



AFC ELECTORAL CODE EDITION 2019





AFC Electoral Code

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TABLE OF CONTENTS

Article	Contents	Page
PRELIMINARY CHAPTER		6
1.	Scope of application	6
2.	General principles	6
CHAPTER ONE: ELECTORAL COMMITTEE		7
3.	Composition	7
4.	Duties	8
5.	Convocation and Quorum	9
6.	Decisions	9
CHAPTER TWO: CANDIDATURES		10
7.	Eligibility	10
8.	Submission	10
9.	Examination	10
CHAPTER THREE: AFC CONGRESS		11
10.	Deadline for convocation	11
11.	Ballot papers	11
12.	Urn	11
13.	Polling booths	11
14.	Vote	12

Article	Contents	Page
15.	Count	12
16.	Invalid ballot papers	12
17.	Declaration of results	13
18.	Minutes	13
19.	Verification of voters	13
CHAPTER FOUR: FINAL PROVISIONS		14
20.	Archiving of documents	14
21.	Appeal	14
22.	Matters not provided for	14
23.	Enforcement	14

PRELIMINARY CHAPTER

1. Scope of Application

This AFC Electoral Code **(Code)** is applicable to the elections to the AFC Executive Committee pursuant to Article 25.1 of the AFC Statutes. In addition, the FIFA Statutes, the FIFA Governance Regulations and any other FIFA regulations are applicable to the elections to the FIFA Council.

2. General Principles

- 2.1 The democratic principles of separation of powers, transparency and publication of AFC electoral processes must be observed without exception.
- 2.2 In accordance with Articles 3.2 and 3.4 of the AFC Statutes, the AFC is neutral in matters of politics and shall manage its affairs independently and with no influence from third parties. Accordingly, interference of any kind by any government of any Member Association in the AFC electoral process is not permitted. For the avoidance of doubt, local and national government rules in any territory regarding elections shall not apply to the AFC electoral process.
- 2.3 The Electoral Committee shall adapt and approve electoral rules for elections to the AFC Executive Committee in accordance with this Code and pertinent FIFA regulations.
- 2.4 The AFC shall inform FIFA of:
 - 2.4.1 the commencement of the elections to its elected bodies;
 - 2.4.2 the announcement of the elections and its electoral rules;
 - 2.4.3 the duration of the elections and of the mandates; and
 - 2.4.4 any government interference in the electoral process.
- 2.5 The elected members of the AFC Executive Committee shall continue to exercise their functions until the completion of the electoral process.

CHAPTER ONE: ELECTORAL COMMITTEE

3. Composition

- 3.1 The Electoral Committee organises, supervises, and makes all decisions relating to AFC elections unless stipulated otherwise in this Code and/or the FIFA Statutes and FIFA Governance Regulations.
- 3.2 The members of the Electoral Committee shall be the Chairperson of the AFC Disciplinary and Ethics Committee, Chairperson of the AFC Appeal Committee and Chairperson of the AFC Audit and Compliance Committee as at the date of the convocation of the election.
 - 3.2.1 In the event that 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 In the event that 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 In the event that 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 AFC Executive Committee shall appoint an eligible member from the other Committees.
- 3.3 The Electoral Committee 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 Committee.

- 3.5 The AFC Director of Legal Affairs serves as the Secretary to the Electoral Committee. He takes part in the activities of the Committee in a consultative capacity and is responsible for related logistical and administrative matters.
- 3.6 In the event that any member of the Electoral Committee:
- 3.6.1 submits a candidature for an AFC 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 is of the same nationality as a candidate);
- they are ineligible to sit on the Electoral Committee for matters where there are serious grounds for questioning their impartiality and shall be replaced in accordance with Article 3.2.
- 3.7 Members of the Electoral Committee shall be expected to officially declare their candidature for an AFC election in such a way as to allow the replacement process to be carried out without any time pressure prejudicial to any AFC election.
- 3.8 The Electoral Committee may be assisted by the AFC General Secretariat at any time provided that the individuals providing the assistance are not candidates for any AFC election and have no identifiable conflict of interest.

4. Duties

- 4.1 The Electoral Committee is responsible for all tasks relating to the organisation, running and supervision of an elective AFC Congress, including without limitation:
- 4.1.1 strictly enforcing the relevant Statutes, Directives and Regulations of FIFA and the AFC;
 - 4.1.2 strictly enforcing this Code;
 - 4.1.3 strictly enforcing the statutory deadlines for elections;
 - 4.1.4 conducting the eligibility check on the candidates and deciding on their eligibility;

- 4.1.5 distributing information to AFC Member Associations, the media and public;
- 4.1.6 managing relations with government bodies (where necessary);
- 4.1.7 adopting and strictly enforcing electoral rules for elections to the AFC Executive Committee;
- 4.1.8 the candidature procedure;
- 4.1.9 organising the elective AFC Congress;
- 4.1.10 drawing up the list of voters in accordance with Article 21.2 of the AFC Statutes;
- 4.1.11 the voting procedure; and
- 4.1.12 all other tasks necessary to ensure the smooth running of the electoral process.

