

# brandhouse MARKETING CODE



## Introduction

As one of the leading drinks companies in South Africa, brandhouse is aware of the celebratory and yet sometimes negative role that alcohol can play in the lives of our consumers. For us world class marketing means not just responsible marketing but also marketing responsible drinking.

This updated brandhouse Marketing Code builds on earlier versions of the Code and incorporates a number of new guidance and compliance requirements. Our commitment is to remain at the forefront of responsible marketing and effective self-regulation. We see this as an enabler for great creativity and leading-edge marketing.

I urge you all to take strong ownership of the bMC, and proactively drive the spirit and letter of this Code in everything we do and into all our agency partners and other suppliers.

**Gavin Pike**  
**Marketing Director, brandhouse**

## Scope

This Code applies to all activities intended to market our beverage brands.

This includes, but is not limited to:

- consumer planning and market research
- brand innovation and product development
- brand names and packaging
- trade advertising
- sales materials
- consumer advertising, PR, and relationship marketing
- brand web sites, electronic communication and digital media
- product placement and branded entertainment programmes
- brand sponsorships
- branded merchandise
- promotional activities in the on-/off-trade
- experiential marketing and events
- cocktail names and drink recipes

The term 'marketing' is used throughout this Code to cover all these activities, and any other activity designed to market our beverage alcohol brands.

# 1. Laws, Codes and Polices

Our marketing must:

- **comply with all applicable laws, regulations and industry codes**
  - **comply with all other relevant brandhouse and shareholder codes and policies**
- a. This Code sets out minimum standards that apply everywhere.
  - b. Our marketing must also comply with the letter and spirit of all applicable national laws, local regulations and self-regulatory codes of practice to which we are a signatory.
    - i. Where local laws, regulations or codes of practice impose additional or more stringent requirements, then those additional requirements must also be met.
  - c. Our marketing must also comply with all other relevant brandhouse codes and policies, such as the brandhouse Code of Business Conduct and the brandhouse Communications and Media Policy.

## 2. Abstinence

### Our marketing must:

- **always show respect for those who choose to abstain from alcohol**
  - a. We acknowledge that there are times in everyone's life when consuming alcohol may be unwise, and that there are people who choose not to drink at all for a variety of reasons, including cultural and religious ones. We will always respect these individual choices, and be aware of local values and sensitivities in this regard.
  - b. We will not present abstinence from or moderation with alcohol in a negative manner, nor imply that it is wrong or foolish to refuse a drink, even in a humorous manner.

### **PROMOTIONS AND EVENTS**

- c. Our on/off-trade promotions will never pressure anyone to drink.

## 3. Adult Appeal

### Our marketing must:

- be aimed only at adults and never target those under the legal purchase age for alcohol
  - be designed and placed for an adult audience, and never be designed or constructed or placed in a way that appeals primarily to individuals below the legal purchase age for alcohol
- The term 'LPA' is used throughout this code to mean the legal purchase age for alcohol, which is 18 years old.

### CONTENT

- a. People appearing in our advertising must be over 25 years old, and reasonably appear to be and be portrayed as over 25 years old.
  - i. People aged between LPA and 25 may be sponsored, and/or appear in PR, event and promotional materials, but not in advertising.
- b. Our marketing must never be designed or constructed in a way that appeals primarily to people younger than LPA.
  - ii. 'Primary appeal' to persons younger than LPA may be judged as a special attractiveness to such persons above and beyond the general attractiveness it has for persons older than LPA.
- c. We will not use any image, symbol, language, gesture, music, cartoon character, person, sporting/entertainment celebrity, hero, or promotional prize or gift that appeals primarily to those younger than LPA.
- d. We will not license our brand names, logos, or trademarks for use on children's clothing, toys, games, games equipment, or other materials intended for use primarily by persons younger than LPA.
- e. We will not associate our brands with the attainment of, or 'rites of passage' to, adulthood.

### PLACEMENT

- f. We will place our marketing in communications media only where 70% or more of the audience can reasonably be expected to be older than LPA.
  - i. We will monitor audience composition of media in which we advertise on a regular basis to ensure compliance to the highest practical level.
- g. No billboards advertising an alcohol beverage brand or product will be placed within 200 meters of schools, community centres and churches. In the case of building wraps and billboards larger than Super 96 size, no alcohol beverage advertisement will be placed within 500 meters of schools, community centres and churches.

