

11<sup>TH</sup> OCTOBER 2019.

COURT OF ARBITRATION FOR SPORT,  
AVENUE DE BEAUMONT 2,  
CH-1012 LAUSANNE,  
SWITZERLAND.

Dear Sir/Madam,

**RE: WILFRED KWAKU OSEI v GHANA FOOTBALL ASSOCIATION.**

**REQUEST FOR ARBITRATION**

- 1.0 We write as solicitors for and on behalf of Mr. Wilfred Kwaku Osei who is the Claimant in the above proceedings.
- 2.0 Please find attached to our present letter, a request for arbitration with attached documents filed for and on behalf of Mr. Wilfred Kwaku Osei containing the following:
  - (i) the name and full address of the Respondent(s);
  - (ii) a brief statement of the facts and legal argument, including a statement of the issue to be submitted to the CAS for determination;
  - (iii) the request for relief;
  - (iv) A copy of the procedural rules of the Respondent providing for arbitration; and
  - (v) Information about the number and choice of the arbitrator(s).
- 3.0 We write to notify you that all correspondences emanating from this arbitration be directed to Claimant through his solicitor Thaddeus Sory Esq whose email address is [thaddeus.sory@sorylawgh.com](mailto:thaddeus.sory@sorylawgh.com) and Gracelove Acquah whose email address is [grace.aniba@gmail.com](mailto:grace.aniba@gmail.com) all of SORY @ LAW.

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- 4.0 Mr. Wilfred Kwaku Osei has already paid the non-refundable Court Office Fee of Swiss francs 1,000 as evidenced by the SWIFT advice attached to our letter.
- 5.0 It will be appreciated, if appropriate, to revert to us for any further information or clarification and also pray you proceed with this matter in an expedited manner.

Yours faithfully,



FOR THADDEUS SORY ESQ. (FCI Arb)  
SOLICITOR FOR WILFRED KWAKU OSEI (CLAIMANT).

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Message Text

F20: Sender's Reference  
FAB/CMTT19/14947  
F23B: Bank Operation Code  
CRED  
F32A: Value Date/Currency/Interbank Settled Amount  
Date: 191010 2019 Oct 10  
Currency: USD US DOLLAR  
Amount: 1010,00 #1010,00#  
F50K: Ordering Customer - Account - Name and Address  
Account: /0143661201015  
Name and Address:  
WILFRED KWAKU OSEI  
NO.4,APLE CLOSE,COMM.18  
SPINTEX-GHANA  
F53B: Sender's Correspondent - Party Identifier - Location  
Party Identifier: /04460397  
F57A: Account With Institution - Party Identifier - Identifier Code  
Identifier Code:  
CRESCH2280A  
CREDIT SUISSE (SCHWEIZ) AG  
(HEAD OFFICE)  
ZURICH CH  
F59: Beneficiary Customer - Account - Name and Address  
Account: /CH7104835038403371000  
Name and Address:  
FONDATION CONSEIL INTERNATIONAL DE  
L'ARBITRAGE EN MATIERE DE SPORT  
(CIAS)  
F70: Remittance Information  
/BNF/PMT FOR FILING FEES  
F71A: Details of Charges  
SHA

End of Message



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Claimant hereby refers the following dispute to arbitration.

**I. INTRODUCTION.**

**A. Request for arbitration.**

1. By this request of Arbitration, Claimant is initiating arbitration proceedings against the Respondent pursuant to Part C of the Code of Sports-Related Arbitration in force as from January 2019.
2. This part provides for the Court of Arbitration for Sport (CAS). The mission of CAS as stated in S12 is to constitute panels “*which have the responsibility of resolving disputes arising in the context of sport by arbitration.*”

**B. Description of the parties.**

**1. Claimant.**

- 1.1 Claimant is a Ghanaian citizen and is the executive chairman of the football team known as Tema Youth Football Club. This club plays in the division one league of the Ghana Football Association league.
- 1.2 A “*Club*” as defined by the GFA statutes means either “a member of an Association (that is a member of FIFA) *or a member of a League recognised by an Association that enters at least one team in a competition.*”
- 1.3 Article 12 of the statutes of the GFA defines the GFA’s members to include division one league clubs. To all intents and purposes therefore, the Tema Youth Football Club in respect of which Claimant is President, is a member of the GFA.

**2. Respondent.**

- 2.1 Respondent is the Ghana Football Association (GFA). As stated in article 1 of the statutes of the Ghana Football Association, the GFA is a private organization incorporated

under the laws of the Republic of Ghana. The GFA, which is Respondent, is a member of FIFA and of CAF.

- 2.2 Respondent's objectives, as stated in article 2 of its statutes; include among others;
- i. organising competitions in Association Football at the national level, by defining precisely, as required, the areas of authority conceded to the various leagues of which it is composed;
  - ii. protecting the interests of its members, respecting and preventing the infringement of the statutes, regulations, directives and decisions of FIFA, of CAF and of GFA;
  - iii. promoting integrity, ethics and fair play; and also
  - iv. controlling and supervising association football in accordance with the relevant Statutes and regulations of FIFA and of the Confederations.
- 2.3 Respondent's headquarters and address is in Accra, in the Republic of Ghana, situate at the Haile Selassie Street of Accra. Respondent's operational and administrative body as stipulated in article 23 and 43 of its statutes, is its secretariat which is headed by its General Secretary.
- 2.4 Respondent's secretariat is currently headed by an acting General Secretary known as; Mr. Alexander Asante whose email address is; [alex.asante@ghanafa.org](mailto:alex.asante@ghanafa.org) / [alexander.asante@ghanafa.org](mailto:alexander.asante@ghanafa.org)

**C. Relationship between the parties.**

1. From the description of the parties set out in paragraph B above, the relationship of the parties is clear. Claimant is representative of one of Respondent's members; Tema Youth Football Club. The relationship between the parties is governed by; the Statutes of the Ghana Football Association, 2019. Respondent's statutes are

attached hereto and marked **A**. They shall hereafter be referred to simply as “**statutes**”.

2. The statutes, as stated in article 82, “**were adopted at the Congress [of the GFA] in Accra on 5<sup>th</sup> September, 2019**” and came “**into force on 5<sup>th</sup> September, 2019**.” In this regard, article 82 of the Statutes says that the “**former Statutes of GFA are hereby repealed**.”

## **II. STATEMENT OF FACTS, LEGAL ARGUMENT AND ISSUES.**

### **A. Statement of the facts.**

1. Sometime in June 2018, the government of the Republic of Ghana intervened in and literally took over Respondent’s affairs following a documentary published by a Ghanaian journalist known as Anas Aremeyaw Anas. The purpose of the documentary, as touted by the journalist, was to expose what was perceived as corruption within Respondent.
2. Subsequently the Fédération Internationale de Football Association (FIFA) constituted a four (4) member normalisation committee to manage the affairs of the GFA secretariat. The mandate of the normalisation committee was to expire sometime in March 2019. The mandate of this normalisation committee was to among others review Respondent’s statutes and ensure compliance with the requirements of FIFA/CAF as well as *conduct elections of the GFA Executive Committee on the basis of the revised GFA statutes*.
3. The normalization committees’ obligation to conduct Respondent’s Executive Committee elections is legitimized by the transitional provisions of the statutes in article 81. It says in clause 2 thus;

“2 The members of the Normalisation Committee of GFA **shall act as the Elections Committee only during the first elective Congress following the adoption of these Statutes and their decisions in that function shall be**



**final and binding.** During their term of mandate, the members of the Normalisation Committee of GFA are exceptionally empowered to form committees for the organisation and supervision of the electoral process. The persons composing these committees shall fulfil the independence criteria stipulated under art. 53 par. 2 of these Statutes.”

4. The transitional provisions set out in article 81 of Respondent’s statutes are virtually repeated in Respondent’s Elections Regulations (Regulations) in its article 24 where it is stated that Respondent’s normalisation committee “**shall act as the Elections Committee only during the first elective Congress following the adoption of [the] Statutes and their decisions in that function shall be final and binding.**”
5. For purposes of conducting Respondent’s elections, Respondent’s normalisation committee which by virtue of article 81(2) of Respondent’s statutes metamorphosed into one of Respondent’s recognised bodies (Elections Committee), opened nominations for persons interested in contesting the various executive positions of Respondent. These persons were required to indicate such interest by filing their papers in compliance with the statutes and regulations marked **A** and **B**.
6. Respondent’s Elections Committee therefore published a notice and time table for election of the candidates approved to contest as President and Members of Respondent’s Executive Council. This notice is attached hereto and marked **C**. This notice set out guidelines for the elections. The said guidelines included the request to candidates to appear before a vetting committee constituted by Respondent’s Elections Committee.
7. Claimant, as representative of one of Respondent’s members, has a right to contest for elections to all of Respondent’s statutory bodies. Claimant therefore accordingly confirmed his interest in contesting the position of President of Respondent’s Executive Council by complying with the appropriate statutory requirements. Six other individuals, representing some of

Respondent's members, making a total number of seven (7) candidates expressed interest in contesting Respondent's position of President.

8. Claimant appeared before the said vetting which was constituted by; Messrs. Frank Davis (chairman), Emmanuel Darkwah (member), Richard Akpokavie (member), Reginald Laryea (Member) and Mrs. Marian Barnor (member). Claimant's engagement with the committee lasted for approximately two (2) hours thirteen (13) minutes during which period, Claimant answered questions relating to his personal life and vision for football development in Ghana.
9. Claimant was also confronted with two main matters. The first was the failure by Tema Youth Football Club to pay a ten percent fee charged by Respondent for issuing an international transfer certificate to enable one of its players continue his footballing career with KRC Genk of Belgium. The second matter related to a decision by Respondent's Ethics Committee which demanded an apology from Claimant with regard to comments made by Claimant on a radio station regarding the senior national football team of the Republic of Ghana; the Black Stars.
10. By letter dated the 4<sup>th</sup> day of October, 2019, Respondent's Elections Committee notified Claimant that his "**application to contest for the position of the President of the GFA was unsuccessful**" for two reasons;
  - i. Breach of Article 33(5)(c) of the GFA General Regulations.
  - ii. Decision of the Ethics Committee dated 13<sup>th</sup> December 2017.
11. A copy of Respondent's Election Committee's letter of 4<sup>th</sup> October 2019 to Claimant is attached hereto and marked **D**. In the said letter however, Respondent's Elections Committee indicated that if Claimant desired to "**appeal**" its decision, Claimant should "**submit to the [same] Elections Committee in writing**", Any

such appeal, the letter said, should reach Respondent's Elections Committee by 4pm on Tuesday 8<sup>th</sup> October 2019.

12. In the first place, it is noted that the option of appeal accorded Claimant by Respondent's Elections Committee is plainly contrary to the provisions of articles 81 of the statutes and article 24 of the regulations. These two statutory provisions say without any equivocation whatsoever that decisions of Respondent's "**Elections Committee... shall be final and binding.**"
13. The second point to note is that, it is completely contrary to any notion of justice and fair play to require that a person appeal to the very body which has decided a matter against them. Be that as it may, Claimant submitted an appeal to Respondent's Elections Committee.
14. By letter dated the 8<sup>th</sup> day of October, 2019 Respondent's Elections Committee wrote to Claimant and informed Claimant that although Claimant's appeal documents were "**received, before the deadline**" Claimant's appeal and for that matter application to contest the elections for the presidency of Respondent's Executive Council remained unsuccessful. This letter is attached hereto and marked **E**.
15. Claimant is dissatisfied with Respondent's Elections Committee's decision refusing Claimant's application to contest the elections for the presidency of Respondent's Executive Council. It is for this reason that Claimant invokes the Court's jurisdiction by way of arbitration.

**B. Legal argument.**

1. Claimant's argument is that Respondent's Elections Committee's decision refusing Claimant's application to contest the elections for the presidency of Respondent's Executive Council is erroneous. The decision is flawed in several respects. Claimant relies on four main grounds to fault the decision of Respondent's Elections Committee. These grounds are as follows;

- i. Respondent's Elections Committee's decision by was made on existing preconceptions against Claimant held by some members of the vetting committee constituted by Respondent's Elections Committee to vet applicants to contest Respondent's various executive positions.
  - ii. The Respondent's Elections Committee's decision is vitiated on grounds of conflict of interest.
  - iii. The grounds relied upon for disqualifying Appellant cannot be supported by the relevant laws & regulations of Respondent itself, FIFA and CONFEDERATION OF AFRICAN FOOTBALL.
  - iv. The decision is against the weight of the evidence.
2. These grounds shall be argued one after the other.

**3. *Pre-conceptions against Claimant.***

- 3.1 In paragraph A8 of this request, it is noted that the Vetting Committee constituted by Respondent's Elections Committee comprised; Messrs. Frank Davis (chairman), Emmanuel Darkwah (member), Richard Akpokavie (member), Reginald Laryea (Member) and Mrs. Marian Barnor (member).
- 3.2 In a publication entitled; **Normalisation Committee to disqualify Palmer from GFA Presidency race, George and Kurt in trouble too**, written by a certain Muftawu Nabila Abdulai, published at <https://mufnabila.wordpress.com>, it is written of and concerning Claimant among others that'

"Claimant is at loggerheads with the NC [Normalisation Committee] following their decision to ask a private legal practitioner, Mr. Frank Davies of Davis and Davis Law Firm, a close friend of NC President Dr. Kofi Amoah to write to the former Management Committee Chairman of the Black Stars

in April to demand 10% of the transfer fee for the sale of Joseph Painstil.”

3.3 The publication is attached to the request and marked **F**. It is submitted that facts recorded in this publication are true and cannot be denied by Respondent. It is true that;

- i. Respondent’s Normalisation Committee which metamorphosed into its Elections Committee instructed Mr. Frank Davies of Davis and Davis Law Firm to write to Claimant to demand 10% of the transfer fee for the sale of a former player of Tema Youth Football Club known as Joseph Painstil. This is evidenced by the correspondences attached hereto and marked **G**, **G1** and **G2** respectively.
- ii. Mr. Frank Davies of Davis and Davis Law Firm is a close friend of NC President Dr. Kofi Amoah.
- iii. The interaction between the NC [Normalisation Committee] acting through Mr. Frank Davies of Davis and Davis Law Firm on the matter, resulted in disagreement [loggerheads as published] with Claimant who is Tema Youth Football Club’s representative.
- iv. Mr Darkwah works with Mr. Frank Davies in the same law firm, Davis and Davis law firm and stands to gain if the 10% was paid.

3.4 The submission here made is that the publication established a preconception on Respondent’s part against Claimant with regard to the elections. The publication established basic and undeniable facts which pointed to the fact that Respondent was never going to be fair to Claimant in the electoral process.

3.5 The publication undoubtedly established a predisposition on Respondent’s part to ensure that Claimant’s success in the elections would be undermined. The fact that

Respondent was predisposed to taking a position against Claimant in the electoral process is unimpeachably established from the facts above recounted.

- 3.6 The facts above recounted confirm that Respondent's Electoral Committee (which was birthed by its Normalisation Committee) had a disagreement with Claimant only because Claimant took a position as representative of one of Respondent's members contrary to that demanded by Respondent's Elections Committee. This disagreement created negative sentiments in members of Respondent's Elections Committee against Claimant.
- 3.7 The submissions above made is bolstered by the utterances of the chairman of the vetting committee established by Respondent's Elections Committee to approve applications by persons interested in contesting Respondent's executive positions.
- 3.8 Respondent's Vetting Committee, constituted by the Elections Committee had, as its chairman, Mr. Frank Davies of Davis and Davis Law Firm, who himself, by virtue of his having acted for the Normalisation Committee has a direct interest in the matter. His interest lies in the fact that as lawyer for the Normalisation Committee instructed to demand 10% of the transfer fee for the sale of Joseph Painstil from Tema Youth Football Club, Mr. Davies stood to benefit, by way of legal fees, if Tema Youth Football Club had acceded to his demand made on behalf of the Normalisation Committee.
- 3.9 Mr. Davies, therefore, even personally was unhappy with Claimant, who acted on behalf of Tema Youth Football Club and communicated the Club's unwillingness to pay the 10% of the transfer fee paid to Tema Youth Football Club for the sale of Joseph Painstil to KRC Genk of Belgium. Mr. Davies did not hide his animosity towards Claimant. Mr. Davies openly declared that he, in his capacity as Chairman of Respondent's Vetting Committee will ensure

that Claimant does not contest the elections. This declaration was recorded and it is evidenced by the pendrive attached to this request. It is marked **H**.

- 3.10 The submissions just made establish a violation of articles 2(1) and 3(b) of the Regulations which are attached hereto and marked **B**. Article 2(1) in particular provides thus;

“Article 2 Principles and obligations

(1) ... **transparency, obligation to avoid situations of conflicts of interest shall be observed without exception throughout the entire electoral process.**”

- 3.11 And article 3(b) complements that above quoted by saying that;

“Article 3 Basic principles

(3) **The members of the Elections Committee shall immediately withdraw from the matter in progress and refrain from taking any decision if:**

(b) **there is a risk or possibility of a conflict of interest as defined in the Disciplinary Code and the Code of Ethics of GFA.**”

- 3.12 We need not detain the Court with any lengthy submissions on conflict of interest. The facts and submissions so far made put it beyond doubt that Respondent’s Elections Committee and its constituted Vetting Committee which are overseeing Respondent’s Electoral Process, had a direct interest in whether Claimant contests the elections or not.

- 3.13 Our submission is that, from the facts above recounted, and which cannot be denied, it is beyond any doubt whatsoever that Respondent’s Elections Committee and its

constituted Vetting Committee violated the articles 2(1) and 3(b) of the Regulations which expressly forbid actions which undermine transparency, conflicts of interest which must ***be observed without exception throughout the entire electoral process*** as well as prohibition from ***taking part in any decision if there is a risk or possibility of a conflict of interest.***

4. We shall rest our arguments on this ground upon which the proceedings before the Court are instituted here. It is the next ground that we proceed to deal with.

**5. *Bias and interest by members of the Committee.***

- 5.1 It is a principle from which no derogation is permissible and which is emphatically enforced that no judicial body must act in any manner that suggests or gives the slightest indication that it is biased or likely to be biased in any matter before it. This is a requirement to ensure that, justice, as Lord Hewatt CJ puts it in the case of **R v Sussex Justices, Ex parte McCarthy**<sup>1</sup>, is not only done, but manifestly and undoubtedly seen to be done.
- 5.2 The facts earlier discussed also establishes bias against Respondent's Elections Committee. In this regard, it is trite that the law recognizes not only actual bias as a disqualifying factor but a likelihood of bias as well. Bias can be inferred from several factors. The law has moved away from pecuniary interest or relationship as the only grounds for disqualification. Any fact or circumstances that suggests that a body exercising judicial functions is not likely to deal with the matter impartially is a disqualifying factor.
- 5.3 In the case of **R v Bowstreet Metropolitan Stipendiary Magistrate; Ex parte Pincochet Urgate (No 2)**<sup>2</sup> the House of Lord per Hutton said at page 145 as follows;

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<sup>1</sup> [1924] 1 KB 256 at 259

<sup>2</sup> [2000] 1 AC 119.



“there would be cases where the interest of the judge in the subject matter of the proceedings arising from his strong commitment to some cause or belief or his association with a person or body involved in the proceedings could shake public confidence in the administration of justice as much as a shareholding (which might be small) in a public company involved in the litigation”

- 5.4 In the Ghanaian case of **Republic v. Constitutional Committee Chairman, Ex Parte Barimah II**<sup>3</sup> the court held that where it was shown that a person vested with power to adjudicate on an issue had foreknowledge of the very issues of fact to be determined by him or had shown a clear inclination to support one version of the issues, the fact would be sufficient to disqualify him from sitting either alone or with others to adjudicate on the matter.
- 5.5 The ratio of the case cited applies squarely to the facts of this case. The chairman of the Vetting Committee constituted by Respondent’s Elections Committee had foreknowledge of a key point upon which Respondent disqualified Claimant from contesting the presidency of Respondent’s Executive Council. His foreknowledge of the facts coupled with his interest in the outcome of the matters upon which the chairman of the Vetting Committee and Claimant interacted leaves no room for any conclusion but that the chairman of the Vetting Committee had an interest in the matter.
- 5.6 In the case of **R v Sussex Justices Ex parte McCarthy**<sup>4</sup>, it was held that the question that arises in matters of bias depends not upon what actually was done but upon what might appear to be done. Nothing, it was held, is to be done which creates even a suspicion that there has been an improper interference with the course of justice.

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<sup>3</sup> [1968] GLR 1050.

