

20 May 2020 (updated June 2023)

FACT CHECK

Response to SAFA's Reply
to the Gay Mokoena and
Dennis Mumble Reports

RESPONSE TO THE SAFA CIRCULAR TO SELECTED REGIONS DATED 16 MARCH 2020

Why this Document?

On 16 May 2020, SAFA circulated a response (hereinafter the SAFA Response) to two reports issued by two former CEOs Gay Mokoena and Dennis Mumble, wherein they (the two former CEOs) made serious allegations against the SAFA President for abusing his office.

This document is a response to that circular sent to a few carefully selected SAFA Regions and is intended to inform SAFA's members and other interested parties of the disinformation contained in the SAFA response.

Does the SAFA Response Answer Any of the Issues Raised by the Reports?

SAFA did not circulate the two reports to any of its members, but expected its members to understand the context of their response to a report that they (the members) had not seen.

A key feature of the SAFA response is that it does not directly answer any of the allegations against the SAFA President and it instead gives answers to questions that were not asked, causing a deliberate confusion and distraction from the issues at hand.

SAFA's primary concern was focused instead on the media leaks that followed the release of the reports rather than the substantive issues contained in the reports.

Why Were SAFA's Members Deliberately Misled?

The SAFA Circular was only sent to certain Regions.

This *Fact Sheet* presents the long list of violations against the SAFA President, who conducted his own 'investigation', exonerated himself and used his position as chairperson of the NEC Meeting on 20 June 2020 to dismiss the allegations raised by the reports, while victimising the whistleblowers.

SAFA then deemed it necessary to collect messages of support for the SAFA President from Members without them knowing the reasons why they were asked to publicly express their support.

Why Did SAFA's Members Not Get the Mokoena-Mumble Reports?

SAFA's Members never received the Mokoena and Mumble reports, yet they were forced to reject reports that they had not seen.

The allegations against the SAFA President were instead used as a test of popularity.

RESPONSE TO THE SAFA CIRCULAR TO SELECTED REGIONS DATED 16 MARCH 2020

SAFA's RESPONSES/CLAIMS	FACT
SAFA claims that the Association is under threat by people who seek to destabilise it.	It is not the Association who stands accused. It is the SAFA President who is accused of abuse of power and unethical conduct.
Why did Mumble not raise these matters when he was still the CEO?	<p>This statement is not true. Mumble raised his concern in a full NEC Meeting on 28 March 2018 and with other NEC members subsequently, but they ignored the warnings. Here is how Mumble tried to address the issues. Some of the Members who were part of these meetings now deny it, but the audio recordings will prove otherwise:</p> <ul style="list-style-type: none"> ▪ <u>April 2017</u>: He spoke to numerous Executive Members who were called to an unconstitutional lekgotla in Durban to deal with administrative matters in violation of Article 34.1.1 of the SAFA Statutes; ▪ <u>November 2017</u>: After a few meetings with Vice-President Gay Mokoena, who could not convince the SAFA President to deal with these concerns; ▪ <u>22 December 2017</u>: In a one-on-one meeting with the SAFA President, who denied Mumble's accusations of him trying to become the Executive President; ▪ <u>28 March 2018</u>: In an Executive meeting where a promise was made to discuss his concerns the following day, but there was no follow up by the SAFA President. <i>The recording of the meeting can be made available as evidence;</i> ▪ <u>September 2018</u>: In a meeting with the SAFA President and VPs Ledwaba, Mokoena and Nkompela. The SAFA President walked out of the meeting when Mumble raised his concerns. <i>eMails can be made available as evidence;</i> ▪ <u>October 2018</u>: In further meetings with the above-mentioned SAFA VPs. <i>eMails can be made available as evidence;</i> ▪ <u>November 2018</u>: In meetings with the SAFA VPs, whom Jordaan refused to listen to;

