

# Statutes of Bahamas Football Association



**2023 EDITION**



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## DEFINITIONS

The terms given below denote the following:

**BFA:** Bahamas Football Association

**CONCACAF:** Confederation of North, Central America, and Caribbean Association Football.

**FIFA:** Fédération Internationale de Football Association.

**CFU:** Caribbean Football Union

**Association:** a football association recognised as such by FIFA and by the relevant confederation. It is a member of FIFA, unless a different meaning is evident from the context.

**League:** an organisation that is subordinate to an association.

**Club:** a member of an association (that is a member of FIFA and of the relevant confederation) or a member of a league recognised by an association that enters at least one team in Senior and Youth level of competition and comply with Club Licensing regulations.

**Official:** any board member (including the members of the Council), committee member, referee and assistant referee, coach, trainer, and any other person responsible for technical, medical, and administrative matters in FIFA, a confederation, an association, a league, or a club as well as any other persons obliged to comply with the FIFA Statutes (except players and intermediaries).

**Player:** a football player registered by BFA through the respective member Club or affiliate.

**Congress:** the supreme and legislative body of BFA.

**Council:** the strategic and oversight body of BFA.

**Full Member:** a legal person that has been admitted into membership of BFA by the Congress.

**Affiliate Member:** a legal person that has been recognised by the BFA.

**Members:** a legal person that has been admitted into membership of the BFA by the Congress.

**Delegate:** a natural person validly representing a Full Member at the Congress.

**Association football:** the game controlled by FIFA and organised by FIFA, the confederations and/or the associations in accordance with the Laws of the Game.

**Laws of the Game:** the laws of association football issued by The IFAB in accordance with the relevant provisions of the FIFA Statutes.

**The IFAB:** The International Football Association Board (IFAB).

**Ordinary courts:** Bahamian courts which hear public and private legal disputes.

**Arbitration tribunal:** an independent and duly constituted private court of justice acting instead of an ordinary court.

**CAS:** Court of Arbitration for Sport based in Lausanne (Switzerland).

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

## I. GENERAL PROVISIONS

### Preamble

Whereas the game of Football is now being promoted, managed, and maintained in all countries of the world, with emphasis on the international friendship and goodwill of people participating in the game of their culture, social and healthy development, we therefor sincerely resolve to constitute the Bahamas Football Association as the National Organization for the sport in all the Bahamas Islands.

### Article 1 Legal form, headquarters, and trademarks

BFA is a private organisation of an associative nature organized as a non-profit under the Non -Profit Organization Act, 2019 of the laws of the Bahamas. It is formed for an unlimited period.

- a) The headquarters of BFA are located in New Providence, Bahamas.
- b) BFA is a member of FIFA, CONCACAF and CFU.
- c) The logo of BFA is Appendix C.
- d) The abbreviation of Bahamas Football Association is BFA.
- e) The logo and abbreviation are legally registered with the Bahamas Registrar General Department

### Article 2 Objectives

The objectives of BFA are:

- a) to improve the game of football constantly and promote, regulate, and control it throughout the territory of Bahamas in the light of fair play and its unifying, educational, cultural, and humanitarian values, particularly through youth and development programmes.
- b) to organise competitions in association football, futsal, and beach soccer at national level, by defining precisely, as required, the areas of authority conceded to the various leagues of which it is composed.
- c) to draw up regulations and provisions and ensure their enforcement.
- d) to protect the interests of its Members.
- e) to respect and prevent any infringement of the Statutes, regulations, directives, and decisions of FIFA, of CONCACAF and of BFA as well as the Laws of the Game, and to ensure that these are also respected by its Members.
- f) to promote integrity, ethics, and fair play with a view to preventing all methods or practices, such as corruption, doping or match manipulation, which might jeopardise the integrity of matches, competitions, players, officials, and Members or give rise to abuse of association football, futsal, or beach soccer.
- g) to promote and strengthen good governance principles and practices at national level and encourage its members to adopt their own good governance principles.

- h) to promote the development of women's football and the full participation of women at all levels of football governance.
- i) to host, control and supervise all football matches of all forms played throughout the territory of Bahamas.
- j) to control and supervise association football, futsal, and beach soccer at national level and to control and supervise all forms of international football matches played throughout the territory of Bahamas, in accordance with the relevant Statutes and Regulations of FIFA and of the confederations.
- k) to manage international sporting relations connected with association football, futsal, and beach soccer.
- l) to host competitions at international and other levels.
- m) to use its best efforts to ensure that the game of football is available to and resourced for all who wish to participate throughout the territory of Bahamas, regardless of gender and age.

### **Article 3 Human rights**

BFA is committed to respecting all internationally recognised human rights and shall strive to promote the protection of these rights.

### **Article 4 Non-discrimination and equality**

Discrimination of any kind against a country, private person, or group of people on account of race, skin colour, ethnic, national, or social origin, gender, disability, language, religion, political opinion or any other opinion, wealth, birth or any other status, sexual orientation or any other reason is strictly prohibited and punishable by suspension or expulsion and/or other disciplinary measures.

### **Article 5 Neutrality and institutional independence**

1. BFA is neutral in matters of politics and religion.
2. The Members of BFA shall also be neutral in matters of politics and religion and shall ensure that their own members remain neutral.
3. BFA shall remain independent and shall avoid any form of undue political interference. BFA shall manage its affairs independently and shall ensure that its own affairs are not influenced by any third parties.

### **Article 6 Promoting friendly relations**

- 1 BFA shall promote friendly relations between its Members, clubs, officials, and players and in society for humanitarian objectives.
- 2 BFA shall provide the necessary institutional means to resolve any internal dispute that may arise between the Members, clubs, officials, and players.

#### **Article 7**    **Players**

- 1 The status of players and the provisions for their registration and transfer shall be governed in accordance with the FIFA Regulations on the Status and Transfer of Players. Due consideration shall be given to the protection of contractual stability and the encouragement of player training and education by clubs.
- 2 Every player involved in the game of association football, futsal, and beach soccer in the territory of Bahamas is obliged to observe the Statutes and regulations of FIFA, of CONCACAF, of BFA and any other relevant statutes, as well as the principles of fair play, loyalty, integrity, and sportsmanship.

#### **Article 8**    **Laws of the Game**

- 1 BFA and each of its Members shall play association football in compliance with the Laws of the Game issued by the IFAB. Only The IFAB may lay down and alter the Laws of the Game.
- 2 BFA and each of its Members shall play futsal in accordance with the Futsal Laws of the Game issued by FIFA. Only FIFA may lay down and alter the Futsal Laws of the Game.
- 3 BFA and each of its Members shall play beach soccer in accordance with the Beach Soccer Laws of the Game issued by FIFA. Only FIFA may lay down and alter the Beach Soccer Laws of the Game.

#### **Article 9**    **Conduct of bodies, Officials, and others**

- 1 All bodies and officials of BFA shall observe the Statutes, regulations, directives, decisions, and the Code of Ethics of FIFA, of CONCACAF and of BFA in their activities.
- 2 Every person and organisation involved in the game of association football, futsal, and beach soccer in the territory of Bahamas is obliged to observe the Statutes and regulations of FIFA, of CONCACAF, of BFA and any other relevant statutes, as well as the principles of fair play, loyalty, integrity, and sportsmanship.

#### **Article 10**    **Official languages**

1. The official language of the BFA shall be English. Official documents and texts shall be written in this language.
2. The official language at the Congress shall be English.

## II. MEMBERSHIP

### Article 11 Admission, suspension, and expulsion

1. The Congress shall decide whether to admit, suspend or expel a Member.
2. Admission may be granted if the applicant fulfils the requirements of BFA in accordance with these Statutes. Required documents must be presented with your application.
3. Membership is terminated by resignation or expulsion. Loss of membership does not relieve the Member of its financial obligations towards BFA or other Members of BFA but leads to the loss of all rights in relation to BFA.
4. BFA shall ensure that all relevant stakeholders are represented within its Congress. The interests of women's football shall also be adequately represented in the Congress.

### Article 12 Members

1. Membership to BFA may be Full Members and Affiliate Members.  
  
The Full Members of BFA are:
  - a) Clubs
2. Clubs that comply with the Club Licensing Regulations of the BFA are full members of the BFA. All other Clubs recognised by the BFA are affiliate members to BFA.