<sup>4</sup> [1924] 1 KB 256

5.7 This ground also requires no lengthy arguments. We shall therefore proceed to discuss the next ground.

**6. The grounds relied upon to disqualify Claimant cannot be supported by the relevant laws & regulations.**

6.1 In article 7(1) of Respondent's Elections Regulations, which deals with eligibility criteria, it is written that;

“(1) The eligibility criteria for the positions to be filled within the relevant bodies of GFA **are defined in the relevant provisions of the Statutes of GFA.**”

6.2 Annex A scheduled to the statutes of the GFA then specifies the eligibility criteria for persons who intend to contest the position of president of Respondent's Executive Council. These criteria are there set as that such a person;

- “1. Must be a Ghanaian.
2. Must be of sound mind and has not been detained as a person of mental disorder under any enactment.
3. Has not been convicted of an offence involving fraud, dishonesty or moral turpitude.
4. Helpful to have a working knowledge of the GFA, CAF and FIFA rules and regulations.
5. Has practical experience in Management, Administration, Finance or Corporate Governance.
6. Must be a person of high moral integrity.”

6.3 Suffice it to say that Claimant was not disqualified on any of these grounds. Indeed, Respondent's Elections Committee's letter of 04/10/19 did not hint, suggest or imply any of these grounds. Article 7 (2) of the Elections Regulations then provide that;

“(2) The Elections Committee shall not impose any eligibility criteria that are not provided for in the Statutes of GFA or impose any other formal requirements that are not provided for in these Regulations on Elections or in the Statutes of GFA. The Elections Committee shall only request the documents that help establish whether the relevant eligibility criteria have been fulfilled.”

- 6.4 Our submission is that, to the extent that decision of the Elections Committee contained in its letter to Claimant dated 04/10/19 imposes eligibility criteria that are not provided for in Respondent’s statutes the decision of Respondent’s Elections Committee was rendered in violation of the provisions of article 7(2) of Respondent’s statutes.
- 6.5 At the time of vetting, Respondent’s Elections Committee was required, if any, to “**request the documents that help establish whether the relevant eligibility criteria have been fulfilled.**” Respondent’s Elections Committee made no such request and proceeded to impose sanctions not justifiable by reference to any of the eligibility criteria set out by Respondent’s statutes.
- 6.6 We shall rest our arguments on this ground here and proceed to argue that last ground.

**7. The decision is against the weight of the evidence.**

- 7.1 The issue that requires determination on this particular ground is whether Respondent’s Elections Committee’s decision can be supported.
- 7.2 Our contention that is that the reasons set out in Respondent’s Elections Committee’s letter of 04/10/19 cannot be justified in law or evidence.
- 7.3 The first reason stated in Respondent’s Elections Committee’s letter for disqualifying Claimant from contesting the position of president of Respondent’s

Executive Council is that, Claimant violated article 33(5) of Respondent's General Regulations. This regulation provides that;

“Ten (10) percent of all trading & transfers fees in respect of external transfers, shall be paid into a football development fund as follows:

- i. 5% shall be paid to the GFA
- ii. 5% shall be paid to the Ghana League Clubs Association”

7.4 The first point to note here is that at no point in time did Respondent engage Claimant personally on the subject of the payment of the demanded percentage of the transfer fees for the player transferred by Tema Youth Football Club. Tema Youth Football Club is a limited liability company registered under the laws of the Republic of Ghana. Its certificate of incorporation is attached hereto and marked **J**.

7.5 Claimant is only an official of Tema Youth Football Club. Claimant is not the same as Tema Youth Football Club and the vice versa. Respondent knows that players are transferred by football clubs but not officials of football clubs like Claimant.

7.6 At all times material to the instant proceedings therefore, Respondent engaged Tema Youth on the subject of payment of the percentage of the transfer fees for the transfer of the player for which the payment was demanded. This is evidenced by the correspondences between Respondent's lawyer and Tema Youth Football Club attached hereto and marked **G, G1** and **G2**.

7.7 Respondent also knows that in football jurisprudence, football clubs are punishable for violations as distinguished from wrongful acts and omissions committed personally by officials of football clubs. In this regard, Respondent's general regulations attached hereto and marked **B** relied

upon by Respondent's Elections Committee provides sanctions for breach of article 33(5)(c). Such sanctions may be determined by Respondent's Disciplinary Committee after a referral of such conduct by Respondent. It is therefore provided by art 39(8)(b) of Respondent's general regulations that;

“ without prejudice to any provision to these Regulations to the contrary, **a club** [not official] shall pay all fines costs, debts imposed on it by the GFA or the judicial bodies of the GFA not later than 14 days excluding Saturdays, Sundays, & public holidays after such fines or costs have been communicated to it in writing by the Association on the GFA website, the GFA notice boards, GFA newspapers, GFA newsletters, National newspaper and/or through the GFA mail to the official emails of the club.”

7.8 A further sanction is provided for in art 39 (8)(c) of Respondent's general regulations in which provision it is stated that;

“If that **a club [not official]** that fails to pay its fines, costs, debts on or before the stipulated date shall automatically forfeit its subsequent matches until such time the fines and/or costs are fully paid.”

7.9 Article 63 of the GFA Disciplinary Code also provides additional sanctions for failure of **a club** to pay its debts to the GFA. These include a fine of GHC1000, a transfer ban or a demotion to a lower division.

7.10 As already noted, the facts of this case confirms that the person liable to the sanction, if any for violation of the provisions of article 33(5) contained in Respondent's general regulations is the club; Tema Youth Football Club. The reason is that it is this club [not Claimant] which transferred its player Joseph Paintsil.

- 7.11 We further submit that assuming even that Claimant is deemed to be a club and was the one liable personally to pay the percentage demanded by Respondent for the player, the demand is without justification. The point just made is illuminated by the surroundings of the transfer of this player.
- 7.12 The facts are that, the transfer was undertaken pursuant to articles 9 and 10 of the FIFA Regulations for the International Transfer of Players. Respondent accordingly issued an International Transfer Certificate (ITC) to the Hungarian Football Association for the transfer of the player on loan to the Hungarian team. The club duly paid the requisite fee of five hundred United States Dollars (\$500.00) for this transfer.
- 7.13 The loan period having expired in July 2018, the player ought to have reverted to Tema Youth Football Club. An accompanying ITC ought then to have been issued by the Hungarian Football Association back to Respondent. This was not done because Respondent's transfer window was closed from about May 2019.
- 7.14 At the request of the club, Respondent applied to FIFA to override the validation exception in order that Respondent may take advantage of the limited window and do two (2) things: namely, to receive the ITC from Hungary in respect of the player; and issue a new ITC to Belgium for the international transfer of the player from Hungary to Belgium.
- 7.15 Be that as it may, the player was eventually transferred after the intervention of FIFA which relied on its rules on ITC with the effect that the player was then transferred from Hungary to Belgium.
- 7.16 At the time of the first transfer of the player from Ghana to Hungary, the player was clearly under Respondent's jurisdiction and control. It is for this reason that the club paid \$500 to Respondent for the ITC. At the time of the

second transfer of the player from Hungary to Belgium, the player was under the jurisdiction of the Hungarian Football Association.

- 7.17 Article 4 (1) of the FIFA regulations on the international transfer of players provides that, even after the expiry of the loan, the player remains a player of the Hungarian Club until his ITC is returned to Ghana. We need not emphasize the point that the player was transferred directly from Hungary to Belgium because at the time of the said transfer his ITC was still in Hungary not Ghana. By the time the Hungarian FA returned the ITC to Ghana the player was already in Belgium by virtue of a provisional FIFA's ITC.
- 7.18 In this regard, it is submitted further that article 33(5)(c) applies to transfers originated from Ghana and backed by ITCs issued by Respondent. In the case, however, the transfer resulting in the dispute between the club and Respondent was backed by a provisional ITC issued by FIFA which later crystalized into a permanent ITC 30 days after its issue by FIFA.
- 7.19 Having regard to the facts as established, there is no basis either in law or fact for holding Claimant liable for matters in respect of which he is not personally liable or involved. The point here made therefore is that the "sins" (if any) of the club cannot be visited on its shareholders, the club president, director or any other official. The decision of the NC acting as the elections committee flies in the face of the well known "**entity concept**" that members of a corporate entity are not synonymous with that entity.
- 7.20 It is submitted also that in any case, Respondent possesses extensive powers to recover lawful debts owed it by clubs. Article 69 of Respondent's statutes, 2019 empowers Respondent to debit any member's assets or accounts to settle claims. It was a grave miscarriage of justice to disqualify Claimant from contesting the forth coming

election merely on the premise that Tema Youth Football Club, a limited liability company allegedly breached article 33(5)(c) which alleged breach has mysteriously metamorphosed into a personal debt of the petitioner.

- 7.21 As already submitted, Respondent's statutes does not provide for disqualification of Claimant on the ground that debts or alleged debts owed Respondent by candidates or clubs in which candidates hold positions as shareholders, directors or officers could be used as a basis for determining their eligibility.
- 7.22 We can now address the second reason the NC gave for disqualifying Claimant. This reason relies on a decision by Respondent's Ethics Committee which demanded that Claimant apologize for comments which in the aforesaid Committee's view were improper. This decision is attached hereto and marked **K**. Respondent's Elections Committee may have taken this to amount to a conviction. We make this assumption because, that is the only ground upon which we can understand this reason for disqualifying Claimant.
- 7.23 As part of guidelines for the election, Respondent's Elections Committee required, as mandated by Respondent's statutes, that each applicant provide information on whether a sports governing body has ever imposed a disciplinary sanction on the applicant in the past for actions amounting to a violation to the rules of conduct set out in part two (2) section Five (5) of the FIFA code of ethics.
- 7.24 Part II Section 5 of the 2018 edition of the FIFA code of ethics provides elaborate and extensive rules of conduct. The rules cover General duties (art 13), Duty of Neutrality (art 14) Duty of Loyalty (art 15), Duty of Confidentiality (art 16), Duty to Cooperate (art 18), Conflict of interest (art 19), Offering & accepting gift or other benefits (art 20), Commission (art 21), Discrimination & Defamation (art



22), Protection of physical & mental integrity (art 23), Forgery & Falsification (art 24), Abuse of Position (art 25) Involvement with betting, gambling or similar activities (art 26), Bribery & Corruption (art 27) Misappropriation & Misuse of funds (art 28) Manipulation of Football matches or competition (art 29).

- 7.25 As a rule of practice, persons convicted under the code of ethics are first charged and given the opportunity to defend themselves. In the instant case, Claimant was never charged and convicted for any offence under part II section 5 of the code of ethics or any other provisions of the FIFA code of ethics. Respondent's Ethics Committee decision relied upon to disqualify Claimant only invited Claimant to explain the meaning and circumstances under which in a public radio interview, Claimant said Ghana failed to qualify for the 2018 FIFA world cup because "**unclassified Payments**" were not made.
- 7.26 A reading of the said decision will confirm that Claimant was not charged and/or convicted for any offence committed under part II section 5 of the FIFA code of ethics or any other provision under the FIFA code of ethics. In any case, Respondent's Code of Ethics requires that in the event that the Ethics Committee finds any official culpable of a misdemeanor, it must be referred to the Disciplinary Committee for sanction. Nothing like that ever took place.
- 7.27 Our submission therefore is that, the reliance on Respondent's Ethics Committee decision of 13<sup>th</sup> December 2017 as a basis for Claimant's disqualification from contesting Respondent's presidency is without any legal basis.
- 7.28 We rest our arguments on this ground here also.

**C. Issue submitted to the CAS for Determination by which letter Respondent disqualified Claimant.**

1. The facts and legal arguments above canvassed, raise two main issues for determination by the Court. These issues are;
  - i. Whether or not Respondent's Election Committee's decision contained in its letter dated 4<sup>th</sup> October 2019 by which letter Respondent disqualified Claimant, is tainted with bias?
  - ii. Whether or not the reasons stated in Respondent's Election Committee's decision contained in its letter dated 4<sup>th</sup> October 2019 by which letter Respondent disqualified are justifiable by reference to the eligibility criteria set forth in the statutes and regulations of GFA.
2. We now proceed to deal with the jurisdiction of the Court.

**III. JURISDICTION OF CAS.**

**A. Jurisdiction over the parties.**

1. As submitted in Part I, paragraph B of this request, the parties are both involved in the beautiful game of football in the Republic of Ghana. The facts recounted in Part II above also confirm that the dispute between the parties arises in the context of football. It is submitted as a preliminary point that since it is undoubted that the parties are both engaged and relate to one another in the context of the sport of football, CAS has jurisdiction, prima facie to resolve any dispute arising between them.
2. This submission, it is conceded, is subject to the agreement of the parties. It is however, argued that being related to one another in a sporting way, both parties, must in good faith submit to the jurisdiction of the Court. The argument just made apart, it is further submitted that there is consensual basis, in

terms of agreement to submit the instant dispute to CAS for determination.

3. It is provided by article 16 of Respondent's statutes that Respondent's members, have an obligation "**to comply fully with the Statutes, Regulations, directives and decisions of CAS, FIFA, CAF and GFA always and to ensure that these are also respected by its members**".
4. It is further provided therein that Respondent's members, must ensure that they "adopt a statutory clause specifying that **any dispute requiring arbitration involving itself or one of its members and relating to the Statutes, regulations, directives and decisions of FIFA, CAF, GFA or the League(s) shall only be referred to an Arbitration Tribunal or to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland**, both as specified in the FIFA Statutes and in [the] Statutes".
5. From the provisions above just discussed, there can be no doubt whatsoever that for purposes of dispute resolution, Respondent's members have just one choice. Suffice it to say that the obligation to comply with decisions of CAS does not only apply to Respondent's members. Respondent itself, has an obligation under article 63 of its statutes to comply with the decisions of the Court. It says as follows;

**"2. GFA shall ensure its full compliance and that of all those subject to its jurisdiction with any final decision passed by ... by the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland."**

**B. Agreement to submit to CAS Jurisdiction.**

1. As submitted above, Respondent's statutes oblige Respondent's members, "**to comply fully with the... and decisions of CAS and GFA always and to ensure that these are also respected by its members**"
2. Part VI, article 61 of Respondent's statutes provide for arbitration. It says in clause 1 that;

*“Disputes in GFA or disputes affecting Members of GFA,... shall not be submitted to Ordinary Courts...”*

3. Clause 2 then says that;

*“Such disputes as specified in paragraph 1 **shall be taken before the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland.**”*

4. Article 62 which provides for jurisdiction says that;

*“Recourse may only be made to an Arbitration Tribunal once all internal channels of GFA have been exhausted.”*

5. For purposes exhausting Respondent’s internal channels, clause 2 of article 62 says that it is Respondent which has;

*“... jurisdiction on internal national disputes, i.e. disputes between parties belonging to GFA. FIFA shall have jurisdiction on international disputes, i.e. disputes between parties belonging to different Associations and/or Confederations.”*

6. The effect of clause 2 of article 62 is that Respondent’s members must first of all have recourse to the dispute resolution options available to a member in the event of a difference, dispute or disagreement. Where the difference, dispute or disagreement is not resolved to the satisfaction of a member by the dispute resolution forum provided by Respondent, such a member has a non derogable right to have recourse to this Court by way of arbitration, to have the difference, dispute or disagreement resolved permanently.

7. Apart from arbitration, Respondent’s rules provide a second options to its members with regard to invoking the jurisdiction of the Court for relief. There is the avenue of an appeal which is provided for in terms of article 63 of Respondent’s rules. The article refers to the Court and provides thus;

*“Article 63 Court of Arbitration for Sport*

1. In accordance with the relevant provisions of the FIFA Statutes, any appeal against a final and binding decision passed by FIFA, by CAF, or the Leagues shall be heard by the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, unless another Arbitration Tribunal has jurisdiction. CAS shall not, however, hear appeals on violations of the Laws of the Game, and suspensions of up to four matches or up to three months (with the exception of doping decisions).”
8. Respondent’s statutory provisions just discussed, provide unquestionable basis for invoking the jurisdiction of the Court in the manner done by Claimant. The only lingering question will be whether Claimant has exhausted domestic avenues for dispute resolution provided for by Respondent.
9. Article 81 of Respondent’s statutes and 24 of Respondent’s elections regulations provide that decisions of Respondent’s Elections Committee are final. Being final, there is no other forum to which Claimant can resort apart from this Court. Article 61 of Respondent’s statutes make it clear that although disputes in Respondent or disputes affecting Respondent’s members are not to be submitted to ordinary courts, the said article says that such disputes shall be taken before the Court.
10. It is further provided by article 62 of Respondent’s statutes that recourse may only be made to an Arbitration Tribunal once all of Respondent’s internal channels have been exhausted.
11. It is further submitted that the above grounds of jurisdiction apart, there is another basis for jurisdiction. This has to do with the subject matter.

**C. Subject matter.**

1. Part C of the Code of Sports-Related Arbitration in force as from January 2019 provides for the Court of Arbitration for Sport (CAS). The mission of the Court, as stated in S12 is as follows;

“CAS constitutes Panels which have the responsibility of resolving disputes arising in the context of sport by

arbitration and/or mediation pursuant to the Procedural Rules (Article R27 et seq.)

For such purpose, CAS provides the necessary infrastructure, effects the constitution of Panels and oversees the efficient conduct of the proceedings.

The responsibilities of Panels are, inter alia:

- a. to resolve the disputes referred to them through ordinary arbitration;
  - b. to resolve anti-doping matters as a first-instance authority or as a sole instance;
  - c. to resolve through the appeals arbitration procedure disputes concerning the decisions of federations, associations or other sports-related bodies, in so far as the statutes or regulations of the said sports-related bodies for a specific agreement so provide.
  - d. to resolve the disputes that are referred to them through mediation.”
2. We will not spill ink on this matter. The Court certainly has jurisdiction to resolve the disputes referred to the Court through ordinary arbitration as has been done in this case. This jurisdiction is separate the Court’s jurisdiction to resolve disputes through ***the appeals arbitration procedure concerning the decisions of federations, associations or other sports-related bodies, in so far as the statutes or regulations of the said sports-related bodies for a specific agreement so provide.***
  3. We will not spill ink on this matter. The Court certainly has jurisdiction to resolve this disputes referred to it by Claimant through ordinary arbitration.

### **III. REQUEST FOR RELIEF.**

1. This matter concerns Claimant's right to contest Respondent's elections which has been fixed for the 25<sup>th</sup> day of October as evidenced by the attachment marked **C**. This right stands to be irretrievably lost unless specific orders are made by this Court in relation to the said elections. Claimant therefore claims from the Court;
  - i. A declaration that Respondent's Elections Committee's decision contained in its letter dated the 4<sup>th</sup> day of October 2019 is null, void and of no effect.
  - ii. A declaration that upon a true and proper construction of the eligibility criteria set forth in Respondent's statutes, 2019, the reasons stated in Respondent's letter of 4<sup>th</sup> October 2019 for disqualifying Claimant from contesting the presidency of Respondent's Executive Council are not justifiable.
  - iii. An order nullifying any election conducted by Respondent pending the final determination of the instant proceedings.
  - iv. An order directed at Respondent to conduct fresh elections giving each candidate a fair chance of contesting same based on Respondent's rules.
2. Our submission is that the above reliefs is granted upon the success of Claimants case before the Court will ensure that Claimant's rights and Respondent's own rules, are not irretrievably violated.

### **V. CHOICE OF ARBITRATORS.**

Respondent's rules does not provide for the number of arbitrators to decide disputes of the kind brought before the Court by Claimant. In accordance with rule 40 of the rules of the Court therefore, Claimant prays the President of the appropriate

division of the Court to determine the number of arbitrators to appoint to determine this dispute and then proceed therefrom to immediately appoint the arbitrator(s).

#### **VII. EXPEDITED PROCEDURE.**

Time being of the essence in this matter, Claimant prays the President of the appropriate division of the Court to proceed with the matter in an expedited manner after seeking Respondent's consent in accordance with the provisions of rule 44.4 of the rules of the Court.

#### **VII. JOINDER AND INTERVENER.**

1. Although by the provisions of rule 41.2 of the rules of the Court, it lies only in Respondent's province to state that it desires a third party to be joined to the instant proceeds, Claimant craves the indulgence of the Court to join FIFA to the instant proceedings.
2. The main reason is that, Respondent's current affairs, are run by a Normalisation Committee put in place by FIFA. It is this Normalisation Committee which discharges Respondent's functions and whose actions have provoked the instant proceedings. The facts earlier narrated confirm this point.
3. Our submission therefore is that, FIFA therefore has massive interest in the progress and result of the present proceedings. Claimant therefore files an additional copy for service on FIFA if the Court accedes to Claimant's request.

