

**IN THE SAFA ARBITRATION FORUM**

**In the matter between:**

|                                             |                             |
|---------------------------------------------|-----------------------------|
| <b>HEIDVELD FEMALE FOOTBALL<br/>ACADEMY</b> | <b>FIRST REQUESTOR</b>      |
| <b>SANTOS FC</b>                            | <b>SECOND REQUESTOR</b>     |
| <b>DANGEROUS HEROES FC</b>                  | <b>THIRD REQUESTOR</b>      |
| <b>RV UNITED</b>                            | <b>FOURTH REQUESTOR</b>     |
| <b>AZURRO ACADEMY</b>                       | <b>FIFTH REQUESTOR</b>      |
| <b>BURNLEY WOMEN FC</b>                     | <b>SIXTH REQUESTOR</b>      |
| <b>IKAMVA LADIES</b>                        | <b>SEVENTH REQUESTOR</b>    |
| <b>INVINCIBLE CRAVENBY</b>                  | <b>EIGHTH REQUESTOR</b>     |
| <b>MAGIC LADIES</b>                         | <b>NINTH REQUESTOR</b>      |
| <b>GOAL HUNTERS</b>                         | <b>TENTH REQUESTOR</b>      |
| <b>PORTIA FC</b>                            | <b>ELEVENTH REQUESTOR</b>   |
| <b>HOUT BAY LADIES FC</b>                   | <b>TWELFTH REQUESTOR</b>    |
| <b>BADGERS LADIES</b>                       | <b>THIRTEENTH REQUESTOR</b> |
| <b>CAPE TOWN ROSES</b>                      | <b>FOURTEENTH REQUESTOR</b> |

**And**

|                                          |                          |
|------------------------------------------|--------------------------|
| <b>SOUTHAFRICAN FOOTBALL ASSOCIATION</b> | <b>FIRST RESPONDENT</b>  |
| <b>SAFA WESTERNCAPE</b>                  | <b>SECOND RESPONDENT</b> |
| <b>STELLENBOSCH LADIES FC</b>            | <b>THIRD RESPONDENT</b>  |

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**AWARD OF ARBITRATOR ADVOCATE ALNICIA R COETZEE**  
**24 AUGUST 2026**

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**INTRODUCTION**

1. This arbitration concerns the structure and administration of the Western Cape Sasol Women's League, for the 2025 season.
2. The dispute principally concerns
  - (a) the authority of the SAFA Western Cape provincial structures to expand the League from 18 teams to a maximum of 24 teams, and
  - (b) the subsequent nomination of Stellenbosch Ladies FC as the 2025 Western Cape provincial winner.
3. The fourteen Requestors participated in the 2024 Western Cape Women's Provincial League. The 2024 League comprised 18 teams. The Second Respondent is SAFA Western Cape. The Third Respondent is Stellenbosch Ladies FC.
4. The dispute subsequently came before the Western Cape Division of the High Court in proceedings under case number 238175/2025. On 8 December 2025, Henney J granted an urgent order interdicting and restraining the First to Fourth Respondents from proceeding with the SAFA National Ladies play-off matches scheduled to commence on 9 December 2025 involving Stellenbosch FC, pending the final determination of the dispute which the Applicants had referred to arbitration. The order expressly recorded that the dispute concerned the structure, organisation and eligibility for the Western Cape Ladies Sasol League,

including qualification for the provincial and national play-offs. No order as to costs was made.

5. This arbitration is not an appeal against the High Court and is not a contempt enquiry. The Arbitrator is required to determine the regulatory issues referred to arbitration within the terms of the Pre-Arbitration Minute and the applicable SAFA regulatory framework.

