

SCHEDULE OF TRANSGRESSIONS AND PENALTIES

(This Schedule is a guideline. Amended from time to time, with additional and deletions as deemed necessary by the Board of Directors and must be read in conjunction to the latest Estate Rules, the August 2021 release)

Extract from the MOI:

It shall be the duty of the Estate Manager, or such other person or body as may be empowered by the Board, to ensure compliance with the House Rules, regulations and/or by-laws by the Members, their guests, lessees, Residents and all other persons within the Township, and to this end, to issue such notices, impose and collect such fines (as determined in Article 8.2 of this Part D of Schedule 4) or do such things as may be necessary or requisite.

8. for the enforcement of any of the House Rules, regulations and/or by-laws made by the Board in terms hereof, the Board may:

8.1 take or cause to be taken such steps as it may consider necessary to remedy the breach thereof by Members, and debit the cost of doing so to the Member concerned, which amount shall then be deemed to be a debt owing by the Member concerned to the Company; and/or

8.2 impose a system of fines or other penalties; and/or

8.3 take such other action including Court proceedings, as the Board may deem fit.

13. Notwithstanding the above, in the event of any Member being in persistent or flagrant breach of any of this MOI or any House Rules, regulations and/or by-laws made in terms hereof, or being in breach thereof and failing to remedy such breach, the Board may after not less than 7 (seven) days' notice in writing to the Member concerned, that they intend so to do, discontinue any service provided to the Member by the Company for such period as the Board may deem fit.

Procedure:

1. Contact the homeowner in person immediately after becoming aware of the transgression (Verbal). Issue warning or request a cease and desist or remediation and rectification.

2. If it is a cease and desist or remediation and rectification giving a date by which this will need to be done and the repercussions (the ensuing fine).

3. If rectification is possible, follow up to make sure that this has been rectified.

If corrective action is taken after item 1 and the homeowner repeat offends (2nd offence – Written notification) and thereafter immediate fining.

The above procedure may be set aside by the Finance Committee or Board, should the offence be of serious nature or offensive enough to require immediate action or the issuing of a penalty.

***Due to the seriousness nature of underage driving no warning will be issued. This transgression will attract an immediate penalty.**

Documents referred to:

House Rules (HR)

Service Provider Security Manual (SPSM)

Members Security Manual (MSM)

Canton Guidelines (CG)

DESCRIPTION AND TRANSGRESSION	Rule Ref:	1st Penalty	2nd Penalty	3rd Penalty	Thereafter
DOMESTIC REFUSE					
Putting out refuse on wrong day, dumping refuse	3.1 - 3.6	R500	R1,000	R1,500	Escalated each time to max x 5
DOMESTIC ANIMALS					
Contravening the No-Animals in the Lodges	4.1	R1,000	R2,000	R3,000	Escalated each time to max x 5
Keeping more animal allowed, without the permission of FMHA	4.3	R500 per month			
Animal escaping confines of property	4.6	R1,000	R2,000	R3,000	Escalated each time to max x 5
Animal not being walked on leash	4.7	R1,000	R2,000	R3,000	Escalated each time to max x 5
Not picking up animal deposits	4.8	R1,000	R2,000	R3,000	Escalated each time to max x 5
Animal causing a nuisance	4.9	R1,000	R2,000	R3,000	Escalated each time to max x 5
ROAD TRAFFIC					
16.5.2 in the case of a contravention of rule 7.2 above, such penalties as determined and published in the Golf Cart Policy from time to time, and in the case of a contravention of any other rule:					
16.5.2.1 a penalty of not less than R1 000 (One Thousand Rand) nor more than R100 000 (One Hundred Thousand Rand); and					
16.5.2.2 at their discretion, suspension for such period as is deemed fit, of the Membership of the Member of the Fancourt Country Club.					
Exceeding the weight allocation 10 ton vehicle (i.e. 8 ton per axil)	7.1.5	R500	R1,000	R2,000	Escalated each time to max x 5
Underage driving of golf cart or scooter	7.2.1; 7.3.1	R2,000	R4,000	R6,000	Escalated each time to max x 5
Speeding, reckless or negligent driving	7.2.7; 7.3.3	R1,000	R2,000	R3,000	Escalated each time to max x 5
Skipping stop signs or disobeying the Road traffic ordinance	7.4.6	R1,000	R2,000	R3,000	Escalated each time to max x 5
Driving an unregistered Golf Cart/ Scooter within the Estate	7.2.2; 7.3.1	R500	R1,000	R1,500	Escalated each time to max x 5
Parking on sidewalks and open lawn areas	7.4.11	R500	R1,000	R1,500	Escalated each time to max x 5
Driving scrambler/ quad bikes	7.4.1	R500	R1,000	R1,500	Escalated each time to max x 5
Flying of a unmanned aerial vehicle	7.4.10	R500	R1,000	R1,500	Escalated each time to max x 5
Golf Cart/ Scooter does not conform to the aesthetics	7.2.3-6; 7.3.4	R500	R1,000	R1,500	Escalated each time to max x 5
DISTRUBING THE PEACE					
Creating a public nuisance (excessive noise after 22h00)	5.6	R1,000	R2,000	R3,000	Escalated each time to max x 5
Use of fireworks anywhere on the Estate	8.12	R1,000	R2,000	R3,000	Escalated each time to max x 5
Vandalism of any private and/ or public property		Legal Action			
SECURITY (Refer to Clause 12 of the House Rules and Member/ Service Provider security manuals)					
Resident illegally bringing any form of labour onto the Estate without following the correct procedure in terms of permits	6 (SPSM)	R500	R1,000	R1,500	Escalated each time to max x 5
Resident allowing anyone into the Estate without following correct procedure	6 (SPSM)	R500	R1,000	R1,500	Escalated each time to max x 5
Tailgating i.e. gaining unauthorised access into or out of the Estate by slipping under the boom which was raised to allow access to previous person	4.3 - 4.4 (MSM)	R500	R1,000	R1,500	Escalated each time to max x 5
Gardeners, domestics or contractors not identifiable i.e. wearing vest or uniforms identifying their employer or registration number	6 (SPSM)	R500 per incident			
False alarms		First to responses per month free, thereafter a R200 surcharge per call out			