	<ul style="list-style-type: none"> ▪ February 2018: In a one-on-one meeting with VP Mokoena, who expressed doubt that the SAFA President's behaviour would change. <i>eMails can be made available as evidence;</i> ▪ June 2018: Mumble had a lengthy discussion with Dr Molefi Oliphant in Moscow, Russia. <i>Dr Oliphant can testify to this fact;</i> ▪ August 2018: Mumble had 2 conversations about his problems with Council Member Mr Fina, once at the OR Tambo International Airport. <i>Mr Fina can testify to this fact;</i> ▪ October 2018: Mumble explained his problems to Executive Member Mr Montshiwa in text messages. <i>This evidence is available, if needed.</i>
The SAFA Response is a rebuttal of the Mokoena and Mumble Reports	SAFA's Members never received Mokoena's or Mumble's reports to understand the context of SAFA's response. NEC Members stand accused of dereliction of duty by summarily dismissing the reports out of hand and/or not reading the reports.
The two CEOs are trying to collapse the Association.	Both reports accuse the SAFA President of serious misconduct. None of the reports accuse SAFA itself of misconduct. However, the reports are deliberately portrayed as complaints against the Association instead of against the SAFA President.
<p>Contractual Obligations of the CEO: This section implies that:</p> <p>i. Mumble wanted to have another term of office, and</p>	<p>Mumble informed the SAFA Finance Committee in September 2016 and then the SAFA NEC on 8 October 2016 that his contract was due to expire in April 2018 and asked for a succession plan. This request was ignored. That request is minuted.</p> <p>On 28 March 2018, the SAFA NEC, at the behest of the SAFA President, agreed to negotiate a new contract with the CEO and these discussions were subsequently held with the SAFA VPs (Mokoena, Nkompela and Ledwaba) between September 2018 and February 2019). <i>eMail evidence of this fact is available.</i></p> <p>Former VP Elvis Shishana chaired an off-the-record session of the SAFA Council Meeting on 28 March 2018. The Minutes of that meeting reflect the discussion about the 6-month extension of Mumble's contract after Mumble stated that he</p>

<p>ii. Refers to the confidentiality clause in the CEO's contract.</p>	<p>would not discuss a new contract until the matters with Jordaan had been sorted out. <i>The recording of this meeting will reveal the intention of the Association to renew his contract.</i></p> <p>SAFA has had a whistle blower policy for more than 7 years and anyone is obliged by this policy to blow the whistle without fear of retribution.</p> <p>South African law requires anyone who becomes aware of any suspected corrupt activity to report it to the authorities. The FIFA Code of Ethics also has a similar requirement.</p> <p>Mumble directly reported to some NEC members, and alerted the full NEC in May 2020. The NEC rejected the report without tabling it in a meeting. Only one NEC Member decided to file criminal charges with law enforcement authorities and another later joined him in reporting the matter to the FIFA Ethics Committee – who has not acted on the matter to date (July 2023).</p> <p>The SAFA Response covers up the SAFA President's many violations by ignoring the serious charges in these reports. By referring to the obligation of Mumble and Mokoena to not use 'confidential' information in their whistleblowing, the SAFA Response endorses the SAFA President's unlawful interference in the work of the Secretariat, as well as his many violations of the SAFA Statutes.</p> <p>SAFA acknowledges that Mumble had a one-year restraint clause in his contract, but fails to note that the information had already become publicly available and that more than one year had passed since his departure anyway. Mumble's contract included the following provision:</p> <p><i>'Notwithstanding anything to the contrary in this [Mumble's] agreement, the following information will not be regarded as confidential information for the</i></p>
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	<p><i>purpose of this agreement: Any information which is, or becomes, generally available to the public so as to become a part of the public domain.'</i></p>
<p>On Mumble reaching retirement age</p>	<p>On page 5, the SAFA Response makes reference to the Association's retirement age which had never been a matter of concern during any of the negotiations with the SAFA President and the Vice-Presidents on the renewal of the contract. The SAFA Response also does not report that the retirement age was waived by the SAFA NEC in 2013 because Mumble was almost 60 years of age when the first contract was signed in 2013.</p> <p>The current SAFA President is not qualified to comment on Mumble's 2013 contract as he was never part of those contract negotiations and has consistently and maliciously misinterpreted it over the years.</p> <p>The reference to age is therefore a smokescreen to hide the SAFA President's interference in administrative matters!</p>
<p>The 2016 African Futsal Championship: Why did Mumble report that the tournament was a success?</p>	<p>This statement is deliberately misleading: The SAFA Response wrongly refers to Mumble's POST-TOURNAMENT report as evidence of a contradiction. There is no contradiction as the post-event report was a legitimate reflection of a reality brought about by an NEC approval of the tournament.</p> <p>Mumble complained about not being consulted BEFORE the President agreed to host the tournament for which there was no budget and no sponsorship.</p> <p>Article 33.2 of the SAFA Statutes specifically states that the CEO shall CONVENE SAFA Council Meetings IN CONSULTATION with the President. Article 33.3 further stipulates that <i>"The Chief Executive Officer shall compile the agenda in consultation with the President"</i>. No such consultations ever took place before the matter was placed before the SAFA Council and was a clear sign of the disdain for the constitutional role of the CEO.</p>

