

Annexure A:

## FINANCIAL SERVICES BOARD

Riverwalk Office Park Block B 41 Matroosberg Road Ashlea Gardens Extension 6  
Pretoria South Africa 0081 PO Box 35655 Menlo Park Pretoria South Africa 0102  
Tel +27 12 426 6000 Fax +27 12 346 6941 E-mail info@fsb.co.za  
Toll free 0800 110443/0800 202087 Website: www.fsb.co.za



ENQUIRIES:	Kabelo Maponya	D. DIALLING NO.:	012 422 2891
OUR REF:	Case nr 2582	FAX:	012 422 2879
DATE:	16 November 2012	E-MAIL:	Kabelo.Maponya@fsb.co.za

The Managing Director  
Property Fund Managers Limited  
P O Box 2555  
RIVONIA  
2128

Attention: Mr Bornman  
Facsimile: (011) 612 6821

Dear Sir

### REGISTRATION OF FIRSTRAND BANK LIMITED (REPLACING ABSA BANK LIMITED) AS TRUSTEE

With reference to the above we attach herewith:

1. Certificate of Registration of FirstRand Bank Limited as new trustee of The Capital Property Trust Scheme managed by Property Fund Managers Limited; and
2. Three copies of the Supplemental Deed appointing FirstRand Bank Limited as Trustee.

Kindly forward a copy of the Supplemental Deed to each of Absa Bank Limited and FirstRand Bank Limited

Yours faithfully

REGISTRAR OF COLLECTIVE INVESTMENT SCHEMES

Board Members: AM Sithole (Chairperson) H Wilton (Deputy Chairperson) Z Bassa, JV Mogadime  
PROF PLSimonehoo D Turpin H M H Ratshefola D Msomi I Mornomat O Makhubela (Alternate)

SABS  
ISO 9001

**SAMANTHA FARREN**

Commissioner of Oaths  
Practising Attorney (admitted 20.05.97)  
Notary & Conveyancer  
at Tonkin Clacey Attorneys  
24 Baker Street, Rosebank, 2196

Signed: \_\_\_\_\_

Date: 2012-12-10

Certified a True Copy of the Original

# FINANCIAL SERVICES BOARD

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ENQUIRIES:	Kabelo Maponya	D. DIALLING NO.:	012 422 2891
OUR REF:	Case nr: 2682	FAX:	012 422 2878
DATE:	16 November 2012	E-MAIL:	Kabelo.Maponya@fsb.co.za

The Managing Director  
FirstRand Bank Limited  
P O Box 7713  
Johannesburg  
2000

Dear Sir/Madam


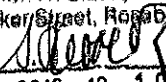

REPUBLIC OF SOUTH AFRICA  
FINANCIAL SERVICES BOARD  
COLLECTIVE INVESTMENT SCHEMES CONTROL ACT, 2002 (ACT No 45 OF 2002)  
("THE ACT")  
CERTIFICATE OF REGISTRATION OF TRUSTEE

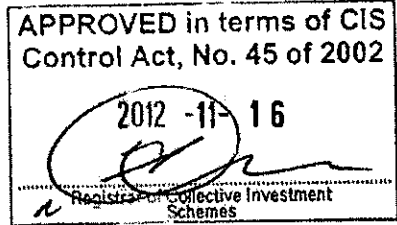
I hereby certify that FirstRand Bank Limited has been registered by us, in terms of section 69(2)(b) of the Act, as a trustee of a collective investment scheme in property, namely The Capital Property Trust Scheme.

Dated at Pretoria this 16<sup>th</sup> day of November 2012.

