

DECISION OF GFA APPEALS COMMITTEE RELATING TO THE APPEAL BY UNITY FC AGAINST THE DECISION OF THE DISCIPLINARY COMMITTEE OF THE GFA IN RESPECT OF THEIR DIVISION ONE LEAGUE MATCH BETWEEN BOFOAKWA FC AND UNITY FC PLAYED AT THE KENYASI TOWN PARK.

DATE: 22ND JULY, 2021.

COMMITTEE MEMBERS PRESENT

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| 1. Felix H. G. Anyinsah Esq. | Chairman |
| 2. Emmanuel Kwasi Opare-Wiredu | Member |
| 3. Abdulaziz Musah | Member |
| 4. Frank Addo | Member |
| 5. Eva Okyere | Member |

BOFOAKWA TANO FC vrs UNITY FC

PROTEST IN RESPECT OF THE DIVISION ONE LEAGUE MATCH
PLAYED AT KENYASI TOWN PARK

PROCEEDINGS

In accordance to Article 56 of the GFA Statues (2019) and Article 36(9) of GFA Division One League Regulations, the Disciplinary Committee (hereinafter referred to as “the Committee) considered the dispositions from Bofokwa Tano FC (thereinafter referred to as “the Petitioner”) and the Statement of Defence from Unity 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

Bofokwa Tano FC (the Petitioner) protested against Unity FC for presenting Nana Yaw Mustapha as the Head Coach though according to the petitioner he is not qualified to handle a Division One League Club per the GFA Rules and Regulations.

It is also the case of the Petitioner that the Respondent's club President Richmond Osei who was on the bench of Unity FC and in the inner perimeter has been banned by the GFA Ethics Committee from taking part in all football related activities for a period of five months.

The Petitioner argued that the Head Coach and President of Unity FC should be punished for deceiving the GFA in their match against Bofokwa Tano FC.

According to the Petitioner, a fine of GHc10,000 which was imposed on the President of Unity FC Richmond Osei has still not been paid.

The Petitioner added that contrary to the decision of the Ethics Committee, Richmond Osei continues to engage in football related activities

DEFENCE OF UNITY FC

The Respondent in their Statement of Defence stated that Unity FC did not use an unqualified coach in their Division One League match against Bofokwa Tano FC. According to the Respondent, their coach Emmanuel Ofori Asumadu has not been part of the club after mutual termination of his contract.

The Respondent stated that it was at loss as to why the Petitioner generated such a name and included him on their team sheet. According to the Respondent, the 4th Official inspected the cards and names of the Unity FC bench before the start of the game.

The Respondent also stated that the clubs President Richmond Osei was banned by the GFA and has subsequently appealed against the decision with a Stay of Execution. The Respondent added that Richmond Osei was not with the team in their Matchday 20 game against Bofokwa Tano FC

The Respondent also protested against unsporting behaviour of Alphonse Cudjoe Agbetsitse and Gilbert Amenano, Director of Operations and Director of

Administration before, during and after the match. It is the contention of the Respondent that the protest is without merit and should be dismissed.

FINDINGS AND GROUNDS OF THE DECISION

The Petitioner stated that the Respondent should suffer forfeiture for a breach of Article 33(1)(e) of the GFA Division One League Regulations in their matchday 20 game at Kenyasi Town park

Article 33(1)(e) states that:

“a team commits an offence punishable by forfeiture of a match where it fields an unqualified player(s) or TEAM OFFICIAL(S)”

It is the case of the Petitioner that Unity FC fielded two unqualified officials in the persons of Nana Yaw Mutapha (Coach) and Richmond Osei who is serving the ban from all football related activities.

It is found that in the Competitions Management System (CMS) the following were the Team Officials for Unity FC in their Matchday 20 game against Bofokwa Tano FC

MALIK ABDUL JAAFAR – GHA099361M

ALHASSAN LATIF ABUBAKARI – GHA089739M

IDDRISU ABUBAKARI – GHA123321M

BENJAMIN AMEYAW – GHA099320M

BISMARCK ASANTE – GHA089750M

ALEX BOBOLE – GHA099419M

RICHMOND OSEI – GHA099419M

It was also found that the same list has been deposited with the Competitions Department as Team Officials for Unity FC. The committee finds that the name Nana Yaw Mustapha is not included in the list and is not named as an official of the club. The Petitioner failed to provide any evidence to back the claim that Nana Yaw Mustapha, who is NOT an official of Unity FC was indeed on the team's bench as Head Coach.

