

RULES OF AUCTION

for

MY MOBILE LIMITED AIRTIME AUCTIONS

TO BE HELD 24 X 7 X 365

WORLDWIDE

at

<http://www.trada.net>

These Rules of Auction, in compliance with Section 45 of the Consumer Protection Act, 68 of 2008 Act and with the Regulations in terms of Regulation Gazette No. 9515, Vol. 550 No. 34180, dated Pretoria 01 April 2011, are applicable to South African Consumers

[www.smartcalltech.co.za; www.trada.net]

THESE RULES OF AUCTION MUST BE READ TOGETHER WITH THE MY MOBILE WEBSITE TERMS AND CONDITIONS OF USE WWW.SMARTCALLTECH.CO.ZA; WWW.TRADA.NET

EACH BEING INCORPORATED INTO THE OTHER BY REFERENCE IN TERMS OF SECTION 11(3) OF THE ELECTRONIC COMMUNICATIONS AND TRANSACTIONS ACT, 25, OF 2002.

My Mobile certifies that these Rules of Auction comply with Regulation 21 and meet the requirements in respect of auctions provided for in the CPA, the CPA Regulations and other applicable law, but with the necessary changes made to suit an electronic medium or platform.

My Mobile certifies that the Vendors Roll which takes the form of the Website and Auction Services Records complies with the proceedings for auctions and that the auctions are to the best knowledge of My Mobile conducted in accordance with these regulations, other applicable law and the Rules of Auction.

Signed by: _____

Designation: _____

For and on behalf of My Mobile

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1. Rules of Auction

- 1.1 My Mobile Airtime Auctions are available worldwide to the general public twenty-four hours a day.
- 1.2 The Auction House is My Mobile Limited which may also be regarded as the Auctioneer.
- 1.3 The Auctions are held at <http://www.trada.net>, where the Rules of Auction (Rules) are published with the Website Terms and Conditions of Use (Terms) www.smartcalltech.co.za; www.trada.net. The Rules and Terms comprise one inseparable agreement being incorporated by reference in terms of section 11 of the Electronic Communications and Transactions Act, 25 of 2002.
- 1.4 The Auction House is the owner and / or licenced seller of the Goods and Services on Auction.
- 1.5 No requirement exists for My Mobile to have a trust account.
- 1.6 The reason for the Auctions is the normal and voluntary disposal of Goods and Services by the owner in the normal course of business and for profit.
- 1.7 Neither the Auction House nor the Auctioneer have the right to bid on Goods or Services on Auction.
- 1.8 No reserve or upset price is applicable.
- 1.9 No Goods or Services are sold in lots.

2. How My Mobile Auctions Work – Three Kinds of Auctions

- 2.1 My Mobile's Auctions Services are not like traditional auctions. My Mobile's "Timer", "Clock" and "Bid-to-Win" auctions are a new kind of electronic auction where Bids are purchased on a prepaid basis in Bid Packs that are used to Bid for airtime. My Mobile Auctions are similar to traditional auctions in some respects in that Bidders (Users of the Auction Services) compete against one another to Win the Prize, where the Prize is the Item of airtime up for auction.
- 2.2 Timer Auctions

2.2.1 A Timer Auction counts down one second at a time. With each bid the auction price increases and a small amount of time is added to the clock in order to give other Bidders a chance to Bid and Win. When the clock reaches zero the current Bidder Wins.

2.3 Count Auctions

2.3.1 A Count Auction is where the stated number of Bids will end the auction similar to the “fall of the hammer” in traditional auctions. For example, the 10th Bid Wins. Only the current Bidder is informed what number their Bid is. The required Bid number Wins.

2.4 Bid-to-Win

2.4.1 A Bid-2-Win auction gives an instant response to every bid. This is similar to the auctioneer in traditional auction saying, “going ..., going ..., gone”. The next Bid might unlock a Prize. More than one Bid may be used at a time to increase chances of Winning.

2.5 Sayings

2.5.1 “Sayings” are facts or quotations that are given by My Mobile to a bidder with every bid.