## **RECORD BEFORE THE ARBITRATOR**

6. The Arbitrator has considered the indexed and paginated arbitration bundle, the Notice of Dispute and annexures, the Pre-Arbitration Minute, the SAFA Competition Uniform Rules, the Sasol League Regulations, the SAFA Statutes and Disciplinary Code, the relevant High Court orders and the judgment of Pangarker J dated 17 July 2026, the Requestors' Heads and  
supplementary/response Heads, the Second Respondent's Heads, the objection and procedural submissions, the transcript of the 27 July 2026 sitting, the transcript of the 6 August 2026 sitting, and the Requestor and Second Respondent's written Reply to the Arbitrator's request for clarification dated 19 August 2026.
7. The principal documentary references relevant to the regulatory issues include the 6 March 2025 High Court order, the 20 March 2025 High Court order, the 4 April 2025 High Court order, the 3 April 2025 SAFA National communication (indexed bundle p. 36), the 23 August 2024 SAFA National communication (indexed bundle p. 37), the SAFA Competition Uniform Rules (indexed bundle pp. 38–43), the Sasol League Regulations (indexed bundle pp. 44–50), the 18 October 2024 Provincial Competitions Committee minutes (indexed bundle pp. 67–68), the 25 October 2024 PEC communication (indexed bundle p. 69), and the 5 September 2025 communication and final league standing annexed to the Second Respondent's 19 August 2026 clarification.

## **MANDATE, JURISDICTION AND PROCEDURAL FRAMEWORK**

8. The arbitration is conducted under Article 81 of the SAFA Disciplinary Code. Article 81.9 provides that the arbitration is informal and summary and that strict rules of evidence or procedure need not be observed. Article 81.10 permits the Arbitrator to call for papers, records or other evidence considered necessary. Article 81.11 gives the Arbitrator wide powers, and Article 81.12 confers the power to award costs. Article 81.13 provides that the Arbitrator's decision is final and binding.
9. The Arbitrator has exercised those powers with regard to fairness, the need for a speedy determination, and the procedural framework agreed by represented parties.
10. The first procedural sitting took place on 27 July 2026. The Requestors were represented by Mr Vernon Seymour and the Second Respondent was represented by its then attorney, Ms Tania Stemmet. The First and Third Respondents had received notice but did not actively participate.
11. At that sitting, notice to the relevant parties and jurisdiction were addressed. The representatives present expressly confirmed that the Arbitrator had jurisdiction to hear the arbitration. Condonation for the Second Respondent's late filing/service was granted. The postponement requested by the Second Respondent was not opposed by the Requestors and was granted, and the matter was postponed to 6 August 2026 at 14:00.
12. The Pre-Arbitration Minute was also considered. The Second Respondent was represented by its attorney during the pre-arbitration process. The Minute records the agreed factual and procedural framework, including the issues in dispute, the matters common cause and the evidential arrangements.

13. The question of witnesses was addressed on 27 July 2026. The Requestors did not anticipate calling witnesses. The Second Respondent indicated that it might wish to place a witness statement before the Arbitrator concerning the authority of the provincial structures. It was explained that, if the procedural position was to be changed, the Pre-Arbitration Minute should be amended so that the record clearly reflected the position of the parties. The Second Respondent was nevertheless given an opportunity, after consultation, to submit the contemplated statement in sufficient time for the other parties to consider it.

14. No amended Pre-Arbitration Minute was subsequently concluded.

#### **THE SECOND SITTING ON 6 AUGUST 2026**

15. On 6 August 2026 the Second Respondent appeared through a new legal representative, Adv. Tebogo Motlanthe. It was explained that the previous attorney's mandate had been terminated and that the new representative had been appointed on the Wednesday preceding the sitting. The notice of withdrawal relied upon by the Requestors was dated 30 July 2026 and recorded termination of the mandate.

16. The new representative had received the recording of the previous sitting and other documents, but indicated that he had not received the Pre-Arbitration Minute. The Arbitrator directed that the Minute was important because it identified what was admitted, what was common cause, what remained disputed and the procedural framework.

17. A further postponement was requested on behalf of the Second Respondent. Having heard the parties, the Arbitrator refused the further postponement.

18. The question of witnesses was again addressed. The Second Respondent confirmed that it would not call witnesses. The Requestors proposed that the matter proceed on the papers. The parties agreed to that course and the

Arbitrator directed that the matter continue by written submissions. The Arbitrator also informed the parties that they were required to consider the Minute, make any necessary amendments, and file it.

19. The parties were afforded sequential opportunities to file written submissions: the Requestors could add to their Heads on the following Monday; the Second Respondent would file its Heads on the following Tuesday; and the Requestors could file a reply on the following Thursday. It was indicated that a short further meeting would only be convened if the Arbitrator required clarification.

20. The Second Respondent thereafter filed its Heads of Argument. The Requestors filed their response.

21. The Arbitrator requested factual clarification. The Second Respondent and Requestors subsequently filed a written Reply to the Arbitrator's request for factual clarification dated 19 August 2026. That latter document was filed in response to a specific request by the Arbitrator and is considered for the limited purpose for which the clarification was requested.

