

MOTION TO THE CHIEF EXECUTIVE OFFICER OF SAFA

14th November 2024

The Chief Executive Officer
South African Football Association (SAFA)
SAFA House
76 Nasrec Road, Nasrec Extension 3
Johannesburg, South Africa

Motion for an Impromptu NEC Meeting

Dear Mrs Lydia Monyepao,

Pursuant to the authority vested under the SAFA Statutes, I hereby submit this motion requesting an urgent convening of the National Executive Committee (NEC). This requisition is prompted by the impending court appearance of the SAFA President on charges of fraud, theft and maladministration. The circumstances necessitate immediate review and deliberation by the NEC to uphold SAFA's governance integrity and to ensure continuity in leadership and operations.

Motion Agenda

1. Suspension of the SAFA President and CEO for Ethical and Governance Compliance

- **Provisional Suspension:** Per Article 86 of the FIFA Code of Ethics, provisional sanctions can be applied during an investigation to prevent interference and to uphold organizational integrity. The SAFA President should be temporarily suspended to allow an unimpeded investigation and to restore partner confidence. Similarly, the CEO should be suspended for failing to fulfil her role as the sole Accounting Officer, especially given financial and operational lapses.
- **Duty of Loyalty and Abuse of Position:** FIFA's Code underscores a fiduciary duty (Article 16) and prohibits abuse of position for personal gain (Article 26). By suspending implicated officials, SAFA can ensure it operates without conflicts of interest, aligning actions with these ethical standards (FIFA Code of Ethics_2023...).
- **Reinforcing Stakeholder Confidence:** Suspending the President aligns with FIFA's mandate to prevent any suspicion of misconduct, while providing reassurance to SAFA's partners of the association's commitment to ethical governance.

2. NEC Meeting and Extraordinary Congress for Leadership Review

- **Immediate Governance Decisions:** Convene an Extraordinary Congress or NEC meeting (Article 27, Article 31.7 of SAFA Statutes) to address leadership restructuring and manage statutory violations among SAFA officials. These actions will support critical decision-making in leadership roles, internal communications policies, and procurement operations (SAFA_STATUTE_CONGRESS 2022...).

3. Independent Investigation and Document Provision

- **Support for CAF Investigation:** As per CAF's request, SAFA must fully cooperate in providing all relevant documents, such as procurement records and financial statements, related to Grit Communications and Badger Security Services. This compliance not only aligns with the request from CAF but also meets FIFA's ethical expectations for transparency (FIFA Code, Article 19 on duty to cooperate)(Letter to SAFA - 27 May...)(FIFA Code of Ethics_2023...).
- **Internal Compliance Audit:** An independent audit should evaluate recent procurement and financial decisions to ensure strict adherence to statutory provisions and SAFA's own guidelines on financial responsibility (Article 51 of SAFA Statutes).

4. Public Communication Strategy to Restore Trust

- **Transparent Communication:** In light of recent developments, SAFA should issue a clear public statement reaffirming its commitment to ethical governance and cooperation with legal authorities. This will align with FIFA's principles on integrity and transparency while helping mitigate public concern.
- **Confidentiality of Investigation:** Following FIFA's Article 37, SAFA must ensure that sensitive investigation details remain confidential. Public statements should focus on SAFA's procedural improvements without disclosing specifics of ongoing legal proceedings.

5. Financial Oversight and Procurement Audits

- **Forensic Audit:** Given the allegations of misuse of funds, a forensic audit into SAFA's procurement and financial records is necessary. The Audit and Compliance Committee, in line with Article 51, should spearhead or appoint external auditors to ensure objective results and secure financial integrity (SAFA_STATUTE_CONGRESS 2022...).
- **Policy Review:** Reevaluate procurement and financial policies to align strictly with SAFA's internal statutes, maintaining the CEO's authority as the Accounting Officer to safeguard funds and resources effectively.

6. Review of Recent Committee Formation and Financial Protocols

- **Review of the Protocol, Security & Safety Committee Actions:** The recent formation of this committee and its immediate public briefing violated procedural requirements under SAFA statutes, as committee resolutions should first be submitted to the NEC for approval. This oversight must be addressed to prevent statutory violations and maintain procedural integrity.
- **Internal Procurement Authority Adjustment:** The CEO, as the primary Accounting Officer, should have exclusive procurement authority. Any adjustments to this protocol should ensure full alignment with Article 48 of the SAFA statutes, preventing future conflicts and maintaining control over SAFA's resources.

7. Enhanced Ethics and Communication Controls

- **Suspension of Unauthorized Public Statements:** Some NEC members, including Vice President Bennet Bailey, have been issuing statements without SAFA's mandate, contravening statutory procedures. They should be reminded of their obligations under FIFA's Code of Ethics Article 17, which stresses confidentiality and refraining from unauthorized communication (FIFA Code of Ethics_2023...).
- **Mandatory Ethics Training:** FIFA's emphasis on ethical duties in Articles 14 and 18 calls for ongoing training to foster a robust culture of compliance. All SAFA executives should undergo ethics and governance training to reinforce their responsibilities and avoid potential conflicts of interest.
- **Enhanced Compliance Procedures:** With FIFA's Code as a guide, SAFA should implement stronger compliance monitoring to ensure that financial decisions are ethically sound and that any arising conflicts of interest are promptly addressed.

8. Temporary Leadership Restructuring

- **Appoint an Acting President and Interim CEO:** Following Article 30.5 of the SAFA Statutes, the NEC should appoint an acting President and an interim CEO to ensure operational continuity and stability in SAFA leadership while the President address their legal cases (SAFA_STATUTE_CONGRESS 2022...).

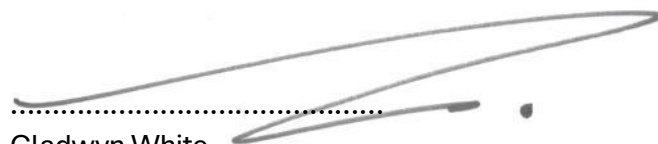
This motion urges that the requested meeting be scheduled at the earliest feasible opportunity, preferably within the next seven (7) days, to facilitate timely decision-making and strategic alignment in response to these pressing issues.

Proposed Action

That the CEO considers and approves the scheduling of this impromptu NEC meeting, in line with SAFA's commitment to ethical governance and operational transparency.

Thank you for your attention to this motion. I remain available for any preliminary discussions necessary to expedite the process and support SAFA's commitment to responsible leadership.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Gladwyn White', with a long, sweeping horizontal stroke extending to the right.

Gladwyn White
SAFA NEC Member