



**IN THE DISCIPLINARY COMMITTEE
OF THE GHANA FOOTBALL ASSOCIATION**

Protest Case: No. D25- 2023

CORAM

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|------------------------------------|---|-----------|
| 1. Osei Kwadwo Adow, Esq. | - | Chairman |
| 2. Lorraine A. Crabbe Ababio, Esq. | - | Member |
| 3. Nathaniel Laryea | - | Member |
| 4. Elsie Nana Acheampong | - | Member |
| 5. Emmanuel Nikoi | - | Member |
| 6. Shaibu Ali | - | Member |
| 7. Nurudeen Alhassan | - | Member |
| 8. Justice Yeboah | - | Member |
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| William Bossman | - | Secretary |

NATIONS FC VS SKYY FC

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**PROTEST IN RESPECT OF THEIR DIVISION ONE LEAGUE MATCHDAY 18
GAME PLAYED AT THE ST MARTINS PARK**

PROCEEDINGS

In accordance with Article 56(3) of the Statutes of the Ghana Football Association (GFA) and Articles 35 of the Division One League Regulations, the Disciplinary Committee (hereinafter referred to as “the Committee”) considered the depositions from Nations Football Club (hereinafter referred to as “the Petitioner”) and Skyy Football Club (hereinafter referred to as “the Respondent”) together with the supporting attachments and the reports of the match officials.

SUMMARY OF FACTS

CASE OF NATIONS FC

The Petitioner, Nation FC, protested against the Respondent, Skyy FC, for fielding an unqualified player in the person of Victor Mends (Jersey Number 9) in their Access Bank Division One League Matchday 18 game played between the two sides.

It is the case of the Petitioner that the said player was first registered by Rail Stars Football Club as Victor Mends with his Date of Birth as 07/07/2001 and subsequently transferred the said player to the Respondent during the 2022/2023 main registration window.

The Petitioner claims that the Respondent failed to use the original registration details of the player in the FIFA Connect system after the former club accepted their request in the FIFA connect system and released him.

It is the contention of the Petitioner that the Respondent altered the registration details of the player after they negotiated a transfer with Rail Stars Football Club. Petitioner insists that the Respondent altered the player's name and Date of Birth to EGHAN VICTOR JNR with his new Date of Birth as 07/09/2004 and played him in the Access Bank Division One League Matchday 10 against the Respondent with the same Jersey number 9.

The Petitioner is therefore calling on the Disciplinary Committee to declare them as winners of the said match and apply the necessary sanctions in accordance with the GFA Division One League Regulations.

DEFENCE OF SKYY FC

In its Defence to the protest, the Respondent, Skyy FC stated that Petitioner failed to make any case against them pertaining to any infringement in relation to the provisions of Article 28 of the GFA Division One League Regulations on an unqualified player. Respondent called on the Disciplinary Committee to dismiss the protest with punitive cost.

The Respondent claims that the player in question, Victor Mends, was duly registered by the Respondent after going through due processes laid down by the Regulations of

the GFA. Respondent recalled that the GFA had given a general amnesty to all the clubs to voluntarily come forward to declare players in the system who have multiple registration so it could be corrected or merged to the original registration or existing one.

It is the case of the Respondent that in the particular case of Victor Mends, it was the Respondent who informed the GFA IT Department of the double registration of the player and took advantage of the amnesty. The Respondent further stated that the IT Department did the needful and restored the original registration before the player was registered to play in the second window registration.

The Respondent further stated that neither the player nor the Respondent has infringed any laws or regulations that warrant forfeiture. The Respondent stated that it initially registered the player in the name of Victor Eghan and narrated that:

“After the protest against Skyy FC by Nzema Kotoko on the double registration of a player, the Respondent scrutinized all the registrations of players, and found out about the case of Victor Eghan and Victor Mends registrations. The President of Skyy FC went to the GFA Secretariat and voluntarily reported the issue to the FA. He spoke to the Head of the GFA IT Department. Victor Eghan was taken off the CMS system immediately and was not available to play, as Victor Eghan’s registration was withdrawn. The Respondent followed the directives given by the GFA Head of IT Department and provided the requisite documentation. The two registrations were merged and afterward Victor Mends was restored on the TMS and issued a player card. He was subsequently restored on the CMS, making him available for selection to play. On Matchday 18, when Skyy FC played Nations FC at Daboase, Victor Mends was a qualified player with only one registration on the FIFA CMS system”.

The Respondent therefore added that the claim that it fielded an unqualified player with double registration is false and has no merit.

FINDINGS

The Committee finds from the Records in the FIFA Connect Registration System and the IT Department as follows:

1. That the player in question **Victor Mends** was first registered in the FIFA Connect System by Rail Stars FC on **23 March 2017**, with the name **Victor Mends** and **date of birth 7 July 2001**.
2. That Skyy FC on **11 November 2021**, registered the same player **anew** with the name **Eghan Victor Jnr** and date of birth **7 September 2004**. That Skyy FC repeated the falsified details in the player's registration in the 2022/2023 season.
3. That player Victor Mends is the same as Eghan Victor Jnr as confessed by Skyy FC in their Defence in this matter.
4. That to improve the data integrity of the registration system, the GFA General Secretary informed all its clubs – Premier League, Division One, Women's Premier League and all lower league teams that it would grant Special Dispensation during the main registration window to clubs who come forward for double registration issues to be corrected before the start of the season.
5. The GFA General Secretary's message to all clubs via their official WhatsApp platforms stated that:

Dear Chairman and Members

Please for the last time - Dispensation

Please tell ALL your clubs that the dispensation offered for clubs and players to correct their double registrations is still available during the off season.