### Article 13 Admission

- 1 Any Club and/or legal person wishing to become a Full Member of BFA shall apply in writing to the general secretariat of BFA.
- 2 The application must be accompanied by the following mandatory items:
  - a) Club licensing application, if applicable.
  - b) copy of its legally valid statutes or constitutional document and, if applicable, regulations.
  - c) a declaration that it will comply at all times with the Statutes, regulations, and decisions of BFA, CFU, FIFA and CONCACAF and ensure that these are also respected, if applicable, by its own members, clubs, officials, and players.
  - d) a declaration that it will comply with the Laws of the Game in force as laid down by the IFAB, as well as the Beach Soccer Laws of the Game and the Futsal Laws of the Game as laid down by FIFA.
  - e) a declaration that it will refer in the last instance after exhaustion of all internal channels within BFA any dispute of national dimension arising from or related to the Statutes, regulations, directives, and decisions of BFA only to CAS, which shall definitely settle the dispute to the exclusion of any ordinary court, unless expressly prohibited by the legislation in force in Bahamas.



- f) a declaration that any dispute of international dimension arising from or related to the Statutes, regulations, directives, and decisions of FIFA or of CONCACAF may only be submitted in the last instance to CAS, as specified in the Statutes of FIFA and of CONCACAF.
  - g) a declaration that it recognises the jurisdiction of CAS, as specified in the Statutes of FIFA and of CONCACAF, and its decisions.
  - i) a declaration that it is located and registered in the Bahamas on the territory of BFA.
  - j) a declaration to the effect that the legal composition of the applicant guarantees that it can make decisions independently of any external entity.
  - k) a declaration to the effect that the members of its own bodies were elected or appointed as a result of a procedure that guarantees the complete independence of the election or appointment.
  - l) a list of officials, specifying those who are authorised signatories with the right to enter into legally binding agreements with third parties.
  - m) a copy of the minutes of its last meeting.
  - n) a declaration that it undertakes to organise or participate in friendly matches only with the prior consent of BFA.
  - o) a declaration that it will play all official matches on the territory of The Bahamas.
3. Any Club and/or legal person wishing to be recognised as an Affiliate Member of BFA shall present in writing the declaration in Annexe D.

#### **Article 14 Request and procedure for application**

1. The Council shall request that the Congress either admit an applicant or not. The applicant may state the reasons for its application to the Congress.
2. The new Member shall acquire membership rights and duties as soon as it has been admitted. Its delegates are eligible to vote and be elected with immediate effect.

#### **Article 15 Members' rights**

1. The Full Members of BFA have the following rights:
  - a) to take part in the Congress, to receive its agenda in advance, to be called to the Congress within the prescribed time, to exercise their rights to participate in the debates and discussions and to exercise their voting rights.
  - b) to draw up proposals for inclusion in the agenda of the Congress.
  - c) to nominate candidates for elections and/or appointment to the relevant bodies of BFA.
  - d) to be informed of the affairs of BFA through its official bodies.
  - e) to take part in competitions and/or other sporting activities organised by BFA.
  - f) to exercise all other rights arising from the Statutes and regulations of BFA.
2. The Affiliate Members of BFA have the following rights:

- a) To take part in the Congress as observer, but they do not have the right to exercise voting rights and to participate in the debates and discussions.
  - b) To take part in competitions and/or other sporting activities organised by the BFA.
3. The exercise of these rights is subject to other provisions in the Statutes and applicable regulations of BFA.

#### Article 16 Members' obligations:

- 1 The Full Members of BFA have the following obligations:
  - a) to comply fully with the Statutes, regulations, directives, and decisions of FIFA, CONCACAF and BFA at all times and adhere to by its members.
  - b) to ensure the election of its own decision-making bodies at least every 4 years.
  - c) to take part in competitions and other sporting activities organised by BFA.
  - d) to pay their membership subscriptions.
  - e) to respect the Laws of the Game as laid down by The IFAB, as well as the Beach Soccer Laws of the Game and the Futsal Laws of the Game as laid down by FIFA, and to ensure that these are also respected by its members through a statutory provision.
  - f) to adopt a statutory clause specifying that any dispute of national dimension arising from or related to the Statutes, regulations, directives, and decisions of BFA may only be referred in the last instance (i.e., after exhaustion of all internal channels within BFA) to CAS, which shall definitely settle the dispute to the exclusion of any ordinary court, unless expressly prohibited by the legislation in force in the Bahamas.
  - g) to adopt a statutory clause specifying that any dispute of international dimension arising from or related to the Statutes, regulations, directives, and decisions of FIFA or of CONCACAF may only be submitted in the last instance to CAS, as specified in the Statutes of FIFA and of CONCACAF.
  - h) to manage their affairs independently and ensure that their own affairs are not influenced by any third parties in accordance with art. 20 of these Statutes.
  - i) to ensure that their bodies are either elected or appointed according to a procedure that guarantees the complete independence of the election or appointment.
  - j) to communicate to BFA any amendment to its statutes and regulations as well as the list of its officials who are authorised signatories with the right to enter into legally binding agreements with third parties.
  - k) not to maintain any relations of a sporting nature with entities that are not recognised by FIFA, CONCACAF, CFU or BFA or with Members that have been suspended or expelled.
  - l) to observe the principles of loyalty, integrity, and good sporting behaviour as an expression of fair play through a statutory provision.
  - m) to observe the mandatory items specified under art. 13 par. 2 of these Statutes for the duration of their affiliation.
  - n) to administer a register of members which shall regularly be updated.
  - o) to ratify statutes that are in accordance with the requirements of these Statutes.
  - p) to comply fully with all other duties arising from the Statutes and other regulations of FIFA, CONCACAF and BFA.
- 2 Affiliate Members see Appendix D.
- 3 Violation of the above-mentioned obligations by any Member or Affiliate may lead to sanctions provided for in these Statutes.

- 3 Violation of par. 1 h) above may also lead to sanctions, even if the third-party influence was not the fault of the Member concerned. Each Member of BFA is responsible towards it for any and all acts of the members of their bodies caused by the gross negligence or willful misconduct of such members.

#### **Article 17 Suspension**

- 1 The Congress is responsible for suspending a Member. The Council may, however, without a vote of the Congress, temporarily suspend with immediate effect a Member that seriously and/or repeatedly violates its obligations as a Member. The suspension approved by the Council shall last until the next Congress unless the Council has lifted it in the meantime.
- 2 The presence of a majority (more than 50%) of the delegates representing the Members eligible to vote is necessary for a suspension to be valid, and the motion for suspension must be adopted by a majority (more than 50%) of the valid votes cast. The suspension of a Member by the Congress or the Council shall be confirmed at the next Congress. If it is not confirmed, the suspension shall be automatically lifted.
- 3 A suspended Member shall lose its membership rights. Other Members may not entertain sporting contact with a suspended Member. The Disciplinary, Ethics and Fair Play Committee may impose further sanctions.
- 4 Members that do not participate in the sporting activities of BFA for one year shall be suspended from voting at the Congress and their representatives shall not be elected or appointed until they have fulfilled their obligations in this respect.

#### **Article 18 Expulsion**

- 1 The Congress may expel a Member or affiliate if it seriously and repeatedly violates the Statutes, regulations directives or decisions of FIFA, CONCACAF, CFU and BFA.
- 2 The presence of a majority (more than 50%) of the delegates representing the Members eligible to vote at the Congress is necessary for an expulsion to be valid, and the motion for expulsion must be adopted by more than 50% of the valid votes cast.

#### **Article 19 Resignation**

- 1 A Member may resign from BFA with effect from the end of football season. Notice of resignation in writing must reach the general secretariat no later than six months before the end of the football season.
- 2 The resignation is not valid until the Member wishing to resign has fulfilled all financial obligations towards BFA and its other Members.

#### **Article 20 Independence of Members and their bodies**

- 1 Each Member shall manage its affairs independently and with no undue influence from third parties.

- 2 The Members' bodies shall be either elected or appointed. The Members' statutes shall provide for a democratic procedure that guarantees the complete independence of the election or appointment.
- 3 Any Members' bodies that have not been elected or appointed in compliance with the provisions of par. 2 above, even on an interim basis, shall not be recognised by BFA.
- 4 Decisions passed by bodies that have not been elected or appointed in compliance with par. 2 above shall not be recognised by BFA with the following exception: It might be possible that some bodies of the Members of an association are not elected or appointed through a democratic procedure that guarantees the complete independence of the election or appointment. This could include a club whose owner is also its President, who does not go through any kind of electoral process. Such unique situations shall be analysed by the association on a case-by-case basis.