#### **PROCEDURAL OBJECTION TO THE LATER AFFIDAVIT**

22. The Requestors objected to the affidavits subsequently attached to the Second Respondent's Heads. The objection is based principally on the Pre-Arbitration Minute and the fact that no amended Minute was concluded permitting the introduction of affidavit evidence.

23. The fact that the matter was ultimately directed to proceed on the papers did not constitute an unrestricted direction that a party could introduce new factual evidence by affidavit. Written Heads of Argument were expressly permitted. Heads of Argument constitute submissions and do not, merely by their filing, amend the agreed procedural record or constitute proof of factual allegations.

24. The Second Respondent was represented by legal counsel during the pre-arbitration process. A change of legal representation does not, without more, amend the Pre-Arbitration Minute. On 6 August 2026 the Second Respondent was given an opportunity to address the Minute, but no amended Minute was concluded.

25. The Second Respondent's subsequent affidavits cannot, by unilateral statement, retrospectively amend, withdraw from or alter the agreed Pre-Arbitration Minute. The Minute remained the procedural framework governing the arbitration unless and until amended by agreement or otherwise varied in accordance with the directions of the Arbitrator. No such amendment was concluded. The Arbitrator therefore determines the issues by reference to the Pre-Arbitration Minute as the procedural framework governing the arbitration.

26. The later affidavits are accordingly not admitted as independent proof of new factual allegations which are not otherwise established by documents properly forming part of the record. The Second Respondent's Heads of Argument are fully considered as submissions. Documents already forming part of the bundle are considered according to their evidential status. The written Reply to the Arbitrator dated 19 August 2026 is considered as the requested factual and documentary clarification and not as a reopening of the evidence.

27. I have nevertheless considered the Second Respondent's substantive submissions on the issues addressed in the affidavits and have not excluded any submission merely because it was advanced in an affidavit; what is excluded is only the use of the affidavits as independent proof of new factual allegations outside the agreed evidential framework.

28. The Requestors' objection is therefore UPHOLD to the extent stated above.

## **POINT IN LIMINE: JURISDICTION**

29. The Second Respondent contends that the Arbitrator lacks jurisdiction to determine matters already decided by the High Court and that the Arbitrator cannot sit as an appeal court over the High Court.
30. The latter proposition is correct. The Arbitrator has no appellate jurisdiction over the High Court and cannot vary, enforce, contradict or set aside a binding High Court order.
31. That does not dispose of the arbitration. The parties expressly referred the dispute to arbitration, and the Pre-Arbitration Minute identifies the regulatory questions concerning the expansion and the nomination of the provincial winner.
32. The High Court proceedings included urgent and contempt proceedings concerning compliance with Court orders. The High Court's finding concerning reasonable doubt as to wilfulness and mala fides in the contempt proceedings does not constitute a finding that the provincial expansion complied with the SAFA regulatory framework. The High Court's contempt finding did not determine the regulatory question whether the nomination of Stellenbosch Ladies FC complied with the SAFA competition framework.
33. The Arbitrator therefore determines the regulatory issues referred to arbitration and does not reopen the contempt proceedings.
34. The point in limine based on lack of jurisdiction is accordingly DISMISSED.

**POINT IN LIMINE: RES JUDICATA**

35. The Second Respondent further relies on res judicata and contends that the judgment of Pangarker J dated 17 July 2026 finally disposed of the dispute.
36. The enquiry is directed at the actual issue and relief finally determined in the earlier proceedings. The High Court judgment dealt with contempt and alleged

non-compliance with earlier orders. It did not finally determine, as an issue necessary to its judgment, whether the October 2024 provincial expansion decision was authorised under the Sasol League Regulations, nor whether the subsequent nomination of Stellenbosch Ladies FC complied with the competition framework.

37. The Arbitrator accepts and respects the High Court's findings on matters actually determined by that Court, including the finding concerning wilfulness and mala fides. No contrary finding is made.

38. The cause and object of the present arbitration, insofar as it concerns the SAFA regulatory authority and competition mechanism, are distinct from the contempt proceedings.