2.5.2 Sayings can also be purchased with Bids without a Bidder having to Bid on an Auction.

3. Participation Requirements

3.1 Rules of Auction and the Website Terms and Conditions of Use

3.1.1 A Person intending to Bid must first accept the Rules of Auction and the Website Terms and Conditions of Use.

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- 3.1.2 In order for Persons intending to Bid to have a reasonable time and opportunity to inspect the Goods and Services and to learn how the Auctions work, My Mobile includes a free of charge facility in which persons can familiarise themselves with the process through "Play for Fun".
- 3.2 My Mobile Registration
- 3.2.1 A Person intending to Bid must Register as a Bidder prior to bidding at an auction by:
- 3.2.1.1 Providing his or her full names, identification or passport number, age, physical address, Internet protocol address, email address, country location, and Mobile Number.
- 3.2.1.2 Selecting the Payment Method by which payment will be effected from the available options, namely PayPal, Mobile Phone, SMS or USSD.
- 3.2.1.3 During Registration My Mobile will allocate a PIN to each bidder which will be used with the Bidder's Mobile Number as the Bidder's log-in credentials. The Mobile Number constitutes the Bidder's User Name.
- 3.2.1.4 My Mobile will use Text messages where relevant to authenticate the Person being Registered.
- 3.2.1.5 Only a natural person (human being) over eighteen (18) years of age may Register to Bid.
- 3.2.1.6 A Person intending to Bid may Register only once and only in their name.
- 3.2.1.7 My Mobile employees and their family members - parents, spouse, siblings and children- may not under any circumstances participate in My Mobile's Auctions Services.

3.2.1.8 A Person intending to Bid must have a personal mobile phone registered in their name with a South African National Mobile Network Operator in terms of section 40 of the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 48 of 2008.

3.3 Bidders Record

3.3.1 The Bidders Record will record the Bidder's Name and the Bidder's Mobile Number. The Mobile Number will serve as the Bidder's Number for participation in the Auctions, being the equivalent of a "paddle" in a traditional auction.

3.3.2 The last four digits of the Bidder's Mobile Number will appear on the Website during an Auction when the Bidder Bids. These digits will be clearly visible to other Bidders and to Visitors to the Website to facilitate other participants knowing whose Bid it is and who they are Bidding against. To protect the privacy of Bidders the whole Mobile Number will not be shown on the website.

3.3.3 The Bidders Record, the Bidder's Names, Mobile Number and the Vendors Roll will be available for public inspection on request and if permitted in terms of privacy laws. Records will be kept for three (3) years.

3.4 Purchasing Bids - Costs

3.4.1 A person intending to Bid buys one or more "Bid Packs". The cost of Bid Packs is published on the Website.

3.4.2 Bid Packs are can be purchased in different sizes and at different costs under the four (4) pre-paid Payment Methods, namely PayPal, Mobile Phone, SMS or USSD. Total costs are shown inclusive of the Bearer Media and VAT. No additional charges apply.

- 3.4.3 The costs are quoted in ZAR for South African Consumers.
- 3.4.4 There is no cost to Bidders for My Mobile's advertising and conducting of the Auction Services.
- 3.5 Bidding
- 3.5.1 Bidders may elect to Bid on any of the Available Auctions published on the Website at any time.
- 3.5.2 The Item up for Auction for each chosen Auction will be shown on the Website.
- 3.5.3 The Item awarded as a Winning to the Winning Bidder will usually be in the form of Electronic Airtime Vouchers.
- 3.5.4 Bidders may elect to Bid for Sayings without having to Bid on an Auction.
- 3.5.5 Every Bid made is accompanied by a Saying.
- 3.6 The Conduct of an Auction
- 3.6.1 Auctions will commence at the published time without delay.
- 3.6.2 Auctions are Complete when a pop up banner appears on the Website saying "Ended", subject to in each case the Auction Type, completion of time, the specified count or the highest Bid being reached.
- 3.6.3 Time calculations will be based on the My Mobile servers and internal clock. No allowance or adjustments will be made for the international time zones of different countries.
- 3.7 Award of Winnings
- 3.7.1 Airtime Winnings for Vodacom can only be deposited into Vodacom prepaid subscriber accounts.

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- 3.7.2 Airtime Winnings cannot be Recharged to Vodacom contract subscriber accounts. These Winners must nominate a prepaid number into which winnings will be Recharged .
- 3.7.3 Winnings are usually Recharged within fifteen (15) minutes of receiving the request from the Winning User. A request for Winnings to be claimed is made by a Bidder through the My Mobile User Account.
- 3.7.4 MTN and Cell C mobile subscribers will receive their winnings in the form of an Airtime Voucher received via a Text message with a Recharge PIN.
- 3.8 Vendors Roll
- 3.8.1 My Mobile keeps a Vendor's Roll to record details of every Auction. The Vendor's Roll retains the Records of the Website Terms and Conditions, Rules of Auction, Legal Notices and User activity. Content includes the:
- 3.8.1.1 Advertising of the Auction.
- 3.8.1.2 Rules of Auction.
- 3.8.1.3 Bidders Record.
- 3.8.1.4 List of Goods and Services on Auction, including those unsold or withdrawn.
- 3.8.1.5 Names of successful Bidders, the Goods or Services purchased and the prices paid in respect thereof.

4. Non-Compliance with Rules of Auction

Non-compliance with these Rules and / or the Website Terms and Conditions of Use Agreement breaches the Agreement with My Mobile and will result in the disabling of User Accounts.