#### **Article 21 Status of clubs, leagues, and other groups of clubs**

- 1 Clubs, leagues, and any other groups of clubs affiliated to BFA shall be subordinate to and recognised by BFA. There shall only be one top-tier national league on the territory of BFA.
- 2 These Statutes define the scope of authority and the rights and duties of the entities mentioned in par. 1 above. BFA shall approve the statutes and regulations of its Members. BFA shall have the primary responsibility to regulate matters relating to refereeing, the fight against doping, the registration of players, club licensing, the imposition of disciplinary measures, including for ethical misconduct, as well as measures required to protect the integrity of competitions.
- 3 The entities mentioned in par. 1 above shall take all decisions on any matters regarding their membership independently of any external body. This obligation applies regardless of their corporate structure.
- 4 In any case, no natural or legal person (including holding companies and subsidiaries) shall exercise control over more than one club or group of clubs whenever the integrity of any match or competition could be jeopardised.

### **III. HONORARY PRESIDENT AND HONORARY MEMBER**

#### **Article 22 Honorary president, honorary council, honorary member and honorary official.**

1. The Congress may bestow the title of honorary president, council, honorary member and honorary official.
2. The Council shall make these nominations to be confirmed by Congress.
3. The honorary president or council or member or official may take part in the Congress. They may join the debates but are not entitled to vote.

## IV. ORGANISATION

### Article 23 Bodies

The Congress is the supreme and legislative body.

- a) The Council is the strategic and oversight body of the BFA.
- b) The general secretariat is the executive, operational and administrative body.
- c) Standing and ad hoc committees shall advise and assist the Council and the general secretariat in fulfilling their duties.
- d) The club licensing bodies are in charge of the club licensing system within BFA
- e) The independent committees fulfil their functions in accordance with these Statutes and applicable regulations. The independent committees are the Audit and Compliance Committee, and the judicial bodies.
- f) The judicial bodies are the Disciplinary, Ethics and Fair Play Committee and the Appeal Committee.
- g) The bodies shall be either elected or appointed by BFA itself without any undue external influence and in accordance with the procedures described in these Statutes. The members of the bodies shall not have previously been found guilty of any criminal offence under Bahamian or International law, taking into account limitations of our national laws.
- h) Any member of the bodies must withdraw from the debate and in case of doubt as to the existence of any risk or possibility of a conflict of interest, the relevant member shall abstain from taking part in any debate and from taking a decision in connection with the relevant matter. The members should also inform the other members of the relevant body of the reason why they cannot take part in the debate or decision. In particular, members of the bodies shall always be aware of, and comply with, the relevant provisions of the FIFA Code of Ethics on conflicts of interest and adjust their conduct as necessary (e.g., abstain from performing their duties, notify the chairperson in cases of potential conflicts of interest, etc.).

### Article 24 Dismissal of a member of a body

- 1 The Congress may dismiss a member of a body. Dismissal of members of the independent committees would in such cases have to be decided by the Congress. The association must convene an extraordinary Congress in the event that it becomes necessary to dismiss a member of an independent committee. The Council may dismiss a member of the independent committee on a provisional basis. The provisional dismissal approved by the Council shall be confirmed by the next Congress unless the Council has lifted it in the meantime. If the next Congress is of an elective nature, a provisionally dismissed member shall be allowed to be an elective candidate (provided that he fulfils the relevant eligibility criteria) on a conditional basis depending on the final decision of the Congress on his dismissal which shall be taken before the election.
- 2 The motion for dismissal must be justified and shall be sent to the members of the Council and/or to the Members of BFA along with the respective agenda.
- 3 The member of the body in question has the right to defend himself / herself in front of the Council and/or the Congress.
- 4 The motion for dismissal shall be decided by means of secret ballot at the Council and/or the Congress. For the motion to be passed, more than 50% of the valid votes cast is required.
- 5 The member dismissed (provisionally or not) is relieved of his functions with immediate effect.

## **A. CONGRESS**

### **Article 25 Definition and composition**

- 1 The Congress is a meeting at which all of the Members regularly convene. It represents the supreme and legislative authority of BFA. Only a Congress that is duly convened has the authority to make decisions.
- 2 The Congress shall be constituted in accordance with the principles of representative democracy and shall take into account the importance of gender equality in football.
- 3 The Congress may be ordinary or extraordinary. An elective congress shall only be held in person.
- 4 The President shall chair the Congress in compliance with these Statutes, the Standing Orders of the Congress as well as any applicable regulations.
- 5 The Council may appoint observers who take part in the Congress without the right to debate or to vote.

### **Article 26 Delegates and votes**

- 1 Each Full Member shall have one (1) vote and is entitled to be represented by a maximum of 2 delegates to participate in the Congress. The number of delegates is allocated as follows:
  - a) for each of the Clubs with Full membership: 2 delegates with 1 vote.
- 2 Delegates must belong to the Member that they represent and be appointed or elected by the appropriate body of that Member. They must also be able to produce evidence of this upon request.
- 3 Each Full Member has one vote in accordance with 26 (1a) the Congress. Only the delegates present are entitled to vote. Voting by proxy or by letter is not permitted. Each Affiliate Member can appoint 1 observer to the Congress.
- 4 The members of the Council and the General Secretary shall take part in the Congress without voting rights. During their terms of office, members of the Council may not be appointed as delegates to the Congress.

### **Article 27 Areas of authority**

The Congress has the following areas of authority:

- a) adopting or amending these Statutes and the Standing Orders of the Congress.
- b) appointing 2 Members to check the minutes and approving the minutes of the last meeting.
- c) electing the President, and the members of the Council.
- d) ratifying the chairpersons, the deputy chairpersons, and members of the independent committees (i.e., Audit and Compliance Committee, and judicial bodies), upon proposal of the Council.
- e) appointing scrutineers to count the votes and to assist the General Secretary in distributing the ballot papers issued for the elections.
- f) approving the annual audited financial statements, including the consolidated financial statements and the annual report.
- g) approving the budget.
- h) approving the activity report (containing the activities of BFA since the last Congress).
- i) appointing the independent and external auditors upon proposal of the Council.

- j) fixing the membership subscriptions upon proposal of the Council.
- k) bestowing the title of honorary president, honorary council, or honorary member, upon proposal of the Council.
- l) admitting, suspending, or expelling a Member.
- m) dismissing a member of a body and or Council member of BFA.
- n) dissolving BFA.
- o) passing decisions at the request of a Member in accordance with these Statutes or passing any decision entrusted to the Congress in accordance with these Statutes.

#### Article 28 Quorum

- 1 Decisions passed by the Congress shall only be valid if a majority (more than 50%) of the delegates representing the Members eligible to vote are present.
- 2 If a quorum is not achieved, a second Congress shall take place within 24 hours with the same agenda.
- 3 A quorum is not required for the second meeting of the Congress unless an item on the agenda proposes the amendment of these Statutes, the election of the President, or members of the Council, the dismissal of a member of a body, the suspension or expulsion of a Member or the dissolution of BFA.
- 4 Once it is declared that the Congress has been convened and composed in accordance with these Statutes, the quorum shall not be influenced by delegates departing.

#### Article 29 Decisions

- 1 A decision that requires a vote shall be reached by a show of hands or by means of an electronic count, unless decided otherwise by the Congress. If a show of hands does not result in a clear majority in favour of a motion, the vote shall be taken by calling the roll in alphabetical order.
- 2 Unless otherwise stipulated in these Statutes, a majority (more than 50%) of the valid votes cast is sufficient for a decision to be valid. Blank ballot papers, invalid votes or electronic votes manipulated in any way as well as abstentions shall be disregarded when calculating the majority.

#### Article 30 Elections

- 1 Elections shall be conducted by secret ballot.
- 2 Elections shall be conducted in accordance with the Electoral Code of BFA and shall be supervised by the Disciplinary Ethics and Fair Play Committee.
- 3 The election for the positions within the Council shall take place by slate.
- 4 Every slate in the election for the positions within the Council shall be proposed by at least 3 Members and be composed in accordance with art. 37 par. 1. Each Member shall support one slate only. If a Member supports more than one slate, none of its expressions of support shall be considered valid.
- 5 For the election for the positions within the Council, a majority (more than 50%) of the valid votes cast is necessary for a slate to be elected. If there are more than two slates, whichever obtains the lowest number of votes is eliminated after each ballot until only two slates are left.
- 6 For the ratification of the chairpersons, deputy chairpersons and members of the independent committees (i.e. Audit and Compliance Committee, electoral committees and judicial bodies) the ratifications may be conducted en bloc.

