

HKFA ELECTORAL CODE

A. GENERAL REMARKS

ARTICLE 1

SCOPE OF APPLICATION

1. This Electoral Code is applicable to elections of the directors of the HKFA only.
2. Unless otherwise stated, capitalised terms shall have the same meaning given to that term in the articles of association of the HKFA.

ARTICLE 2

PRINCIPLES, OBLIGATIONS AND RIGHTS OF PARTIES, GOVERNMENT INTERFERENCE

1. The democratic principles of segregation of powers, transparency and publicising of the electoral process must be observed without exception.
2. Government interference of any kind in the electoral process or the composition of the elective body (the Board) is not permitted.
 - (a) The HKFA shall inform FIFA of the Board's decision to fix the date of any elections, the final results of any elections and the adoption or any amendments to this Electoral Code within one month of the relevant date. It shall likewise inform FIFA of the duration of the elections (i.e. the first date on which Members may nominate candidates for election to the Board until the date of the election) and of the mandates (i.e. the identity of the elected directors). The HKFA shall immediately inform FIFA of any government interference in the electoral process.
 - (b) Unless this Electoral Code states otherwise, the Directors of the HKFA shall continue to exercise their functions until the end of the General Meeting at which they retire or are re-elected.

B. ELECTORAL COMMITTEE

ARTICLE 3

BASIC PRINCIPLES

1. The electoral committee (hereafter the “**Committee**”) organises and supervises the election process and takes all decisions relating to the election.
2. The members of the Committee must under no circumstances be, and shall be independent of, members of the Board.
3. 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.
4. In the event that a member of the Committee does not fulfil the above requirements, the member in question shall immediately leave his position and be replaced by a substitute.

ARTICLE 4

SELECTION

1. Members of the Committee shall be selected by the Board for a term of four years. The Board shall select three substitute members of the Committee as well as the three members of the election appeal committee and two substitute members of the election appeal committee.
2. The members of the Committee or the election appeal committee are not permitted to serve for two consecutive terms.

ARTICLE 5

COMPOSITION

1. The Committee shall be composed of three, five or seven members and must be formed within the HKFA.
2. The Committee comprises:
 - (a) a chairman;
 - (b) a deputy chairman;
 - (c) between one and five members.
3. The General Secretary of the HKFA shall serve as the secretary to the 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 Board shall select the chairman (who shall have legal training) and the deputy chairman for the Committee.
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 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.

ARTICLE 6

RESPONSIBILITIES OF THE COMMITTEE

1. The Committee is responsible for all tasks relating to the organisation, running and supervision of the elections. In particular, it is responsible for:
 - (a) strictly enforcing the HKFA's articles of association;
 - (b) strictly enforcing the statutes, directives and regulations of FIFA and the regulations of the HKFA and the AFC where they do not contradict FIFA regulations;
 - (c) strictly enforcing this Electoral Code;
 - (d) strictly enforcing the statutory deadlines for elections;
 - (e) drawing up the list of voters in accordance with the HKFA's statutory provisions;
 - (f) verifying the identity of the voters;
 - (g) the voting procedure (cf. Part D of this Electoral Code);
 - (h) all other tasks necessary to ensure the smooth running of the electoral process; and
 - (i) drawing up additional regulations on the election arrangements which it considers to be necessary to ensure the smooth running of the electoral process and covered by (c) above.

ARTICLE 7

CONVENING THE COMMITTEE AND QUORUM

1. Only if the Committee is validly convened 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.

ARTICLE 8

DECISIONS

All of the Committee's decisions must be passed by an absolute majority of the valid votes cast by those present at the meeting of the Committee. If a vote is tied, the chairman of the Committee shall have the casting vote. Decisions of the Committee shall be 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 and cannot be appealed to any other body, including a government body.

C. CANDIDATURES

ARTICLE 9

CRITERIA

The eligibility criteria for candidature are defined by this Electoral Code and the articles of association of the HKFA.

ARTICLE 10

SUBMISSION OF CANDIDATURES

Candidatures shall be sent by recorded post to the General Secretary not less than 40 days and not more than 60 days prior to the Assembly meeting at which the election of the Board is to take place.

ARTICLE 11

EXAMINATION OF CANDIDATURES

1. The candidatures shall be examined by the 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 referred to in article 11(1) of this Electoral Code.
3. The list of candidates shall be included in the notice convening the Assembly meeting at which the election will take place.

ARTICLE 12

APPEAL PROCEDURE

1. The election appeal committee is constituted of three members and two substitutes selected by the Board at the same time as the members of the Committee. The Chairman of the election appeal committee shall have legal training. Requirements on the members of the electoral committee as set out in article 3 of this Electoral Code shall apply to members of the election appeal committee by analogy.
2. Any appeal, with its reasons, shall be delivered to the General Secretary of the HKFA within 3 days of receipt of the Committee's decision.
3. Appeals shall be considered by the election appeal committee within 5 days of their receipt by the General Secretary. The candidates shall be informed of the decision of the election appeal committee within the same period of 5 days referred to in this article 12(3).
4. The decisions of the election appeal committee are final and may not be monitored by any government body.

ARTICLE 13

DISTRIBUTION OF THE FINAL OFFICIAL LIST

The final official list of candidates shall be included in the notice convening the Assembly meeting at which the election will take place.

D. VOTING PROCEDURE

ARTICLE 14

DEADLINE FOR CONVENING AN ELECTION GENERAL MEETING

Any Assembly meeting at which an election shall be convened in accordance with the relevant provisions in the articles of association of the HKFA. Notice of the Election General Meeting shall be sent to all Members of the HKFA in accordance with the relevant provisions in the articles of association of the HKFA.

ARTICLE 15

DUTIES OF THE COMMITTEE AT ELECTIONS

The duties of the Committee are as follows:

- (a) to monitor the voting procedure during the 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 Assembly at which an election takes place;
- (e) to draft official minutes of the election (with the assistance of the General Secretary of the HKFA) and distribute them to the Members; and
- (f) to declare the official results of the election.

ARTICLE 16

BALLOT PAPERS

1. The General Secretary 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.

ARTICLE 17

URN

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 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.

ARTICLE 18

POLLING BOOTHS

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

ARTICLE 19

VOTE

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 Member 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.

E. COUNT

ARTICLE 20

GENERAL PRINCIPLES, DECISIONS IN THE EVENT OF DISPUTE

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 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.

ARTICLE 21

INVALID BALLOT PAPERS

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.

ARTICLE 22

SPELLING MISTAKES

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 23

COUNT AND DECLARATION OF RESULTS

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 at the Assembly.
4. If a second (or subsequent) round of voting is required, the voting procedure shall be repeated in accordance with the above articles in this Electoral Code. The Members of the 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).

ARTICLE 24

DECLARATION OF FINAL RESULTS

1. After each round of the election, the chairman of the Committee shall declare the results officially to the Members of the 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 Assembly. They shall be kept by the HKFA secretariat for record.

ARTICLE 25

ENFORCEMENT

1. This Electoral Code was approved by the Board on 26 January 2015.
2. Nothing in this Electoral Code shall affect the statutory rights of Members under the laws of Hong Kong.