Estate Name	:	FirstRand Bank Limited / Emam Bux Investments CC, Case Number: D5629/2024
Properties	:	Erf 1838 Reservoir Hills Extension 5, KwaZulu-Natal. Remainder of Portion 1 of Erf 105 Springfield
Auction Type	:	Public auction (Portfolio of properties)
Date and time	:	10th December 2026 at 10H00
Venue	:	3 Wembley Terrace, Wembley, Pietermaritzburg

BIDDER'S REGISTRATION / PARTICIPATION FORM: AUCTION

Please take note of the following:

1. This document is to be signed by all prospective bidders, whether purchasing on your behalf and/or that of another person and/or a company.
2. In addition, all documentation required herein must be attached hereto, as is requisite and necessary for you to bid at this auction.
3. Kindly ensure that you have perused all our Terms and Conditions hereto and are familiar therewith and that you accept such Terms and Conditions prior to signature hereof.
4. Kindly complete the applicable section(s), where necessary.
5. The document headed "Rules of Auction" prescribes the Terms and Conditions upon which all purchases will be governed. If you have not read the Rules of Auction, kindly do as now as your signature hereto indicates your acceptance of such terms and conditions.
6. Please provide all FICA Documentation as per Annexure A.

Bidder's Personal and Company Information
To enable your participation in this auction, please register by duly completing this Bidder Participation Form, signing the acknowledgment, and initialling every page of the Rules of Auction.

SECTION 1: IF PURCHASING IN YOUR PERSONAL CAPACITY – COMPULSORY

Title	:	.....
First name	:	.....
Surname	:	.....
ID number / Passport number	:	.....
Occupation and Industry	:	.....
Source of Income (choose option)	:	[Salary / Bonus / Income; Savings; investments; Business Income; Profits; Investments; Third Party; Other (please state)]
Tel. number	:	.....
Email	:	.....
Physical address	:	.....
Postal address	:	.....

SECTION 2: IF PURCHASING ON BEHALF OF A COMPANY – COMPULSORY

Company name	:	.....
Company Reg. number	:	.....
VAT number	:	.....
Herein represented by:-		
Name	:	.....
Surname	:	.....
ID number / Passport number	:	.....

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Occupation and Industry : ……

Source of Income (choose option) : [Salary / Bonus / Income; Savings; investments; Business Income; Profits; Investments; Third Party; Other (please state)]

Tel. number : ……

Email : ……

Physical address : ……

Postal address : ……

Details of each member of the Entity:-

Full Names : ……

ID number / Passport number : ……

Nationality : ……

Residential Address : ……

Telephone Numbers : ……

Email Address : ……

Full Names : ……

ID number / Passport number : ……

Nationality : ……

Residential Address : ……

Telephone Numbers : ……

Email Address : ……

Full Names : ……

ID number / Passport number : ……

Nationality : ……

Residential Address : ……

Telephone Numbers : ……

Email Address : ……

Full Names : ……

ID number / Passport number : ……

Nationality : ……

Residential Address : ……

Telephone Numbers : ……

Email Address : ……

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ACKNOWLEDGEMENT AND CONSENT TO PROCESS (USE) PERSONAL INFORMATION IN TERMS OF SECTION 18 OF THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA)

By signing this Bidder Participation Form and initialling every page of the Rules of Auction, I, the undersigned **(FULL NAMES)** ..... in my capacity as **(POSITION)** ..... of the registered bidder **(NAME)** .....

Acknowledge that:

1. My registration and participation in the auction are proof and confirmation that I have read, understood, and agree to be bound by the Rules of Auction.

2. I accept that the Rules of Auction are not negotiable and declare as follows:
   - I warrant that I am duly authorised by the registered bidder to participate in this auction.
   - I acknowledge; on behalf of the registered bidder, that I have read, understood, and agree to be bound by the Rules of Auction.
   - I confirm that the nominated bank account for the refund of my bidder's deposit is correct.

3. I hereby give consent for the processing (use) of the personal information provided to Peter Maskell Auctions for the purposes of the registration to participate in the auction.
   - This consent specifically includes the right to obtain and utilize my bank account details provided in this form, as these details will be required to ensure that I receive any refunds due to me.
   - This consent is provided on the condition that the personal information shall be used and processed in accordance with the Protection of Personal Information Act (POPIA).

