



# **FECAFOOT CODE OF ETHICS**

## **TABLE OF CONTENTS**

**Preamble**

**Definitions**

**PART I: SCOPE OF APPLICATION**

- 1 - Scope of applicability
- 2 – Persons covered
- 3 – Application in time
- 4 - Scope of the Code, omissions, custom, doctrine and jurisprudence

**PART II: Substantive Law**

**Chapter 1: Basis for sanctions**

- 5 – Basis for sanctions

**Chapter 2: Disciplinary measures**

- 6 - General provisions
- 7 - Partial suspension of the execution of sanction
- 8 - Duration / extension

**Chapter 3: Determining the sanction**

- 9 - General rules
- 10 – Repeated breaches
- 11 - Concurrent breaches

**Chapter 4: Limitation period**

- 12 – Limitation period for prosecution

**Chapter 5: Rules of Conduct**

**Section 1: Duties**

- 13 - General rules of conduct
- 14 - Duty of neutrality
- 15 – Duty of loyalty
- 16 - Duty of confidentiality
- 17 – Forgery and falsification
- 18 – Duty to declare, cooperate and report

**Section 2: Undue advantages**

- 19 - Conflicts of interest
- 20 - Accepting and offering gifts or other benefits
- 21 - Corruption
- 22 – Commissions

**Section 3: Protection of personal rights**

- 23 - Non-discrimination
- 24 - Protection of physical and mental integrity

**Section 4:** Manipulation of matches or competitions

25 - Manipulation of matches and competitions

**Section 5:** Forgery and falsification, abuse of position

26 – Forgery and falsification

27 - Abuse of position

28 - Corruption

29 – Misappropriation and misuse of funds

**PART III: ORGANIZATION, FUNCTIONING AND PROCEDURE**

**Chapter 1: Organization and functioning**

**Section 1:** Structure and procedure

**Section 2:** Competence, duties and powers of the Ethics Committee

30 - Competence of the Ethics Commission

31 - Duties and competences of the Investigatory Chamber

32 - Duties and competences of the Adjudicatory Chamber

33 - Competence of the Chairperson of the Adjudicatory Chamber ruling alone

**Section 3:** Common rules for the Investigatory and Adjudicatory Chambers

34 - Composition of the investigatory and adjudicatory chambers

35 - Deputizing

36 - Secretariats

37 - Independence

38 - Withdrawal

39 - Confidentiality

40 – Exemption from liability

**Chapter II: Procedures**

**Section 1:** Procedural rules

**Sub-section 1:** General rules

41 - Parties

42 - Right to be heard

43 - Representation and assistance

44 - General duties

45 - Duty of the parties to cooperate

46 – Duty of witnesses to cooperate

- 47 - Languages of proceedings
- 48 - Notification of decisions
- 49 - Effect of decisions

**Sub-section 2: Proof**

- 50 - Various types of proof
- 51 - Anonymous testimony
- 52 - Identification of anonymous witnesses
- 53 - Inadmissible evidence
- 54 – Evaluation of proof
- 55 - Standard of proof
- 56 - Burden of proof

**Sub-section 3: Time limits**

- 57 – Beginning and end of time limit
- 58 - Compliance with time limit
- 59 - Extension of time limit

**Sub-section 4: Suspension of proceedings**

- 60 - Suspension of proceedings

**Sub-section 5: Procedural costs**

- 61 - Nature of costs
- 62 – Procedural costs in case of closure of proceedings or acquittal
- 63 - Procedural costs if sanctions are imposed
- 64 - Procedural compensation

**Section 2: Investigation proceedings**

**Sub-section 1: Preliminary proceedings**

- 65 – Referral
- 66 - Preliminary investigation by the rapporteur of the investigatory chamber
- 67 - Opening of the investigation proceedings

**Sub-section 2: Initiation and conduct of investigation proceedings**

- 68 – Initiation of investigation
- 69 - Conduct of proceedings
- 70 - Competences of the investigating officer

**Sub-section 3: Conclusion of the investigation proceedings**

- 71 – Referral decision

72 - Final Report

**Section 3:** Adjudicatory proceedings

**Sub-section 1:** Closing without follow-up or preparation for the hearing

73 - Parsing the case file

74 - Submission by the parties

75 - Dismissal of motions for admission of evidence

76 - Additional evidence

**Sub-section 2:** Quorum and hearings

77 - Quorum

78 - Hearings, principles

79 - Hearings, procedure

**Sub-section 3:** Deliberations and decisions

80 - Deliberations

81 - Decision-making

82 - Grounds of decision

83 - Form and content of the reasoned decision

**Section 4:** Appeal and review

84 - Appeal

85 - Subsequent procedure

86 - Review

**Section 5:** Provisional measures

87 - Conditions and jurisdiction

88 - Procedure

89 - Duration

90 - Appeal against provisional measures

**PART IV: INTEGRITY CHECK**

91 – General provisions

92 – Declaration procedure

**PART V: FINAL PROVISIONS**

93 - Official Languages

94 - Adoption and entry into force

## **PREAMBLE**

The Cameroon Football Federation (FECAFOOT) bears a special responsibility to safeguard the integrity and reputation of Cameroonian football. It protects the image of Cameroonian football and that of all the members and leaders of its structures, from any negative influence contrary to the principles of sports ethics. Accordingly, this Code of Ethics, which does represent its core values, is enacted to that end.

## **DEFINITIONS**

For the interpretation of this Code, the terms set out below shall be construed as follows:

### **1. Intermediary and related party:**

**(a) agent, representative and employee;**

**(b) spouse and partner**

**(c) individual sharing the same household,** regardless of personal relationship;

**(d) immediate family member,** in addition to spouses and partners, parents, grandparents, uncles and aunts, children and children of the partner, grandchildren, brothers and sisters, parents-in-law, sons-in-law and daughters-in-law, and their partners, as well as any other person with whom the individual has a relationship - blood or other - comparable to a family tie;

**(e) legal entity,** partnership and any other fiduciary institution, if the person bound by this code or the person receiving an undue advantage alternatively:

**i.** holds a management position within that entity, partnership or fiduciary institution;

**ii.** directly or indirectly controls the entity, partnership or fiduciary institution;

**iii.** is a beneficiary of the entity, partnership or fiduciary institution;

**iv.** provides services on behalf of such entity, partnership or fiduciary institution, regardless of the existence of a formal contract.

**2. Ethics Committee:** References to the Ethics Committee in this Code shall refer to the Investigatory and/or Adjudicatory Chamber.

Reference is also made to the “definitions” section of the FIFA and FECAFOOT Statutes.

**3. Official:** Any manager, member of an organ, member of a committee, referee, coach, trainer as well as any technical, medical and administrative manager of FIFA, CAF, FECAFOOT, an association recognized by FECAFOOT, of a league or club.

## **PART I: SCOPE OF APPLICATION**

### **Article 1: Scope of Applicability**

This Code shall apply to any conduct that damages the integrity and reputation of football and its bodies, and in particular illegal, immoral and unethical behaviour. It shall focus on general behaviours within the football association, which are unrelated to - or which have little to do with - actions on the playground.

