



**CONDUCT RULES
MADE IN TERMS OF
THE CONSTITUTION OF
KINGSWOOD GOLF ESTATE HOME OWNERS ASSOCIATION
("the Association")**

Revision : 2 December 2025

INTRODUCTION

Kingswood Golf Estate ("the Estate") has been designed to provide a gracious and secure lifestyle for its residents. To protect and enhance this lifestyle, Conduct Rules have been established in terms of the Constitution of the Association. These Conduct Rules are binding on all persons resident at or visiting the Estate. The Conduct Rules may be amended or repealed from time to time in accordance with the provisions of the Constitution of the Association.

1 DEFINITIONS AND INTERPRETATIONS

- 1.1 In these Rules, unless the context clearly indicates otherwise –
- 1.1.1 words and expressions defined in the Constitution of the Association, shall have the meanings assigned thereto in terms of the Constitution;
- 1.1.2 the provisions of the Constitution relating to the interpretation thereof shall apply *mutatis mutandis* in respect of these Conduct Rules;
- 1.1.3 **"Golf Club"** means Kingswood Golf Club, a division of HOA Properties.
- 1.2 These Conduct Rules must be read with the provisions of the Constitution. In the event of any conflict between the provisions of these Conduct Rules and the provisions of the Constitution, the provisions of the Constitution shall prevail.

2 DOMESTIC REFUSE

- 2.1 No refuse or refuse containers may be placed or stored in any place where it might be visible from any other houses or the common area.



- 2.2 Refuse must be placed in refuse bags for collection, which bags may only be put out for collection during the morning of the day of removal, and not before then. For these purposes wheelie bins and bags must be placed on or next to the driveway of the member's erf. Save as otherwise provided in terms of these Conduct Rules, all refuse shall be placed at such place or places as are required by the Municipality from time to time for removal.
- 2.3 All garden refuse must be placed in green refuse bags and all recyclable waste must be placed in blue bags. All other refuse must be placed in a black refuse bag or preferably a wheelie bin to avoid possible interference and dirtying from amongst others crows or stray dogs.
- 2.4 Where any item of refuse is of such a size or nature that it cannot be conveniently removed by the refuse removal services provided, the member must make arrangements for its removal.
- 2.5 The refuse rooms at Kingswood Gardens, Kingswood Manor, Kingswood Hamlet, Kingswood Court, Kingswood Crown and Crest are for the sole use of the residents of those complexes and homeowners are not allowed to place their refuse in them.
- 2.6 Notwithstanding the provisions otherwise set out in this Rule 2, the Association may from time to time by notice in writing to members, determine measures to ensure that refuse shall not give rise to health risks or is stored in a manner that is unsightly or may cause environmental degradation.

3 ANIMALS

- 3.1 No person resident on the Estate may keep any domesticated wild animals.
- 3.2 All domestic animals are to be kept and retained within the erf boundaries. All stray/unaccompanied domestic animals found outside residential erf boundaries may be removed from the Estate at the cost of its owner.
- 3.3 The owner of the erf must provide the HOA with a photograph of any pet kept on the property, to be kept on file by the HOA for identification purposes. Members must erect a suitable enclosure that conforms to the Architectural Guidelines to prevent their domestic animals from straying off their properties.
- 3.4 Domestic animals shall at all times be restrained by means of a leash or similar device when accompanied by members beyond their property and onto any portion of the common area (including the golf course).
- 3.5 All domestic animals shall be tagged and display the member's name and telephone number.
- 3.6 The Association may, when deemed necessary or appropriate, require of the owner of an animal to remove it from the Estate and should the owner of the animal concerned fail or refuse to do so, the Association may impose penalties on the member or may procure the animal's removal from the Estate and recover any costs so incurred from the member concerned, without prejudice to any other rights the Association may have in law.