4. In terms of verification of the FICA documentation provided, I hereby:
   - ☐ Provide consent for FICA documentation to be verified.
   - ☐ Do not provide consent for FICA documentation to be verified (approval to bid will be declined)

Signed at **(PLACE)**: ..... ON **(DATE)** .....

Print Name of person signing : _____

Signature : _____

Certificate by Auctioneer

I certify that, to the best of my knowledge, these auction rules comply with the requirements of regulation 21 of the Consumer Protection Act Regulations.

Full name : _____

Date : _____

Signature : _____

APPROVAL

Once all required documents have been received by Peter Maskell Auctions and verified as correct, you will be approved to bid on the auction. You will receive an email notification confirming this.

Please complete and submit the necessary information in a timely manner to provide us the opportunity to process your registration and approve your access before the auction closes.

Contact us on **033-3971190**, reception@maskell.co.za for assistance during office hours (Mon-Thurs 08h00 to 16h30, Fridays 08h00 to 16h00).

NB: Please note that your Bidder Participation Form to register and participate in the auction will not be processed unless proof of FICA requirements is produced as prescribed in Annexure A.

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1. AUCTIONEER AND AUCTION HOUSE

The auction will be conducted by **PETER C MASKELL** ("**the auctioneer**") of Peter Maskell Auctions.

The address and contact details of the auctioneer and Peter Maskell Auctions are:

Physical Address	:	3 Wembley Terrace, Unit 1 Town Hill, Pietermaritzburg, 3201
Postal Address	:	P O Box 22480, Southgate, 3200
Telephone Number	:	033-397 1190

2. Reserve or upset price

The sale by public auction is **not** subject to a reserve price but is sold subject to confirmation by the seller. The Seller reserves the right to accept or reject any bids received on the date of the auction and in terms of the Conditions of Sale.

3. Commencement

The auction will commence strictly at 10H00.
There will be no delay in the commencement of the auction to enable any person to attend or participate in the auction.
The Purchaser shall be bound by these Rules and all announcements made by the Auctioneer at the commencement of and during the sale, whether or not he is present at the time of making such announcement

4. Reason for the auction

The auctioneer shall announce the reason for the auction, unless the reason for the auction is the normal and voluntary disposal of property by the seller.

5. Reading of these rules

i. The auctioneer shall ask the registered bidders who are present at the auction whether they require these rules to be read out.
ii. If any registered bidder present requires these rules to be read out, then the auctioneer shall read the rules, failing which, it shall not be necessary to do so.
iii. The act of not reading or announcing the Rules of Auction in their entirety prior to the commencement of the auction should in no way be construed as an omission or admission that the Rules of Auction are not applicable.

6. Registering to bid

i. No person may make a bid unless he or she has registered as a prospective bidder before the start of the auction.
ii. As per sub-regulation 26 (3) of the CPA, if a person intends to bid on behalf of another person or entity, he or she must produce a letter of authority expressly authorizing him or her to bid on behalf of that person, and both that person and the person bidding on his or her behalf must meet the requirements of sub-regulation 26 (2) of the CPA. A draft letter of authority is provided herewith marked Annexure B.
iii. As per sub-regulation 26 (4) of the CPA, if a person intends to bid on behalf of a company, the letter of authority contemplated therein must appear on the letterhead of the company and must be accompanied by a certified copy of the resolution authorizing him or her to do so

7. Bidder's record and Vendor's Roll

The Bidder's Record and the Vendor's Roll may be inspected free of charge, between 8:00 and 17:00, at the address referred to in paragraph 1. The Vendor's Roll, as prepared by Peter Maskell Auctions, is final.

