



# Mauritius Football Association

## Electoral Code

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## **A. Preamble (Preliminary Remarks))**

Organizing elections of the Mauritius Football Association (MFA) necessitates a long and complex procedure that, among other components, includes:

- a) complete understanding of the statutes and internal regulations of the MFA;
- b) the invitation for candidatures;
- c) the examination of candidatures;
- d) appeals;
- e) the publication of the official list of candidates;
- f) the organization in technical and logistical terms of elections (organization of the elective general assembly, list of voters, ballot papers, voting urn, count of votes, minutes etc.);
- g) the circulation of general information about the election among the members, government bodies, representatives of the media etc.

It is therefore necessary for the MFA to perfect this procedure so as to ensure that its elections are transparent and democratic. In specific terms, this means:

- a) scrupulously adhering to the statutes and regulations of FIFA, this code and the statutory requirements and regulations of the relevant member association and confederation where the latter do not contradict the former;
- b) avoiding any conflicts of interests that could discredit the impartiality of the elections;
- c) anticipating the organization of elections and planning the relevant action.

The principles of this MFA Electoral Code were approved by the MFA National Managing Committee of the 22<sup>nd</sup> of January 2018 and come into force as from the 1<sup>st</sup> of May 2018. Every MFA member is required to abide with this code.

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

## **b. General Remarks**

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### **Article 1**      **Scope of application**

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1. This code is applicable to elections of the President, Vice-Presidents and as well as those for members of the National Managing Committee of the MFA, the general assembly (if appropriate), the judicial bodies, the electoral committee and the election appeal committee.
2. This electoral code is also applicable to elections to all bodies that are subordinate to the association (e.g. Regional Football Associations, and affiliated members) and whose regulations and procedures are controlled exclusively by the association.

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### **Article 2**      **principles, obligations and rights of parties, government interference**

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1. The democratic principles of segregation of powers, transparency and publicising of the electoral processes of the member association must be observed without exception.
2. Government interference of any kind in the electoral process or composition of the elective body (general assembly) of the MFA and RFA is not permitted. Consequently, government rules on elections shall not apply to the elected internal bodies of the association and the electoral rules of the MFA shall not require the approval of any government body. Furthermore:
  - a) the MFA shall adapt and approve the electoral rules of its elected internal bodies in accordance with this code and other MFA and FIFA regulations;
  - b) at the very least, the electoral codes of the MFA shall include the following information: the number of members and elections, if appropriate, of the general assembly; 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. General Remarks**

- c) the MFA shall inform FIFA 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 shall likewise inform FIFA of the duration of the elections and of the mandates. The MFA is likewise obliged to immediately inform FIFA of any government interference in the electoral process.
- d) unless this code states otherwise, the elected internal bodies of the MFA shall continue to exercise their functions until the completion of the electoral process.

## C. Electoral Committee

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### Article 3 basic principles

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1. The electoral committee (hereafter the Committee) organizes and supervises the election process and takes all decisions relating to the election.<sup>1</sup>
2. The members of the Committee must under no circumstances be members of the National Managing Committee.
3. The members of the Committee shall be bona fide members of the MFA or from the Administrative Body of the MFA (General Secretariat).
4. The members of the 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 does not fulfill the above requirements, the member in question shall immediately leave his position and be replaced by a substitute.

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### Article 4 Election

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The Committee is elected, in accordance with the provisions of this code, by the National Managing Committee or the body that represents it between National General Assemblies for a term of four years at the final annual general assembly before the elective general assembly of the National Managing Committee. The National Managing Committee also elects three substitute members of the electoral committee as well as the three members of the election appeal committee and two substitute members of the appeal committee.