39. The plea of res judicata is accordingly DISMISSED.

## **EFFECT OF THE HIGH COURT ORDERS**

40. The High Court orders form part of the chronology. They are not being enforced or re-litigated in this arbitration.

41. On 6 March 2025 the High Court granted an interim order which, among other matters, restrained an increase in the number of participants in the Sasol League (Western Cape) without compliance with the applicable SAFA regulatory provisions.

42. On 20 March 2025 the High Court granted an order by agreement requiring a meeting with relevant stakeholders for consideration of the expansion of the Sasol League and an appropriate recommendation to the SAFA National Competitions Committee. The High Court judgment records 20 March 2025 as the date on which the order was granted. References elsewhere to 24 March 2025 relate to the Registrar's date stamp and are not treated as the date of the order.

43. On 4 April 2025 the High Court made further orders concerning compliance with the earlier orders, the stakeholder meeting and the then-fixtured Sasol League matches. The order directed that the fixtured matches be stopped pending the determination of eligible clubs, subject to the Sasol League Regulations read with the SAFA Uniform Competition Rules.

44. The stakeholder meeting took place on 9 April 2025. The subsequent judgment records that the meeting ended without a recommendation or outcome.

45. The Arbitrator makes no finding in this Award concerning contempt, wilfulness or mala fides, and does not determine whether any party complied with or breached a High Court order.

## **FACTS AND CHRONOLOGY**

46. The 2024 Western Cape League comprised 18 teams. The applicable Sasol League Regulations at that time provided for a maximum of 18 teams in each province, divided into two streams, subject to the Regulations.

47. The Sasol League Regulations 2022, clause 2.2, expressly provided that the Competitions Committee was empowered to increase the number of teams on properly and fully motivated written submissions, but that no Province shall increase the number of teams without approval of the National Competitions Committee.

48. On 18 October 2024 the SAFA Western Cape Provincial Competitions Committee considered the proposal for the 2025 Western Cape Provincial Sasol League to expand from 18 to 24 teams, divided into two streams of 12 teams each. The minutes record that the proposal was to be submitted to the Provincial Executive Committee for approval.

49. On 25 October 2024 the decision of the PEC was communicated to the regions. The communication expressly stated that the Sasol League would be expanded from 18 to 24 teams and that the League would consist of two streams of twelve teams.

50. The contemporaneous document in the indexed bundle is dated 25 October 2024, and I therefore refer to it as the 25 October 2024 PEC communication.

51. On 23 August 2024 SAFA National had issued a general communication to provincial structures concerning implementation of committee decisions. That letter specifically referred to the ABC Motsepe Provincial League and is not treated as a Sasol League-specific source of power. It is nevertheless consistent with the broader national principle that provincial structures must comply with national approval requirements, which is particularly relevant in this case because it directed that a province should not increase the number of clubs without proper national approval by the NEC or in accordance with the applicable Competition Rules. The decisive provision in this arbitration is clause 2.2 of the Sasol League Regulations itself.

52. On 3 April 2025 SAFA National communicated that, following a recommendation of the National Competitions Committee approved by the National Executive Committee, the number of teams for provincial leagues had been increased to a maximum of 24 teams, divided into two streams of 12 teams each. This communication is an independent national decision.

53. The 3 April 2025 communication is therefore materially different from the October 2024 provincial decision. The former is national approval of the maximum structure; the latter was the provincial decision taken before that national approval was communicated.

54. The final league record attached to the Second Respondent's 19 August 2026 clarification records a competition headed "Sasol League – WC 2025 Stream A", with a competition period of 2 April 2025 to 19 November 2025. Ten clubs appear on the final log, and each played 18 matches.

55. Stellenbosch Ladies F.C. is recorded first with 18 wins from 18 matches, 54 points, 93 goals scored and 9 conceded.
56. The Requestors' papers state that the fourteen Requestor clubs were suspended on 3 May 2025 and did not participate.
57. An important chronological consequence follows: the final log records the competition as commencing on 2 April 2025, whereas the Requestors' papers place the suspension of the fourteen clubs on 3 May 2025. I therefore do not find that the May suspensions themselves caused the ten-team competition to commence. The evidence establishes non-participation, but does not establish, for purposes of this Award, the precise legal or factual reason why each Requestor club did not participate from the commencement of the recorded competition.
58. The Second Respondent did not provide a log fixture that set out that there were originally 24 teams, 2 streams of 12. The log provided is for 10 teams in stream A. The Requestors provided a fixture/listing identifying the 14 Requestor clubs as Stream B. Nowhere in the documents before me is there a final league log showing two streams of 12 teams each.
59. The Second Respondent confirms that no separate second-stream competition operated during 2025. No matches were played in a second stream, no second-stream log was maintained, and no second-stream winner was determined.
60. No provincial play-off between winners of two streams took place.
61. On 5 September 2025 the Provincial Executive Officer of SAFA Western Cape, Ms Nadia Konstabel, formally communicated to SAFA National that the SAFA Western Cape Sasol League winner was Stellenbosch F.C. That contemporaneous document is the documentary record of the nomination.

