



**CONSTITUTIONAL
REFORM OF
ZIFA
RESTRUCTURING
COMMITTEE
REPORT**

ANNEXURE II

Members of the Committee:

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PROPOSAL ON CONSTITUTIONAL REFORMS

ZIMBABWE FOOTBALL ASSOCIATION RESTRUCTURING COMMITTEE

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PREFACE

1. The Zimbabwe Football Association Restructuring Committee (ZIFA RC) is committed to promoting and facilitating the development of football through reform, infrastructure, and training initiatives; engaging in proactive dialogue with government to generate a partnership in recognition that football is a national sport and asset; creating and maintaining an image as a stable, accountable, and progressive institution; and establishing a mutually beneficial partnership with the corporate world and other stakeholders in Zimbabwean football; and contributing to Zimbabwe's ascent in world football by recommending reforms aimed at restructuring the governance and administrative structures of the Football Association (ZIFA), making the country an attractive prospect for the hosting of major footballing events in Africa, and ensuring that Zimbabwe is propelled forward in its quest to become a leading football nation.
2. The ZIFA RC derives its mandate from the Zimbabwean Sports and Recreation Commission (SRC). A sports council was established to regulate and promote the development of sport in Zimbabwe, and the Ministry of Youth, Sports, and Culture was established to investigate the needs of the sports sector. The late former President of the Republic, Robert Mugabe, appointed a Commission of inquiry into the organisation of sport in 1989 to examine the state of sports administration at the time and make recommendations for improvement. The Sports and Recreation Commission (SRC) was established by the Sports and Recreation Commission Act [Chapter 25:15] of 1991 as amended in 1996 (SRC Act) in response to the findings and suggestions of the Commission of Inquiry.
3. The mandate of the SRC is:
 - To promote, coordinate, control, develop and foster the activities of sport and recreation;
 - To assist registered national associations, registered clubs, schools, colleges and universities in the recruitment of coaches and instructors;
 - To ensure the proper administration of organisations undertaking the promotion of sport;



- To endeavour to ensure that recreational facilities are established in such work places as the Board considers appropriate;
 - To promote the highest standards of sportsmanship;
 - To establish, maintain and operate establishments for the accommodation of visiting sports teams or recreational clubs, or groups of persons engaged in furtherance of the purposes of the SRC Act;
 - To advise the Government of the needs of sport and recreation;
 - To undertake special projects, with the approval of the Minister, including fund raising, marketing and trading activities, in furtherance of the purposes of the SRC Act;
 - To endeavour to ensure that opportunities for sport and recreation are made available to all persons in Zimbabwe;
 - To negotiate with registered clubs and registered national associations to ensure that recreational facilities are fully utilised;
 - To endeavour to provide coaches, instructors and courses for sports, either free or on the payment of reasonable fees;
 - To oversee training programmes for sportspersons;
 - To determine, grant and supervise national sports awards to outstanding sportspersons and sports administrators;
 - To develop, supervise and manage sporting facilities; and
 - To encourage the production of sporting goods.
4. The SRC appointed the ZIFA RC to pave the way for the management football in the Republic shortly after it had dissolved the ZIFA Board. Although the SRC had previously stated its intention to recommend an interim committee to run the ZIFA in the wake of the ZIFA Board's dissolution, it ultimately decided to replace that body with a nine-person restructuring committee. Blessing Rugara was appointed Chairman, the ZIFA RC also includes Tommy Sithole, Anna Mguni (did not



complete her term due to work schedule) Joyce Kapota, Charles Sibanda, Joel Gombera, Brian Moyo, Desmond Ali, Father Gibson Munyoro and Rudo Mugandani. To date, the ZIFA RC has held consultations with various stakeholders including the ZIFA Secretariat, Zimbabwean Premier Soccer League, Footballer's Union of Zimbabwe, and the Zimbabwean Women's Soccer League with the aim of reforming the country's troubled football landscape. In its short mandate, the ZIFA RC has continued to engage various stakeholders and members of the public through hearings across various platforms as part of its wider consultative process.



INTRODUCTION

5. In a letter dated 24 February 2022, FIFA Secretary-General Fatma Samoura announced that ZIFA had been suspended pending further notice in accordance with Article 16 of the FIFA Statutes.¹ As a result, ZIFA lost all its membership rights as defined in Article 13 of the FIFA Statutes, and ZIFA representative and club teams are no longer permitted to compete in international football competitions organised by FIFA. Furthermore, ZIFA and its members and officials are not permitted to participate in FIFA or CAF training, courses, or development programmes. During ZIFA's period of suspension, FIFA member associations are prohibited from engaging in any sporting contact with ZIFA or its teams.
6. In February 2022, four members of the ZIFA, including the organisation's then President, Felton Kamambo, were brought before a court in Harare on charges related to fraud. Amidst allegations that money given to the association by the state for Zimbabwe's participation in the 2019 Africa Cup of Nations finals was misappropriated, the SRC issued an order in November 2021 mandating the dissolution of the executive committee of the ZIFA. In response, FIFA provided the SRC with a deadline of 3 January 2022 to readmit the Kamambo-led ZIFA board, failing which they would risk having Zimbabwean football banned. In response to the SRC's refusal to comply with the demand, FIFA suspended ZIFA on the 24th of February 2022.
7. The FIFA rule of non-interference dictates that each member of the FIFA shall manage its affairs independently and with no influence from third parties. This rule has been put in place to prevent political and government interference in the sport. Although it appears well reasoned, this rule has been criticised for protecting corrupt officials when national governments seek to intervene to root out corruption in their domestic football bodies. Kenya, for example, was banned by FIFA in 2004 for governmental interference in football matters after the government fired Kenya Football Federation officials for their alleged involvement in corrupt practices. To have the FIFA ban lifted, the government of Kenya had to reinstate the corrupt officials- which they did. Similar events occurred in February 2022, and FIFA

¹Circular no. 1783.



banned both Kenya and Zimbabwe after both nations acted on allegations of corruption in their respective football boards. To date, Kenya had its suspension lifted on the 28th of November 2022 after it agreed to the FIFA's order to reinstate the Football Kenya Federation after the National Federation had disbanded it on repeated allegations of corruption. This is an example of how FIFA's non-intervention rule may aid corrupt football union leaders engaging in corporate malfeasance.

8. It can be argued, that the two bans on Kenya National Federation and the recent ban on the ZIFA are examples of FIFA using its global monopoly on football activity to frustrate the legitimate efforts of governments at reforming their central football boards; the FIFA rule in question aided and abetted corruption by mandating the reinstatement of individuals under investigation serious offences related to football administration.²While there is a legitimate interest in FIFA and sports federations having autonomy, their power should be limited, and their actions should not undermine national governments' legitimate exercise of state sovereignty in tackling maladministration in sport. In this regard, the FIFA's non-interference rule is a major impediment to nations fighting corruption, and that the lack of a judicial mechanism to hold football administrators accountable has harmed the game and has been successfully used to circumvent the democratic process, as any state that tries to clean up its football structure with good intentions faces a FIFA ban. One cannot oversight role of the state in sports bodies as often the public purse is utilised to achieve the goals of the football association thus Governments hold a fiduciary duty to the citizenry to ensure proper management of public funds by private actors and bodies.
9. Football as a critical component of Zimbabwe's national identity with many people enjoying the sport in all its various forms. Football is played across various schooling, social and professional levels with men, women and children all involved in football across the country. It is a worthy goal ensure that football is made more accessible to all Zimbabweans increasing the participation opportunities for the entire population. The ZIFA RC submits that for the

²See also Khumalo, Football's rotten core must be excised" 2013 News24. Available at: <https://www.news24.com/News24/Footballs-rotten-core-must-be-excised-20150429>



government and the SRC to enhance football in Zimbabwe, it must be equipped with capacity to root out corruption and maladministration. The FIFA ban stymies Zimbabwe football by prohibiting friendly and international football competitions while we are suspended. Further, the freezing of funds for football development and progression as a result of FIFA sanctions serves to “twist the arm” of government into abandoning its legitimate decision to intervene in the affairs of ZIFA board. It is not in the interest of the football loving citizenry to allow our game to fail under the weight of acquiescence to identified institutional corruption and what amounts to FIFA bullying. In this regard the SRC, cognisant of the short-term negative impact but committed to reforming and improving football in our country has acted prudently in working to foster in administrative renewal of ZIFA.

Working agenda

10. The ZIFA RC is of the view that assisting ZIFA in tackling the constitutional issues is the greatest long-term contribution that the committee can make toward the improvement of football in Zimbabwe. Thus, working agenda of the ZIFA RC is as follows:

- to review the ZIFA constitution and make recommendations for constitutional reform;
- to ensure that structural bodies and the language used to describe them in the ZIFA Constitution are consistent and that their respective functions are clear, as required by the prevailing FIFA Statutes;
- to ensure that a forensic audit of ZIFA’s finances is carried out; and
- to report any instances of financial misdemeanour to the appropriate authorities for further investigation and possible prosecution.

Guiding principles

11. In outlining the mandate and role of the ZIFA RC, the following general principles were taken into consideration:



- avoid duplication between the ZIFA RC and other agencies appointed by the SRC to exercise specific functions;
- the ZIFA RC should be able to provide technical advice and policy guidance on issues such as the devolution of the football ZIFA Executive Committee's powers to sub-national levels, the imposition of term limits, the inclusion of women and youth in football, regional football structures, the treatment of agents, the treatment of women in football administration, and the protection of all players from abusive practices; and
- input from the ZIFA RC should be taken into consideration by the SRC and ZIFA when redesigning the ZIFA Constitution.

Methodology and Structure

12. The ZIFA RC amassed its information from both primary and secondary resources using a mixed methods research methodology. To achieve the investigation's objective, mixed methods research combines elements of quantitative and qualitative research. Mixed methods research approaches are frequently used in the behavioural, health, and social sciences, political science, legal reform, governance, and complex situational or societal research, particularly in multidisciplinary settings.³

13. This proposal aims to put forward proposals for the reform of the ZIFA's Statutes to bring it line with the best practices under FIFA Statutes and, importantly, to the identified needs of Zimbabwean football. To that end, the ZIFA RC engaged in a systematic, thorough, and rigorous process of inquiry to answer questions on the necessity of reforming the ZIFA Statutes. Using semi-structured interviews at several of its hearings and studying comparative literature in the form of football constitutions from various confederations and FIFA Member states, relying on the views and experience of committee members, the ZIFA RC was able to offer amendments to the ZIFA Constitution.

³Mohame, Combining Methods in Legal Research 2016 *The Social Sciences* 5191 5191.



14. It should be noted that the ZIFA RC lacked the authority to issue subpoenas, and it had to rely on information that was voluntarily provided. No promises were made that the ZIFA RC would settle any disputes or grievances between parties and the ZIFA, and no incentives were offered to invitees to attend the forums.

15. The ZIFA RC solicited feedback from anyone with an opinion on the topic of football administration in Zimbabwe, especially ZIFA stakeholders (Annexure C). At any of the ten SRC provincial offices across the country, the public could submit written comments and meet with ZIFA RC members in person (Annexure C1-10). The appointment of the ZIFA RC occurred in December 2021; it began its work in earnest in January 2022. It is submitted that all parties involved in the process came forward with the relevant information considered.

THE EFFECT OF FIFA'S DECISION TO BAN THE ZIFA

Footballers and coaches generally suffer disproportionately when a national body is sanctioned by FIFA because they are denied the opportunity to play in international matches and competitions. Furthermore, because football is so popular, a ban from participating in international football would irritate even the casual supporter who looks forward to supporting the national team. Even where government's objective is to combat corruption, FIFA sanctions have resulted in electorates demanding that their teams compete in international competitions at almost any cost.⁴ FIFA wields enormous power as a result of its monopoly on the sport and its considerable financial leverage. It could use money to coerce sports into following its orders, or it could coerce states into following their rules by threatening or prohibiting them from competing at the international level. Yet and still FIFA recent history suggests maladministration within the system has been an issue with which FIFA contends.

SUBMISSIONS OF THE ZIFA RC REGARDING FIFA'S DECISION TO SUSPEND THE ZIFA

16. The ZIFA RC was interested in the ban from a perspective of understanding the implications on football in Zimbabwe and in considering the constitutional

⁴Walid „



recommendation which would be compatible with FIFA statutes as well as addressing the local issues in Zimbabwe football. We note the following:

16.1. There is great importance in ensuring that private football governing organisations are provided with as much flexibility and support in determining those aspects that properly fall within their sphere of competence. Historically, the FIFA's non-interference rule served to protect players from torture and detainment by authoritarian regimes where the former had performed poorly.⁵ These incidents highlighted the importance of sports affairs being governed independently and autonomously from the authoritarian governments. The rule in the above application is meritorious and necessary.

