

**IN THE SOUTH AFRICAN FOOTBALL ASSOCIATION ARBITRATION TRIBUNAL
HELD VIRTUAL**

In the matter between

**LANGA-NDABENI LOCAL
FOOTBALL ASSOCIATION**

REQUESTOR

and

**SAFA CAPE TOWN
SAFA WESTERN CAPE
SAFA NATIONAL**

**FIRST RESPONDENT
SECOND RESPONDENT
THIRD RESPONDENT**

AWARD

1.

The Requester filed the request for urgent application in terms of article 58.3 of the SAFA statutes read with regulation 81(2) of the SAFA Disciplinary Code. The Requestor is a member of the first Respondent.

2.

The Requester is seeking an award with orders as follows:

2.1 Declaring that the appointment of the SAFA Cape Town Electoral Committee is irregular and unlawful.

2.2 Declaring all decisions of SAFA Cape Town Electoral Committee relating to the proposed Electoral Congress of 15 February 2026, to be null and void;

- 2.3 Directing SAFA Cape Town to appoint an independent Electoral Committee in accordance with the SAFA Electoral Code;
- 2.4 Declaring the appointment of the Auditors Jansen Accountants irregular and contrary to the independent requirement of the SAFA Cape Town Statutes;
- 2.5 Directing SAFA Cape Town to appoint independent auditors in accordance with the provisions of their statutes;
- 2.6 Declaring the disqualification of Eric Gum as a candidate for Presidency and Vice-Presidency as irregular and unlawful;
- 2.7 Directing SAFA Cape Town to start afresh and convene a compliant Elective Congress only once paragraph, 3 and 5 have been complied with;
- 2.8 Directing SAFA Cape Town to pay the arbitration costs of the requestor;
- 2.9 Directing SAFA Cape Town to pay the legal costs of the requestor;
- 2.10 Directing that any party to this dispute may approach the High Court in the Western Cape to make the award and Order of Court should the need arise;
- 2.11 Alternative Relief.

3.

The Requester and First Respondents legal team, that is, Mr V. Seymour for Requestor and Adv A. Coetzee, instructed by Megan De Wet, presented their arguments. Both legal representatives requested a stand down of about 25 minutes to discuss issues and the possibility of settlement of the matter. The hearing was stand-down as per request of the parties.

4.

On resumption at 11am parties ventilated issues emanating from their discussions. It was then agreed that parties would meet later and write out a joint settlement proposal, which was to be emailed to me. On the same day, that is the 18th February 2026, I received two settlement proposals, and with two issues which parties could not agree on.

5.

Upon scrutiny I identified these different views, which are:

- 5.1 The disqualification of Eric Gum as a candidate for Presidency and Vice Presidency.
- 5.2 The issue of costs for arbitration.

6.

The Requestor is asking that the First Respondent pays the costs of arbitration including legal costs on scale C and also cost for preparation, whereas the First

Respondent submits that parties should pay their own legal costs, and the costs of arbitration to be shared equally by the Requestor and the First Respondent.

7.

The second issue not resolved jointly by the parties is that of Eric Gum's disqualification.

8.

Having gone through parties arguments, papers filed on record, I rule as here under:

9.

- 9.1 The appointment of the SAFA Cape Town Electoral Committee by the Regional Executive Committee of the first respondent is declared irregular.
- 9.2 All the decisions of the SAFA Cape Town Electoral Committee relating to the first respondent's Quadrennial Elective Congress ('the Elective Congress'), which was set down for 15 February 2025 and postponed to 22 February 2026, are set aside.
- 9.3 The first respondent shall appoint the SAFA Cape Town Electoral Committee and the SAFA Cape Town Election Appeal Committee in accordance with the SAFA Cape Town Electoral Code ('the Electoral Code').
- 9.4 The first respondent shall, within 14 days of this order being granted, convene an Extra Ordinary Congress meeting for purposes of appointing the SAFA Cape Town Electoral Committee and the SAFA Cape Town Election Appeal Committee in accordance with the Electoral Code. Members of the first

respondent shall be notified of the place, date and agenda of the Extra Ordinary Congress meeting at least 5 calendar days before the date of such Extra Ordinary Congress meeting.

- 9.5 The SAFA Cape Town Electoral Committee shall, within 7 days of their appointment (and in accordance with Article 11(a) and 11(b) of the Electoral Code), examine and vet the existing list of those persons whose nominations were deemed to be in order and those whose nominations were deemed not to be in order by the Auditor (which list is annexed hereto, marked 'A') ('the existing list'), and inform the General Secretary and candidates of the outcome of the SAFA Cape Town Electoral Committee's examination and vetting of the existing list.
- 9.6 The General Secretary shall, within 3 days of receipt of the outcome of the examination and vetting of the existing list by the SAFA Cape Town Electoral Committee, send it to all Members.
- 9.7 Any appeal against the outcome of the examination and vetting of the existing list by the SAFA Cape Town Electoral Committee shall be dealt with by the SAFA Cape Town Election Appeal Committee in accordance Article 12 of the Electoral Code.
- 9.8 Item 2.12 of the Agenda, dealing with the election of Office Bearers, of the Elective Congress, is postponed pending compliance with prayers 9.3 to 9.6 above. Upon compliance with prayers 9.3 to 9.6 above, Item 2.12 of the Agenda of the Elective Congress must be concluded within 60 days of such compliance, but with due regard to any appeal as contemplated in prayer 9.7 above.

9.9 Save for the postponement of Item 2.12 of the Agenda of the Elective Conference as contemplated in prayer 9.8 above, the Elective Congress shall proceed on 22 February 2026 to finalise all outstanding items on its Agenda.

9.10 The parties shall pay their own legal costs, and the costs of this arbitrator shall be paid by the First Respondent.

Dated at Durban on this day of 20th February 2026.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end.

**ARBITRATOR
ADV. S K D MDLADLA**