	<p>The complaint was about the SAFA President's abuse of power and the poor governance practice of the approval of an unbudgeted expenditure during a year when the Association's margins were razor thin and whilst the Association was in the midst of trying to eliminate a long-standing cashflow deficit.</p>
<p>Patronage: HOD Appointments</p>	<p>The HOD appointment process is used as a patronage system by the SAFA President. The fact that many Executive Members have come to depend on these assignments financially allow him to take advantage of this and exploit their dependence on him for these assignments. The SAFA Statutes state that the NEC shall approve the appointment of HODs, but the President usurped the role of the NEC. The NEC violated the SAFA Statutes in this regard because it cannot assign an original constitutional function to another body or person.</p> <p>He has also centralized the administration of that system in his office, engaging SAFA staff members directly without the CEO's input and consent in violation of the SAFA Statutes.</p>
<p>Appointment of Grit Communications: The SAFA Response states:</p> <p><i>'SAFA has on many occasions contracted PR agencies to deal with matters that confronted the organisation. It is the case also with Grit Communications.</i></p> <p><i>In the period leading to our election these allegations emerged. We have noted from media reports that a counter case was to [sic] opened against Jennifer Ferguson and others. These reports SAFA noticed from media reports. This matter is not being handled by SAFA. These allegations cannot be handled by PR but by the courts.'</i></p>	<p>There was no need for a PR agency at the time. This was not discussed in any committee nor with the CEO, who was responsible for making the call on such matters.</p> <p>These allegations had nothing to do with SAFA. The 'allegations' that the SAFA Response refer to are about the SAFA President's alleged <u>personal</u> misconduct. The SAFA CEO was clear that SAFA did not need a PR agency at the time and a retroactive justification does not excuse the fact that the President is prohibited from signing commercial contracts. It is a violation of Article 39.2 of the SAFA Statutes.</p>

	<p>Grit Communications was hired by the SAFA President for his personal defence when the Jennifer Ferguson allegations emerged on 19 October 2017. Yet, after he unlawfully signed the service level agreement with Grit in early December 2019, he fraudulently backdated the contract to 1 October 2017 – when the Ferguson allegations had not yet emerged!!! <i>This matter is the subject of a criminal investigation and evidence will be tendered in a court of law.</i></p> <p>Mumble reported that the Ferguson allegations were the main topic of discussion with Grit Communications, including Chimhavi’s negotiations with Mr Peter-Paul Ngwenya who allegedly offered to ‘make the Jennifer Ferguson matter disappear’ in exchange for Mr Tokyo Sexwale becoming President. Mumble was personally informed of this by Chimhavi outside the Grit Communications offices after he was called there to a meeting by the SAFA President.</p> <p>Mumble only attended part of a meeting where the Ferguson matter was discussed and did not attend any other meetings with Grit Communications where SAFA business was discussed.</p> <p>In any case, the SAFA President should never have been involved in any discussions about any PR around the 2018 election because he was a candidate for office and he needed to maintain a respectable distance from the process. <i>The circular admits that he was involved in the election process.</i></p>
<p>The SAFA Response claims that SAFA has a good relationship with SA Breweries</p>	<p>This is a deliberate distortion. The SAFA Response deliberately conflates the 2020 circumstances with the 2018 crisis and denies the crisis of confidence exhibited by SAFA’s sponsors in early 2018, signalling a denial of the sponsors’ concerns.</p> <p>The SAFA President’s personal issues were weighing heavily on the Association’s relationship with its sponsors in 2018 and the SAFA President had agreed to separate his personal challenges from that of the Association. To merely point to</p>