16.2. The FIFA rule of non-interference should not be applied broadly to interfere with the government's genuine efforts to resolve governance issues within the ZIFA Board. Before deciding whether the interference is justified or not, it is worthwhile to consider the reasons given by national governments for suspending or terminating the mandates of the football bodies of their respective countries.

16.3. It is our observation that football governance is not merely a private matter, but also a public concern, and that both governments and private bodies tasked with governing football (including FIFA) should collaborate to root out corrupt practices and individuals in football administration. In this way, power to deal with maladministration may not be concentrated in one body, and cooperation between state and private actors is encouraged.

RECOMMENDATIONS OF THE ZIFA RC REGARDING AMENDMENTS TO THE ZIFA CONSTITUTION

The ZIFA RC submits the following general recommendations for the amendment of the ZIFA Constitution:

⁵Walid (n 4) 47.



Article 1:

- 17.** Under this Article, there should be an additional sub-section that clearly states ZIFA's governance and management structures and Article 19 which outlines the Bodies of the ZIFA should be edited and incorporated to be part of Article 1. There should be an organogram that shows explicit links between the SRC and the ZIFA Council, General Secretariat, General Secretary of the ZIFA, and staff. This organogram should clearly delineate the roles and responsibilities of the ZIFA Congress, ZIFA Council, General Secretariat and Chief General Secretary of the ZIFA. In accordance with good corporate governance, the ZIFA Council should be elevated to its rightful position as a non-executive body, and it must be explicitly provided that the ZIFA Council is the controlling body of the ZIFA with oversight functions on the activities of the General Secretariat, and shall provide effective corporate and entrepreneurial leadership grounded in ethics, professionalism, and morality.
- 18.** The ZIFA Council should lead by: (a) approving a 5 (five) year plan that is adopted by the ZIFA Congress; (b) establishing the ZIFA's strategic goals and ensuring that the necessary financial and human resources are in place to meet those goals; (c) appointing a chairperson of the ZIFA Council who is not also the General Secretary of the ZIFA; and establishing procedures for appointing and dismissing the General Secretary of the ZIFA and establishing a proper framework for the appointment of other executives. As a result, the ZIFA Council should refrain from participating in operational activities such as day-to-day operations, signing on bank transactions, or making management decisions, which are the responsibility of the General Secretariat.

Article 2

- 19.** The ZIFA Constitution simply provides a laundry list of the ZIFA's purposes without outlining its larger mission, vision, or values. The ZIFA Constitution should additionally express the organisation's overarching objective(s) and/or vision(s) for uniformity and clarity's sake. It is also important to memorialise the principles that serve as the foundation for ZIFA's work. The ZIFA Code of Ethics should elaborate on these values.



Article 3

20. To looking into allegations of discrimination within the ZIFA and Zimbabwean football, the Article shall stipulate the institution of an Independent Code of Ethics Committee.

Article 5

21. A centralised database of all youth and senior players is lacking at the national, provincial, and zonal levels. The Article must mandate that youth and senior (male and female) football players at the provincial, zonal, and national levels should be included in the ZIFA's annually updated player database.

Article 7

22. There was no ZIFA Code of Ethics made available for the ZIFA RC to study during the hearings, and the ZIFA RC questions whether such a document exists. To ensure that all ZIFA bodies and officials, including the ZIFA Congress and the ZIFA Council, act in accordance with this Article, the ZIFA must design and adopt a ZIFA Code of Ethics. ZIFA bodies and officials should abide by all applicable laws, including the land's civil and criminal codes.

Article 10

23. The heading of the Article should read "Full Members of the ZIFA". The following must be included as Full Members: Zimbabwe Soccer Coaches Association, Youth Football Zimbabwe, the PSL, Women's Football Regional Leagues, and the Zimbabwe Former Footballers' Association. The NAPH, NASH, the National Association of Tertiary Institutions Leagues, Futsal, and Beach Soccer must be demoted from full membership to associate membership. A separate sub-Article must be included to provide for associate membership and Article 10.4 must be struck out in its entirety for redundancy.

24. ZIFA must ensure that there are women's football leagues at the provincial, regional, and national levels. This will facilitate women's football receiving a greater stake in the country's football focus. In addition to students from elementary,



secondary, and postsecondary institutions, ZIFA's youth football participation shall also include representatives from academies and league youth football clubs.

Article 14

25.The ZIFA RC submits that corresponding rights and duties of suspending a national full member of the ZIFA or football official fall under the purview of the ZIFA congress and shall continue to be so for associate members. When a ZIFA Council member or official has violated the ZIFA Constitution or its Statutes, the ZIFA Council must report the relevant member to the ZIFA Congress, at which point the ZIFA Congress must suspend, and effect due legal process as outlined by the ZIFA Constitution. If a member of the ZIFA Council commits an act or acts of misconduct, the ZIFA Council must notify the member he or she represents, which then has the option to suspend, expel, or recall the offending member.

26.A provision must also be added to the Article to the effect that Members who do not participate in ZIFA's sporting calendar for a full season, barring *force majeure* or another acceptable reason, will be barred from voting in the following elections, and their representatives will be barred from running for office or being appointed to the ZIFA's committees.

Article 16

27.The Article shall be amended to include the right of a football official or member representative to resign as per the existing provisions of the Article.

Article 19

28.The ZIFA RC proposes the following additions to the Article:

28.1The ZIFA Congress is the supreme and legislative body with powers to elect and dismiss members of the ZIFA Council.

28.2The ZIFA Council is the strategic and oversight body of the ZIFA. The ZIFA Council oversees the General Secretariat as the administrative and executive body in charge of the day-to-day operations of football in the country and which is led by an appointed General Secretary of the ZIFA. Middle managers or directors will report to the ZIFA Council which shall



oversee various departments such as finance, marketing, and human resources.

28.3The ZIFA Council oversees the ZIFA's governance and leadership. It shall have standing and *ad-hoc* committees that help it fulfil its mandate.

28.4 The bodies of the ZIFA shall be elected or appointed by the ZIFA Congress in accordance with the procedures outlined in this ZIFA Constitution.

Article 28

29.The phrase “within 3 months” in Article 28.4 must be replaced with “within 45 consecutive days from receipt of the request. Furthermore, Article 28.5 must state that “the agenda of an Extraordinary Congress shall not be modified”.

Article 32

30.The ZIFA RC proposes the following amendments to the Article:

30.1The ZIFA Council shall consist of 24 members:

- 1 (one) Chairperson, elected by the ZIFA Congress;
- 2 (two) Deputy-Chairpersons, one male and one female, elected by the ZIFA Congress
- 3 female delegates appointed by the ZIFA Congress, 1 (one of which must represent Women's football and be appointed by the Zimbabwe Women Soccer League and installed by the ZIFA Congress);
- 1 (one) delegate from each of the 4 (four) regional divisions appointed by the relevant regional division and installed by the ZIFA Congress;



- 2 (two) delegates from the Zimbabwe Former Footballers' Association appointed by the Zimbabwe Former Footballers' Association and installed by the ZIFA Congress;
- 2 (two) delegates from the Zimbabwe Soccer Coaches Association appointed by the Zimbabwe Soccer Coaches Association and installed by the ZIFA Congress;
- 1 (one) delegate from Youth Football elected by the ZIFA Congress;
- 1 (one) delegate from Futsal elected by the ZIFA Congress;
- 1 (one) delegate each from the National Association of Primary Heads, National Association of Secondary School Heads, and National Association of Tertiary Institutions Leagues appointed by the respective members and installed by the ZIFA Congress;
- 2 (two) delegates from Special Interests' groups in the ZIFA Congress elected by the ZIFA Congress; and
- 4 (four) other members elected by the ZIFA Congress.

30.2 The Chairperson and two (two) Deputy-Chairpersons will be elected by the ZIFA Congress. At all times, one of the three positions must be filled by a woman.

30.3 Every candidate for the ZIFA Council must be proposed by one *bona fide* member in good standing and seconded by at least 5 (five) additional members.

30.4 Chairpersons who are confirmed in the ZIFA Council must be nominated by one of the ZIFA Congress members and seconded by 5 (five) additional members.

Article 37

31. The ZIFA Constitution should clearly state that the Chairperson of the ZIFA Council reports to or is accountable and responsible to the ZIFA Congress on matters of general governance and leadership. The Chairperson of the ZIFA Council shall report to the ZIFA Congress on the work and activities related to the ZIFA Executive Committee's management. In addition, the General Secretary of the



ZIFA, while accountable to the ZIFA Council, should not be appointed and dismissed by the Chairperson of the ZIFA Council. The General Secretary of the ZIFA should report to the ZIFA Human Resources Committee and be appointed or dismissed at the Chairperson of the ZIFA Council's recommendation via the ZIFA Council to the Human Resources Committee.

Article 39

32. The ZIFA RC submits that the ZIFA Constitution should be amended to reflect that the Chairperson of the ZIFA Council and other ZIFA Council members should only sign documents that authorise the Executive to enter important processes, agreements, or contracts. The General Secretariat should be responsible for signing off on bank transactions, payments, and contracts with consultants and service or product providers. Within the organisation, there should be a very clearly defined authorisation matrix to distinguish management decisions from ZIFA Council decisions. This will allow the ZIFA Council to easily hold management accountable and responsible for their decisions and actions, while the ZIFA Congress will hold the ZIFA Council accountable and responsible for its decisions.

Article 62

33. The ZIFA Constitution should clearly state the procedures to be followed in drafting the ZIFA budget, including consultations and consolidation of the national draft budget, which should then be approved by the ZIFA Council. International Financial Management Standards should be applied and strictly adhered to.

The ZIFA RC submits the following specific recommendations for the amendment of the ZIFA Constitution:

The Relationship between The ZIFA Congress and the ZIFA Council

34. The ZIFA RC notes from its consultations that the public is seemingly of the impression that the ongoing constitutional debates regarding the tenor of the ZIFA Constitution and the separation of powers have not even begun to study the issues thoroughly. Our interactions with the public and other Zimbabwean football stakeholders during the hearings, as well as a prudent assessment of reports in the media, may lead to a reasonable conclusion that members of the ZIFA



Executive Committee have treated the debate over the dissolution of the ZIFA board and the need for constitutional reform as a simple matter of picking sides and defending the *status quo ante* at all costs, regardless of the consequences to Zimbabwean football. This is rather unfortunate. It is in the best interests of Zimbabwean football that these debates lead to positive constitutional reform.

35. In making these proposals for constitutional reform, the ZIFA RC adopts a tactic that preserves the best of the ZIFA constitution while modifying the areas that require it.

36. Our intention is that a football administration structure that is not just in line with the FIFA Statutes, but also tailored specifically to the circumstances in Zimbabwe, will emerge from our work and the work of ZIFA and SRC.

37. The following problems have been identified with the ZIFA Constitution and the administration of Zimbabwean football. Many of these issues arose in committee discussions or in presentations by various stakeholders as outlined in the Findings Report:

37.1 There is a genuine and pressing need for constituency representation and the inclusive representation of women and youth in the ZIFA Congress. Unfortunately, concerns from ZIFA's constituents are often pushed to the side lines by the organisation's Executive Committee.

37.2 There is a pattern of constituent members of the ZIFA Congress using the Congress as a conduit to offer themselves for service at the Council level. Rather than working for their constituents, many lawmakers have their sights set on working for the ZIFA Executive Committee.

37.3 Each branch of the ZIFA administration — the Council and the Congress— should serve as a check and balance on the other. Congress must stop giving the ZIFA Executive Committee authority over its decision-making processes without good cause.

37.4 Article 37 of the ZIFA Constitution may be read as proof that the responsibilities of the Chairperson of the ZIFA Council are too extensive and burdensome for a single individual to execute. Attempting to effectively and



efficiently carry out all the duties outlined in Articles 37(2) and (3) is practically impossible.

37.5 The ZIFA Congress does not accurately reflect the depth and breadth of the pool expertise among Zimbabwean football's most ardent supporters and participants. To appoint members of the ZIFA Council, the ZIFA Congress must have access to this pool of expertise. Not doing so is sub-optimal. Every day that goes by with a Council or Congress that is not the best that we can assemble is a day given away to the competition. This is especially true in an era that requires astute financial management and a prudent understanding of football structures and coaching. Despite its enormous potential, Zimbabwean football has lagged, and the country needs its capable administrators to prepare strategies, craft policies, and marshal the ZIFA organs in the right direction.

