



## IN THE DISCIPLINARY COMMITTEE OF THE GHANA FOOTBALL ASSOCIATION

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Protest Case: No. A 7- 2020

### CORAM

1. Osei Kwadwo Adow, Esq.	-	Chairman
2. Lorraine A. Crabbe Ababio, Esq.	-	Member
3. Emmanuel Nikoi	-	Member
4. Elsie Nana Acheampong	-	Member
5. Nathaniel Laryea	-	Member
 William Bossman	-	 Secretary

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### ACCRA GREAT OLYMPICS FC vs MEDEAMA SC

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### PROTEST IN RESPECT OF THEIR GHANA PREMIER LEAGUE MATCHDAY 12 MATCH PLAYED AT AKOON PARK, TARKWA

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### PROCEEDINGS

In accordance with Article 56(3) of the Statutes of the Ghana Football Association (GFA) and Articles 35 of the GFA Premier League Regulations, 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 Medeama Sporting Club (hereinafter referred to as “the Respondent”) together with the supporting attachments and the reports of the match officials.

### SUMMARY OF FACTS

#### CASE OF GREAT OLYMPICS FC

Accra Great Olympics FC (the Petitioner) protested against Medeama SC (the Respondent) for fielding an unqualified player in the person of Nana Kofi Babil in their Matchday 12 League match played at Tarkwa contrary to Article 28(1)(e), 28(2) and 33(1)(e) of the Premier League Regulations, 2019.

It is the case of the Petitioner that Medeama SC fielded an unqualified player (Nana Kofi Babil - in jersey number 20) contrary to Article 28(1)(e) of the Premier League Regulations 2019 because the player had received cautions in three league matches (Matchdays 1,6 and 11).

According to the Petitioner, the player was therefore automatically suspended or ineligible to feature in the Matchday 12 game for Medeama SC against Accra Great Olympics FC at the Akoon Park, Tarkwa on March 2, 2020.

Accra Great Olympics FC attached the caution letters for Matchdays 1, 6 and 11 as evidence and the starting lineup for the Matchday 12 league match.

Accra Great Olympics FC subsequently asked the Disciplinary Committee to punish Medeama SC by forfeiture and to award the match points to them in accordance with Article 33(1)(e) and Article 33(2) of the Premier League Regulations.

### **DEFENCE OF MEDEAMA SC**

The Respondent in their Statement of Defence to the protest, urged the Committee to dismiss the protest and that it has no merit.

According to the Respondents, the Premier League Regulations which Great Olympics relied on (Article 28.1.e of the Premier League Regulations) is ambiguous, vague, has no meaning and cannot be applied to adjudicate the case in question.

Medeama SC stated that the operative clause is a caution in three league matches and that if the framers of the law envisaged accumulation of cautions the law would have stated explicitly that “an unqualified player is a player who has received a caution **EACH** in three league matches.

They further claimed that the operative clause would have been **a caution EACH in three league matches** or would have read **“an unqualified player is a player who has received a caution in three SEPARATE league matches”**.

The Respondents therefore claimed that the provision which Accra Great Olympics FC wishes to invoke is invalid and cannot be applied for the offence they are alleged to have committed.

The Respondent further stated that it would be unfair, unjust and a miscarriage of justice to suffer any sanctions based on the application of the said law.

Medeama SC therefore called for the protest to be dismissed in light of the fact that the said law, according to them, is unmeritorious and lacks clarity.

The Respondents therefore called on the GFA to amend the said law so that it can have proper meaning and effect as captured in Article 29(1)(e) of the repelled GFA General Regulations.

### **FINDINGS AND GROUNDS OF THE DECISION**

The Petitioner stated that the Respondent should suffer forfeiture for fielding an unqualified player in the match against Accra Great Olympics FC contrary to Article 28(1)(e), 28(2) and 33(1)(e) of the Premier League Regulations(2019).

The Committee finds as follows:

