity and moderation, subject to the provisions of the SWAFF Statutes and Regulations.

10.3 Candidates shall, while conducting an electoral campaign, respect and acknowledge the rights of all other candidates, the General Assembly and the General Secretariat.

10.3.1 Candidates shall respect the dignity of all other candidates, the Member Associations, the Electoral Commission, the General Secretariat and all third parties associated with the election.

10.3.2 Candidates shall not undertake any defamatory, derogatory and /or insulting attacks on rival candidates or prospective rival candidates which would likely harm the image of or cause prejudice to the rival candidate or prospective rival candidate.

- 10.4 Candidate may present their plans, views and campaign agenda in the form of a campaign document which shall be submitted to the Electoral Commission.
 - 10.4.1 The content of a campaign document shall be confined to proposed policies, proposed programmes, past record, past work and any other information that solely relates to the position for which the individual is a candidate.
- 10.5 Candidates shall limit their personal promotion of their electoral campaign to:
 - 10.5.1 dedicated electoral campaign website(s);
 - 10.5.2 dedicated social media platform(s);
 - 10.5.3 their personal website(s); and
 - 10.5.4 their personal social media platform(s).
- 10.6 Any promotion or advertising of a candidate by any third party, including without limitation, Member Associations, sponsors, commercial partners, other individuals and/or sporting institutions is strictly prohibited.
- 10.7 Candidates may grant interviews to the media. All interviews shall remain neutral whilst strictly respecting the dignity of other candidates. Such interviews shall not in any manner be prejudicial to other candidates, the General Assembly, the Electoral Commission and the General Secretariat. Candidates shall not commission (whether gratis or for consideration) the media to disparage other candidates or promote their own candidature.
- 10.8 Candidates or any other third party shall not organise, stage, or host any public meetings or gathering of any kind that may be considered to have any connection to an election campaign.
- 10.9 Candidates shall also refrain from promoting their candidature at official functions organised by the SWAFF, the AFC, FIFA, Member Association or any third party.
- 10.10 Candidates shall not make any promise or undertaking regardless of the timing of the performance where such Member Association or third party may acquire a direct or indirect benefit which is inconsistent with the objectives set out in Article 2 of the SWAFF Statutes and/or limits their freedom to act in the future.
- 10.11 Candidates shall limit the number of trips that they make with a view to promoting their electoral campaign to avoid excessive expenditure and inequality amongst the candidates. Any such visits shall be notified in writing to the Electoral Commission.
 - 10.11.1 If candidates are scheduled to travel to the territory of a Member Association for purposes other than their candidature, they shall notify the Electoral Commission in writing beforehand.

- 10.12 Candidates that hold one (1) or more official positions on bodies of FIFA, the AFC, the SWAFF, Member Associations and/or any other sporting institutions associated with Football may remain in office during their election campaign. However, such candidates shall:
- 10.12.1 not utilise such official position to obtain any advantage or benefit to their candidature;
 - 10.12.2 not utilise the assets and resources of the organisation where they hold such official position to conduct their electoral campaign; and
 - 10.12.3 clearly separate the functions associated with such official positions from their candidature and ensure that they avoid any conflict of interest or perceived conflict of interest between their electoral campaign and the functions associated with such official position.
- 10.13 No candidate, Member Association or Official shall offer or receive any gift, financial benefit or any other benefit in return for the support or perceived support of one (1) or more candidates.
- 10.13.1 Candidates, Member Associations and Officials have a duty to report to the Electoral Commission any offer to them of a gift, financial benefit or any other benefit in return for the support or perceived support of one (1) or more candidates.
- 10.14 Candidates shall not accept any mandatory instructions from any public or private, natural or legal person.
- 10.14.1 No Member Association or Official shall provide any mandatory instructions to any candidate.
- 10.15 The General Secretariat shall maintain a strict duty of neutrality and independence at all times. No candidate shall:
- 10.15.1 interfere with the conduct of the General Secretariat; and/or
 - 10.15.2 solicit any services from any individual or department within the General Secretariat to act in support of their candidature.
- 10.16 Candidates shall accept and cooperate with all decisions of the Electoral Commission who shall monitor the compliance of candidates with the Statutes, this Electoral Code and any Regulations. No candidate shall interfere with the conduct of the Electoral Commission in relation to the administering of the election.
- 10.17 The Electoral Commission shall report any infringements of this Electoral Code as well as any other Regulations to the Disciplinary and Ethics Committee if it has direct knowledge of such infringements or is made aware of them by a third party.
- 10.17.1 Disciplinary measures in relation to an election shall be undertaken in accordance with the SWAFF Statutes and Disciplinary and Ethics Code in force at the time of the violation.