37.6 It is crucial that the ZIFA Congress is equipped with strong committees to monitor the activities of the ZIFA Executive Committee, especially its handling of external funds, as part of a system of checks and balances.

37.7 It is necessary to clarify the relationship between the various judicial bodies and to revise the disciplinary procedure outlined in Part G of the ZIFA Constitution. The ZIFA Constitution does not adequately address the make-up of such bodies.

38 To this end, the ZIFA RC makes the following recommendations for the relationship that should exist between the ZIFA Congress and its Council:

38.1 The Chairperson of the ZIFA Council of the ZIFA must be a non-legislator elected by the ZIFA Congress and that the Chairperson of the ZIFA Council must appoint a similar group of non-legislators to serve on the ZIFA Council. To hold an executive position on the ZIFA Council, an Assembly member must resign from the Assembly.

38.2 True representatives of ZIFA's constituents should make up the ZIFA Congress, and the ZIFA Constitution's provisions for broad representation in the ZIFA Congress should be strictly enforced. There should be no membership or voting privileges in the Assembly for organisations that are inactive, such as Futsal and Beach Football. In addition, the ZIFA Congress must establish



committees devoted to various oversight functions especially with implementation of the strategic plan and financial affairs to check the Executive functions.

38.3 The provision in the ZIFA Constitution establishing an Emergency Committee must be repealed in its entirety in accordance with the current FIFA Statutes. This provision has historically been abused in order to circumvent the checks and balances of other structures within the ZIFA and give the ZIFA Council and Chairperson excessive decision-making authority.

Women's Football

39 The ZIFA RC affirms the view that the Women's Football team is the best performing national team in Zimbabwe. We submit that the domestic playing environment is critical for players' overall working conditions, and it has considered the difficulties and experiences shared in meetings with representatives from Women Football. Allegations of female players and officials being denied equal access to training equipment, kits, facilities, and pay as their male counterparts, as well as the misallocation of funds allocated by various organisations for the development of women's football in the country are regrettable, and the ZIFA Constitution must be amended to address these and other issues affecting women's football in the country. The sustained growth of women's football will be heavily reliant on both domestic professional leagues and national team competitions, as well as how these two levels of the game interact and impact the lives of female players.

40 Women's football is in dire need of leadership and investment from those who can improve its governance and economic standing. The landscape of the women's game, as well as the working conditions of professional players, are profoundly influenced by the rules, regulations, and policies enacted within and around the game. This calls for a revamp of domestic football policy, a mobilisation of resources, a revision of relevant laws and the introduction of fresh frameworks. To guarantee that women are fairly and adequately represented at all levels of football, the ZIFA must continue to discover ways to incorporate female players, administrators, councillors and officials into their structures.



41 Current and former players of the Zimbabwean women's national football team discussed the dire situation of the sport during the hearings. The ZIFA RC recognises that many current and former players will go on to work in football and help develop the women's game. It is important to listen to and understand their thoughts on the game and their work from the standpoint of their passion, beliefs and experience.

42 The following problems have been identified with the administration of women's football in Zimbabwe:

42.1 Financial compensation for female players is frequently inadequate and insufficient to make a living. Women's national team players need to piece together income from multiple sources, as salaries from either their club or their national team alone are often insufficient to cover their living expenses. This is also true of women involved in football at lower levels.

42.2 Funds allocated for Women's Football seldom reach their intended beneficiaries.

42.3 Written and detailed contracts are uncommon, and it has been claimed that promises to compensate the national women's football team for their performances, particularly in Rio de Janeiro, were not honoured.

42.4 When it comes to the management and leadership of women's football, there is an apparent lack of qualified individuals in the ZIFA Council and Congress as well as in football clubs. Some of the difficulties that have limited support for women's football are the lack of creativity in marketing and promotion of the women's game.

42.5 There appears to be no clear strategy for taking the women's game forward and national and club level.

42.6 During the hearings, respondents identified the absence of adequate sporting facilities as a difficulty. The absence of sporting infrastructure extends beyond stadiums to include subpar training facilities.



42.7 Major problems in the women's game include persistent bias against female players and officials, who are subjected to discrimination, sexual harassment, and even abuse.

42.8 Women in Zimbabwean football are not being treated as workers. The lack of adherence to international standards for players' working conditions exposes them to a wide range of disadvantages and slows down the development of the women's game. In addition, the effects of extended periods of underinvestment and exclusion are still being felt as women's football strives to become professionally organised.

42.9 Calls from Women Football for more female representation in ZIFA's governing bodies have shed light on the fact that female players are not afforded a voice in the sport's development.

42.10 Opportunities for player development and financial investment are hampered by the lack of competitive leagues and a woefully inadequate number of competitive games played against other countries.

43 To this end, the ZIFA RC makes the following **observations** for the reform of women's football in Zimbabwe:

43.1 The ZIFA Constitution needs to recognise the basic rights of female professional football players as workers and establish a set of basic standards for their working conditions at the club and national team levels.

43.2 Contracted players must be given duplicate copies of their signed contracts for personal records, and original copies must be filed with ZIFA and the relevant provinces in the case of lower-level contracts. Undertakings to compensate or remunerate players for their performance or services must be faithfully carried out, and outstanding payments must be tracked to ensure their non-renunciation. The professional status of women in football must be acknowledged and granted by the ZIFA.

43.3 Constitutional amendment is required to reflect more opportunities for female players and ex-players to move into expert and leadership roles within



the ZIFA structures. Female representation in the ZIFA structures, as guaranteed in the ZIFA Constitution, must be strictly adhered to.

43.4 The audit report compiled by BDO Chartered Accountants Zimbabwe shows that funds allocated towards women's football seldom reach their intended beneficiaries and a significant portion of these funds are misdirected towards "other purposes" in contravention of the FIFA forward regulations. At paragraph 13.1.3.1 of the said report, a solidarity grant of US\$500,000 was allocated to women's football by the FIFA. The then ZIFA Executive Committee proceeded to reallocate these funds away from women's football. As a result, there needs to be an amendment of Article 34 of the ZIFA Constitution which provides for the powers of the ZIFA Council. These powers need to be clearly defined and constrained in several respects. In particular, the ZIFA RC notes that Article 34(a) of the ZIFA Constitution is excessively broad as it permits the ZIFA Executive Committee to pass decisions on "all cases that do not come within the sphere of responsibility of the Congress or that are not reserved for other bodies by law" or under the ZIFA Statutes. This provision is broad enough to include an unfettered power of the ZIFA Council to reallocate funds that are specifically intended for a beneficiary or beneficiaries, and this power has been abused.

43.5 While the ZIFA RC agrees that financial investment is necessary, it is not sufficient to address the issues that have been brought to light in women's football. To achieve long-term growth and female employment in football, it is necessary that the ZIFA and its constituent organs have a shared vision embodied in a Strategic Plan that unites national and sub-national strategies and implements necessary regulatory interventions.

43.6 Keeping women in professional football as a career option requires providing them with the best possible opportunities and incentives. This involves making sure that the employment market is secure enough so that women who work in football, whether as players, former players, match officials, coaches, support personnel or administrators, have a chance at longevity and security in the ZIFA structures. Women's football should provide more opportunities for girls to play football and develop their skills at the youth



level, with access to quality coaching and training facilities. They will become better players, and perhaps end up playing for their country. Creating elite football academies is essential for this goal. After reaching the professional level, women in football need to be assured of a safe, healthy, and stable workplace.

43.7 Sustainable competitive fixtures and structures are needed for professional female football players at both the club and national levels so that they can regularly hone their skills and reach their full potential on the field. The current setup does not motivate or assist players in achieving their full potential. Not only will the players benefit from more competitive schedules, but so would the spectators, media outlets/broadcasters, and corporate sponsors.

43.8 The Global Minimum Labour Standards for Professional Football must be reflected in the ZIFA Constitution and must apply equally to women's football. These standards include the provision of written professional contracts for all female professional players, coaching staff, match officials and administrative personnel; ensuring a safe and healthy working environment for all women in football including provisions designed to protect women from abuse, harassment, and all forms of violence in the workplace; ensuring access to quality training and match environments; ensuring adequate and regular remuneration for players; the compulsory provision of insurance and social protection of players in case of sickness, retirement, unemployment, old age, employment injury, data protection, and maternity and parental responsibility; workload management; access to dispute resolution forums, the courts, and effective remedies where players' rights have been violated; non-discrimination; player data protection including ensuring that a proper database is kept with all active professional players' records; freedom of association and collective bargaining; and education supplemented by resources of the sport.⁶

⁶Para.1 FIFA Professional Football Player Contract Minimum Requirement 2008; see also FIFPRO „Raising our game: Women's Football Report" 2020 94-97.



Youth Football

- 44** The ZIFA RC held several hearings in which the topic of the poor administration of youth football in Zimbabwean football has been raised. Not only is there no cooperation between the NAPH, NASH, and the National Association of Tertiary Institutions Leagues, but these bodies only have two delegates in the ZIFA Congress, and they are not affiliated with the ZIFA. The ZIFA RC notes that young footballers, regardless of their gender, learn and improve quicker in a nurturing culture. Young footballers need coaches, training, talent scouts, and support personnel that are self-aware, modest, firm, flexible, systematic, creative, have deeply held values, and remain open to accepting new ideas to reach their full potential. These individuals should teach players to develop pre-performance routines, goal setting, discipline, and positive commitment to the game.
- 45** The ZIFA RC submits that the ZIFA's "hands off" approach to youth football is cause for serious concern. Although Article 21 of the ZIFA Constitution guarantees six delegates from the NAPH, NASH, and the National Association of Tertiary Institutions Leagues seats as constituent members of the ZIFA Congress (Congress), there is currently no adherence to these prescriptions and no existing ZIFA oversight over youth teams and footballers. As a result, many hearing participants felt that a lot of talent was simply falling through the cracks due to poor management of youth teams and players. Furthermore, it was claimed during the hearings that certain ZIFA members had established separate youth academies to scout for talent. This is also regrettable because talent scouting is not merit-based or overseen by qualified football practitioners.
- 46** In view of the concerns raised surrounding the administration of youth football, the ZIFA RC makes the following **observations**:
- 46.1** Part E of the ZIFA Constitution should be amended to include a permanent Youth Football Committee within the ZIFA structures to organise youth football competitions, talent-scouting personnel and procedures, oversee football academies and deal with all matters relating to youth football.
- 46.2** Representatives from the NAPH, NASH, and the National Association of Tertiary Institutions Leagues, clubs, and academies must serve on the Youth



Football Committee. The Youth Football Committee must oversee gathering and tabulating data on youth players, player performance, youth competitions, youth sponsorship, and other related matters before the ZIFA Congress.

46.3 Youth representation in the ZIFA Congress, as guaranteed in the ZIFA Constitution, must be strictly adhered to. Amendments to the ZIFA Constitution must make provision for the inclusion of youth football representatives in other ZIFA structures.

46.4 Within the ZIFA Constitution, provision must be made for the establishment of a Youth Development Programme or the re-introduction of the Youth League Project. The audit report compiled by BDO Chartered Accountants Zimbabwe shows that in 2021, funds allocated toward the Youth League Project by the FIFA amounted to US\$147,000, however, more than half of these funds were redirected towards “other purposes” by the ZIFA Board. This amounted to a flagrant violation of the FIFA forward regulations and independent oversight over the management of youth football funds must be entrenched in the ZIFA Constitution and the ZIFA Board’s powers to unilaterally redirect funds targeted and aiding a specific beneficiary must be constrained.

46.5 The Youth Development Programme or Youth League Project must specifically promote youth football development, particularly of disadvantaged girls and boys, and to involve them in non-formal education and other support measures to use the power of football to better the lives and future of the youth involved in it. To truly harness football’s transformative potential, the Youth Development Programme or Youth League Project must target at-risk youth.

Protecting players and officials from abuse

47 The ZIFA RC observes and emphasises that the ZIFA Constitution should be amended to include minimum safeguarding provisions for the protection of players; and officials’ health and well-being, which is critical to Zimbabwean football’s present and future. Part of this includes the establishment of viable reporting mechanisms and judicial forums within the ZIFA framework to address incidents of misconduct, harassment and intimidation of players and officials, abuse of players and officials, vindictive practises, nepotism, bribery, corruption,



unfair labour practises and dismissals, and failure to honour agreements, including agreements to remunerate players and officials on time. The ZIFA RC submits that protecting the youth and other vulnerable people who participate in Zimbabwean football should be a top priority for the ZIFA. This will ensure that everyone involved has a rewarding and positive experience. The ZIFA should make a firm commitment to improving upon the safeguard and protection of youth and vulnerable groups in football that is widely used in comparative football associations.