- 7 In case of a tied vote in any elections of any body, two new ballots shall be conducted in accordance with the procedure set forth in this article. In case the third round concludes with a tie as well, the slate is designated by a draw conducted by the General Secretary and monitored by the Disciplinary, Ethics and Fair Play Committee.
- 8 Blank ballot papers, invalid votes or electronic votes manipulated in any way as well as abstentions shall be disregarded when calculating the majority.
- 9 Candidatures for any of the positions of the Council shall be sent to the general secretariat at least fifteen (15) days before the relevant elective Congress. The official list of candidates must be passed to the Members of BFA at least seven (7) days before the Congress at which the Council shall be elected. The provisions of this paragraph shall also apply when elections take place during an Extraordinary Congress.
- 10 Names for any of the positions of the independent committees (i.e. Audit and Compliance Committee, electoral committees and judicial bodies) must be passed to the Members of BFA at least seven (7) days before the Congress at which the appointment of the members in question shall be ratified.

#### **Article 31 Ordinary Congress**

- 1 The Ordinary Congress shall be held every year.
- 2 The Council shall fix the place and date. The Members shall be notified in writing at least thirty (30) days in advance.
- 3 Any proposal that a Member wishes to submit to the Congress shall be sent to the general secretariat in writing, with a brief explanation, at least fifteen days (15) before the date of the Congress.
- 4 The formal convocation shall be made in writing at least seven (7) days before the date of the Congress. This convocation shall contain the agenda, the activity report, the financial statements, the independent and external auditors' report, and any other relevant documents.

#### **Article 32 Ordinary Congress agenda**

1. The General Secretary shall draw up the agenda based on proposals from the Council and the Members.
2. The Congress agenda shall include the following mandatory items (in chronological order):
  - a) a declaration that the congress has been convened and composed in compliance with these Statutes.
  - b) approval of the agenda.
  - c) an address by the President.
  - d) appointment of Members to check the minutes.
  - e) appointment of scrutineers.
  - f) suspension or expulsion of Members (if applicable).
  - g) approval of the minutes of the preceding Congress.
  - h) activity report (containing the activities since the last Congress).
  - i) presentation of the consolidated and revised balance sheet and the profit and loss statement, as well as the independent and external auditors' report.
  - j) approval of the audited financial statements.



- k) approval of the budget.
  - l) votes on proposals for amendments to these Statutes and the Standing Orders of the Congress (if applicable).
  - m) discussion of proposals submitted by the Members and the Council in accordance with the procedure stipulated under art. 31 par. 3 of these Statutes.
  - n) appointment of the independent and external auditors (if applicable) upon proposal of the Council.
  - o) dismissal of a member of a body of BFA (if applicable).
  - p) election of the President, councils, and members of the Council (if applicable).
  - q) ratification of the members of the independent committees, i.e., the Audit and Compliance Committee, and judicial bodies (if applicable).
  - r) admission for membership (if applicable).
- 3 The Congress shall not take a decision on any point not included in the agenda.
- 4 The agenda of an Ordinary Congress may be altered, provided more than 50% of the delegates representing the Members present at the Congress and eligible to vote agree to such a motion.

### Article 33 Extraordinary Congress

- 1 The Council may convene an Extraordinary Congress at any time.
- 2 The Council shall convene an Extraordinary Congress if two thirds of the delegates representing the Members of BFA make such a request in writing. The request shall specify the items to be included in the agenda. An Extraordinary Congress shall be held within fifteen (15) days of receipt of the request. If an Extraordinary Congress is not convened, the delegates representing the Members who requested it may convene the Congress themselves. In doing so, they shall inform all the Members of BFA and the Council of the date and location of the Extraordinary Congress, along with the items to be included in the agenda in accordance with par. 3 below.
- 3 The Members shall be notified of the place, date, and agenda at least 7 days before the date of an Extraordinary Congress.
- 4 When an Extraordinary Congress is convened on the initiative of the Council, it must draw up the agenda. When it is convened upon the request of the Members, the agenda must contain the points raised by those Members.
- 5 The agenda of an Extraordinary Congress must not be altered.

### Article 34 Amendments to the Statutes and Standing Orders of the Congress

- 1 The Congress is responsible for amending these Statutes and the Standing Orders of the Congress.
- 2 Any proposals for an amendment to these Statutes and the Standing Orders of the Congress must be submitted in writing with a brief explanation to the general secretariat by a Member or by the Council. A proposal submitted by delegates representing a Member is valid, provided it has been supported in writing by at least 3 other delegates representing the Members.
- 3 For a vote on an amendment to the Statutes and to the Standing Orders of the Congress to be valid, a majority (more than 50%) of the delegates representing the Members eligible to vote must be present.
- 4 A proposal for an amendment to these Statutes and to the Standing Orders of the Congress shall be adopted only if three-quarters of the delegates representing the Members present and eligible to vote agree to it.
- 5 BFA shall inform FIFA and CONCACAF of any amendments to its Statutes before submission to the Congress.

### Article 35 Minutes

The General Secretary shall be responsible for recording the minutes at the Congress. The minutes shall be checked by those Members designated, and finally approved at the next Congress.

### Article 36 Effective dates of decisions

Decisions passed by the Congress shall come into effect immediately after the close of the Congress, unless otherwise stipulated in these Statutes or unless the Congress fixes another date for a decision to take effect.

## B. Council

### Article 37 Composition

1. The Council shall consist of 7 members as follows, at least one of which shall be a woman:
2. At the first Council meeting after the Elective Congress, the Council shall appoint a Deputy to the President upon a proposal of the President. At the first Council meeting after the Elective Congress, the Council shall appoint a former official, that shall be the outgoing President and/or an outgoing Council member that shall take part in the meetings of the Council in a consultative/advisory role and without voting rights for 1 year. The Council may extend the term of office of the former officer.
3. The President and the other members of the Council shall be elected by the Congress in accordance with art.30 of these Statutes. They shall undergo an integrity check, to be conducted by the Audit and Compliance Committee, prior to their election or re-election.
4. The mandate of the President, and the members of the Council 4 years. Their mandates shall immediately begin after the end of the Congress which has elected them and expire at the end of the Congress at which their successors are elected. No person may serve in the same position (i.e., President and member) for more than three terms of office (consecutive or not). This goes into effect since these statutes are approved.
5. All members of the Council shall be Bahamian Citizens and/or permanent residents with a right to work in The Bahamas and having lived in The Bahamas for at least 15 years and shall fulfil the prerequisites stipulated in art. 23 par. 8 of these Statutes. A majority of members of the Council shall be active in football in an administrative capacity.
6. A member of the Council may not serve at the same time as a member of an independent committee and may not be appointed/elected as a delegate representing a Member at the Congress.
7. If a position or up to 50% of the positions of the Council become vacant, the Council shall fill the position(s) in question until the next Congress, when replacement(s) for the position(s) will be elected for the remaining period of office.
8. If more than 50% of the positions of the Council become vacant, the General Secretary shall convene an Extraordinary Congress within the prescribed period of time. If within one (1) week after the prescribed period of time, the members of the Council left have not convened an Extraordinary Assembly, the General Secretary shall do so.
9. Any position within the Council shall be considered vacant in case of death, resignation, abandonment or if the member concerned is permanently prevented from performing his official function.

### Article 38 Meetings

- 1 The Council shall meet at least 4 times a year. The meetings of the Council may be held in person or by videoconference.
- 2 The President shall convene the Council meetings. If a majority (more than 50%) of the Council members request a meeting, the President shall convene it so that the meeting is held within 7 days of the receipt of the request. If the President does not convene the requested meeting by the aforementioned deadline, the other members of the Council shall convene it themselves but must send the agenda to all members of the Council at least three days before the meeting in line with par. 3 below.
- 3 The President, assisted by the general secretariat, shall compile the agenda. Each member of the Council is entitled to propose items for inclusion in the agenda. The members of the Council must submit the items they wish to be included in the agenda for the meeting to the general secretariat at least seven days before the meeting. The agenda must be sent out to the members of the Council at least three days before the meeting.

- 4 The General Secretary shall take part in the meetings of the Council in a consultative/advisory role and without voting rights. If the General Secretary is unable to attend a meeting, he may appoint the Deputy General Secretary to attend the meeting on his behalf.
- 5 The meetings of the Council shall not be held in public. The Council may, however, invite third parties to attend. Those third parties shall not have voting rights and may only express an opinion with the permission of the Council.
- 6 The President may also convene the Council on an urgent basis to deal with any matter requiring immediate settlement between any two meetings of the Council. In such cases, the deadlines mentioned in par. 3 above may be either reduced or disregarded if the urgency so requires, and decisions may be passed through other modern means of written communication (e.g., emails, messaging apps).

