



**SOUTH AFRICAN
FOOTBALL ASSOCIATION**

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To: NEC Members,
SAFA Regions,
FROM: Mr Bennett Bailey – Vice President
DATE: 29 September 2023
RE: **2010 FIFA WORLD CUP LEGACY TRUST**

Dear SAFA Membership

By now you must have seen, heard or been contacted by the media regarding the 2010 FIFA Legacy Trust Fund. The latest I've heard is that it was raided or a heist took place at SAFA. As the Vice President responsible for Finance and Administration, these allegations by people who want to rule from the grave affects the image of the organisation. Furthermore, the same names of individuals who on multiple occasions, over many years, who have had ulterior motives, are hellbent on pushing regime change. SAFA has decided to subject these questions to a court process and that the allegations contained therein are malicious and defamatory. However, I will try to brief our Members on the status quo and this does not replace the court process.

The mandate of the 2010 FIFA Legacy Trust Fund

As the name indicates, it was a fund established by the donor, FIFA, to coordinate the distribution of the Trust funds. The Trustees were equally represented by both FIFA and SAFA (5 each). No one had the upper hand over the other therefore, decisions were reached based on consensus. The mandate was discussed and agreed to at its founding meeting. There is no record of any objection from any trustee over the entire life span of the Trust as to its mandate.

The Trust was registered in terms of a letter of Authority. As per Section 6 (1) of the Trust Property Control Act, 1988, the appointment of and Loss of Trustees, the donor may by notice in writing appoint 5 (five) trustees and remove and replace such trustees. Thus, SAFA may by notice in writing appoint 2 members from the National Executive, 1 member from business and two former SAFA NEC members and remove and replace or fill any vacancy in respect of such trustees. The Trust was empowered to take any decision in carrying out its mandate.

The issue is now raised by disgruntled former officials after the Trust has been dissolved with the participation of the trustees including, the donor who provided two Trustees and SAFA, nominated an independent Trustee.

Danny JORDAAN (President), Irvin KHOZA (VP), Bennett BAILEY (VP), Anastasia TSICHLAS (VP), Linda ZWANE (VP), Lydia MONYEPAO (CEO/General Secretary)

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National Soccer League Members: Robert BENADIE, Mato MADLALA, Kaizer MOTAUNG

Honorary Members: Molefi OLIPHANT (Honorary Life President), Lesole GADINABOKAO (Honorary President), Motebang MOSESE (Honorary Life Member), Obakeng MOLATEDI (Honorary Member), Jeremiah MDLALOSE (Honorary Member), David ZULU (Honorary Member)

Transparency of the 2010 FIFA Legacy Trust Fund

There is a claim that the Trustees were denied access to financial information. I Am astounded and riled because how on earth do you serve on an organisation for more than 10 years and raise the issue of transparency, after losing the elections? I had a peak at the Annual Financial Statements over the years and could not find any Trustee objecting or raising concerns about accepting the AFS, due to lack of transparency. How convenient. Although it can be claimed that a clean or unqualified audit means nothing, however the record reflects satisfaction to the presentation of the AFS.

For the Trust to wind down, the remaining Trustees from SAFA and the donor, FIFA, had to resign, enabling the process to conclude with hinderance. Which was subsequently done. The close out report and AFS duly indicate such. The three Trustees to wind down the Trust were; Clive Grineker (Independent), Joce Cook (FIFA) and Tomas Peyer (CFO, FIFA).

Fun Valley

The grant agreement in respect of the Fun Valley application was signed by former SAFA CEO Dennis Mumble on 19 May 2015 on behalf of SAFA, and Joe Carrim (the General Manager) of the Trust. After this the Trust approved the project on the proposal by E Shishana and it was seconded by Prof M Katz. As can be gauged by the aforementioned, all discussions and agreements were made by the 2010 FIFA Legacy Trust Fund and NOT SAFA!!!! Only the Trust could approve or disapprove projects and programmes and all applications had to be submitted to the Trust. Fun Valley was one such project and a grant agreement was signed after approval.

Due to this matter being in court, we shall stop here for now.

Payment to beneficiaries including SAFA Members

As part of the work of any organisation winding down its affairs, the 2010 FIFA Legacy Trust Fund had to submit a close out report to its donor, in this instance FIFA. Some of the projects and programmes highlighted in the close our report includes; support given to the Tukkies University center of excellence with excellent results. There is also a video illustrating the good work by Tuks which is readily available. We also established the National League with the Funds from the Legacy Trust Fund. Bursaries to deserving applicants which included tuition fees, tuition material, accommodation, subsistence. Funding of Non-Governmental Organisations (NGO'S) including Football for Hope Centres. Grants to Regions on a regular basis. Special allocation for SAFA youth football programmes. Infrastructure for development.

Once again, due process had to be followed with the applicant submitting the necessary request for funding to the 2010 FIFA Legacy Trust Fund. All applications were then considered based on merit by the Trustees and if agreed, then funds would be awarded accordingly.

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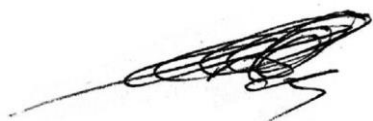
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Accountability

The CFO of FIFA represented FIFA on the Trust. The Legacy Trust received **regular** audit financial statement for every year of operation until 28 February 2022. These were unqualified audit financial statements submitted by Ernst & Young (EY) who functioned as the financial controller of the Trust. Legal advice was provided by ENS (Edward, Nathan, Sonnenberg). The Trust upon resolution had to obtain the permission of the donor for such resolution. The FIFA trustees - Joyce Cook (head of social responsibility FIFA) and Tomas Peyer (Chief Finance Officer FIFA) agreed to this closure.

Conclusion

It is clear that this is a sponsored call and somehow it enjoys unlimited airtime. This sponsored call by former disgruntled officials who participated in democratic processes and after they lost, now everything they agreed to is no longer agreeable. They go public and make calls for all types of audits to be conducted on SAFA. They are no longer part of SAFA and are in no position to make such a call. We have decided to litigate on some matters. Please distribute amongst Members because we cannot allow others to tell our story.



Mr Bennett Bailey
Vice President – Oversight Responsibility for Finance
President – SAFA Cape Town
MBA – Change Management

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