48 The ZIFA RC further submits that the officials of football matches are very important for the smooth running of the game. Referees take a lot of abuse for doing their job, which is one of the game's lesser appealing aspects. Some who testified at the hearings said they had personally seen, heard, or read about incidents in which an official or referee was harassed for making a decision that was unpopular. Officials at sporting events, especially women, are subject to verbal and physical abuse from players, coaches, and spectators. Referees are more likely to be seriously assaulted during amateur football matches because there is far less security and protection present, if any at all. Abuse can have a negative impact on an official's or player's performance and can lead to a loss of concentration and motivation to continue after receiving a barrage of criticism. Furthermore, more serious consequences of abuse can emerge long after the game has ended. The damaging effects of abuse are usually seen in the resignation or pre-mature retirement of officials and players – all of which make the game poorer.

49 The ZIFA RC **recommends** including a clause in the ZIFA Constitution addressing player and official integrity, specifically match fixing, which has been prevalent in Zimbabwean national and domestic football. These provisions must be followed by players, coaches, and officials to promote integrity and strengthen the security of their football matches and competitions.

50 To curb incidents in the game, the ZIFA RC offers the following **observations**:

50.1 The ZIFA must establish and enforce an anti-bullying policy. Having an anti-bullying policy in place to help players and officials understand what is and is not acceptable behaviour in football relationships. A clear process will assist the ZIFA in better managing these issues.



50.2 The ZIFA must encourage whistle-blowing and protect whistle-blowers' identities after their investigations are completed. Whistleblowing can serve as an early warning system by exposing and raising concerns about misconduct or malpractice within the ZIFA or other structures associated with it.

Term limits in the ZIFA Congress

- 51** The ZIFA RC has observed that Articles 37 and 38 of the ZIFA Constitution provide no term limitations for the Chairperson of the ZIFA Council. Articles 20, 21, and 25 of the ZIFA Constitution stipulate that there are no term restrictions for delegates of member entities in the ZIFA Congress. Article 32.3 of the ZIFA Constitution does stipulate term limitations for the ZIFA Council, stating that members of the ZIFA Council shall serve a four-year term and may run for re-election once. It is believed that Article 32.3 offers an effective protection against the Chairperson of the ZIFA Council serving for an indefinite term.
- 52** During its public hearings, the ZIFA RC found that several delegates of ZIFA Congress members had occupied their seats for more than two decades, even though some of these members had little to no active football activity in their respective constituencies. This is unfortunate, as their sole purpose in the ZIFA Congress is to increase the number of votes cast. *The ZIFA RC submits that a constitutional amendment is necessary to create term limitations for delegates of members in the ZIFA Congress* and to permit the expulsion of a member under Article 16 of the ZIFA Constitution on the additional grounds of redundancy and inactivity. The ZIFA RC further argues that introducing term limits for ZIFA's legislators entails a modification of the conditions of the representative mandate, and to avoid the resulting difficulties of modifying the sovereign scope of delegation power of ZIFA Congress members, term limits should be established in the ZIFA Constitution.
- 53** Furthermore, the ZIFA RC asserts that there is no absolute human right to hold office in the ZIFA. The right to vote, to be elected, and to participate are not absolute. The general right to participate in football administration is based on legal rules that also define the framework for exercising the rights to elect and be elected, while adhering to international standards reflected in the CAF and FIFA Statutes. The members' ability to freely elect and appoint delegates may be limited by rules governing the right to run for office or nomination rules.



54 Where term limits are introduced, the ZIFA RC submits the following guiding principles:

54.1 Term limits should be less stringent for members of ZIFA's primary legislative body than for members of an executive body. This is because delegates of ZIFA Congress members have a representative mandate and are part of a collegiate body. Term limits for delegates to the ZIFA Congress are thus not strictly required to prevent the Executive from exercising unlimited power. Term limits, on the other hand, are required to avoid concentration of power in the hands of a few and to promote more accurate representation and increased responsiveness of representatives to their constituents.

54.2 If term limits are implemented, at least 2 (two) consecutive terms should be allowed, and representatives may only be re-elected to the ZIFA Congress after serving a four-year cooling off period. This appears to be a reasonable mitigation of any negative effects of term limits for elected representatives, and it would specifically preserve the need for accountability to constituents. It would also be more respectful of the proportionality principle in interfering with the right to vote and be elected.

Regional football structures

55 The ZIFA RC notes in its comparative appraisal of the constitutions of various FAs that Article 17 of the ZIFA Constitution is similar in many ways to these constitutions in its regulation of regional football structures. The ZIFA RC recommends that Article 17 of the ZIFA Constitution be amended to reflect that the authority for organising local matches and competitions between teams affiliated to a regional football league, or between regional football leagues and club teams, shall rest solely with the regional leagues concerned; however, no match or competition shall take place without the prior approval of the ZIFA Executive Committee after consultation with the ZIFA Congress. Furthermore, regional structures may develop and adopt their own Statutes and determine the composition of their structures in accordance with the ZIFA Statutes, SRC Statutes, CAF Statutes, and FIFA Statutes, subject to local laws.



56 Any dispute concerning the interpretation or constitutionality of a regional Statute must be resolved by the ZIFA Dispute Resolution Chamber. The rules in the ZIFA Constitution regulating the functions, term limits, and competencies of the ZIFA structures shall apply to the regional leagues *mutatis mutandis*.

Devolution of the ZIFA Council's Powers

57 The ZIFA RC observes that **changes in the administration of ZIFA that results in checks and balances between the executive and legislative bodies are a positive and should be implemented to avoid power concentration and subsequent abuse by office holders**. The ZIFA RC noted in its analysis of the FIFA Statutes, FAM Constitution, and FAZ Constitution that the powers of the Chairperson of the ZIFA Council outlined in Article 37 of the ZIFA constitution are consistent with the statutes studied. The ZIFA RC, on the other hand, recommends a method similar to Article 36 of the SAF Constitution, in which the powers of the Chairperson of the ZIFA Council are limited by the requirement that he or she have responsibilities assigned to him or her by the ZIFA Executive Committee and his or her power to dismiss or appoint the Chief Executive Officer/General Secretary is replaced with a power to recommend such appointment or dismissal to the Executive Committee. In addition, Article 37 must be amended to include that the Chairperson of the ZIFA Council may not be an owner of or have any financial interest of a member entity of the ZIFA.

58 The ZIFA RC observes that Article 34 of the ZIFA Constitution is similar in tenor to the provisions of the FIFA Statutes, the SAFA Statutes, the FAM Statutes, and the FAZ Statutes. During the public hearings, however, the ZIFA RC noted that Articles 34(a) and (o) of the ZIFA Constitution are overbroad and serve to concentrate too much decision-making power in the hands of the ZIFA Council, with no system of checks and balances in place to constrain the ZIFA Council's powers under these provisions. **This has resulted in abuse of authority, particularly the ability of the ZIFA Council to divert funds from their intended beneficiaries and re-allocate them for other purposes**. Furthermore, the ZIFA Council wields disproportionate hiring and firing power within ZIFA structures, which should be limited by an amendment to ZIFA Constitution's Articles 34(a) and (o) to the effect that the ZIFA Council shall require a prior absolute majority vote of the ZIFA Congress on matters not specifically assigned to the ZIFA



Executive Committee in terms of the ZIFA Constitution. When the ZIFA Council delegated matters within its scope of authority, the ZIFA Congress must give prior approval if the delegation is made to a third party outside the ZIFA structures. These amendments would ensure adequate oversight of the ZIFA Council's operations.

- 59** In addition to the various Statutes that govern it, the ZIFA RC recommends that national legislation be enacted to provide a Code for Sports Governance in Zimbabwe, to which the ZIFA will be bound. This Code must provide for the levels of transparency, accountability, and integrity expected of national sporting organisations, with the goal of minimising direct government interference in the country's football administration. This model has been recently adopted by the English FA.
- 60** Taking these and other observations from this document into account, the ZIFA RC recommends to the ZIFA Congress the following model provisions for amending the ZIFA Constitution.

DRAFT MODEL PROVISIONS FOR THE ZIFA CONSTITUTION'S AMENDMENT

Definitions

'Absolute majority', refers to more than half of the membership that is eligible and entitled to vote.

'Area zones', refer to areas into which the country is divided.

'Agreement' or **'Contract'**, refers to a written agreement signed by or on behalf of the parties to that agreement, or in the case of a minor, by his or her natural/legal guardian; any agreement or contract that is not in writing and signed by the requisite parties to that agreement or contract is void.



‘Association’, refers to any football association recognised by and that forms part of the membership of the FIFA, unless different meaning is evident from the context in which the term is used.

‘Club’, refers to a member of an association that is a Member of the FIFA as defined or of a ‘league’ or ‘division’ as defined recognised by an association that enters at least a single team into a competition. A ‘club’ also refers to means any football club registered with or affiliated to a federation, association, or body, recognised by FIFA.

‘Coach’, refers to an individual designated by a member club and registered with the ZIFA to manage, coach, train, or otherwise prepare a member club squad.

‘Committees’, refer to all committees contemplated by and/or established under the ZIFA Constitution and shall include both standing and *ad-hoc* committees.

‘Competition’, refers to league, knockout, promotion play-off, qualification, and other tournaments managed or organised by the ZIFA.

‘Confederation’, refers to a group of FIFA-recognised Associations from the same continent (or assimilable geographic region).

‘Congress’, refers to the supreme legislative body of the FIFA.

‘Council’, refers to the strategic and oversight body of FIFA.

‘Day’, refers to normal working days and excludes Saturdays, Sundays and public holidays.

‘Delegate’, refers to the person appointed from time to time to act for and on behalf of a member of the ZIFA Congress Club and to represent the member in the various structures of the ZIFA.

‘Football’, refers to the sport of association football that is governed internationally by the FIFA.

‘General meeting’, refers to an Annual General Meeting, a Quadrennial General Meeting and a meeting of the ZIFA Council.

‘Laws of the Game’, refer to the laws of the game of football as authorised and determined by the IFAB from time to time.



'League' or 'Division', refers to an organisation or entity that is subject to the control or authority of an 'association' as defined.

'Legal guardian', refers to a parent or any person authorised by a court order to handle a minor's affairs.

'Match', refers to a football game played in accordance with the Laws of the Game as defined.

'Match officials', refer to match commissioners, officials, assistant officials, reserve officials, and 4th (fourth) officials.

'Member', refers to an 'association' as defined that has been admitted into membership of the FIFA by the Congress as defined.

'Minor', refers to a person who has not yet turned 18 (eighteen) years old.

'Officials', refers to every Council member, committee member, referee and assistant referee, coach, trainer, and any other person (except Players) in charge of technical, medical, and administrative matters in an 'association' as defined, 'league' as defined, 'division' as defined or 'club' as defined, as well as any other persons required to follow the ZIFA and FIFA Statutes.

'Official competition', refers to a competition for representative teams organised by the FIFA or another confederation.

'Player', refers to a football player, whether amateur or professional, registered and licensed by any 'association' as defined.

'Provincial Structure', refers to a group of members recognised by the ZIFA that belong to the same geographical province as defined in section 267 of the Constitution of the Republic of Zimbabwe of 2013.

'Region', refer to the geographical area for which the ZIFA is responsible and as recognised by the Constitution of the Republic of Zimbabwe of 2013.

'Regional leagues', refer to the Northern Region, Southern Region, Eastern Region, and Central Region as envisaged in Article 10 of the ZIFA Constitution.



'Rules', refer to the ZIFA Rules and Regulations made and adopted in accordance with the ZIFA Constitution

'Season', refers to the professional football season of the ZIFA beginning on [date to be determined by the ZIFA RC] and ending on [date to be determined by the ZIFA RC] or such later date as determined by the ZIFA Council.

'Simple majority', refers to more than half of the eligible members who are present in a meeting, and who are entitled to vote.

'Special majority', means a special resolution passed by 75 (seventy-five) per cent of votes cast by members eligible and entitled to vote on the resolution at a General Meeting as defined or such higher percentage if required by the ZIFA Congress.

'Stakeholder', refers to a person, entity or organisation which is not a member association and/or body of the ZIFA but has an interest or concern in the ZIFA's activities, which may affect or be affected by the ZIFA's actions, objectives and policies, in particular clubs, players, coaches and professional leagues.

'Statute', refers to the Constitution, Standing-Orders, By-Laws, and Regulations of the ZIFA or any other football association.