## **SPONSORSHIPS**

- h. We will sponsor events only where 70% or more of the audience can reasonably be expected to be older than LPA.
- i. In the case of sponsored public events, specifying restrictions on admission in any contract agreed with an event organiser is a good way of checking audience composition. Wherever it is not known in advance what the actual audience age composition will be, we must check prior similar event's audience age composition to be sure that it complies with the 70% rule.
- ii. Sponsorship of activities or events that will include people under the LPA is a particularly sensitive area. You should be aware that sponsorship of this kind may provoke negative public reactions if people under the LPA participate. As a general rule: Do not sponsor activities or events if people under the LPA are reasonably expected to make up more than 30% of those participating or viewing. If in doubt, do not sponsor.

## **DIGITAL MARKETING**

- i. All brand websites must contain a gateway page which:
  - iii. requires consumers to input their full date of birth and country of access, affirming they are older than LPA prior to entering;
  - iv. redirects visitors younger than LPA to a social aspect organisation site; and
  - v. contains Nanny Tags that describe the site's content in a format that parental control software is designed to detect.
- j. We will only place our marketing on third-party sites where at least 70% of the visitors to that website are older than LPA. If a third party website does not meet the 70% requirement, an LPA+ registered user database may be used if available. If the site is not measured, Corporate Relations will determine if the site is appropriate.
- k. Downloadable applications including games, quizzes and widgets are acceptable so long as they avoid primary appeal to those younger than LPA and include an age affirmation mechanism.
- l. Content must be provided in a given format (e.g. music download formats, wall-paper, podcasts) where at least 70% of those who acquire that format are older than LPA.
- m. Email or other relationship marketing outreach must not be sent to any individual younger than LPA.
- n. Mobile device communication including Bluetooth technology, send-to-a-friend, eCards and other relationship marketing tools must include age affirmation mechanisms.

*In terms of Diageo brands, please see the Diageo Digital Code for further guidance.*

## **PROMOTIONS**

- o. People involved in promotions for our brands in the on-/off-trade must be older than 21.
- p. Our on/off-trade promotions and events must never be designed or constructed in a way that appeals primarily to, or offers our brands to, individuals younger than LPA.

## **RESEARCH**

- q. No market or consumer research will be commissioned or conducted by brandhouse among people younger than 18.

*Please consult the brandhouse Consumer Planning and Research team for further guidance.*

## 4. Responsible drinking

Our marketing must:

- **depict and encourage only moderate and responsible drinking**
  - **incorporate responsible drinking reminders and/or initiatives**
  - **never depict, condone or encourage excessive or irresponsible drinking or refer in any favourable manner to the effects of intoxication**
- a. Marketing that depicts responsible drinking as a relaxed, sociable and enjoyable part of life has a role to play in promoting a responsible approach to drinking.
  - b. We will not depict people drinking heavily or rapidly, or in a state of intoxication, nor imply that such behaviour is attractive or appropriate.
  - c. We will avoid promoting our brands with irresponsible cocktail names or excessive quantities of alcohol.

### PROMOTIONS AND EVENTS

- d. Our on-/off-trade promotions will encourage responsible drinking for those adults who choose to drink, and will not support activities that encourage excessive drinking.
- e. We will not sponsor promotions involving drinking games that have speed incentives, or that require undue quantities of alcohol to be consumed.
- f. While there is nothing irresponsible about enjoying our brands neat, care needs to be taken in connection with the marketing and promotion of our brands as shots due to their potential to be consumed rapidly. A single shot may be enjoyed responsibly as part of an occasion, but we will not depict or encourage the consumption of multiple shots by individuals.
- g. We will not support or utilise promotional activities, packaging or drink delivery ideas that mean consumers cannot readily tell or control how much alcohol they are consuming.
- h. The distribution of samples/drinks at promotions and events is subject to the following rules:
  - i. Offer consumers a positive brand experience that encourages responsible drinking, thus at events only offer one sample. In terms of events, depending on the duration of the event, offer one drink per hour up to a maximum of four drinks.