#### Article 39 Powers

The Council shall have the following powers:

- a) passing decisions on all cases that do not come within the sphere of responsibility of the Congress or are not reserved for other bodies by law or under these Statutes.
- b) preparing, with the assistance of the general secretariat, and convening the Ordinary and Extraordinary Congress.
- c) appointing the chairpersons, deputy chairpersons and members of the standing committees.
- d) deciding to set up ad hoc committees, if necessary, at any time.
- e) approving and issuing the regulations for the organisation of standing committees and ad hoc committees.
- f) appointing the General Secretary upon proposal of the President. The General Secretary may be dismissed by the Council prior notification to the President.
- g) proposing the independent and external auditors to the Congress.
- h) appoint replacements for vacancies in the independent committees until the next Congress.
- i) approving and issuing regulations governing the conditions of participation in and the staging of competitions organised by BFA.
- j) ensuring that these Statutes are applied and adopting the executive arrangements required for their application.
- k) approving the Internal Organisation Regulations of the BFA in consultation with the General Secretariat.
- l) dismissing a member of a body or suspending a Member of BFA provisionally until the next Congress.
- m) appointing observers who may take part in the Congress without the right to debate or to vote.

#### Article 40 Decisions

- 1 The Council shall not engage in valid debate unless more than 50% of its members are present.
- 2 The Council shall reach decisions by a majority (more than 50%) of the valid votes cast. Voting by proxy or by letter is not permitted.
- 3 Any member of the Council must withdraw from the debate and from taking a decision if there is any risk or possibility of a conflict of interests.
- 4 The decisions taken shall be recorded in the minutes.
- 5 The decisions taken by the Council shall come into effect immediately, unless the Council decides otherwise.

## **C. PRESIDENT**

### **Article 41 President**

- 1 The President is primarily responsible for:
  - a) implementing the decisions passed by the Congress and the Council through the general secretariat.
  - b) ensuring the effective functioning of the bodies in order that they achieve the objectives described in these Statutes.
  - c) oversight of the work of the general secretariat.
  - d) the relations between BFA and its Members, FIFA, CONCACAF, CFU, political bodies and other organisations.
  - e) ensuring that the statutory objectives, mission, strategic direction, policies, and values of BFA are sustainably pursued and fostering a positive image of BFA.
- 2 Only the President may propose to the Council the appointment of the General Secretary. The President may also propose to the Council the dismissal of the General Secretary.
- 3 The President shall preside over the Congress and the Council meetings and those committees of which he has been appointed chairperson.
- 4 The President shall have an ordinary vote on the Council.
- 5 If the President is absent or unavailable, the deputy to the President shall deputise.
- 6 If the position of the President becomes vacant in the sense of art. 37 par. 8 of these Statutes, the deputy to the President shall deputise until the next Congress. This Congress shall elect a new President for the remaining period of office.

### **Article 42 Representation and signature**

The President represents BFA generally. The Council shall adopt special internal operating procedures and regulations of BFA regarding the joint signature of office holders.

## **D. GENERAL SECRETARIAT**

### **Article 43 General secretariat**

The general secretariat is the executive, operational and administrative body and shall carry out the work of BFA under the direction of the General Secretary. The members of the general secretariat are bound by the internal operating procedures and regulations of BFA and shall fulfil the given tasks in good faith.

### **Article 44 General Secretary**

- 1 The General Secretary is the chief executive officer of BFA. The General Secretary and the Deputy General Secretary shall be Bahamian Citizens and/or permanent residents with a right to work in the Bahamas for at least 15 years.
- 2 The General Secretary shall be appointed by the Council upon proposal of the President on the basis of an agreement governed by local labour law and shall have the necessary professional qualifications and/or experience.
- 3 The General Secretary shall be responsible for:
  - a) implementing decisions passed by the Congress and Council in compliance with the President's directives.
  - b) attending the Congress and meetings of the Council and the standing and ad hoc committees.
  - c) organising the Congress and meetings of the Council and ad hoc committee.
  - d) compiling the minutes for the meetings of the Congress, Council and standing and ad hoc committees.
  - e) managing and keeping the accounts.
  - f) correspondence.
  - g) the relations with the Members, committees, FIFA and CONCACAF, CFU under the direction of the President.
  - h) organising the general secretariat.
  - i) the appointment and dismissal of staff of the general secretariat.
  - j) providing the Disciplinary, Ethics and Fair Play committee and the Appeal Committee with logistic and operative support for the elections.
- 4 Any additional responsibilities and duties assigned to the General Secretary shall be stipulated in the Internal Operating procedures and Regulations of the BFA, i.e., job description.
- 5 The General Secretary shall not be a Congress delegate or a member of any other body unless permission is given by the Council.

## **E. STANDING COMMITTEES**

### **Article 45 Standing committees**

- 1 The standing committees are:
  - a) Finance Committee.
  - b) Women's Football, Amateur, Grassroots and Development Committee.
  - c) Referees Committee.
  - d) Players Status Committee.
- 2 Chairpersons, deputy chairpersons and members of the standing committees may be members of the Council with the exception of those of the Referees Committee, who may not belong to the Council.
- 3 The members of each standing committee shall be appointed by the Council upon proposal of the Members of BFA or the President. The chairpersons, deputy chairpersons and the members of the standing committees shall be appointed for a term of office of four years. They may be appointed or dismissed by the Council at any time without the approval of the Congress.
- 4 Standing committees are to be composed in such a way that the members, together, have the knowledge, abilities and specialist experience that is necessary for the due completion of their tasks and duties. The Council shall ensure appropriate female representation on standing committees.
- 5 Each chairperson shall represent his standing committee and conduct business in compliance with the relevant provisions of the Internal Organisation Regulations of BFA approved by the Council.
- 6 Each chairperson shall fix the dates of meetings in collaboration with the General Secretary, ensure that all tasks are carried out and report back to the Council. Meetings may take place in person or by videoconference. If a meeting cannot be convened within an appropriate period of time, decisions may be passed by other methods (e.g. circular resolution).
- 7 The Council and each standing committee, the latter with the approval of the Council, may, if necessary, set up a bureau and/or sub-committee to settle urgent matters. Any discussions and decisions of the bureau and/or sub-committee shall be reported to the relevant standing committee as soon as it is practicable to do so.
- 8 Each standing committee may propose to the Council amendments to the relevant provisions of the Internal Organisation Regulations of BFA that concern its committee.

### **Article 46 Finance committee**

- 1 The Finance Committee shall monitor the financial management and advise the Executive Committee on financial matters and asset management. It shall analyze the budget of BFA and the financial statements prepared by The General Secretary and submit them to the Executive Committee for approval. It shall consist of a chairman, a deputy chairman and three members.

### **Article 47 Women's Football, Amateur, Grassroots and Development Committee**

The Women's Amateur, Grassroots and Development Committee shall primarily analyse the basic aspects of football training and technical development in football. It shall also be in charge of BFA's development programmes, devising and proposing appropriate strategies, monitoring these strategies, and analysing the support and programmes provided to the Members of BFA and providing advice to the Council on development

matters in general. It shall also deal with all matters relating to amateur and grassroots within the BFA and its Members. It shall consist of a chairperson, deputy chairperson and 1 member.

#### **Article 48 Referees Committee**

The Referees Committee shall implement the Laws of the Game. It shall appoint the referees for matches in competitions organised by BFA, organise refereeing matters within BFA in collaboration with the administration and monitor the education and training of referees. It shall consist of a chairperson, and 2 members.

#### **Article 49 Players Status Committee**

- 1 The Players' Status Committee shall set up and monitor compliance with transfer regulations in accordance with the FIFA Regulations on the Status and Transfer of Players and determine the status of players for the various competitions of BFA. The Council may approve special regulations governing the Players' Status Committee's powers of jurisdiction. The Players' Status Committee shall consist of a chairperson, a deputy chairperson and 1 member.
- 2 Players' status disputes involving BFA, its Members, clubs, players, officials, intermediaries and licensed match agents shall be settled in the last instance by an independent and duly constituted arbitration tribunal in accordance with these Statutes and subject to any applicable national law.

#### **Article 50 Ad hoc committees**

The Council may, if necessary, create ad hoc committees for special duties and a limited period of time. The Council shall appoint a chairperson, a deputy chairperson, and the appropriate number of members. The duties and function of ad hoc committees are defined in special regulations approved by the Council. An ad hoc committee shall report directly to the Council.