'ZIFA Congress', refers to the supreme legislative body of the ZIFA.

'ZIFA Council', refers to the the strategic and oversight body of FIFA.

'ZIFA Member', refers to any legal or natural person that has been admitted into the membership of the ZIFA by the Congress.

NB: Terms referring to natural persons apply to both genders.

Any term in the singular applies to the plural and vice versa.



Provision 1

1 LEGAL CHARACTER AND STATUS

1.1 The ZIFA –

1.1.1 is a private organisation with its own separate legal identity from that of its members, a *universitas personarum* and can litigate or act or be litigated or acted against in its own name; and

1.1.2 has permanent succession, the ability to acquire rights and incur responsibilities, and the right to own property (both tangible and intangible), but may not have an interest in a club, academy, or football association.



- 1.2 No club, academy, or football association of the ZIFA will have or hereafter acquire any right or claim to the property or money of the ZIFA. These assets are vested in the ZIFA as a legal person.
- 1.3 The ZIFA is responsible for promoting, administering, controlling, governing, and regulating all professional football in Zimbabwe in accordance with the regulations set forth by FIFA and CAF, within the bounds of Zimbabwean law and the National Constitution, and in accordance with this ZIFA Constitution.

Provision 2

1. OBJECTS OF THE ZIFA

The objects of the ZIFA are to –

- 1.1 promote, administer, control and govern all professional football in Zimbabwe in accordance with the prescripts of the FIFA Statutes, CAF Statutes, as well as the SRC Statutes within the constraints of the laws of the land;
- 1.2 regulate –
- 1.2.1 the licensing of clubs and member club registration with the ZIFA in accordance with the regulations prescribed by the FIFA Statutes, CAF Statutes, and the SRC Statutes;
- 1.2.2 the registration of professional players at national and sub-national levels, player transfers, and training and development remuneration in professional football;
- 1.2.3 the registration and accreditation of member officials, broadcasters, media outlets and sponsors;
- 1.2.4. professional competitions, matches, venues, security, safety and other standards in domestic professional football;
- 1.2.5. misconduct and disciplinary proceedings and non-disciplinary dispute resolution in domestic professional football at various levels; and



- 1.2.6. all other matters as may be necessary to give effect to the objects of the ZIFA.
- 1.3 defend professional football from any type of abuse, while also ensuring that the Laws of the Game are enforced and upheld;
- 1.4 resolve any disputes that may arise between constituent members of the ZIFA that fall under the jurisdiction of the ZIFA;
- 1.5 administer the funds of the ZIFA and funds allocated to the ZIFA by external sponsors for the advancement of professional football in Zimbabwe; and
- 1.6 carry out any actions that are necessary or supportive in achieving these goals.

Provision 3

1 POWERS OF THE ZIFA

The ZIFA has the power to perform any acts as may be required to give effect to any of the objects of the ZIFA including, but not limited to, the following –

- 1.1 to hire employees and independent contractors based on a policy of fair employment and equal opportunity in line with the FIFA Statutes, the CAF Statutes, and the SRC Statutes within the constraints of the laws of the land;
- 1.2 to appoint suppliers, service providers and contractors for the performance of specific functions as required by the ZIFA structures;
- 1.3 to bestow honours and awards on individuals and groups for their contributions to professional football in Zimbabwe;
- 1.4 to provide practical and financial assistance to individuals and organisations in accordance with the ZIFA's objectives;
- 1.5 to conclude donor or sponsorship funding arrangements with organisations or individuals;



- 1.6 to obtain, lease, purchase, or otherwise acquire any moveable or immovable property deemed necessary or convenient for any of the ZIFA's objectives;
- 1.7 to improve, manage, develop, exchange, lease, mortgage, sell, dispose of, account for, and grant options, rights, and privileges in relation to, or otherwise deal with, all or any part of the ZIFA's property and rights;
- 1.8 to make payments from and administer ZIFA funds in whatever way is deemed most effective in achieving ZIFA's objectives;
- 1.9 to open and maintain banking accounts, make funding arrangements, and invest the ZIFA's funds with registered and reputable financial institutions;
- 1.10 to develop rules that are not in conflict with the tenor of the ZIFA Constitution, the FIFA Statutes, the CAF Statutes, and the SRC Statutes within the constraints of the laws of the land, in order to carry out the ZIFA's objectives;
- 1.11 to maintain prudent accounting records and prepare annual financial statements in accordance with generally accepted and sound principles of accounting;
- 1.12 to maintain all necessary records and registers as required by the ZIFA Constitution, the FIFA Statutes, the CAF Statutes, the SRC Statutes, and the laws of the land;
- 1.13 to appoint the auditors of the ZIFA;
- 1.14 to elect the ZIFA Council;
- 1.15 to appoint the General Secretary of the ZIFA, members of the ZIFA's Judicial Bodies and Standing Committees, and any such sub-committees as required by the ZIFA Constitution, the FIFA Statutes, the CAF Statutes, the SRC Statutes, and the laws of the land, as well as those deemed necessary for specific purposes determined by the ZIFA; and
- 1.16 to suspend, fine, terminate a member's membership, prosecute, or otherwise sanction or deal with any member, player, official, or individual falling under the auspices of the ZIFA for violating the ZIFA Constitution, the FIFA Statutes, the CAF Statutes, the SRC Statutes, or the laws of the land, or by engaging in acts of misconduct, improper practices, acts of defiance, or bringing the ZIFA into disrepute.



Provision 4

1 LODGING OF FINANCIAL STATEMENTS BY ZIFA MEMBERS

Member clubs, academies, and football associations must submit their audited financial statements to the ZIFA Auditors by [date to be determined by the ZIFA RC] of each year.

Provision 5

1 THE ZIFA COUNCIL

1.1 The ZIFA Council shall consist of 24 members:

- 1 (one) Chairperson, elected by the ZIFA Congress;
- (two) Deputy-Chairpersons, one male and one female, elected by the ZIFA Congress
- female delegates appointed by the ZIFA Congress, 1 (one of which must represent Women's football and be appointed by the Zimbabwe Women Soccer League and installed by the ZIFA Congress);
 - 1 (one) delegate from each of the 4 (four) regional divisions appointed by the relevant regional division and installed by the ZIFA Congress;
 - 2 (two) delegates from the Zimbabwe Former Footballers' Association appointed by the Zimbabwe Former Footballers' Association and installed by the ZIFA Congress;
 - 2 (two) delegates from the Zimbabwe Soccer Coaches Association appointed by the Zimbabwe Soccer Coaches Association and installed by the ZIFA Congress;
 - 1 (one) delegate from Youth Football elected by the ZIFA Congress;
 - 1 (one) delegate from Futsal elected by the ZIFA Congress;



- 1 (one) delegate each from the National Association of Primary Heads, National Association of Secondary School Heads, and National Association of Tertiary Institutions Leagues appointed by the respective members and installed by the ZIFA Congress;
 - 2 (two) delegates from Special Interests' groups in the ZIFA Congress elected by the ZIFA Congress; and
 - (four) other members elected by the ZIFA Congress.
- 1.2 Upon being elected to office, every member of the Council undertakes, and accepts responsibility, to act in the best interests of the ZIFA faithfully, loyally and independently and facilitate the promotion and development of football at all levels of domestic football.
- 1.3 Members of the ZIFA Council, excluding the General Secretary of the ZIFA, shall be elected at the quadrennial general meeting of the executive committee, with each member serving a four-year term until the next quadrennial general meeting. All members will be available for subsequent re-election; however, no member may serve on the ZIFA Council for more than two terms.
- 1.4 The Chairperson of the ZIFA Council shall preside over all ZIFA Council meetings. If the Chairperson of the ZIFA Council is unable to preside over a meeting of the ZIFA Council for any reason, the ZIFA Council members will have the right to elect 1 (one) of their number to preside over that meeting.
- 1.5 During the domestic football season, the ZIFA Council must meet at least 4 (four) times.
- 1.6 The General Secretary of the ZIFA must provide written notice of meetings to each member of the ZIFA Council at least 5 (five) days in advance, or at least 24 (twenty-four) hours in advance in cases of emergency.
- 1.7 The ZIFA Council oversees the overall management of the ZIFA by the General Secretariat and it delegates the execution and management of business- or finance-related matters to the general secretariat, which operates under the authority and supervision of the ZIFA Council and is accountable to it.



- 1.8 As regards business- or finance-related matters, the ZIFA Council shall, *inter alia* –
- 1.8.1 define the standards, policies and procedures applicable to the awarding of commercial contracts by the ZIFA;
 - 1.8.2 define the standards, policies and procedures applicable to football development grants;
 - 1.8.3 define the standards, policies, and procedures regarding the operational costs of the ZIFA; and
 - 1.8.4 define the standards, policies, and procedures regarding all other business- or finance-related matters of the ZIFA.
- 1.9 The ZIFA Council shall propose to the ZIFA Congress for election the chairpersons, deputy chairpersons and members of the Disciplinary Committee, the Ethics Committee, the Appeal Committee and the Governance, Audit and Compliance Committee.
- 1.10 The ZIFA Council approves the budget and the annual audited financial statements, including the consolidated financial statements, prepared by the Finance Committee and the annual report to be submitted to the ZIFA Congress for approval.
- 1.11 The ZIFA Council may decide to set up *ad-hoc* committees if necessary, at any time.
- 1.12 The ZIFA Council shall appoint the General Secretary of the ZIFA on the proposal of the Chairperson of the ZIFA Council. The General Secretary of the ZIFA may be dismissed by the ZIFA Council acting alone.
- 1.13 The ZIFA Council shall issue regulations generally and, in particular, the ZIFA's Rules and Regulations.
- 1.14 The ZIFA Council shall deal with all matters relating to FIFA that do not fall within the sphere of responsibility of another body, in accordance with these Statutes.
- 1.15 A member of the ZIFA Council may not simultaneously be a member of the ZIFA Congress or any of the ZIFA's Judicial Bodies



Provision 6

- 1 THE CHIEF EXECUTIVE OFFICER/GENERAL SECRETARY OF THE ZIFA
- 1.1 The ZIFA Council shall appoint the Chief Executive Officer/General Secretary of the ZIFA under such written terms and conditions as it deems appropriate.
- 1.2 The General Secretary of the ZIFA may in turn delegate or assign duties and responsibilities to any ZIFA employee in accordance with the ZIFA Council-approved delegation of authority schedule.
- 1.3 The General Secretary of the ZIFA shall –
 - 1.3.1 serve as the ZIFA's accounting and information officer;
 - 1.3.2 be responsible for implementing the ZIFA Council's decisions;
 - 1.3.3. be responsible for ensuring that all General Meetings, ZIFA Council meetings, Standing and Sub-Committee meetings are properly constituted and organised; and
 - 1.3.4 be responsible for the daily administration and management of the ZIFA and its personnel.
- 1.4 The General Secretary of the ZIFA shall be required to fulfil an eligibility check performed by the ZIFA Council.
- 1.5 The General Secretary of the ZIFA shall report to the ZIFA Council.

Provision 7

- 1 GENERAL SECRETARIAT
- 1.1 The General Secretariat shall perform its tasks under the direction of the General Secretary of the ZIFA, in particular –
 - 1.1.1 organising competitions and all related matters, in accordance with the decisions and directions of the ZIFA Council;



- 1.1.2 negotiating, executing, and performing all commercial contracts in accordance with the standards, policies, and procedures set by the ZIFA Council;
 - 1.1.3 providing administrative support for the ZIFA's standing committees;
 - 1.1.4 managing the operations and day-to-day operations of the ZIFA in accordance with the parameters established by the ZIFA Council and within the budget established by the Finance Committee; and
 - 1.1.5 performing all other administrative matters necessary for the efficient operation and organisation of the ZIFA, as required and authorised by the ZIFA Council.
- 1.2 The General Secretariat is supervised by, and is accountable to, the ZIFA Council with regard to the discharged of its functions.