DESCRIPTION AND TRANSGRESSION	Rule Ref:	1st Penalty	2nd Penalty	3rd Penalty	Thereafter
CONTRACTORS					
Contractors working outside of permitted times	3.5.4, 5	R500	R1,000	R1,500	Escalated each time to max x 5
(Building) Contractors workers shall be transported to and from building site by main contractor	14.1	R500	R1,000	R1,500	Escalated each time to max x 5
(Building) Contractors must not leave their specific building site on foot under any circumstances	14.2	R500	R1,000	R1,500	Escalated each time to max x 5
Contractors not keeping their site clean, tidy and screened	14.6 - 14.7	R500	R1,000	R1,500	Escalated each time to max x 5
Unauthorised use of access cards by another person	3.5.5	R1,000	Suspension of Access Rights		
Not removing a person that is no longer in your employ from the FMHA access register	4	R1,000	R2,000	R3,000	Escalated each time to max x 4
Parking on grass on areas not designated as a parking area	7	R1,000 per transgression, R500 to unclamp			
Driving over the Montagu 17th bridge without authorisation	7	R1,000 per transgression			
Unauthorised entry into the Estate by any person		See service Provider Security Rules Arrest by Estate Security			
Carrying a prohibited substance or item	10	Confiscated, reported to the police and blacklist Employee			
Not having the proper approval documentation to remove item from the Estate	11	Confiscate and investigate, dependent on the outcome from investigation release donations or blacklist Employee			
Treating Security personnel in an abusive manner	12.1	R1,000	R2,000	R3,000	Escalated each time to max x 5
Illegal dumping by residents and contractors. No rubble, refuse or builing material shall be dumped or discarded anywhere in the Estate	1.1 - 2.12	R1,000	R2,000	R3,000	Escalated each time to max x 5
BUILDING (Refer to Clause 16 of the House Rules and the applicable Canton Guidelines)					
Deviations from approved plans	16.5.3	Immediate charging of a penalty equal to a double levy, however dependant on the severity of the deviation the penalty can be escalated to a maximum of R5,000,000			
Exceeding the Building time frame	26.2 (CG)	A triple levy will be charged on a monthly basis (the fine will be escalated every second month by an additional levy), until completion of the house and furnishing FMHA with the occupation certificate.			
Failure to start construction within the designated period provided	Sales Agreement	Penalty equal to a levy charged for a period of 1 year (i.e. double levy), escalated at the descretion of the Finance Committee			
GENERAL					
Littering (By any person in the Estate)	8.3	R500	R1,000	R1,500	Escalated each time to max x 5
Fauna and Flora may not be chased, trapped, harmed, removed or interfered with or harrassed in any way	8.6; 8.7	R500	R1,000	R1,500	Escalated each time to max x 5
Advertising property for rental (excluding through a FMHA approved agent on a bona fide Real Estate website)	5.19	R1,000	R2,000	R3,000	Escalated each time to max x 5
Hanging Washing in view of golf courses	5.3	R500	R1,000	R1,500	Escalated each time to max x 5
Curtain lining not white or ecru	5.4	R1,000	R2,000	R3,000	Escalated each time to max x 5
Short term rental of property	5.9, 5.14	Double Levy	Access denied to future unaccompanied guest - escalated at the descretion of the Finance Committee		
Behaviour Unbecoming	14	At discretion of the Finance Committee			