### **F. CLUB LICENSING BODIES**

#### **Article 51 Club licensing bodies**

1. The club licensing bodies shall be in charge of the club licensing system within BFA in accordance with the Club Licensing Regulations of BFA and CONCACAF.
2. The club licensing bodies consist of a first instance body and an appeal body.
3. Decisions passed by the club licensing appeal body may only be appealed before BFA or CONCACAF.



## V. INDEPENDENT COMMITTEES

### Article 52 Institutional independence

1. The independent committees as well as their individual members shall conduct their activities and perform their duties entirely independently but always in the interests of BFA and in accordance with its Statutes and regulations.
2. The chairpersons, deputy chairpersons and members of the independent committees shall be ratified by the Congress upon appointment of the Council and may only be relieved of their duties by the Congress. They shall not be members of any other body of BFA.
3. The mandate of all members of the independent committees shall last for 4 years . They may be re-elected.
4. The chairpersons, vice-chairpersons and members of the independent committees shall comply with the independence criteria as defined in par. 5 below.
5. The persons mentioned in par. 4 above as well as any of their immediate family members may not exercise or have exercised during the four years preceding their initial terms any executive function at BFA, one of BFA's Members, a league or a club (including any of their affiliated companies/organisations), nor have or have had in the four years preceding their initial term any material business relationship with BFA, one of BFA's Members, a league or a club (including any of their affiliated companies/organisations).

#### Article 53 Audit and Compliance Committee

- 1 The Audit and Compliance Committee shall consist of a chairperson, deputy chairperson and 1 member. Its members shall be knowledgeable and experienced in financial and/or regulatory and legal matters and may not be involved in any decision affecting the operations of BFA.
- 2 The Audit and Compliance Committee shall advise, assist, and oversee the Council in monitoring BFA's financial and compliance matters and set up compliance mechanisms and monitor compliance with the relevant regulations of BFA. It shall also supervise the general secretariat in financial and compliance issues. The Audit and Compliance Committee shall ensure the completeness and reliability of the financial accounting and review the consolidated financial statements and the independent and external auditor's report. The Audit and Compliance Committee shall furthermore monitor BFA's financial and compliance matters and suggest to the appropriate bodies any action that it deems necessary as a result of such monitoring. The Audit and Compliance Committee shall, with the assistance of the general secretariat, implement a compliance programme within BFA.
- 3 The chairperson and members of the Audit and Compliance Committee shall be elected by the Congress for a period of four years and may only be relieved of their duties by the Congress. They shall undergo an integrity check, conducted by the Disciplinary, Ethics and Fair Play Committee, prior to their election or re-election and shall fulfil the independence requirements contained in para. 4 below.
- 4 If the chairperson and the Audit and Compliance Committee permanently ceases to perform his official function during his term of office, the Council shall appoint a replacement to serve until the next Congress.

#### Article 54 Judicial bodies

The judicial bodies are:

- a) the Disciplinary, Ethics and Fair Play Committee.
  - b) the Appeal Committee
1. The judicial bodies are to be composed in such a way that the members, together, have the knowledge, abilities and specialist experience that is necessary for the due completion of their tasks and duties. The chairpersons and deputy chairpersons of the judicial bodies shall be qualified to practice law.
  2. All members of the judicial bodies (including the chairpersons and deputy chairpersons) shall undergo an integrity check prior to their election or re-election, which shall be conducted by the Audit and Compliance Committee.
  3. If the chairperson, the deputy chairperson or a member of a judicial body permanently ceases to perform his official function during his term of office, the Council shall appoint a replacement to serve until the next Congress, in which the Congress shall appoint a new member of the respective judicial body for the remaining period.
  4. The responsibilities and function of the judicial bodies shall be stipulated in the Disciplinary and Ethics

#### Article 55 Disciplinary, Ethics and Fair Play Committee

1. The function of the Disciplinary, Ethics and Fair Play Committee shall be governed by the Disciplinary, Ethics and Electoral Code of BFA.
2. The Disciplinary, Ethics and Fair Play Committee may pronounce the sanctions described in these Statutes and the Disciplinary and Ethics Code of BFA on Members, officials, players, clubs, licensed match agents and intermediaries.
3. These provisions do not affect the powers of the Congress and the Council with regard to the suspension and expulsion of Members.
4. The Council shall issue the Disciplinary and Ethics Code of BFA, which shall be in accordance with the principles laid down in the FIFA Disciplinary Code and the FIFA Ethics Code.
5. The Disciplinary, Ethics and Fair Play Committee is the body in charge of organising and supervising the election process in accordance with the Electoral Code of the BFA.

#### Article 56 Appeal Committee

- 1 The function of the Appeal Committee shall be governed by the Disciplinary, Ethics and Electoral Code of BFA.
- 2 The Appeal Committee is responsible for hearing appeals against decisions from the Disciplinary, Ethics and Fair Play Committee that are not declared final by the relevant regulations of BFA.
- 3 Decisions pronounced by the Appeal Committee may only be referred to CAS in accordance with the provisions in these Statutes.

## VI. DISCIPLINARY MEASURES

### Article 57 Disciplinary measures

The disciplinary measures are primarily:

- 1 for natural and legal persons:
  - a) a warning.
  - b) a reprimand.
  - c) a fine.
  - d) the return of awards.
- 2 for natural persons:
  - a) a caution.
  - b) an expulsion.
  - c) a match suspension.
  - d) a ban from the dressing rooms and/or the substitutes' bench.
  - e) a ban from entering a stadium.
  - f) a ban on taking part in any football-related activity.
  - g) social work.
  - h) compliance training.
- 3 for legal persons:
  - a) a transfer ban.
  - b) playing a match without spectators.
  - c) playing a match on neutral territory.
  - d) a ban on playing in a particular stadium.
  - e) annulment of the result of the match.
  - f) expulsion from a competition.
  - g) a forfeit.
  - h) deduction of points.
  - i) relegation to a lower division.
  - j) replaying a match.

## VII. ARBITRATION

### Article 58 Arbitration

- 1 Disputes within BFA or disputes affecting Members of BFA, leagues, members of leagues, clubs, members of clubs, players and officials may only be referred in the last instance after exhaustion of all internal channels within BFA to CAS, which shall settle the dispute definitively to the exclusion of any ordinary court, unless expressly prohibited by the legislation in The Bahamas.
- 2 Disputes of international dimension arising from or related to the Statutes, regulations, directives, and decisions of FIFA or CONCACAF may only be submitted in the last instance to CAS as specified in the Statutes of FIFA and of CONCACAF.

### Article 59 Jurisdiction

- 1 BFA shall have jurisdiction on internal national disputes, i.e., disputes between parties belonging to or affiliated to BFA.
- 2 FIFA and/or CONCACAF shall have jurisdiction on international disputes, i.e., disputes between parties belonging to different associations and/or confederations, in accordance with the relevant regulations.
- 3 BFA shall ensure its full compliance and that of all those subject to its jurisdiction with any final decision passed by a FIFA body, a CONCACAF body, or CAS.

## VIII. FINANCE

### Article 60 Financial period

- 1 The financial period of BFA shall be one year and shall begin on January 1st and end December 31st.
- 2 The revenue and expenses of BFA shall be managed so that they balance out over the financial period. BFA's major duties in the future shall be guaranteed through the creation of reserves.
- 3 The General Secretary is responsible for drawing up the annual consolidated Budget as of December 31st.

### Article 61 Revenue

The revenue of BFA comprises:

- a) Members' annual subscriptions.
- b) receipts generated by the marketing of rights to which BFA is entitled.
- c) fines imposed by the authorised bodies.
- d) other subscriptions and receipts in keeping with the objectives pursued by BFA.
- e) donations.
- f) any other revenue related to football activities.
- g) funding from FIFA, from CONCACAF and from CFU.
- h) Government of the Bahamas

### Article 62 Expenses

BFA shall bear:

- a) the expenses stipulated in the budget.
- b) other expenses approved by the Congress and expenses that the Council is entitled to incur within the scope of its authority.
- c) all other expenses in keeping with the objectives pursued by BFA.

### Article 63 Independent and external auditors

The independent and external auditors appointed by the Congress shall audit on a yearly basis the accounts approved by the Finance Committee in accordance with the appropriate principles of accounting and present a report to the Congress. The independent and external auditors shall be appointed for a period of 4 years. Their mandate may be renewed.