### **Article 2: Persons Covered**

This Code of Ethics shall apply to:

- Elected or appointed officials of FECAFOOT and its members;
- Players;
- Coaches and educators;
- Players' agents and match agents;
- Match officials;
- Referees and assistant referees;
- Salaried or freelance employees of FECAFOOT Secretariat General;
- Salaried or freelance employees of FECAFOOT members;
- Any person appointed to perform a duty within the framework of a match organized by FECAFOOT or its leagues.

### **Article 3: Applicability in Time**

**(1)** This Code shall apply to conduct whenever it occurred, including before its adoption.

**(2)** However, an individual may be sanctioned for a breach of this Code only if the relevant conduct contravened the Code applicable at the time it occurred. The sanction may not exceed the maximum sanction available under the then-applicable Code.

**(3)** Notwithstanding the provisions of paragraph 2 above, the Ethics Committee may examine the conduct in question and draw the appropriate conclusions.

### **Article 4: Scope of the Code, Omissions, Custom, Doctrine and Jurisprudence**

**(1)** This Code shall govern every subject to which the text or the meaning of its provisions refers.

(2) For cases not provided for in this Code, the judicial authorities shall decide in accordance with associative custom and, in the absence of custom, according to the rules they would establish if they had to act as a legislator.

(3) During all of its operations, the Ethics Committee may draw on precedents and principles already established by sports doctrine and jurisprudence.

## **PART II: SUBSTANTIVE LAW**

### **CHAPTER 1: BASIS FOR SANCTIONS**

#### **Article 5: Basis for Sanctions**

(1) The Ethics Committee may pronounce the sanctions described in this Code, the FECAFOOT Statutes and the FECAFOOT Disciplinary Code.

(2) Unless otherwise provided, breaches of this Code shall be subject to the sanctions set out in this Code, whether acts of commission or omission, whether they have been committed deliberately or negligently, whether or not the breach constitutes an act or attempted act, and whether the parties acted as principal, accomplice or instigator.

### **CHAPTER 2: DISCIPLINARY MEASURES**

#### **Article 6: General Provisions**

(1) Breaches of this Code or any other FECAFOOT rules and regulations by persons bound by this Code shall be punishable by one or more of the following sanctions:

- a. warning;
- b. reprimand;
- c. fine;
- d. return of awards;
- e. match suspension;
- f. ban from dressing rooms and/or substitutes' bench;
- g. ban on entering a stadium;
- h. ban from taking part in any football-related activity;
- i. social work.

(2) The sanctions provided for by the FECAFOOT Disciplinary Code shall also apply.

(3) The Ethics Committee may recommend to the President of FECAFOOT that a case be brought to the attention of the competent judicial authorities.



**Article 7: Partial Suspension of the Execution of Sanction**

(1) Where a match suspension, a ban from dressing room/or substitutes' bench or a ban from taking part in any football-related activity is pronounced, the Adjudicatory Chamber may decide whether there are sufficient grounds to partially suspend the execution of the sanction.

(2) Partial suspension shall be possible only where the duration of the sanction does not exceed six matches or six months and where the circumstances so allow, in particular the history of the sanctioned person.

(3) The Adjudicatory Chamber shall decide on which part of the sanction is suspended. In all cases, half of the sanction must be firm.

(4) By suspending the execution of the sentence, the Adjudicatory Chamber may impose on the sanctioned person a probationary period of from six months to two years.

(5) If the person benefiting from a suspended sanction commits any other breach of this Code during the probationary period, the suspension shall automatically be revoked and the original sanction fully applied and added to the sanction imposed for the new breach.

**Article 8: Duration/extension**

The period of validity of a sanction may be interrupted during periods of truce or between seasons.

**CHAPTER 3: DETERMINING THE SANCTION**

**Article 9: General Rules**

(1) When imposing a sanction, the Ethics Committee shall take into account all relevant factors in the case, including the nature of the offence, the offender's assistance to and cooperation with the Ethics Committee, as well as the motive, the circumstances, and the degree of the offender's guilt.

(2) The Ethics Committee shall decide the scope and the duration of any action.

(3) Sanctions may be limited to a geographical area or to one or more specific categories of match or competition.

**Article 10: Repeated Breaches**

Unless otherwise specified, the sanction may be increased in the event of a repeat breach.

**Article 11: Concurrent Breaches**

(1) Where more than one breach has been committed, the sanction shall be based on the most serious breach, and increased as appropriate, depending on the specific circumstances.

(2) When determining the amount of a fine, the Ethics Committee shall not be bound by the general maximum limit of fines.

**CHAPTER 4: LIMITATION PERIOD**

**Article 12: Unique**

(1) As a general rule, breaches of the provisions of this Code may no longer be prosecuted after a lapse of ten years.

(2) Corruption shall not be subject to limitation.

(3) Where applicable, the limitation period shall be extended in the event of the opening and/or suspension of proceedings.

**CHAPTER 5: RULES OF CONDUCT**

**Section 1: Duties**

**Article 13: General Rules of Conduct**

(1) Persons bound by this Code shall be aware of the importance of their duties and concomitant obligations and responsibilities.

(2) Persons bound by this Code shall respect FECAFOOT's regulatory framework to the extent applicable to them.

(3) Persons bound by this Code shall show great ethical concern. They must behave in a dignified manner and act with complete credibility and integrity at all times.

(4) Persons bound by this Code must, under no circumstances, abuse their duties, in particular for private purposes or to derive any pecuniary advantage therefrom.

**Article 14: Duty of Neutrality**

In dealings with government institutions, national and international organizations, associations and groupings, persons bound by this Code shall, in addition to observing the basic rules of Article 13 above, remain politically neutral, in accordance with the principles and objectives of FIFA, CAF, UNIFFAC, FECAFOOT and its members, and generally act in a manner compatible with their function and integrity.

**Article 15: Duty of Loyalty**

Persons bound by this Code shall have a fiduciary duty to FIFA, CAF, UNIFFAC, FECAFOOT and its members.

**Article 16: Duty of Confidentiality**

(1) Depending on their function, information of a confidential nature disclosed to persons bound by this Code while performing their duties shall be treated as confidential or secret by them, if the information is given with the understanding or communication of confidentiality and is consistent with FIFA principles.

(2) The obligation to respect confidentiality shall survive the termination of any relationship which makes a person subject to this Code.

**Article 17: Forgery and Falsification**

Persons bound by this Code shall be forbidden from forging a document, falsifying an authentic document or using a forged or falsified document.

**Article 18: Duty to Declare, Cooperate and Report**

(1) Persons bound by this Code who become aware of any potential infringements of this Code shall inform the Secretariat of the Investigatory Chamber of the Ethics Committee directly.

(2) Persons bound by this Code shall be required, at the request of the Ethics Committee, to contribute to the clarification of facts or possible infringements, in particular by disclosing their sources of income and by providing the documents requested for examination.