### RESEARCH

- i. Consumers in research will never be encouraged to drink excessive amounts, nor drink in an irresponsible way. If they are observed to drink in this manner, they will be excluded from the research immediately or this part of the research will be stopped.
- j. brandhouse will provide consumers in research situations with appropriate sources of information on responsible drinking (e.g. [www.DRINKiQ.com](http://www.DRINKiQ.com) or [www.drinkheinekenresponsibly.com](http://www.drinkheinekenresponsibly.com)).

*Please consult the brandhouse Consumer Planning and Research team for further guidance.*

## **RESPONSIBLE DRINKING REMINDERS AND INITIATIVES**

### **ADVERTISING**

- k. Clearly evident responsible drinking reminders (RDRs) are required in all above-the-line advertising for our brands. This includes television, cinema, radio, outdoor, internet, print and any other above-the-line advertising activity.
  - i. RDRs are encouraged for below-the-line marketing where appropriate.
- l. Brands may use 'Drink Responsibly', 'DRINKiQ.com', 'drinkheinekenresponsibly.com' a tailored RDR unique to the brand or campaign or local market, or a combination of these. Tailored RDRs, or other website addresses as RDRs, must be cleared through Corporate Relations and Legal.
- m. The format of the RDR should be appropriate to the advertisement.
  - i. Television and cinema advertisements may include a clearly audible voice-over RDR, and/or a clearly visible RDR within the advertisement.
  - ii. Internet advertisements must use visual RDRs. Dynamic online banner ads that rotate through a series of 'frames' need only include the RDR in one of those frames.
- n. The size and placement of and RDR will depend on the piece of advertising and its location, but must be clearly evident.
  - i. In printed and on-screen material, the RDR should be clearly distinct from the mandatory information required by regulations, and should not be placed in any area or in any manner that is not readily visible and readable to consumers i.e. messages should not be placed vertically (sideways) on a page or billboard, or in the seam of a magazine, etc.

### **SPONSORSHIPS**

- o. Appropriate responsible drinking reminders or initiatives must be included in all sponsorship activities.

### **PROMOTIONS AND EVENTS**

- i. Our promotions and events should incorporate responsible drinking reminders or initiatives.

### **LABELS**

- ii. All new back labels and secondary packaging (on products 200ml and above), must include DRINK RESPONSIBLY and reference to the online responsible drinking resources DRINKiQ.com, drinkheinekenresponsibly.com.

### **DIGITAL MARKETING**

- iii. Every brand website must include on the footer of every page a link to either the DRINKiQ.com or drinkheinekenresponsibly.com online responsible drinking resource.

*In terms of Diageo brands, please see the Diageo Digital Code for further guidance.*

## 5. Alcohol content

Our marketing must:

- **via packaging, websites, and other appropriate channels, provide clear, factual and neutral information about the alcohol content of our brands and drinks recipes, where permitted by law**
  - **never present high alcohol strength or potency as the dominant theme or principal basis of appeal of any marketing or product innovation**
  - **not imply that lower-strength alcohol beverages may be consumed in ways or situations that may be inappropriate with higher strength beverages**
- a. We will, where possible and permitted by law, provide factual and neutral alcohol content information on our packaging and via other channels such as websites (including DRINKiQ.com and enjoyheinekenresponsibly.com) and consumer care-lines.
  - b. When promoting drink recipes, we will include specific liquid measures (i.e. '30ml' or equivalent local measurement rather than 'one part'), and the total alcohol content (in 'grams of alcohol'), expressed per serving.
  - c. High alcohol strength or potency must never be the dominant theme or principal basis of appeal of any marketing or product innovation.
  - d. We will never imply that mid or lower strength beverages may be consumed in quantities, ways or situations where higher strength beverages may be inappropriate, nor that mid or lower strength beverages are healthier or more responsible choices.