8. Bidding

i. The auction shall be subject to the control of the auctioneer, who shall have the sole right to advance the bidding.
ii. Every bid shall constitute an offer to purchase the property for sale at the amount bid.
iii. Bids shall be in South African rands.
iv. Should the sale be subject to VAT, then each bid shall be regarded as exclusive of VAT as will be the final price determined by the auction. The successful bidder shall be liable to pay the VAT attracted by this transaction at the time of transfer of the property into the name of the successful bidder and against production by the seller of a valid VAT invoice.
v. The highest bidder ('the purchaser") shall sign the Conditions of Sale immediately on the fall of the hammer.
vi. The auctioneer shall be entitled to refuse any bid without being obligated to give any reasons for such refusal.
vii. The purchaser's offer shall remain open for acceptance by the seller or by the auctioneer on behalf of the seller, until the expiry of the confirmation period. The purchaser and the auctioneer acknowledge and agree that this provision is for the benefit of the seller.
viii. Every prospective bidder must read the Rules of Auction and must not bid unless he or she has done so.
ix. Guide Price: In the event of the AUCTIONEER issuing any guidance as to the price of any Property, Bidders should be aware that:
    a. Any guide price may have varied upwards or downwards by the date on which any contract is formed;
    b. Guide prices, and estimates as to current or future open market rental for the whole or part of the Property, are not a substitute for detailed professional advice as to value;
    c. Guide prices are not to be taken as an indication of any Reserve;

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d. Bidders shall place no reliance on any guide price or view as to current or future open market rental for the whole or part of the Property which may be issued by the AUCTIONEER.

9. Disputes

If there is a dispute between two or more bidders, the auctioneer may in his or her sole discretion put up the lot again for resale or declare one of the bidders to be the purchaser. The auctioneer's decision shall be final and binding on all parties.

10. Mistakes

If the auctioneer makes a *bona fide* mistake in conducting the auction, the auctioneer shall be entitled to rectify the mistake.

11. Bidding by the owner or the auctioneers (if Applicable)

The Auctioneer or his agent shall be entitled to bid up to the reserve price on behalf of the Seller, but shall not be entitled to make a bid equal to or exceeding the reserve price.

12. Bidding on behalf of other people

i. Any person who wishes to bid on behalf of another person must register as such before the commencement of the auction.
ii. In order to be registered in this category, the person must provide:
    a. An original or certified copy of a letter of authority, if he or she wishes to bid on behalf of a natural person;
    Or
    b. An original or certified copy of a letter of authority on an official letterhead, together with an empowering resolution, if he or she wishes to bid on behalf of a company, close corporation, other incorporated entity, trust or partnership.
iii. In the event that the letter of authority or empowering resolution referred to in clause 12(b) above is not produced as contemplated above and/or is not valid, then the bidder shall be deemed to be the PURCHASER in his private capacity and will be responsible in his personal capacity in accordance with the Rules of Auction.
iv. Where the bidder signs the Rules of Auction and/or is the successful bidder on any lot (s) in a representative capacity, the bidder hereby binds himself as surety and co–principal debtor for all the obligations of the concern that he represents.

13. Sold subject to confirmation

If a lot is sold subject to confirmation, the successful bidder shall not be entitled to withdraw his or her bid for the duration of the auction/confirmation period.

14. Payment

The purchase price is payable to Peter Maskell Auctions at the address set out in paragraph 1.

15. Trust account

Peter Maskell Auctions operates a trust account into which all money will be paid for the benefit of the seller, minus any commission payable to Peter Maskell Auctions in terms of the Conditions of Sale that applies to the auction sale ("the Conditions of Sale"). Deposits held by the Auctioneer, are held in a non-interest-bearing account.

16. Conditions of Sale

The Conditions of Sale attached to these auction rules shall apply to any sale.

17. Statutory compliance

Peter Maskell Auctions confirms that these auction rules comply with section 45 of the Consumer Protection Act and with the Consumer Protection Act Regulations and draw your attention to the provisions of section 45 (1), (2) and (3) which reads as follows:

i. Includes a Sale in Execution pursuant to a court order to the extent that the order contemplates that the sale is to be conducted by an auction;
ii. When goods are put up for sale by auction in lots, each lot is, unless there is evidence to the contrary, regarded to be the subject of a separate transaction;
iii. A sale by auction is complete when the auctioneer announces its completion by the fall of the hammer, or in any other customary manner and until that announcement is made, a bid may be retracted.