## C. Electoral Committee

1. The National Managing Committee meeting at which the Committee is elected shall take place at least four months before the elective general assembly at which the executive body is elected.<sup>2</sup>

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### Article 5 Composition

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1. The Committee shall be composed of a minimum of three and a maximum of five members and must be formed within the association.
2. The Committee comprises:
  - a) a chairman;
  - b) a deputy chairman;
  - c) between one and five members.
3. The general secretary of the association may delegate an employee of the secretariat serve as the secretary to the electoral committee. He takes part in the activities of the Committee in a consultative capacity, is responsible for the related logistical matters and takes care of administrative matters.
4. The Committee appoints the chairman and deputy chairman from among its members.
5. In the event that one or more members of the Committee stand as candidates for an elected post or are unable to carry out their duties, they shall resign from the Committee. Any member who resigns shall be replaced by a substitute.
6. The members of the Committee shall officially declare their candidatures 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 executive body.

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

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## Article 6 Duties

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1. The Committee is responsible for all tasks relating to the organization, running and supervision of the elective general assembly. In particular, it is responsible for:
    - a) strictly enforcing the association's statutes and regulations;
    - b) strictly enforcing the statutes, directives and regulations of FIFA and the regulations of the MFA and confederation where they do not contradict FIFA regulations;
    - c) strictly enforcing the electoral code;
    - d) strictly enforcing the statutory deadlines for elections;
    - e) distributing information to the members of the general assembly as well as to government bodies, 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) organizing, in administrative and technical terms, the elective general assembly;
    - i) drawing up the list of voters in accordance with the association's statutory provisions;
    - j) verifying the identity of the voters;
    - k) the voting procedure (cf. article 15);
    - l) all other tasks necessary to ensure the smooth running of the electoral process.
  2. Logistical matters shall be taken care of by the MFA.
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## **Article 7**      **Convoking the Committee and quorum**

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1.      Only if the Committee is convoked validly by its chairman is it entitled to deliberate and pass decisions.
2.      A quorum is constituted by the absolute majority of the members of the Committee.

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## **Article 8**      **Decisions**

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

## **D. Candidatures**

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### **Article 9 Criteria**

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

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### **Article 10 Submission of candidatures**

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Candidatures shall be sent by registered post to the general secretariat of the MFA at least 16 days before the general assembly is held.

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### **Article 11 Examination of candidatures**

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1. The candidatures shall be examined by the electoral committee within 5 days of the deadline for their submission.
2. The candidates shall be informed of the decision of the Committee's examination within the same period of 5 days.
3. The list of eligible candidates shall be published.

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### **Article 12 Appeal procedure**

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1. The election appeal committee is constituted of three members and two substitutes elected by the National Managing Committee at the same time as the members of the Committee. 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 association within 3 days of receipt of the Committee's decision.

## **D. Candidatures**

3. Appeals shall be considered by the election appeal committee within 3 days of their receipt by the general secretariat.
4. The decisions of the election appeal committee are final and shall not be monitored by any government body.

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### **Article 13** Distribution of the final official list

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The final official list of candidates shall be sent to all the members of the general assembly through their delegates and, where necessary, to the relevant government bodies no less than 7 days before the elective general assembly is held. It shall also be published in the press.

## **E. Voting Procedure**

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### **Article 14** Deadline for convoking an elective general assembly

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An elective general assembly shall be convoked the requisite number of days before it takes place as stipulated in the MFA's statutes. Notification shall be addressed to all the members of the general assembly and, where necessary, to the relevant government bodies. The elective general assembly shall be announced through the media.

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### **Article 15** Duties of the Committee

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The duties of the Committee are as follows:

- a) to monitor the voting procedure during the elective general assembly 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 general assembly;
- e) to draft official minutes of the election and distribute them to the members and, where necessary, to government authorities;
- f) to declare the official results;
- g) to organise a media conference, where necessary.

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### **Article 16** ballot papers

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1. The association's general secretariat shall produce the ballot papers under the supervision and charge of the Committee. The ballot papers shall be printed clearly and legibly.
2. The ballot papers shall be of a different colour for each round of the election.

