

2018

GFA ELECTORAL CODE

GUAM FOOTBALL ASSOCIATION
EDITION 2018

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PRELIMINARY CHAPTER

1. Scope of Application

This GFA Electoral Code (Code) is applicable to the elections to the GFA Executive Committee pursuant to the GFA Statutes.

2. General Principles

- 2.1 The Democratic principles of separation of powers, transparency and publication of GFA electoral processes must be observed without exception.
- 2.2 Government interference of any kind in the GFA electoral process is not permitted. Consequently, government rules regarding elections shall not apply to the elected GFA Bodies, this Code and any GFA Electoral rules. The outcome of a vote shall not require the approval of any government body.
- 2.3 The GFA shall inform AFC and FIFA of:
 - 2.3.1 The commencement of the elections to its elected bodies;
 - 2.3.2 The announcement of the elections and its electoral rules;
 - 2.3.3 The duration of the elections and of the mandates; and
 - 2.3.4 Any government interference in the electoral process.
- 2.4 The elected members of the GFA Executive Committee shall continue to exercise their function until the completion of the electoral process.

CHAPTER ONE: ELECTORAL COMMITTEE

3. Composition

- 3.1 The Electoral committee organizes, supervises, and makes all decisions relating to the GFA elections unless stipulated otherwise in this Code and/or the GFA Statutes.
- 3.2 The Electoral Committee shall comprise of:
 - 3.2.1 1 Chairperson;
 - 3.2.2 1 Deputy Chairperson;
 - 3.2.3 1 member.
- 3.3 The GFA Congress shall elect the Chairperson, Deputy Chairperson and the member of the Electoral Committee upon proposals from the Executive Committee. The GFA Congress shall also elect a substitute, upon a proposal from the Executive Committee.
- 3.4 The GFA Legal Counsel serves as the Secretary to the Electoral Committee. He/she takes part in the activities of the Committee in a consultative capacity and is responsible for related logistical and administrative matters.
- 3.5 In the event that any member of the Electoral Committee:
 - 3.5.1 Submits a candidature for a GFA election; or
 - 3.5.2 Is a relative, whether by birth or marriage, of one of the candidates; or
 - 3.5.3 Has an identifiable conflict of interest (e.g. business relationship with a candidate or of same member club as a candidate within the last three years);

The member is ineligible to sit on the Electoral Committee and shall be replaced by the substitute.

3.6 Members of the Electoral Committee shall be expected to officially declare their candidature for GFA election in such a way as to allow the replacement process to be carried out without any time pressure prejudicial to any GFA Election.

3.7 The Electoral Committee may be assisted by the GFA General Secretariat at any time provided that such individuals are not candidates for any GFA election.

4. Duties

4.1 The Electoral Committee is responsible for all tasks relating to the organization, running and supervision of an elective GFA Congress, including without limitation:

4.1.1 Strictly enforcing the relevant Statutes, Directives and Regulations of FIFA, AFC and GFA;

4.1.2 Strictly enforcing this Code;

4.1.3 Strictly enforcing the statutory deadlines for elections;

4.1.4 Distributing information to GFA 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 for elections to the GFA Executive Committee;

4.1.7 The candidature procedure;

4.1.8 Organizing the elective GFA Congress;

4.1.9 Drawing up the list of voters in accordance with the GFA Statutes;

4.1.10 The voting procedure; and

4.1.11 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 a majority (more than 50%) of the members.

6. Decisions

6.1 Decisions must be passed by a majority (more than 50%) 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 the GFA Statutes.

8. Submission

8.1 Candidatures shall be sent by registered post or delivered in exchange for confirmation of receipt to the GFA General Secretariat at least 45 days before the date of the elective Congress, in accordance with the GFA Statutes.

9. Examination

9.1 Candidatures shall be examined by the Electoral Committee within five (5) days of the deadline for their submission.

- 9.2 Candidates shall be informed of the Electoral Committee decision within the same period of five (5) days.
- 9.3 The official list of candidates shall be provided to the GFA Member Clubs at least 30 days before the date of the elective Congress in accordance with the GFA Statutes. It shall also be published in the media.