18. Breakdown of costs

The total advertising costs of this auction are anticipated to be as follows: approximately R19,107.00

19. General

i. No extension of time, waiver, indulgence or suspension of any of the provisions of this agreement, which any Party hereto may have given, shall be binding unless recorded in a written document signed by all Parties.
ii. No variation or alteration or cancellation of these Rules of Auction or any of the terms hereof, shall be of any force or effect, unless in writing and signed by the Parties hereto.
iii. Words importing the singular shall include the plural and vice versa, and words importing the masculine gender shall include the feminine and words importing persons shall include partnerships and bodies corporate, and vice versa. The Parties signing this document confirm that they have read and understood all of the terms and conditions contained herein and agree that they are bound hereto.
iv. The SELLER and the PURCHASER warrant that they are duly authorized to sign these Rules of Auction.

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20. Acknowledgement of the rules of the auction

i. These Rules of Auction are the complete and final record of the terms and conditions governing all auctions conducted by Peter Maskell Auctions, and unless any specific warranties, undertakings or representations are set out herein, they are excluded.
ii. The Rules of Auction in their entirety shall form the basis of the bidding and bargaining carried out between the auctioneer / auction platform and the bidders and govern the rules of each sale so concluded.
iii. As per sub-regulation 21 (8) (a) of the CPA, the Rules of Auction do not have to be read out or announced at the auction to be valid, as long as they were made available to the general public prior to the commencement of the auction, (a) at least 24 hours for movable assets, and (b) at least five (5) working days for immovable assets, either in printed format from the auctioneer's place of business or electronically from the auctioneer's website.
iv. The act of not reading or announcing the Rules of Auction in their entirety prior to the commencement of the auction should in no way be construed as an omission or admission that the Rules of Auction are not applicable.
v. The act of registering for the auction, signing the bidders' participation form and participating in the auction by any bidder shall be taken as confirmation that the bidder has read, understood, and accepts to be bound by the Rules of Auction.
vi. The auction and all matters connected with the auction including the Rules of Auction are governed by the laws of the Republic of South Africa and the bidder, including foreign bidders' consent to the jurisdiction of South African courts.
vii. For purposes of legal proceedings, the bidder shall be deemed to have selected and appointed as his or her *domicilium citandi et executandi* the address recorded by him or her on the bidder participation form upon registration.

21. Acknowledgement of Viewing Asset(s)

The purchaser acknowledges that his or her offer to purchase, made on the auction is not subject to viewing. The purchaser acknowledges that all items are sold voetstoots and the onus is on the Purchaser to inspect all assets prior to the commencement of the auction. It has been recorded that the Purchaser is fully acquainted with goods and the Purchaser hereby indemnifies the Auctioneer or the Seller against any possible claim that may arise as a result of his or her failure to inspect the assets prior to the commencement of the auction.

DEPOSIT REFUND

PLEASE COMPLETE THE BANK DETAILS FOR THE REFUND SHOULD YOU NOT PURCHASE ANYTHING AND PROVIDE CONFIRMATION OF YOUR BANKING DETAILS

BANK NAME	:	
ACCOUNT NUMBER	:	
BRANCH NUMBER	:	
ACCOUNT TYPE	:	
ACCOUNT NAME	:	
CONTACT PERSON	:	
ID NUMBER	:	
CONTACT NUMBER	:	
EMAIL ADDRESS	:	
METHOD OF DEPOSIT	:	
AMOUNT	:	
DATE OF EFT	:	
PAYMENT REFERENCE	:	

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ANNEXURE A: FICA REQUIREMENTS

The requirements of the Financial Intelligence Centre Act (FICA) are applicable as follows:

1. Natural Persons

1.1. FICA requirements:

- Copy of South African Identity Document (ID) / Copy of Passport for Foreigners.
- Proof of residential address (less than 3 months old) Utility bills addressed to physical residential (mobile phone accounts not acceptable);
- South African Income Tax reference number, and;
- Confirmation marital status, i.e. ANC or COP.

NB: Should you not have proof of residential address in your name, please complete an affidavit OR declaration form with the third party confirming that you share a residential address with them and provide the third party's proof of ID and proof of residential address.