Provision 8

1 STANDING AND *AD-HOC* COMMITTEES

- 1.1 The ZIFA Council may appoint standing and *ad-hoc* committees to carry out any duties and responsibilities as may be allocated to them on the advice the Chairperson of the ZIFA Council and the ZIFA Congress.
- 1.2 *Ad-hoc* committees may be created for specific functions and for a limited period as determined by the ZIFA Council.
- 1.3 Any standing and *ad-hoc* committees established in terms of the ZIFA Constitution shall report directly to the ZIFA Council.
- 1.4 The standing committees of the ZIFA shall include –
 - 1.4.1 The Finance Committee;
 - 1.4.2 The Audit Committee;
 - 1.4.3 The Organising Committee for ZIFA Competitions;
 - 1.4.4 The Technical Development Committee;
 - 1.4.5 The Referees' Committee;



- 1.4.6 The Women's Football Committee;
 - 1.4.7 The Futsal and Beach Soccer Committee;
 - 1.4.8 The Sports Medical Committee;
 - 1.4.9 The Players' Status Committee; and
 - 1.4.10 The Youth Football Committee.
- 1.5 The chairpersons of the various standing committees must be members of the ZIFA Council, apart from the Audit committee chairperson, who may not serve in any capacity on the ZIFA Executive Committee. The remaining members of standing committees must be appointed by the ZIFA Council based on the advice of the ZIFA Chairperson of the ZIFA Council and the ZIFA Congress.
- 1.6 Members of the standing committees and their chairpersons may serve for a fixed term of 4 (four) years, following which they will be eligible to be reappointment for a maximum of one additional term.
- 1.7 Each committee chairperson is responsible for representing their respective committee and carrying out its business in accordance with the guidelines established by the ZIFA Council.
- 1.8 After consulting with their respective committee, each committee chairperson may propose revisions to the ZIFA Council's rules or guidelines. These revisions must be properly discussed at a General Meeting of the ZIFA council, and the ZIFA Council's decision is binding on all standing and *ad-hoc* committees.

Provision 9

1 ZIFA SUB-COMMITTEES

- 1.1 The ZIFA Council shall have the authority to appoint sub-committees.



- 1.2 At least one member of the ZIFA Council must serve as the convenor of a sub-committee established by the ZIFA Council which must have at least three members in total.
- 1.3 The Sub-committee may ask the Council to appoint additional personnel to assist the sub-committee's functions.
- 1.4 Sub-committees shall report to the ZIFA Council and shall have the right to make suggestions; however, they shall have no ability to make decisions or issue public comments unless specifically authorised to do so in writing by the Chairperson of the ZIFA.

Provision 10

1 THE ZIFA DISCIPLINARY COMMITTEE

- 1.1 The ZIFA Disciplinary Committee is an independent Judicial Tribunal of the ZIFA that adjudicates all instances of suspected wrongdoing involving clubs, academies, football associations, players, or any other individual bound by the ZIFA Constitution. The Chairperson of the ZIFA Council will appoint the members of the Disciplinary Committee on the recommendation of the ZIFA Congress.
- 1.2 The Disciplinary panel that will hear a particular case must consist of —
 - 1.2.1. an independent chairperson with at least ten years of post-admission experience in the practice of law; and
 - 1.2.2. members selected from the pool of Disciplinary Committee members.
- 1.3 The ZIFA shall establish the tribunal that will hear a particular matter with proper regard for the principles of justice and promptness.
- 1.4 The panel hearing a given matter will consist of at least 3 (three) members of the Disciplinary Committee, including the chairperson.
- 1.5 The panel will make decisions by majority vote, with the chairperson having a deciding vote where there is no majority decision.
- 1.6. The Disciplinary panel may appoint an assessor to assist with factual



findings or expert testimony, provided that such an assessor has no authority to deliberate or make the decision.

- 1.7 Neither the legality of the composition of the Disciplinary Committee nor the validity of its findings will be affected by the absence of any member of the Disciplinary panel who had previously participated in the hearing, provided that the hearing is presided over by the same chairperson and at least 2 (two) other panel members who were present throughout the hearing.
- 1.8 The Disciplinary Committee will apply the terms of this ZIFA Constitution, and if it is silent on any pertinent matter, then the mandatory provisions of the CAF Statutes and the FIFA Statutes will apply in that order, subject to the laws of the land.
- 1.9 The Disciplinary Committee shall have the authority to make any decisions and findings necessary to implement this ZIFA Constitution and to impose the punishments outlined in this Constitution in the event of a finding of misconduct.
- 1.10 The Disciplinary Committee will use the principles of laws of the land and the National Constitution when considering and making decisions, and will always, with due regard for these principles, exercise its best efforts to ensure the utmost expediency in all situations before it.
- 1.11 The Disciplinary Committee has the authority to issue a costs order for –
 - 1.11.1 expenses incurred by any party or witness, providing such claims are supported by genuine receipts;
 - 1.11.2 the stipend or fees incurred by the ZIFA for the attendance of Disciplinary Committee members; and
 - 1.11.3 any other costs incurred by the ZIFA in relation to the hearing.

Provision 11



1 ESTABLISHMENT OF THE ZIFA DISPUTE RESOLUTION CHAMBER

- 1.1 The Dispute Resolution Chamber is an independent arbitration body with the competence to adjudicate disputes other than those of a disciplinary nature or status issues originating from international transfers.
- 1.2 An equal number of panellists, including 2 (two) co-chairpersons, are nominated, and appointed to arbitrate disputes that satisfy the requirements of this section.
- 1.3 Panellists are appointed for a duration of 2 (two) years, with the possibility of reappointment for a comparable time.
 - 1.3.1. Each panellist must be qualified to practice law and must carry out his or her duties with integrity, impartiality, and good faith. The co-chairpersons must have been licensed to practice law for at least 15 (fifteen) years prior to their nomination as co-chairs of the Dispute Resolution Chamber.
 - 1.3.2. The Dispute Resolution Chamber will consist of the following members, each of whom will serve a renewable 2-year term –
 - 1.3.2.1. 2 (two) co-chairpersons appointed by the ZIFA Council and whose qualifications will be verified by the Chairperson of the ZIFA Council; and
 - 1.3.2.2. 4 (four) panellists nominated by the ZIFA Congress.
 - 1.3.3. A Dispute Resolution Chamber Tribunal will consist of 3 (three) panellists, including one of the co-chairpersons who will preside over the proceedings, as well as:
 - 1.3.3.1. 1 (one) panellist drawn from the list of panellists nominated by the clubs, academies, football associations, and special interest groups in the ZIFA Congress; and
 - 1.3.3.2. 1 (one) panellist drawn from the list of panellists nominated by Women Football.
 - 1.3.4. In the event of a tie vote, the chair of the Dispute Resolution Chamber tribunal will have a second (second) casting vote in addition to his or her deliberative vote.



- 1.3.5. Meetings and deliberations of the Dispute Resolution Chamber will be held at the ZIFA's headquarters, subject a contrary determination of the ZIFA Council.
- 1.3.6. A panellist may not be a member of a ZIFA Council.
- 1.3.7. Proceedings shall be conducted in English, but a witness may testify in another official Zimbabwean language with the assistance of a sworn translator. The individual who desires to testify in another language is responsible for securing the availability of a translator during the hearing.
- 1.3.8. Panellists will respect confidentiality and will not divulge or discuss any aspect of a subject with anyone. Panellists will also neither exercise any other function in relation of an issue that they are engaged in nor influence, or seek to influence, any other body or committee in football.
- 1.3.9. The awards of the Dispute Resolution Chamber may be published.

Provision 12

- 1 JURISDICTION AND POWERS OF THE ZIFA DISPUTE RESOLUTION CHAMBER
 - 1.1 The ZIFA Dispute Resolution Chamber will have jurisdiction over, *inter alia*, the determination of the following issues or disputes–
 - 1.1.1 Disputes between clubs, academies, football associations and special interest groups;
 - 1.1.2 Employment-related disputes between a member club, academy, football association and a Player;
 - 1.1.3 Employment-related disputes between a club, academy or football association, a coach or any other employee who is part of the club, academy or football association's technical team;
 - 1.1.4 Employment-related disputes between an official and a club, academy, or football association; and



- 1.1.5 Training and development compensation and (or) solidarity payment disputes.
- 1.2 The ZIFA Dispute Resolution Chamber will not have jurisdiction in respect of matters or conflicts that may arise between parties that are not subject to the jurisdiction of the ZIFA such as agents or intermediaries.
- 1.3 As a prerequisite to professional football participation, clubs, academies, or football associations, players, and coaches agree to instead submit to the ZIFA Dispute Resolution Chamber for arbitration any disputes between or among them, except for disciplinary matters.
- 1.4 In exercising its jurisdictional authority, the Dispute Resolution Chamber will implement the ZIFA's Constitution and Statutes.
- 1.5 The ZIFA Dispute Resolution Chamber may also consider all growing jurisprudence of sports courts, national legislation, particularly those pertaining to labour law, and/or collective bargaining agreements, as well as the distinctiveness of sport.
- 1.6 The ZIFA Dispute Resolution Chamber shall have the authority to issue any suitable order, including, but not limited to –
- 1.6.1 accommodating late referrals;
 - 1.6.2 providing urgent and (or) interim relief;
 - 1.6.3 declaration of a Player's status as a free agent;
 - 1.6.4 ordering any party to pay damages, compensation, salaries, signing-on fees, or transfer costs, including in the context of a dispute over image rights;
 - 1.6.5 imposing sporting sanctions;
 - 1.6.6 ordering specific performance;
 - 1.6.7 modifying or revoking awards;
 - 1.6.8 issuing declaratory relief; and
 - 1.6.9 making an award for costs.



- 1.7 The precise processes for the referral and resolution of issues before the ZIFA Dispute Resolution Chamber will be set out in the ZIFA Rules Governing the ZIFA's Judicial Bodies. The ZIFA Dispute Resolution Chamber will ensure that the parties' essential procedural rights, such as the right to be heard, the right to equal treatment, the right to inspect the ZIFA Dispute Resolution Chamber file, have evidence taken, and right to a reasoned conclusion, are protected.
- 1.8 The ZIFA Dispute Resolution Chamber may set down the matter for mediation before any of the ZIFA Dispute Resolution Chamber co-chairpersons.
- 1.9 No changes may be made to the ZIFA Dispute Resolution Chamber's rules, regulations, powers, or membership without the express written permission and agreement of the ZIFA Congress.

Provision 13

- 1 STATUS OF AWARDS MADE BY AND DECISIONS OF THE ZIFA DISPUTE RESOLUTION TRIBUNAL
- 1.1 Without derogating from a party's right to request a review or appeal the decision or award made by the ZIFA Dispute Resolution Tribunal, a decision or award made by the Dispute Resolution Chamber is final and binding except for the right of a party to file an appeal or request a review before the ZIFA Appeals Committee.
- 1.2 For the avoidance of doubt, only the ZIFA Appeals Committee may hear an appeal or review of a ZIFA Dispute Resolution Chamber judgment or award.

Provision 14



1 APPEALS

- 1.1. Appeals against rulings of Judicial Tribunals are governed by ZIFA and FIFA Statutes.
- 1.2. A copy of the notice of appeal filed by the appellant with the ZIFA Appeals Committee must be served on the ZIFA at the time the appeal is filed.
- 1.3. An appeal against a ZIFA Disciplinary Committee or ZIFA Dispute Resolution Chamber order does not suspend the operation of that order awaiting the conclusion of any appeal or arbitration over that order, unless otherwise ordered by the relevant tribunal.

Provision 15

1 ARBITRATION

- 1.1. Any dispute or disagreement regarding the judgments, rulings, or awards of the ZIFA dispute Resolution Chamber or the ZIFA Appeals Committee shall be directed to arbitration in accordance with the ZIFA Statutes and shall be conducted in accordance with those Statutes
- 1.2. In the case of all disputes or disagreements involving clubs, academies, football associations, registered players, or ZIFA officials, the Arbitrator shall be a Senior Counsel nominated by the ZIFA Congress.
- 1.3. The ZIFA must be served with a copy of each arbitration referral within the timeframe specified in the ZIFA Statutes.
- 1.4. The Arbitrator's decision will be final and binding, and it will be communicated to ZIFA.

Provision 16



1 ELECTION OF THE ZIFA COUNCIL

- 1.1. Members of the ZIFA Council other than the General Secretary of the ZIFA will be elected every 4 (four) years by secret ballot cast by duly authorised delegates of the ZIFA Congress.
- 1.2. Nomination forms for election to the ZIFA Council will be submitted by the individual members of the ZIFA Congress to the Auditor and no nomination form will be valid or accepted as such by the Auditor unless it is –
 - 1.2.1. on an official club, academy, or football association letterhead or letterhead of the relevant entity of the ZIFA Congress;
 - 1.2.2. signed by a club, academy or football association official who is duly and specifically authorised on the membership form and is the chairperson, president, chief executive officer, or a director of the nominating club, academy, football association or relevant entity;
 - 1.2.3. accepted in writing by the nominated candidate; and
 - 1.2.4. lodged in writing with the Auditor by the nomination deadline which will be not less than 14 (fourteen) days and not more than 28 (twenty-eight) days before the scheduled date of the General Meeting of the ZIFA.
- 1.3 It is the responsibility of the nominating member to ensure that all the necessary materials are submitted to the Auditor by the nomination deadline.
- 1.4 On expiry of the nomination deadline, the Auditor will compile a list of valid nominations and will deliver the list to the General Secretary of the ZIFA within 3 (three) days of the day the nomination deadline closes.
- 1.5 The General Secretary of the ZIFA will distribute the list to the clubs, academies, football associations, and special interest groups by registered post, facsimile, electronic mail, or recorded courier so that it is received at least 7(seven) days prior to the General Meeting of the ZIFA Congress at which the election of the ZIFA Council is to take place.