## **E. Voting Procedure**

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### **Article 17** Urn

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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 general assembly. It shall then be closed and placed in a visible position near to the members of the Committee.
2. During the vote, the urn shall be monitored by one of the members of the Committee.

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### **Article 18** polling booths

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

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## Article 19 Vote

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1. The chairman of the 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 Committee calls in turn each delegate of the general assembly 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 moves to the front of the hall and, after signing, he receives his ballot paper.
4. The member then completes his ballot paper in the polling booth designated for this purpose.
5. The member 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 with the right to vote have deposited their ballot papers in the urn. A member of the Committee opens the urn and tips out the ballot papers. The count then commences.

## **F. Count**

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### **Article 20** General principles, decisions in the event of dispute

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1. Only the members of the 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 general assembly.
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 Committee's decision shall be final.

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### **Article 21** invalid ballot papers

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1. The following are considered invalid:
  - a) ballot papers that do not bear the official distinctive marks defined by the Committee;
  - b) ballot papers that bear any words other than the names of the candidates;
  - c) ballot papers that are illegible or have been defaced;
  - d) ballot papers that bear identifying marks.
2. The chairman of the 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 Committee's decision shall be final.

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## Article 22 Spelling mistakes

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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 candidates.

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## Article 23 Count and declaration of results

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1. Once the urn has been opened, the members of the 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 Committee shall proceed to count the number of votes cast for each different candidate.
3. Once the count has been completed and verified, the chairman shall officially declare the results to the members of the general assembly.
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 general assembly 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).

## **F. Count**

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### **Article 24 Declaration of final results**

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1. After each round of the election, the chairman of the Committee shall declare the results officially to the delegates of the general assembly. The minutes are to be drafted and signed by all the members of the Committee.
2. The final minutes shall be distributed to the members of the general assembly and, where necessary, to government bodies. They shall be entered in the record of the deliberations of the general assembly.

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### **Article 25 Verification of procedure**

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

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### **Article 26 Enforcement**

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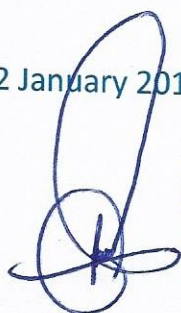
This electoral code was approved by the national managing committee convened on 22 January 2018 and comes into force on 1 May 2018.

## G. Final Provisions

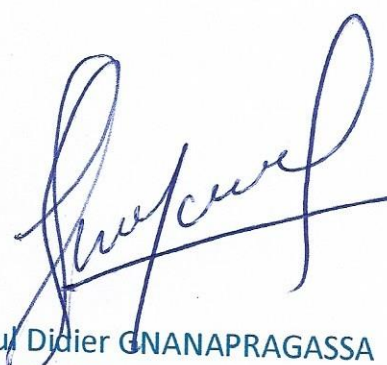
### Violations, rights of FiFA, archiving of documents, omissions

1. Failure by the MFA to apply the principles of this code shall be considered a serious violation of the provisions of article 13 of the FIFA Statutes and shall lead to the consequences described in article 14 of the FIFA Statutes or the disciplinary measures provided for under article 55 of the FIFA Statutes.
2. FIFA has the right to intervene in the electoral processes of the MFA at any time to monitor its integrity and check that this code and the statutes and regulations of FIFA are being applied.
3. FIFA may likewise suspend or invalidate the electoral processes and/or appoint a provisional administration for the MFA, as the case may be.
4. The Committee shall hand over all the official documents relating to the elections to the association's general secretariat, which is responsible for passing them on to the relevant bodies, where required, and for archiving them.
5. All matters relating to the administrative and technical organization of the elective general assembly that are not covered by this code shall be ruled upon by the Committee.
6. All matters relating to the running of the elections not covered by this code shall be ruled upon by the Committee.
7. The members of the Committee shall observe the utmost impartiality when carrying out their duties.

22 January 2018



Mohamad Ally Samir SOBHA  
PRESIDENT



Paul Didier GNANAPRAGASSA  
SECRETARY GENERAL