## 6. Health, therapeutic, performance or functional benefits

### Our marketing must:

- **not imply that our brands offer any health, therapeutic, dietary, functional or performance benefits**
  - **not imply any energy or endurance benefits, nor that alcohol is the catalyst for any change in mood or state**
  - **not portray or target pregnant women**
- a. We will – where practical and permitted by law – provide factual and neutral nutritional information about our products, via appropriate channels such as DRINKiQ.com and enjoyheinekenresponsibly.com.
  - b. We will not imply that drinking leads to any health, dietary or functional benefits, nor that alcohol may play a role in managing weight or as part of a fitness regime, nor that consumers may consume low(er) calorie or carbohydrate beverages in excessive amounts.
  - c. We will not imply that drinking enhances virility, mental ability or performance, skills or strength.
  - d. We will not promote alcohol as a medicine, nor imply that alcohol has the ability to prevent, treat or cure any human disease or condition.
    - i. We will not use gifts, drinking vessels or cocktail names with medical or pharmaceutical connotations to market our brands.
  - e. We will not market our brands to pregnant women nor portray pregnant women in our marketing.
  - f. Our innovations must avoid any dominant theme or principal basis of appeal on the grounds of health, sexual or other similar functional benefits, or the use of ingredients with well-known or perceived health, sexual or functional qualities that would support such a theme or appeal.
    - i. However, we may use ingredients which credibly deliver a specific flavour, texture, authenticity or origin.
  - g. We will not market our brands as energy drinks, nor imply that consuming them (either alone or with a specific mixer) delivers energy or endurance benefits.
    - i. We will not advertise or promote our brands in a way which implies that drinking will increase stamina, make the night last longer or give a boost, nor use suggestive drink names which imply energising, stimulating or invigorating properties.
    - ii. If co-promoting our brands with an energy drink mixer, the mixer must be treated in a neutral manner just like any other mixer, no energy claims may be made, and particular care must be taken with the imagery used.
  - h. Our products may be portrayed as the perfect choice for already energetic or relaxing occasions, but we will not imply that they are the catalyst for any change in energy, state of alertness or states of mental or physical relaxation.
  - i. We will not market our products as thirst quenching or hydrating, nor imply or suggest that they be consumed instead of non-alcoholic beverages.

## 7. Social and sexual success

Our marketing must:

- **not portray or imply that drinking is necessary to obtain social or other success, nor to overcome inhibitions or to be socially accepted**
  - **not portray or imply that drinking enhances sexual attractiveness or is a requirement for sexual success**
- a. Our brands may be portrayed as part of normal social experiences, such as the depiction of people who appear to be relaxing or in an enjoyable setting. Brand preference may be portrayed as a mark of discernment.
  - b. However, our marketing materials will not imply that drinking is necessary to obtain social, professional, educational, athletic, financial or other success, nor to solve social, personal, or physical problems, nor to overcome inhibitions, shyness or social barriers, or to be socially accepted.
  - c. Our marketing may also portray our brands as part of a social or romantic setting. However we will ensure that our marketing does not imply that drinking enhances sexual attractiveness or is a requirement for sexual success.
    - i. Implicit sexual activity, seduction scenarios, and prizes or gifts that breach the spirit of these provisions must all be avoided.

## 8. Drink driving and other potentially dangerous activities

Our marketing must:

- **only portray drinking occurring in safe and appropriate circumstances**
  - **never portray drinking before or whilst driving motor vehicles, operating machinery, or any other similar activity or situation**
- a. We will not depict drinking before or during activities, or in situations or locations, where drinking alcohol beverages would be unsafe or unwise.
  - b. In particular our marketing must not imply that drinking alcohol is acceptable before or whilst operating machinery or driving a vehicle.
  - c. In addition our marketing must not imply that drinking alcohol is acceptable before or whilst undertaking any other occupation, endeavour, or a sporting activity that requires a high degree of alertness or physical coordination in order to be carried out safely.
  - d. It is fine to show adults enjoying a drink after playing sports or after engaging in any occupation or endeavour referred to above, provided it is clear the activity will not be resumed.

## 9. Anti-social or inappropriate associations

Our marketing must:

- **not portray or suggest any association with anti-social or illegal behaviour**
  - **not portray or suggest any association with violence**
  - **not portray or encourage the consumption of tobacco**
- a. Our marketing will not portray or suggest any association with anti-social behaviour, nor depict situations where beverage alcohol is being consumed illegally or in conjunction with explicit or implicit illegal activity of any kind.
  - b. We will ensure that our marketing does not portray or suggest any association with violence, including not trivialising problems associated with violence.
  - c. We will not associate our brands with any activity or event where the intent is to cause harm or violence to anybody.
  - d. We will not portray or encourage the consumption of any tobacco products, nor brand or offer tobacco products or accessories as promotional gifts or prizes, nor sponsor tobacco-related events.
    - i. We will allow appropriate brand participation, such as sampling, at cigar-related venues and events, provided it is not linked to the purchase or consumption of tobacco products.
  - e. Particular care and consideration of local sensitivities must be taken when considering whether to associate our brands with gambling.