#### **IX. CONCLUSION.**

1. The reliefs sought before the Court strike at the very heart of a core principle of Respondent's statutes. Article 3 of Respondent's statutes provides for human rights. It says that;



***“GFA is committed to respecting all internationally recognised human rights and shall strive to promote the protection of these rights.”***

2. Article 15 of the same statute provides for; Members’ rights. It also says that;

“The Members of GFA shall have the following rights:

- c) to nominate candidates for elections to all bodies of GFA”.
2. In Ghana every citizen has the right to be treated fairly, reasonably and in accordance with law. This is provided for in article 23 of the 1992 Constitution of the Republic of Ghana. This Court must ensure that this right, Respondent’s own rules which largely incorporate FIFA’s rules, directives, principles and aspirations, are not irretrievably violated by Respondent.

**X. LIST OF DOCUMENTS ATTACHED.**

- i. Ghana Football Association Statutes, 2019 marked **A**.
- ii. Ghana Football Association Elections Regulations, 2019 marked **B**.
- iii. Guidelines for the 2019 Ghana Football Association Elections marked **C**.
- iv. Letter dated 4<sup>th</sup> October, 2019 written by the GFA Elections Committee to Claimant marked **D**.
- v. letter dated 8<sup>th</sup> October, 2019 written to Claimant about appeal being unsuccessful marked **E**.
- vi. Publication written by a certain Muftawu Nabila Abdulai marked **F**.
- vii. Correspondences between Respondent and Tema Youth Football Club marked **G, G1** and **G2**.

- viii. Pendrive with audio recording of Frank Davis to take action against Claimant marked **H**.
- ix. Certificate of incorporation of Tema Youth Football Club marked **J**.
- x. Decision by Respondent's Ethics Committee marked **K**.

DATED AT SORY @ LAW, ACCRA THIS 11<sup>TH</sup> DAY OF OCTOBER 2019.

.....  
FOR THADDEUS SORY ESQ. (FCIArb)  
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**A**

**Ghana Football Association**

**Final Statutes**

**2019**

**(08.10.2019)**

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**DEFINITIONS**

The terms given below denote the following:

**Arbitration Tribunal:** an independent and duly constituted private court of justice acting instead of an Ordinary Court.

**Association:** a football association recognised as such by FIFA. It is a member of FIFA, unless a different meaning is evident from the context.

**Association football:** the game controlled by FIFA and organised by FIFA, the Confederations and/or the Associations in accordance with the Laws of the Game.

**CAF:** Confederation of African Football.

**CAS:** Court of Arbitration for Sport based in Lausanne (Switzerland).NB: Terms referring to natural persons include both genders. Any term in the singular applies to the plural and vice-versa.

**Club:** a member of an Association (that is a member of FIFA) or a member of a League recognised by an Association that enters at least one team in a competition.

**Confederation:** a group of Associations recognised by FIFA that belong to the same continent (or assimilable geographic region).

**Congress:** the supreme and legislative body of GFA.

**Delegate:** a natural person validly representing a Member at the Congress of GFA.

**District Association:** an organisation that is subordinate to a Regional Association

**Executive Council:** the executive body of GFA.

**FIFA:** Fédération Internationale de Football Association.

**Futsal:** Five aside Indoor Football

**General Secretary:** Chief Executive Officer of GFA.

**GFA:** Ghana Football Association.

**GHALCA:** Ghana League Clubs Association

**Juvenile football:** refers to football competitions for players who have not attained the age of 18

**Laws of the Game:** the laws of Association football issued by the IFAB in accordance with the FIFA Statutes.

**League:** An internal organization subordinate to the national association in which clubs of the same standing play against each other in an organized competition. For the time being, this includes PLB, DOL, Women's Leagues and other Leagues

**Member:** a legal person that has been admitted into membership of GFA by the Congress.

**Middle League:** a competition played among qualified clubs from zonal leagues to determine a champion

**Ordinary Courts:** State courts which hear public and private legal disputes.

**Official:** any board member (including the members of the Executive Council), committee member, referee and assistant referee, coach, trainer and any other person responsible for technical, medical and administrative matters in FIFA, a Confederation, an Association, a League or a Club as well as any other persons obliged to comply with the FIFA Statutes (except players and intermediaries).

**P FAG:** Professional Footballers Association of Ghana

**Player:** a football player licensed by an Association.

**RAG:** Referees Association of Ghana

**Regional Association:** an organisation that is subordinate to an Association.

**SESSA:** The Security Services Sports Association

**The IFAB:** The International Football Association Board (IFAB).

## I. GENERAL PROVISIONS

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### Article 1 Legal form, headquarters and trademarks

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<sup>1</sup> GFA is a private organisation incorporated under the laws of Ghana and limited by guarantee. It is formed for an unlimited period.

<sup>2</sup> The headquarters of GFA is in Accra and may only be transferred to another location following a resolution passed by Congress.

<sup>3</sup> GFA is a member of FIFA and of CAF.

<sup>4</sup> The logo of the GFA is a black and white coloured football with the National Colours of red, yellow, green and the black star around it.

<sup>5</sup> The flag is white with the logo in the middle.

<sup>6</sup> The abbreviation of Ghana Football Association is GFA.

<sup>7</sup> The flag, emblem, logo and abbreviation are legally registered with the Registrar-Generals Department of Ghana.

8. The GFA shall have the power to constitute regional and district football Associations.

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### Article 2 Objectives & Powers of the GFA

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A. The objectives of GFA are:

- a) to improve the game of football constantly and promote, regulate and control it throughout the territory of GFA in the light of Fair play and its unifying, educational, cultural and humanitarian values, particularly through youth and development programmes;



- b) To develop and promote the sport of Association Football as a means of fostering football integration and moulding the character of the youth in Ghana in accordance with the Laws of the Game and the spirit of Fair play
- c) To develop and promote the game of football among juveniles and the youth and to cooperate with the educational authorities in the promotion of football in the educational institutions.
- d) To formulate policies for the control, training, development and accreditation of Referees, Coaches, Medics and other football support staff;
- e) To organise competitions in Association Football, Futsal, Persons with Disability football and Beach Soccer at the national level, by defining precisely, as required, the areas of authority conceded to the various Leagues of which it is composed;
- f) To draw up regulations and provisions and ensure their enforcement and settle disputes between/ among members or bodies /persons connected either directly or indirectly with the GFA;
- g) To protect the interests of its Members;
- h) To respect and prevent any infringement of the Statutes, regulations, directives and decisions of FIFA, of CAF and of GFA as well as the Laws of the Game, and to ensure that these are also respected by its Members;
- i) To promote integrity, ethics and fair play with a view to preventing all methods or practices, such as corruption, doping or match manipulation, which might jeopardise the integrity of matches, competitions, players, officials and members or give rise to abuse of Association football, futsal or beach soccer;
- j) To promote the development of women's football and the full participation of women at all levels of football governance;
- k) To control and supervise all friendly football matches of all forms played throughout the territory of Ghana;
- l) To control and supervise Association football, futsal and beach soccer at national level and to control and supervise all forms of international football matches played throughout the territory of Ghana, in accordance with the relevant Statutes and regulations of FIFA and of the Confederations;
- m) To manage international sporting relations connected with Association football, futsal and beach soccer;
- n) To host competitions at international and other levels;
- o) To establish cordial and cooperative relationship with the Government of Ghana and work together with the sole aim of developing football, futsal and beach soccer in Ghana

**B.** The Powers of the GFA are:

The Association shall have the full power and authority to do any act, matter or thing as may be required to give effect to the objects of the Association as described herein, and in addition to the general powers and authority herein conferred on the Association, and without in any way limiting such powers and authority, the Association may have the power to carry on any business, including, inter alia, ordinary trading operations in the commercial sense. The Association shall have the following powers:

- 1. To engage staff based on a policy of fair employment and equal opportunities, acquire assets and enter into commitments for the promotion of its aims and objectives.

2. To grant practical and financial assistance to individuals and organizations in order to enable them to promote ideas and concepts consistent with the objects of the Association.
3. To lease, purchase or otherwise acquire premises, equipment, vehicles, furniture and other property or assets, whether movable or immovable which may be deemed necessary or convenient for any of the purposes of the Association, and in order to provide suitable equipment, accommodation and facilities.
4. To improve, manage, develop, exchange or lease, mortgage, sell, dispose or turn to account and grant options, rights and privileges in respect of, or otherwise deal with, all or any part of the property and rights of the Association.
5. To deposit or invest the monies and assets of the Association not immediately required in such securities and in such a manner as may from time to time be determined, if cash resources and investments will only be made with Financial Institutions licensed by the relevant state agency.
6. To borrow, or raise money in such a manner as the Association shall deem fit and in particular to secure payment of any money borrowed by means of mortgage, pledge, charge or lien to secure and guarantee the due performance by the Association of any obligation or liability it may undertake.
7. To open and operate banking accounts and to draw, make, accept, endorse, sign, discount, execute, issue cheques, promissory notes, bills of exchange, bills of lading, warrants, debentures and other negotiable documents.
8. To make rules and regulations which shall not be inconsistent with the terms of these Statutes.

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Article **3 Human rights**

GFA is committed to respecting all internationally recognised human rights and shall strive to promote the protection of these rights.

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Article **4 Non-discrimination and equality**

Discrimination of any kind against a country, private person or group of people on account of race, skin colour, ethnic, national or social origin, gender, disability, language, religion, political opinion or any other opinion, wealth, birth or any other status, or for any other reason is strictly prohibited and punishable by suspension or expulsion and/or disciplinary measures.

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Article **5 Neutrality and institutional independence**

<sup>1</sup> GFA is neutral in matters of politics and religion.

<sup>2</sup> The Members of GFA shall also be neutral in matters of politics and religion and shall ensure that their own members remain neutral.

<sup>3</sup> GFA shall remain independent and shall avoid any form of political interference. GFA shall manage its affairs independently and shall ensure that its own affairs are not influenced by any third parties.

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Article **6 Promoting friendly relations**

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<sup>1</sup> GFA shall promote friendly relations between its Members, Clubs, Officials and Players and in society for humanitarian objectives.

<sup>2</sup> GFA shall provide the necessary institutional means to resolve any internal dispute that may arise between the Members, Clubs, Officials and Players of GFA.

<sup>3</sup> GFA may organise friendly match or matches to raise money to support humanitarian cause.

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Article **7 Players**

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<sup>1</sup> The status of Players and the provisions for their transfer shall be regulated by the GFA in accordance with the FIFA Regulations on the Status and Transfer of Players as revised by FIFA from time to time and GFA Regulations on Domestic transfer and status of Players.

<sup>2</sup> Players shall be registered in accordance with the regulations of GFA.

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Article **8 Laws of the Game**

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<sup>1</sup> GFA and each of its Members shall play Association football in compliance with the Laws of the Game issued by The IFAB. Only The IFAB may lay down and alter the Laws of the Game.

<sup>2</sup> GFA and each of its Members shall play futsal in accordance with the Futsal Laws of the Game issued by FIFA. Only FIFA may lay down and alter the Futsal Laws of the Game.

<sup>3</sup> GFA and each of its Members shall play beach soccer in accordance with the Beach Soccer Laws of the Game issued by FIFA. Only FIFA may lay down and alter the Beach Soccer Laws of the Game.

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Article **9 Conduct of bodies, Officials and others**

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<sup>1</sup> All bodies and Officials of GFA must observe the Statutes, regulations, directives, decisions and the Code of Ethics of FIFA, of CAF and of GFA in their activities.

<sup>2</sup> Every person and organisation involved in the game of Association football, futsal and beach soccer in the territory of GFA is obliged to observe the relevant Statutes, regulations and the principles of Fair play as well as the principles of loyalty, integrity and sportsmanship.

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Article **10 Official languages**

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<sup>1</sup> The official language of GFA shall be English. Official documents and texts shall be written in this language.

<sup>2</sup> The official language at the Congress shall be English.

## II. MEMBERSHIP

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Article **11 Admission, Suspension and Expulsion of Members**

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<sup>1</sup> The Congress shall decide whether to admit, suspend or expel a Member.

<sup>2</sup> Admission may be granted if the applicant fulfils the requirements of GFA in accordance with the Statutes of GFA.

<sup>3</sup> Membership is terminated by resignation or expulsion. Loss of membership does not relieve the Member from its financial obligations towards GFA or other Members of GFA but leads to the loss of all rights in relation to GFA.

<sup>4</sup> GFA shall ensure that all relevant stakeholders are represented within its Congress. The interests of women's football shall also be adequately represented in the Congress.

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Article **12 Members**

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Members of GFA shall be the following legal entities duly registered under the Companies Act 2019, (Act 992).

1. Premier League Clubs
2. Women's Elite League Competition Clubs
3. Division One League Clubs
4. Regional Football Associations (RFAs)
5. Schools and Colleges
6. Professional Footballers Association of Ghana (PFAAG)
7. Referees Association of Ghana (RAG)
8. Coaches Association of Ghana
9. Beach Soccer Association
10. Futsal Association
11. The Security Services Sports Association (SESSA)
12. Juvenile Clubs Association

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Article **13 Admission**

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1. Any legal person wishing to become a Member of GFA shall apply in writing only to the General Secretary.
2. The application must be accompanied by the following mandatory documents:
  - a) a copy of its incorporation documents duly filed with the Companies Registry and the names of its shareholders and percentage ownership of each shareholder
  - b) a declaration that it will always comply with the Statutes, regulations and decisions of GFA, FIFA and CAF and ensure that these are also respected by its own members, Clubs, Officials and Players;
  - c) a declaration that it will comply with the Laws of the Game laid down by IFAB in force as well as the Beach Soccer Laws of the Game and the Futsal Laws of the Game as laid down by FIFA;
  - d) a declaration that it will not take matters of interpretation and application of the FIFA, CAF and GFA Statutes, regulations, decisions and directives to Ordinary Courts, unless the FIFA Statutes or regulations, CAF Statutes or the GFA regulations, or binding national law, provide for or stipulate recourse to Ordinary Courts;
  - e) a declaration that it recognises the judicial bodies of GFA and the Court of Arbitration for Sport (CAS) in Lausanne, as specified in these Statutes.
  - f) a declaration that it is located and registered in the territory of GFA;
  - g) a declaration that it will play all official home matches in the territory of GFA unless otherwise officially sanctioned by GFA in writing;
  - h) a declaration to the effect that the legal composition of the applicant guarantees that it can make decisions independently of any external entity;
  - i) a declaration to the effect that the members of its own bodies were elected or appointed as a result of a procedure that guarantees the complete independence of the election or appointment;
  - j) a list of officials, specifying those who are authorised signatories with the right to enter into legally binding agreements with third parties. Any changes of officials and authorized signatories shall be communicated in writing to the General Secretary within thirty (30) days of the said change;
  - k) A declaration that it undertakes to ensure these Statutes, Regulations and General Regulations and the Disciplinary Code of GFA are respected by its members and by any other person (player or official) with whom it has a contract;
  - l) a declaration that it undertakes to organise or participate in friendly matches only with the prior notice of GFA in writing.

- m) a declaration that it recognises the authority of the Dispute Resolution Committee set up under these Statutes in respect of disputes which do not fall under the jurisdiction of the Disciplinary Committee, the Ethics Committee, the Appeals Committee, or the Player's Status Committee of the GFA;
- n) a declaration that it will abide by GFA, CAF and FIFA club licensing regulations completely and without fail at all times;
- o) a copy of the minutes of its last congress or constitutional meeting and the previous year's audited accounts, where appropriate.

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Article **14 Request and procedure for application**

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- 1. The General Secretary on behalf of and upon approval by the Executive Council, shall recommend the admission of an Applicant to Congress.
- 2. The new Member shall acquire membership rights and duties as soon as it has been admitted. Its delegates are eligible to vote and be elected with immediate effect.

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Article **15 Members' rights**

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- <sup>1</sup> The Members of GFA shall have the following rights:
  - a) to take part in the Congress of GFA, to receive its agenda in advance, to be called to the Congress within the prescribed time and to exercise their rights to participate in the debates and discussions and to exercise their voting rights;
  - b) to draw up proposals for inclusion in the agenda of the Congress;
  - c) to nominate candidates for elections to all bodies of GFA;
  - d) to be informed of the affairs of GFA through the official bodies of GFA;
  - e) to take part in competitions (if applicable) and/or other sporting activities organised by GFA;
  - f) to exercise all other rights arising from the Statutes and regulations of GFA
- <sup>2</sup> The exercise of these rights is subject to other provisions in these Statutes and the applicable regulations.

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Article **16 Members obligations**

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- <sup>1</sup> The Members of GFA shall have the following obligations:
  - a) to comply fully with the Statutes, Regulations, directives and decisions of CAS, FIFA, CAF and GFA always and to ensure that these are also respected by its members;
  - b) to ensure the election of its decision-making bodies at least every four years;

- c) to take part in competitions (if applicable) and other sporting activities organised by GFA;
- d) to pay their membership subscriptions;
- e) to respect the Laws of the Game as laid down by The IFAB and the Beach Soccer Laws of the Game and the Futsal Laws of the Game as laid down by FIFA, and to ensure that these are also respected by its members through a statutory provision;
- f) to adopt a statutory clause specifying that any dispute requiring arbitration involving itself or one of its members and relating to the Statutes, regulations, directives and decisions of FIFA, CAF, GFA or the League(s) shall only be referred to an Arbitration Tribunal or to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, both as specified in the FIFA Statutes and in these Statutes, and that any recourse to Ordinary Courts is prohibited;
- g) to manage their affairs independently and ensure that their own affairs are not influenced by any third parties in accordance with art. 20 of these Statutes;
- h) to ensure that their bodies, delegates to the Congress of GFA, and representatives on the Executive Council are either elected or appointed according to a procedure that guarantees the complete independence of the election or appointment;
- i) to communicate to GFA any amendment of its Statutes and regulations as well as the list of its Officials or persons who are authorised signatories with the right to enter into legally binding agreements with third parties within seven days of such a change taking place;
- j) not to maintain any relations of a sporting nature with entities that are not recognised or with Members that have been suspended or expelled;
- k) to observe the principles of loyalty, integrity and good sporting behaviour as an expression of fair play through a statutory provision;
- l) to observe the mandatory items specified under article 13 paragraph 2 for the duration of their affiliation;
- m) to administer a register of members which shall be regularly updated;
- n) to ratify statutes that are in accordance with the requirements of the Statutes of GFA;
- o) to comply fully with all other duties arising from the Statutes and other regulations of FIFA, CAF and GFA.

<sup>2</sup> Violation of the above-mentioned obligations by any Member may lead to sanctions provided for in these Statutes.

<sup>3</sup> Violation of par. 1 (g) may also lead to sanctions, even if the third-party influence was not the fault of the Member concerned. Each Member of GFA is responsible towards GFA for any and all acts of the members of their bodies caused by the gross negligence or wilful misconduct of such members.

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Article **17 Suspension**

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1. The Congress is responsible for suspending a Member. The Executive Council may, however, temporarily suspend a Member that seriously and/or repeatedly violates its obligations as a Member with immediate effect. The suspension approved by the

Executive Council shall last until the next Congress, unless the Executive Council has lifted it in the meantime.

2. A suspension of a Member by the Congress requires more than 50 percent of the delegates representing the Members present and eligible to vote and three quarters voting for the suspension. A suspension of a Member by the Executive Council shall be confirmed at the next Congress. If it is not confirmed, the suspension shall be automatically lifted.
3. A suspended Member shall lose its membership rights. Other Members may not entertain sporting contact with a suspended Member. The Disciplinary Committee may impose further sanctions.
4. Members that do not participate in the sporting activities of GFA for one (1) year shall be suspended from voting at Congress and their representatives shall not be elected or appointed until they have fulfilled their obligations in this respect.

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Article **18 Expulsion**

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1. Congress shall expel a Member if:
  - a) It fails to fulfil its financial obligations towards GFA for two (2) consecutive years despite two written reminders to that effect;
  - b) It seriously and repeatedly violates the Statutes, regulations, directives or decisions of FIFA, CAF and GFA.
2. The presence of more than 75% of delegates representing the Members eligible to vote at the Congress is necessary for an expulsion to be valid, and the motion for expulsion must be adopted by a three-quarter majority of the valid votes cast.

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Article **19 Resignation**

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1. A Member may resign from GFA with effect from the end a football season. Notice of resignation must reach the GFA Secretariat no later than six months before the end of the football season.
2. The resignation is not valid until the Member wishing to resign has fulfilled its financial obligations towards GFA and the other Members of GFA.
3. Members who have resigned may apply for (re-)admission in accordance with these Statutes only if they have fulfilled all their outstanding financial commitments to the GFA.

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Article **20 Independence of Members and their bodies**

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1. Each Member shall manage its affairs independently and with no undue influence from third parties.



2. The Members' bodies shall be either elected or appointed. The Members' statutes shall provide for a procedure that guarantees the complete independence of the election or appointment.
3. Any Members' bodies that have not been elected or appointed in compliance with the provisions of par. 2 above, even on an interim basis, shall not be recognised by GFA.
4. Decisions passed by bodies that have not been elected or appointed in compliance with par. 2 above shall not be recognised by GFA.