	<p>the current relationship (2020) is to intentionally mislead the Members about the real crisis of that period.</p> <p>SAB had already withheld its sponsorship because of the controversies that it said impacted its brand image. Mumble, VP Nkompela, Commercial Affairs Senior Manager, Mr Darryl Coutries and NEC Member, Mr Poobalan Govindasamy (Chairman of SAFA's Ethics Committee) and VP Ledwaba, were forced to appeal to SAB to release the funds it owed SAFA.</p>
<p>Fun Valley: The Circular claims that Mumble signed the purchase agreement and should not complain about the transaction. It also implies that:</p> <ul style="list-style-type: none"> (i) an application for the funds was submitted to the Legacy Trust, (ii) that the "SAFA President, Mr Nematandani", Mr Mtshatsha and Mr Shishana were the SAFA reps on the Legacy Trust, (iii) the services of Sommore Group were engaged "to look at the prospective sites as well", (iv) that Kirsten Nematandani chaired a meeting of the NEC on 6 Dec '14 to discuss the purchase of Fun Valley. 	<p>It is important to note that the Fun Valley purchase is the subject of a criminal investigation and shall be argued in a court of law where the requisite evidence will be unveiled.</p> <ul style="list-style-type: none"> (i) No application for the funds was submitted by SAFA to the Legacy Trust. The SAFA President unilaterally arranged for the Trust to make the allocation; (ii) Mr Nematandani was not the SAFA President in 2015 when Fun Valley was purchased and the Fun Valley purchase was never discussed during Nematandani's term of office; (iii) This is a lie! Sommore only conducted the engineering assessment and not a valuation of the property. The Circular confirms that this work was done by the Legacy Trust and not by SAFA. It is further proof that the SAFA President was running a parallel administration by unilaterally taking decisions in an entity where he was in direct control; (iv) This is a lie! Kirsten Nematandani was not the SAFA President in Dec '14! Also, SAFA NEC Members seconded to the Trust were obliged by law to serve the interests of the Legacy Trust and not that of SAFA directly. Hence, SAFA always submitted applications for funding, which applications were always signed by the CEO.

<p>(v) <i>“A Trustees meeting was scheduled for 13 November 2014. The site walkabout was scheduled for the afternoon of the 12 November 2014. The Walkabout included include (sic) the FIFA representatives Mr. J Valcke, Mr Regenass, SAFA representatives Mr Nemtandani, MrMtshatsha, Mr Shishana and Dr D Jordaan.”</i></p>	<p>The SAFA Response admits that the SAFA President merely <u>informed</u> the NEC on 6 Dec '14 that <u>he</u> had secured R87.7m to establish the National Technical Centre. The SAFA Response also admits that it was only the Legacy Trust Board Members who visited the Centre, not the SAFA NEC – this, without informing the CEO. <i>This point can be proven by playing the recording of the SAFA NEC meeting of 6 Dec '14 to prove this point;</i></p> <p>If this statement is true, then it means that Jordaan had concluded the deal prior to Valcke’s visit because he had already taken the first group of SAFA NEC and Standing Committee members to the site and provided them with a personal tour of the site. [see the photos and video of that visit as an attachment]</p>
<p>About the Letter to FIFA in 2015</p>	<p>This is deliberately misleading: The response takes two lines out the letter and completely misrepresents the context in that it gives the impression that the letter was an application to FIFA for funding for the property. Mumble’s letter to FIFA in February 2015 was not for approval for the purchase of Fun Valley. It was a request to FIFA to reallocate the GOAL Project funds that were already previously approved for an artificial turf to be constructed at the SAFA School of Excellence at Elandsfontein. It was a request for the funds to be diverted to the newly secured property. The SAFA Response contradicts itself by acknowledging that Mumble was not involved, but still claims that he was involved.</p> <p>Overall, the SAFA Response is an admission that the SAFA President abused his powers by acting unilaterally.</p>
<p>Hotel Development at Fun Valley</p>	<p>SAFA did <u>not</u> submit an application to the Legacy Trust for this money. The SAFA President merely informed Mumble about him securing another R100m for the hotel -- AFTER the plans had already been commissioned. Once again, no due</p>

	<p>diligence was conducted on the viability of building a hotel on an unserviced, high risk site and where there was no market for such a facility beyond its use by the National Teams. The SAFA Response lies about a dispute that the hotel was part of the Fun Valley grand design. The complaint was about the SAFA President's unilateral interference in administrative duties in order to establish himself as an Executive President.</p> <p>The SAFA Response gives the impression that the funding was approved only in May 2015, but the record (audio and Minutes) will prove that the NEC was informed that the money had been approved in 2014 whilst the Circular admits that the hotel was part of the grand design of the site – designed by Ruben Reddy and Associates sometime in 2014 and who was engaged by the Legacy Trust. This matter will be argued in court.</p> <p>What is most important is that the NEC only approved a feasibility study for the construction of a hotel at Fun Valley only on 19 August 2017 – more than two years after Mumble was informed by the SAFA President that he secured funds for it from the Legacy Trust and that he would make it a Presidential project – meaning that SAFA Secretariat would not have any involvement in the project.</p>
Relationship with the NSL	<p>The SAFA Response confirmed Mumble's allegations that the SAFA President undermined the NSL in his dealings with it.</p> <p>Another example of how the SAFA President undermined the League was when he finalized the report on the \$10m bribery allegation without the input of the Chairman of the 2010 FIFA World Cup LOC, who was also the Chairman of the League.</p> <p>The SAFA President deliberately avoided calling meetings of the Joint Liaison Committee, Emergency Committee or International Board for many years in order</p>