**Section 2: Undue advantages**

**Article 19: Conflicts of Interest**

(1) As part of their activities on behalf of FECAFOOT or its members or before being elected or appointed as an officer, persons bound by this Code shall disclose any personal interest that could be linked to their new functions.

(2) Persons bound by this Code must avoid any situation that could give rise to a conflict of interest. A conflict of interest arises if a person bound by this Code has, or appears to have, secondary interests that could influence his ability to perform his duties with integrity in an independent and purposeful manner. Secondary interests include, but are not limited to, gaining any possible advantage for the persons bound by this Code themselves or related parties as defined in this Code.

(3) Persons bound by this Code shall not perform their duties in situations in which there is a danger that a conflict of interest might affect such performance. Any such conflict shall be immediately disclosed and notified to the organization for which the person bound by this Code performs his duties.

(4) In the event of an objection based on the existence or the possibility of a conflict of interest of a person bound by this Code, it must be immediately reported to the organization for which the person bound by this Code performs his duties, so that the appropriate measures are taken.

#### **Article 20: Accepting and Offering Gifts and other Benefits**

(1) Persons bound by this Code may only offer or accept gifts or other benefits to and from persons within or outside FECAFOOT, or in conjunction with intermediaries or related parties as defined in this Code, where such gifts or benefits:

- a. have a symbolic or trivial value;
- b. are not offered or accepted as a way of influencing persons bound by this Code to execute or omit an act that is related to their official activities or falls within their discretion;
- c. are not offered or accepted in contravention of the duties of persons bound by this Code;
- d. do not create any undue pecuniary or other advantage; and
- e. do not create any conflict of interest.

Any gifts or other benefits not meeting all of the above criteria shall be prohibited.

(2) If in doubt, gifts or other benefits shall not be accepted, given or offered.

(3) Persons bound by this Code shall not accept or offer cash of any amount or form to anyone within or outside FECAFOOT or its members.

(4) Persons bound by this Code shall not be reimbursed by FECAFOOT or its members for the costs incurred by members of their family or associates accompanying them to official events, unless expressly authorized by the competent organization. Such authorization must be in writing and reasoned.

(5) Persons bound by this Code must refrain from any activity or conduct likely to give the impression or suggest the existence of wrongful conduct or the existence of an attempted wrongful conduct as described above.

#### **Article 21: Corruption**

(1) Persons bound by this Code may not offer, promise, give or accept any personal or undue pecuniary or any other advantage in order to obtain or retain business or any

other improper advantage to or from anyone, within or outside FECAFOOT or its members. Such acts shall be prohibited, regardless of whether carried out directly or indirectly through, or in conjunction with, intermediaries or related parties as defined in this Code. In particular, persons bound by this Code shall not offer, promise, give or accept any undue pecuniary or any other advantage to secure a position at FECAFOOT or its member, or for the execution or omission of an act that is related to their official activities and is contrary to their duties or falls within their discretion. Such offers must be reported to the Ethics Committee and failure to do so shall be sanctioned in accordance with this Code.

**(2)** Persons bound by this Code shall be forbidden from unduly appropriating the property of FECAFOOT or of its members, whether directly or indirectly through or in conjunction with intermediaries or related parties, as defined in this Code.

**(3)** Persons bound by this Code shall refrain from any activity or conduct which is likely to give the impression or suggest the existence of wrongful conduct or the existence of an attempted wrongful conduct as described above.

#### **Article 22: Commission**

Whether for themselves, intermediaries or related parties, as defined by this Code, persons bound by this Code shall not accept commission or a promise of commission for negotiating deals of any kind in the performance of their duties, unless as expressly authorized by the competent body. In the absence of such a body, the decision shall rest with the organization of the person bound by this Code.

### **Section 3: Protection of Personal Rights**

#### **Article 23: Non-discrimination**

Persons bound by this Code shall not offend the dignity or integrity of a country, private person or group of people through contemptuous, discriminatory or denigratory words or actions on account of race, skin colour, ethnicity, nationality, social origin, gender, disability, language, religion, political opinion or any other opinion, wealth, birth or any other status, sexual orientation or any other reason.

#### **Article 24: Protection of Physical and Mental Integrity**

**(1)** Persons bound by this Code shall respect the integrity of all persons. They shall ensure protection, respect and safeguard of the personal rights of any individual they contact.

(2) Harassment shall be prohibited. Harassment shall be construed to mean systematic, hostile and repeated acts intended to isolate, ostracize or harm the dignity of a person.

(3) Sexual harassment shall be prohibited. Sexual harassment shall be construed to mean making unsolicited and unwanted sexual advances. Assessment shall be based on a reasonable person's conception of unwanted or offensive behaviour. Threats, promises of benefits and coercion shall be particularly prohibited.

#### **Section 4: Manipulation of Matches or Competitions**

##### **Article 25:**

Persons bound by this Code shall be forbidden from participating in, either directly or indirectly, betting, gambling, lotteries or similar events or transactions related to football matches. Also, they shall not have any interests, either directly or indirectly in entities, companies, organizations, etc. that promote, broker, arrange or conduct such activities or transactions.

#### **Section 5: Forgery and Falsification, Abuse of Position**

##### **Article 26 - Forgery and Falsification**

Persons bound by this Code shall be forbidden from forging a document, falsifying an authentic document or using a forged or falsified document.

Violation of this Article shall be sanctioned with a fine of at least 5 million CFA francs and a ban on taking part in any football-related activity for a minimum of two years.

##### **Article 27 - Abuse of Position**

Persons bound by this Code shall not abuse their position in any way, especially to take advantage of their position for private aims or gains.

##### **Article 28 - Corruption**

(1) Persons bound by this Code shall not accept, give, offer, promise, receive, request or solicit any personal or undue pecuniary or other advantage in order to obtain or retain business or any other improper advantage to or from anyone within or outside FECAFOOT. Such acts shall be prohibited regardless of whether carried out directly or indirectly through, or in conjunction with, related parties. In particular, persons bound by this Code shall not accept, give, offer, promise, receive, request or solicit any personal or undue pecuniary or other advantage for the execution or omission of

an act that is related to their official activities and is contrary to their duties or falls within their discretion.

(2) Persons bound by this Code shall refrain from any activity or behaviour that might give rise to the appearance or suspicion of a breach of this Article.

(3) Violation of this Article shall be sanctioned with a fine of at least 10 million CFA francs and a ban on taking part in any football-related activity for a minimum of two years.

### **Article 29 - Misappropriation and Misuse of Funds**

(1) Persons bound by this Code shall not misappropriate or misuse FECAFOOT funds, whether directly or indirectly through, or in conjunction with, related parties.

(2) Persons bound by this Code shall refrain from any activity or behaviour that might give rise to the appearance or suspicion of a breach of this Article.

(3) Violation of this Article shall be sanctioned by a fine of at least 10 million CFA francs and a ban on taking part in any football-related activity for a minimum of five years.