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Article **21 Status of Clubs, Leagues, Regional Associations and other groups of Clubs**

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1. Clubs, Leagues, Regional Associations or any other groups of Clubs affiliated to GFA shall be subordinate to and recognised by GFA. There shall only be one top-tier national league of the GFA.
2. These Statutes define the scope of authority and the rights and duties of the entities mentioned in par. 1 above. Their statutes and regulations must be approved by GFA. GFA shall have the primary responsibility to regulate matters relating to refereeing, the fight against doping, the registration of players, club licensing, the imposition of disciplinary measures, including for ethical misconduct, and measures required to protect the integrity of competitions.
3. The entities mentioned in par. 1 above shall take all decisions on any matters regarding their membership independently of any external body. This obligation applies regardless of their corporate structure.

In any case, no natural or legal person (including holding companies and subsidiaries) shall exercise control over more than one Club or group of Clubs whenever the integrity of any match or competition could be jeopardised.

### III. HONORARY PRESIDENT AND HONORARY MEMBER

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Article **22 Honorary President and honorary member**

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- <sup>1</sup> The Congress may bestow the title of honorary President or honorary member upon any person for meritorious service to football.
- <sup>2</sup> The Executive Council shall make these nominations.
- <sup>3</sup> Such an honorary member may take part in the deliberations of Congress but is not entitled to vote.

### IV. ORGANISATION

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Article **23 Bodies of GFA**

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The Bodies of GFA shall be:

1. Congress

2. The Executive Council
3. The GFA Secretariat
4. The Standing Committees and Ad-hoc Committees
5. The Independent Committees
  - a. Congress shall be the supreme and legislative body of the GFA. It shall enact rules and regulations and take the necessary decisions for implementation in relation to all football matters.
  - b. The Executive Council is the executive body. The Executive Council shall supervise and assess the work of the GFA Secretariat. It shall define the Association's general policies, enact rules and regulations and take the necessary decisions for implementation.
  - c. The GFA Secretariat is the operational and administrative body of GFA and shall be headed by its General Secretary.
  - d. Standing and ad-hoc committees shall advise and assist the Executive Council and the GFA Secretariat in fulfilment of their respective duties.
  - e. The Club licensing bodies oversee the club licensing system within GFA.
  - f. The Independent Committees fulfil their functions in accordance with these Statutes and applicable regulations. The Independent Committees shall consist of the Elections Committee and the Disciplinary Committee, the Ethics Committee and the Appeals Committee.
6. The bodies of GFA shall be either elected or appointed by GFA itself without any external influence and in accordance with the procedures described in these Statutes. The members of these bodies shall not have previously been found guilty of any criminal offence incompatible with the position.
7. Any member of the bodies of GFA must withdraw from relevant discussions and from taking a decision if there is any risk or possibility of a conflict of interest. Members of the bodies of GFA shall always be aware of, and comply with, the relevant provisions of the FIFA Code of Ethics on conflicts of interest and adjust their conduct as necessary (e.g. abstain from performing their duties, notify the chairperson in cases of potential conflicts of interest).

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Article **24 Dismissal of a member of any Body**

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1. The Congress may dismiss a member of a body of GFA. The Executive Council may place the dismissal of a member of a body on the agenda for Congress. The Executive Council may also dismiss a member of a body provisionally, except for the members of the independent committees. Any member of the Executive Council may submit a proposal to place such a motion for dismissal on the agenda of the Executive Council or Congress.
2. A member of a body shall be automatically provisionally dismissed if that member is found guilty of an offence which prejudices the objectives or activities of GFA and has had the effect of bringing the name of GFA into disrepute. Such dismissal shall be subject to the decision of the Congress.

3. If a member of a body is the subject of a decision of WAFU, CAF or FIFA that bans that member from taking part in any football-related activity pursuant to the applicable statutes and/or disciplinary regulations of FIFA, CAF, or WAFU, that decision will be upheld and enforced against that member.
4. The motion for dismissal must be justified. It will be sent to the members of the Executive Council and/or to the Members of GFA along with the respective agenda.
5. The member of the body in question has the right to defend himself.
6. The motion for dismissal shall be decided by means of secret ballot. For the motion to be passed, a majority of three-quarters of the valid votes is required.
7. The member dismissed (provisionally or not) is relieved of his functions with immediate effect.

## A. CONGRESS

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### Article 25 Definition

1. The Congress is the meeting at which all the Members of GFA regularly convene. It represents the supreme and legislative authority of GFA. Only a Congress that is duly convened has the authority to make decisions.
2. The Congress shall be constituted in accordance with the principles of representative democracy and shall consider the importance of gender equality in football.
3. A Congress may be an Ordinary or Extraordinary Congress.
4. The President shall conduct the Congress business in compliance with the Standing Orders of the Congress.
5. The Congress may appoint observers who take part in the Congress without the right to debate or to vote.

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### Article 26 Composition of Congress

The Congress shall be composed of one hundred and twenty (120) delegates. The number of delegates is allocated as follows:

- For each of the sixteen (16) Premier League Clubs, two (2) delegates;
- For the Women's Elite League Competition Clubs, eight(8) delegates of which at least five (5) shall be women;
- For the Division One League Clubs, forty eight (48) delegates
- For each of the ten Regional Football Associations, two (2) delegates
- For the Schools & Colleges, one (1) delegate
- For the Beach Soccer Association, one (1) delegate
- For the Futsal Association, one (1) delegate
- For the Security Services Sports Association (SESSA), one (1) delegate
- For the Professional Footballers Association of Ghana (PFAG), two (2) delegates
- For the Coaches Association of Ghana, two (2) delegates
- For the Referees Association of Ghana (RAG), two (2) delegates
- For the Juvenile Clubs Association, two (2) delegates

Delegates must belong to the Member that they represent and be appointed or elected by the appropriate body of that Member in accordance with art. 20 of these Statutes. They must also be able to produce evidence of this upon request.

Each delegate has one vote in the Congress. Only the delegates present are entitled to vote. Voting by proxy or by letter shall not be permitted.

The Executive Council and the General Secretary shall take part in the Congress without voting rights. During their terms of office, members of the Executive Council may not be appointed as delegates to the Congress.

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Article **27 Areas of authority**

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Congress shall have the following areas of authority:

- a) Adoption or amendment of the Statutes and the Standing Orders of Congress;
- b) Appointment of three Members to check the minutes;
- c) Approval of the minutes of the last meeting;
- d) Election of the President of the Executive Council who shall also sit as the President of Congress.
- e) Appointment of the chairmen, deputy chairmen and members of the Independent Committees upon the proposal of the Executive Council;
- f) Appointment of the scrutineers to count the votes and to assist the Election Committee in the distribution and counting of voting papers issued for the elections;
- g) Approval of the annual audited financial statements, including the consolidated financial statements and the annual report;
- h) Approval of the Budget;
- i) Approval of the activity report (containing the activities of GFA since the previous Congress);
- j) Appointment of the independent auditors upon the proposal of the Executive Council;
- k) Fixing the membership subscription upon the recommendation of the Executive Council;
- l) The confirmation of honorary membership on qualified persons;
- m) The admittance, suspension or expulsion of a Member;
- n) The revocation of the mandate of one or several members of a body of GFA;
- o) The dissolution of GFA;
- p) The passage of decisions at the request of a Member in accordance with the GFA Statutes or the passage of any decision entrusted to Congress in accordance with the Statutes of GFA;

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Article **28 Quorum of the Congress**

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1. Decisions passed by Congress shall only be valid if a majority (more than 50%) of the delegates representing the Members eligible to vote are present.
2. In the absence of a quorum for a scheduled meeting of Congress, a second meeting shall be convened twenty-four (24) hours after the first, with the same Agenda.
3. A quorum is not required for the second meeting of Congress unless any item on the agenda proposes the amendment of the Statutes of GFA, the election of the President and members of the Executive Council, the election of the chairmen, deputy chairmen and members of the independent committees, the dismissal of one or a number of members of a body of GFA, the expulsion of a Member of GFA or the dissolution of GFA.
4. Any quorum achieved at the start of a meeting shall not be influenced by departing delegates.

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Article **29 Decisions of the Congress**

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1. A decision that requires a vote shall be reached by a show of hands. If a show of hands does not result in a clear majority in favour of a motion, the vote shall be taken by calling the roll in alphabetical order.
2. Unless otherwise stipulated in these Statutes, a majority (more than 50%) of the valid votes cast is sufficient for a decision to be valid. Blank ballot papers, invalid votes or electronic votes manipulated in any other way as well as abstentions shall be disregarded when calculating the majority.

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Article **30 Elections or Appointments**

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1. Elections shall be conducted by secret ballot.
2. Elections within GFA shall be conducted in accordance with the Statutes and the GFA Regulations on Elections.
3. The election for the position of the President shall take place by position. Each candidate for position of President shall be proposed by one member and supported by five members.
4. For the election of the Constituent Bodies onto the Executive Council each candidate shall be proposed by one member and supported by one other member. Each member shall propose or support one candidate for each given position only.
5. A majority (more than 50%) of the valid votes cast is necessary for the election of the President of GFA. If there are more than two candidates for the office of President, whoever obtains the lowest number of votes is eliminated after each ballot until only two candidates are left.
6. For the election of the other available positions of the Executive Council, the candidate(s) who receive(s) the most votes in respect of the free seat(s) shall be elected.

7. For the appointment of the chairmen, deputy chairmen and members of the Independent Committees of GFA, the candidate(s) who receive(s) the most votes in respect of the free seat(s) shall be appointed. These appointments may be conducted en bloc.
8. In case of a tied vote in any elections of any body of GFA, two new ballots shall be conducted in accordance with the procedure set forth by the present provision. If the tied vote remains, the relevant position shall remain vacant until a new elective Congress convenes to proceed with new elections according to these Statutes with the same candidates.
9. Blank ballot papers, invalid votes or electronic votes manipulated in any other way as well as abstentions shall be disregarded when calculating the majority.
10. Candidatures for any of the available positions of the Executive Council shall be sent to the GFA Secretariat at least 30 days before the relevant elective Congress. The official list of candidates must be passed to the Members of GFA at least 10 days before the Congress at which the Executive Council will be elected. The provisions of this paragraph shall also apply when elections take place during an Extraordinary Congress.
11. Candidates for any of the positions of the independent committees of GFA must be passed to the Members of GFA at least 14 days before the Congress at which the members in question will be appointed.

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Article **31 Ordinary Congress**

1. Congress shall meet in ordinary session once every Football Season, usually before the commencement of said season.
2. The Executive Council shall fix the date and venue for a meeting of Congress. The Members shall be notified in writing at least 14 days in advance.
3. The formal convocation of Congress shall be made in writing and circulated to the Members of GFA at least ten (10) days before the stipulated date of the meeting of Congress. This convocation shall contain the Agenda, the Activity Report, the Financial Statements and the Auditors' Report and any other relevant documents.

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Article **32 Ordinary Congress agenda**

1. The General Secretary shall draw up the agenda based on proposals from the Executive Council and the Members of GFA. Any proposal emanating from a Member of GFA shall be made in writing, addressed to the Executive Council and sent to the GFA Secretariat at least thirty (30) days before the stipulated date of the meeting of Congress. The proposal shall include a brief explanation of the basis of said proposal.
2. The Agenda for a meeting of Congress shall include the following mandatory items in chronological order:
  - a) Roll Call;
  - b) A declaration that Congress has been convened and composed in compliance with the Statutes of GFA;
  - c) Approval of the Agenda;

- d) An address by the President;
- e) Appointment of Members to check the minutes;
- f) Appointment of scrutineers;
- g) Suspension or expulsion of Members (if applicable);
- h) Approval of the minutes of the preceding Congress;
- i) Activity report (containing the activities since the last Congress by the General Secretary);
- j) Presentation of the consolidated and revised balance sheet and the profit and loss statement (by the Auditors);
- k) Approval of the financial statements of the previous financial period.
- l) Approval of the work programme and budget for the coming year;
- m) Votes on proposals for amendments to the Statutes and the Standing Orders of the Congress (if applicable);
- n) Discussion of proposals submitted by the Members and the Executive Council in accordance with the procedure stipulated under paragraph 1 above;
- o) Appointment of independent auditors (if applicable) upon the proposal of the Executive Council;
- p) Dismissal of a member of a body (if applicable);
- q) Election of the President and other available positions on the Executive Council;
- r) Appointment of the members of the independent committees (if applicable);
- s) Admission for membership (if applicable).

- 3. Congress shall not take a decision on any point not included on the Agenda.
- 4. The Agenda of an Ordinary Congress may be altered, provided three-quarters of the delegates representing the Members present at the Congress and eligible to vote agree to such a motion.

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**Article 33 Extraordinary Congress**

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- 1. The Executive Council may convene an Extraordinary Congress at any time.
- 2. The Executive Council shall convene an Extraordinary Congress by a Resolution of the Executive Council or upon the request of not less than 50% of the Members of GFA. Such a request shall be made in writing. The request shall specify the items to be included on the Agenda for the meeting.
- 3. An Extraordinary Congress shall be held within fourteen (14) days of receipt of the request. If an Extraordinary Congress is not convened, the delegates representing the Members who requested the Extraordinary Congress may convene the meeting.
- 4. The Members shall be notified of the date, venue and Agenda of the Extraordinary Congress at least ten (10) calendar days before the date of said meeting.
- 5. When an Extraordinary Congress is convened on the initiative of the Executive Council, it must draw up the Agenda.
- 6. When an Extraordinary Congress is convened upon the request of Members, the Agenda shall contain the points raised by those Members.
- 7. The Agenda of an Extraordinary Congress shall not be altered.

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Article **34 Amendments to the Statutes and the Standing Orders of the Congress**

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1. The GFA Statutes and the Standing Orders of the Congress shall only be amended by Congress.
2. Any proposals for an amendment to the Statutes and the Standing Orders of Congress shall be submitted in writing with a brief explanation to the General Secretary by a Member.
3. A proposal submitted by a Member is valid, provided it has been supported in writing by at least one third of the Members.
4. For a vote on an amendment to the Statutes and to the Standing Orders of the Congress to be valid, a majority (more than 50%) of the delegates representing the Members eligible to vote must be present.
5. A proposal for an amendment to the Statutes and to the Standing Orders of the Congress shall be adopted by a three-quarters approval of the delegates representing the Members present and eligible to vote.

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Article **35 Minutes**

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The General Secretary shall be responsible for recording the Minutes at the Congress. The Minutes shall be checked by those Members designated, and finally approved at the next Congress.

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Article **36 Effective dates of decisions**

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Decisions passed by the Congress shall come into effect for the Members immediately after the close of the Congress, unless otherwise stipulated in these Statutes or unless the Congress fixes another date for a decision to take effect.

**B. THE EXECUTIVE COUNCIL**

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Article **37 Composition of the Executive Council**

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1. The Executive Council consists of 12 members constituted as follows:
  - The President to be elected by Congress
  - Five (5) representatives elected by the Premier League Clubs
  - Three (3) representatives elected by the Division One League Clubs
  - One (1) woman elected by the Women's Elite League Clubs
  - Two (2) RFA Chairmen elected by the ten Regional Chairmen
2. The President shall be elected by the Congress in accordance with art. 30 of these Statutes. However, all candidates shall undergo an integrity check, to be conducted by the



Elections Committee, as per Annex B of these Statutes prior to their election or re-election.

3. The Vice President of the Executive Council shall be elected from amongst the Members of the Executive Council at its maiden sitting. He shall act in the absence of the President.
4. The mandate of the President, the Vice President and members of the Executive Council shall be a term of four years. Their mandates shall immediately begin after the end of the Congress, which has elected them. No person shall serve as President for more than two terms of office, whether consecutive or not. Any other member of the Executive Council, including the Vice President, may serve for no more than three terms of office, whether consecutive or not. Any partial term beyond twenty-four (24) months shall count as a full term. Previous terms served as a vice president or as a member of the Executive Council shall not be considered in determining the term limits of a President.
5. A member of the Executive Council may not at the same time be a member of an independent body of GFA. A member of the Executive Council shall not be appointed/elected as delegate representing a Member at the Congress of GFA.
6. If a position or up to 50% of the positions on the Executive Council become(s) vacant, the Executive Council shall fill the position(s) in question until the next Congress, when a replacement will be elected for the remaining period of office. In case any of the positions of the members representing the Premier League, the Division 1 and the Regional Football Associations become(s) vacant, the respective entity shall promptly appoint a replacement.
7. If more than 50% of the positions on the Executive Council become vacant, the General Secretary shall convene an Extraordinary Congress in order to elect the replacements for the remaining period of office within the prescribed period of time.
8. A position will be considered vacant in case of death, resignation or if said member is incapable of discharging the functions of his office by reason of infirmity of mind or body as certified by a certified medical practitioner or if he absents himself from three consecutive meetings of the Executive Council.

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Article **38 Meetings**

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1. The Executive Council shall meet at least six times a year.
2. The President shall convene meetings of the Executive Council. If at least a third of the members of the Executive Council request a meeting in writing to the President of the Executive Council, the President shall convene a meeting within fifteen (15) days from date of receipt of the requisition. If the President does not convene the requested meeting by the deadline, the members of the Executive Council shall convene the meeting.
3. The President, assisted by the General Secretary, shall compile the agenda. Each member of the Executive Council is entitled to propose items for inclusion in the agenda. The members of the Executive Council must submit the items they wish to be included in the agenda for the meeting to the General Secretary at least seven (7) days before the meeting. The agenda and accompanying documents shall be circulated to the members of the Executive Council at least three (3) days before the meeting.

4. The General Secretary shall take part in the meetings of the Executive Council in a consultative role and without voting rights. If the General Secretary is unable to attend a meeting, he may nominate a representative to attend the meeting on his behalf, subject to the approval of the Executive Council.
5. The meetings of the Executive Council shall not be held in public. The Executive Council may, however, invite third parties to attend. Those third parties shall not have voting rights and may only express an opinion with the permission of the Executive Council.
6. For the deliberations to be valid, a quorum of more than 50% of the members of the Executive Council shall be required.

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Article **39 Powers of the Executive Council**

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The Executive Council shall have the following powers:

- a) Pass decisions on all cases that do not come within the sphere of responsibility of Congress or are not reserved for other bodies by law or under these Statutes;
- b) Prepare, with the assistance of the General Secretary, and convene the Ordinary and Extraordinary Congress of GFA;
- c) Appoint the chairmen, vice-chairmen and members of the standing committees;
- d) Decide to set up ad-hoc committees if necessary, at any time;
- e) Appoint or dismiss the chairman, the vice chairman and members of the standing committees, upon the proposal of the President of the Executive Council;
- f) Propose to Congress the membership subscriptions on the recommendation of the General Secretary;
- g) Approve and issue the regulations for the organisation of standing committees and ad-hoc committees;
- h) Appoint the General Secretary and his deputies through a competitive selection process. The General Secretary and his deputies may be dismissed by the Executive Council;
- i) Propose the independent auditors to the Congress;
- j) Appoint replacements for vacancies in the independent committees until the next Congress;
- k) Approve and issue regulations governing the conditions of participation in and the staging of competitions organised by GFA;
- l) Approve and issue the Policies and Strategies of GFA;
- m) Ensure that these Statutes are applied and adopt the executive arrangements required for their application;
- n) Dismiss a member of a body of GFA provisionally or suspend a Member of GFA provisionally until the next Congress;
- o) Delegate tasks arising out of its area of authority to other bodies of GFA;
- p) Appoint observers who may take part in the Congress without the right to debate or to vote.

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Article **40 Decisions**

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1. The Executive Council shall not engage in valid debate unless at least six (6) of its members are present.
2. The Executive Council shall reach decisions by a majority (more than 50%) of the valid votes cast. In the event of a tied vote, the President shall have the deciding vote. Voting by proxy or by letter is not permitted. A majority (more than 50%) of the members of the Executive Council may request a secret ballot for a certain decision.
3. Any member of the Executive Council must withdraw from the debate and from taking a decision if there is any risk or possibility of a conflict of interests.
4. The decisions taken shall be recorded in the minutes.
5. The decisions taken by the Executive Council shall come into effect immediately, unless the Executive Council decides otherwise.
6. The Executive Council shall have the power to review its own decisions.

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Article **41 President of the Executive Council**

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- <sup>1</sup> The President represents GFA legally.
- <sup>2</sup> He is primarily responsible for:
  - a) implementing the decisions passed by the Congress and the Executive Council through the GFA Secretariat;
  - b) ensuring the effective functioning of the bodies of GFA in order that they achieve the objectives described in these Statutes;
  - c) supervising the work of the GFA Secretariat;
  - d) the relations between GFA and its Members, FIFA, CAF, political bodies and other organisations.
- <sup>3</sup> The President shall preside over the Congress, the Executive Council meetings and those committees of which he has been appointed chairman.
- <sup>4</sup> The President shall have an ordinary vote on the Executive Council and, whenever votes are equal, shall have a casting vote.
- <sup>5</sup> If the President is absent or unavailable, the vice president shall deputise.
- <sup>6</sup> If the position of the President becomes vacant in the sense of art. 37 par. 7 of these Statutes, the vice-President shall deputise until the next Congress. This Congress shall elect a new President for the remaining period of office.
- <sup>7</sup> Any additional powers of the President shall be contained in the GFA Regulations.