The Committee also noted that both the Referee and the match Commissioner did not mention in their respective reports that the Unity FC had an extra person on their bench contrary to the list they represented to the GFA. The claim by the Petitioner that Nana Yaw Mustapha was on the bench of the Respondent as Head Coach cannot hold. On Richmond Osei, the committee found that he was banned by the GFA Ethics Committee on Monday December 14, 2020 for a period of five months and fined a total amount of GHc10,000.

The ban on Richmond Osei which started on December 14, 2020 was expected to end May 13, 2021. The Committee finds that Richmond Osei was ineligible to be on the bench in their matchday 20 game against Bfoakwa Tano FC which was played on May 9, 2021.

It was confirmed that Richmond Osei sent a letter to the GFA purporting to appeal against the decision but checks from the Accounts department shows that he failed to pay the required filing fees. Also, the committee found that contrary to claims by the Respondent, Richmond Osei did not apply for a Stay of Execution and did not pay for same.

In effect Richmond Osei was still serving a ban from all football related activities when he appeared on the team sheet and also sat on the bench of the Unity FC in their match against Bfoakwa Tano FC. The video recording of the said match clearly indicated that Richmond Osei was seen in the inner perimeter and also sat on the bench of Unity FC. The Committee further found that Richmond Osei failed to comply with the decision of the GFA Ethics Committee by failing to pay the total fine of GHc10,000 which was imposed on him in the ruling

Clearly Richmond Osei was unqualified to be at the match and unqualified to sit on the bench of Unity FC in their match against Bfoakwa Tano which was played on May 9 2021

DECISIONS

The Disciplinary Committee therefore makes the following decisions:

- 1. It is the holding of this committee that for allowing an unqualified official, Richmond Osei to sit on its bench in the said match, Unity FC shall forfeit the match.**

2. That having forfeited the match, Unity FC shall be considered as having lost the match and accordingly three (3) points and three (3) goals shall be awarded in favour of Bfoakwa Tano FC in accordance with article 33 (2) of Division One League Regulations.
3. That Unity FC shall lose 3 points from the clubs accumulated points from other previous matches with accordance with Article 33(5)(b) of Division One League Regulations.
4. That Unity FC shall be fined two thousand and Five Hundred Ghana Cedis (GHc2,500.00) , 50% of which shall go to the Bfoakwa Tano FC.
5. That pursuant to Article 33(5)(c) of the Division One League Regulations, Unity FC is fined an amount of GHC500 as transportation expenses of the away team.
6. That for failing to comply with the decisions of the GFA Ethics Committee, Richmond Osei is referred to the GFA Prosecutor to be charged.
7. That the fines mentioned in the decisions 4 and 5 above shall be paid to the GFA within fourteen days upon receipt of this ruling, failing which Unity FC shall forfeit their subsequent matches after the said deadline.
8. That should any party be dissatisfied with or aggrieved by this Decision the party has within one (1) day of being notified of the ruling to appeal to the Appeals Committee of the Ghana Football Association.

DECISION OF THE APPEALS COMMITTEE.

The Appeals Committee affirms the decision of the Disciplinary Committee.

Having considered all the facts and Regulations of the GFA Division One League, the Appeals Committee uphold the decisions of the Disciplinary Committee dated 5th July, 2021.

The Appeals Committee also noted that the non-payment of the fine of GHC10,000.00 imposed on the President of Unity FC by the Ethics Committee and the non-payment of the required filing fees for his purported appeal makes the appeal a nullity ab initio and not before the Committee.

FELIX H. G. ANYINSAH


CHAIRMAN

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| 1. EMMANUEL KWASI OPARE-WIREDU | MEMBER |
| 2. ABDULAZIZ MUSAH | MEMBER |
| 3. FRANK ADDO | MEMBER |
| 4. EVA OKYERE | MEMBER |