1. On the question whether player Nana Kofi Babil had received cautions in three previous matches as claimed by the Petitioners, the Committee finds that the exhibit submitted by Accra Great Olympics FC and the caution letters from the GFA Competitions Department and the Competition Management System of the GFA confirms that player Nana Kofi Babil in fact received three cautions in the 2019/20 Ghana Premier League on the following Matchdays:
  - i. Matchday 1
  - ii. Matchday 6
  - iii. Matchday 11
2. On the question whether player Nana Kofi Babil was fielded in the Matchday 12 Ghana Premier League match between Medeama SC and Accra Great Olympics FC, the Committee finds that per the attached starting list for the match which has been confirmed by the GFA Competitions Department, the Competition Management System (CMS) and the match video, player Nana Kofi Babil was named in the Match List and actually played in the said match.
3. That with the evidence that the player received cautions in three league matches (Matchday 1, 6 and 11) yet was fielded on Matchday 12, the Committee concludes that Nana Kofi Babil was unqualified to play in the said match.
4. That the Committee also finds that there is no ambiguity in the provision and that the absence or otherwise of the word **“EACH”** does not create any ambiguity whatsoever in the provision.
5. That the Committee also notes that each club has two separate squads in the Competition Management System (one for the League and a different one for the FA Cup) in order for clubs not to make the mistake of mixing up the cautions and expulsions received in each competition.
6. That the Committee was also very mindful of Article 62 of the GFA Disciplinary Code 2019 which states as follows:

**62 Carrying over cautions**

*1. If a person receives a caution in three separate matches of the same GFA competition, he is automatically suspended from the next match in that competition. Such suspensions must be served before any other suspension. The GFA may exceptionally depart from or amend this rule before the start of a particular competition. Any such decision reached by the GFA is final and binding.*

*2. Cautions received during one competition are not carried over to another competition.*

The relevant provisions from the Premier League Regulations are very clear to this Committee.

Article 28(1)(e) of the Premier League Regulations states that *“an unqualified player is a player who has received a caution in three league matches”*.

Article 28(2) of the Premier League Regulations also states that *“an unqualified player shall not take part in any match for which he is unqualified to play”*

Again, Article 33(1)(e) of the Premier League Regulations provides as follows:

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

Also, Article 33(2) of the Premier League Regulations provides as follows:

*“In respect of offences (a) to (e), no matter what the scores shall be at the time of the offence or at the end of the match, the offending team shall be considered as having lost the match and accordingly, three(3) points and three(3) goals shall be awarded in favour of the other team, unless the innocent team is leading by a margin of more than three (3) goals at the time of the offence or when the match comes to an end; in which case, the scores will stand”*.

Article 33(5) of the Premier League Regulations provides as follows:

*“In addition to the sanctions provided in clauses 2 and 3 above in respect of offences 33(1)(a) to 33(1)(e) and 33(1)(f) respectively, the following sanctions shall apply:*

*(a) The defaulting club shall lose 3 points from its accumulated points from previous matches.*

*(b) The club shall be fined Five Thousand Ghana Cedis (GH¢5,000.00), 50% of which shall be paid to the opposing club.*

*(c) Where the defaulting club is playing at home the transportation expenses of the opposing club shall also be paid by the defaulting club”*.

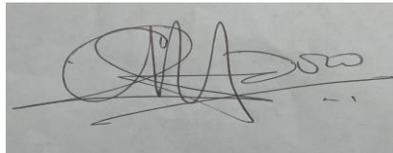
The Protest shall therefore succeed and therefore the consequences provided for in the Premier League Regulations as captured above shall apply.

## **DECISIONS**

***The Committee therefore makes the following decisions:***

- 1. That the protest of Accra Great Olympics FC is successful since player, Nana Kofi Babil was unqualified to play in the Matchday 12 Premier League match between Medeama SC and Accra Great Olympics FC in accordance of 28(1)(e), 28(2) and 33(1)(e) of the Premier League Regulations.***

2. *That for fielding an unqualified player in the said match, Medeama SC shall be considered as having lost the match and accordingly, three(3) points and three(3) goals is hereby awarded in favour of Accra Great Olympics FC pursuant to Article 33(1)(e) and 33(2) of the Premier League Regulations.*
3. *That Medeama SC shall further lose three (3) points from its accumulated points from previous matches in accordance with Article 33(5)(a) of the Premier League Regulations.*
4. *That Medeama SC is hereby fined an amount of Five Thousand Ghana Cedis (GHc5,000.00), 50% of which shall be paid to Accra Great Olympics in accordance with Article 33(5)(b) of the Premier League Regulations.*
5. *That in accordance with Article 33(5)(c) of the Premier League Regulations, Medeama SC is hereby fined an amount of One Thousand Ghana Cedis (GHc1,000.00) as transportation expense of Accra Great Olympics FC.*
6. *That should any party be dissatisfied with or aggrieved by this Decision, the party has within one (1) day of being notified of this Ruling to appeal to the Appeals Committee of the Ghana Football Association {See Article 35(10) of the Premier League Regulations of the GFA}.*

A rectangular box containing a handwritten signature in black ink. The signature is stylized and appears to be 'Osei Kwadwo Adow'.

**Osei Kwadwo Adow, Esq.  
Chairman, Disciplinary Committee  
Monday, March 16, 2020**