62. The Pre-Arbitration Minute refers to the nomination of Stellenbosch Ladies FC as occurring in December 2025. However, the contemporaneous documentary record includes a communication dated 5 September 2025 from the Provincial Executive Officer of SAFA Western Cape to SAFA National expressly stating that Stellenbosch FC was the SAFA Western Cape Sasol League winner. I therefore accept 5 September 2025 as the date of the documented formal communication of Stellenbosch FC's recognition as the Western Cape winner. I do not rely on the 5 September document to determine any separate question as to when the decision was internally taken.

63. The proposal submitted by the fourteen clubs proposed, among other things, a phased structure. It was a proposal, not a national decision, and does not alter the finding concerning the separate national approval communicated on 3 April 2025.

## **THE APPLICABLE REGULATORY FRAMEWORK**

64. The SAFA Competition Uniform Rules and the Sasol League Regulations form the governing framework for the Women's Provincial League.

65. Clause 2.1 of the Sasol League Regulations 2022 provided for the League to be played in each Province in a maximum of 18 teams divided into two streams of a maximum of nine teams each.

66. Clause 2.2 is decisive on expansion. It empowers the Competitions Committee to increase the number of teams based on properly and fully motivated written submissions, but expressly states that no Province shall increase the number of teams without approval of the National Competitions Committee

67. Clause 2.3 provides for the League to be played over two rounds on a home-and-away basis.

68. The SAFA Competition Uniform Rules recognise streams within SAFA competitions and provide in Rule 4.1.7 that the Competitions Committee verifies and confirms promotions and relegations in the provinces.

69. The Sasol League Regulations provide for the administration of the League through persons designated to perform the relevant provincial administrative functions, within the national competitions framework. Provincial administration is therefore not synonymous with unrestricted authority to alter the national competition framework.

70. The Western Cape Provincial Statute provisions relied upon by the Second Respondent confer broad administrative and competition powers upon the provincial structure, concerning provincial and inter-regional competitions. Those provisions must, however, be read together with the specific national Sasol League Regulations governing the national Women's Provincial League.

71. I therefore distinguish between (a) the provincial authority to administer and organise provincial football and (b) the specific authority to increase the number of teams in the Sasol League. The latter was expressly subject to National Competitions Committee approval.

72. The Sasol League Regulations 2022 are an evidentiary document in the Requestors' bundle. The Second Respondent has not objected to the document's admissibility, authenticity or applicability. On the contrary, the Second Respondent's Heads expressly accept that the League is governed by the SAFA Competition Uniform Rules and the Sasol League Regulations, and their substantive case is founded upon an alternative interpretation of the regulatory framework.

## **ISSUE ONE: THE OCTOBER 2024 PROVINCIAL EXPANSION DECISION**

73. The first question is not whether SAFA Western Cape has authority to administer provincial football. It plainly does. The question is whether the provincial

structures had authority to make a final decision increasing the number of teams in the national Sasol League programme before the required national approval.

74. The documentary record establishes that the Provincial Competitions Committee considered and advanced the proposal on 18 October 2024 and that the PEC decision was communicated to the regions on 25 October 2024. The decision was expressed as an expansion from 18 to 24 teams, divided into two streams of 12.

75. At the time of those provincial decisions, the record does not establish that the National Competitions Committee had approved the increase. The 3 April 2025 national communication came later.

76. I deliberately distinguish between the terminology of clause 2.2 and the later national communication. Clause 2.2 refers to the "Competitions Committee" and separately requires approval of the "National Competitions Committee". The finding that national approval was required is based on that express requirement in clause 2.2. The subsequent documentary record is consistent with that interpretation.

77. Clause 2.2 of the Sasol League Regulations did not confer an unrestricted provincial power to increase the number of teams. It expressly provides that no Province shall increase the number of teams without approval of the National Competitions Committee.

78. The provincial structures were accordingly entitled to formulate and advance a proposal and to administer provincial football, but the October 2024 decision could not lawfully operate as the final national approval of the increase from 18 to 24.

79. I therefore find that the October 2024 provincial decision, insofar as it purported to finally implement the expansion from 18 to 24 without the required national approval, was irregular and was made without the authority required by clause 2.2 of the Sasol League Regulations.

80. The Requestors have therefore established the first regulatory ground of their challenge.

81. The appropriate relief requires a careful distinction. The 3 April 2025 communication is not merely a continuation of the October provincial decision. It is an independent national decision recording approval, following a recommendation of the National Competitions Committee approved by the NEC, of a maximum 24-team structure divided into two streams of 12.

82. There is no express statement in the 3 April 2025 communication that every act taken by the provincial structures before that date was retrospectively ratified. I accordingly make no blanket finding of retrospective validation.

83. The later national decision does not retrospectively confer upon the provincial structures authority which they did not possess in October 2024. It does, however, constitute a separate exercise of national authority concerning the maximum 24-team, two-stream structure. The Arbitrator therefore does not set aside, invalidate or undo that later national decision.

84. The October 2024 provincial decision was irregular when it purported to operate as the final approval of the expansion and is accordingly **REVIEWED AND SET ASIDE** to that extent. The setting aside is confined to the provincial decision and does not affect the separate national decision communicated on 3 April 2025, which remains in force. The Requestors have therefore succeeded on the first issue to the extent stated above.

## **ISSUE TWO: THE 2025 COMPETITION AND THE TEN-TEAM STRUCTURE**

85. The Second Respondent's clarification is clear that the intended structure was 24 teams in two streams of 12, but that only ten clubs ultimately participated and that the final log is headed Stream A.

86. There is no evidence of an operational second stream in 2025. There is no second-stream log, no second-stream winner and no provincial play-off between two stream winners.

87. The fixture/listing provided by the Requestors identifies 14 clubs as comprising Stream B, while the final league log records 10 clubs in Stream A. The resulting 10-and-14 composition is inconsistent with the approved structure of two streams of 12 teams each.

88. I do not find that the ten participating clubs did not compete on sporting merit. The evidence establishes a genuine sporting competition among those ten clubs, and Stellenbosch Ladies FC achieved the strongest sporting result in that competition.

89. The question, however, is not simply which club was strongest among the ten participating clubs. The question is whether the competition produced the Western Cape provincial champion through the mechanism prescribed by the SAFA framework.

90. The Pre-Arbitration Minute records that the competition was structured around two streams and that a provincial play-off mechanism would determine the provincial winner. The Sasol League Regulations themselves provide for a provincial play-off mechanism in clauses 3.3 and 3.4, including a knockout competition between the two streams to determine the top eight teams and the Provincial winner.

91. No second operational stream was conducted in 2025 and no provincial play-off in accordance with the prescribed mechanism took place.

92. The absence of the second operational stream and the absence of the prescribed provincial play-off therefore materially affect the determination of the provincial champion. No properly authorised alternative mechanism for determining the provincial champion has been established on the evidence. That finding is based on the competition structure actually operated and does not depend upon determining responsibility for the failure of the second stream to operate.

93. The conclusion does not depend upon a finding that any particular club was unlawfully excluded from participation. The relevant fact for present purposes is that the prescribed two-stream competition and provincial play-off did not occur. The Arbitrator therefore makes no finding as to which party was responsible for the failure of the second stream to operate.
94. The fact that the 14 Requestors did not participate does not itself establish that they voluntarily waived their rights or that their non-participation lawfully amended the competition structure. The Second Respondent's assertion to that effect in its Heads is a submission. I make no finding on the lawfulness of the suspensions or on whether any individual club was obliged to pay a particular registration fee.
95. The sporting merit achieved by Stellenbosch Ladies FC is therefore recognised but does not answer the regulatory question of how the provincial champion was required to be determined.

#### **FAIRNESS, BALANCE AND SPORTING MERIT**

96. Fairness is relevant to the administration of sporting competitions, but fairness does not permit the Arbitrator to replace the rules with a preferred outcome.
97. The regulatory framework seeks both competitive fairness and sporting merit. The fact that fourteen clubs did not participate is materially relevant to the balance of the competition, but the Arbitrator does not determine the legality of their suspension or non-participation in this Award.
98. What can be determined is that the competition actually played was materially different from the prescribed two-stream structure. Ten clubs played in the only operational stream. Fourteen clubs did not participate. There was no second stream and no provincial play-off.

99. It would therefore be incorrect to say that no sporting competition or no sporting merit existed. It would equally be incorrect to treat the winner of the ten-team competition as automatically equivalent to the provincial champion under the prescribed SAFA mechanism.

100. The balance and fairness concern is therefore not that Stellenbosch Ladies FC performed poorly. It did not. The concern is that the regulatory pathway by which a provincial champion was to be determined was not completed.

101. I accordingly make no adverse finding against Stellenbosch Ladies FC. Its sporting record is accepted as the record of the ten-team competition actually played.

### **ISSUE THREE: NOMINATION OF STELLENBOSCH LADIES FC**

102. The contemporaneous record establishes that on 5 September 2025 SAFA Western Cape formally communicated to SAFA National that Stellenbosch FC was the Western Cape Sasol League winner.

103. The final log establishes that Stellenbosch was first in the ten-team competition with 18 wins from 18 matches and 54 points.

104. The difficulty is not the sporting result. It is the legal effect attributed to that result.

105. The SAFA Western Cape provincial structure was not authorised, on the regulatory framework and evidence before the Arbitrator, to treat the winner of the single operational ten-team competition as the provincial winner in the absence of the prescribed competition mechanism or a properly authorised alternative mechanism.

106. The communication of 5 September 2025 by the Provincial Executive Officer to SAFA National, identifying Stellenbosch FC as the Western Cape Sasol League winner, did not establish the necessary regulatory authority for an alternative

mechanism by which the winner of the single operational ten-team competition could be treated as the provincial winner for purposes of the SAFA national pathway.

107. The nomination of Stellenbosch Ladies FC as the 2025 Western Cape provincial winner was consequently contrary to the applicable competition framework.

108. The nomination is accordingly **DECLARED IRREGULAR and is REVIEWED AND SET ASIDE.**

109. This finding does not invalidate the individual matches played by the ten participating clubs, does not reverse the league results, and does not constitute a finding of misconduct against Stellenbosch Ladies FC.

## **CONSEQUENT RELIEF**

110. The Requestors sought relief directing the SAFA National Competitions Committee to consider competing proposals and determine the League structure and eligibility.

111. The Arbitrator will not substitute a preferred league structure for a decision of the competent national structures.

112. The national authority has already acted on 3 April 2025 by approving a maximum of 24 teams divided into two streams of 12. It is therefore unnecessary and inappropriate to direct the NEC to reconsider the maximum 24-team structure merely because the October 2024 provincial decision was irregular.

113. The setting aside of the Stellenbosch nomination does not permit the Arbitrator to appoint another club as provincial champion. There was no second-stream winner and no provincial play-off from which the Arbitrator could derive a replacement champion.

114. Any consequential issue concerning eligibility for a national play-off or the implementation of the provincial competition structure must be dealt with by the competent SAFA structure in accordance with the existing national approval, the SAFA Competition Uniform Rules, the Sasol League Regulations and any applicable national directives.

115. The Arbitrator accordingly does not direct that the 3 April 2025 national approval be reconsidered or set aside.

#### **MATTERS EXPRESSLY NOT DETERMINED**

116. The lawfulness or otherwise of the individual suspension imposed upon any Requestor club.

117. Whether any particular Requestor club was obliged to pay a particular registration or affiliation fee.

118. Whether SAFA National was indebted to any Requestor club, save insofar as the existence and content of High Court orders are recorded as procedural history.

119. Whether any party was in contempt of any High Court order.

120. Whether any party acted willfully or mala fide in relation to any High Court order.

121. Whether the Requestor clubs voluntarily waived participation rights or repudiated participation.

122. The validity of any individual match played in the ten-team competition.

123. Any allegation of misconduct against Stellenbosch Ladies FC arising merely from its participation or sporting performance.

124. Any matter not included within the issues referred to arbitration.

## COSTS

125. Article 81.12 confers a discretion upon the Arbitrator to award costs and to determine responsibility for the costs of the arbitration.

126. The Requestors have succeeded in establishing that the October 2024 provincial decision could not lawfully operate as final approval of the expansion in the absence of the required national approval. They have also succeeded in their challenge to the nomination of Stellenbosch Ladies FC as the 2025 provincial winner.

127. The Requestors have not succeeded in setting aside the subsequent independent national approval communicated on 3 April 2025 of a maximum 24-team, two-stream structure. That part of the relief is not granted.

128. Having regard to the overall result, the nature of the regulatory issues, the procedural history, the need for the Requestors to institute and pursue this arbitration, and the fact that the Second Respondent's provincial decision was found to have been irregular, I consider it fair that the Second Respondent bear the Requestors' reasonable legal costs incurred in the arbitration on **Scale B of the High Court Tariff**, together with the costs and fees of the arbitration and the Arbitrator, subject to the final accounting of the deposit.

129. I make no separate legal costs order against the First Respondent or the Third Respondent.

130. The Requestors also sought a refund of the R30,000 arbitration fee from the First Respondent. I do not make a separate order against the First Respondent for that amount. The R30,000 deposit paid by the Requestors shall be accounted for in accordance with Article 81.12 in determining the costs and fees of the arbitration and the portion, if any, to be refunded. The Second Respondent shall

139. The 3 April 2025 national communication constituted an independent national approval of a maximum 24-team structure divided into two streams of 12 and is **not set aside by this Award**.

140. The 2025 competition actually recorded in the final log operated with ten participating clubs in Stream A.

141. No separate second stream operated; no second-stream winner was determined; and no provincial play-off between two stream winners took place.

142. Stellenbosch Ladies FC achieved the strongest sporting result in the ten-team competition actually played.

143. That sporting result did not, without the prescribed competition mechanism or a properly authorised alternative mechanism, make Stellenbosch Ladies FC the Western Cape provincial champion under the SAFA regulatory framework.

144. The nomination of Stellenbosch Ladies FC as the 2025 Western Cape provincial winner was irregular and is **REVIEWED AND SET ASIDE**.

145. No adverse finding is made against Stellenbosch Ladies FC concerning its sporting performance or conduct.

146. No finding is made regarding the lawfulness of the suspensions or the precise reasons why the Requestor clubs did not participate.

147. Nothing in this Award varies, contradicts, enforces or reopens any binding High Court order or any finding actually made by Pangarker J.

#### **I MAKE THE FOLLOWING AWARD**

148. The Second Respondent's point in limine based on lack of jurisdiction is **DISMISSED**.

149. The Second Respondent's plea of res judicata is **DISMISSED**.

150. The Requestors' objection to the later affidavit is **UPHELD** to the extent stated in this Award.

151. The challenge to the October 2024 provincial decision to expand the Western Cape Women's Provincial/Sasol League from 18 to 24 teams is **UPHELD** to the extent that the decision purported to constitute final approval of that expansion without the National Competitions Committee approval required by clause 2.2 of the Sasol League Regulations.

152. The October 2024 provincial decision is **REVIEWED AND SET ASIDE** to that extent.

153. The separate SAFA National decision communicated on 3 April 2025 approving a maximum of 24 teams divided into two streams of 12 is **NOT SET ASIDE** and remains in force.

154. The nomination of Stellenbosch Ladies FC as the 2025 Western Cape provincial winner is **DECLARED IRREGULAR and is REVIEWED AND SET ASIDE**.

155. The Arbitrator does not direct the NEC to reconsider or set aside the maximum 24-team approval.

156. The Second Respondent shall pay the Requestors' reasonable legal costs, such costs to be taxed, if necessary, on **Scale B**.

157. The Second Respondent shall bear the costs and fees of the arbitration, including the Arbitrator's fees and properly incurred arbitration expenses, subject to the final accounting of the arbitration deposit.

158. No separate legal costs order is made against the First Respondent or the Third Respondent.

159. The allocation or refund of any arbitration deposit shall be dealt with in the final accounting under Article 81.12 in determining the costs and fees of the arbitration and the portion, if any, to be refunded. The Second Respondent shall bear the costs and fees of the arbitration as ordered above. Following the final accounting, any portion of the deposit is not required to meet the properly incurred arbitration costs and the Arbitrator's fees shall be refunded to the Requestors.

160. This Award is final and binding upon the parties in accordance with Article 81.13 of the SAFA Disciplinary Code.

  
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ALNICIA R COETZEE  
ARBITRATOR

24 August 2026