

# WEBBER WENTZEL

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Your reference

Our reference

Date

D Milo / K Petersen / A Jada

10 March 2025

Dear Sir / Madam

## Questions directed to Mr Caiphus Semenya in re The Caiphus Katse Semenya Foundation and the National Africa's Academy of Performing Arts

1. We refer to our respective emails dated 5 March 2025.
2. As you are aware, we act on behalf of the Caiphus Katse Semenya Foundation.
3. We set out our client's responses to your questions in the document attached marked "A".
4. We trust that this is in order.

Yours faithfully

## WEBBER WENTZEL

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**Response to questions addressed to Mr Caiphus Semanya in re The Caiphus Katse Semanya Foundation and the National Academy of Africa's Performing Arts**

1. At the outset, we note that the questions appear to lack certain context which the Foundation respectfully submits is crucial to understanding the National Academy of Africa's Performing Arts project. This factual context is summarised as follows and is critical for you to consider:
  - 1.1 The National Academy of Africa's Performing Arts ("**NAAPA**") is an initiative of the Caiphus Katse Semanya Foundation, a registered non-profit organisation that is wholly dedicated and focused on the reclamation, propagation and perpetuation of South Africa's indigenous performing arts. The foundation also is registered as a Public Benefit Organisation with the South African Revenue Service and was established for the purpose of developing NAAPA.
  - 1.2 The Foundation is led by its patrons, Ms Letta Mbulu and Mr Caiphus Semanya. Ms Mbulu and Mr Semanya's vast experience as Emmy and Grammy award winning and Academy Award nominated musicians positions them uniquely for these roles. Indeed, it is their experience as internationally acclaimed performers which has birthed their desire to establish an avenue through which young South Africans may obtain the technical skills necessary to achieve a level of access to the global performing arts industry which is often reserved for their international counterparts.
  - 1.3 NAAPA is an undertaking of unprecedented scope which seeks to address the chasm between South African students of the performing arts and their international counterparts by establishing a premier institution offering preprofessional arts training in modern and traditional forms of African music, dance and drama at a level not previously available. The extensive nature of the campus' design and the facilities to be offered thereby, which include an amphitheatre and a recording studio complex, are linked to the goal of offering an educational experience that is at least equivalent to that received by students specialising in the performing arts at international/foreign institutions.
  - 1.4 NAAPA also intends to attract students from the African diaspora, including African Americans, Cubans, and those from the Caribbean Islands who seek to study the African arts.

2. With the above context in mind, we set out below the Foundation's responses to the questions *ad seriatim*.

**Question 1: "According to the NLC's 2020/21 financial report, an amount of R15.1 million was allocated and paid to the "Caiphus Semenya Foundation." When we spoke on the phone you pointed out that the NAAPA project does not belong to you or the Caiphus Semenya Foundation but to the Department of Arts, Sports, and Culture (DSAC). Who is managing the project?"**

3. The above question mischaracterises both Mr Semenya's response and the organisational structure of NAAPA. In referring to the involvement of DSAC, Mr Semenya sought to convey that NAAPA is not a private commercial undertaking in the ordinary sense in that it enjoys both the ideological and financial support of DSAC.
4. As set out above, NAAPA was conceived by Mr Caiphus Semenya and Ms Letta Mbulu. The project was launched through the Foundation which continues to be responsible for its construction and management. Due to an alignment of values as they relate to the importance and development of arts education in South Africa, DSAC has adopted a supportive approach to the project and has endeavoured to assist the development to the extent possible. DSAC has not, however, assumed any formal responsibility or managerial control over NAAPA.

**Question 2: "If this is a DSAC project can you tell us why did the Foundation apply for the grant?"**

5. As stated above, the NAAPA is not a DSAC project and continues to be managed by the Foundation.

**Question 3: "If it was a DCAS project, was the R15-1-m paid over to the department after it was paid to the Foundation?"**

6. As stated above, NAAPA is not "a DSAC project" and continues to be managed by the Foundation. The Foundation accordingly took receipt of all funds disbursed for use in the NAAPA project.

**Question 4: "If so, was the NLC informed that it was, in fact, a DSAC project?"**

7. As stated above, the NAAPA is not a DSAC project and continues to be managed by the Foundation.

**Question 5: "What was the R12-m that the DSAC allocated to the in 2018 used for?"**

8. The amount referred to in this question is incorrect. DSAC allocated funds to the tune of R10 000 000.00 to NAAPA in 2018, which were employed in phase 1 of the construction of the campus.

**Question 6: "What was the NLC's R15.1-m grant used for?"**

9. This grant funded phase 2 of the construction of the NAAPA campus.

**Question 7: "When I visited the Academy this week, it was clear that it is still under construction. What still needs to be done and what will this cost?"**

10. Construction of the NAAPA campus' main building and its interior is predominantly complete.
11. The portion of NAAPA remaining "*under construction*" is the recording studio complex. The cost of completing NAAPA to the point of functionality is currently estimated at R27 964 453.65 (incl VAT), which amount includes the costs of the following:
  - 11.1 completion of construction on the studio complex;
  - 11.2 purchase of the necessary recording equipment, instruments and academic resources;
  - 11.3 the furnishing and waterproofing of both buildings, and
  - 11.4 installation of the appropriate security implements (eg. gates, burglar guards and the like).

**Question 8: "How will it be funded for the outstanding work?"**

12. DSAC has indicated a broad commitment to funding the project to completion. The Foundation is currently liaising with DSAC to flesh out the specific funding obligations to be assumed thereby, ie. the manner, timing and extent of the expected disbursement of funds. The Foundation is also in the process of identifying appropriate civil society/private sector funders to serve as contingencies to the extent that the final grant from DSAC is unable to cover the outstanding construction costs.

**Question 9: "Has DSAC committed additional funding to the Academy beyond the R12 million that was committed in 2018?"**

13. This question is covered by the response to Question 8 above.

**Question 10: "What is the reason for the delay in completing the Academy?"**

14. Previous engagement between the Foundation and DSAC had been directed by/through former Minister Nathi Mthethwa. The change in the Department's leadership pursuant to the formation of the Government of National Unity necessitated that the project be re-introduced or re-pitched to the current Minister, Gayton Mackenzie, and Deputy Minister, Peace Mabe. The Foundation has engaged in fruitful discussions with the current leadership and understands that DSAC intends to continue its prior support of NAAPA.

**Question 11: "When do you expect the Academy to open its doors to its students?"**

15. The foundation currently anticipates the project to be completed during the course of 2026.