Once clubs and players fail to use this dispensation, during the season there will be a much more severe sanctions.

info@ghanafa.org

6. That clubs that came forward benefited from the Special Dispensation.
7. That Skyy FC did not come forward to correct the double registration of player Victor Mends who they have registered as Eghan Victor Jnr.

8. That Skyy FC during the main registration window of the 2022/23 season registered player Eghan Victor Jnr and used him in matches wearing number 9 jersey.
9. That as stated in the Statement of Defence of Skyy FC, Skyy FC after their win in the double registration protest case brought against them by Nzema Kotoko SC did an internal check and approached the IT Director of the GFA.
10. The GFA IT Department merged the two registrations, and the system picked the first registration details, that is Victor Mends with date of birth 7 July 2001.
11. That the merger of the records of the player was not within the amnesty period.
12. That after the merger the player's name changed from Eghan Victor Jnr to Victor Mends with same jersey number 9 in the Competition's Management System.

GROUNDINGS FOR DECISION

It is also clear to this Committee that the gravamen of this case is that Skyy FC were the club which altered the registration details the player Victor Mends to Eghan Victor Jnr and cannot take advantage of the Joshua Rhule principle as the club did in the Nzema Kotoko SC vrs Skyy FC case.

It is also clear that Skyy FC did not take advantage of the Special Dispensation during the main registration window before the start of the league.

It is very instructive that the claim by Skyy FC to have discovered the double registration is not a discovery, but a confession because it is Skyy FC as a team that did the double registration. You cannot suddenly discover the offence caused by yourself.

The Special Dispensation during the main registration window rather than the middle of the season is profound because it prevents a player playing in the season with two names as has happened in this instant case.

The Regulation is clear in this matter and indeed the principle is clear that the team that alters or changes the registration details of the player and the player who are sought after and sanctioned.

Article 28(2)(b): Without prejudice to the generality of the foregoing provision of this Article, the GFA 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.

Clubs are also reminded of Article 21 of the GFA Disciplinary Code (2019) on Forgery and Falsification and the sanctions thereof.

The club should not have used the player knowing that the player had a different ID though the system had merged the details of the player. Having played in the first round with one name and one player ID, the Club should have waited till next season to use the player. Indeed, the player involved in the Nzema Kotoko SC vrs Skyy FC double registration case is not playing and Skyy FC knows this.

The IT Director does not grant Special Dispensation, it is the General Secretary that grants Special Dispensation during the main window before the start of the season.

Furthermore, the General Secretary cannot grant dispensation in the middle of the season when clubs find out that they are in trouble or heading for trouble.

This Committee cannot open the window for clubs to commit the offence then run to the GFA orally to correct their falsification or alteration of details of records for their own benefit.

Alteration of name and date of birth of players leads to the immediate revocation of registration of the player's licence and a ban of the player for a minimum one (1) year.

It is very important that Clubs are mindful that a player cannot use two identities to play the same season. Patrons of the game will wonder whether the cautions and expulsions of Eghan Victor Jnr can be assigned to Victor Mends when the name changed during the later part of the league.

Considering the facts established in this case, it is clear that the player is playing in one football season with two names.

The Committee will therefore make a number of recommendations to the GFA in respect of this matter.

RECOMMENDATIONS

The Committee recommends the following to the GFA:

1. That going forward the Ghana Card should be used for player registration
2. Clubs should do proper due diligence and double check the records before registering players.
3. The player registration process should be biometric.

4. All issues of player registration should be in writing addressed to the General Secretary following which the GS will respond to the club after the merger has been done.

DECISION

Following the findings and considerations of the issues, the Committee therefore makes the following decisions:

1. **That for Skyy FC being the club that altered the details of player Victor Mends to Eghan Victor Jnr leading to the player playing the same season with two names, the protest filed by Nations FC shall succeed.**
2. **That having been found to have forfeited the match, Skyy FC shall be considered as having lost the match in accordance with Article 33(3) of the Division One League Regulations. Accordingly, three points and three (3) goals are hereby awarded in favour of Nations FC.**
3. **That in addition, being the defaulting club, Skyy FC shall lose three (3) points from the club's accumulated points from their previous matches pursuant to Article 33(5)(a) of the Division One League Regulations.**
4. **That in addition, being the defaulting club, Skyy 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 Nations FC pursuant to Article 33(5)(b) of the Division One League Regulations.**
5. **That the fines mentioned above, shall be paid to the GFA within fourteen (14) days upon receipt of this Ruling, failing which Skyy FC shall forfeit their subsequent matches after the said deadline.**
6. **That the Player Licences of Victor Mends and/or Eghan Victor Jnr issued by the Ghana Football Association is hereby revoked.**

7. That should any party be dissatisfied with 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.

A handwritten signature in blue ink, appearing to read 'Osei Kwadwo Adow', with a horizontal line underneath.

Osei Kwadwo Adow, Esq.
Chairman, Disciplinary Committee
Tuesday, April 25, 2023