

MANAGEMENT RULES FOR THE LA LUCIA RIDGE BUSINESS PARK MANAGEMENT ASSOCIATION

INTRODUCTION

In terms of Article 8.5 of the Association's Articles of Association, the Directors are given the power to make rules from time to time for the management, control, administration, use and enjoyment of the Business Park, for the purposes of giving proper effect to the provisions of the Memorandum and Articles of Association, the Development Manual and for any other purpose which powers shall include the power to impose reasonable financial penalties to be paid by those members who fail to comply with the provisions of the Management Rules or the Articles of Association.

Any breach by a member of the Articles or the Management Rules may result in the Directors imposing a financial penalty against such defaulting member as provided for in Article 8.5.2.1; similarly, a breach of the Articles or the Rules by any person other than the member who occupies any members land, shall be deemed to have been committed by the member and the Directors shall be entitled to take such action as they may deem fit against the member concerned. 8.5.2.2.

Members will also be responsible for any contravention of these rules by any employee, contractor, invitee or any other person authorized to be in the business park by such member.

In view of the above, members are requested to ensure that it is a condition of any lease of such members property in the Park that the lessee shall be bound by the Articles and Rules of the Association and that any breach of the Articles or Rules by the lessee shall be deemed to be a breach of the Agreement of Lease entitling the lessor to such remedies as may be appropriate.

1. **INTERPRETATION**

Should any conflict exist between the provisions of these rules and the Articles, the provisions of the Articles shall apply.

RULES

8.5 The Director^s shall have the power to make rules from time to time as well as the power to substitute, add to, amend or repeal same, for the management, control, administration, use and enjoyment of the Park, for the purposes of giving proper effect to the provisions of the Memorandum and Articles of the Association and for any other purpose which powers shall include the right to impose reasonable financial penalties to be paid by those Members who fail to comply with the provisions of the these Articles or the rules.

8.5.1 In no way detracting from the generality of the aforesaid, the Directors may from time to time make rules, applicable within the Park, specifically in regard to:

8.5.1.1 the conduct of members and persons,

8.5.1.2 the use of land, open spaces, roads, etc,

8.5.1.3 the storing of flammable and other harmful substances,

8.5.1.4 preservation of the natural environment,

8.5.1.5 the design guidelines for the establishment, installation and maintenance of gardens, both public and private,

8.5.1.6 the use, upkeep, aesthetics and maintenance of buildings, open spaces and natural reserves,

8.5.1.7 the use by Owners of buildings,

8.5.1.8 the imposition of fines and other penalties to be paid by a member,

8.5.1.9 any other matter as may in the opinion of the directors require to be regulated,

8.5.2 **Enforcement of Rules**

8.5.2.1 The Directors may take or cause to be taken such steps as they may consider necessary to remedy the breach of any rules of which the Member may be guilty and debit the costs of so doing to the Member concerned which amount shall be deemed to be a debt owing by the Member to the Association. In addition the directors may impose a system of fines or other penalties. The amounts of such fines and/or penalties shall be determined by the Board from time to time.

8.5.2.2 In the event of any breach of the rules by any persons, other than the member, occupying the building, such breach shall be deemed to have been committed by the Member and the Directors shall be entitled to take such action as they may deem fit against the responsible Member. Further, in the event of any breach of the rules by any tenant or occupier of any land owned by the member, or any invitee who comes upon the Park by virtue of an invitation by a member, such breach shall be deemed to have been committed by the member and the Directors shall be entitled to take such action as they deem fit against the responsible member.

8.5.2.3 Notwithstanding the foregoing, the Directors may in the name of the Association enforce the provisions of any rules by an application in a Court of competent jurisdiction and for this purpose may appoint such attorneys or Counsels they may deem fit.

8.6 Any rules made by the Directors shall reasonably be in the interest of the Association and the Park and shall apply equally to all Owners.

8.7 The rules made by the Directors from time to time in terms of the powers granted to them shall be binding on all Members.

8.8 In no way detracting from the generality of any other provision of these Articles of Association, in the event of the Association incurring any legal costs as a result of any breach of these Articles by any member, the Association shall be entitled to recover all such legal costs from such member on an attorney and own client scale in full whether or not legal action is actually instituted.