- 3.7 No wild animals may be chased, trapped, or interfered with in any way except by the Association in the carrying out of its nature conservation duties.
- 3.8 Dogs are not permitted to be walked on the golf course during the hours when golf may be played on the golf course.
- 3.9 At no time may an owner of an erf allow that the total number of cats and dogs kept on the owner's property exceed two dogs and two cats: Provided that should the number of cats and dogs held by an owner on the date of approval of these amended Conduct Rules exceed the aforesaid numbers, the owner shall be allowed to keep those animals on condition that no animal which may subsequently die may be replaced except within the limits as prescribed.
- 3.10 All cats are to be fitted with a collar and bell.
- 3.11 All domestic animals / pets on any property, must be kept in such a way that they do not cause a nuisance or a hazard or unduly interfere with the peaceful use and enjoyment by any member of his/her property or the common area.
- 3.12 No member shall allow animal faeces to be deposited in the common area or on any of the other properties in the Estate and the member shall be responsible for the immediate removal of any pet excrement, failing which a penalty may be imposed on the member.
- 3.13 Poultry, racing pigeons, aviaries, rabbits, wild animals, live-stock or the like shall not be permitted to be kept by residents in the development, whether as pets or otherwise.

4 TRAFFIC / PEDESTRIANS / GOLF CARTS

- 4.1 Persons other than members and members of their households who hold secure access authorisations are required to have their driver's licenses as well as vehicle licenses scanned before entry to the Estate will be permitted. All classes of visitors to the Estate must, if called upon to do so, produce a visitor's invite or be authorised through the Estate's secure access system, failing which such visitors will be refused entry.
- 4.2 All vehicles entering or leaving the Estate shall stop at the controlled vehicle entrances.
- 4.3 No vehicles shall enter the Estate unless admitted by the guard on duty at the gate, except where the Association has issued to the driver a device enabling the driver to gain access himself or if the driver of the vehicle is allowed access by means of the Estate's secure vehicle entry system.
- 4.4 No member shall permit the use of an access control device or authorisation issued to such member for operating the vehicle entrance gate by any person other than a member of his household.
- 4.5 The movement and control of traffic and pedestrians is subject to the security rules of the Association.
- 4.6 For purposes of access to and egress from the Estate, the following provisions shall apply:



- 4.6.1 All members and tenants and their households shall be required to use the Estate's electronic access control system in force from time to time.
- 4.6.2 Members' and tenants' invitees, guests and contractors shall for entry to the Estate, be granted access on the strength of the security access code provided to such person by the member or tenant.
- 4.6.3 The procedure referred to in Rule 4.6.2 shall apply equally to persons entering the Estate for goods deliveries or collections (failing which the Association will not be held liable for any costs arising from or in connection with aborted services).
- 4.6.4 Only in exceptional cases, on good cause shown, may Security at the entrance gate deviate from Rules 4.6.1, 4.6.2 and 4.6.3 and allow access to a person or persons of whom Security at the entrance gate has in advance been notified by the member or the tenant of his name and the approximate time of arrival of the person concerned. For purposes hereof each member and tenant must provide the HOA office with their up to date contact details so that members may be contactable.
- 4.7 Commercial deliveries are not permitted on Sundays or public holidays, nor before 07:00 and after 18:00 on weekdays, nor before 07:00 and after 15:00 on Saturdays without the prior consent of the Association.
- 4.8 Motorized vehicles shall only be driven on the Estate roads by persons who hold a valid current driver's license which would permit them to drive that vehicle on a public road within the Republic of South Africa. Golf carts may only be operated by a person who is in possession of a valid driver's license.
- 4.9 No person shall drive any vehicle on any road within the Estate at a speed in excess of 30 km per hour. Should this Rule not be complied with, the Association shall be entitled to impose a penalty on the member concerned, whether such contravention is committed by such member, his guests, members of his household, employees or invitees. The Association may from time to time make or introduce such traffic control measures as they deem expedient in the circumstances.
- 4.10 Pedestrians, animals, birds and wildlife shall at all times have the right of way within the Estate and vehicles (including golf carts) shall be brought to a stop whenever necessary to allow their safe passage.
- 4.11 The Association may, by means of appropriate signage, indicate the permitted use of roads or any portion of the roads and the common area (including the golf course). Failure by any person to obey such signage shall expose the member concerned to a penalty whether such contravention is committed by the member, members of his household, guests or invitees.
 - 4.11.1 All persons who enter the Estate shall observe and comply with the provisions of any and all road traffic legislation applicable to the Western Cape Province as fully and effectively as though the Estate's roads are public roads as defined in such legislation.



