



## IN THE DISCIPLINARY COMMITTEE GHANA FOOTBALL ASSOCIATION

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Petition: No. P-1- 2017

### CORAM

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|--------------------------------|---|------------------|
| 1. Prosper Harrison Addo, Esq. | - | Chairman         |
| 2. Eva Okyere, Esq.            | - | Vice Chairperson |
| 3. Osei Kwadwo Addo, Esq.      | - | Member           |
| 4. W.O.1 J. W. Amoo            | - | Member           |
| 5. Alex Kotey                  | - | Member           |
| William Bossman                | - | Secretary        |
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## ACCRA GREAT OLYMPICS FC vs BECHEM UNITED FC

### PETITION

IN RESPECT OF THEIR MATCH DAY 30 OF THE GHANA PREMIER LEAGUE MATCH

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### PROCEEDINGS

The Disciplinary Committee (hereinafter referred to as “the Committee”) considered the depositions from Accra Great Olympics Football Club (hereinafter referred to as “the Petitioner”) and Bechem United Football Club (hereinafter referred to as “the Respondent”), together with all the supporting attachments.

### FINDINGS AND GROUNDS OF DECISION

#### Procedure

The Petitioner is praying the Disciplinary Committee to impose sanctions on the Respondent for an infraction of the Statutes and Regulations of the Ghana Football Association, to wit, fielding an unqualified player (Joseph Amoah) in the Respondent’s Matchday 8 match against Bolga All Stars FC, played at Tamale on March 18, 2017. The Petitioner claims that the player was cautioned on Matchdays 1, 6 and 7 and ought to have sat out on Matchday 8 of the Ghana Premier League.

It is the Petitioner’s prayer that the Respondent should suffer forfeiture under Article 34(1)(e) of the General Regulations of the GFA. The said article reads as follows:

***A team commits an offence punishable by forfeiture of a match where it fields an unqualified player(s)”***

It is important to note that the originating process used by the Petitioner to invoke the jurisdiction of the Committee is one labeled “Petition.”

This Committee has taken judicial notice of the fact that the Petitioner herein is an old member of the GFA who has on countless occasions commenced similar actions under the said provision and finds it most puzzling the strange procedure adopted in the instant case.

The Committee holds that process is incurably and cannot purportedly be used to invoke its jurisdiction. In the circumstances, the Committee hereby declines the invitation extended by Accra Great Olympics FC to assume jurisdiction for purposes of determining same.

In arriving at its decision, this Committee had recourse to the wording of Article 34(7) of the General Regulations which is very clear and unambiguous on the subject matter. Article 34(7) of the GFA General Regulations states as follows:

***“For the avoidance of doubt, a team shall forfeit a match under this Article 34(1) in consequence of a protest duly filed within the TIME LIMITED FOR FILING OF PROTESTS under these regulations”.***

Article 37(1) of the GFA General Regulations states as follows:

***“All Protests in respect of inter-club matches shall be forwarded in writing directly to the General Secretary of the GFA not later than THREE (3) DAYS FROM THE END OF THE MATCH CONCERNED”.***

The Disciplinary Committee also notes the wording of Article 34(13)(a) of the GFA General Regulations which states as follows:

***“THE BURDEN OF PROOF REGARDING PROTEST BETWEEN CLUBS REST ON THE PROTESTING CLUB and in the case of a charge by the Prosecutor, the burden rest with the Prosecution”.***

It is very clear from the foregoing that a process called a “Petition” is not envisaged under the regulations in respect of inter-club disputes of the instant nature. Accra Great Olympics can therefore, not purport to invoke the jurisdiction of the Disciplinary Committee by this means.

This Committee is equally mindful of the position espoused in its previous decisions in Accra Great Olympics vrs Okyeman Planners FC (No. 1) and Accra Great Olympics vrs Okyeman Planners FC (No. 2) delivered in the 2015/2016 season and states that the position remains unchanged.

The Committee is of the view that a club which opts to be a gracious informant by notifying the GFA of such infractions ought to do so within three days after the match concerned in order for a claim for forfeiture to hold under Article 34(7) of the General Regulations.

It is therefore, the position of this Committee that the process labeled “Petition” as filed by Accra Great Olympics FC is alien to the rules and regulations for the Disciplinary Committee of the GFA and cannot thus, be used to invoke the jurisdiction of the Disciplinary Committee in the manner sought by Accra Great Olympics FC.

## **DECISIONS**

- 1. That the Disciplinary Committee holds that the Petition by Accra Great Olympics FC against Bechem United FC for the punishment of Bechem United FC is hereby dismissed for want of jurisdiction.***
- 2. That the Disciplinary Committee holds that the Committee shall therefore, not go into the merits of the said Petition.***



**Prosper Harrison Addo, Esq.  
Chairman, Disciplinary Committee (A)  
Friday, November 10, 2017**