	<p>to prevent NSL participation in what he described as ‘SAFA affairs’ – as if the NSL was not a Member of SAFA;</p> <p>The SAFA President is the chief architect of many proposals that minimized the role of the NSL in the conduct of the affairs of the Association. These proposals included constitutional changes prohibiting the Chairman of the NSL from becoming the SAFA President; contradictory positions on player status and club licensing matters; and failure to call committee meetings where the NSL was represented, such as the International Affairs Committee, the Joint Liaison Committee, and the Emergency Committee.</p> <p>The latest attempt (2022) is contained in new proposals to prevent the NSL from nominating anyone for election to the NEC other than its own representatives. The proposals will also prevent any of the NSL’s representatives from running for the position of SAFA President.</p>
<p>FIFA Investigation. SAFA alleges that Mumble contradicted his statement to SAFA Members in 2017 regarding the government owing SAFA \$10m.</p>	<p>This matter is the subject of a criminal investigation and shall be ventilated in a court of law where the requisite evidence will be tabled.</p> <p>The SAFA Response is economical with the truth on this matter. The SAFA President refused to be interviewed by the FIFA investigators in the presence of the other interviewees by moving his interview out of SAFA House to prevent others from seeing his answers to the interviewers’ questions. Mumble was invited to be present in that interview.</p> <p>Simply stated, SAFA spent millions of Rands to construct a response to the \$10 million bribery matter to reflect only the SAFA President’s position, with absolutely no input from any of the other people involved in the FIFA investigation. The final report was never placed before the SAFA NEC nor was it shared with any of the other interviewees – on Jordaan’s specific instruction. It can therefore not be seen as SAFA’s position on the matter. Yet, the report was released to the <i>Mail &</i></p>

	<p><i>Guardian</i> in December 2017 and is now a public document. Hundreds of thousands of Rands were spent on SAFA's cooperation with the FIFA investigation to reflect the views of only one person.</p> <p>The SAFA President unilaterally rejected Mr Zola Majavu, who was appointed by the NEC, for presenting a letter to the FIFA investigators that he (the SAFA President) failed to declare to Dr Oliphant. Mr Majavu was belittled for taking sides between him and Dr Oliphant. The SAFA President appointed his own private attorneys (Nortons, Inc), which led to duplicate costs for counsel in the FIFA investigation. Although this expenditure was later endorsed by the SAFA Emergency Committee, it is further proof of the SAFA President's high-handed behaviour and unilateral style of decision-making.</p> <p>The SAFA President also kept the SAFA Emergency Committee and the entire SAFA Task Team responsible for coordinating the cooperation with the FIFA Investigators completely in the dark on most important matters related to this investigation. All the members of these committees can testify to this fact.</p> <p>There is therefore no contradiction in Mumble's statement on this matter.</p>
The \$10m Claim:	<p>The SAFA Response is a blatant misrepresentation of the facts:</p> <ul style="list-style-type: none"> i. The SAFA President claimed in the 2017 NEC Activity Report that "<i>We have also finalized and submitted our claim for \$10m to the South African Government in relation to the Diaspora Legacy funding during the 2010 FIFA World Cup™.</i>" (page 17). Therefore, Jordaan mentioned the \$10m in his statement in the Activity Report. Mumble made reference to the \$10m in the 2017 Activity Report on the basis of Jordaan's report that he had dealt with the President's Office in regard to this money [see further elaboration below in (iii)]. ii. Mumble did not mention the \$10m in the 2017-18 NEC Activity Report and the AFS as that was signed off by Russell Paul, the Acting CEO at the time.