- 4.11.2 Notwithstanding Rule 4.11.1, vehicles such as motorized ride-on mowers, “carryall” carts for the development and maintenance of the Estate, as well as motorized golf carts may be driven on the Estate's roads provided:
- 4.11.2.1 the vehicles are in sound mechanical condition;
 - 4.11.2.2 the vehicles have adequate front and rear lights when driven after sunset;
 - 4.11.2.3 the provisions of Rules 4.8, 4.9 and 5.5 are observed;
 - 4.11.2.4 operators who work under the control of or for the HOA shall be in possession of a competency certificate issued for the vehicle concerned;
 - 4.11.2.5 all golf carts must be registered with the HOA and shall display a Kingswood Golf Estate logo and the registration number issued by the HOA;
 - 4.11.2.6 all golf carts are subject to annual inspection by the HOA upon renewal of the annual authorisation in respect of the golf cart, subject to payment of the inspection and registration fee determined by the Board from time to time;
 - 4.11.2.7 a member allowing any person to use his golf cart shall ensure that such person is acquainted with and adheres to these Conduct Rules relating to golf carts.
 - 4.11.2.8 golf carts shall be equipped with pneumatic tyres designed for golf course usage [knobbly tyres or tyres emitting high noise levels shall not be permitted];
 - 4.11.2.9 all golf carts must be kept clean and in good working order, failing which the HOA may disallow the use of any such golf carts;
 - 4.11.2.10 the number of persons occupying a golf cart shall not exceed the manufacturer's recommendations (two persons in respect of a two-seater and four persons in respect of a four-seater golf cart);
 - 4.11.2.11 standing on the rear of a golf cart is strictly prohibited; and
 - 4.11.2.12 the driving of a golf cart on the golf course while not in play is prohibited.
- 4.12 No person shall store any golf cart, caravan, boat, trailer and motorhome or the like on the Estate except in a structure built for this purpose approved in writing by the Kingswood Architectural Review Committee except cars and LDV's which are allowed in the driveway. None of the above shall be left overnight on any common area. No heavy duty industrial or commercial vehicles may, save with the consent of the HOA, be parked or stored in the development unless completely screened out of sight on the member's property. Construction vehicles and plant equipment are to be parked on the construction site within the screened area.



- 4.13 No helicopters or any means of aerial conveyance may be landed at any place on the Estate without the written authority of the Association.
- 4.14 The flying of any form of “Drones” on the Estate is forbidden. In accordance with the rules of the South African Aviation Authority, Remotely Piloted Aircraft Systems (RPAS) such as drones, hovercrafts or any other remote-controlled flying objects such as Model Aircraft may not be operated in the development. Toy Aircraft (designed and intended for use in play by children) may only be operated in the development for recreational purposes without causing a nuisance or endangering other residents, and may not possess photography, videography or surveillance capabilities. Drones for commercial use such as specialized aerial services, professional photography/videography, land surveying, game counting or other defined purpose may only be used with the prior written consent of the Board.
- 4.15 Skateboards, in-line skates, roller skates, bicycles, self-balancing scooters, segways and such like are a matter of concern to drivers when encountered on roads. In the interest of safety, parents are obliged to instruct their children to pause in their activity and to move off the road as soon as a vehicle approaches. Parents are further responsible for making sure that their children are wearing the correct protective gear. Children doing any of the above do so at their own risk and are the responsibility of their parents. By allowing their children to conduct any of the abovementioned activities the parents indemnify the HOA of any liability with regards to injury or death that may result from these activities. No riding around or skating after dark is allowed.
- 4.16 No person may park any vehicle of any kind, nor allow any such vehicle to be parked at such place where it may obstruct any traffic or cause any hinderance.
- 4.17 Gardeners, domestic workers and estate agents shall at all times be in possession of their security cards issued by the Association.
- 4.18 For the avoidance of doubt it is provided that the Rules of the Golf Club in respect of golf carts will be applicable on the golf course, but without derogating from the provisions of these Conduct Rules.

