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The Affiliate Presidents
Swimming South Africa

23 August 2024

BY EMAIL

Dear Sirs

**SWIMMING SOUTH AFRICA QUADRENNIAL ANNUAL GENERAL MEETING – 25
AUGUST 2024 – EXECUTIVE COMMITTEE NOMINATIONS**

1. I refer to the above matter, the Swimming South Africa (**SSA**) Quadrennial Annual General Meeting to be held on 25 August 2024 (the **QAGM**); my letter to the SSA CEO of 20 August 2024 (**My Letter**); and SSA's response to My Letter of 23 August 2024 (**SSA Response**). Copies of My Letter and the SSA Response are transmitted herewith for ease of reference.
2. Given the imminence of the QAGM and both the timing and substance of SSA's Response it has become necessary to address this correspondence directly to you, the Affiliate Presidents, who will be asked to vote in the election of a new Executive Committee at the QAGM.
3. It is evident from the SSA Response that SSA and/or those acting on its behalf, have no intention of dealing with the substantive issues raised in My Letter.
4. Firstly, though My Letter is penned on the letterhead of the attorneys' firm of which I am a director, paragraph 2 thereof expressly confirms that I, as an individual, am the registered member of SSA and the complainant in this instance. The reference to the firm of attorneys in the SSA Response is a procedural red herring and raised in an effort to avoid a serious consideration of the central concern raised in My Letter. My jurisdiction to raise these issues – as a registered member of SSA – cannot, with respect, be challenged.
5. Secondly, SSA has failed to raise any substantive and cogent reason for the inclusion of the ineligible candidates on its list of nominees for election. The lack

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LLB (Stell) LLM (int.trade) (Stell) Bryge Wachipa - Consultant - LLB (UFH)

of any action regarding, or substantive reply to, the demands made in My Letter further evinces SSA's intention to continuing to allow ineligible nominees to stand for election and thereby act unlawfully in breach of its own rules.

6. This situation is made all the worse by the fact that should the election proceed as planned, ignorance of the unlawfulness thereof shall not be a defence. SSA, and now each of you, will be considered to have been fully aware of the illegality that I have raised in My Letter. The blatant disregard for the unlawful nature of these actions will be held against those responsible in the High Court review application to follow. I confirm that I shall request that all be judged accordingly through the visitation of punitive costs awards when in due course they are called to answer.
7. Given that I, and the overwhelming majority other individual members of SSA were not invited to, and are seemingly not welcome at, the general meeting, I request that you, the Presidents charged with representing our interests thereat, do so by raising an objection to the list of nominee candidates for the Executive Committee election on our behalf.
8. Kindly ensure that my objection to the election proceeding is duly recorded in the minutes of the meeting.
9. I trust you will be guided accordingly.

Yours sincerely,

BECKER KEMP ATTORNEYS

Per



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CC: The CEO - ceo@swimsa.org (and neriah.molamu@swimsa.org)

CC: The CEO and COO – SASCOC - Nozipho@sascoc.co.za and patiences@sascoc.co.za

CC: Executive Director - World Aquatics - brent.nowicki@worldaquatics.com

CC: SASCOC Member Affairs - K Pople and C Cobbers - kim@sascoc.co.za and clifford@sascoc.co.za



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