5. Convocation and Quorum

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

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 TWO: CANDIDATURES

7. Eligibility

- 7.1 The eligibility criteria for candidatures are defined within Article 32 of the AFC Statutes.

8. Submission

- 8.1 Candidatures shall be sent by registered post or delivered in exchange for confirmation of receipt to the AFC General Secretariat in accordance with Article 32.13 of the AFC Statutes.

9. Examination

- 9.1 Candidatures shall be examined and an integrity check shall be conducted by the Electoral Committee. The Electoral Committee is entitled to request the support of an external company to conduct the integrity check.
- 9.2 The Electoral Committee shall decide on the eligibility and on the integrity of the candidates and inform them accordingly.
- 9.3 The official list of candidates shall be provided to the AFC Member Associations in accordance with Article 32.17 of the AFC Statutes. It shall also be published on the AFC website.

CHAPTER THREE: AFC CONGRESS

10. Deadline for convocation

- 10.1 An elective AFC Congress shall be convoked in accordance with the AFC Statutes.
- 10.2 Notification shall be addressed to AFC Member Associations in accordance with the AFC Statutes.
- 10.3 The elective AFC Congress shall be announced through the AFC website.

11. Ballot papers

- 11.1 The AFC shall produce the ballot papers under the supervision and charge of the Electoral Committee. The ballot papers shall be printed clearly and legibly.
- 11.2 The ballot papers shall be a different colour for each round of the election.

12. Urn

- 12.1 Before the start of voting, the urn for receiving votes (which shall be transparent where possible) shall be opened and presented to the AFC Congress. It shall then be closed and placed in a visible position near the Electoral Committee.
- 12.2 During the vote, the urn shall be monitored by a member of the Electoral Committee.

13. Polling booths

- 13.1 Transparent polling booths shall be erected near the urn and polling station so that ballot papers may be completed in secret.

14. Vote

- 14.1 The Chairperson shall explain the voting procedure in detail and cite any relevant statutory or legislative provisions.
- 14.2 Each AFC Member Association with the right to vote shall be called in turn and invited to move to the front of the hall where the election is taking place.

- 14.3 Once called, the voting delegate of the AFC Member Association moves to the front of the hall and, after signing, receives the ballot paper.
- 14.4 The voting delegate of the AFC Member Association completes the ballot paper in the polling booth.
- 14.5 The voting delegate of the AFC Member Association deposits their ballot paper in the urn, signs the electoral register, and returns to their seat.

15. Count

- 15.1 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.
- 15.2 Only the Electoral Committee, the Secretary, and members of the AFC 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 AFC Congress.

16. Invalid ballot papers

- 16.1 The following ballot papers are considered spoiled:
 - 16.1.1 ballot papers that do not bear the official distinctive marks defined by the Electoral Committee;
 - 16.1.2 ballot papers that bear any words other than the names of the candidates;
 - 16.1.3 ballot papers that are illegible or have been defaced; and
 - 16.1.4 ballot papers that bear identifying marks.
- 16.2 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.
- 16.3 The Chairperson shall write on the back of any invalid ballot paper (in red) the reasons for its invalidity and confirm with a signature.

17. Declaration of results

- 17.1 Once the urn has been opened, 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 a re-vote shall occur immediately in accordance with the procedure described above.
- 17.2 After the number of ballot papers has been verified, the Electoral Committee shall count the number of votes cast for each candidate.
- 17.3 Once the count has been completed and verified, the Chairperson shall officially declare the results to the AFC Congress.
- 17.4 If a second (or subsequent) round of voting is required in accordance with Article 25 of the AFC Statutes, the procedure set out in Articles 14-17 shall be repeated.

18. Minutes

- 18.1 The official minutes of the AFC Congress shall be drafted and approved in accordance with Article 30 of the AFC Statutes. The Chairperson shall additionally sign the minutes.
- 18.2 The official minutes shall be distributed to the AFC Member Associations and FIFA.

19. Verification of voters

- 19.1 The members of the AFC General Secretariat are specifically responsible for verifying the identity of the voting delegates and ensuring compliance with the voting procedure

CHAPTER FOUR: FINAL PROVISIONS

20. Archiving of documents

- 20.1 The Electoral Committee shall provide all the official documents relating to the elections to the AFC, which is responsible for passing them on to the relevant bodies, where required, and for archiving them in accordance with Article 7 of the Standing Orders of the Congress of the AFC Statutes.

21. Appeal

- 21.1 Appeals against decisions may be lodged exclusively with the Court of Arbitration for Sport (**CAS**) in accordance with Article 66 of the AFC Statutes and/or any entry forms submitted to the Electoral Committee. Appeals shall be subject to the following conditions:

21.1.1 the language of arbitration shall be English; and

21.1.2 any hearings (if required) shall be undertaken at the CAS Alternate Hearing Centre in Kuala Lumpur, Malaysia.

22. Matters not provided for

- 22.1 All matters relating to any AFC election not covered by this Code and/or the AFC Statutes shall be ruled upon by the Electoral Committee.

23. Enforcement

- 23.1 This AFC Electoral Code was ratified by the AFC Executive Committee when it convened on 4 January 2019 and comes into force immediately.

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