5 COMMON AREA AND ENVIRONMENTAL CONTROL

- 5.1 The Association has the right and obligation to manage and control the environment of the Estate in terms of the Environmental Management Plan(s) applicable to the Estate. Subject to the provisions of the National Environmental Management Act, 107 of 1998, any regulations made in terms of the said Act or any environmental authorisation applicable to the Estate, the Association shall be entitled to prohibit access to any part of the open spaces / common areas in order to preserve the natural flora and fauna, and no person shall enter such area without the written consent of the Association.
- 5.2 No person shall do anything that detrimentally affects the amenities and/or unreasonably interfere with the use and enjoyment of the common areas and the golf course by others.
- 5.3 No camping other than events organised and administered by the HOA shall be permitted. Picnicking shall only be allowed at such places set aside for that purpose by the Association.



- 5.4 No fire shall be lit on the Estate except in such places as may be designated for the purpose by the Association or in an approved and a properly constructed fireplace or barbecue.
- 5.5 The driving of motorized vehicles in the common areas is confined to roads and driveways. Only golf carts and maintenance vehicles may be driven on the golf course and common area.
- 5.6 Members are required to keep the exterior of their dwellings in a good state of repair and to keep their erven tidy. Should a dwelling fall into a state of disrepair, or should an erf become unsightly, the Association shall call upon such member to rectify the situation, detailing what remedies are required and giving the member a reasonable period for commencement and completion. If the member fails to comply with the Association's requirements within the stipulated times, the Association may take action in terms of the provisions of Rule 11.
- 5.7 Members accept that the Outeniqua Research Farm has the right to farm on a property adjacent to the Estate and members are made aware of the potential disturbances such as noise, smells and other nuisances, including the use of heavy machinery and spraying of pesticides that may arise from such farming activities.
- 5.8 Members may not without the express consent of the HOA encroach the cadastral boundaries of their properties with any construction and/or landscaping. Any encroachment onto common area, unless authorised thereto, may be removed by the Association at the costs of the offending member.

6 DAMS

- 6.1 No persons shall launch any boat or craft of any description, powered by a motor or otherwise, on any dam/river/stream on the Estate lest this be the maintenance team clearing debris and exotic growth.
- 6.2 No water sport (scuba diving, spear fishing, wind surfing, etc.) is permitted on dams/rivers/streams and no person shall enter any dam/river/stream on the Estate without the written permission of the Association.
- 6.3 No domestic animal shall be allowed to enter any dam/river/stream.
- 6.4 No person shall pollute or permit the pollution of any dams/river/streams within the Estate by any substance that may in any manner be injurious to plant, animal or bird life, or which may in any way be unsightly.
- 6.5 No person shall discard any litter or any article of any nature whatsoever in any dam/river/stream on the Estate.
- 6.6 Fishing within the Estate is subject to the following rules:
- 6.6.1 fishing may only take place in the dam at the 15th fairway;



6.6.2 only black bass may be caught, and then only on a catch and release basis.

6.7 No member may discharge any effluent into the waterways, dams or boreholes within the Estate.

7 ACCESS TO THE GOLF COURSE

7.1 Members, their guests and/or their invitees may only play golf on the golf course with the approval and subject to the rules and regulations imposed by the Golf Club.

7.2 Members, members of their household, guests and or invitees who enter the golf course, do so at their own risk.

7.3 Persons entering the golf course must at all times observe the etiquette of golf.

7.4 No person may walk on any green, tee or in any bunker on the golf course unless playing golf with the approval of the Golf Club, and no person not playing golf with the approval of the Golf Club may walk on the golf course during the hours of play as provided for in terms of the Rules of the Golf Club.

7.5 No persons shall permit their domestic animals to walk on any green, tee or in any bunker on the golf course.

7.6 No practicing is permitted on any green, tee, bunker or fairway on the golf course.

7.7 Children under 10 years of age may not enter the golf course unless accompanied by an adult or playing golf with the Golf Club's consent.