**Article 64 Membership subscriptions**

- 1 Membership subscriptions are due on August 31st. The annual subscription for new Members for the year in question shall be paid within 30 days of the close of the Congress at which they are admitted.
- 2 The Congress shall fix the amount of the annual subscription every 2 years on the recommendation of the Council. It shall be the same for every Full Member, an amount to no more than \$300 and to no more than \$100 for Affiliate Members.

**Article 65 Settlement**

BFA may debit any Member/ affiliate's assets and accounts to settle claims.

**Article 66 Levies**

BFA may impose a levy be paid by its Members / affiliates for matches.

**Article 67 Publication of financial data**

BFA shall publish on its official website the financial documents referred to under art. 32 para. 2 i), j) and k) of these Statutes once the relevant items have been approved by the Congress.

## IX. COMPETITIONS AND RIGHTS IN COMPETITIONS AND EVENTS

### Article 68 Competitions

- 1 BFA shall organise and coordinate the following official competitions held within its territory:
  - a) Domestic and international competitions
  - b) Club Championships
- 2 The Council may delegate to BFA's subordinate leagues the authority to organise competitions (e.g., by means of a proper and comprehensive agreement for elite football). The competitions organised by the leagues shall not interfere with those competitions organised by BFA. Competitions organised by BFA shall take priority.
- 3 The Council may issue special regulations to this end.

### Article 69 Club licensing

The Council shall issue regulations regarding a club licensing system governing the participation of clubs in the competitions of BFA and CONCACAF in compliance with the minimum requirements of the club licensing system as set up by CONCACAF and FIFA.

### Article 70 Rights

- 1 BFA and its Members are the original owners of all of the rights emanating from competitions and other events coming under their respective jurisdiction, without any restrictions as to content, time, and place. These rights include, among others, every kind of financial rights, audio-visual and radio recording, reproduction and broadcasting rights, multimedia rights, marketing and promotional rights and incorporeal rights such as emblems and rights arising under copyright law.
- 2 The Council shall decide how and to what extent these rights are utilised and shall draw up special regulations to this end. BFA shall ensure that the sale of such rights is carried out in a transparent manner and in compliance with the Statutes and regulations of BFA as well as mandatory national laws.

### Article 71 Authorisation to distribute

- 1 BFA and its Members are exclusively responsible for authorising the distribution of image and sound and other data carriers of football matches and events coming under their respective jurisdiction, without any restrictions.
- 2 The Council shall issue special regulations to this end.



## **X. INTERNATIONAL MATCHES AND COMPETITIONS**

### **Article 72 International matches and competitions**

- 1 The authority for organising international matches and competitions between representative teams and between leagues, club teams and/or scratch teams lies solely with FIFA, the confederation(s) and/or the association(s) concerned. No such match or competition shall take place without the prior permission of FIFA, the confederation(s) and/or the association(s) concerned in accordance with the FIFA Regulations Governing International Matches.
- 2 BFA is bound by the international match calendar compiled by FIFA.

### **Article 73 Contacts**

BFA, its Members, players, officials, licensed match agents and intermediaries may not play matches or make sporting contacts with associations that are not members of FIFA or provisional members of a confederation without the approval of FIFA.

### **Article 74 Approval**

- 1 Clubs, leagues, players, or any other group of clubs that are affiliated to BFA may only join another association with the authorisation of BFA, the other association, the respective confederation(s) and FIFA.
- 2 Clubs, leagues, players, or any other group of clubs that are affiliated to BFA cannot participate in competitions in the territory of the BFA or on the territory of another association without the authorisation of BFA, the other association, FIFA, and the respective confederation(s) according to the FIFA Regulations Governing International Matches.

## **XI. FINAL PROVISIONS**

### **Article 75 Unforeseen contingencies and force majeure**

The Council shall have the power to decide on all cases of force majeure and on all matters not provided for in these Statutes; such decisions shall take into account the relevant regulations of FIFA, CFU and of CONCACAF.

### **Article 76 Publication of corporate documents**

BFA shall make available on its official website the following documents and information:

- a) Statutes and Standing Orders of the Congress.
- b) Disciplinary and Ethics Code.
- c) Electoral Code

### **Article 77 Dissolution**

- 1 Any decision relating to the dissolution of BFA requires a majority of two thirds or any other majority as stipulated in the applicable national legislation of all the Members of BFA, which must be obtained at a Congress specially convened for the purpose.
- 2 If BFA is disbanded, its assets shall be transferred to CONCACAF. It shall hold these assets as a trustee in accordance with the relevant professional duties until BFA is re-established. The final Congress may, however, choose another recipient for the assets on the basis of a two-thirds majority.

### **Article 78 Enforcement**

These Statutes were adopted at the Extraordinary Congress in Nassau, Bahamas and come into force on the former Statutes of BFA are hereby repealed.

### **Article 79 Transitional provisions**

- 1 The Members as defined under art. 12 of these Statutes, shall be granted a period of 12 months, as from the adoption of these Statutes, to comply with the mandatory requirements stipulated in art. 13 par. 2, as well as art. 16 par. 1 f), g), j), n) and o) of these Statutes. Any Member which does not comply with all of these requirements within the aforementioned timeframe, shall automatically lose its right to vote at the Congress and the delegate(s) of the Member in question shall not be taken into account when establishing the quorum. The Member in question shall only regain its right to vote at the Congress once it has fully complied with its obligations as mentioned in this paragraph.

- 2 The composition of the Council as defined in art. 37 par. 1 of these Statutes shall only be applicable to the Council whose membership shall be elected by the Congress after the adoption of these Statutes.
- 3 The requirement to undergo an integrity check as mentioned in art. 37 par. 2 of these Statutes and the criteria defined in art. 37 par. 4 of these Statutes shall not apply to the members of the Council that are in place at the time of adoption of these Statutes but shall be complied with by any candidate running for any of the position on the Council following the adoption of these Statutes.
- 4 The term limits as defined in art. 37 par. 3 of these Statutes shall only apply as from the elections of the members of the Council which shall take place following the adoption of these Statutes.
- 5 Upon adoption of these Statutes, the Council shall appoint the members of the Standing Committees as defined under art. 45 to 49 of these Statutes.
- 6 Within 12 months upon the adoption of these Statutes, the Congress shall elect the relevant members of the independent committees as defined under art. 51 to 55 of the Statutes that are not already in office. Within this same period, the Congress shall also dismiss the relevant members of the independent committees that do not comply with the independence criteria mentioned under art. 56 par. 5 of these Statutes and elect the relevant number of members to fill the positions.

Nassau, Bahamas, 22<sup>nd</sup> March, 2023

For the Council of the B.F.A.



President  
Anton Sealey



General Secretary  
Frederick Lunn

## ANNEXE A – QUESTIONNAIRE FOR INTEGRITY CHECKS

### Part 1: General provisions

- 1 The integrity checks with regard to candidates for, and holders of, official positions within BFA that are subject to such checks ("candidates or holders") shall be conducted by the relevant body in accordance with the provisions of these Statutes and this annexe.
- 2 Candidates or holders are obliged to comply with the screening and self-disclosure process as outlined in parts 2 and 3 below. Prior to the screening process, every candidate or holder shall give his written consent to said process through a form provided by the relevant body conducting the integrity check. If such written consent is not provided, the candidate or holder shall be deemed not to have passed the integrity check.
- 3 Candidates or holders shall act in good faith at all times and shall fully collaborate to establish the relevant facts upon reasonable notice. If the candidate or holder concerned does not cooperate with the body competent to conduct the integrity check, the candidate or holder shall be deemed not to have passed the integrity check.
- 4 The candidate or holder shall be deemed not to have passed the integrity check, if he / she:
  - a) has been subject to criminal convictions or disciplinary sanctions by a court, in particular if the offence in question was a substantive issue and not a minor infraction or procedural misconduct.
  - b) has been found guilty and/or sentenced by the FIFA Ethics Committee or any other sporting body with a sanction that would seriously put into question the discharge of the office concerned.
- 5 Subject to the relevant provisions regarding disclosure and forwarding of the information and related data obtained in the context of integrity checks in accordance with this annexe, all such information and related data must be treated as strictly confidential by the body conducting the integrity check concerned.

### Part 2: Screening process

- 1 At the beginning of the screening process, every candidate or holder shall undergo an identification check ("ID check"). In this context, the candidate or holder shall submit a valid copy of his passport to the body in charge of performing the integrity check. The ID check shall include verification/identification of the following elements:
  - a) name(s) and surname(s).
  - b) address of residence.
  - c) date and place of birth.
  - d) nationality/nationalities.
- 2 Every candidate or holder shall complete the questionnaire contained in part 3 below.
- 3 The body in charge of performing the integrity check may conduct independent research and/or investigations in order to obtain further relevant information on a particular candidate or holder, which may include information on intermediaries and related parties, mandates, potential conflicts of interest and significant participations as well as civil and criminal proceedings/investigations.

