

# Electoral Code (English Version)

Federação Futebol de Timor-Leste (FFTL)

2021 Edition

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

## I. GENERAL REMARKS

### Article 1 Scope of application

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1. To the extent applicable, this Electoral Code shall apply to the election of the members of the following bodies of FFTL as defined in the Statutes of FFTL:
  - a. The Executive Committee
  - b. The Disciplinary & Ethics Committee
  - c. The Appeal Committee
  - d. The Audit and Compliance Committee
  - e. The Electoral Committee
2. This Electoral Code shall also apply to the elections of the members of the relevant bodies of the Members of FFTL according to the pertinent FFTL Statutes and regulations.

### Article 2 Principles, obligations and rights of parties, government interference

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1. The democratic principles of separation of powers, independence, transparency and publicising of the electoral processes of FFTL must be observed without exception.
2. Government interference of any kind in the electoral process or composition of the elective body (the Congress) of FFTL is not permitted.

Furthermore:

- a. FFTL shall adapt and approve the electoral rules of its elected internal bodies in accordance with this code and pertinent FIFA regulations;
- b. at the very least, the FFTL Electoral Code as well as any electoral code of the affiliates of FFTL shall include the following information: the number of affiliates 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.
- c. FFTL should inform FIFA and AFC if the commencement of the elections to its elected internal bodies, the announcement of the elections and its electoral rules at least thirty (30) days' notice. It should likewise inform FIFA and AFC of the duration of the elections and of the mandates. FFTL is obliged to immediately inform FIFA and AFC of any government interference in the electoral process.
- d. unless this electoral code and FFTL Statutes state otherwise, the elected internal bodies of FFTL shall continue to exercise their functions until the completion of the electoral process.

## II. ELECTORAL COMMITTEE

### Article 3 Basic principles

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1. The electoral committee organises and supervises the election process and takes all decisions relating to the election.
2. The members of the electoral committee must under no circumstances be members of the Executive

Committee or members of any other bodies of FFTL.

3. The members of the electoral committee shall be *bona fide* members of FFTL.
4. The members of the electoral 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 of the electoral committee does not fulfil the above requirements, the member in question shall immediately leave his position and be replaced by a substitute.

#### **Article 4 Election of the members of the Electoral Committee**

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1. The members of the electoral committee are elected, in accordance with the provisions of this Electoral Code, by the FFTL Congress, upon proposal of the Executive Committee, for a term of four (4) years at a FFTL Congress. The FFTL Congress shall also elect, upon proposal of the Executive Committee, three substitute members for the electoral committee and two substitute members of the election appeal committee.
2. No member of the Electoral Committee shall serve for more than two (2) terms of office, whether consecutive or not.
3. The FFTL Congress at which the electoral committee are elected shall take place at least six months before the elective FFTL Congress at which the respective bodies are to be elected.

#### **Article 5 Composition of the Electoral Committee**

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1. The electoral committee (first instance) shall be composed of 3 members and shall comprise:
  - a. a chairperson;
  - b. a deputy chairperson;
  - c. 1 member
2. The election appeal committee (second instance) shall be composed of 3 members and shall comprise:
  - a. a chairperson;
  - b. a deputy chairperson;
  - c. 1 member
3. In the event that the members of electoral committees (first and second instance) are not available to carry out their duties (due to ineligibility or any other reasons), the FFTL Executive Committee shall appoint the eligible members from the Disciplinary and Ethics Committee and Appeals Committee to fulfil the tasks.
4. The general secretary of FFTL serves as the secretary to the electoral committee. He shall take part in the activities of the electoral committee in a consultative capacity, is responsible for the related logistical matters and takes care of administrative matters.
5. In the event that one or more members of the electoral committee stand as candidates for an elected post or are unable to carry out their duties, they shall resign from the electoral committee. Any member who resigns shall be replaced by a substitute.
6. The members of the electoral committee shall officially declare their candidature 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 bodies to be elected.
7. The electoral committee may be assisted by members of the general secretariat at any time provided that they are not standing as candidates for elected posts.

## **Article 6 General duties of the electoral committee**

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1. The electoral committee is responsible for all tasks relating to the organisation, running and supervision of the elective FFTL Congress. In particular, it is responsible for:
  - a. strictly enforcing the FFTL Statutes and regulations;
  - b. strictly enforcing the statutes, directives and regulations of FIFA and AFC;
  - c. strictly enforcing this Electoral Code;
  - d. strictly enforcing the statutory deadlines for elections/ratifications;
  - e. distributing information to the Members of FFTL as well as to the media and the public, including the deadlines stipulated in this Electoral Code;
  - f. managing relations with government bodies (where necessary);
  - g. the candidature procedure (launch, distribution of information, evaluation, publication of official list etc.);
  - h. organising, in administrative and technical terms, the elective FFTL Congress with the assistance of the general secretariat;
  - i. publishing the list of delegates to the FFTL Congress that are defined in accordance with the statutory provisions of FFTL;
  - j. verifying the identity of the delegates under the supervision of the notary appointed for this purpose;
  - k. the voting procedure;
  - l. all other tasks necessary to ensure the smooth running of the electoral process.
2. Logistical matters shall be taken care of by the general secretariat of FFTL.

