



## IN THE DISCIPLINARY COMMITTEE GHANA FOOTBALL ASSOCIATION

Protest Case: No. P 6 – 2021

### CORAM

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

### REAL TAMALE UNITED FC vs TECHIMAN CITY FC

#### PROTEST IN RESPECT OF THEIR MATCHDAY 16 DIVISION ONE LEAGUE ZONE 1 MATCH PLAYED AT WA SPORTS STADIUM

### PROCEEDINGS

In accordance with Article 56 of the GFA Statutes (2019) and Articles 35(9) of the Ghana Football Association (GFA) Division One League Regulations, this Disciplinary Committee (hereinafter referred to as “the Committee”) considered the depositions from Real Tamale United FC (hereinafter referred to as “the Petitioner”) and the Statement of Defence from Techiman City FC (hereinafter referred to as “the Respondent”) with their supporting attachments, the reports of the match officials and the video of the match.

### SUMMARY OF FACTS

#### CASE OF REAL TAMALE UNITED FC

Real Tamale United FC (the Petitioner) protested against Techiman City FC (the Respondent) for failing to report and to honour their Matchday 16 Division One League Zone 1 match in contravention of Article 33(1)(f) of the GFA Division One League Regulations.

According to Petitioner, the Respondent failed to appear for the Pre-Match Technical meeting and also failed to appear for the match scheduled to be played between the two clubs forcing the referee to end the match after waiting for 30 minutes after kick-off time.

The Petitioner consequently urged the Disciplinary Committee to declare Real Tamale United FC as the winner of the match and to award the match points and three goals in their favour in accordance with Article 33(3) of the GFA Division One League Regulations.

#### DEFENCE OF TECHIMAN CITY STARS FC

The Respondent in their Statement of Defence to the Protest stated that the protest was frivolous and without merit.

The Respondent stated that the club did not receive any official communication from the Ghana Football Association stating reasons why the club had to play Real Tamale United FC at a neutral venue in Wa.

The Respondent, however indicated that the club received a letter from the GFA that the match would eventually be played at Wa Sports Stadium after earlier letters for the match stating that the match was to be played at Tamale by giving the time sequences of the letters.

The Respondent further urged the Disciplinary Committee to independently find out if an official communication was sent to Techiman City FC as to why the club had to play Real Tamale United FC at a neutral venue in Wa and not at the Nana Ohene Ameyaw Park in Techiman.

The Respondent attached various correspondence the club had exchanged with the GFA.

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

The issue arising from the facts and the relevant regulations on this matter are very clear.

The Petitioner stated that the Respondent should suffer forfeiture under Article 33(1)(f) of the General Regulations of the GFA. Article 33(1)(f) of the General Regulations of the GFA is very clear and unambiguous.

The said article reads:

***“A team commits an offence punishable by forfeiture of a match where it fails to report for or honour a match without just cause”.***

For a Protest to succeed under this provision of the Regulation, the Petitioner must prove two things:

- a. that the team failed to turn up or turned up but failed to honour the match, and
- b. that the team’s action under point (a) above, was done without just cause.

On the first point, it is this Committee finding per the evidence of both reports of the Match Referee and of the Match Commissioner that Techiman City FC failed to turn up for the match.

On the second point, there is no evidence before this Committee that Techiman City FC had any just reason whatsoever for the club’s failure to report for the match (the excuse offered cannot be deemed as just cause).

This is so because the question for this Committee to find answer to, is whether or not Techiman City FC had JUST CAUSE in failing to honour the match. Techiman City FC provided a reason in the Statement of Defence as to why the action of the club did not lack just cause.

The Respondent stated that the club did not receive official communication to explain to them the reason the club had to play the match at the Wa Sports Stadium rather than at the Nana Ohene Ameyaw Park at Techiman.

This Committee takes judicial notice of the letters the Techiman City FC sent to the GFA and the responses the Association sent to the club.

It is very clear to this Committee that Techiman City FC were well aware per their own Statement of Defence that the match was scheduled to be played at the Wa Sports Stadium.

However, Techiman City FC seems to argue that the club did not honour the match because they did not receive a reason why the match was not being played at Techiman in an official communication.

This Committee finds this reasoning very strange because at the time of the match, Techiman City FC had been banned from playing at the Nana Ohene Ameyaw Park at Techiman after supporter trouble in a previous home match.

This news of the home ban on the club had become so notorious to everyone in the sporting public, as it was published on the GFA website and well debated in the sporting media across the country.

More importantly, Techiman City FC cannot claim ignorance of this notorious fact in line with Article 38(6) of the Division One League Regulations (this provision of the Regulation is one that has been on the GFA books for a long time).

The story was posted on the GFA website on April 3, 2021.

<https://www.ghanafa.org/techiman-city-banned-from-playing-home-matches-at-ohene-ameyaw-park>

Article 38(6) of the Division One League Regulations reads:

***“All official correspondence including, but not limited, to daily and weekly information updates, fines, debts, costs, notices, invitations, decisions, communiqués and any other information of the Association, its bodies, its organs, its committees or the Secretariat shall be deemed to have been duly served on a club, its officers, players, supporters, agents, representatives or whoever described, if the service of the said correspondence is communicated to the club or the club Secretary or the club owner, or the club Representatives submitted to the GFA through its e-mail address or the delivery of a hard copy or via the GFA WEBSITE”.***

Thus, there was official communication of the ban to the club and all stakeholders per the GFA Regulations.

It is worthy to note that the GFA urged the Respondent to honour the match since there was communication to the club and the general public, but the club still did not honour the match.

Techiman City FC therefore had no reason not to honour the match and therefore had no just cause for the club's failure to honour the said match. It is very clear that the Protest of Real Tamale United FC shall succeed in the instant matter.

## **DECISIONS**

The Committee therefore makes the following decisions:

1. That for failing to report and to honour for the Matchday 16 match without just cause, Techiman City Stars FC shall forfeit the match in accordance with Article 33(1)(f) of the General Regulations of the GFA.
2. That having been found to have forfeited the match, Techiman City Stars FC shall be considered as having lost the match in accordance with Article 33(3) and accordingly, three (3) points and three (3) goals are hereby awarded in favour of Real Tamale United FC.
3. That in addition, being the defaulting club, Techiman City Stars FC shall lose three (3) points from the club's accumulated points from their previous matches pursuant to Article 34(5)(a) of the General Regulations of the GFA.
4. That in addition, being the defaulting club, Techiman City Stars FC is hereby fined Two Thousand and Five Hundred Ghana Cedis (GH¢2,500.00) payable to the GFA, 50% of which shall be paid to Real Tamale United FC pursuant to Article 34(5)(b) of the General Regulations of the GFA.

5. That in addition, being the defaulting club and being the Home Team, Techiman City FC is hereby ordered to pay an amount of Five Hundred Ghana Cedis (GH¢500.00) payable to the GFA, which shall be paid to Real Tamale United FC as their Transportation Cost as the Away Team pursuant to Article 33(5)(c) of the Division One League Regulations.
6. That the fines mentioned in Decisions 4 and 5 above, shall be paid to the GFA within fourteen (14) days upon receipt of this Ruling, failing which Techiman City FC shall forfeit their subsequent matches after the said deadline.
7. 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 Division One League Regulations}.



**Osei Kwadwo Addo, Esq.**  
**Chairman, Disciplinary Committee**  
**Wednesday, May 5, 2021**