

DISCIPLINARY COMMITTEE OF THE GHANA FOOTBALL ASSOCIATION

PANEL

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| 2. Eva Okyere, Esq. | - | Vice-Chairperson |
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| 4. W.O.1 J.W. Amoo | - | Member |
| | | |
| Emmanuel Newton Dasoberi | - | Secretary |

KUMASI CORNERSTONE FC vrs DUNKWA UNITED FC PROTEST IN RESPECT OF THEIR MATCH DAY 2 GN BANK DIVISION ONE LEAGUE MATCH PLAYED AT DUNKWA ON SUNDAY, MARCH 13, 2016

PROCEEDINGS

In accordance with Article 41.5 of the GFA Statutes and Articles 37(10) (a) to 37(10)(d) of the Ghana Football Association (GFA) General Regulations, the Disciplinary Committee (hereinafter referred to as "the Committee") considered the depositions from Kumasi Cornerstone Football Club (hereinafter referred to as "the Petitioner"), Dunkwa United Football Club (hereinafter referred to as "the Respondent") and the reports of the match officials.

SUMMARY OF FACTS

CASE OF KUMASI CORNERSTONE FC

Kumasi Cornerstone Football Club on **March 16, 2016** filed a protest against Dunkwa United Football Club for failing to produce player licences for seven (7) players and hence for fielding unqualified players in the Match Day 2 GN Bank Division One League match played on March 13, 2016 at Dunkwa in violation of Articles 19(1)(a) and 26(2)(a) of the General Regulations of the GFA.

According to the Petitioner, the Respondent's fielded players Aliu Mohammed (Jersey No. 9), Emmanuel Mintah (No. 5), Emmanuel Wilson (No. 3), Richard Coffie (No. 15), Zakari Rashid (No. 13), Bobbie Ansah G. (No. 6) and Lawrence Prempeh (No. 8) in the match without their player licences. The Petitioner contended that Aliu Mohammed was a player of Tamale All Stars FC and Richard Coffie was a player of Proff Quarm FC. The Petitioner attached supporting documents in support of their case.

The Petitioner consequently demanded that the club should be declared the winner of the match and three (3) points and three (3) goals in the clubs favour.

STATEMENT OF DEFENCE OF DUNKWA UNITED FC

In its Statement of Defence filed on March 17, 2016, Dunkwa United FC stated that the protest had no merit and ought to be dismissed because it lacks merit.

According to the Respondent, all the players were duly registered and their cards were with the GFA because their old cards were not yet submitted to the GFA to collect the new ones.

The Respondent claimed that Aliu Mohammed was transferred to Dunkwa United on January 20, 2016 from Tamale All Stars FC. On Richard Coffie, the Respondent stated that the player was a new player who had never played for Proff Quarm FC and that the player had sworn to an Affidavit to that effect. The Respondent requested this Committee to verify from the IT Department of the GFA. The Respondent stated further that Article 19(1)(a) was out of place and that none of the club's players fall under Article 29(2)(a) of the General Regulations.

REPLY OF KUMASI CORNERSTONE FC

In its Reply filed on March 18, 2016, Kumasi Cornerstone FC stated that they stand by the statement in their protest and repeated the club's request to be awarded the three (3) points and three (3) goals for the said match.

FINDINGS AND GROUNDS OF THE DECISION

The relevant regulations are very clear. According to the Petitioner, Dunkwa United FC should be made to forfeit the match for fielding unqualified players in the match under the General Regulations for failing to present their players licences. It must be made clear from the onset that the failure to present player licences alone does not merit forfeiture of a match unless the players in question were not registered or qualified players at the time of the match.

That said, the official match reports confirm that the seven (7) players mentioned in the protest actually played in the match.

This Committee's check with the IT Department of the GFA on the FIFA Connect Registration Software System revealed the following dates and time of registration of the 7 players as follows:

1. Emmanuel Wilson (No. 3) - February 17, 2016 at 07:03pm
2. Emmanuel Mintah (No. 5) - March 4, 2016 at 16:07
3. Lawrence Prempeh (No. 8) - March 17, 2016 at 11:40am
4. Richard Coffie (No. 15) - Not Registered
5. Zakari Rashid (No. 13) - Not Registered
6. Bobbie Ansah G. (No. 6) - Not Registered
7. Aliu Mohammed (No. 9) - Not Registered

The Committee finds that the Respondent's players Emmanuel Wilson and Emmanuel Mintah (No. 5) were registered players at the time of the match.

However, the Committee finds that the Respondent's players Lawrence Prempeh (No. 8), Richard Coffie (No. 15), Zakari Rashid (No. 13), Bobbie Ansah G. (No. 6) and Aliu Mohammed (No. 9) were not registered players at the time of the match at **3pm on March 13, 2016** and hence were unqualified to play in the said match.

It must be stated that we agree with Dunkwa United FC that Article 19(1)(a) was out of place and shall not play any part in this matter.

However, per Article 29(2)(a) of the General Regulations of the GFA an unqualified player shall not play in a match. Article 29(2)(a) of the GFA General Regulations reads:

"An unqualified player shall not take part in any competition organised by the Association".

So for fielding the unqualified player in the match, Dunkwa United falls foul of the regulation and must be made to face the consequences for their action. It is therefore this Committee's holding that the Protest of Kumasi Cornerstone FC shall succeed.

DECISIONS

The Committee therefore makes the following decisions:

1. That for fielding the five unqualified players; namely Lawrence Prempeh, Richard Coffie, Zakari Rashid, Bobbie Ansah G and Aliu Mohammed, in the said match, Dunkwa United FC shall forfeit the match in accordance with Article 34(1)(e) of the General Regulations of the GFA.
2. That having been found to have forfeited the match, Dunkwa United FC shall be considered as having lost the match in accordance with Article 34(2) and accordingly, three (3) points and three (3) goals are hereby awarded in favour of Kumasi Cornerstone FC in accordance with Articles 34(2) and 34(10) of the General Regulations of the GFA.

3. That in addition, being the defaulting club, Dunkwa United 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 Kumasi Cornerstone FC by the GFA pursuant to Article 34(5)(a) of the General Regulations of the GFA.
4. That in addition, being the defaulting club, Dunkwa United 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. For the avoidance of doubt, it is possible for a club to have a negative points build up.
5. That the amounts of money mentioned in Decision 3 above, shall be paid to the GFA within fourteen (14) days upon receipt of this Ruling, failing which Dunkwa United FC shall automatically forfeit all subsequent matches after the said deadline by the Division One League Board or the GFA in accordance with Articles 39(8)(b), 39(8)(d) and 39(8)(f) of the First Amendment to the GFA General Regulations.
6. That should any party be dissatisfied with or aggrieved by this Decision, the party has within three (3) days of being notified of this Ruling to appeal to the Appeals Committee of the Ghana Football Association (See Article 37(11) of the General Regulations of the GFA).



Prosper Harrison Addo, Esq.
Chairman, Disciplinary Committee (A)
Tuesday, March 29, 2016