

**DECISION OF GFA APPEALS COMMITTEE RELATING TO THE APPEAL BY
BEREKUM ARSENALS FC AGAINST THE DECISION OF THE DISCIPLINARY
COMMITTEE OF THE GFA PROTESTING AGAINST THE DIVISION ONE
LEAGUE MATCH BETWEEN BEREKUM ARSENALS FC AND WAMANAFO
MIGHTY ROYALS FC PLAYED AT SUNYANI CORONATION PARK.**

DATE: 31ST JULY, 2021.

COMMITTEE MEMBERS PRESENT

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|------------------------------|----------|
| 1. Felix H. G. Anyinsah Esq. | Chairman |
| 2. David Asumba | Member |
| 3. Dr. Bella Bello Bitugu | Member |
| 4. Frank Addo | Member |
| 5. Mabel Aku Banasseh | Member |

BEREKUM ARSENAL FC v WAMANAFO MIGHTY ROYALS FC

PROTEST IN RESPECT OF THE DIVISION ONE LEAGUE MATCH

PLAYED AT SUNYANI CORONATION PARK

PROCEEDINGS

In accordance with Article 56 of the GFA Statutes (2019) and Articles 35(9) of the GFA Division One League Regulations, this Disciplinary Committee (hereinafter referred to as “the committee”) considered the depositions from Berekum Arsenal FC (hereinafter referred to as “the Petitioner”) and the Statement of Defence from Wamanafo Mighty Royals 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 BEREKUM ARSENAL FC

Berekum Arsenal (the Petitioner) lodged a protest against Wamanafo Mighty Royals FC (the Respondent) for using an unqualified official in the Division One League Day 28 match between them at the Sunyani Coronation Park contrary to article 33(1)(e) of the Division One League Regulations.

The Petitioner also protested against the Respondent for failing to pay fines within the stipulated time frame i.e the GHc5000 fine imposed on Daniel Asante, the GHc5000 fine imposed on Stephen Gurah and the GHc20,000 imposed on Wamanafo Mighty Royals FC for assaults on match officials earlier in the season.

It is the case of the Petitioner that Wamanafo Mighty Royals fielded an unqualified official in the person of Ransford Kudjo who they claimed stood in as coach though he is not registered with the GFA as a coach.

The Petitioner contends that the Respondent breached article 33(1)(e) of the Division One League Regulations by inserting Ransford Kudjo's name while bearing a tag number which belongs to Daniel Asante

The Petitioner claims that Ransford Kudjo is seen on camera directing affairs as coach in the said match and also heard granting an interview on a local radio station

Secondly, the Petitioner stated that one Habla Balisorsie who attended the pre-match meeting with his name on the attendance sheet but is not an official member of the Wamanafo Mighty Royal FC. The Petitioner claimed that Habla Balisorsie was seen performing the duties of a Team Doctor/Masseur.

The Petitioner further stated that Wamanafo Mighty Royals FC and its officials failed to pay fines which was imposed on them by the Disciplinary Committee after match Match Officials were assaulted at Wamanafo Community Park. The Petitioner claimed that the Respondent is yet to pay the fines in breach of Article 37.8(a)(c)

The Petitioner therefore prayed the Committee to invoke article 33(1)(e), Article 33(2) and Article 37(8)(a)(c) of the Division One League Regulations

DEFENCE OF WAMANAFU MIGHTY ROYALS FC:

The Respondent in their Statement of Defence stated that the protest filed by Berekum Arsenal FC lacks merit and it is frivolous, malicious and should be dismissed with punitive costs.

It is the case of the Respondent that Ransford Kudjo is a registered official of Wamanafo Mighty royals FC and is duly registered in the GFA's Competition's Management System with all required documents deposited at the Competition's Department and the Club Licensing Departments of the GFA.