## 10. Good taste and decency

Our marketing must:

- **reflect generally accepted contemporary standards of good taste and decency**
  - **be judged from the perspective of the broader society – locally and globally**
  - **be sensitive to local and cultural variation**
- a. We must evaluate proposed marketing activities not solely from the perspective of the target audience, but from the perspective of the broader society - locally and globally - in which our shareholders operate.
  - b. Our marketing must not employ themes that may seem harmless in one market but that may cause grave offence in another market or culture.
  - c. Our marketing must not contain – or associate our brands with - any images, symbols, themes or figures which are likely to be considered gratuitously offensive, demeaning or disrespectful to gender, religion, nationality, culture, national symbol, minority group, disability or any other particularly sensitive subject.

## Responsible drinking initiatives

We work in a range of ways with many different stakeholders to promote responsible drinking and combat alcohol misuse such as drink driving, excessive drinking, underage drinking and irresponsible serving of alcohol. DRINKIQ.com and drinkheinekenresponsibly.com are our online global resources that support this work through the sharing of best-practice tools, information and initiatives.

We also encourage our in-market companies and global brand teams to develop and implement consumer initiatives that address issues relating to responsible drinking.

These initiatives are also subject to this Code. However, where these initiatives seek to portray the downsides or consequences of irresponsible or excessive drinking then, in consultation with Corporate Relations, the following Code provisions may be applied flexibly, only in the manner specified below, in order to ensure optimally effective consumer awareness initiatives:

- provision 3 to allow people aged LPA+ to appear in corporate-branded responsible drinking advertising;
- provision 4 to show the downside or consequences of excessive or irresponsible drinking;
- provision 8 to show the downsides or consequences of drunk driving or other similarly dangerous activities; and
- provision 9 to show potential downsides or consequences associated with excessive drinking, such as violence, aggression or anti-social behaviour

# Marketing Code compliance

- Compliance with the marketing code is mandatory, and must be an embedded and integral part of the approval process for all marketing activities.

## RESPONSIBILITY

- a. All aspects of Code compliance are the fundamental responsibility of the Managing Director and the Marketing Director.
- b. Advertising, promotions and PR agencies, market research companies, media buyers, and all other external marketing suppliers, must receive a copy of the bMC and must undertake to abide by its provisions in any work they do on our behalf. The requirement to comply with the bMC must be included in the written terms and conditions of all marketing supplier contracts and in all activity/project briefs. brandhouse project leaders are also responsible for briefing and guiding their suppliers and for ensuring they comply with the bMC throughout the term of the project.

## REVIEW AND SIGN-OFF PROCESS REQUIREMENTS

- c. Marketing Code sign-off is required for all marketing materials and activities in brandhouse. Activities or materials previously signed off in another in-market company or global brand team must be reviewed and signed off locally against the bMC before the materials are released.
- d. The Marketing Director is accountable for ensuring that their teams follow an effective bMC sign-off process to ensure that all materials released in this market fully comply with the letter and spirit of the Code.
- e. The best-practice sign-off process, strongly encouraged wherever feasible, involves senior managers and/or DMC 'champions' from three functions (Marketing, Corporate Relations & Legal) reviewing and signing off all marketing material. Major marketing activity (including advertising, digital and sponsorships) should be reviewed and signed-off at three key stages of development (e.g. brief or concepts & ideas, pre-production, and final).
  - i. bMC review and sign-off must also be included at every gate of the innovation process.
- f. In terms of Diageo brands it's online approval tool, SmartApprove, must be used to facilitate bMC review and archival of approvals wherever possible.
- g. At a minimum, all bMC sign-off processes must include:
  - i. review at key stages of projects;
  - ii. sufficient time for review and sign-off built into development plans;
  - iii. advice sought from Corporate Relations as required;
  - iv. sign-off by at least two sufficiently senior and objective approvers\*;
  - v. final sign-off covers all aspects of the initiative, (e.g. content, media/audience/venue profile, placement, labelling/ packaging/positioning, etc.); and
  - vi. proof of sign-off (paper or electronic) retained on file for internal audit purposes.
- h. \*bMC approvers must have completed bMC training and be briefed by the Corporate Relations Director.
- i. If the evaluation of a bMC-related issue reaches a stalemate, the decision must be escalated in the following manner (depending where the stalemate originates):
  - i. brandhouse Marketing and Corporate Relations Directors, if not resolved then to -
  - ii. Hub/Regional Marketing and Corporate Relations Directors, if not resolved, then to -
  - iii. Global Marketing and Corporate Relations Directors. If not resolved at this level, the Global Marketing Director makes the ultimate decision.