1.2. FICA requirements for married people:

- Marriage certificate – Community of property – Copy of spouse's ID;
- Ante nuptial Contract – Copy of contract;
- Page 1 (and page 2 if necessary) reflecting the registered number and names of both parties, if your marriage is governed by the Laws of another country/state; and
- Name of the country/state governing your marriage, i.e., the country where the Seller was living at the time of the marriage with the intention of staying there permanently.

2. Juristic Entities

2.1. FICA requirements:

- Person acting on behalf of juristic entities must comply with all the requirements for natural persons, and;
- All directors / members / trustees must also comply with all the requirements for natural persons.

In addition to compliance with all the requirements for natural persons, the following documents must be attached:

2.1.1. Companies/Close Corporations:

- Company CIPC Registration documents (CM1/CM22/CK1/CK2).
- Proof of business address (less than 3 months old).
- Copy of SARS document confirming Income Tax/VAT registration number of the company.
- Resolution on company letterhead, nominating the authorised signatory/representative to bid on the company's behalf.
- Copy of ID and proof of residential address (less than 3 months old) for the representative and director/s of the company.

2.1.2. Trusts:

- Copy of Trust Deed or other founding document (Letters of Authority/Master's Certificate).
- Copy of ID, proof of residential address and contact particulars (less than 3 months) of each of the trustees and beneficiaries of the trust.
- Copy of ID(s) and proof of residential address and contact particulars of person(s) authorized to act on behalf of the Trust.
- Copy of SARS document confirming Income Tax/VAT registration number of the Trust.
- Resolution signed by all Trustees nominating authorised signatory/representative.
- Business Registration Notification Certificate (BRNC).

2.1.3. Incorporated Entities (Clubs / Churches / NGO's)

- Copy of document confirming list of all individuals who exercise control over the entity (Constitution or similar founding document).
- Proof of physical address for the entity (Less than months old).
- Copy of SARS document confirming Income Tax/VAT registration number for the entity (If applicable).
- Resolution signed by all individuals who exercise control over the entity nominating authorised signatory/representative.
- For the authorised signatory/representative and each member or partner, we require Copy of ID and proof of residential address (less than 3 months old).

NB: Resolution to approve the purchase (and loan application, if applicable) taken before the Offer to Purchase was signed. (The only exception is where it is a cash transaction and all the Trustees have signed the Offer to Purchase.)

3. Prescribed amounts for cash transaction reporting in terms of the Financial Intelligence Centre Act (Act 38 of 2001)

3.1. Section 28B: Cash transaction above prescribed limit

An accountable institution and a reporting institution must, within the prescribed period, report to the Centre the prescribed particulars concerning a transaction concluded with a client if in terms of the transaction an amount of cash in excess of the prescribed amount (b) is received by the accountable institution or reporting institution from the client, or from a person acting on behalf of the client, or from a person on whose behalf the client is acting.

3.2. Regulation 22B: Prescribed amount for cash transaction reporting

The prescribed amount of cash above which a transaction must be reported to the Centre under section 28 of the Act is R49 999.99 or an aggregate of smaller amounts which combine to come to this amount if it appears to the accountable

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institution or reporting institution concerned that the transaction involving those smaller amounts are linked to be considered fractions of one transaction.

ANNEXURE B: FORMAT OF LETTER OF AUTHORITY

If buying on behalf of a company:
- The information on this document should be transferred to company letterhead.
- Attach a certified copy of the Company Resolution authorising the said person to buy on behalf of the company.

If buying on behalf of another individual:
- The information on this document should be transferred to a document and indicate they are buying on an individual's behalf.
- Attach proof of identity of both parties.

Buyer Details:

Company Name : _____

Authorising Persons Name :

_____

Physical Address :

_____

Date : _____

Peter Maskell Auctions CC
3 Wembley Terrace, Unit 1, Wembley, Pietermaritzburg

Reference: Authority for _____

To Whomsoever It May Concern,

1. I, the undersigned, hereby;

1.1. authorise the above-mentioned person to purchase at the auction on my/this companies' behalf binding me/this company to the rules of auction and any other conditions specified by the auctioneer on the day of the auction and;

1.2. give consent on behalf of the company for processing of personal information in accordance with the provisions of section 18 of The Protection of Personal Information Act of 2013 (POPIA).

Yours sincerely

_____
(Signature)

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