



**IN THE DISCIPLINARY COMMITTEE
OF THE GHANA FOOTBALL ASSOCIATION
(SITTING AS AN APPELLATE COMMITTEE)**

Protest Case: No. A 119- 2017

CORAM

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| 1. Prosper Harrison Addo, Esq. | - | Chairman |
| 2. Eva Okyere, Esq. | - | Vice Chairperson |
| 3. Osei Kwadwo Addo, Esq. | - | Member |
| 4. Alex Kotey | - | Member |
| William Bossman | - | Secretary |
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EMMANUEL FC vrs ACCRA LIONS FC
**AN APPEAL AGAINST THE DECISION OF THE DISCIPLINARY COMMITTEE
OF THE GREATER ACCRA REGIONAL FOOTBALL ASSOCIATION**

PROCEEDINGS

In accordance with Article 41.6 of the GFA Statutes and Articles 37(10)(a) to 37(10)(h) of the Ghana Football Association (GFA) General Regulations, this Disciplinary Committee (the Appellate Committee) considered the depositions from Emmanuel FC (Appellant), Accra Lions FC (Respondent) and the record of proceedings from the Disciplinary Committee of the Greater Accra Regional Football Association (GARFA DC).

SUMMARY OF FACTS

CASE OF EMMANUEL FC

Emmanuel FC (the Appellant) filed this appeal to overturn the decision of the Disciplinary Committee of the Greater Accra Regional Football Association which dismissed the protest of the club against Accra Lions Football Club after their Division Two League match played between the two clubs.

The Appellant stated that the GARFA DC erred when it ruled that the registration of Benedict Wobenu Darmlen was proper. The Appellant contended that the registration was irregular and fictitious. The Appellant claimed that the Respondent registered Benedict Wobenu fraudulently by changing the bio data of the player.

On player, Kaya Makosso Faites-Prevu, the Appellant claimed that the player had no work permit to work in Ghana and therefore believe the registration of the player was not proper.

The Appellant subsequently urged the Appellate Committee to overturn the ruling of the GARFA DC and their club as winners of the match played between the two clubs.

RESPONSE OF ACCRA LIONS FC

On Benedict Wobenu, the Respondent among others stated that football history of the player from the FIFA Connect system shows the same data from La Sporting Club since March 5, 2014. According to the Respondent, the same data- name and date of birth - was used by Miracle Land FC who later transferred the player to Accra Lions FC.

On player, Kaya Makosso Faites Prevu, the Respondent contended that the player was an amateur player whose registration was conducted properly within the regulations.

FINDINGS AND GROUNDS OF THE DECISION

This Committee notes that this matter is before it in pursuant to the provision of Article 41(6) of the GFA Statute. The said regulation provides as follows:

“An appeal against a decision of the Disciplinary Committee of the Regional Football Association shall be heard by the GFA Disciplinary Committee as an appellate Committee whose decision shall be final”.

This Appellate Committee has considered all the documents and correspondence in this matter. This Appellant Committee agrees with the findings of fact of the GARFA DC in the decision and the application of the regulations in relations to this matter. This Committee has not been provided with any evidence or argument to warrant the overturning of any part of the Decision.

On player, Benedict Wobenu it must be noted by all and sundry that, the mere discovery that Benedict Wobenu have a previous bio data in the FIFA Connect as Benedict Wobenu Darmlen does not warrant a change of the result of a match he had played in. The key question to answer is whether or not the change in the bio data was caused by Accra Lions FC.

This Appellate Committee is mindful of Article 29(2)(c) of the GFA General Regulations:

“Without prejudice to the generality of the foregoing provision of this Article, the Association shall in all cases LOCATE AND PUNISH THE GUILTY PARTY/PARTIES. In the event of the PLAYER BEING THE SOLE GUILTY PARTY, the RESULTS OF THE MATCH WHICH HE PLAYED SHALL STAND”.

It is very clear to this Appellate Committee that Accra Lions FC was not the club which changed the players bio data (name and date of birth) per the evidence (Player Passport) provided by Emmanuel FC. This mishap according to the FIFA Connect registration system was clearly originated by La Sporting Club in March, 2014 which first registered the player with those new details.

This Appellate Committee cannot see how Accra Lions FC who registered the player in 2016 should be held liable for the sins and ills of La Sporting Club (if any) done in 2014. There is no causal link.

It is abundantly clear to this Appellant Committee the result of the match must stand in accordance with Article 29(2)(c) of the GFA General Regulations and that the GARFA DC was right in its holding on this issue. This Appellate Committee also agrees with the GARFA DC in its decision for the GFA Prosecutor to investigate and charge the very official who or club who did the change of the bio data in 2014.

On player, Kaya Makosso Faites-Prevu, the gravamen of the case of the Appellant is that the player has no work permit and thus renders the registration irregular and fictitious. This Committee has not been provided with any cogent reason or regulation of the GFA which shows that a player needed a Work Permit in order to play football as **AN AMATEUR PLAYER** in Ghana.

The distinction between a professional player and an amateur player must not be lost of the parties. Article 25(2) of the General Regulations provides as follows:

“A Professional is a player who has a written contract with a club and is paid more for his footballing activity than the expenses he effectively incurs. ALL OTHER PLAYERS ARE CONSIDERED AS AMATEURS”.

An amateur player is not engaged in work and therefore does not require a work Permit at all. This Appellate Committee has reviewed all the documents including the Resident Permit of the player and the International Transfer Certificate. This Appellate Committee has not been provided with and has finds no reason whatsoever to question the registration of the player.

This Appellate Committee agrees therefore with the findings and holdings of the Decision. The appeal shall therefore fail.

DECISION

The Committee therefore, makes the following decisions:

- 1. That the appeal brought by Emmanuel FC against Accra Lions FC to overturn the Ruling of the Disciplinary Committee of the Greater Accra Regional Football Association is hereby dismissed.*
- 2. This Decision is final in accordance with Article 41(6) of the GFA Statutes.*



**Prosper Harrison Addo, Esq.
Chairman, Disciplinary Committee (A)
Monday, January 8, 2018**