  
REGISTRAR OF COLLECTIVE INVESTMENT SCHEMES



Board Members: AM Sinyela (Chairperson) H Winton (Deputy Chairperson) Z Bassa JV Mogadime S M M M B D M H H Ratshefola D Msomi I Momoniat O Makhubela (Alternate) Executive Director: DP Oelke	<b>SABS</b> ISO 9001
Practising Attorney (admitted 20.05.97) Notary & Conveyancer at Tankin Clacey Attorneys 24 Baker Street, Rossbank, 2196	
Signed:  Date: 2012-12-10 Certified a True Copy of the Original	



**SUPPLEMENTAL DEED NUMBER 6**

to the Deed in respect of the

**THE CAPITAL PROPERTY TRUST SCHEME**  
**("the Scheme")**

made and entered into by and between

**PROPERTY FUND MANAGERS LIMITED**

(Registration No. 1980/009531/06)

**("the Manager")**

and

**ABSA BANK LIMITED**

(Registration No. 1986/004794/06)

**("the outgoing Trustee")**

and


**FIRSTRAND BANK LIMITED**

(Registration No. 1929/001225/06)

**("the incoming Trustee")**

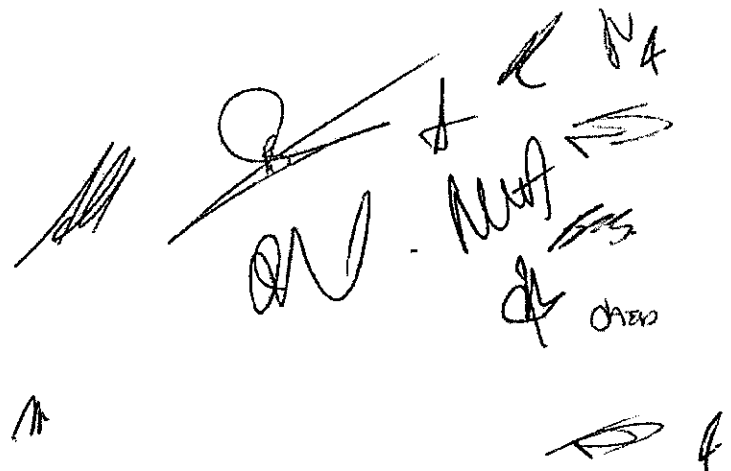
entered into for the purpose of amending the Deed establishing the scheme (executed under the Collective Investment Schemes Control Act, 45 of 2002) ("**the Act**") to appoint FirstRand Bank Limited and to replace ABSA Bank Limited as trustee of the **Scheme**.

**SAMANTHA FARREN**  
Commissioner of Oaths  
Notary & Conveyancer  
at Tonkin Clacey Attorneys  
24 Baker Street, Rosebank, 2196

Signed: 

Date: 2012-12-10

Certified a True Copy of the Original



**1. PREAMBLE**

- 1.1 The Manager on 28 November 2003 and the then Trustee on 2 December 2003, signed and executed a Deed in order to provide for the continuation of the Scheme in accordance with the provisions of the Act ("the Deed"). This Deed was approved by the Registrar of Collective Investments Schemes ("the Registrar") on 17 December 2003. This Deed has been amended by supplemental deeds from time to time.
- 1.2 The outgoing Trustee has indicated its intention to retire as trustee with effect from midnight on 16 November 2012 and the manager wishes to appoint the incoming Trustee as trustee to the Scheme.

**2. IT IS RECORDED THAT THE PARTIES HERETO AGREE TO THE FOLLOWING:**

- 2.1 The outgoing Trustee will retire as trustee to the Scheme with effect from midnight on 16 November 2012 and the incoming Trustee is appointed, subject to the provisions of clause 4 below, as trustee with effect from 17 November 2012.
- 3.1 Notwithstanding the outgoing Trustee's retirement as trustee to the Scheme this is without prejudice to any legal proceedings that may be taken by the Manager, unit holders or any other persons relating to the period prior to the appointment of the incoming trustee.
- 2.2 All references to the outgoing Trustee, namely ABSA Bank Limited in the Deed are hereby replaced by and are to be read as references to the incoming Trustee, namely FirstRand Bank Limited.
- 2.3 FirstRand Bank Limited, by its signature hereto, accepts the appointment as trustee on the terms and conditions set out in the Deed and Act.

