



**MINISTRY OF TOURISM
REPUBLIC OF SOUTH AFRICA**

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Mr Thozamile Botha
Chairperson of the Board of South African Tourism
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SOUTH AFRICAN TOURISM AND TOTTENHAM HOTSPURS RESOLUTION

Dear Chairperson,

I refer to the Resolution of the South African Tourism Board, dated 31 January 2023, to enter into a partnership deal with the Tottenham Hotspur Football Club.

I have obtained legal advice from senior counsel to the effect that the Tottenham deal is unlawful and invalid because:

It is a procurement event which does not comply with section 217 of the Constitution; Treasury Instruction 3 of 2021/22 issued in terms of the Public Finance Management Act 1 of 1999 ("the PFMA"); and SA Tourism's own SCM Policy. The deal amounts to a sole source procurement for which the requirements have not been met; and / or

It amounts to a significant partnership or "*similar arrangement*" with Tottenham, or it is the commencement of a significant business activity, a transaction for which my prior approval is required in terms of section 54(2) of the PFMA.

Furthermore, I have considerable doubt whether the Tottenham deal has been budgeted for as envisaged in section 53 of the PFMA. If not, expenditure on the deal would be irregular or unauthorised within the meaning of those terms in the PFMA.

Against this background, kindly address the following issues:

Has the Tottenham deal been formally cancelled? If so, provide written proof of same.

Does the Board regard the Tottenham deal to be a form of sole source procurement? If so, explain how the requirements for such a form of procurement have been met.

Does the Board regard the Tottenham deal to be a significant transaction which triggers the need for my prior approval? If so, will the Board request my approval and when?

Has the Tottenham deal been budgeted for in the 2022/23 budget?

If not, why is expenditure on the deal not unauthorised or irregular within the meaning of those terms in the PFMA?

Kindly revert as a matter of great urgency by no later than Wednesday, 29 March 2023.

Yours sincerely,

P. de Lille

Ms Patricia de Lille, MP

Minister of Tourism

Date: 22 March 2023