(4) The amount of misappropriated funds shall be included in the calculation of the fine. The sanction shall be increased accordingly where the person holds a high position in football, as well as in relation to the relevance and amount of the funds concerned or of the advantage received.

## **PART III: ORGANIZATION, FUNCTIONING AND PROCEDURE**

### **CHAPTER ONE: ORGANIZATION AND FUNCTIONING**

#### **Section 1: Structure and Procedure**

#### **Article 30: SINGLE**

(1) The Ethics Committee shall be made up of an Investigatory Chamber and an Adjudicatory Chamber.

(2) The procedure of the Ethics Committee shall comprise an investigatory phase and an adjudicatory phase.

#### **Section 2: Competence, Duties and Powers of the Ethics Committee**

**Article 31: Competence of the Ethics Committee**

(1) The Ethics Committee shall be empowered to deal with all cases arising from the implementation of this Code or any other rules or regulations of FECAFOOT or its members.

(2) The Ethics Committee shall be empowered to adjudicate the conduct of all persons bound by this Code in the performance of their duties. In addition to the conduct of all persons bound by this Code who perform their duties, the Ethics Committee shall also adjudicate the conduct of other persons bound by this Code insofar as a joint decision appears appropriate in view of concrete circumstances.

(3) The Ethics Committee shall reserve the right to investigate and adjudicate the conduct of all persons bound by this Code, even outside the performance of their duties, where the conduct of the person may affect the integrity, image or reputation of FECAFOOT or its members.

**Article 32: Duties and Competences of the Investigatory Chamber**

(1) The Investigatory Chamber may investigate potential breaches of provisions of this Code on its own initiative or based on complaints at its full and independent discretion.

(2) If the Investigatory Chamber deems that there is no prima facie case, it may close the case without referring it to the Adjudicatory Chamber.

(3) If there are sufficient facts, the Investigatory Chamber shall open an investigation procedure and conduct the appropriate investigations. It shall analyse aggravating and mitigating circumstances in the same manner.

(4) The Investigatory Chamber shall inform the parties that an investigation procedure has been opened, if there is sufficient evidence. In rare cases, an exception to this rule may be made for security or safety reasons, or if the disclosure of such information interferes with the conduct of the investigation.

(5) Once investigation has been completed, the Investigatory Chamber shall prepare a final report on the investigation proceedings and forward the same to the Adjudicatory Chamber with the investigation file. Should a hearing be conducted, one or more members of the Investigatory Chamber may present the case before the Adjudicatory Chamber. In the event of a recommendation to impose sanctions, the final report shall state the punishable conduct as well as the possible breaches of the regulations.



(6) If proceedings have been closed, the Investigatory Chamber may reopen the investigation if new facts or evidence come to light that suggest a potential breach.

**Article 33: Duties and Competences of the Adjudicatory Chamber**

(1) The Adjudicatory Chamber shall examine the investigation file forwarded thereto by the Investigatory Chamber and decide to terminate the proceedings or render a decision on the case.

(2) The Adjudicatory Chamber may, at any time, refer the investigation file to the Investigatory Chamber for further investigation and/or a comprehensive report.

(3) The Adjudicatory Chamber may itself undertake other investigations.

(4) The Adjudicatory Chamber shall send its final report and the investigation file to the parties and request them to file their submissions.

(5) As part of the adjudicatory process, the Adjudicatory Chamber may also rule on breaches of provisions of the FECAFOOT Disciplinary Code which concern immoral or unethical conduct.

**Article 34: Jurisdiction of the Chairperson of the Adjudicatory Chamber Ruling Alone**

The Chairperson of the Adjudicatory Chamber may make the following decisions alone:

- a. suspend a person for up to three matches or for a period less than or equal to two months;
- b. ban a person from any football-related activity for a period less than or equal to two months;
- c. impose a fine of less than or equal to 200,000 CFA francs;
- d. pronounce, amend and quash provisional measures (Article 87 below).

**Section 3: Common Rules for the Investigatory and Adjudicatory Chambers**

**Article 35: Composition of the Investigatory and Adjudicatory Chambers**

(1) The Investigatory and Adjudicatory Chambers shall each be composed of one (1) Chairperson, one (1) Deputy Chairperson, one (1) Rapporteur and two (2) members.

(2) However, the two Chambers shall be free to enlist the assistance of external experts in their work.

(3) The Chairperson, Deputy Chairperson, the rapporteur and the members of the Chambers must have a legal background and established reputation.

### **Article 36: Deputizing**

If the chairperson of either chamber is prevented from acting (whether due to personal or factual circumstances), one of the deputy chairpersons shall replace him. In the event that the deputy chairpersons are also prevented from acting, a member of the relevant chamber, on the basis of seniority, shall act as chairperson.

### **Article 37: Secretariats**

(1) The Secretariat General of FECAFOOT shall provide both the Investigatory and Adjudicatory Chambers with a secretariat with the necessary staff.

(2) The Secretariat General of FECAFOOT shall appoint the Secretary of each of the Chambers.

(3) Under the authority of the Chairperson and the Rapporteur of each Chamber, the secretaries shall take charge of the administrative and legal work related to proceedings and provide support to the Investigatory Chamber for the completion of its tasks; in particular, they shall draft the minutes of the sessions, investigation reports and decisions.

4. The secretaries shall be responsible for the filing of case files, which must be kept for at least ten years.

5. The secretaries shall act only at the request of the Investigatory and Adjudicatory Chambers. They shall have the duty to immediately report to the chairperson of the chamber concerned any instruction received by any other person or body.

### **Article 38: Independence**

(1) The members of the Ethics Committee shall manage their investigations and proceedings and render their decisions entirely independently and shall avoid any third party influence.

(2) The members of the Ethics Committee and their immediate family members as defined in this Code shall not belong to any other judicial body of FECAFOOT or its members, to the executive bureau of FECAFOOT or its members, or any standing committee of FECAFOOT or of its members.

(3) Members of the Ethics Committee shall not belong to any other body of FECAFOOT or of its members.

### **Article 39: Withdrawal**

(1) A member of the Ethics Committee shall decline to participate in any investigatory or adjudicatory proceedings concerning a matter where there are serious grounds for questioning his impartiality.

(2) The foregoing shall apply, in particular, in the following cases:

a. if the member in question has a direct interest in the outcome of the matter;

b. if the member has a personal bias or prejudice concerning a party; or personal, first-hand knowledge of disputed evidentiary facts material to the proceedings; or has expressed an opinion, other than as part of the proceedings in question, concerning the outcome of the proceedings; or when the immediate family of the member is a party to the subject matter in controversy, is a party to the proceedings or has any other interest that could be substantially affected by the outcome of the proceedings and his impartiality;

c. if the member has already dealt with the case in a different function.

(3) Members who decline to participate shall notify the chairperson forthwith.

(4) An objection against a member of the Ethics Committee believed to be biased must be submitted within five days of the identification of the grounds for non-participation, failing which, such objection shall be deemed waived. The claim must cite the grounds and, if possible, be substantiated.