**3. UNDERTAKING**

The parties to this supplemental deed hereby confirm that the Deed executed under the Act have been scrutinised to ensure that this supplemental deed is compatible with the aforementioned Deed.

**4. IMPLEMENTATION**

The implementation of this Supplemental Deed No. 6 is subject to the approval thereof by the Registrar.

*[Handwritten signatures and initials]*  
P.L.S. N4  
M.A.  
(C567/00112323.DOCX/BLANK/VT)2 Oneo  
*[Handwritten mark]*

**SAMANTHA FARREN**  
Commissioner of Oaths  
Practising Attorney (admitted 20.05.97)  
Notary & Conveyancer  
at Tonkin Clacey Attorneys  
24 Baker Street, Rosebank, 2195

Signed: *[Signature]*  
Date: 2012-12-10  
Certified a True Copy of the Original

*[Handwritten mark]*

*[Handwritten mark]*

SIGNED AT Rivonia ON THIS 3<sup>rd</sup> DAY OF November 2012

**Signatories for PROPERTY FUND MANAGERS LIMITED**

1. [Signature]

Name: Prohies de Lange

Who is duly authorised to sign on behalf of PROPERTY FUND MANAGERS LIMITED

2. [Signature]

Name: Barry Shuter

Who is duly authorised to sign on behalf of PROPERTY FUND MANAGERS LIMITED

**Witnesses for PROPERTY FUND MANAGERS LIMITED**

1. [Signature]

2. [Signature]

SIGNED AT JOHANNESBURG BY THE OUTGOING TRUSTEE ON THIS 07 DAY OF November 2012

**Signatories for ABSA Bank Limited**

1. [Signature]

Name: Imelda Way

Who is duly authorised to sign on behalf of ABSA Bank Limited

2. [Signature]

Name: Marlene van Aswegen

Who is duly authorised to sign on behalf of ABSA Bank Limited

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at Tonkin Clacey Attorneys  
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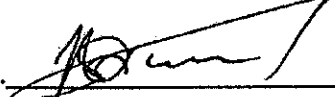

Signed: [Signature]  
Date: 2012-12-10  
Certified a True Copy of the Original

[Handwritten notes and signatures]  
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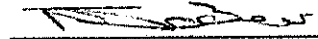
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Witnesses for **ABSA Bank Limited**

1. 
2. 

SIGNED AT JOHANNESBURG BY THE INCOMING TRUSTEE ON THIS 8 DAY OF November 2012

Signatories for **FirstRand Bank Limited**

1. 

Name: **Nella de Beer**


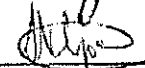
Who is duly authorised to sign on behalf of FirstRand Bank Limited

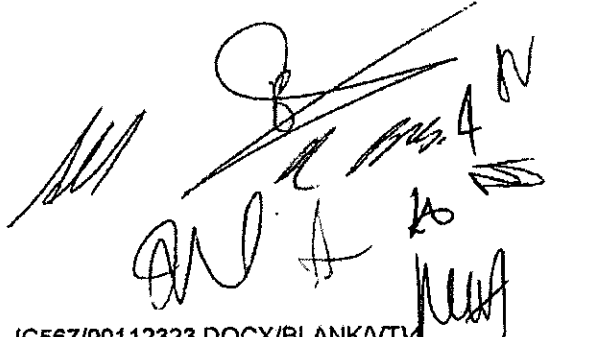
- 2.. 

Name: **Andre Jansen van Vuuren**


Who is duly authorised to sign on behalf of FirstRand Bank Limited

Witnesses for **FirstRand Bank Limited**

1. 
2. 

  
 {C567/00112323.DOCX/BLANK/VT}d  
 ONED

**SAMANTHA FARREN**  
 Commissioner of Oaths  
 Practising Attorney (admitted 20.05.97)  
 Notary & Conveyancer  
 at Tonkin Clacey Attorneys  
 24 Baker Street, Rosebank, 2196

Signed:   
 Date: 2012-12-10  
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