Chapter 4: **General Assembly**

11 Deadline for convocation

- 11.1 An elective General Assembly shall be convoked in accordance with the SWAFF Statutes.
 - 11.2 Notification shall be addressed to Member Associations in accordance with the SWAFF Statutes. It shall be announced through the media.
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12 Ballot papers

- 12.1 The General Secretariat shall produce the ballot papers under the supervision and charge of the Electoral Commission. The ballot papers shall be printed clearly and legibly.
 - 12.2 The ballot papers shall be a different colour for each round of the election.
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13 Ballot Box

- 13.1 Before the start of voting, the box for receiving votes (which shall be transparent where possible) shall be opened and presented to the General Assembly. It shall then be closed and placed in a visible position near the Electoral Commission.
 - 13.2 During the vote, the box shall be monitored by a member of the Electoral Commission.
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14 Polling booths

- 14.1 Transparent polling booths shall be erected near the box and polling station so that ballot papers may be completed in secret in accordance with the SWAFF Statutes.
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15 Vote

- 15.1 The Chairperson shall explain the voting procedure in detail and cite any relevant statutory or legislative provisions.
- 15.2 The Chairperson shall call in turn each Member Association with the right to vote and invite them to move to the front of the hall where the election is taking place.
- 15.3 Once called, the voting delegate of the Member Association moves to the front of the hall and, after signing, receives the ballot paper.

- 15.4 The voting delegate of the Member Association completes the ballot paper in the polling booth.
- 15.5 The voting delegate of the Member Association deposits their ballot paper in the urn, signs the electoral register, and returns to their seat.
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16 Count

- 16.1 The counting procedure begins once all ballot papers have been deposited in the urn. The Chairperson opens the urn and tips out the ballot papers.
- 16.2 Only the Electoral Commission, the secretary, and members of the General Secretariat approved by the Chairperson may take part in the count. All operations shall be carried out in a way that can be followed clearly by the General Assembly.
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17 Invalid ballot papers

- 17.1 The following ballot papers are considered spoiled:
- 17.1.1 ballot papers that do not bear the official distinctive marks defined by the Electoral Commission;
 - 17.1.2 ballot papers that bear any words other than the names of the candidates;
 - 17.1.3 ballot papers that are illegible or have been defaced; and
 - 17.1.4 ballot papers that bear identifying marks.
- 17.2 Spelling mistakes shall result in the invalidity of a vote only if it is not possible to identify with certainty any of the official candidates.
- 17.3 The Chairperson shall write on the back of any invalid ballot paper (in red) the reasons for its invalidity and confirm with a signature.
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18 Declaration of results

- 18.1 Once the box has been opened, the Electoral Commission 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 a re-vote shall occur immediately in accordance with the procedure described above.

- 18.2 After the number of ballot papers has been verified, the Electoral Commission shall count the number of votes cast for each candidate.
- 18.3 Once the count has been completed and verified, the Chairperson shall officially declare the results to the General Assembly.
- 18.4 If a second (or subsequent) round of voting is required in accordance with the SWAFF Statutes, the procedure set out in Articles 15-18 shall be repeated.
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19 Minutes

- 19.1 The official minutes of the General Assembly shall be drafted and approved in accordance with the SWAFF Statutes. The Chairperson shall additionally sign the minutes.
- 19.2 The official minutes shall be distributed to the Member Associations, the AFC and FIFA.
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20 Verification of voters

- 20.1 The General Secretariat is responsible for verifying the identity of the voting delegates and ensuring compliance with the voting procedure.

Chapter 5: Final Provisions

21 Archiving of documents

- 21.1 The Electoral Commission shall provide all the official documents relating to the elections to the General Secretariat, which is responsible for passing them on to the relevant bodies, where required, and for archiving them in accordance with the SWAFF Statutes.
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22 Appeal

- 22.1 Appeals against decisions made pursuant to this Electoral Code may be lodged exclusively with the Court of Arbitration for Sport (CAS) in accordance with the SWAFF Statutes and/or any entry forms submitted to the Electoral Commission.
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23 Matters not provided for

- 23.1 All matters relating to any election not covered by this Code and/or the SWAFF Statutes shall be ruled upon by the Electoral Commission.
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24 Enforcement

- 24.1 This Code was first approved by the General Assembly when it convened on 12 August 2018 in Jeddah, Kingdom of Saudi Arabia and comes into force immediately.