(5) The chairperson of the relevant chamber shall decide whether any such claim is valid if the member in question has not declined to participate of his own accord. If the objection is against the chairperson of one of the chambers, the chamber concerned shall decide.

### **Article 40: Confidentiality**

(1) The members of the Ethics Committee and the members of the secretariats shall ensure that everything disclosed to them during the course of their duty remains confidential, in particular, deliberations and private personal data in compliance with the FIFA Data Protection Regulations. Likewise, members of the Ethics Committee shall refrain from making the slightest declaration in relation to the proceedings in progress before the Ethics Committee.

(2) Only final decisions already notified to their addressees shall be made public.

(3) In the event of a breach of this Article by a member of the Ethics Committee, the relevant member shall be suspended by the FECAFOOT Homologation and Disciplinary Committee until the next Executive Committee meeting.

**Article 41: Exemption from liability**

Except in the case of gross negligence or malicious intent, neither the members of the Ethics Committee nor the secretariat staff may be held personally liable for any deeds relating to any procedure.

**CHAPTER II: PROCEDURE**

**Section 1: Rules of procedure**

**Sub-section 1: General provisions**

**Paragraph 1: Parties**

**Article 42: SINGLE**

Plaintiffs and defendants shall be considered “parties”.

**Paragraph 2: Rights of the Parties**

**Article 43: Right to be Heard**

(1) The parties shall have the right to be heard, to present evidence, to request the examination of evidence leading to the decision, to consult the file and to obtain a reasoned decision.

(2) The right to be heard may be restricted when exceptional circumstances so require, such as the preservation of confidential matters, the protection of witnesses or when it is required to establish the facts of the proceedings.

**Article 44: Representation and Assistance**

(1) The parties may, at their own expense, obtain legal assistance.

(2) They may be represented by legal counsel or any other person if their physical appearance is not required.

(3) The parties are free to choose their legal counsel or the person to represent them.

(4) The Ethics Committee may require the party’s representative to present a duly signed power of attorney.

### **Paragraph 3: General Duties**

#### **Article 45: Duty of the Parties to Cooperate**

(1) The parties shall be required to act in good faith throughout the proceedings.

(2) The parties shall be required to collaborate in establishing the facts. In particular, they shall be responsible for responding to requests for information from the Ethics Committee's Investigatory and Adjudicatory Chambers, as well as complying with personal summons.

(3) Whenever required, the statements of the parties may at any time be subject to verification through the appropriate means.

(4) Where the parties do not act diligently, the Chairperson of the relevant Chamber may, after warning them, pronounce further disciplinary measures against them.

(5) Where the parties fail to cooperate, the Investigatory Chamber may prepare a final report based on the file in its possession, just as the Adjudicatory Chamber may rule on the basis of the file in its possession, taking into consideration the conduct of the parties.

#### **Article 46: Duty of Witnesses to Cooperate**

(1) Persons bound by this Code shall be required to contribute towards establishing the facts at the request of the Ethics Committee and, in particular, to provide information in writing or orally as a witness. Any refusal to cooperate shall attract sanctions in accordance with this Code.

(2) Witnesses shall be required to tell the whole truth and answer questions put to them in good faith and to the best of their knowledge.

(3) Where the witness does not act diligently, the Chairperson of the relevant Chamber may, after prior warning, pronounce other disciplinary measures against them.

#### **Article 47: Languages of Proceedings**

(1) The languages of proceedings shall be English and French.

(2) Where necessary, FECAFOOT shall provide the assistance of an interpreter.

#### **Article 48: Notification of Decisions**

(1) Decisions shall be communicated by any means which leaves a paper trail.

(2) Decisions shall be served on all the parties.

(3) Decisions and other documents intended for persons bound by this Code shall be sent to the relevant association, which shall be responsible for forwarding the documents to the intended recipient. In the event that the documents were not also or solely sent to the party concerned, such documents shall be considered to have been communicated properly to the ultimate addressee four days after communication of the documents to the association.

**Article 49: Effect of Decisions**

(1) Decisions passed by the Ethics Committee shall come into effect as soon as they are served on the parties.

(2) The Ethics Committee can rectify any obvious errors at any time.

**Sub-section 2: Proof**

**Article 50: Various Types of Proof**

(1) All types of proof may be produced.

(2) Types proof shall include, in particular:

- (a) documents;
- (b) reports from association leaders or match officials;
- (c) statements by the parties;
- (d) witness statements;
- (e) audio or video recordings;
- (f) expert opinions;
- (g) all other proof that is relevant to the case.

**Article 51: Anonymous testimony**

(1) When a person's testimony in ethics proceedings conducted in accordance with this Code could lead to threats to his person or put him or any person particularly close to him in physical danger, the chairperson of the competent chamber or his deputy may order, inter alia, that:

- (a) the person not be identified in the presence of the parties;
- (b) the person not appear at the hearing;
- (c) all or some of the information that could be used to identify the person be included only in a separate, confidential file.

(2) In view of all the circumstances, in particular if no other evidence is available to corroborate the evidence provided by the anonymous witness and where technically possible, the chairperson of the competent chamber or his deputy may, exceptionally, order ex officio or at the request of one of the parties that:

- (a) the witness's voice be scrambled;
- (b) the face of the witness be masked;
- (c) the examination of the witness takes place in a separate location;
- (d) the examination of the witness takes place in writing, through the chairperson of the relevant chamber or his deputy.

(3) Disciplinary measures may be imposed on anyone who reveals the identity of a witness or any information that could be used to identify such person.

### **Article 52: Identification of Anonymous Witnesses**

(1) To ensure the safety of an anonymous witness, such witness shall be identified behind closed doors in the absence of the parties. The identification shall be conducted by the chairperson of the relevant chamber alone, by his deputy or by all the members of the relevant chamber and shall be recorded in minutes containing the personal details of the anonymous witness.

(2) The minutes shall not be communicated to the parties.

(3) The parties shall receive a brief notice which:

- (a) confirms that the anonymous witness has been formally identified;
- (b) contains no details that could identify the anonymous witness.

### **Article 53: Inadmissible Evidence**

Evidence which is contrary to human dignity or clearly does not establish relevant facts shall be dismissed.

### **Article 54: Evaluation of Proof**

The Ethics Committee shall have absolute discretion regarding proof.

### **Article 55: Standard of Proof**

Members of the Ethics Committee shall rule and decide on the basis of their personal conviction and established rules.

### **Article 56: Burden of Proof**

The burden of proof regarding breaches of the provisions of this Code shall rest on the Ethics Committee.

### **Sub-section 3: Time Limits**

**Article 57: Beginning and End of Time Limit**

- (1) The limits notified directly to a party or to a representative appointed by the party shall commence the day after the date of receipt of the notification.
- (2) The time limits to be observed by other persons shall commence on the fourth day following receipt of the documents by the association responsible for forwarding the same, as long as the documents have not been handed over exclusively to the party or to its legal representative. Where the document was also sent to the person concerned or his legal representative, the time limit shall commence on the day after receipt of the document in question.
- (3) If the last day of the deadline coincides with a public holiday, the time limit shall expire on the next working day.