8 LETTING AND SELLING OF PROPERTIES

8.1 Only property practitioners (as defined in terms of the Property Practitioners Act no. 22 of 2019), holding a fidelity fund certificate as provided for in terms of the Property Practitioners Act no. 22 of 2019 and registered by the Association may be employed in the sale or letting of any property at the Estate.

8.2 Property practitioners referred to in Rule 8.1 (herein further referred to as “**agents**”) must operate on a “by appointment” basis. They may not erect any “for sale” or “show house” or “sold” boards or any other signage boards whatsoever and they must personally accompany prospective buyers or tenants onto and from the property and may not allow the prospective buyer or tenant to drive or walk around on the Estate without being accompanied by the agent. Agents shall not be allowed to approach any member for the sale or letting of his property in the Estate without prior appointment.

8.3 An agent will be registered only after signing an agreement with the Association that such agent will abide by the stipulated procedures applicable to the sale or letting of property on the Estate, and in particular will make any buyer aware of the Conduct Rules, Constitution, Architectural Guidelines and any other relevant conditions applicable to ownership or occupancy. Any document prepared by



the agent containing an offer of sale or an offer to let must include such clauses as the Association may require from time to time to ensure compliance with the matters contemplated in this Rule 8.3.

- 8.4 Tenants to whom properties are let are obliged to abide by all the Conduct Rules and the requirements of the Constitution in the same manner as is required of members. The agent who is letting a property is obliged to supply the tenants with copies of the Constitution and Conduct Rules.
- 8.5 When a member personally sells or lets his property, the provisions of Rules 8.2, 8.3 and 8.4 shall apply *mutatis mutandis* to him.
- 8.6 Members or their agents are required to give the Association prior notice of any tenants or guests who are to occupy the member's property in the absence of the member. This may be done in writing or by telephoning the office of the Association and giving the name of the tenants or guests and the dates of their occupancy. In the case of tenants, the tenants will be obliged to register at the offices of the Association within one business day of arrival, and to sign a declaration that they are acquainted with the Conduct Rules and Constitution and accept it as binding on them.
- 8.7 Prior to the transfer of any erf (or sectional title unit) to a successor in title a member shall obtain a certificate from the Association confirming that:
- 8.7.1 no levies, or penalties are due to the Association; and
- 8.7.2 to the best of the knowledge of the Association, such member is not in breach of any of the provisions of the Constitution, and/or these Conduct Rules; and
- 8.7.3 an acceptable guarantee to secure the payment of the reserve fund levy due in terms of the Constitution, shall be or has been furnished.
- 8.8 The Association shall be entitled to require that a member provide a guarantee or indemnity to its satisfaction to ensure compliance with Rule 8.7 to enable the Association to issue the Certificate contemplated in Rule 8.7.

9 CONDUCT IN GENERAL AT KINGSWOOD

- 9.1 All clothing, household linen or washing of any nature, shall be adequately screened from view from any other houses or common area and may only be placed in a drying yard or such other area designed for such purpose.
- 9.2 The lighting of fireworks is not permitted at Kingswood.
- 9.3 No unauthorized persons are allowed onto building sites under construction.
- 9.4 Each member shall always behave and act in a way that is in the best interest and to the best advantage of all other members of the Association and the occupiers of any of the properties in the Estate. To this end no member may create noise likely to interfere with the peaceful enjoyment of any other property in the Estate or another persons' peaceful enjoyment of his property and the common area.