- 1.6 The Auditor will retain the original nominations and will ensure that these are kept until the next General Meeting.
- 1.7 The Auditor will act as Electoral Officer at the General Meeting of the ZIFA Congress and will attend the meeting and approach and exercise his or her responsibilities as Electoral Officer with integrity to ensure the election proceeds fairly and expeditiously.
- 1.8 Prior to the commencement of the elections, the sitting ZIFA Council will resign *en masse*, and the Electoral Officer will assume responsibility for the election and will deal with any disputes or differences which arise, impartially and with a view to concluding the election fairly and expeditiously.
- 1.9 A candidate (nominee) will only be eligible for election if he or she is present at the General Meeting of the ZIFA Congress, unless his or her absence is specifically raised and condoned by the ZIFA Congress.
- 1.10 Should any dispute relating to an election arise during the General Meeting of the ZIFA Congress, the Electoral Officer will rule thereon and his or her ruling will be final.
- 1.11 If there are fewer nominations than there are vacancies to be filled, a delegate may make a nomination from the floor. In such a case, no nomination will be accepted unless the nominee in question attends the General Meeting of the ZIFA Congress, meets the eligibility requirements of this Article, and indicates his or her willingness to accept nomination.
- 1.12 The first person to be elected will be the Chairperson of the ZIFA Council. A candidate for the position of the Chairperson of the ZIFA Council may be an independent person, chairperson, president, chief executive officer, or a director of a club, academy, football association, or special interest group. Should only 1 (one) nomination be received, the candidate so nominated will be declared duly elected as the Chairperson of the ZIFA Council. Should there be more than 1 (one) nomination, the election will take place by simple majority vote. In the event of a tie, the outgoing Chairperson of the ZIFA Council, alternatively if he or she is a candidate, an outgoing



member of the ZIFA Council nominated for this purpose by the outgoing ZIFA Council will have a casting vote.

- 1.13 A nominee to the ZIFA Council, other than to the office of the Chairperson of the ZIFA Council, must be a chairperson, president, chief executive officer, or a director of a club, academy, football association, or special interest group reflected as such in the membership records of the ZIFA Congress. A nominee must have been a member of 1 (one) or more member clubs, academies, football association, or special interests' groups for not less than 24 (twenty-four) months prior to his or her nomination. During the 24 (twenty-four) month period, any period between his or her appointment and registration as a member at the different clubs, academies, football associations, or special interests' groups may not exceed 60 (sixty) consecutive days.
- 1.14 Only 1 (one) member official of a member club, academy, football association, or special interest group may be elected as a member of the ZIFA Council at any particular time, and in the event that more than 1 (one) member is elected from a particular entity in the ZIFA Congress, the member who receives the higher number of votes will be elected and the other nominee from the club, academy, football association, or special interest group in question will not be eligible for election to the ZIFA Council.
- 1.15 A nominee for the position of Chairperson of the ZIFA Council who is not elected may make himself or herself available for election to the ZIFA Council without nomination if he or she meets the requirements of this Article in respect of eligibility for election as a ZIFA Council member and indicates his or her willingness to accept nomination.
- 1.16 Following the election of the Chairperson of the ZIFA Council and subject to the limitations on eligibility imposed elsewhere in this Article, the remaining 7 (seven) members of the ZIFA Council will be elected using a single round of voting with the candidates having the highest number votes declared duly elected.
- 1.17 In the event of a tie there will be a second and if necessary further rounds of voting to resolve the tie. Only the tied members shall be voted for.



- 1.18 The result of the election, including the number of votes cast, will be announced by the Electoral Officer at the General Meeting.
- 1.19 The Electoral Officer must retain the ballots until the next General Meeting of the ZIFA Congress.
- 1.20 Any challenge to the legitimacy of an election on any basis that was not raised and dealt with at the Quadrennial General Meeting must be made within 7 (seven) days of the election, failing which the results will be conclusive, final, and binding and not subject to challenge on any basis.

Provision 17

1 VOTING POWERS AT GENERAL MEETINGS

- 1.1 Members of the ZIFA Congress will be entitled to attend and vote at all meetings of the ZIFA Council, Quadrennial General Meetings and Annual General Meetings. The clubs, academies, football associations, special interest groups in the ZIFA Congress have 1 (one) vote each at all meetings of the Council, Quadrennial General Meetings, and Annual General Meetings.
- 1.2 Members of the ZIFA Council who are present at any General Meeting will have 1 (one) vote each save in respect of the election of the ZIFA Council where they will not vote in their capacity as members of the ZIFA Council.

Provision 18

1 VACANCIES IN THE ZIFA COUNCIL

- 1.1. Each member of the ZIFA Council will serve for a four-year term beginning at the close of the General Meeting following the Quadrennial General Meeting at which he or she was elected. A position in the said Committee will become vacant –



- 1.1.1 upon the death or resignation of a member of the ZIFA Council;
 - 1.1.2 in the event of ill health which renders a member incapable of fulfilling his or her duties;
 - 1.1.3 if a member misses 3 (three) consecutive meetings without an acceptable explanation;
 - 1.1.4 if a Disciplinary Committee finds a member guilty of an offence for which expulsion is recommended and the ZIFA Council follows through on that recommendation;
 - 1.1.5 if the club, academy, football association, or special interest group to which a member is affiliated, ceases to be a member of the ZIFA Congress; or
 - 1.1.6 when a member's status as a member official changes, unless within 30(thirty) days of the change, the said member becomes the chairperson, chief executive officer, or director of another club, academy, football association, or special interest group within the ZIFA. The member may not, however, assume his or her place on the ZIFA Council if they join another club, academy, football association, or special interest group that already has a member on the ZIFA Council.
- 1.2. When a position on the ZIFA Council becomes vacant other than the position of Chairperson of the ZIFA Council, it will be filled by the candidate who received the most votes among the unsuccessful candidates at the previous Quadrennial General Meeting, if he or she is qualified to serve in that capacity. If this person is no longer interested in or qualified to serve on the ZIFA Council, the next person on the list will be appointed to the position.
 - 1.3. If no appropriate candidate is proposed under Article 1.2, the ZIFA Council shall have the authority to co-opt any person meeting the eligibility conditions outlined in this Constitution as a member of the ZIFA Council to fill the vacancy.
 - 1.4. A vacancy in the office of the Chairperson of the ZIFA Council must be filled in accordance with the electoral process dealt with in this Article and



the ZIFA Electoral Code at the next General Meeting of the ZIFA Congress after the vacancy arises and if no Annual or other General Meeting is scheduled within 30 (thirty) days of the vacancy arising, a ZIFA Council meeting will be constituted for this purpose.

Provision 19

1 ANNUAL GENERAL MEETINGS

- 1.1. Each year, barring extraordinary circumstances, the ZIFA Council will choose a date [to be determined by the ZIFA RC] and hold an Annual General Meeting at a time and location to be announced.
- 1.2. The ZIFA Council shall give all member clubs, academies, football associations, and special interest groups in the ZIFA Congress at least 21 (twenty-one) days' written notice of the date, time, and place of the Annual General Meeting. The notice shall specify the agenda of the meeting.
- 1.3. If clubs, academies, football associations, and special interest groups in the ZIFA Congress representing two-thirds of the total value of the votes attributable to all clubs, academies, football associations, and special interest groups in the ZIFA Congress, present or absent, agree to waive any irregularity in the notice, it will be deemed to have been waived.
- 1.4. If clubs, academies, football associations, and special interest groups in the ZIFA Congress have not been informed in writing of the date of the Annual General Meeting by [date to be determined by the ZIFA RC], the Annual General Meeting will be held on the first weekday that falls at least 7(seven) days after [specific date to be determined by the ZIFA RC] at the ZIFA Headquarters.
- 1.5. At least 7 (seven) days prior to the date of the Annual General Meeting, ZIFA Council will send out copies of all documents relevant to the proceedings, including the annual reports of the ZIFA Council, the audited financial statements of the ZIFA for the previous year, and the reports of the Accounting Officer of the ZIFA and the Chairperson of the ZIFA



Council.

- 1.6. When the Quadrennial General Meeting is scheduled to take place, the ZIFA Annual General Meeting will contain the additional agenda of the Quadrennial General Meeting, including the election of members of the ZIFA Council.
- 1.7. If the Chairperson of the ZIFA Council is unable to preside over the Annual General Meeting, the clubs, academies, football associations, and special interest groups present at the meeting will vote to appoint one of the members of the ZIFA Council present to chair the meeting.
- 1.8. The following items shall be placed on the agenda of the Annual General Meeting –
 - 1.8.1. Reading of the notice convening the meeting;
 - 1.8.2. Approving or rejecting the written credentials of the delegates representing each member club, academy, football association, or special interest group in the ZIFA Congress at the meeting. Such credentials shall be on the member entity's official letterhead and not more than 2 (two) delegates will be entitled to attend and represent each member entity of the ZIFA Congress at the meeting;
 - 1.8.3. Approving the minutes of the previous Quadrennial or Annual General Meeting and any subsequent General Meeting;
 - 1.8.4. Receiving the annual address by the Chairperson of the ZIFA Council;
 - 1.8.5. Reviewing the annual report for the previous year of the ZIFA Council tabled by the General Secretary of the ZIFA;
 - 1.8.6. Reviewing and confirming the audited financial statements of the ZIFA for the previous financial year and the Accounting Officer's report;
 - 1.8.7. Reviewing any proposed amendments to the ZIFA Constitution;
 - 1.8.8. Reviewing any matters submitted by clubs, academies, football associations, and special interest groups within the ZIFA Congress for inclusion in the agenda provided, however, these matters must reach the General Secretary of the ZIFA not less than 14 (fourteen) days prior to the



- date of the meeting;
- 1.8.9. Reviewing recommendations made to the ZIFA;
- 1.8.10. Noting newly promoted clubs; and
- 1.8.11. Confirming the appointment of the Auditors of the ZIFA.
- 1.9. Within 30 (thirty) days of the conclusion of each Annual General Meeting, the minutes shall be available for examination by member clubs, academies, football associations, and special interest groups of the ZIFA Congress at the ZIFA Headquarters and will be distributed to these entities at the same time.
- 1.10. A simple majority of votes cast in line with the voting powers provided in this ZIFA Constitution will be used to decide all matters save those that require a special majority. A show of hands will be used for the vote. Only 1 (one) delegate, who has been properly and explicitly authorised by his or her clubs, academy, football association, or special interest group, may cast votes on behalf of that member.
- 1.11. The declaration by the Chairperson of the ZIFA Council that a resolution has been carried or lost will be conclusive evidence of that fact and will be final and binding on all clubs, academies, football associations, and special interest groups in the ZIFA Congress.
- 1.12. The Chairperson of the ZIFA Council shall have the right to ask for a second vote or if the second vote is also tied, cast a deciding vote.
- 1.13. Except for the election of the ZIFA Council, each ZIFA Council member present at the meeting shall be entitled to 1 (one) vote on any item brought before the meeting.
- 1.14. Except as otherwise provided in this ZIFA Constitution and in accordance with the processes specifically set forth herein, no business may be concluded at the meeting unless a quorum is present.
- 1.15. The clubs, academies, football associations, and special interest groups in the ZIFA Congress shall ensure that their delegates to the Annual General Meeting are persons who are duly and specifically authorised on the



membership forms of the respective member to represent and bind the member at the meeting.