## **Article 7 Convocation and quorum**

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1. Only if the electoral committee is convoked validly by its chairperson is it entitled to deliberate and pass decisions.
2. A quorum is constituted by the majority (more than 50%) of the members of the electoral committee.

## **Article 8 Decisions**

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All of the electoral committee's decisions must be passed by a majority (more than 50%) of the valid votes cast. Voting by proxy or by letter is not permitted. If a vote is tied, the chairperson of the electoral committee shall have the casting vote. Decisions are recorded in minutes signed by the chairperson and the secretary of the electoral committee. Appeals against the electoral committee's decisions may be lodged only with the election appeal committee of the FFTL, to the exclusion of the possibility of appealing said decisions before any other organ, particularly a government organ.

### III. CANDIDATURES

#### Article 9 Criteria

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The eligibility criteria are defined in the FFTL Statutes and must comply with the Statutes and regulations of FIFA.

#### Article 10 Submission of candidatures

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1. No fees or charges of any sort shall be requested from any of the candidates at any point during the entire electoral procedure, unless they have previously been approved by the Congress. In any event, any fees or charges agreed upon shall remain reasonable and shall only serve to cover the costs of the relevant administrative burden.
2. Candidatures shall be sent by recorded post or delivered in exchange for confirmation of receipt to the general secretariat of FFTL at least forty-five (45) days before the FFTL Congress is held.
3. Within two (2) 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 three (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.

#### Article 11 Examination of candidatures

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1. The candidatures shall be examined by the electoral committee within five (5) days of the deadline for their submission.
2. The candidates shall be informed of the decision of the electoral committee's examination not later than five (5) days before the FFTL Congress is held

#### Article 12 Appeal procedure

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1. The election appeal committee is constituted of three members and two substitutes elected by the FFTL general assembly at the same time as the members of the electoral 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 FFTL within three (3) days of the electoral committee's decision.
3. The election appeal committee may decide to accept fresh evidence and documents that were not provided by the relevant candidate together with the initial candidature.
4. Appeals shall be considered by the election appeal committee within four (4) days of their receipt by the general secretariat of FFTL and the candidates shall be informed of the decision of the election appeal committee within the same aforementioned time period.

5. The decisions of the election appeal committee are final and binding and may not be monitored by any government authority.

### **Article 13 Procedure for candidates for other bodies of FFTL**

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1. Candidatures for any of the positions of all other bodies of FFTL (Audit and Compliance Committee, electoral committees and judicial bodies) shall be sent by the Executive Committee to the general secretariat at least forty-five (45) days before the relevant elective Congress. Candidatures received by the general secretariat shall be immediately forwarded to the Electoral Committee as well as to the relevant body in charge of carrying out the integrity checks.
2. Within 10 (ten) days of receipt of the candidatures, the Electoral Committee shall confirm to the general secretariat whether the formal requirements for the relevant positions have been fulfilled. In the event that one or more candidates cannot be validated, the Executive Committee shall propose additional candidates for the relevant positions
3. Elections of the members of such other bodies may be conducted en bloc. At the start of the elective Congress, the delegates shall be provided with the relevant ballot papers containing the lists of the candidates for the bodies in question.
4. During the elections of such members, the delegates shall remain at their seats and shall cast their vote using a mobile ballot box that shall be carried from seat to seat by one of the scrutineers and supervised closely by a member of the Electoral Committee.
5. Once all the delegates have deposited their ballot papers in the mobile ballot box, the Electoral Committee shall proceed with the count in front of all the delegates and the results shall be announced to the Members

### **Article 14 Distribution of the final official list of candidates**

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The final official lists of candidates for the positions of all bodies of FFTL to be elected shall be sent to the Members of FFTL and, where necessary, to the relevant government bodies no less than thirty (30) days before the elective FFTL Congress is held. The final list of candidates shall also be published in the press and, where necessary, sent to the relevant government authorities for information

## **III. VOTING PROCEDURE**

### **Article 15 Deadline for convening an elective Congress**

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An elective FFTL Congress shall be convened in compliance with the deadlines stipulated in the FFTL Statutes. Notification shall be addressed to all the Members of FFTL and, where necessary, to the relevant government bodies. The elective FFTL Congress shall be announced through the media.