The Respondent further stated that the claims of the Petitioner cannot stand the test of time since Team sheets and Start List are prepared and generated by the GFA's Competition's department and Match Officials respectively. The Respondent further urged the Committee to disregard the audio recordings attached to the protest since Ransford Kudjo made it clear in that interview that he stood in for their sick coach during the match to issue out instructions to the players

It is also clear in the audio that Ransford Kudjo corrected the journalist and stated that as a member of the Technical Team he stood in for the coach who was unwell during the match to issue instructions to the players a couple of times. The role of Ransford Kudjo in the club is clearly spelt out in the regulation documents we submitted to the GFA

The Respondents also added that the GFA Prosecutor acknowledged the role of Ransford Kudjo in its charge sheets sent to the club with case ID No. GFA CI-21D 092 in which the Prosecutor referred to Ransford Kudjo a team official of Wamanafo Mighty Royals FC with the designation of a Kits Manager.

According to the club, Habla Balisorsie is not an official of Wamanafo Mighty Royals and is not on the teams list of officials. The Respondent further indicated that the Habla Balisorsie is a Red Cross personnel who assists during match day in that capacity at the park. The club attached Habla Balisorsie's identity cards and other documents to prove that he is a Red Cross Officer

Lastly, the Respondent confirmed that it had paid all fines imposed on its officials and the club in relations to assaults on Match Officials at the Wamanafo Park. The Respondent attached proof of payment as well as the transactions IDs of payments made through the GFA's MTN Momo Account.

The Respondent thus urge the Committee to dismiss the protest and award punitive costs against Berekum Arsenal FC for filling a frivolous protest in accordance Article 35.14 of GFA Division One League Regulations

FINDING THE COMMITTEE AND GROUNDS OF THE DECISION

In investigating the matter, the Committee requested from the GFA the records of the team list that had been submitted by the Respondents to the GFA, before it was inputted into the GFA Competition Management System. The records provided to us by the Club Licensing Board that the Respondents had in fact submitted the name Ransford Kudjo as an official of the club. It was also confirmed by previous team sheets of the Wamanafo Mighty Royal FC that Ransford Kudjo was indeed duly registered as a club official in the FIFA Connect and in the Competition's Management System (CMS)

The Committee states that attending pre-match has no relation to article 33(1)(e) of the Division One League Regulations or on forfeiture. Should an uninvited attend the pre-match, the Match Commissioner should have been alerted to walk that individual out.

More importantly, an unqualified official per the provision of forfeiture has nothing to do with the team sheet. Per the evidence provided by the Respondent, the Committee accepts that Habla Balissorsie indeed is not an official of Wamanafo Mighty Royals but is a Red Cross person who provides assistance at the venue during match days. The claim that Habla Balissorsie was an unqualified official cannot hold.

Again, the Committee confirmed from the GFA's Accounts Department that Wamanafo Mighty Royals and the Club's Official's mentioned above have duly paid all outstanding fines and have not breached Article 37(8)(a)(c) of the Regulations as claimed by the Committee is however worried that this club have taken the lenient posture of the Committee to embark on their "fishing" expeditions by filing frivolous protests.

The Committee therefore makes the following Decisions:

1. That the protest of Berekum Arsenal shall fail on all grounds
2. That Berekum Arsenal is hereby fined an amount of Five Thousand Ghana Cedis (GHc5,000.00) for bringing a frivolous protest to the Disciplinary Committee pursuant to Article 35(14) of the Division One League

Regulations. The said amount is payable to the GFA within 14 days upon receipt of this Ruling

3. That should any party be dissatisfied with and/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

DECISION OF THE APPEALS COMMITTEE.

The Appeals Committee considered all the facts of the appeal and decisively concluded that the appeal by Berekum Arsenal FC is unmeritorious and dismissed accordingly. The appeal has failed.

The Appeals Committee was unanimous in also proposing an additional fine of GHC1,000.00 against Berekum Arsenal FC for not cross-checking their facts and thus bringing frivolous appeals.

1. Felix H. G. Anyinsah Esq.

Chairman

2. David Asumba

Member

3. Dr. Bella Bello Bitugu

Member

4. Frank Addo

Member

5. Mabel Aku Banasseh

Member