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Article **42 Representation and signature**

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1. The Executive Council may adopt special provisions in the GFA Regulations regarding bank signatures and other financial matters. All contracts must be signed by the General Secretary upon a Resolution of the Executive Council and witnessed by the President.
2. The remuneration of members of the Executive Council shall be proposed by an ad-hoc compensation committee and approved by Congress.

**C. GFA SECRETARIAT**

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Article **43 GFA Secretariat**

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The GFA Secretariat shall carry out all the administrative and operational work of GFA under the direction of the General Secretary. The members of the GFA Secretariat are bound by the GFA Regulations and shall fulfil the given tasks in good faith.

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Article **44 The General Secretary**

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1. The General Secretary shall be the executive representative of GFA and shall manage the day to day affairs of GFA.
  - a) He shall be appointed by the Executive Council. He shall discharge his duties based on a contract of employment.
  - b) He shall be responsible for the implementation of all the decisions of Congress and of the Executive Council.
  - c) He shall take part in the meetings of Congress but shall have no voting rights.
  - d) He shall attend and participate in the deliberations of the Executive Council without a right to vote.
  - e) He shall play a consultative role during the meetings of any of the Standing Committees. If he is unable to attend, he shall designate one of his deputies to attend.
  - f) He shall arrange secretarial support for the Standing Committees.
  - g) He shall prepare the agenda of meetings of Congress, the Executive Council and the Standing Committees.
  - h) He shall be responsible for compiling the minutes of the meetings of Congress, the Executive Council and the Standing Committees.
  - i) He shall be responsible for GFA correspondence, public relations and archiving of all-important documents, contracts and minutes.
  - j) He shall be responsible for managing the finances of GFA and keeping proper accounts.
  - k) He will propose to the Executive Council for approval, the appointment of Deputy General Secretaries. All other appointments may be made by the General Secretary subject to the approval of the Executive Council.
  - l) He shall be responsible for preparing the budget for approval by the Executive Council.

- m) He shall be responsible for the preparation of the Annual Financial Statements of GFA and ensure the auditing of the Financial Statement as prescribed by law.
- n) He shall be responsible for the certification of all documents relating to expenses and income.
- o) He shall be responsible for the recruitment and dismissal of all staff subject to the approval of the Executive Council where necessary.
- p) He shall be responsible for maintaining good relations between GFA and other National Associations, WAFU, CAF, and FIFA as well as the relevant State Agencies and international organisations.
- q) The General Secretary shall ensure that all bodies of GFA function effectively to achieve the objectives specified by these statutes.
- r) The General Secretary and any other person mandated by the Executive Council shall represent the GFA in negotiations with third parties.
- s) The General Secretary shall sign all documents and letters binding on GFA except in cases that require approval of the Executive Council and the President's signature.
- t) In the absence of the General Secretary, the Executive Council shall nominate one of the deputies, usually the senior most, to act in his stead.
- u) He shall preside over all management meetings.

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#### **45 Technical Directorate**

1. The Technical Directorate shall primarily focus on formulating guidelines, strategies and policies for training and technical development of personnel in Ghana football. It shall also oversee GFA's development programmes, devising and proposing appropriate strategies, checking these strategies and analysing the support and programmes provided to the Members of GFA and providing advice to the Executive Council on development matters in general.
2. The Technical Directorate shall be headed by a Technical Director appointed by the Executive Council on the advice of the General Secretary.
3. Duties of a Technical Director:
  - a. To be responsible for the welfare of the technical handlers and players of the National Teams.
  - b. To organise coaching courses for Coaches in order to improve the techniques of coaching.
  - c. To educate Coaches, Players, Clubs and the spectating public on the Laws of the Game and the Regulations of GFA and the International Bodies to which GFA is affiliated.
  - d. To arrange Courses and Conferences for Match Officials, Team Officials, Instructors, Trainers and Administrators;
  - e. To assess the training programme of the National Teams, examine Reports on Players made by the Handlers (Team Managers, Coaches and the Welfare Officers), analyse International Matches and advise GFA.
  - f. To organise refresher courses for Referees to enable them to update their techniques and knowledge in refereeing.
  - g. To study the reports of match officials and make recommendations to the Executive Council.

- h. To stay current on emerging football technologies and recommend its use to GFA.
- i. To be responsible for the classification and grading of coaches.

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#### **CLUB LICENSING BODY**

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Article **46 Club licensing bodies**

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The Club licensing bodies oversee the club licensing system within GFA in accordance with the Club licensing regulations of GFA and the regulations on club licensing of CAF and FIFA.

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#### **REGIONAL FOOTBALL ASSOCIATIONS**

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Article **47 Regional Football Associations**

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1. There shall be ten (10) Regional Football Associations which shall organize football in the regions on behalf of the GFA.
2. The organization, administration and activities of the RFA shall be in accordance with the provisions of these Statutes and other guidelines approved from time to time by the Executive Council of the GFA.
3. The Regional Football Association Congress shall consist of the following members:
  - a) The registered 2nd Division Clubs – one (1) delegate from each club
  - b) The registered Juvenile Football Clubs – two (2) delegates
  - c) Schools & Colleges – one (1) delegate
  - d) The registered women’s football Clubs in the region– two (2) delegates
  - e) The referees in the region – two (2) delegates
  - f) Coaches in the region – two (2) delegates
  - g) Players in the region – two (2) delegates
  - h) District Football Associations – two (2) delegates each
4. The structure of the RFA shall, as far as possible, conform to the structure of the GFA.
5. It shall hold an annual Congress of representatives of its constituent members to receive and consider among other matters, reports of the Executive Council of the RFA including audited financial statements.
6. Areas of Authority of the RFAs shall be:
  - a) It shall organize the Regional 2nd Division League;
  - b) It shall supervise the activities of the Regional women’s Football Competition and Regional Football Juvenile Competition;
  - c) Liaise with the GFA Secretariat to declare Regional champions;
  - d) It shall implement the decisions of the GFA at the Regional and District levels in furtherance of the objectives of the GFA.

7. The Limitation of Powers of the RFA are:
  - a) An obligation not to enact or operate under Statutes and Regulations which are inconsistent with the provisions of the GFA Statutes;
  - b) The RFAs shall not have the power to print or sell player registration licences;
  - c) The RFAs and the DFAs shall not have the power to take decisions in any of the following except with the prior approval in writing to the Executive Council of the GFA, namely:
    - i) Abridgement of the 2nd Division Leagues;
    - ii) Expulsion of Clubs from the League;
  - iii) Formation or Admission of football Clubs to participate in the Regional Leagues;
  - iv) Re-registration of players for a chosen club to represent the Region in the Regional Second Division League;
  - d) Any such decision taken in contravention of these Statutes shall be null and void.
  
8. There shall be an Executive Council of the RFAs which shall consist of:
  - a) The Chairman elected by the regional Congress. The Vice Chairman of the Executive Council shall be elected from amongst the Executive Council at its maiden sitting. The Vice -Chairman shall act in the absence of the Chairman.
  - b) Two (2) persons elected by the registered Second Division Football Clubs in the region
  - c) Two (2) persons elected by the DFA Chairpersons in the region
  - d) Two (2) persons elected by the Juvenile Football Clubs in the region
  - e) One (1) person elected by the Women Football Clubs in the region
  - f) One (1) person elected by the Referees in the region
  - g) One (1) person elected by the Coaches in the region
  - h) One (1) person elected by the Players in the region

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**Article 48 District Football Associations**

1. There shall be District Football Associations (DFAs) which shall organize the 3<sup>rd</sup> Division and any other lower Division Leagues in the District.
  
2. The organization, administration and activities of the DFAs shall be in accordance with the provision of these Statutes and other guidelines approved from time to time by the Executive Council of the GFA.
  
3. The DFA Congress shall consist of the following members:
  - a) The registered 3rd Division Clubs – One (1) delegate from each club
  - b) The registered Juvenile Football Clubs – Two (2) delegates
  - c) Schools and Colleges – One (1) delegate
  - d) The registered women’s football Clubs in the district – Two(2) delegates
  - e) The Referees in the DFA – Two (2) delegates
  - f) The Coaches in the DFA – Two (2) delegates
  - g) Players in the district – Two (2) delegates

4. The Structure of the DFA shall, as far as possible, conform to the structure of the RFA.
5. It shall hold an annual Congress of representatives as in Article 48 (3) above to receive and consider among other matters, reports of the Executive Council of the DFA including audited financial statements.
6. Areas of Authority of the DFAs shall be:
  - a) To organize the 3rd Division and Juvenile Leagues
  - b) To supervise the District Women's Football Competition and District Juvenile Football Competitions
  - c) To liaise with the RFA for the organization of Middle League for promotion to 2nd Division
  - d) To implement the decisions of the RFA at the District level in furtherance of the objectives of the GFA.
7. The Limitation of Powers of The District Football Association are:
  - a. An obligation not to enact or operate under Statutes and Regulations which are inconsistent with the provisions of the GFA Statutes.
  - b. The DFA shall not have the power to print or sell player registration license.
  - c. The DFA shall not have the power to take any of the following decisions except with the prior approval in writing of the Executive Council of the GFA namely:
    - i) Abridgement of the 3<sup>rd</sup> Division League.
    - ii) Expulsion of clubs from the league.
    - iii) Formation or Admission of Football Clubs to participate in the District Leagues.
    - iv) Re-registration of players for a chosen club to represent the District in the Middle League Competition.
  - d. Any such decision taken in contravention of these Statutes shall be null and void.
8. There shall be a Executive Council of the District Football Association which shall consist of:
  - a) The Chairman elected by the District Congress. The Vice Chairman of the Executive Council of the DFA shall be elected from amongst the Members of the Executive Council at its maiden sitting. He shall act in the absence of the Chairman.
  - b) Three (3) persons elected by the registered 3rd Division Clubs in the DFA.
  - c) Two (2) persons elected by the registered Juvenile Football Clubs in the DFA.
  - d) Two (2) person elected by the registered Women Football Clubs in the DFA.
  - e) Two (2) person elected by the Referees in the DFA
  - f) One (1) person elected by the Players in the DFA.

#### **D. STANDING COMMITTEES**



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Article **49 Standing Committees**

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<sup>1</sup> The standing committees of GFA are:

- a) Referees Committee;
- b) Player Status Committee

<sup>2</sup> The chairmen and deputy chairmen of the standing committees may be members of the Executive Council. The members of each standing committee shall be appointed by the Executive Council on the proposal of the Members of GFA or the President of GFA. The Executive Council shall ensure appropriate female representation on standing committees. The chairmen, deputy chairmen and the members of the standing committees shall be designated for a term of office of two (2) years.

<sup>3</sup> Each chairman shall represent his standing committee and conduct business in compliance with the relevant provisions of the GFA Regulations approved by the Executive Council.

<sup>4</sup> Each chairman shall fix the dates of meetings in collaboration with the General Secretary, ensure that all tasks are carried out and reported back to the Executive Council.

<sup>5</sup> The Executive Council and each standing committee, the latter with the approval of the Executive Council, may, if necessary, set up a bureau and/or sub-committee to settle urgent matters. Any discussions and decisions of the bureau and/or sub-committee shall be reported to the relevant standing committee as soon as it is practicable to do so.

<sup>6</sup> Each standing committee may propose to the Executive Council amendments to the relevant provisions of the GFA Regulations that concern its committee.

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Article **50 Referees Committee**

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1. The Referees Committee shall be made up of 5 Members headed by a chairman who must be a member of the Executive Council. The other members of the Committee shall consist of one woman, two retired FIFA Referees and one independent member to be appointed by the Executive Council. The Independent member shall not be affiliated with any football Club or Football Association. The Referees Committee shall implement the Laws of the Game and shall appoint the referees for matches in competitions organised by GFA.
2. The duties of the Referees Committee are:
  - a. To appoint referees for matches sanctioned by the GFA;
  - b. To study the reports of match officials and make recommendations to the Executive Council;
  - c. To nominate candidates for the international list who are eligible to officiate at international matches according to FIFA regulations governing the registration of international referees, assistant referees, futsal referees and beach soccer referees on FIFA's list.
  - d. To comply with standard refereeing methods as established by FIFA to ensure uniform implementation of the Laws of the Game.
  - e. To approve the referee instructor and assessor panels.

- f. To recommend the suspension or removal from the referees list, those found to be incompetent or guilty of serious misconduct
- g. To adopt the list of accredited Referees as submitted by the Technical Director.
- h. To recommend fees and commissions paid to referees as well as the appropriate sanctions.

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Article **51 Players Status Committee**

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1. The Players Status Committee shall set up and monitor compliance with transfer regulations in accordance with the FIFA Regulations on the Status and Transfer of Players and the GFA Regulations in respect of the Status and Domestic Transfer of Players and Rules governing the Procedure of the GFA Players' Status Committee.
2. The Player Status Committee shall consist of a Chairman, a Vice Chairman and 3 other members which shall include a Lawyer and a woman.
3. Players status disputes involving GFA, its Members, Players, Officials, intermediaries and licensed match agents shall be settled in accordance with these Statutes and subject to any applicable national law.
4. The Executive Council may approve special regulations governing the Players Status Committee's powers and jurisdiction.

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Article **52 Ad-hoc committees**

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The Executive Council may, if necessary, create ad-hoc committees for special duties and a limited period. The Executive Council shall appoint a chairman, a deputy chairman and the appropriate number of members. The duties and functions are defined in special regulations approved by the Executive Council. An ad-hoc committee shall report directly to the Executive Council.

**E. INDEPENDENT COMMITTEES**

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Article **53 Institutional independence**

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1. The independent committees as well as their individual members shall conduct their activities and perform their duties entirely independently but always in the interests of GFA and in accordance with these Statutes and the regulations of GFA.
2. The chairmen and deputy chairmen of the independent committees and judicial bodies as well as any of their immediate family members may not exercise or have exercised during the four years preceding their initial terms any executive function at GFA, one of GFA's Members, a League or a Club (including any of their affiliated companies/organisations), nor have or have had in the four years preceding their initial term any material business relationship with GFA, one of GFA's Members, a League or a Club (including any of their affiliated companies/organisations). "Immediate family member" shall mean, with respect to a person, such person's spouse or domestic partner, parents, grandparents, uncles, aunts, children (including any stepchild or adopted child), grandchildren, son-, daughter-, father- or mother-in-law, and including anyone else, whether by blood or otherwise, with whom the individual has a relationship akin to a family relationship for which such person provides financial support.

3. The independent committees are the Elections committee and the Judicial Bodies.

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Article **54 Elections Committee**

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<sup>1</sup> The Elections committee is the body in charge of organising and supervising the election process in accordance with the provisions of these Statutes and the Elections Regulations of GFA. The Elections committee shall be made up of five (5) members, including at least one woman and a Lawyer who shall be the Chairperson.

<sup>2</sup> Parties affected by the decisions of the Elections Committee shall have the right to appeal.

<sup>3</sup> The appeal shall be heard by the Appeals Committee.

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Article **55 Judicial Bodies**

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<sup>1</sup> The judicial bodies of GFA are:

- a) the Disciplinary Committee;
- b) the Ethics Committee;
- c) the Appeals Committee

<sup>2</sup> The judicial bodies shall consist of a chairman, a vice chairman and a specific number of other members.

<sup>3</sup> The judicial bodies are to be composed in such a way that the members, together, have the knowledge, abilities and specialist experience that is necessary for the due completion of their tasks. The chairmen of the judicial bodies shall be qualified to practise law.

<sup>4</sup> The term of office of all members shall be four years. The members may be re-elected or relieved of their duties at any time, although they may only be relieved of their duties by the Congress.

<sup>5</sup> The chairmen, deputy chairmen and other members of the judicial bodies shall be elected by the Congress upon proposal of the Executive Council and shall not be members of any other body of GFA.

<sup>6</sup> If the chairman, the deputy chairman or a member of a judicial body permanently ceases to perform his official function during his term of office, the Executive Council shall appoint a replacement to serve until the next Congress, in which the Congress shall appoint a new member of the respective judicial body for the remaining period.

<sup>7</sup> The responsibilities and function of the judicial bodies shall be stipulated in the Disciplinary Code of GFA and the Code of Ethics of GFA.

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Article **56 Disciplinary Committee**

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1. There shall be a Disciplinary Committee made up of the chairman, vice chairman and 8 other members. Five members may be empanelled to hear a given case. The chairman shall be a member of the Ghana Bar Association of not less than fifteen (15) years at the Bar. The Vice Chairman shall be a member of the Ghana Bar Association of not less than ten (10) years at the Bar.
2. The functions of the Disciplinary Committee shall be governed by the Disciplinary Code of GFA. The Disciplinary Committee shall pass decisions only when at least three members are present. In certain cases, as specified in the Disciplinary Code, the chairman may rule alone.
3. The Disciplinary Committee may pronounce the sanctions described in these Statutes and the Disciplinary Code of GFA on Members, Officials, Players, Clubs, licensed match agents and intermediaries.
4. These provisions do not affect the powers of the Congress and the Executive Council about the suspension and expulsion of Members.
5. The Executive Council shall issue the Disciplinary Code of GFA, which shall be in accordance with the principles laid down in the FIFA Disciplinary Code.

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Article **57 Ethics Committee**

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1. There shall be 5 Members of the Ethics Committee to be headed by the chairman and 4 other members. At least one member of the Committee shall have a background in criminal law and another shall have a background in investigative work.
2. The function of the Ethics Committee shall be governed by the Code of Ethics of GFA. The Ethics Committee shall pass decisions only when, at least, three (3) members are present. In certain cases, as specified in the Code of Ethics, the chairman may rule alone.
3. The Ethics Committee may pronounce the sanctions described in these Statutes, the Code of Ethics of GFA and the Disciplinary Code of GFA on Officials, Players licensed match agents and intermediaries.
4. The Executive Council shall issue the Code of Ethics of GFA, which shall be in accordance with the principles laid down in the valid FIFA Code of Ethics.

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Article **58 Appeals Committee**

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1. The Appeals Committee shall be constituted by ten (10) members, five (5) of whom shall be empanelled to hear a given case.
2. The chairman of the Appeals Committee shall be a Justice of the Superior Court of judicature or a Legal Practitioner of not less than fifteen (15) years standing at the Bar. The vice-chairman shall be a lawyer of at least 10 years standing.
3. The function of the Appeals Committee shall be governed by the Disciplinary Code of GFA, the Code of Ethics of GFA, and the Elections Regulations of GFA. The Appeals Committee shall pass decisions only when at least three of the members are present. In certain cases, as specified in the relevant regulations, the chairman may rule alone.

4. The Appeals Committee is responsible for hearing appeals against decisions from the Disciplinary Committee and the Ethics Committee that are not declared final by the relevant regulations of GFA, as well as appeals against decisions of the Elections Committee.
5. Decisions pronounced by the Appeals Committee may only be appealed to the Court of Arbitration for Sport in Lausanne, Switzerland, or to a national, independent Arbitration Tribunal in accordance with the provisions in these Statutes.

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Article **59 Prosecutor**

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1. The Executive Committee shall appoint as many Prosecutors as necessary for the smooth and effective prosecution of cases. A Prosecutor may be a lawyer of at least five (5) years standing at the bar, a retired police officer from the rank of ASP onwards who has done prosecution in the court whilst in active service or any other persons the GFA may deem fit.
2. The Prosecutors shall fulfil the same independence criteria as the chairmen and deputy chairmen of the independent committees and judicial bodies as stipulated in art. 53 par. 2 of these Statutes.
3. The duties of the Prosecutors are, but not limited to, the following:
  - a. To investigate and prefer charges;
  - b. To present charges to the Disciplinary Committee and to the Ethics Committee;
  - c. To adduce evidence to support the charge;
  - d. To make submissions in support of the charge;
  - e. To prosecute matters before the Appeals Committee.

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**V. DISCIPLINARY MEASURES**

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Article **60 Disciplinary Measures**

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The disciplinary measures are primarily:

<sup>1</sup> for natural and legal persons:

- a) a warning;
- b) a reprimand;
- c) a fine;
- d) the return of awards.

<sup>2</sup> for natural persons:

- a) a caution;
- b) an expulsion;
- c) a match suspension;
- d) a ban from the dressing rooms and/or the substitutes' bench;
- e) a ban from entering a stadium;
- f) a ban on taking part in any football-related activity;
- g) social work;
- h) compliance training.