**Article 58: Compliance with the Time Limit**

- (1) The time limit shall be met only if the action required has been carried out before expiry of the time limit.
- (2) Written requests must reach the FECAFOOT Secretariat General no later than midnight on the last day of the time limit.
- (3) If a fax is used, the time limit shall be met if the document reaches the FECAFOOT Secretariat General no later than the last day of the time limit and the original documents within five days.
- (4) The parties shall not meet the time limit set for them by sending an email.
- (5) Costs and fees payable shall be considered to have been paid in time if payment into FECAFOOT's account or into the hands of the competent financial agent of FECAFOOT has been made by midnight on the last day of the time limit.

**Article 59: Extension of Time Limit**

- (1) Time limits set forth in this Code shall not be extended.
- (2) However, the time limits set by the Ethics Committee may be extended upon request. A time limit may be extended for a second time only in exceptional circumstances
- (3) In case of emergency, the refusal to extend the time limit may be notified orally.

**Sub-section 4: Suspension of Proceedings**



**Article 60: Unique**

(1) In the event that a person bound by this Code ceases to serve in his function during proceedings, the Ethics Committee shall remain competent to render a decision.

(2) In the event that a person bound by this Code ceases to serve in his function, the Investigatory Chamber may initiate and conduct the investigation, draft a final report and submit the same to the Adjudicatory Chamber, which may then suspend the proceedings or render a decision as to the facts.

**Sub-section 5: Procedural Costs**

**Article 61: Nature of Costs**

The costs of the proceedings shall consist of the costs and expenses incurred by the investigatory and adjudicatory proceedings.

**Article 62: Procedural Costs in Case of Closure of Proceedings or an Acquittal**

(1) Except as otherwise provided herein, in the event of closure of proceedings or acquittal, the procedural costs shall be borne by FECAFOOT.

(2) A party may be ordered to pay the procedural costs in part or in full in the event of closure of proceedings or acquittal if he culpably caused the proceedings to be initiated or hindered the conduct of the proceedings.

**Article 63: Procedural Costs if Sanctions as Imposed**

(1) Procedural costs shall be borne by the party that has been sanctioned.

(2) If more than one party is sanctioned, the procedural costs shall be assessed proportionally in accordance with the degree of guilt of the parties.

(3) Where appropriate in view of the sanction, part of the procedural costs, in particular the costs of the investigation proceedings, may be borne by FECAFOOT.

4. The procedural costs may be reduced or waived in exceptional circumstances, in particular taking into account the party's financial position.

**Article 64: Procedural Compensation**

Proceedings before the Ethics Committee shall give rise to payment of compensation, the amount of which shall be laid down by the Financial Regulations of FECAFOOT.

## **Section 2: Investigation Proceedings**

### **Sub-section 1: Preliminary Proceedings**

#### **Article 65: Referral**

(1) Persons bound by this Code may file a complaint regarding potential breaches of this Code with the Secretariat General of FECAFOOT. Complaints must be submitted in writing, including available evidence. The Secretariat of the Investigatory Chamber shall inform the Chairperson of the said Chamber of complaints lodged and act upon his instructions.

(2) There shall be no entitlement for proceedings to be opened following submission of a complaint.

(3) Anyone who lodges a complaint - or uses any other subterfuge - against a person whom he knows to be innocent with the sole aim of harming him shall be sanctioned in accordance with the Disciplinary Code of FECAFOOT.

#### **Article 66: Preliminary Investigation by the Rapporteur of the Investigatory Chamber**

(1) The Rapporteur of the Investigatory Chamber shall carry out an initial evaluation of the documents submitted with the complaint.

(2) The Rapporteur shall initiate the necessary preliminary investigations if there are indications of a potential breach. This shall include, in particular, collecting written information, requesting documents and obtaining witness statements.

(3) The Rapporteur of the Investigatory Chamber may at any time initiate preliminary investigations if he detects a potential violation of this Code in the context of a complaint that has been lodged and after the Chairperson of the Investigatory Chamber has been notified. In addition, the Chairperson of the Investigatory Chamber may, on his own initiative and at any time, initiate preliminary investigations.

#### **Article 67: Opening of Investigation Proceedings**

(1) If the preliminary investigation is found to establish a prima facie case, the Chairperson of the Investigatory Chamber shall open investigation proceedings.

(2) The parties shall be notified of the opening of investigation proceedings and the possible rule violation.

(3) The Chairperson of the Investigatory Chamber shall report to the Investigatory Chamber regularly on non-opened cases.

## **Sub-section 2: Initiation and Conduct of Investigation Proceedings**

### **Article 68: Initiation of Investigation**

(1) The Chairperson or, where he is unavailable, the Deputy Chairperson of the Investigatory Chamber shall decide on the initiation of investigation proceedings.

(2) There shall be no need to give grounds for the initiation of investigation proceedings and the decision may not be challenged.

### **Article 69: Conduct of Proceedings**

The Chairperson of the Investigatory Chamber may lead the investigation proceedings himself as the chief of the investigation or may assign this role formally to the Deputy Chairperson or a member of the Investigatory Chamber. This person shall be referred to as the “investigating officer”.

### **Article 70: Competences of the Investigating Officer**

(1) With the assistance of the secretariat, the investigating officer shall investigate by means of written enquiries and written or oral questioning of the parties and witnesses. He may also undertake any further investigative measures relevant to the case; in particular, he may verify the authenticity of documents relevant to the investigation by procuring affidavits.

(2) The investigating officer may request the Chairperson of the Investigatory Chamber to designate another member of the Chamber to assist him. Where the Chairperson of the Chamber is acting as investigating officer, he may himself decide.

(3) In complex cases, the investigating officer may request the Chairperson of the Investigatory Chamber to invite a third party to take part - under the leadership of the investigating officer - in the investigative duties. The enquiries to be made by such third parties must be clearly defined. Where the Chairperson of the Chamber is acting as investigating officer, he shall himself decide.

(4) If the parties and other persons bound by this Code fail to cooperate in establishing the facts of the case, the investigating officer may request the Chairperson of the Investigatory Chamber to issue a warning or even, in the event of persistence, to pronounce disciplinary measures. If the Chairperson of the Chamber is acting as investigating officer, the Deputy Chairperson shall decide.

## **Sub-section 3: Conclusion of the Investigation Proceedings**

**Article 71: Referral Decision**

If the investigating officer deems it necessary to continue the proceedings, he must inform the parties that the investigation proceedings have been closed and that the final report and the investigation file will be forwarded to the Adjudicatory Chamber.

**Article 72: Final Report**

The final report shall contain all the relevant facts and evidence gathered, mention the possible violation and include a recommendation for the attention of the Adjudicatory Chamber on the appropriate measures to be taken.

**Section 3: Adjudicatory Proceedings**

**Sub-section 1: Closing without Follow-up or Preparation for the Hearing**

**Article 73: Parsing the Case File**

(1) The Chairperson and the Rapporteur of the Adjudicatory Chamber shall analyse the final report and the investigation file.