## **Article 16 Duties of the electoral committee during the voting procedure**

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1. The duties of the electoral committee during the voting procedure are as follows:
  - a. To verify the identity of the voters (delegates)
  - b. to monitor the voting procedure during the elective FFTL Congress using the electoral register that it has compiled;
  - c. to count the votes;
  - d. to take any decision that is necessary regarding the validity or invalidity of ballot papers;
  - e. in general, to pass a definitive decision on any matters relating to the voting procedure during the elective FFTL Congress;
  - f. to draft official minutes of the election and distribute them to the members of FFTL;
  - g. to declare the official results;
  - h. to organise a media conference, where necessary.

## **Article 17 Ballot papers**

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1. The general secretariat of FFTL shall produce the ballot papers under the supervision and responsibility of the electoral 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.

## **Article 18 Ballot Box**

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1. Before the start of the voting procedure, the ballot box– which shall be transparent where possible – shall be opened and presented to the delegates of the FFTL Congress. It shall then be closed and placed in a visible position near to the members of the electoral committee.
2. During the vote, the ballot box shall be monitored by one of the members of the electoral committee.

## **Article 19 Polling booths**

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Polling booths shall be erected near to the ballot box and the polling station so that the delegates of the FFTL Congress who are entitled to vote may complete their ballot paper in secret.

## **Article 20 Vote**

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1. The chairperson of the electoral committee shall explain in detail the voting procedure (ballot box, ballot papers, valid and invalid ballot papers, count, required majorities, results etc.) and cite any relevant statutory or legislative provisions.
2. The chairperson of the electoral committee calls in turn each delegate of the FFTL Congress 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 delegate moves to the front of the hall and, after signing, receives his ballot paper.

4. The delegate then completes his ballot paper in the polling booth designated for this purpose.
5. The delegate in question deposits his ballot paper in the ballot box, signs the electoral register and then returns to his seat.
6. The counting procedure begins as soon as all of the delegates of the FFTL Congress with the right to vote have deposited their ballot papers in the ballot box. A member of the electoral committee opens the ballot box and tips out the ballot papers. The count then commences.

#### IV. COUNT

##### **Article 21 General principles, decisions in the event of dispute**

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1. Only the members of the electoral committee may take part in the count. All operations (opening the ballot box, counting the ballot papers, counting the votes etc.) shall be carried out in a way that can be followed clearly by the delegates of the FFTL Congress.
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 electoral committee's decision shall be final.

##### **Article 22 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 electoral 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 chairperson of the electoral committee shall write on the back of any invalid ballot paper (in red) the reasons for its invalidity and confirm with a signature

##### **Article 23 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.

##### **Article 24 Count and declaration of results**

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1. Once the ballot box has been opened, the members of 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 recommence immediately in accordance with the procedure described above.
2. After the number of ballot papers has been verified, the members of the electoral committee shall proceed to count the number of votes cast for each different candidate.
3. Once the count has been completed and verified, the chairperson shall officially declare the results





to the delegates of the FFTL Congress.

4. If a second (or subsequent) round of voting is required, the voting procedure shall be repeated in accordance with the above articles. The delegates of the FFTL Congress 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).

#### **Article 25 Declaration of final results**

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1. After each round of the election, the chairperson of the electoral committee shall declare the results officially to the delegates of the FFTL Congress. The minutes are to be drafted and signed by all the members of the electoral committee.
2. The final minutes shall be distributed to the Members of the FFTL Congress and, where necessary, to government bodies. They shall be entered in the record of the deliberations of the FFTL Congress.

#### **Article 26 Verification of procedure**

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A notary or other person of equivalent legal status recognised by the courts shall attend the elective FFTL Congress and draw up minutes. He shall be specifically responsible for verifying the identity of the delegates and ensuring compliance with the voting procedure.

### **V. FINAL PROVISIONS**

#### **Article 27 Violations, rights of FIFA, archiving of documents, omissions**

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1. Failure by FFTL to apply the principles of this Electoral Code shall be considered a serious violation of the pertinent provisions of the FIFA Statutes and shall lead to the consequences or the disciplinary measures provided for under and described in the FIFA Statutes.
2. The electoral committee shall hand over all the official documents relating to the elections to the general secretariat of FFTL, which is responsible for passing them on to the relevant bodies, where required, and for archiving them.
3. All matters relating to the administrative and technical organisation of the elective FFTL Congress that are not covered by this Electoral Code shall be ruled upon by the electoral committee.
4. All matters relating to the running of the elections not covered by this code shall be ruled upon by the electoral committee.
5. The members of the electoral committee shall observe the utmost impartiality when carrying out their duties.



## Article 28 Enforcement

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This Electoral Code was approved by the FFTL Executive Committee when it convened in Dili on 06 November 2021 and comes into force immediately.

Dili, 06 November 2021

FOR THE FFTL EXECUTIVE COMMITTEE

**President:**

  
**Francisco M.C.P. Jerónimo**



**General Secretary:**

  
**Nelyo Isaac Sarmento**