- <sup>3</sup> for legal persons:
- a) a transfer ban;
  - b) playing a match without spectators;
  - c) playing a match on neutral territory;
  - d) a ban on playing in a particular stadium or venue;
  - e) annulment of the result of the match;
  - f) expulsion from a competition;
  - g) a forfeiture
  - h) deduction of points;
  - i) relegation to a lower division;
  - j) replaying a match.

## VI. ARBITRATION

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### Article 61 Arbitration

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<sup>1</sup> Disputes in GFA or disputes affecting Members of GFA, Leagues, members of Leagues, Clubs, members of Clubs, Players and Officials shall not be submitted to Ordinary Courts, unless the FIFA regulations, these Statutes or binding legal provisions specifically provide for or stipulate recourse to Ordinary Courts.

<sup>2</sup> Such disputes as specified in paragraph 1 shall be taken before the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland.

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### Article 62 Jurisdiction

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<sup>1</sup> Recourse may only be made to an Arbitration Tribunal once all internal channels of GFA have been exhausted.

<sup>2</sup> GFA shall have jurisdiction on internal national disputes, i.e. disputes between parties belonging to GFA. FIFA shall have jurisdiction on international disputes, i.e. disputes between parties belonging to different Associations and/or Confederations.

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### Article 63 Court of Arbitration for Sport

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<sup>1</sup> In accordance with the relevant provisions of the FIFA Statutes, any appeal against a final and binding decision passed by FIFA, by CAF, or the Leagues shall be heard by the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, unless another Arbitration Tribunal has jurisdiction. CAS shall not, however, hear appeals on violations of the Laws of the Game, and suspensions of up to four matches or up to three months (with the exception of doping decisions).

<sup>2</sup> GFA shall ensure its full compliance and that of all those subject to its jurisdiction with any final decision passed by FIFA, by CAF, by the Arbitration Tribunal recognised by GFA or by the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland.

## VII. FINANCE

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### Article 64 Financial Period

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<sup>1</sup> The financial period of GFA shall be one year and shall begin on 1 July and end on 30 June.

<sup>2</sup> The revenue and expenses of GFA shall be managed so that they balance out over the financial period. GFA's major duties in the future shall be guaranteed through the creation of reserves.

<sup>3</sup> The General Secretary is responsible for drawing up the annual consolidated accounts of GFA with its subsidiaries as at 30 June .

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### Article 65 Revenue

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The sources of revenue for the GFA shall include but not limited to:

- a) Members' annual subscriptions and licensing fees;
  - b) National Competition entry fees;
  - c) Player registration fees
  - d) Share of Gate proceeds
  - e) Receipts generated by the marketing of rights and merchandizing to which GFA is entitled;
  - f) Fines imposed by the authorised bodies;
  - g) Other subscriptions and receipts in keeping with the objectives pursued by GFA;
  - h) Donations and Sponsorships;
  - i) Any other revenue related to football activities.
  - j) Government subventions and grants
  - k) Returns on investment
  - l) Broadcast rights
  - m) Advertising
  - n) Royalties
  - o) Patent and Trademark Rights
  - p) Player image rights
  - q) Grants from WAFU, CAF and FIFA
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### Article 66 Expenses

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The GFA shall bear the following expenses:

- a) Expenses stipulated in the budget as approved by Congress;
  - b) Other expenses approved by the Congress and expenses that the Executive Council is entitled to incur within the scope of its authority;
  - c) All other expenses in keeping with the objectives pursued by GFA.
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### Article 67 Independent and External Auditors

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The independent and external auditors appointed by the Congress shall audit on a yearly basis the management accounts of the GFA in accordance with the appropriate principles of accounting and present a report to Congress. The auditors shall be appointed for a period of three years and be internationally recognised entities. This mandate may be renewed. The audited accounts shall be published in the national dailies in compliance with the Companies Act of Ghana.

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Article **68 Membership Subscriptions**

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1. Membership subscriptions are due on August 31 of each year. The annual subscription for new Members for the year in question shall be paid within 30 days of the close of the Congress at which they are admitted.
  - a. Annual subscription is pegged for the next two years after coming into force of these Statutes at GHC5,000 for Premier Clubs, GHC2,500 for Division One Clubs and GHC1,000 for others, including the women's Elite clubs.
  - b. After three years upon coming into force of these Statutes Congress shall review the annual subscription.

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Article **69 Settlement**

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GFA may debit any Member's assets and accounts to settle claims.

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Article **70 Levies**

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GFA may demand that a levy be paid by its Members for matches.

## **VII. COMPETITIONS AND RIGHTS IN COMPETITIONS AND EVENTS**

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Article **71 Competitions**

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- 1 GFA organises and coordinates the following official competitions held within its territory:
  - a) Premier League
  - b) FA cup Competition
  - c) Division One League
  - d) Regional 2nd Division League
  - e) District 3rd and 4th Division Leagues
  - f) Inter Schools and Colleges Competitions
  - g) Juvenile Leagues
  - h) Women Football Leagues
  - i) Friendly matches (domestic and international)
  - j) FIFA Sanctioned matches and international friendly matches
  - k) CAF sanctioned matches (Champions League/Confederation)
  - l) WAFU sanctioned matches



m)GHALCA competitions

<sup>2</sup> The Executive Council may delegate to GFA's subordinate Leagues the authority to organise competitions. The competitions organisation by the Leagues shall not interfere with those competitions' organisation by GFA. Competitions organisation by GFA shall take priority.

<sup>4</sup> The Executive Council may issue special regulations to this end.

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Article **72 Club Licensing**

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The Executive Council shall issue regulations regarding a club licensing system governing the participation of Clubs in the competitions of GFA, in compliance with the minimum requirements of the club licensing system as set up by CAF and FIFA.

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Article **73 Rights**

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<sup>1</sup> GFA and its Members are the original owners of all the rights emanating from competitions and other events coming under their respective jurisdiction, without any restrictions as to content, time and place. These rights include, among others, every kind of financial rights, audio-visual and radio recording, reproduction and broadcasting rights, multimedia rights, marketing and promotional rights and incorporeal rights such as emblems and rights arising under copyright law.

<sup>2</sup> The Executive Council shall decide how and to what extent these rights are utilised and draw up special regulations to this end.

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Article **74 Authorisation**

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GFA and its Members are exclusively responsible for authorising the distribution of image and sound and other data carriers of football matches and events coming under their respective jurisdiction, and without any restrictions.

**IX. INTERNATIONAL MATCHES AND COMPETITIONS**

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Article **75 International Matches and Competitions**

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<sup>1</sup> The authority for organising international matches and competitions between representative teams and between Leagues, Club, teams and/or scratch teams lies solely with FIFA, the Confederation(s) and/or the Association(s) concerned. No such match or competition shall take place without the prior permission of FIFA, the Confederation(s) and/or the Association(s) concerned in accordance with the FIFA Regulations Governing International Matches.

<sup>2</sup> GFA is bound to comply with the international match calendar compiled by FIFA.

---

Article **76 Contacts**

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GFA, its Members, Players, Officials, licensed match agents and intermediaries shall not play matches or make sporting contact with Associations that are not members of FIFA or with provisional members of a Confederation without the approval of FIFA.

---

Article **77 Approval**

<sup>1</sup> Clubs, Leagues or any other group of Clubs that are affiliated to GFA may only join another Association with the authorisation of GFA, the other Association, the respective Confederation(s) and FIFA.

<sup>2</sup> Clubs, Leagues or any other group of Clubs that are affiliated to GFA cannot participate in competitions on the territory of another Association without the authorisation of GFA, the other Association(s), FIFA and the respective Confederation(s) according to the FIFA Regulations Governing International Matches.

**X. FINAL PROVISIONS**

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Article **78 Unforeseen Contingencies and Force Majeure**

The Executive Council shall have the power to decide on all cases of force majeure and on all matters not provided for in these Statutes, such decisions to be made according to right and justice, taking into account the relevant regulations of FIFA and CAF.

---

Article **79 Dissolution**

<sup>1</sup> Any decision relating to the dissolution of GFA requires a majority of three-quarters of all of the Members of GFA, which must be obtained at a Congress specially convened for the purpose.

<sup>2</sup> If GFA is disbanded, its assets shall be transferred to the Registrar General's Department. It shall hold these assets as a trustee in accordance with the relevant professional duties until GFA is re-established. The final Congress may, however, choose another recipient for the assets on the basis of a decision by more than 50% of its members.

---

Article **80 Deadlines**

For the purposes of computation of time in these Statutes or any regulations or rules of the GFA, days shall be counted as calendar days.

- Saturdays and Sundays shall be counted
- Statutory Public holidays shall not be counted
- One day shall mean until 5pm of the next day
- Twenty-four (24) hours shall mean until 5pm of the next day.

---

Article **81 Transitional Provisions**

<sup>1</sup> Members of GFA as described in art. 12 of these Statutes shall be granted a period

of six months starting from the date of adoption of these Statutes to provide the GFA Secretariat with the documents and information stipulated under art. 13 par. 2 and art. 16 par. 1 letter f) and n) as specified in these Statutes.

<sup>2</sup> The members of the Normalisation Committee of GFA shall act as the Elections Committee only during the first elective Congress following the adoption of these Statutes and their decisions in that function shall be final and binding. During their term of mandate, the members of the Normalisation Committee of GFA are exceptionally empowered to form committees for the organisation and supervision of the electoral process. The persons composing these committees shall fulfil the independence criteria stipulated under art. 53 par. 2 of these Statutes.

<sup>3</sup> During the term of their mandate, the members of the Normalisation Committee of GFA are exceptionally empowered to appoint the members of the Judicial bodies on interim basis subject to Congress review.

<sup>5</sup> For the first electoral Congress following the adoption of these Statutes, notwithstanding the relevant provisions of these Statutes, the following shall apply:

- i) Notification of the date and venue of the elective Congress shall take place at the latest 21 days in advance;
- ii) The Members of GFA shall submit their candidates for the positions on the Executive Council of GFA at the latest 17 days in advance;
- iii) The Normalisation Committee shall examine the documents presented by the candidates within two days of receipt and inform the candidates who have failed to provide all the relevant documents in support of their candidatures. These candidates shall have two days to complete their application and resubmit the documents.
- iv) The Normalisation Committee shall inform the candidates of their final decision at the latest 8 days before the elective Congress.
- v) For the first election after the adoption of this Statutes the Normalisation Committee shall set the nomination fees for all positions. Any fees or charges must be reasonable and only serve to cover the respective administrative costs of the electoral procedure.
- vi) The formal convocation of the elective Congress shall be made in writing and circulated to the Members of GFA at the latest 7 days before the stipulated date of the Congress. This convocation shall contain the Agenda and all relevant documents.

<sup>6</sup> The number of delegates representing the Division One League shall be reduced to 18 (down from the current 48) at the latest by the end of the second football season following the adoption of these Statutes.

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Article 82 **Enforcement**

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These Statutes were adopted at the Congress in Accra on 5<sup>th</sup> September, 2019 and will come into force on 5<sup>th</sup> September, 2019. The former Statutes of GFA are hereby repealed.

Accra, 5<sup>th</sup> September, 2019

For GFA

.....  
Dr. Kofi Amoah  
President

.....  
Alex Asante  
Ag. General Secretary

**ANNEX A**  
**ELIGIBILITY CRITERIA FOR GFA**

**ELIGIBILITY FOR GENERAL SECRETARY – GFA**

1. Must be a Ghanaian
2. Must have five years working experience in sports administration or General Business Management
3. Has a Master's degree in a related discipline or first degree with 5 years working experience in Administration or Management
4. Helpful to have a working knowledge of the FIFA, CAF and GFA Statutes and Regulations
5. Must be a person of high moral integrity.

**ELIGIBILITY FOR THE PRESIDENT OF THE EXECUTIVE COUNCIL OF THE GFA**

1. Must be a Ghanaian.
2. Must be of sound mind and has not been detained as a person of mental disorder under any enactment.
3. Has not been convicted of an offence involving fraud, dishonesty or moral turpitude.
4. Helpful to have a working knowledge of the GFA, CAF and FIFA rules and regulations.
5. Has practical experience in Management, Administration, Finance or Corporate Governance.
6. Must be a person of high moral integrity.

**ELIGIBILITY FOR THE MEMBERS OF THE EXECUTIVE COUNCIL OF GFA**

1. Must be a Ghanaian.
2. Working knowledge of the GFA, CAF and FIFA rules and regulations would be helpful.
3. Has not been convicted of an offence involving fraud dishonesty or moral turpitude.
4. Must be a person of high moral integrity.

**ANNEX B – QUESTIONNAIRE FOR INTEGRITY CHECKS**

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**Part I: General provisions**

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<sup>1</sup> The integrity checks with regard to candidates for, and holders of, official positions within GFA that are subject to such checks (hereinafter: candidates) shall be conducted by the relevant body in accordance with the provisions of these Statutes and the present Annex.

<sup>2</sup> Candidates subject to integrity checks are obliged to comply with the screening and self-disclosure process as outlined in Part 2 and Part 3 below. Prior to the screening process, every candidate shall give his written consent to said process based on a form provided by the relevant body conducting the integrity check. If such written consent is not provided, the integrity check shall be deemed as not passed.

<sup>3</sup> Candidates subject to integrity checks shall always act in good faith and shall fully collaborate to establish the relevant facts upon reasonable notice. If the candidate concerned does not cooperate with the body competent to conduct the integrity check, the integrity check shall be deemed as not passed.

<sup>4</sup> An integrity check shall be deemed as not passed if the candidate concerned:

- a) has been subject to criminal convictions or disciplinary sanctions by a state court, in particular if the underlying behaviour was a substantive issue and not a minor infraction or procedural misbehaviour;
- b) has been found guilty and/or sentenced by the GFA, CAF or FIFA Ethics Committee, a Commission of Enquiry into Sports Administration or any Sporting body with a sanction that would seriously put into question the discharge of the office concerned.

<sup>5</sup> Subject to the relevant provisions regarding disclosure and forwarding of the information and related data obtained in the context of integrity checks in accordance with the present Annexe, all such information and all related data must be treated as strictly confidential by the body conducting the integrity checks concerned.

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## Part 2: Screening process

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<sup>1</sup> At the beginning of the screening process, every candidate subject to an integrity check shall undergo an identification check ("ID check"). In this context, the candidate shall submit a copy of his current valid passport, National ID or Drivers License to the body in charge of performing the integrity check. The ID check shall include verification/identification of the following elements:

- a) name(s) and surname(s);
- b) address of residence;
- c) date and place of birth;
- d) nationality/nationalities.

<sup>2</sup> Every candidate subject to an integrity check shall complete the questionnaire contained in Part 3 below.

<sup>3</sup> The body in charge of performing the integrity checks may conduct independent research and/or investigations in order to obtain further relevant information on a particular candidate, which may include information on intermediaries and related parties, mandates, potential conflicts of interest and significant participations as well as civil and criminal proceedings/investigations.

---

## Part 3: Questionnaire

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First name(s):	
Surname(s):	

Address of residence:	
Date and place of birth:	
Nationality/nationalities:	
Profession:	

<sup>1</sup> Have you been previously convicted by a final decision of any intentional indictable offence or of any offence corresponding to a violation of the rules of conduct set out in part II section 5 of the FIFA Code of Ethics?

No  Yes

If yes, please specify:

<sup>2</sup> Has a sports governing body ever imposed any disciplinary or similar sanction or measure on you in the past for actions which amount to a violation of the rules of conduct set out in part II section 5 of the FIFA Code of Ethics?

No  Yes

If yes, please specify:

<sup>3</sup> Are you the subject of any pending civil, criminal or disciplinary proceedings or investigations?

No  Yes

If yes, please specify:

<sup>4</sup> I am fully aware that I am subject to the provisions of the Disciplinary and Ethics Code of GFA and to the provisions of the Statutes and other regulations of GFA that may address integrity issues, and I fully comply with such provisions.

<sup>5</sup> I currently hold the following positions in football:

<sup>6</sup> The following facts and circumstances may give rise to potential conflicts of interest regarding me (cf. in particular art. 23 par. 7 of these Statutes):

<sup>7</sup> Remarks and observations which may be of potential relevance in the context of the integrity check:

<sup>8</sup> I am fully aware and agree that this questionnaire is made available to the members of the appropriate body of GFA.

<sup>9</sup> I am fully aware and confirm that I must notify the body conducting the integrity check of any relevant facts and circumstances arising after the integrity check has been completed.

<sup>10</sup> I am fully aware and confirm that I am obliged to collaborate fully to establish the relevant facts with regard to the integrity check I am subject to. In particular, I will comply with requests for any documents, information or any other material of any nature held by me. In addition, I will comply with the procurement and provision of documents, information or any other material of any nature not held by me but which I am entitled to obtain.

<sup>11</sup> I am fully aware and confirm that the body conducting the integrity check may also request information on possible sanctions (questions 1 and 2 above) directly from FIFA or the relevant confederation as well as from other institutions such as the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, or the International Olympic Committee. In this regard, I hereby release the relevant institutions from any obligation of confidentiality relating to the information concerned.

<sup>12</sup> I am fully aware and confirm that the body conducting the integrity check may collect further information on me in accordance with Part 2 par. 3 of the present Annexe.

\_\_\_\_\_  
(Place and date)

\_\_\_\_\_  
(Signature)

B

**Ghana Football Association Regulations on  
Elections**

2019



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DEFINITIONS

Whenever relevant, the terminology used in these Regulations on Elections shall refer to the terms defined in the Definitions section of the Statutes of GFA.

NB: Terms referring to natural persons are applicable to both genders. Any term in the singular applies to the plural and vice-versa.

**Article 1** Scope of application

---

<sup>1</sup> These Regulations on Elections are applicable to the elections of the members of the Executive Council of Directors and of the Independent Committees as defined in the Statutes of GFA.

<sup>2</sup> These Regulations on Elections are also applicable to the elections of the members of the relevant bodies of the Members of GFA, if their statutes specifically stipulate this. The statutes of the Members of GFA shall define the exact scope of application of these Regulations on Elections and in particular if the Elections Committee of GFA shall supervise the relevant electoral process.

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**Article 2** Principles and obligations

---

<sup>1</sup> General good governance principles, such as separation of powers, independence, transparency, obligation to avoid situations of conflicts of interest shall be observed without exception throughout the entire electoral process.

<sup>2</sup> The electoral rules and guidelines shall be made available by GFA in a clear and unambiguous manner within the relevant timeframe provided for in the Statutes of GFA.

<sup>3</sup> Undue influence from third parties of any kind in the electoral process shall not be permitted.

<sup>4</sup> GFA shall ensure that any electoral rules and guidelines of its bodies are in line with the provisions of these Regulations on Elections, the Statutes of GFA as well as the Statutes, regulations, directives and decisions of FIFA.

<sup>5</sup> GFA shall, at least 30 days before the date of the relevant elections, inform FIFA and CAF about the nature of the elections (i.e. number of members to be elected, duration of mandates and reason for the elections, etc.) and provide FIFA with a copy of its valid Regulations on Elections and, if applicable, any other electoral rules and guidelines.

<sup>6</sup> GFA shall immediately inform FIFA and CAF of any undue influence from third parties in the electoral process.

<sup>7</sup> Unless stated otherwise in the Statutes and regulations of GFA, the members of the relevant bodies of GFA shall continue to exercise their functions until the completion of the electoral process.

**Article 3 Basic principles**

---

- <sup>1</sup> The Elections Committee shall supervise the electoral process in accordance with the relevant provisions of the Statutes of GFA and of these Regulations on Elections.
- <sup>2</sup> The members of the Elections Committee shall not be members of any other body of GFA and may not hold any executive position in any government body. Members of the Elections Committee may not be candidates for any of the positions to be filled within GFA as long as they are still under mandate.
- <sup>3</sup> The members of the Elections Committee shall immediately withdraw from the matter in progress and refrain from taking any decision if:
  - a) they are an immediate family member of one of the candidates running for any of the positions to be filled;
  - b) there is a risk or possibility of a conflict of interest as defined in the Disciplinary Code and the Code of Ethics of GFA.
- <sup>4</sup> In the event that a member of the Elections Committee does not fulfil any of the above requirements and/or has to step down as member of the Elections Committee for any reason, he shall be replaced in accordance with the provisions of art. 4 par. 3 of these Regulations on Elections.
- <sup>5</sup> The members of the Elections Committee shall be appointed by the Congress of GFA, in accordance with the provisions of the Statutes of GFA, for a mandate of four years.
- <sup>6</sup> No member of the Elections Committee shall serve for more than two terms of office, whether consecutive or not.
- <sup>7</sup> The members of the Elections Committee shall act in good faith at all times and observe the utmost impartiality when carrying out their duties.

