

SimplyBiz®: Photography competition

Terms and conditions

1 Promoter

The promoter of this competition is Nedbank Ltd ('Promoter').

2 Competition Period

- 2.1 The competition will start on 21st October 2019 and end at midnight on 22nd November 2019 ('Competition Period').
- 2.2 The prizewinner will be contacted by email at the address registered with SimplyBiz®.
- 2.3 The prizewinner will be announced on social media if the confirmed prizewinner consents to it.

3 Who is eligible to enter the competition

- 3.1 This competition is aimed at all small-business owners and registered members of SimplyBiz®.
- 3.2 A participant ('Participant') must:
 - 3.2.1 be 18 years or older;
 - 3.2.2 reside in South Africa;
 - 3.2.3 be a small-business owner; and
 - 3.2.4 be registered on SimplyBiz®.
- 3.3 The following persons, although meeting the criteria above, are not permitted to enter the competition:
 - 3.3.1 the directors, members and employees of the Promoter or their spouses, life partners or immediate family, including adopted persons but not half- or step-relations); and
 - 3.3.2 the suppliers and contractors of the Promoter involved in this competition.

4 How to participate in the competition

- 4.1 Participants must complete the following tasks to get an entry:
 - 4.1.1 Visit SimplyBiz® and complete the entry form.
 - 4.1.2 Upload a minimum of three (3) or a maximum of five (5) captioned photographs within the suggested dimensions (7,42 cm x 33,53 cm and/ or 9,52 cm x 16,93 cm).
 - 4.1.3 The captions on the photographs must each include the name, business name and business website address and contact number of the photographer and business owner or the photograph subject, whichever is applicable.
 - 4.1.4 Selected photographs will be credited with the information provided by the photographer and business owner in the caption. This information may be verified.
 - 4.1.5 Participants must include the stipulated release form, signed by the photographer, who must have received consent from the business owner through signature of the same release form. Background patrons or people included in the photograph(s), who have not provided explicit consent by signing the release form will be edited or graded out of the image at the sole discretion of the promoter.
 - 4.1.6 Participants submitting the release form may not misrepresent their capacity to act as the photographer, business owner or photograph subject(s).
 - 4.1.7 Nedbank will use the photographs indefinitely and, at its sole discretion, edit, enhance, publish and promote the photograph, photographer, business owner or photograph subject(s) for advertising campaigns, competitions, promotional material in print and

electronic and social media, in accordance with the intent of the SimplyBiz.co.za platform, for which no fee will be payable to the photographer, business owner or photograph subject(s).

The participants hereby cede all their rights in the photograph to Nedbank, except their right to use the photograph for personal purposes and Nedbank hereby accepts this cession. The participants understand that they cannot consent to the further use of the photographs for commercial or resell purposes, especially not to third parties. The participants understand that Nedbank cannot be held liable should the participants suffer any harm or loss in any manner directly or indirectly related to taking or using the photograph.

5 The Prizes

- 5.1 Three (3) participants stand a chance to win one of two (2) HP laptops and one (1) HP digital printer ('Prize').
- 5.2 The prizewinners must further be duly mandated and authorised representatives of their small business.

6 Selection of prizewinners

- 6.1 At the sole discretion of the promoter a selection of photographs will be shared on the SimplyBiz® Facebook and SimplyBiz® Instagram pages from 18th to 22nd November 2019. On the 25th November 2019, at 09h00 the top three photographs with the most likes will be eligible for the prizes.
- 6.2 All completed entries received during the Competition Period will be eligible for the prizes. The prizewinners will be selected based on the most likes in terms of clause (6.1).
- 6.3 The final selection of the prizewinners will be made at the sole discretion of the Promoter's SimplyBiz® team.
- 6.4 All submitted photographs will be retained for use by Nedbank, and the photographer and business owner or photograph subject(s) will be profiled or published, whether winning the prizes or not.
- 6.5 In the event of a dispute the decision of the competition judges or the Promoter will be final and binding on all aspects of the competition and no correspondence will be entered into.
- 6.6 The Prizes are not transferable and if any Prizes not taken up for any reason, it will be subject to a separate draw and allocated in terms of this competition to another prizewinner. The Prizes will not be exchanged for cash amounts.
- 6.7 All other costs or expenses relating to the Prizes that have not been mentioned in these terms and conditions are excluded from the Prizes and are not recoverable.
- 6.8 If the Promoter is unsuccessful in contacting a prizewinner within 10 (ten) working days following the draw, the prizewinner will forfeit the Prize and a new prizewinner will be selected, subject to the same conditions.
- 6.9 If a prizewinner rejects his/her Prize, he/she will forfeit it and a new prizewinner will be selected, subject to the same conditions. Lack of cooperation by a prizewinner with the SimplyBiz® team will also amount to rejection of his/her Prize.
- 6.10 The Promoter will not be held responsible for any delays in the delivery of the Prizes. The Promoter will also not be responsible for any additional conditions imposed by third parties.
- 6.11 The Prizes will under no circumstances be provided to a third party and will be provided directly to the verified prizewinners only.
- 6.12 The Promoter will not be liable for delays or failure to deliver any part of the Prizes resulting from acts beyond the reasonable control of the Promoter. Such acts include, without

limitation, acts of God, strikes, lockouts, riots, acts of war, civil disorder, rebellions or revolutions in any country, epidemics, acts of terrorism, vandalism or sabotage, governmental regulations imposed after the fact, communication line failures, power and telecommunications failures, earthquakes, fire, floods or other disasters. The Promoter will notify the prizewinners as soon as reasonably possible if the Prizes are affected in this manner. The Promoter reserves the right to replace the Prizes at any time with other Prizes of similar commercial value.

- 6.13 For audit purposes the prizewinners will have to complete a confirmation form. This completed and signed form will act as proof that the prizewinners are the correct recipients of the Prizes and all deliveries of the Prizes will be made on this basis (courier slips, etc).

7 General

- 7.1 All information relating to this competition and published on any promotional material will form part of these terms and conditions.
- 7.2 The Promoter, its associated companies, agents, contractors and sponsors assume no liability whatsoever for any direct or indirect loss or damage arising from an entrant's participation in the competition or for any loss or damage.
- 7.3 The Promoter may request the prizewinners (at no fee) to consent in writing to endorsing, promoting and/or advertising any service of the Promoter.
- 7.4 These terms and conditions can be found on the SimplyBiz® website.
- 7.5 By entering this competition, all Participants agree to be bound by these terms and conditions.
- 7.6 The Promoter is not liable for any accident, injury, harm, death, damages, costs and/or loss sustained by a Prizewinner and/or any other person who participates in a Prize with the prizewinner at any point during the fulfilment of such Prize.
- 7.7 The Promoter will send an email the prizewinners to arrange for delivery or collection of the Prizes.

8 Further enquiries

For more information and all questions about this competition please email us at contactus@simplybiz.co.za or visit simplybiz.co.za.