(2) If the Chairperson of the Adjudicatory Chamber considers that there is insufficient evidence, he may close the case.

(3) Where necessary, the Chairperson of the Adjudicatory Chamber shall return the final report to the Investigatory Chamber for further information or for rectification or decide to make further investigation.

(4) If the Chairperson of the Adjudicatory Chamber finds that the final report is complete, he shall then initiate the adjudicatory procedure.

**Article 74: Submission by the Parties**

(1) Where the Chairperson of the Adjudicatory Chamber decides to initiate the adjudicatory proceedings, he shall send the parties the final report and the investigation file.

(2) The Chairperson of the Adjudicatory Chamber shall set a time limit for the parties to submit their briefs, adduce evidence on which they wish to rely and possibly submit a reasoned request to be heard at a hearing with witnesses they wish to call. In addition to their briefs, the parties shall present a brief summary of the content of the planned statements.

**Article 75: Dismissal of Motions for Admission of Evidence**

(1) The Chairperson of the Adjudicatory Chamber may dismiss reasoned motions for the admission of evidence adduced by the parties.

(2) The parties shall be informed if their motion has been dismissed with a brief outline of the grounds of the decision. The dismissal may not be challenged.

**Article 76: Additional Evidence**

(1) The Chairperson of the Adjudicatory Chamber may request the production of additional evidence and summon other witnesses to the hearing. Evidence that has already been adduced may be re-submitted if this proves to be essential for decision-making.

(2) The Chairperson of the Adjudicatory Chamber shall inform the parties of the additional evidence and witnesses admitted.

**Sub-section 2: Quorum and Debates**

**Article 77: Quorum**

(1) Without prejudice to Article 30 of this Code, the decisions of the Adjudicatory Chamber shall be valid if at least three of its members are present.

(2) The number of members called to sit in a case shall be determined by the Chairperson of the Adjudicatory Chamber. The parties shall be informed of the composition of the Chamber.

**Article 78: Hearings, Principles**

(1) In principle, there shall be no hearings and the Adjudicatory Chamber shall decide on the basis of the case file.

(2) At the reasoned request of one of the parties, the Adjudicatory Chamber may organize hearings to which all the parties shall be invited.

(3) On its own initiative, the Adjudicatory Chamber may organize hearings to which all the parties shall be invited.

(4) Hearings shall always take place behind closed doors.

**Article 79: Hearings, Procedure**

(1) The Chairperson of the Adjudicatory Chamber or, where he is unavailable, the Deputy Chairperson, shall conduct the hearing.

(2) The parties shall be responsible for ensuring the appearance of the witnesses requested by them and for paying all costs and expenses associated with the appearance of parties and the witnesses.

- (3) After the production of evidence, the investigating officer shall present the case file.
- (4) Once the file has been presented by the investigating officer, the parties shall be invited to make their oral submissions.
- (5) Hearings shall end with the pleadings of the parties.
- (6) The Chairperson of the Adjudicatory Chamber shall give the floor one last time to the person against whom the proceedings are directed.

### **Sub-section 3: Deliberations and Decisions**

#### **Article 80: Deliberations**

- (1) After the hearing, the Adjudicatory Chamber shall withdraw to deliberate.
- (2) If there is no hearing, the Chairperson shall schedule the deliberations and decide on the number of members of the Chamber to take part. The parties shall be informed to this effect.
- (3) If circumstances permit, the deliberations and decision-taking may be conducted via telephone conference, video conference or any other similar method.
- (4) Deliberations shall be conducted without interruption, unless there are exceptional circumstances.
- (5) The Chairperson shall decide in which order the various questions will be submitted for deliberation.
- (6) The members present shall express their opinions in the order set out by the Chairperson, who shall always speak last.
- (7) The secretary shall attend in an advisory capacity.

#### **Article 81: Decision-making**

- (1) Decisions shall be taken by the majority of the members present.
- (2) Every member present shall vote.
- (3) In the event of a tie, the Chairperson shall have the casting vote.

### **Article 82: Grounds of Decision**

(1) The Ethics Committee may render its decision without communicating the reason therefor. It shall notify only the operative part. At the same time, the parties shall be informed that they have ten days to request a reasoned decision in writing. Beyond such period, the decision shall become enforceable as it is.

(2) Where a party requests a reasoned decision, the decision shall be notified in full written form. If the decision is subject to appeal, the appeal period shall commence only after the notification.

(3) Where the parties decide not to request a reasoned decision, a brief note must be included in the file.

### **Article 83: Form and Content of the Reasoned Decision**

(1) Without prejudice to the implementation of Article 78 of this Code, the decision shall contain:

- a. the composition of the Adjudicatory Chamber;
- b. the names of the parties;
- c. the date of the decision;
- d. a summary of the facts;
- e. the grounds of the decision;
- f. the provisions on which the decision was based;
- g. the terms of the decision;
- h. notice of the channels for appeal.

(2) The decisions shall be signed by the Chairperson and the Rapporteur.

## **Section 4: Appeal and Review**

### **Article 84: Appeal**

(1) Unless otherwise provided for in this Code, decisions of the Adjudicatory Chamber of the Ethics Committee and those of its Chairperson may be appealed by the party concerned having a legal interest in the amendment or annulment of the impugned decision, before the FECAFOOT Appeals Committee. Decisions stipulating the following sanctions shall not be subject to appeal:

- a. warning;
- b. reprimand;
- c. suspension of less than three matches or less than or equal to two months;
- d. a fine of less than 500,000 CFA francs.

(2) The abovementioned decisions may also be appealed by the investigating officer.

(3) On appeal, the investigating officer shall enjoy the same procedural rights as before the Adjudicatory Chamber.

(4) Further provisions relating to lodging an appeal and the proceedings are set out in Articles 56 and seq. of the Code of FECAFOOT Disciplinary.

(5) Decisions on costs shall be final and not subject to appeal.

#### **Article 85: Continuation of the Procedure**

(1) The Appeals Committee shall rule in the last instance.

(2) Decisions of the Appeals Committee may be brought before the Conciliation and Arbitration Chamber of the Cameroon National Olympic and Sports Committee (CNOSC).

(3) After being appealed before the Conciliation and Arbitration Chamber of the National Olympic and Sports Committee of Cameroon, decisions of the Appeals Committee may be brought before the Court of Arbitration for Sport (Article 63 of the FIFA Statutes).

#### **Article 86: Review**

(1) The Investigatory Chamber of the Ethics Committee may reopen a case that has been closed following a legally binding decision if a party discovers significant new facts or proof that, despite the investigation, could not have been filed earlier in the file and would have resulted in a more favourable decision.

(2) To be admissible, the request for review must be filed by the party concerned within ten days of discovering the reasons for review.

(3) The limitation period for submitting a request for review shall be one year after the enforcement of the decision.