---

**Article 4 Composition**

---

- <sup>1</sup> The Elections Committee shall be composed as follows:
  - a) a chairperson;
  - b) a vice-chairperson;
  - c) three ordinary members.
- <sup>2</sup> An appropriate number of substitutes shall also be appointed by the Congress of GFA.
- <sup>3</sup> If the chairperson is absent or unavailable, his position shall be filled by the vice-chairperson or by an ordinary member if the vice-chairperson is also absent or unavailable. Any ordinary member who is absent or unavailable shall be replaced by a substitute.
- <sup>4</sup> The Elections Committee shall appoint a secretary from among its members, who shall be responsible for the related logistical matters and who shall take care of administrative matters. He may call upon the GFA Secretariat to assist him in his duties.

<sup>3</sup> The chairperson of the Elections Committee shall be qualified to practice law. At least one member of the Elections Committee shall be a woman.

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**Article 5 General duties of the Elections Committee**

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The Elections Committee shall be responsible for all tasks relating to the organisation, running and supervision of the elections to take place during a Congress. In particular, the Elections Committee is responsible for:

- a) strictly enforcing the Statutes and regulations of GFA as well as these Regulations on Elections;
  - b) ensuring that the electoral rules and guidelines of the bodies of GFA are in line with the provisions of these Regulations on Elections and the Statutes of GFA as well as the Statutes, regulations, directives and decisions of FIFA;
  - c) strictly enforcing the statutory deadlines for elections;
  - d) providing information to the Members of GFA as well as to relevant government authorities (where necessary), the media and the public;
  - e) where necessary, managing relations with the relevant government authorities;
  - f) the elections process (launch, distribution of information, vetting, publication of official list, etc.);
  - g) drawing up the list of voters (delegates), assisted by the general secretariat of GFA, in accordance with the statutory provisions of GFA;
  - h) verifying the identity of the voters (delegates) under the supervision of the public notary appointed for this purpose;
  - i) the electoral and voting procedure;
  - j) any and all other tasks to ensure the smooth running of the electoral process.
- 

**Article 6 Meetings, quorum and decisions**

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<sup>1</sup> The chairperson shall convene the meetings of the Elections Committee. Only an Elections Committee that has been duly convened has the authority to deliberate and pass decisions.

<sup>2</sup> The Elections Committee shall not engage in valid debate unless a majority (more than 50%) of its members are present.

<sup>3</sup> The Elections Committee shall reach its decisions by a majority (more than 50%) of the valid votes cast. Voting by proxy or by letter is not permitted. In the event of a tied vote, the chairperson shall have the casting vote.

<sup>4</sup> The decisions taken shall be recorded in minutes signed by the chairperson and by the secretary of the Elections Committee.

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III. CANDIDATURES

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**Article 7 Eligibility criteria**

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<sup>1</sup> The eligibility criteria for the positions to be filled within the relevant bodies of GFA are defined in the relevant provisions of the Statutes of GFA.

<sup>2</sup> The Elections Committee shall not impose any eligibility criteria that are not provided for in the Statutes of GFA or impose any other formal requirements that are not provided for in these Regulations on Elections or in the Statutes of GFA. The Elections Committee shall only request the documents that help establish whether the relevant eligibility criteria have been fulfilled.

<sup>3</sup> The Elections Committee shall publish the full list of eligibility criteria (with reference to the relevant provisions of the Statutes of GFA) as well as the documents to be provided for each of the position within the deadlines stipulated in the Statutes of GFA.

---

**Article 8 Submission and examination of candidatures for the Executive Council**

---

<sup>1</sup> No fees or charges of any sort shall be requested from any of the candidates at any point during the entire electoral procedure, unless the Congress of GFA has previously approved the raising of reasonable fees or charges which serve only to cover the respective administrative costs of the electoral procedure.

<sup>2</sup> Candidatures for any of the positions of the Executive Council shall be sent by post, by email with delivery notification, or delivered by hand and receipt acknowledged by the GFA Secretariat at least 30 days before the relevant elective Congress. Candidatures received by the GFA secretariat shall immediately be forwarded to the secretary of the Elections Committee for the relevant integrity checks to be carried out as per Annexe C of the Statutes of GFA.

<sup>3</sup> At the latest two days after the deadline for submission of candidatures, the Elections Committee shall inform in writing candidates who have failed to provide all the relevant documents in support of their candidatures and grant them another three days to complete their applications. If the relevant candidates fail to complete their applications within the prescribed deadline, their candidatures shall be declared invalid.

<sup>4</sup> The Elections Committee shall examine the candidatures for the Executive Council within 6 days of their submission and inform the candidates of the decision of the Elections Committee within the same period.

---

**Article 9 Appeal procedure for candidates for the Executive Council**

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<sup>1</sup> Appeals against decisions of the Elections Committee may be lodged only with the Appeals Committee, to the exclusion of the possibility of appealing said decisions before any other body, particularly a government body.

<sup>2</sup> All appeals shall be sent by post, mail with delivery notification or delivered by hand and receipt acknowledged by the GFA Secretariat within 3 days of receipt of the decision of the Elections Committee. Appeals received by the Secretariat shall immediately be forwarded to the Appeals Committee.

<sup>3</sup> The Appeals Committee may decide to accept fresh evidence and documents that were not provided by the relevant candidate together with the initial candidature.

<sup>4</sup> Appeals shall be considered by the Appeals Committee within 4 days of their receipt and communicated to the candidates within the same period.

<sup>5</sup> Art. 56 of the Statutes of the GFA shall apply.

---

Article 10 Procedure for candidates for other bodies of GFA

---

<sup>1</sup> Candidates for any of the positions of all other bodies of GFA [Elections Committee and judicial bodies] shall be sent by the Executive Council to the GFA Secretariat of GFA at least 30 days before the relevant elective Congress. The GFA Secretariat shall immediately forward the candidates' documents received to the Elections Committee as well as to the relevant body in charge of carrying out the integrity checks.

<sup>2</sup> The Elections Committee shall confirm to the Secretariat whether the formal requirements for the relevant positions are fulfilled within 10 days of receipt of the candidatures. In the event that one or more candidates cannot be validated, the Executive Council shall propose additional candidates for the relevant positions.

<sup>3</sup> Elections of the members of such other bodies may be conducted en bloc. At the start of the elective Congress, the delegates shall be provided with the relevant ballot papers containing the lists of the candidates for the bodies in question.

<sup>4</sup> During the elections of such members, the delegates shall remain at their seats and shall cast their vote into a ballot box that shall be carried from seat to seat by one of the scrutineers and supervised closely by one member of the Elections Committee.

<sup>5</sup> Once all the delegates have deposited their ballot papers in the mobile ballot box, the Elections Committee shall proceed with the count in front of all the delegates and the results shall be announced to the Members of GFA.

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Article 11 Official list of candidates

---

<sup>1</sup> The official list of candidates for all the bodies of GFA shall be sent to the Members of GFA at least 10 days before the elective Congress.

<sup>2</sup> The official list of candidates shall also be published in the press and, where necessary, shall be sent to the relevant government authorities for information.

IV. VOTING PROCEDURE

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Article 12 Convocation of the elective Congress

---

The elective Congress of GFA shall be convened according to the provisions of the Statutes of GFA. The relevant deadlines in relation to the elective Congress shall be published in the press and, where necessary, communicated to the relevant government authorities.

---

Article 13 Duties of the Elections Committee during the elective Congress

---

During the elective Congress, the duties of the Elections Committee shall be as follows:

- a) verify the identity of the voters (delegates);
- b) monitor the electoral procedure during the Congress;
- c) count the ballot papers;

- d) take any decision regarding the validity or invalidity of ballot papers;
- e) pass a definitive decision on any matters relating to the electoral procedure during the electoral Congress;
- f) declare the official results;
- g) organise and hold a media conference, where necessary.

---

**Article 14** **Ballot papers**

---

<sup>1</sup> The GFA secretariat shall produce the ballot papers under the supervision of the Elections Committee. The ballot papers shall be printed clearly and legibly.

<sup>2</sup> The ballot papers shall be of a different colour for each round of the election.

---

**Article 15** **Ballot box**

---

<sup>1</sup> Before the start of the voting procedure, the ballot box – which shall be transparent if possible – shall be opened and presented to the delegates of the Congress. The ballot box shall then be closed and placed in a visible spot close to the members of the Elections Committee.

<sup>2</sup> During the entire voting process, the ballot box shall be monitored by one of the members of the Elections Committee.

---

**Article 16** **Casting of ballots**

---

<sup>1</sup> Before the delegates are requested to cast their vote, the chairperson of the Elections Committee shall explain in detail the electoral procedure (ballot box, ballot papers, valid and invalid ballot papers, count, required majorities, results, etc.) and refer to the relevant statutory provisions.

<sup>2</sup> The chairperson of the Elections Committee shall call in turn each delegate of the Members present and eligible to vote to move to the front of the Congress hall where the election is taking place.

<sup>3</sup> Once called, the relevant delegate moves to the front of the Congress hall and, after signing the receipt of ballot paper form, receives his ballot paper.

<sup>4</sup> The delegate then completes his ballot paper in the polling booth designated for this purpose. The polling booth shall be placed in a visible spot, but still allow the delegate to cast his vote secretly. No cell phones, cameras or any other recording devices shall be allowed at the polling booth.

<sup>5</sup> The delegate then deposits his ballot paper in the ballot box, signs the electoral register and then returns to his seat.

<sup>6</sup> The counting procedure begins as soon as all of the delegates have deposited their ballot papers in the ballot box. A member of the Elections Committee opens the ballot box and tips out the ballot papers in front of all the delegates.

<sup>7</sup> The count then commences.



- d) take any decision regarding the validity or invalidity of ballot papers;
- e) pass a definitive decision on any matters relating to the electoral procedure during the electoral Congress;
- f) declare the official results;
- g) organise and hold a media conference, where necessary.

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<sup>2</sup> The chairperson of the Elections Committee shall call in turn each delegate of the Members present and eligible to vote to move to the front of the Congress hall where the election is taking place.

<sup>3</sup> Once called, the relevant delegate moves to the front of the Congress hall and, after signing the receipt of ballot paper form, receives his ballot paper.

<sup>4</sup> The delegate then completes his ballot paper in the polling booth designated for this purpose. The polling booth shall be placed in a visible spot, but still allow the delegate to cast his vote secretly. No cell phones, cameras or any other recording devices shall be allowed at the polling booth.

<sup>5</sup> The delegate then deposits his ballot paper in the ballot box, signs the electoral register and then returns to his seat.

<sup>6</sup> The counting procedure begins as soon as all of the delegates have deposited their ballot papers in the ballot box. A member of the Elections Committee opens the ballot box and tips out the ballot papers in front of all the delegates.

<sup>7</sup> The count then commences.

**Article 17 General principles**

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<sup>1</sup> Only the members of the Elections Committee shall take part in the count of the ballot papers. All operations (opening the ballot box, counting the ballot papers, counting the votes, etc.) shall be carried out in a way that can be followed clearly by all the delegates of the Congress.

<sup>2</sup> In the event of a dispute regarding the validity or invalidity of a ballot paper, the validity or invalidity of a vote, the drafting of the minutes, the declaration of the results or any other matter relating to the counting procedure, the decision of the Elections Committee shall be final.

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**Article 18 Invalid ballot papers**

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<sup>1</sup> The following ballot papers are considered invalid:

- a) ballot papers that do not bear the official distinctive marks defined by the Elections Committee;
- b) ballot papers that bear any words other than the names of the candidates;
- c) ballot papers that are illegible or have been defaced;
- d) ballot papers that bear identifying marks.

<sup>2</sup> The chairperson of the Elections Committee shall write on the back of any invalid ballot paper the reason(s) for its invalidity and confirm with a signature.

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**Article 19 Spelling mistakes**

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Spelling mistakes shall result in the invalidity of a vote only if they mean that it is not possible to identify with certainty any of the official candidates.

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**Article 20 Count and declaration of results**

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<sup>1</sup> Once the ballot box has been opened, the members of the Elections Committee shall count the number of ballot papers and verify their validity. If the number of ballot papers is equal to or less than the number of ballot papers issued, the ballot is valid. If it exceeds the number of ballot papers issued, the ballot shall be declared void and recommence immediately in accordance with the procedure described above.

<sup>2</sup> After the number of ballot papers has been verified, the members of the Elections Committee shall proceed to count the number of votes cast for each different candidate or for each different list.

<sup>3</sup> If a second (or subsequent) round of voting is required, the voting procedure shall be repeated in accordance with the above articles. The delegates to the Congress are also to be informed of the statutory provisions that apply for the second (and subsequent) rounds of voting (e.g. any changes to the majority required, elimination of candidates, etc.).

<sup>4</sup> After each round of the election, the chairperson of the Elections Committee shall declare the results officially to the delegates to the Congress.

<sup>3</sup> The General Secretary shall put the ballot papers that have been collected and counted into envelopes intended for this purpose. The envelopes shall then be signed by the Chairperson of the Elections Committee and sealed. The GFA Secretariat shall keep these envelopes and destroy them 30 days after the end of the Congress.

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VI. FINAL PROVISIONS

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Article 21 Archiving of documents and confidentiality

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<sup>1</sup> The Elections Committee and the Appeals Committee shall hand over all official documents as well as all documents provided to them during the electoral process to the GFA Secretariat, which shall be responsible for archiving them.

<sup>2</sup> The members of the Elections Committee and of the Appeals Committee shall maintain absolute confidentiality and secrecy with respect to any and all information and documents made available to them during the course of the electoral procedure. Such obligation shall remain for an indefinite period following the relevant electoral process. They shall not retain any documents (electronic or otherwise) supplied to them during the electoral process.

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Article 22 Public notary

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A notary or a person of equivalent legal status recognised by the courts shall attend the Congress and draw up minutes of the elections according to the provisions of national law. He shall be specifically responsible for verifying the identity of the delegates and ensuring compliance with the voting procedure.

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Article 23 Matters not provided for

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<sup>1</sup> All matters relating to the administrative and technical organisation of the elective Congress that are not covered by these Regulations on Elections or by the Statutes and regulations of GFA shall be ruled upon by the Elections Committee, whose decision shall be final.

<sup>2</sup> All matters relating to the running of the elections that are not covered by these Regulations on Elections or by the Statutes and regulations of GFA shall be ruled upon by the Elections Committee, whose decision shall be final.

---

Article 24 Transitional provisions

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1. The members of the Normalisation Committee of GFA shall act as the Elections Committee only during the first elective Congress following the adoption of these Statutes and their decisions in that function shall be final and binding.
2. During the term of their mandate, the members of the Normalisation Committee of GFA are exceptionally empowered to appoint the members of the Judicial bodies.
3. For the first electoral Congress following the adoption of these Statutes, notwithstanding the relevant provisions of these Statutes, the following shall apply:

- a. Notification of the date and venue of the elective Congress shall take place at the latest 21 days in advance;
- b. The Members of GFA shall submit their candidatures for the positions on the Executive Council of Directors of GFA at the latest 17 days in advance;
- c. The Normalisation Committee shall examine the candidatures within two days of receipt and inform the candidates who have failed to provide all the relevant documents in support of their candidatures. These candidates shall have two days to complete their applications.
- d. The Normalisation Committee shall inform the candidates of their final decision at the latest 11 days before the elective Congress.
- e. The formal convocation of the elective Congress shall be made in writing and circulated to the Members of GFA at the latest 10 days before the stipulated date of the Congress. This convocation shall contain the Agenda and all relevant documents.

---

Article **25** Enforcement

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These Regulations on Elections were adopted at the Congress in [to be completed by the Association] on [to be completed by the Association] and come into force on [to be completed by the Association].

[place], [date]

For GFA

[name and surname]  
Chairman

[name and surname]  
CEO

**GUIDELINES FOR  
THE 2019 GHANA FOOTBALL ASSOCIATION ELECTIONS**

Pursuant to the Article 81.2 of the new GFA Statutes (Transitional provisions), the Normalisation Committee of the GFA will constitute the Elections Committee as follows:

1. Dr. Kofi Amoah
2. Ms. Naa Odofoley Nortey
3. Mr. Samuel Osei Kuffour

In accordance with the new GFA Statutes and Regulations on Elections the following are the guidelines and dates set out for the 2019 GFA Elections.

**1. ELECTIVE POSITIONS**

Elections shall be conducted for the following positions;

- a. President to be elected by Congress
- b. Five persons to be elected by Premier League Clubs onto the Executive Council
- c. Three persons to be elected by Division One League clubs onto the Executive Council
- d. Two RFA Chairmen to be elected by Regional Chairmen onto the Executive Council.
- e. One Woman to be elected by Women's Elite Clubs onto the Executive Council

**2. NOMINATIONS**

- i. Nominations shall open at 09:00hrs and close at 16:00hrs from **Monday, 16<sup>th</sup> September, 2019 to Friday, 20<sup>th</sup> September, 2019.**
- ii. Nomination forms can be obtained from the GFA Secretariat or downloaded from the GFA website ([www.ghanafa.org](http://www.ghanafa.org)).
- iii. A copy of the completed nomination forms submitted shall be endorsed by the GFA and returned to the candidate.
- iv. Presidential and RFA Chairman aspirants must present declarations of support from at least five members. Being proposed as a candidate by a member shall be understood as a declaration of support. Each member may only present declaration of support for only one candidate. If a member presents declaration of support for more than one candidate all of his declarations shall become invalid.
- v. Aspirants for the Executive Council must present declaration of support from one member. Being proposed as a candidate by a member shall be understood as a declaration of support. Each member may only present declaration of support for only one candidate. If a member presents declaration of support for more than one candidate all of his declarations shall become invalid.

### 3. NOMINATION FEES

All nomination fees shall be paid with Banker's draft in the name of the **GHANA FOOTBALL ASSOCIATION**. The Banker's draft shall be submitted together with the completed nomination forms as follows:

a. Presidential aspirant	-	GH¢5,000.00
b. Executive Council aspirant	-	GH¢2,500.00
c. RFA Chairperson aspirant	-	GH¢2,500.00
d. Female aspiring candidates	-	GH¢1,000.00

### 4. VOTING PROCEDURE

The voting procedure shall conform to Part IV of the new GFA Regulations on Elections, 2019.

### 5. VENUE FOR ELECTIONS

The venue for the elections shall be:

- The Extraordinary Congress to elect the President shall be held in Accra.
- Elections for Constituent body representatives onto the Executive Council shall be held in Accra.
- Elections for RFA Chairpersons shall be held at the respective Regional capitals.

### 6. SCHEDULE

NO	ACTIVITY	DATE
1.	Opening of Nominations for election of President, Executive Council members and All RFA Chairpersons.	16 <sup>th</sup> September, 2019
2.	Closing of Nominations for election of President, Executive Council members and All RFA Chairpersons.	20 <sup>th</sup> September, 2019
3.	Notice of Dates and venues for Congress & all elections.	20th September, 2019
4.	Submission of Reports on all filed Nominations	25 <sup>th</sup> September, 2019
5.	Vetting of Nominations for all elections	26 <sup>th</sup> September -1 <sup>st</sup> October 2019
6.	Elections for RFA Chairpersons	18 <sup>th</sup> October, 2019
7.	Elections for Constituent Bodies	24 <sup>th</sup> October, 2019

8.	Election of two RFA Chairpersons on to the Executive Council	24 <sup>th</sup> October, 2019
9.	Extra-Ordinary Congress for the election of GFA President and Swearing-in	25 <sup>th</sup> October, 2019



## GHANA FOOTBALL ASSOCIATION

P.O. Box AN 19338 Accra North - Ghana. Tel: +233-30-2660380-4  
Fax: +233-30-2666697 / 2668590 E-mail: [info@ghanafa.org](mailto:info@ghanafa.org) Website: [www.ghanafa.org](http://www.ghanafa.org)

Our Ref: GFA/CGS/GC/VOL. 116

4<sup>th</sup> October, 2019

MR. WILFRED KWAKU OSEI  
PRESIDENT  
TEMA YOUTH FOOTBALL CLUB  
TEMA

E-MAIL: [wilfredkwakuosei@yahoo.com](mailto:wilfredkwakuosei@yahoo.com)

Dear Sir,

### DECISION OF GFA ELECTIONS COMMITTEE

The Ghana Football Association Normalisation Committee acting as the Elections Committee regrets to inform you that your application to contest for the position of the President of the GFA was unsuccessful.

This was as a result of the adverse findings against you namely:

1. Breach of Article 33 (5) (c) of the GFA General Regulations.
2. Decision of the Ethics Committee dated the 13<sup>th</sup> December, 2017.

Should you wish to appeal this decision, kindly submit to the Elections Committee in writing, supported by any documents you wish to bring to our attention, on or before Tuesday, the 8<sup>th</sup> of October, 2019 at 4:00 pm.

