

INSTRUCTION TO INVEST TRUST MONEYS

(In respect of a conveyancing transaction)

Section 86(4) of the Legal Practice Act, 2014 (Act No 28 of 2014)

To: LESTER HALL, FLETCHER INC
Attorneys, Notaries & Conveyancers
Kloof

TRANSFER FROM: _____ **(Seller's name)**

TO: _____ **(Buyer's name)**

OF: _____ **(Property)**

I/We, the undersigned,

being the Transferee/s in the abovementioned transaction, hereby confirm my/our instructions to LESTER HALL, FLETCHER INC to invest with NEDBANK CORPORATE / INVESTEC / STANDARD BANK OF S A LTD/ FIRST NATIONAL BANK all funds paid to LESTER HALL, FLETCHER INC by me/us on account of the purchase price, on the basis that:

1. the amount is invested in a trust savings account or other interest-bearing account on daily call or for such longer period as may be considered appropriate by Lester Hall, Fletcher Inc for this particular transaction;
2. the account contains a reference to Section 86(4) of the Legal Practice Act, 2014 (Act No 28 of 2014), herein referred to as "the Act";
3. the interest which accrues on such investment (less 5% which is payable to the Legal Practitioners' Fidelity Fund in terms of Section 86(5)(b) of the Act) is to be for the company/close corporation/my benefit and is to be paid to me/us/it, after deducting your professional fee and costs for administering the investment, as soon as possible after the date of registration of the above-mentioned transaction;
4. the capital amount invested is to be paid in accordance with the transferor's instructions on the date of registration of transfer.
5. I am aware of the fact that while the funds are so invested with the said bank, the funds are not protected against a possible liquidation of the said bank.
6. I hereby authorise Lester Hall, Fletcher Inc to act on my behalf on instructions transmitted by me to it by facsimile or by means of an email message (both of which are referred to herein as "electronic transmission"). I acknowledge that Lester Hall, Fletcher Inc cannot determine the authenticity of any message received by way of electronic transmission nor establish the source from which it emanates. I agree to be bound by the terms of the instruction received by Lester Hall, Fletcher Inc by way of electronic transmission notwithstanding that such instruction differs in form from that sent by me. I hereby waive any claim or any other rights which I may have against Lester Hall, Fletcher Inc arising out of any losses I may suffer consequent upon Lester Hall, Fletcher Inc acting upon any electronic transmission purporting to emanate from me or by reason of its failure to act upon any electronic transmission if it is not satisfied that such electronic transmission does emanate from me. I hereby indemnify Lester Hall, Fletcher Inc and hold it harmless in respect of any claims made against it arising from its acting upon such electronic transmission or failing to act upon such electronic transmission as aforesaid.
7. I hereby authorise Lester Hall, Fletcher Inc to pay any amounts due and payable to me during the course of this transaction and upon registration of transfer, by means of electronic funds transfer, to the following bank account :

Bank Name: _____ Account no.: _____

Branch no.: _____ Branch name: _____

8. I undertake that I will advise Lester Hall, Fletcher Inc. of any change to the name, identity/registration number, marital status or physical address of the Transferee that occurs prior to this transaction being concluded.

PURCHASER/S

DATE

PERSONAL INFORMATION

The Financial Intelligence Centre Act (as amended) requires that you disclose the following details to Attorneys, being an accountable institution, when Attorneys invest funds on your behalf. The Act requires that you, as the investor, complete the details below and select one item in each list below which applies to you.

Full name: _____

Identity no/Registration no: _____

Income tax no: _____

South African resident (yes/no): _____

Physical address: _____

Postal address: _____

Tel no (incl. area code): _____

Cell no _____

I confirm that the following information is true and correct in terms of the requirements for FICA:

INDIVIDUAL

1. Employment status (e.g., Salaried/Self-employed/Retired) _____
2. Source of funds (e.g., Investments/Loan/Salary/Sale of asset/Savings etc. – specify) _____

3. Occupation (e.g., Director/Business and Admin managers/Education professionals/Finance professionals/Health professionals/IT/Retail managers/Manufacturing managers etc. – specify)

4. Industry Classification (e.g., Business and Professional Services/Construction/Finance/Manufacturing/Property & Real Estate/Retailers etc. – specify) _____

COMPANY

5. Source of wealth (e.g., Company profits/Investments/Loan/Sale of asset/Savings etc. – specify)

6. Industry Classification (e.g., Business and Professional Services/Construction/Finance/Manufacturing/Property & Real Estate/Retailers etc. – specify)