### Part 3: Questionnaire

First name(s):	
Surname(s):	
Address of residence:	
Date and place of birth:	
Nationality/nationalities:	
Profession:	

<sup>1</sup> Have you previously been convicted by a final decision of any intentional indictable offence or of any offence corresponding to a violation of the rules of conduct set out in part II section 5 of the FIFA Code of Ethics?

No ☐ Yes ☐

If yes, please specify:

<sup>2</sup> Has a sports governing body ever imposed any disciplinary or similar sanction or measure on you or a club or team you represented in the past for actions which amount to a violation of the rules of conduct set out in part II section 5 of the FIFA Code of Ethics?

No ☐ Yes ☐

If yes, please specify:

<sup>3</sup> Are you the subject of any pending civil, criminal, or disciplinary proceedings or investigations?

No ☐ Yes ☐

If yes, please specify:

<sup>4</sup> I am fully aware that I am subject to the provisions of the Disciplinary and Ethics Code of BFA and to the provisions of the Statutes and other regulations of BFA that may address integrity issues, and I fully comply with such provisions.

<sup>5</sup> I currently hold the following positions in football:

<sup>6</sup> The following facts and circumstances may give rise to potential conflicts of interest regarding me (cf. in particular art. 23 par. 9 of these Statutes):

<sup>7</sup> Remarks and observations which may be of potential relevance in the context of the integrity check:

<sup>8</sup> I am fully aware and agree that this questionnaire is made available to the members of the appropriate body of BFA.

<sup>9</sup> I am fully aware and confirm that I must notify the body conducting the integrity check of any relevant facts and circumstances arising after the integrity check has been completed.

<sup>10</sup> I am fully aware and confirm that I am obliged to collaborate fully to establish the relevant facts with regard to the integrity check to which I am subject. In particular, I will comply with requests for any documents, information or any other material of any nature held by me. In addition, I will comply with the procurement and provision of documents, information or any other material of any nature not held by me but which I am entitled to obtain.

<sup>11</sup> I am fully aware and confirm that the body conducting the integrity check may also request information on possible sanctions (questions 1 and 2 above) directly from FIFA or the relevant confederation as well as from other institutions such as the Court of Arbitration for Sport in Lausanne, Switzerland, or the International Olympic Committee. In this regard, I hereby release the relevant institutions from any obligation of confidentiality relating to the information concerned.

<sup>12</sup> I am fully aware and confirm that the body conducting the integrity check may collect further information on me in accordance with part 2 para. 3 of this annexe.

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(Place and date)

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(Signature)

## Standing Orders of the Congress of BFA

2023 edition

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## DEFINITIONS

Whenever relevant, the terminology used in these Standing Orders shall refer to the terms defined in the Definitions section of the Statutes of BFA.

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



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**Article 1 Representation and participation in the Congress**

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- <sup>1</sup> Members of BFA shall be represented at the Congress by the delegates as mentioned under art. 26 para. 1 of the Statutes of BFA.
- <sup>2</sup> The names of the delegates shall be submitted to the general secretariat before the opening of the Congress.
- <sup>3</sup> BFA shall not bear the costs of travel and accommodation for the delegates of the Members taking part in the Congress.

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**Article 2 Chairperson**

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- <sup>1</sup> The President of BFA shall chair the Congress. If the President is unable to attend, the Deputy shall chair and in his / her absence, another member of the Council.
- <sup>2</sup> The chairperson shall ensure that the Congress is conducted in strict compliance with these Standing Orders, open and close the Congress and debates, and, unless the Congress decides otherwise, grant delegates permission to speak and conduct all discussions.
- <sup>3</sup> The chairperson shall be responsible for maintaining order during debates. He may take the following action against any delegate who disturbs the debates:
  - a) a call to order.
  - b) a reprimand.
  - c) the exclusion from the Congress.
- <sup>4</sup> If an appeal is made against such action, the Congress shall decide immediately without debate.

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**Article 3 Scrutineers**

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At the beginning of the meeting, the Congress shall appoint an adequate number of scrutineers to the General Secretary.

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**Article 4 Debates**

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- <sup>1</sup> Debates on each item on the agenda shall be preceded by a short report or introduction:
  - a) by the chairperson or a member of the Council designated for this purpose.
  - b) by a representative of the committee designated by the Council to give such a report or introduction.
  - c) by a delegate of the Member that requested the item to be included in the agenda.
- <sup>2</sup> The chairperson then opens the debate.

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**Article 5**   **Speakers**

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- <sup>1</sup> Permission to speak is granted in the order in which it is requested. A speaker may not begin speaking until he or she has obtained permission to do so from the President.
- <sup>2</sup> A speaker may not speak for a second time on the same item until all other delegates who have requested permission to speak have spoken.
- <sup>3</sup> The chairperson may set a time limit for speakers.

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**Article 6**   **Proposals during the Congress**

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- <sup>1</sup> All proposals submitted during the Congress shall be made in writing. Proposals which are not relevant to the subject under discussion shall not be admitted to the debate.
- <sup>2</sup> Any amendment to such initial proposals shall be drawn up in writing and passed to the chairperson before being put to the debate.

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**Article 7**   **Procedural motions and closing of debates**

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- <sup>1</sup> If a procedural motion is made, discussion on the main question shall be suspended until a vote has been taken on the motion.
- <sup>2</sup> If a motion is made to close the discussion, it shall immediately be put to the vote without debate. If the motion is approved, permission to speak shall only be granted to those Members who asked to speak before the vote was taken.
- <sup>3</sup> The chairperson shall close the discussion unless the Congress decides otherwise by a majority (more than 50%) of the valid votes cast.

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**Article 8**   **Votes**

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- <sup>1</sup> A decision that requires a vote shall be reached by a show of hands, unless decided otherwise by the Congress.
- <sup>2</sup> Before each vote, the chairperson, or the person designated by him, shall read the text of the proposal aloud and explain the voting procedure (quorum) to the Congress. If an objection is raised, the Congress shall decide immediately.
- <sup>3</sup> Votes may be taken by roll call if requested by at least more than 50% of the delegates representing the Members present and eligible to vote.
- <sup>4</sup> No one shall be compelled to vote.

<sup>5</sup> Proposals made during the Congress shall be put to the vote in the order in which they are submitted. If there are more than two main proposals, they shall be put to the vote in succession and the delegates may not vote for more than one of the proposals.

<sup>6</sup> Alterations to amendments shall be put to the vote before the amendments proper, and amendments before the main proposal.

<sup>7</sup> Proposals without a vote against are regarded as having been accepted by the Congress.

<sup>8</sup> Abstentions to the vote are not counted.

<sup>9</sup> The chairperson shall check the result of the vote and announce it to the Congress.

<sup>10</sup> No one is permitted to speak during the vote and until after the result has been announced.

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## Article 9 Elections

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Elections and the electoral process within BFA shall be conducted according to the relevant provisions of the Statutes.

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## Article 10 Enforcement

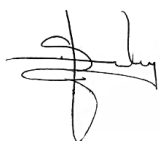
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These Standing Orders were adopted at the Congress in Nassau, Bahamas on 22<sup>nd</sup> March, 2023 and come into force on, March 23<sup>rd</sup>, 2023.

Nassau, Bahamas,

March 22nd, 2023

For BFA



President



General Secretary

ANNEXE C – BAHAMAS FOOTBALL ASSOCIATION LOGO



## ANNEXE D – AFFILIATE MEMBERSHIP

### Annex D

Affiliate Members have the following obligations:

- a) to comply fully with the Statutes, regulations, directives, and decisions of the BFA at all times.
- b) to take part in competitions and other sporting activities organised by BFA.
- c) to pay their membership subscriptions.
- d) to respect the Laws of the Game as laid down by The IFAB, as well as the Beach Soccer Laws of the Game and the Futsal Laws of the Game as laid down by FIFA, and to ensure that these are also respected by its members.
- e) to observe the principles of loyalty, integrity, and good sporting behaviour as an expression of fair play.
- f) to observe the mandatory items specified under art. 13 par. 2 of these Statutes for the duration of their affiliation.
- g) to comply fully with all other duties arising from the Statutes and other regulations of FIFA, CONCACAF and BFA.

Violation of the above-mentioned obligations by any Member may lead to sanctions provided for in these Statutes.