CHAPTER THREE: GFA CONGRESS

10. Deadline for convocation

- 10.1 An elective GFA Congress shall be convoked in accordance with the GFA Statutes.
- 10.2 Notification shall be addressed to GFA Member Clubs in accordance with the GFA Statutes. Similar notification shall be addressed to EAFF, AFC and FIFA.
- 10.3 The elective GFA Congress shall be announced through the media.

11. Ballot papers

- 11.1 The GFA 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 color for each round of the election.

12. Urn

- 12.1 Before the start of voting, the urn receiving votes (which shall be transparent where possible) shall be opened and presented to the GFA 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 Polling booths shall be erected near the urn and polling station so that ballot papers may be completed in secret in accordance with the GFA Statutes.

14. Vote

- 14.1 The Chairperson shall explain the voting procedure in detail and cite any relevant statutory or legislative provisions.
- 14.2 The Chairperson shall call in turn each GFA Member Club with the right to vote and invite them to move to the front of the hall where the election is taking place.
- 14.3 Once called, the voting delegate of the GFA Member Club moves to the front of the hall and, after signing, receives the ballot paper.
- 14.4 The voting delegate of the GFA Member Club completes the ballot paper in the polling booth.
- 14.5 The voting delegate of the GFA Member Club 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 may take part in the count. All operations shall be carried out in a way that can be followed clearly by the GFA 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 (e.g. "X" or "√");
 - 16.1.2 Ballot papers that bear any words other than the names of the candidates;
 - 16.1.3 Ballot papers that are left blank;
 - 16.1.4 Ballot papers that are illegible or have been defaced; and
 - 16.1.5 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. 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.
 - 17.2 After the number of ballot papers have 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 GFA Congress.
 - 17.4 If a second (or subsequent) round of voting is required in accordance with the GFA Statutes, the procedure set out in Articles 14-17 shall be repeated.
- 18. Minutes**
- 18.1 The official minutes of the GFA Congress shall be drafted and approved in accordance with the GFA Statutes. The Chairperson shall additionally sign the minutes.
 - 18.2 The official minutes shall be distributed to the GFA Member Clubs, AFC Member Associations, EAFF, AFC and FIFA.
- 19. Verification of Voters**
- 19.1 The members of the GFA 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 GFA, which is responsible for passing them on to the relevant bodies, where required, and for archiving them.
- 21. Appeal**
- 21.1 Appeals against decisions of the Electoral Committee may be lodged only before the Election Appeal Committee to the exclusion of appealing said decisions before any other

body, particularly a government body. Any appeal, with its reason, shall be sent by registered post or delivered in exchange for confirmation of receipt to the general secretariat of the GFA within two (2) days of receipt of the Electoral Committee's decision. Appeal shall be considered by the Election Appeal Committee within two (2) days of their receipt by the general secretariat of the GFA and the relevant candidate shall be informed about the decision within the same time frame of two days.. The Election Appeal Committee shall be composed of 1 Chairperson, 1 Deputy Chairperson, 1 member and 1 substitute, all of which shall be elected by the GFA Congress upon proposal from the Executive Committee.

22. Independence

22.1 The chairperson, deputy chairperson, members and substitutes of the Electoral Committee and the Election Appeal Committee shall be independent. They shall not be considered independent if they exercise or have exercised during the twelve months (12 mos) preceding their initial terms any executive function at GFA or member clubs, or have or have had in twelve months (12 mos) preceding their initial term any material business relationship with GFA or member clubs."

23. Matters not provided for

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

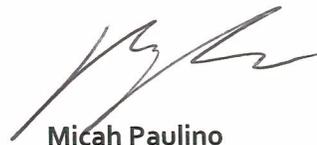
24. Enforcement

24.1 This GFA Electoral Code was ratified by the GFA Executive Committee when it convoked on (November 7, 2018) and comes into force immediately.

For the GFA Executive Committee



Valentino San Gil
President



Micah Paulino
General Secretary