## **TRAINING**

- j. brandhouse must establish regular training programmes for all those involved in Marketing, Trade Marketing, Consumer Planning, Innovation, Corporate Relations and for relevant members of the Sales teams (Sales Directors as a minimum).
- k. Newly recruited staff should receive bMC training as part of their induction, and regular, in-depth refresher training must be provided for all relevant staff (every 12-24 months).
- l. bMC training should be offered to support supplier and distributor compliance where appropriate.

## **CONTROLS**

- m. bMC sign-off and compliance processes must be formally reviewed on an annual basis by brandhouse.
  - i. In the case of a bMC breach, an additional review should be done immediately.
- n. All senior managers must complete an annual compliance certificate signifying their adherence to the brandhouse Code of Business Conduct, including the bMC.
- o. Any criticism of brandhouse's marketing activities should be immediately reported to the Corporate Relations and Marketing Directors, and global Corporate Relations, in order to review the material in question, take remedial action if necessary, and ensure our commitment to responsible marketing and effective self-regulation is maintained.

*For further information on the brandhouse Marketing Code or compliance issues, contact the brandhouse Corporate Relations team.*

# brandhouse Marketing Code – in brief

*(For summary reference only – not to be relied upon as a substitute for the full Code.)*

## 1. Laws, codes and policies

Our marketing must:

- comply with all applicable laws, regulations and industry codes
- comply with all other relevant brandhouse codes and policies

## 2. Abstinence

Our marketing must:

- always show respect for those who choose to abstain from alcohol

## 3. Adult appeal

Our marketing must:

- be aimed only at adults and never target those under the legal purchase age for alcohol
- be designed and placed for an adult audience, and never be designed or constructed or placed in a way that appeals primarily to individuals below the legal purchase age for alcohol

## 4. Responsible drinking

Our marketing must:

- depict and encourage only moderate and responsible drinking
- incorporate responsible drinking reminders and/or initiatives
- never depict, condone or encourage excessive or irresponsible drinking or refer in any favourable manner to the effects of intoxication

## 5. Alcohol content

Our marketing must:

- via packaging, websites, and other appropriate channels, provide clear, factual and neutral information about the alcohol content of our brands and drinks recipes, where permitted by law
- never present high alcohol strength or potency as the dominant theme or principal basis of appeal of any

marketing or product innovation

- not imply that lower-strength alcohol beverages may be consumed in ways or situations that may be inappropriate with higher strength beverages

## 6. Health, therapeutic, performance or functional benefits

Our marketing must:

- not imply that our brands offer any health, therapeutic, dietary, functional or performance benefits
- not imply any energy or endurance benefits, nor that alcohol is the catalyst for any change in mood or state
- not portray or target pregnant women

## 7. Social and sexual success

Our marketing must:

- not portray or imply that drinking is necessary to obtain social or other success, nor to overcome inhibitions or to be socially accepted
- not portray or imply that drinking enhances sexual attractiveness or is a requirement for sexual success

## 8. Drink driving and other potentially dangerous activities

Our marketing must:

- only portray drinking occurring in safe and appropriate circumstances
- never portray drinking before or whilst driving motor vehicles, operating machinery, or any other similar activity or situation

## 9. Anti-social or inappropriate associations

Our marketing must:

- not portray or suggest any association with anti-social or illegal behaviour
- not portray or suggest any association with violence
- not portray or encourage the consumption of tobacco

## 10. Good taste and decency

Our marketing must:

- reflect generally accepted contemporary standards of good taste and decency
- be judged from the perspective of the broader society – locally and globally
- be sensitive to local and cultural variation



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