### **Section 5: Provisional Measures**

#### **Article 87: Conditions and Jurisdiction**

(1) The Chairperson of the Adjudicatory Chamber may, at the request of the Chairperson of the Investigatory Chamber or the investigating officer, apply provisional measures (e.g. provisional sanctions) if a breach of the provisions of this Code appears to have been committed and a decision on the merits of the case may not be taken early enough.



(2) The Chairperson of the Adjudicatory Chamber may also take provisional measures to prevent any obstacle to the manifestation of the truth.

(3) The Chairperson of the Adjudicatory Chamber may instruct the Adjudicatory Chamber to pronounce provisional measure.

**Article 88: Procedure**

(1) The Chairperson of the Adjudicatory Chamber may invite the parties to a hearing organized at short notice and set a short time limit for them to conclude in writing.

(2) The Chairperson of the Adjudicatory Chamber may rule without hearing the parties, relying solely on the file made available to him. In this case, the parties shall be summoned to a hearing or invited to submit written comments, after the decision has been rendered. After hearing the parties, the Chairperson of the Adjudicatory Chamber may confirm, quash or amend his verdict.

3. In this case, procedural costs shall be specified in the final decision.

**Article 89: Duration**

(1) Provisional measures may be valid for a maximum of ninety days. In exceptional circumstances, the provisional measures may be extended by the Chairperson of the Adjudicatory Chamber for a period not exceeding forty-five days.

(2) The duration of a provisional sanction shall be taken into account in the final decision.

**Article 90: Appeal against Provisional Measures**

(1) All appeals against decisions ordering provisional measures may be lodged before the Chairperson of the Appeals Committee.

(2) The appeal period shall be seventy-two (72) hours from the notification of the decision.

(3) The appeal brief must be sent by any means leaving a written record to FECAFOOT's Secretariat General within the same time limit.

(4) Appeals shall not have suspensive effect.

(5) Further requirements relating to lodging an appeal and the conduct of the proceedings are set out in Articles 56 and seq. of the FECAFOOT Disciplinary Code.

## **PART IV: INTEGRITY CHECK**

### **Article 91: General Provisions**

**(1)** Integrity checks shall apply to applicants for official positions within **FECAFOOT** and to the persons occupying such positions subject to this type of checks and must be conducted by **the FECAFOOT Ethics Committee**. In its sole discretion and in the conduct of such integrity checks, it may resort to external resources, as required.

**(2)** Applicants for official positions within FECAFOOT and persons occupying such positions subject to integrity checks shall be required to undergo a check and declaration procedure as indicated below. Prior to the declaration procedure, each applicant for an official position within FECAFOOT or each person occupying such a position must submit a written consent for the said procedure. In the absence of such consent, the criteria for integrity check shall be considered unfulfilled.

**(3)** Applicants for official positions within FECAFOOT and persons occupying such positions subject to integrity checks shall be required to cooperate in the establishment of the relevant facts. In particular, they must honour, within a reasonable time, requests for documents, information or other items in their keeping. In addition, applicants shall ensure the provision of documents, information and other items which they do not have but which they are entitled to obtain. Failure to meet these requests may result in sanctions pronounced by the competent FECAFOOT body.

**(4)** Regarding the conduct of integrity checks, the Ethics Committee shall have a large degree of discretion in assessing and controlling information collected about specific persons.

Applicants or holders of official duties shall be considered to have failed the accreditation inquiry if they:

(a) have been the subject of criminal convictions or disciplinary sanctions by a civil court, in particular if the impugned offence was a substantive case and not a minor offence or procedural misconduct;

(b) have been found guilty and/or convicted by the FIFA Ethics Committee or any other sports body to a sanction that seriously casts doubt on the performance of the duties concerned.

**(5)** Subject to the provisions on the disclosure and forwarding of information and data obtained as part of integrity checks in accordance with this Code of Ethics, all

such information and related data must be treated as strictly confidential by the body responsible for the relevant integrity checks.

(6) Incomplete or inaccurate information submitted to integrity checks shall be liable to sanctions pronounced by the appropriate body.

## **Article 92: Declaration Procedure**

### **(1) Identity Check**

At the start of the declaration procedure, each person subject to an integrity check must undergo an identity check. In this context, the person must provide a copy of a valid identity document to the body responsible for conducting the integrity check. Identity check shall include verification/identification of the following aspects:

- name;
- address (place of residence);
- country of residence;
- date and place of birth;
- nationality(ies).

### **(2) Statement**

Persons who must undergo an integrity check must also undergo a declaration procedure, under which they must provide the following information by means of an integrity questionnaire (see Integrity check appendix).

### **(3) Additional Information**

The body responsible for conducting integrity checks may conduct independent investigations or research in order to obtain additional information on a particular person, which may include information on intermediaries or third parties, mandates, possible conflicts of interest, significant holdings as well as criminal proceedings/investigations.

## **PART V: FINAL PROVISIONS**

### **Article 93- Official Languages**

1. This Code is drafted in English and French.
2. In the event of discrepancy in instruments drafted in both languages, recourse shall be had to a committee of experts.

**Article 94: Adoption and Entry into Force**

This Code was adopted by the General Assembly of FECAFOOT at its extraordinary session of 13th July 2021. It shall enter into force immediately upon adoption.

**Done in Yaounde, on 13 July 2021**

**Benjamin Didier BANLOCK**

**SEIDOU MBOMBO NJOYA**

**SECRETARY-GENERAL**

**PRESIDENT**

**Appendix:**

Integrity Questionnaire

First Name:	
Last Name:	
Date of Birth:	
Member Association:	
Nationality(ies):	
Occupation:	

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 FECAFOOT?

No  Yes

If yes, please specify:

Has a sports governing body ever imposed a disciplinary sanction or similar measure on you in the past for actions which amount to a violation of the rules of FECAFOOT?

No  Yes

If yes, please specify:

Are you the subject of any pending civil, criminal or disciplinary proceedings or investigation?

No  Yea

If yes, please specify:

I am fully aware that I am subject to the provisions of the Code of Ethics, the Statutes and other regulations of FIFA that address integrity issues, and fully comply with such provisions. In that respect, I have in particular taken due note of the fact that the

FECAFOOT Code of Ethics also applies to conduct which occurred before it entered into force (cf. Article 3 of the FIFA Code of Ethics).

I currently hold the following positions in football:

The following facts and circumstances may give rise to potential conflicts of interest concerning me:

Remarks and observations that may be of potential relevance in the present context:

I am fully aware and agree that this questionnaire is made available to members of the appropriate FECAFOOT bodies.

I am fully aware and confirm that I must notify the body conducting the eligibility check of any relevant facts and circumstances arising after the eligibility check has been completed, and that failure to do so may be subject to sanctions by the appropriate body.

I am fully aware and confirm that I am obliged to cooperate to establish the relevant facts with regard to the eligibility check which I am subject to. In particular, I will comply with requests for any documents, information and 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 not held by me but which I am entitled to obtain. I am fully aware and confirm that non-compliance with such requests may lead to sanctions imposed by the appropriate FIFA body.

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

I am fully aware and confirm that the body conducting the eligibility check may collect further information concerning me.

Date:

Signature: