

REPUBLIC OF SOUTH AFRICA



**THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG**

Case No: 25191/2021

In the matter between:

POLOKWANE CITY FOOTBALL CLUB

APPLICANT

and

**SOUTH AFRICAN FOOTBALL ASSOCIATION
NATIONAL SOCCER LEAGUE
ADV HILTON EPSTEIN SC N.O.
SEKHUKHUNE UNITED FOOTBALL CLUB**

**FIRST RESPONDENT
SECOND RESPONDENT
THIRD RESPONDENT
FOURTH RESPONDENT**

and

ROYAL AM FOOTBALL CLUB

FIRST INTERVENING PARTY

and

TS SPORTING FOOTBALL CLUB

SECOND INTERVENING PARTY

Case No: 26189/2021

And in the matter between:

TS SPORTING FOOTBALL CLUB

APPLICANT

and

**SOUTH AFRICAN FOOTBALL ASSOCIATION
NATIONAL SOCCER LEAGUE
ADV NAZEER CASSIM SC N.O.
JOMO COSMOS FOOTBALL CLUB
RICHARDS BAY FOOTBALL CLUB
SEKHUKHUNE UNITED FOOTBALL CLUB
ROYAL AM FOOTBALL CLUB
POLOKWANE CITY FOOTBALL CLUB**

**FIRST RESPONDENT
SECOND RESPONDENT
THIRD RESPONDENT
FOURTH RESPONDENT
FIFTH RESPONDENT
SIXTH RESPONDENT
SEVENTH RESPONDENT
EIGHTH RESPONDENT**

ORDER

which is deemed to have been delivered on the date upon which it is uploaded on the
High court of South Africa, Gauteng Division, Data base.

SUTHERLAND DJP:

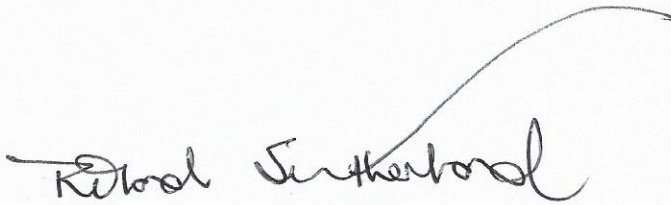
Having heard counsel on behalf of the parties on 11 June 2021, an order issues as follows:

A. In case no 2021/25191:

1. The application to review the arbitration award given by Epstein SC on 19 May 2021 is dismissed.
2. The counterclaim for a declaratory order in these terms is granted:
 - (1) Where a Disciplinary Committee or Arbitrator makes a finding of misconduct in terms of the National Soccer League (NSL) handbook for which there is no express sanction specifically provided in the NSL handbook, the Disciplinary Committee or Arbitrator has a discretion on the appropriate sanction considering all relevant circumstances and range of possible sanctions in Rule 57.13 of the NSL handbook.
 - (2) The Disciplinary committee or Arbitrator is not obliged to apply Article 22 of the FIFA Disciplinary Code or Article 55 of the SAFA Disciplinary code.
3. The Costs incurred by Sekhukhune United Football Club shall be borne by Polokwane City Football club and Royal AM Football Club jointly and severally, the one paying the other to be absolved.
4. The South African Football Association and the National Soccer League shall bear their own costs.

B. In case No 2021/26189:

5. The application to review the arbitration award given by Cassim SC on 11 May 2021 is dismissed.
6. The Costs incurred by Richards Bay Football Club shall be borne by TS Sporting football Club.
7. The South African Football Association and the National Soccer League shall bear their own costs.

A handwritten signature in black ink, reading "Roland Sutherland". The signature is written in a cursive style with a long, sweeping flourish extending from the end of the name.

Roland Sutherland
Deputy Judge-President,
Gauteng Division, Johannesburg,
High Court of South Africa.