

APPLICATION RULES

Application rules of Somerset Mall, to stand a chance of being selected for the musician roster for the Entertain SM campaign (September 2021)

This competition is undertaken by Hyprop Investments Limited (registration number: 1987/05284/06), Somerset Mall ("Promoter"). These rules are the official rules of the competition ("Competition Rules"). The Application Rules will govern and apply to this competition. Please take note of and review these Application Rules. By your participation in the competition, you agree that these Campaign Rules will govern all aspects of your relationship with the competition, the agents or advisors connected to the competition and the Promoter. The competition rules can only be modified or amended by the Promoter (in its reasonable discretion) in a written revision of these rules posted on the Somerset Mall website or by way of any other official competition communication procedures in order to reach as wide a participating audience as is reasonably possible in the circumstances.

1. Eligibility and Participation

- 1.1 The competition is organised and undertaken by the Promoter.
- 1.2 Any person who is a director, business partner, permanent/casual employee or agent of or consultant to the Promoter or any of their immediate families, including spouses, life partners, parents, children, brothers or sisters or a past permanent/casual employee who has resigned within 6 months of the competition draw or any tenants or their permanent/casual employees in the Shopping Centre or any other person who directly or indirectly controls or is controlled by the Promoter is not eligible to participate in this campaign.
- 1.3 Any person who is a supplier of goods or services in connection with this campaign is not eligible to participate in this campaign.
- 1.4 This campaign is only open to people who reside in Cape Town and are over the age of 16. Proof of identity must be provided in the form of a valid SA driver's license, identity document/card, passport or birth certificate (if under the age of sixteen years).
- 1.5 A copy of the Application Rules is available upon request via email, on the Somerset Mall website on the Entertain SM website listing (<https://www.somersetmall.co.za/events/event/entertain-sm>)

2. Entries and Closing Date

- 2.1 The campaign will run on 1 September – 31 October 2021.
- 2.2 To enter the campaign participants must either apply via the online entry form, hosted on the Somerset Mall website, and complete their details by providing their personal information, name, surname, contact number, email address, video of yourself playing the instrument & links to social media profiles or via marketing@somersetmall.co.za and provide the same information.
- 2.3 Participants are permitted to submit one application per person.
- 2.4 The Promoter does not accept any responsibility for any entries that are lost, damaged or delayed.
- 2.5 Only entries which are displayed on the Promoter's records will be deemed to be the only successful entries in this campaign.
- 2.6 The closing date for this campaign is 31 October 2021 at 11:59pm. No late entries will be accepted.

3. Prize

- 3.1 The prize consists of being selected for the Entertain SM roster & to play music in Somerset Mall as per the roster.
- 3.2 The prize is not transferable and cannot be exchanged for cash.
- 3.3 The chosen musicians will be selected on based on the requirements of Somerset Mall roster.
- 3.6 The chosen applications will be required to confirm availability for the Entertain SM.
- 3.7 The Promoter is not responsible for any damage to the prize on signature of receipt by the prize winner.
- 3.8 All risk and liability pertaining to the prize shall pass to the winner on signature of receipt by the prize winner.
- 3.9 The selected musician hereby agrees to indemnify the Promoter, its directors, its agents, permanent/casual employees (permanent/casual), its affiliates, its advertising agencies, its suppliers, its consultants or its advisors and holds the Promoter, its directors, its agents, permanent/casual employees, its affiliates, its advertising agencies, its suppliers, its consultants or its advisors harmless against all and any claims as a result of any defective or damaged prize awarded to any winner.

4. **Selection of the Musician**

- 4.1 A judge will select their favourite musician, based on their preference and requirements met.
- 4.2 The chosen musician will be notified by email or telephone call.
- 4.3 The chosen musician agrees to participate in any and all advertising, promotion and/or other commercial activities relating to the prize draw and consents and agrees that their photograph, image, likeness and/or voice may be used by Somerset Mall in all related promotional activity without any rights of prior approval or inspection.

5. **General**

- 5.1 The judge's decision is final and no correspondence will be entered into.
- 5.2 The Promoter reserves the right to cancel or alter any aspect of the campaign or the Application Rules at any time in the Promoter's sole discretion and without any liability.
- 5.3 If a participant contravenes these Application Rules, the participant may, in the Promoter's sole discretion, be disqualified.
- 5.4 The Promoter, its directors, permanent/casual employees, agents, its affiliates, its advertising agencies, its suppliers, its consultants or advisors shall not be liable for any claim for any loss, damage or injury arising or suffered by any person entering this competition in any manner whatsoever including, but not limited to, personal injury or death, or any harm caused to any participant, or for damage, loss or destruction of any property of any participant arising from negligence by the Promoter, its directors, permanent/casual employees, agents, its affiliates, its advertising agencies, its suppliers, its consultants or advisors (other than gross negligence by the Promoter, its directors, permanent/casual employees, agents, its affiliates, its advertising agencies, its suppliers, its consultants or advisors).
- 5.5 Income taxes relating to the prizes (if any) are the sole responsibility of the prize winner.
- 5.6 The participants in this application are aware and agree that in order for the Promoter to conduct this campaign, the Promoter must collect and use the personal information obtained from the participants.
- 5.7 Any person who participates in this application shall be deemed to have accepted the Application Rules and agrees to be bound by them.
- 5.8 The laws of the Republic of South Africa shall govern this campaign.

6. **Data Protection**

- 6.1 By submitting an entry into this campaign, participants are sending their personal information to the Promoter who will at all times process their personal information in accordance with the Protection of Personal Information Act, 4 of 2013 ("**POPIA**"). All information will be treated in accordance with the Promoter's Privacy Policy available at <https://www.somersetmall.co.za/privacy-policy> ("**Privacy Policy**").
- 6.2 By applying to the campaign, participants hereby agree to the Promoter's Privacy Policy.
- 6.3 By entering the campaign, participants agree to the Promoter sending them e-newsletter communications.
- 6.4 Where participants have consented to receiving marketing materials from sponsors of prize draws, participants understand that their personal information will be treated in accordance with the sponsor's privacy policy (not the Promoter's) and that it is the sponsor who is responsible for ensuring that the participant's personal information is treated in accordance with POPIA. Should participants have any queries or complaints in relation to a sponsor's treatment of their personal information, the participant must refer that complaint directly to the sponsor.