- iii. All previous references to the \$10m “owed” by government was based entirely on the SAFA President’s promise that he had made arrangements with the State President’s Office for the “reimbursement” of the \$10 million. He repeatedly belittled the status of the former SRSA DG, Mr Alec Moemi, describing him as unimportant because, in his words, the 2010 FIFA World Cup was a Presidential project and not a project of the Sport and Recreation Department.
- iv. The SAFA Response conveniently states that Government decided that nobody should deal with the \$10 million matter. This statement is correct because former Minister of Sport and Recreation, Mr Fikile Mbalula did say so in 2016.

But, here is how the SAFA President violated this Ministerial instruction:

- a. He insisted on the inclusion of the \$10 million “government debt” in the 2017-2018 financial statement to mislead the auditors;
- b. He promised to retrieve the money through the State President’s Office and met the Minister of Finance on the matter (Mumble was present in that meeting);
- c. In May 2017, he insisted that Mumble meet with two people who promised to retrieve the money from the National Treasury;
- d. When Mumble refused to entertain this because of the exorbitant “finders fee” of 20% that the two men asked, he appointed the Chairperson of the Finance Committee to pursue the negotiations;
- e. He initiated the trip to New York to talk to the American Government about their investigation into their \$10 million investigation;
- f. He included the amount again in the 2018-2019 SAFA annual financial statement, long AFTER Mumble had already left SAFA;

Mumble’s report makes it clear that Government denied they owed this debt. So, Mumble’s statement is not contradictory.

	<p>Parenthetically, the <i>Going Concern Statement</i> in the Audited Financial Statement is not the statement of the CEO. It is the statement of the SAFA Council. The SAFA NEC approves the statement on the recommendation of the Finance and Audit Committees and thereafter presented to Congress by the Finance and Audit Committee chairs for adoption – not by the CEO.</p>
<p>On the Siyaya Matter:</p> <p>SAFA claims – in retrospect – that Siyaya was not going to be able to broadcast SAFA matches and implied that SAFA’s debt to Siyaya was equal to Siyaya’s debt and therefore worth entering into a mutual cancellation agreement</p>	<p>The SAFA Response admits that SAFA lost R450m in potential revenue from the Siyaya deal through a unilateral decision taken by the SAFA President.</p> <p>On p18 of the SAFA Response, it states that: <i>‘At that point, both parties, SIYAYA and SAFA, concluded that SIYAYA would not be able to execute the broadcast contract that we signed with them. We then commenced negotiations to cancel the existing contract with [sic] terminates 1 May 2020.’</i></p> <p>Who is ‘we’ since this has still not been presented to the SAFA Executive or the SAFA Congress for approval and the SAFA CEO never approved this deal?</p> <p>The SAFA President met with Siyaya alone and this ‘cancellation’ had not been presented to the SAFA NEC for approval.</p> <p>Mumble refused to sign that ‘agreement’ because it was an extraordinarily large amount of money which could only be referred to the SAFA Executive as it alone approved the original contract signed with Siyaya in May 2014.</p> <p>Mumble only learned about the ‘agreement’ through a third party and not through the SAFA President, which was further proof of the SAFA President’s abuse of power and his running a parallel administration.</p> <p>This is the root cause of the Association’s current poor financial condition – none of which can be blamed on the COVID-19 pandemic as claimed by the Association.</p>

	Article 39.2 of the SAFA Statutes specifically reserves the powers to sign commercial contracts for the SAFA CEO, CFO, COO and the General Manager of the Division responsible for the contract in question.
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The SAFA Response, combined with this reply, indicates quite clearly a President who is guilty of abusing his statutory powers by taking unilateral decisions with the expectation that the governance structures must simply endorse his decisions without debate or without regard for how these decisions affect the status of the association.

It is important to mention here that the allegations of abuse of power, the illegal installation of an Executive Presidency, the unilateral conduct of the SAFA President are against the SAFA President and not against SAFA itself. The Association cannot be accused of the misconduct contained in the Mumble report because it has a regulatory framework that prohibits the mentioned conduct. It is unfortunate that the SAFA President and his defenders conflate the two as if it is one persona.

Also, with regard to the allegations on the Fun Valley matter, the gist of the complaint is in relation to the governance misconduct of the SAFA President prior to the 6 December 2014 NEC Meeting, where the NEC tacitly approved the project on the announcement of the grant to the association for the purchase of the property. There was no request for approval of the purchase as it was presented as a gift by the Legacy Trust to SAFA. Mumble was therefore obliged to implement the NEC acceptance of the gift.

**** END ****