



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

Protest Case: No. A 87- 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. W.O.1 J. W. Amoo | - | Member |
| 5. Alex Kotey | - | Member |
| William Bossman | - | Secretary |
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NNOKWUTE FC vs NAA OTUFLA NICOL'S PALACE FC

AN APPEAL AGAINST THE DECISION OF THE DISCIPLINARY COMMITTEE
OF THE GREATER ACCRA REGIONAL FOOTBALL ASSOCIATION DATED AUGUST 15, 2017

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 Nnokwute Sporting Club (Appellant), Naa Otufra Nicol's Palace FC (Respondent) and the record of proceedings from the Disciplinary Committee of the Greater Accra Regional Football Association.

SUMMARY OF FACTS

CASE OF NNOKWUTE FC

Nnokwute FC (the Appellant), on Friday, August 28, 2017 filed a protest against Naa Otufra Nicol's Palace FC to overturn the Decision of the Greater Accra Regional Football Association dated August 15, 2017.

STATEMENT OF DEFENCE BY NAA OTUFLA NICOL'S PALACE FC

In the Statement of Defence filed by Naa Otufra Nicol's Palace FC, the club raised issues with the procedure deployed by the Nnokwute FC on the forms used and fees paid in light of Articles 37(11), 37(18), 37(5), 37(12), 37(10)(e & f) and 37(5) of the GFA General Regulations.

FINDINGS AND GROUNDS OF THE DECISION

This Committee notes that Nnokwute FC is a Division Two League Club from the Greater Accra Regional Football Association. It is a fact that an appeal filed by clubs from the Regional Football Associations Division Two Clubs comes before the GFA Disciplinary Committee in pursuant to the provision of Article 41(6) of the GFA Statutes.

The said Article 41(6) of the GFA Statutes 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 finds that Nnokwute FC filed a Protest against Naa Otufra Nicol's Palace FC at the GFA Disciplinary Committee on a Protest Form and did not pay the appropriate fee for filing an Appeal at the Disciplinary Committee of the Regional Football Association.

This Appellate Committee has considered all the documents and correspondence in this matter and notes that this Committee is being extended an illegal invitation. This Committee is in fact and in law not cloth with any power whatsoever to do what it is being ask to do.

Nnokwute FC, a second division club of the Greater Accra Regional must not and cannot file a protest (pay the wrong fee) before this Disciplinary Committee. The combined effect of Articles 37(5) and 37(10)(e & f) of the GFA General Regulations is self-explanatory on this matter.

37(10)(e) “The procedures laid down for cases before the Disciplinary Committee shall where appropriate apply to the Appeals Committee, Ethics Committee and Players’ Status Committee”.

37(5) “Any protest not accompanied by the appropriate protest fee shall not be entertained”.

37(10)(f) “Appropriate forms for filing of Appeal shall be purchased at the offices of the Ghana Football Association, Regional Football Associations and District Football Associations”.

The protest of Nnokwute FC shall therefore not be entertained by this Committee.

DECISION

The Committee therefore, makes the following decisions:

- 1. That the Protest brought by Nnokwute FC against Naa Otufia Nicol’s Palace FC against the Decision of the Disciplinary Committee of the Greater Accra Regional Football Association dated August 15, 2017 is hereby dismissed in accordance with Article 37(16) of the GFA General Regulations.***
- 2. That no cost is awarded.***
- 3. This Decision is final in accordance with Article 41(6) of the GFA Statutes.***



**Prosper Harrison Addo, Esq.
Chairman, Disciplinary Committee (A)
Tuesday, September 12, 2017**