Provision 20

1 QUADRENNIAL GENERAL MEETINGS

- 1.1. Except in extraordinary circumstances, the ZIFA Council shall call a Quadrennial General Meeting to be convened once every four (4) years on a date, time, and place to be determined by the ZIFA Council.
- 1.2. The date, time, and place of the Quadrennial General Meeting will be communicated to all member clubs, academies, football associations, and special interest groups in the ZIFA Congress at least 21 (twenty-one) days in advance of the meeting. The agenda for the meeting will be outlined in the notice.
- 1.3. If clubs, academies football associations, and special interest groups in the ZIFA Congress representing two-thirds of the total value of the votes attributable to all clubs, academies, football associations, and special interest groups in the ZIFA Congress present or absent, agree to waive the irregularity in the notice, the notice will be deemed valid.
- 1.4. If clubs, academies, football associations, and special interest groups have not been informed in writing of the date of the meeting by [date to be determined by the ZIFA RC], the Quadrennial General Meeting will be held on the first weekday that falls at least 7 (seven) days after [date to be determined by the ZIFA RC] at the ZIFA Headquarters.
- 1.5. At least seven (7) days before the day of the Quadrennial General Meeting, the ZIFA Council shall provide member clubs, academies, football associations, and special interest groups in the ZIFA Congress with copies of all documents relevant to the proceedings, including but not



limited to the annual reports of the ZIFA Council, the audited financial statements of the ZIFA for the previous year, and the reports of the Accounting officer and the Chairperson of the ZIFA Council.

- 1.6. The Chairperson of the ZIFA Council shall preside over the Quadrennial General Meeting, but in his absence or inability to act, the member clubs, academies, football associations, and special interest groups in the ZIFA Congress present and quorate shall have the power to conduct the meeting
- 1.7. The following items shall be placed on the agenda at the Quadrennial General Meeting –
 - 1.7.1. Reading of the notice convening the meeting;
 - 1.7.2. Validating or rejecting the written credentials of the delegates representing each member club, academy, football association, or special interest group in the ZIFA Congress Such credentials shall be placed on the official letterhead of the member entity, and each member entity shall be limited to sending no more than 2 (two) delegates to the meeting to represent it.
 - 1.7.3. Approving the minutes of the previous Quadrennial or Annual General Meeting and any subsequent General Meeting;
 - 1.7.4. Receiving the annual address by the Chairperson of the ZIFA Council;
 - 1.7.5. Reviewing the annual report for the previous year of the ZIFA Council tabled by the General Secretary of the ZIFA;
 - 1.7.6. Reviewing and approving ZIFA's audited financial statements and the Accounting Officer's report for the preceding fiscal year
 - 1.7.7. Deliberating on any proposed constitutional amendments;
 - 1.7.8. Reviewing any agenda items presented by the member clubs, academies, associations, and special interest groups provided, however, these matters must reach the General Secretary of the ZIFA not less than 14 (fourteen) days prior to the date of the meeting;
 - 1.7.9. Reviewing recommendations made to the ZIFA;



- 1.7.10. Noting newly promoted clubs;
- 1.7.11. Confirming the appointment of the Auditors of the ZIFA; and
- 1.7.12. Electing the ZIFA Council;
- 1.8. Member clubs, academies, football associations, and special interest groups in the ZIFA Congress shall be entitled to view the minutes from the Quadrennial General Meeting at the ZIFA offices within 30 (thirty) days after the meeting's conclusion, and those minutes will be distributed to these entities at the same time.
- 1.9. A simple majority of votes cast in conformity with the voting powers defined in this ZIFA Constitution will be used to decide all issues save those that require a special majority. A show of hands will be used for the vote. Only 1 (one) delegate, who has been properly and explicitly authorised by his member club, academy, football association, or special interest group in the ZIFA Congress may cast votes on behalf of that member entity.
- 1.10. The declaration by the Chairperson of the ZIFA Council that a resolution has been carried or lost will be conclusive evidence of that fact and will be final and binding on all clubs, academies, football associations, and special interest groups in the ZIFA Congress.
- 1.11. The Chairperson of the ZIFA Council shall have the right to ask for a second vote or if the second vote is also tied, cast a deciding vote.
- 1.12. With the exception electing the ZIFA Council, each member of the ZIFA Council present at the meeting shall have the right to 1 (one) vote on any item brought before the meeting.
- 1.13. Except under the situations and following the processes expressly set forth in this Constitution, no business may be concluded at the meeting unless a quorum is present.
- 1.14. The clubs, academies, football associations, and special interest groups in the ZIFA Congress shall ensure that their delegates to the Annual General Meeting are persons who are duly and specifically authorised on the membership forms of the respective member to represent and bind the



member at the meeting.

Provision 21

- 1 INTEGRITY MATTERS FOR PLAYERS, COACHES, AND OFFICIALS IN RELATION TO FOOTBALL MATCHES AND COMPETITIONS
 - 1.1 A player, coach, or official shall not participate in any form of manipulation, bribery, or other attempt to unlawfully influence or alter the results of a football match or competition, whether committed for financial gain, sporting advantage, or any other reason.
 - 1.2 A player, coach, or official shall not accept, give, offer, promise, receive, or solicit any monetary or other advantage in connection with the manipulation of football matches or competitions on behalf of himself or herself or a third party.
 - 1.3 A player, coach, or official shall not participate in betting, gambling, lotteries, or similar events or transactions relating to football matches, competitions, or any related football activities, either directly or indirectly.
 - 1.4 A player, coach, or official shall have no direct or indirect (through or in conjunction with third parties) interests in entities, companies, organisations, etc. that promote, broker, arrange, or conduct betting, gambling, lotteries, or similar events or transactions related to football matches or competitions.
 - 1.5 Any approach, information, and (or) suspicious activity in connection with a manipulation, or potential manipulation, of a football match or competition must be reported to the ZIFA.

Provision 22



1 MEETINGS OF THE ZIFA COUNCIL

- 1.1. A meeting of the ZIFA Council will be held annually on [date to be determined by the ZIFA RC] for the purpose of addressing policy topics and reporting on its operations, as determined by the ZIFA Council.
- 1.2. Upon written request from clubs, academies, football associations, or special interest groups in the ZIFA Congress, the ZIFA Council will call a meeting of the ZIFA Council.
- 1.3. ZIFA membership records shall indicate that the chairperson, president, or chief executive officer of a member club, academy, football association, or special interest group in the ZIFA Congress is authorised to sign a written request for a ZIFA Council.
- 1.4. Within 14 (fourteen) days of receiving a written request in compliance with this Article, the ZIFA Chief Executive Officer/General Secretary will call a meeting of the ZIFA Council.
- 1.5. On 5 (five) days' written notice, the ZIFA Council may also call a meeting of the ZIFA Council if it deems it necessary.
- 1.6. If the Chairperson of the ZIFA Council is unable to preside over a meeting of the ZIFA Council for any reason, the clubs, academies, football associations, and special interest groups in the ZIFA Congress in attendance shall vote to choose one of the other members of the ZIFA Council to chair the meeting.
- 1.7. The agenda of the meeting shall be stated in the notice, and only the items on the agenda will be discussed at the gathering.
- 1.8. Chairperson of the ZIFA Council or his duly appointed representative in terms of this Article shall prescribe the procedure to be adopted at any ZIFA Council.
- 1.9. The clubs, academies, football associations, and special interest groups in the ZIFA Congress shall only appoint representatives to the ZIFA Council provided those representatives have been expressly and explicitly authorised on the membership form of their respective entities to represent and bind that member.



Provision 23

1 QUORUM AT VARIOUS MEETINGS

- 1.1. Business may only be conducted at a General Meeting if a quorum comprising the duly and properly authorised representatives of not less than 10 (ten) clubs, academies, football associations, and special interest groups of the ZIFA Congress are present and entitled to vote.
- 1.2. If a quorum is not present within 1 (one) hour of the time appointed for the meeting, or if the meeting starts with a quorum but reaches a point where it is no longer quorate, then the meeting will stand adjourned to the same day in the next week at the same venue and time.
- 1.3. If the same venue is not available, written notice of the new venue will be sent to all clubs, academies, football associations, and special interest groups of the ZIFA Congress at least 2 (two) days before the adjourned meeting.
- 1.4. If a quorum is not present at the adjourned meeting, the clubs, academies, football associations, and special interest groups of the ZIFA Congress present will be deemed to constitute a quorum and may transact the business for which the meeting was called.

Provision 24

1. QUORUM AT THE ZIFA COUNCIL MEETINGS

- 1.1. A minimum of 5 (five) members of the ZIFA Council shall constitute a quorum for the transaction of business at any meeting of the ZIFA Council. If the quorum is not present within 30 (thirty) minutes of the meeting's scheduled start time, the meeting will be postponed to a date determined by the present members of the ZIFA Council.



- 1.2. In case a quorum is not present 30 minutes after the start of the rescheduled meeting, the members of the ZIFA Council present at that time shall be deemed to constitute a quorum and may transact the business for which the meeting was called.

Provision 25

1 AMENDMENT OF THE ZIFA CONSTITUTION OR STATUTES

- 1.1. Only a resolution supported by two-thirds of the total value of the votes attributable to all member clubs, academies, football associations, and special interest groups in the ZIFA Congress present or absent, is necessary to amend the ZIFA Constitution or its Statutes.
- 1.2. When considering an amendment to the ZIFA Constitution or its Statutes, variations to such a proposed amendment may be adopted by the ZIFA Congress.
- 1.3. All proposed changes to the ZIFA Constitution or its Statutes must be submitted in writing to ZIFA at least 14 (fourteen) days before the relevant General Meeting by a member club, academy, football association, or special interest group in the ZIFA Congress.
- 1.4. A written notice, setting out the full particulars of the proposed amendment, must be circulated to all clubs, academies, or football associations, and special interest groups in the ZIFA Congress at least seven (7) days prior to the relevant General Meeting if the ZIFA Council proposes a change to the ZIFA Constitution or its Statutes.
- 1.5. Amendments to the ZIFA Constitution or its Statutes will become effective from the date specified at the General Meeting failing which the date will be determined by the ZIFA Council and confirmed to the member clubs, academies, football associations, and special interest groups by the General Secretary of the ZIFA.

Provision 26



1 YOUTH PROTECTION POLICY

- 1.1 Every club, academy, and football association shall have a youth protection policy in place. This policy's goal is to establish a set of principles, standards, and guidelines for the following individual and group practices:
- 1.1.1 Creating a safe and friendly youth environment within the programme to facilitate protection against all types of abuse and ensure the safety of the environment;
 - 1.1.2 the prevention of abuse;
 - 1.1.3 the issues of recruitment and training of personnel who work with children in the programme;
 - 1.1.4 guidelines for appropriate and inappropriate behaviour/attitude;
 - 1.1.5 guidelines for communications regarding children;
 - 1.1.6 recognising, reporting, and reacting to allegations of abuse and misconduct; and
 - 1.1.7 the consequences of misconduct for individuals who disobey or fail to adhere to the rules.
- 1.2 The Youth Protection Policy must cover all aspects of child protection, such as health and safety measures to be implemented, disciplinary measures to be imposed, physical harm, working with information about children, proper recruitment and managerial procedures, and the scope of measures to be implemented in the event of misconduct.

Provision 27

1 ESTABLISHMENT OF A NATIONAL TEAM COMMITTEE

- 1.1 The National Team Committee shall consist of 7 (seven members), including:



- 1.1.1 A chairperson who is either the sitting chairperson of the Sports and Recreation Commission or an appointee of the chairperson within the Sports and Recreation Commission;
 - 1.1.2 A representative of the Sports and Recreation Commission;
 - 1.1.3 2 members of the ZIFA Council;
 - 1.1.4 2 members of the Zimbabwe Former Footballers' Association; and
 - 1.1.5 A member of the Zimbabwe Soccer Coaches Association.
- 1.2 The functions of the National Team Committee are to –
- 1.2.1 to develop policies for national team participation and selection, equipment purchase and use, facilities, kits, and coaching support;
 - 1.2.2 to investigate and identify funding and grant opportunities for the national football teams;
 - 1.2.3 working on appropriate tasks as delegated by ZIFA Council;
 - 1.2.4 promoting increased levels of national unity and socially cohesive communities;
 - 1.2.5 promoting sustainable talent identification, nurturing, and development;
 - 1.2.6 promoting transformation in football and ensuring that male and female teams are provided with equitable access to funding, facilities, and coaching support;
 - 1.2.7 promoting the accessibility of football to all regardless of geographical location, socio-economic status, age, gender, ability, disability, language, and other aspects of a society's diversity and ensuring that these factors do not impact negatively on the opportunity to participate in sports;
 - 1.2.8 ensuring that national team players are supported holistically with due regard for their long-term welfare by providing mechanisms for individual's growth and development, physical, moral, emotional and spiritual health;
 - 1.2.9 performing the oversight function of ensuring adherence with the ZIFA Code of Ethics at national team level;
 - 1.2.10 facilitating a culture of shared responsibility for all in the administration of Zimbabwean football; and
 - 1.2.11 to provide athletes with a forum to address their needs.



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