In conjunction herewith no member may display disorderly conduct, play music or musical instruments or games of any kind that create noise likely to interfere with the peace and quiet of the area in the immediate vicinity of the property where such music or musical instruments or games are played. Drunk or disorderly conduct shall not be allowed. In particular:

- 9.4.1 Burglar alarms must comply with any Rules which the Association may make from time to time, the preference being silent alarms to avoid undue disturbance.
- 9.4.2 All vehicles, but particularly motorcycles, must be efficiently silenced.
- 9.4.3 The mowing and/or edging of lawns, the use of leaf blowers, the use of outdoor power equipment or the operation of any other noisy machinery which may disturb neighbours may not take place before sunrise or after sunset. These activities are, however, prohibited on Sundays and Public Holidays.
- 9.4.4 All undue noise must otherwise cease between 22:00 and 06:30 except for the occasional function or gathering, when such noise shall cease at 24:00.
- 9.4.5 All building work, whether undertaken by a contractor or by a member, shall be done during the days and hours stipulated by the Association from time to time for building contractors, unless written approval for an exception is given by the Association.
- 9.5 In order to maintain the residential nature of the Estate, no member or tenant shall accommodate nor allow to be accommodated more than the maximum number of persons permitted to occupy such residence, vis:
 - 1 bedroom unit 2 persons
 - 2 bedroom unit 4 persons
 - 3 bedroom unit 6 persons
 - 4 bedroom unit 8 persons
 - 5 bedroom unit 10 persons
- 9.6 No unauthorized person shall interfere with Kingwood's security arrangements or the activities of its appointed security service provider and/or its staff. Irrespective of any security measures the Association may from time to time introduce or have in place in respect of the development, each owner shall be responsible for his own security and that of all occupants of his property or visitors to his property and they may not do anything that may jeopardize or compromise any security arrangements at the development.
- 9.7 Alarm or protection systems may be installed in private dwellings. However, no resident may employ private security guards to patrol the outside of his property. Should private security be required, the resident may only make use of the security company contracted by the Association by prior arrangement and all costs will be for the account of the resident. Private security guards may not carry unconcealed firearms and may under no circumstances patrol or walkabout outside the boundaries of the property concerned.



- 9.8 All members, visitors, contractors, invitees, members' guests and persons occupying any property on the Estate must comply with all security protocols in force from time to time, failing which the Association may act in terms of the provisions of Rule 11.
- 9.9 No member shall do anything on his property that could possibly change or unduly affect the aesthetic appearance of the development.
- 9.10 No member shall erect or construct a structure or make an improvement on his property otherwise than in accordance and as approved in terms of the Architectural Guidelines read with the Aesthetic and Environmental Standards Controls.
- 9.11 No litter, rubble or refuse may be dumped or discarded anywhere in the development. Building rubble must be stored in a waste skip or similar container which must be emptied and removed weekly.
- 9.12 Garden fences, walls and outbuildings forming part of the streetscape shall be meticulously maintained at all times.
- 9.13 Whenever they consider that the appearance of any land or building owned or controlled by a member is such as to be unsightly or injurious to the amenities of the surrounding area or the property generally, the Association may serve notice on such member to take such steps as may be specified in the notice to eliminate such unsightly or injurious condition. Should the member fail within a reasonable time, to be specified in such notice, to comply therewith, the Association may subject to any other rights the Association may have, enter upon the land or buildings concerned and take such steps as they may deem necessary, and recover the costs thereof from the member concerned, which costs shall be deemed to be a debt owing to the Association.
- 9.14 No member may install or make use of any security equipment or camera which intrudes upon or eavesdrop the property or home of any other member.
- 9.15 Whenever the Association receives a written complaint from a member, duly signed by such complainant, relating to unacceptable behaviour or conduct in contravention or in breach of these Rules and/or the Constitution, the Association shall investigate such complaint and take appropriate steps to deal with such behaviour or breach within the scope of these Conduct Rules and the Constitution.
- 9.16 The Association is not limited by Rule 9.15 from taking action of its own initiative, if evidence of unacceptable behaviour or conduct as contemplated above, comes to its attention from a source other than a written complaint.
- 9.17 Any person who causes any damage to any property of the HOA or HOA Properties shall be liable for making good any such damages and on demand pay to the HOA or HOA Properties, as the case may be, all expenses attributable to and arising from such damages.
- 9.18 No person shall treat the security or landscaping workers of the Estate or the staff of the HOA or HOA Properties in an abusive or disrespectful manner.