Yours faithfully,

  
NAA ODÓFÓLEY NORTEY  
[ELECTIONS COMMITTEE]





# GHANA FOOTBALL ASSOCIATION

P.O. Box AN 19338 Accra North - Ghana. Tel: +233-30-2660380-4  
Fax: +233-30-2666697 / 2668590 E-mail: info@ghanafa.org. Website: www.ghanafa.org

Our Ref: GFA/CGS/GC/VOL. 116

8<sup>th</sup> October, 2019

MR. WILFRED KWAKU OSEI  
PRESIDENT  
TEMA YOUTH FOOTBALL CLUB  
TEMA

E-MAIL: [wilfredkwakuosei@yahoo.com](mailto:wilfredkwakuosei@yahoo.com)

Dear Sir,

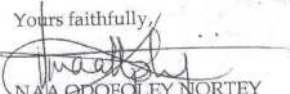
RE: APPEAL AGAINST THE DECISION OF THE GFA ELECTIONS  
COMMITTEE DATED THE 4<sup>TH</sup> OF OCTOBER, 2019

At the close of the date and time limited for appeals, i.e. Tuesday the 8<sup>th</sup> October, 2019 at 4:00 pm., we received the following documents from you by way of an appeal;

- i) Notice of Appeal (received on Monday the 7<sup>th</sup> of October, 2019 at 3:40 pm.).
- ii) Notice of application for an interim injunction on the decision of the GFA Elections Committee pending appeal (received on Monday the 7<sup>th</sup> of October, 2019 at 5:05 pm).
- iii) The statement in support of the application for an injunction pending appeal (received on Monday the 7<sup>th</sup> of October, 2019 at 5:05 pm).

We regret to inform you that based on the above listed documents received, before the deadline, your appeal was unsuccessful.

Yours faithfully,

  
NAA ODOFOLEY NORTEY  
For and on behalf of the Elections Committee

# F

[Muftawu Nabila Abdulai](#)

Sports is a common language. Telling the best stories in ink is my satisfaction

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  - [GFA](#)
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  - [Hearts of Oak](#)
  - [CAF](#)
  - [Ghana Black Stars](#)
  - [FIFA World Cup](#)
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July 31, 2019 [Muftawu Nabila Abdulai](#)

## **Normalisation Committee to disqualify Palmer from GFA Presidency race, George and Kurt in trouble too**

2 Votes

**FIFA and CAF Normalisation Committee (NC) for the Ghana Football Association (GFA), is mooting the idea of disqualifying some members of the defunct Executive Committee (ExCo) of the Ghana FA.**

The Committee, was mandated by world football governing body, FIFA, to oversee the administration of football in Ghana on the interim following the premiere of an exposé on corruption and match-fixing by Tiger Eye PI last year.

One of the core mandates of the Committee which came into being in September last year, was to serve as an Election Committee for the new leadership of the football governing body in Ghana.

Reports in the local media have been rife about how the NC intends to seek for a second extension of mandate to oversee a successful tenure of office, but we understand Rex Danquah discredited their reasons for another extension before cabinet.

The Minister of Youth and Sports, Isaac Asiamah, before Parliament last week Wednesday, said his outfit “would ensure that they stick to their mandate and handover when it is due.”

Sticking to their mandate and handing over when the time is due means that, the NC must organise elections, the last of the mandates as spelt out by Luca Nicola, Manager, FIFA Member Associations in September last year.

We understand Mr. Rex Danquah is one of the key figures spearheading the processes that would lead to elections of the new governors of the country’s football and he has already held meetings with cabinet.

On Monday, deep throat sources said he was before some leading members at the Jubilee House to present the plan for elections and its modalities though details of the meeting are sketchy.

Sources close to the NC revealed that bank-roller of Tema Youth FC, Willfred Osei Kwaku Palmer has been earmarked to be disqualified from contesting for the position of President, a role he has advertised himself for in the last half a year.

He is alleged to be a loyal of the former President of the Ghana FA, Kwesi Nyantakyi and the NC intends to clear his entire lineage to the throne. His political affiliation they say, is for the current leading opposition party, the National Democratic Congress (NDC).

Osei Palmer has been at loggerheads with the NC following their decision to ask a private legal practitioner, Mr. Frank Davis of Davis and Davis Law Firm, a close friend of NC President Dr. Kofi Amoah to write to the former Management Committee Chairman of the Black Stars in April to demand 10% of the transfer fee for the sale of Joseph Painstil.

Muftawu Nabila Abdulai wrote to FIFA on this matter countless times demanding the legal backing of the NC’s request. FIFA called on phone to explain that they wrote to the NC for further briefing on the matter. It is unclear how it ended but it seems the friction also began hostility towards the Tema-based Club owner and it would be one of the key points that will be used to disqualify him.

Muftawu Nabila Abdulai understands Palmer is unwilling to respond to a letter from a private legal practitioner acting on behalf of the GFA because, per his understanding of the Regulations governing football in the country, should a member misconduct himself, the Secretariat has a responsibility of writing to the said member should the Disciplinary Committee deems it fit, and not a private lawyer.

Another factor the NC intends to use to disqualify the former Black Starlets Management Committee Chairman is his moaning about Ghana’s failure to qualify for 2018 World Cup on

radio, blaming government's decision not to make indemnity payments as one of the reasons the West African country failed to make fourth successive World Cup appearance.

He was warned by the Ethics Committee of the Ghana FA over the comments in November 2017 and Normalisation Committee have noted that as part of his crimes to be used against him should he avail himself to contest for the position of President of the GFA.

It is believed that a man of high intergrity would not make such comments, thus, questioning his intergrity to lead the GFA.

Some officials of the Secretariat of the GFA are afraid they might lose their jobs should Palmer win the elections to lead the association, and have backed the decision of the interim football heads to disqualify the "lone ranger" in the midst of the football storm when it struck last year.



Image Source: Herosports

Former Vice President, George Afriyie, whom FIFA still recognises as the Veep of the Association on its website is another target for disqualification, but sources say he might survive the axe as a political card is allegedly being played to have him pass the test.

His future of climbing to the top most position of Association football in Ghana will be dependent on the Dzamefe Commission report that suggested he should be banned from getting close the national team, a suggestion that was upheld by the White Power, barring any unforeseen circumstances, this is being considered to be used against the Okyemman Planners owner.

Dreams FC Executive Chairman, Kurt Edwin Simeon Okraku, is also rumoured to be at the edge of the knife of the NC.

Kwesi Nyantakyi proposed Kurt Okraku to occupy the position of Vice President last year when he sacked George Afriyie. Isaac Asiamah, Minister for Youth and Sports, Muftawu Nabila Abdulai understands, rejected the recommendation.

It is unclear if the politics allegedly being played prompted his Facebook updates on Tuesday evening, with a seemingly lamentation; "Ghana Football is in trouble!!!!" and "God save our football!!!!", What is however definite is that, the NC intends to have him blacklisted from appearing in the ballot paper for the top football job.



Kurt E. S. Okraku

14 hrs · 🌐



**GOD SAVE OUR FOOTBALL!!!!!!**



Kurt E. S. Okraku

14 hrs · 🌐



**GHANA FOOTBALL IS IN TROUBLE!!!**

👍👎🗨️ 116

26 Comments · 3 Shares

Muftawu Nabila Abdulai reached out to Kurt via WhatsApp last night, before following up with a phone call and text message this morning to have him clarify his Facebook posts, but as at the time of filing this report, he was yet to respond to any of the above.

The Normalisation Committee have had two proposed Statutes to serve as a working document for Ghana football kayos by FIFA, but it seems a third report has been accepted as state Newspaper, Graphic reported on Monday that the proposed Statutes have been “approved”.

Last week, a document purportedly from the Normalisation Committee leaked, and there were suggestions in the report that, the name of the FA would be changed from Ghana Football Association (GFA) to Association of Ghana Football (AGF).

The document also had a proposal to have the football association congress reduced from 123 to 94 delegates, and it would be headed by a Board Chairman and a Chief Executive Officer (CEO), both of whom shall have no votes. It also indicated that the Board Chairman shall have Board of Directors and none shall have any affiliation with any football club in the country.

It is unclear how these Board of Directors shall find their way into the top decision-making body of the association as the document did not communicate what would be required of them to occupy their seats.

If this proposal is true and is approved by FIFA, it automatically disqualifies all club owners and members employed as club heads who seek for roles within the top hierarchy of Ghana football.

The document however, must pass the test of the FA Congress before it becomes a working document governing association football in Ghana.



TEMA YOUTH SPORTING  
CLUB LIMITED

JULY 02, 2018

THE GENERAL SECRETARY,  
GHANA FOOTBALL ASSOCIATION,  
P. O. BOX AN 19338,  
HAILE SELASSIE STREET,  
OSU-ACCRA.

Dear Sir:

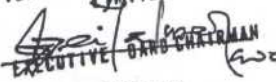
**RE: LETTER OF UNDERTAKING-JOSEPH PAINTSIL TRANSFER**

This is to inform you that our club undertakes to make payment of EUR 300,000 (Three Hundred Thousand Euros) to the Ghana Football Association being 10% of the total transfer fees concerning the transfer of our player Joseph Paintsil to KRC Genk of Belgium upon receipt of funds from KRC Genk in Belgium.

We respectfully refer to the FIFA Regulations on Status Transfer of Players Annexe 3 Article 1 clauses 1-4 and Article 2 (1-9) for your outfit to facilitate the process to enable our player to continue with his professional career abroad.

It will be recalled that Joseph Paintsil was on loan to Hungarian Club Ferencvárosi TC the contract of which ended by June 30, 2018.

We await your quickest response on this

Regards  
TEMA YOUTH SPORTING CLUB  
LIMITED  
  
EXECUTIVE CHAIRMAN  
WILFRED KWAKU OSEI



61

**FIFA TMS** v9.0.1.2629

GHA-Tema Youth FC2 Help Log out

Min Registrations period opened on: 01.01.2020

Transfers Claims Intermediary tool Stakeholders

Transfers

Release permanently

Details History

**Wilfred OSEI** 29.06.2018 06:17 GHA  
Tema Youth FC entered a transfer instruction to release Joseph PAINTSIL permanently.

**Pending** 29.06.2018 06:17 GHA

**Wilfred OSEI** 29.06.2018 07:45 GHA  
Tema Youth FC confirmed the transfer instruction.

**Confirmed** 29.06.2018 07:45 GHA

**Wilfred OSEI** 29.06.2018 07:45 GHA  
TMS paired the transfer instructions.

**Failed** 29.06.2018 07:45 GHA

**Awaiting ITC request** 29.06.2018 07:45 GHA  
Waiting for BEL - Belgium to request the ITC.

**Sijl DE BOSSCHER** 29.06.2018 11:02 BEL (29.06.2018 09:02 GHA)  
BEL - Belgium requested the ITC from GFA - Ghana.

**Awaiting ITC delivery** 29.06.2018 11:02 BEL (29.06.2018 09:02 GHA)  
Waiting for GFA - Ghana to respond to the ITC request.

**18.07.2018 00:07 GHA (14.07.2018 22:07 GHA)**  
GFA - Ghana failed to respond to the ITC request within 15 days. The provisional registration process was invoked as per Annex 3, article 8.2, paragraph 6 of the FIFA Regulations on the Status and Transfer of Players.

**Awaiting confirmation of provisional registration** 18.07.2018 00:07 GHA (14.07.2018 22:07 GHA)

**Marc BERGEN** 19.07.2018 11:34 BEL (19.07.2018 09:34 GHA)  
BEL - Belgium confirmed the provisional registration of Joseph PAINTSIL.

**Closed - awaiting payments** 19.07.2018 11:34 BEL (19.07.2018 09:34 GHA)  
Waiting for KRC Genk to enter payments.

**Dirk WEST** 29.09.2018 16:22 BEL (29.09.2018 14:22 GHA)

Transfer reference: 199561 / 199483

Closed - awaiting payments

**Joseph PAINTSIL**  
Ghana  
01/02/1996

**Tema Youth FC**  
Ghana  
Wilfred OSEI  
wilfredkwakuosei@yahoo.com


**GFA**  
Francis ADU  
francisadugfa@gmail.com

**KRC Genk**  
Belgium  
Filip AERDEN  
filip.aerden@krcgenk.be

**BEL**  
Marc BERGEN  
marc.bergen@football.com

Fixed	3,000,000.00
Conditional	0.00
Self-on fee	10.00 %
Solidarity	0.00
Training	0.00
Maximum	3,000,000.00 EUR

- Proof of identity, nationality and bi...**
- Proof of ID - Joseph Paints
  - Proof that there is no TPO from th...
  - TPO declaration - former cl...
  - TPO declaration - Player pd
  - Transfer agreement
  - 20180619 Transfer agree...

	<p>KRC Genk added a payment of EUR 200,000.00 to payment category: Fixed transfer fee.</p> <p><b>Proof of payment</b>  Paintal betaling 1 - Terna Youth.pdf</p>
	<p><b>Dirk WIEST</b> 29.09.2018 16:22 BEL (29.09.2018 14:22 GHA)</p> <p>KRC Genk added a payment of EUR 2,800,000.00 to payment category: Fixed transfer fee.</p> <p><b>Proof of payment</b>  Paintal betaling 2 - Terna Youth.pdf</p>

[Back to "My Transfers"](#)

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G2

**FIFA TMS** v9.0.12629

GHA-TemaYouthFC2 Help Log out

Mobile: WhatsApp

Registration period opens on 01.01.2020

Transfers Claims Intermediary tool Stakeholders

Transfers

### Release permanently

Details History

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Tema Youth FC entered a transfer instruction to release Joseph PAINTSIL permanently.

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**Wilfred Osei** 29.06.2018 07:45 GHA  
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**Confirmed** 29.06.2018 07:45 GHA

**Wilfred Osei** 29.06.2018 07:45 GHA  
TMS paired the transfer instructions.

**Paired** 29.06.2018 07:45 GHA

**Awaiting ITC request** 29.06.2018 07:45 GHA  
Waiting for BEL - Belgium to request the ITC.

**Stijn DE BOSSCHER** 29.06.2018 11:02 BEL (29.06.2018 09:02 GHA)  
BEL - Belgium requested the ITC from GFA - Ghana.

**Awaiting ITC delivery** 29.06.2018 11:02 BEL (29.06.2018 09:02 GHA)  
Waiting for GFA - Ghana to respond to the ITC request.

**GFA - Ghana failed to respond to the ITC request within 15 days. The provisional registration process was invoked as per Annex 3, article B.2, paragraph 6 of the FIFA Regulations on the Status and Transfer of Players.**

**Awaiting confirmation of provisional registration** 15.07.2018 09:07 BEL (14.07.2018 22:07 GHA)

**Marc BERGEN** 19.07.2018 11:34 BEL (19.07.2018 09:34 GHA)  
BEL - Belgium confirmed the provisional registration of Joseph PAINTSIL.

**Closed - awaiting payments** 19.07.2018 11:34 BEL (19.07.2018 09:34 GHA)  
Waiting for KRC Genk to enter payments.

**Dirk WIEST** 29.09.2018 16:22 BEL (29.09.2018 14:22 GHA)

Transfer reference: 199561 / 199483

Closed - awaiting payments

**Joseph PAINTSIL**  
Ghana  
01/02/1998

**Tema Youth FC**  
Ghana  
Wilfred Osei  
wilfredkwakorse@yahoo.com

**GFA**  
Francis ADU  
francisadugfa@gmail.com

**KRC Genk**  
Belgium  
Filip AERDEN  
filip.aerden@krcgenk.be

**BEL**  
Marc BERGEN  
marc.bergen@footbel.com

Fixed	3,000,000.00
Conditional	0.00
Self-on fee	10.00 %
Solidarity	0.00
Training	0.00
<b>Maximum</b>	<b>3,000,000.00 EUR</b>

- Proof of identity, nationality and bl...
- Proof of ID - Joseph Paints
- Proof that there is no TPO from th...
- TPO declaration - former cl
- TPO declaration - Player pd
- Transfer agreement
- 20180619 Transfer agree

	<p>KRC Genk added a payment of EUR 200,000.00 to payment category: Fixed transfer fee. </p> <p><b>Proof of payment</b>  Paintsil betaling 1 - Teme Youth.pdf</p>
	<p><b>Divk WIEST</b>      29.09.2018 16:22 BEL (29.09.2018 14:22 GHA)</p> <p>KRC Genk added a payment of EUR 2,800,000.00 to payment category: Fixed transfer fee. </p> <p><b>Proof of payment</b>  Paintsil betaling 2 - Teme Youth.pdf</p>

[Back to 'My Transfers'](#)

CS010132016



REPUBLIC OF GHANA

J  
C000601142X

## Certificate of Incorporation

I hereby certify that

**TEMA YOUTH SPORTING CLUB LIMITED**

is this day incorporated under the Companies Act, 1963 (Act 179) and that the liability of its members is limited.

Given under my hand and official seal at Accra, this 15<sup>th</sup> day  
of January 2016

For Registrar of Companies

c/s by Justice JP

K

## GFA ETHICS COMMITTEE REPORT

### REPORT OF THE GFA ETHICS ON ALLEGED UNETHICAL COMMENTS MADE BY EXECUTIVE COMMITTEE MEMBER AND BLACK STARS MANAGEMENT VICE CHAIRMAN MR. WILFRED OSEI KWAKU

#### SUMMARY OF FACTS/INTRODUCTION

The Committee received an audio recording in which the Vice Chairman of the Black Stars Management Committee and a member of the Executive Committee allegedly stated that the non-payment of "unclassified payments" resulted in Ghana's inability to qualify for the 2018 FIFA World Cup.

The Committee began its investigations into the allegation on Tuesday 21<sup>st</sup> November, 2017 and invited the Mr. Wilfred Osei and the Chairman of the Black Stars Management Committee and GFA Vice President, Mr. George Afriyie.

#### BACKGROUND

In an interview with Citi 97.3 FM, Mr. Wilfred Osei Kwaku claimed that Ghana's inability to induce referees and make "unclassified payments" accounted for the Black Stars' failure to qualify to the World Cup.

He cited the referee's decisions to disallow Ghana's goal against Congo in Kumasi and the refusal to award Ghana penalties against Uganda in Kampala as reasons as to why such payments should have been made for fairness.

According to him, arrangements such as booking the referee into a luxurious hotel (Kempinski) or giving him a traditional Ghanaian present could help create fairness. He however stated that this should not be in the form of bribe and should be given to the referee after the match.

He also said that unclassified payments can be channeled into scouting on opponents and seeking spiritual support for the national team.

Mr. Osei based his arguments on the fact that while the Commission of Inquiry into the 2014 World Cup called for "unclassified payments" to be abolished, the Government's white paper indicated that it was necessary to make such payments.

#### COMMITTEE SITTING INTO THE MATTER

By unclassified payments, Mr. Wilfred Osei Kwaku said he meant that the nation could go an extra mile to make the match officials comfortable. He cited comforts such as booking the match officials into luxurious hotels like Kempinski or giving them traditional gifts on arrival.

He however told the Committee that he was emphatic in the interview that he did not mean that Ghana should pay bribes. He explained that by giving the referee a good treatment when he arrives and other arrangements, instances such as the goal against Congo in Kumasi would not have been disallowed. He added that in his comments on radio he referred to "good goals" that Ghana scored in Kumasi and Uganda that were disallowed which according to him would not have happened if the "unclassified payments" component of the budget had been used.

He claimed that after his comments, he saw news headlines which such as "Ghana failed to qualify due to non-payment of bribes" etc.

On his part, the Chairman of Black Stars Management Committee, Mr. George Afriye informed the Committee that the comments made do not represent the position of the Black Stars Management Committee. He added that the GFA's Communication Director had also dissociated the GFA from the comments Mr. Osei Kwaku made. He also informed the Committee that there was an official press release from the GFA to deny the comments being attributed to his vice chairman.

#### **FINDINGS OF THE COMMITTEE**

- The Committee finds the utterances of Mr. Wilfred Kwaku Osei unfortunate, particularly as an Executive Committee member and the Vice Chairman of the Black Stars management committee.
- Even in his personal capacity, Mr. Wilfred Osei Kwaku should have taken cognizance of the esteemed positions he holds at the GFA and as vice chairman of the Black Stars Management Committee and refrain from such controversial issues or topics.



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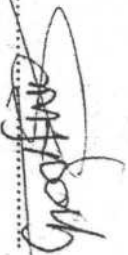
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**DECISION**

- The Committee finds Mr. Wilfred Kwaku Osei's comment on Citi FM as very inappropriate and should not be repeated
- Mr. Wilfred Kwaku Osei should write a letter of apology to the GFA Executive Committee, the GFA and the Minister of Sports within 14 days on receipt of this decision.

SIGNED: .....



FELIX H.G. ANYINSAH

VICE CHAIRMAN

GFA ETHICS COMMITTEE

13<sup>TH</sup> DECEMBER, 2017