10 COMMERCIAL ACTIVITY

- 10.1 Save for short-term letting as provided for in terms of the Constitution no business or enterprise of any kind requiring any statutory consent use, authorisation, rezoning, license or suchlike other approval, shall be conducted on or from an erf zoned for residential purposes in the Estate.
- 10.2 No advertising board may be displayed anywhere on the Estate other than the standard architectural building board during building construction, except with the prior written permission of the Association.
- 10.3 No door to door canvassing or selling is permitted on the Estate.
- 10.4 Use of the HOA mailing list for commercial or any other purposes is prohibited and both members and management are prohibited from providing members or non-members with the HOA mailing list.

11 PENALTIES

- 11.1 In the event of a breach of these Conduct Rules by members of the member's household, employees, invitees, guests and contractors, and by the members of the tenant's household and the tenant's employees, invitees, contractors and guests, the member shall be liable for the payment of any penalties imposed.
- 11.2 In the event of a breach by a tenant, a member of the tenant's household or an employee, invitee, contractor or guest of the member or the tenant, the Association may, in addition to the imposition of a penalty, bar such person from access to the Estate.
- 11.3 The imposition of penalties is subject to the relevant provisions of the Association's Constitution.
- 11.4 Should a member fail or refuse to comply with these Conduct Rules, the Association may take whatever action may be necessary and appropriate in the circumstances and recover from the member any costs incurred in taking such action without prejudice to any other rights the Association may have.
- 11.5 Should the Association impose a penalty on a member's tenant, the member shall be held liable jointly and severally for payment of any such penalty imposed by the Association provided that due process shall have been followed. The provisions of this Rule 11.5 shall apply *mutatis mutandis* to any penalty imposed by the Association on a member's contractor in terms of the Construction Rules and failure by such contractor to pay the penalty concerned: Provided that in respect of the member, the amount payable shall not exceed the maximum amount allowed in terms of the guidelines or rules published from time to time in terms of the CSOS Act.
- 11.6 In respect of any first transgression of any provision of the Constitution or these Rules the member or occupier shall be notified in writing of the transgression, requesting the transgressor to stop or refrain from performing the action concerned and allowing the transgressor reasonable time to stop. In the event of a second or further transgression by the member or the occupier of the same provision



of the Constitution or of the Rules, the corresponding procedure will be followed, but in such instance a penalty may be imposed.

- 11.7 For the avoidance of doubt it is provided that penalties may be imposed on a member or tenant after due process has been followed.

12 COMPLAINTS

- 12.1 Should a member have any complaint about any matter he may lodge the complaint in writing with the CEO. Should the complaint arise after the ordinary office hours of the CEO and the nature of the matter is such that it requires immediate or urgent attention, the member must notify the Security control room accordingly.
- 12.2 The CEO or a person authorised by him shall as soon as reasonably possible after receipt of a complaint afford the person(s) accused or otherwise involved in the matter, to answer to the complaint or to furnish the (further) particulars or an explanation as may be requested (either in person or electronically), within the time limit determined by the CEO or the person authorised by him (which time limit shall only under exceptional circumstances exceed 24 hours).
- 12.3 The CEO or the person authorised by him will as soon as he has investigated the matter inform the member of his decision and take such action as may be necessary or expedient under the circumstances.
- 12.4 Should the member not be satisfied with the CEO's decision or the actions taken by the CEO or that of the person authorised by the CEO, as the case may be, the member may thereafter act in accordance with the dispute resolution provisions of the Constitution.
- 12.5 Should the complaint lodged by the member have been submitted with the Security control room and the matter is not resolved before the CEO or the person authorised by him is available to attend to the matter during his ordinary office hours, the Security control room will refer the matter to the CEO or the person authorised by him to be dealt with as soon as he is available, in event whereof the provisions of subrules 12.1 to 12.4 will apply *mutatis mutandis*

13 DISPUTE RESOLUTION

- 13.1 All disputes arising from or in connection with the application of these Conduct Rules or any decision by the Association in terms thereof, shall be directed in writing to the Board or CEO and shall be dealt with in terms of the provisions set out in the Constitution.
- 13.2 The issue which is the subject-matter of the dispute shall be fully described and be supported with appropriate further particulars so as to enable the Association to deal with the matter without undue delay.