



THE LOCHS

Private Estate

RULES AND REGULATIONS

August 2015

FISHING

1. General Ban on Spin Fishing and Trolling

- 1.1. Subject to the exceptions below, no fishing other than fly fishing, with the aim of catching any type of fish, is permitted in any dam at any time of the year.
- 1.2. Fishing from a craft is only permitted when the craft's motor is turned off.
- 1.3. Trolling is not permitted in any dam under any circumstances without exception.

2. Circumstances where Spin Fishing is Permitted

- 2.1. Spin fishing is permitted in Muddlers Dam throughout the year.
- 2.2. Spin fishing by adults is permitted in Greenwells and Coachmans dams between the 1st of October and the last day of February the following year.
- 2.3. Spin fishing in Greenwells Dam is permitted at all times for children under 12 years of age.
- 2.4. No spin fishing is allowed in Invicta or Connemara dams at any time whatsoever.
- 2.5. Only lures with single hooks and crushed barbs may be used when spin fishing.
- 2.6. Trout caught with lures other than flies must be released, unless injured.

3. Number of Rods & Kills

- 3.1. A maximum of four rods per property may be on the water at any given time.
- 3.2. A maximum of two fish per rod per day may be killed.

4. Stock Regulation

- 4.1. Larger egg bound fish to be killed and "stockies" (smaller fish) must be given a chance to grow whenever possible.
- 4.2. The killing of brown trout is prohibited.

- 4.3. Trout caught in the river may not be killed.
- 4.4. Any bass caught by whatever means must be killed.

5. Catch Returns

- 5.1. Catch returns must be submitted for each house after each visit.
- 5.2. Catch returns may be emailed to Malcolm Meintjies (entrepot@icon.co.za) or sms to Malcolm at 083 264 6933 after each visit to The Lochs.

6. Practice Good Fishing Technique and Etiquette

- 6.1. Ensure the correct handling of fish that are to be returned.
- 6.2. Be courteous and ensure that correct fishing etiquette is shown at all times.

USE OF DAMS AND JETTIES

7. Watercraft Permitted on Certain Dams

- 7.1. The following craft are permitted on Greenwells Dam-
 - (a) small boats and rafts propelled by oars or silent electric motors; and
 - (b) float tubes and kick boats.
- 7.2. The following craft are permitted on Invicta and Coachman-
 - (a) float tubes and kick boats.
- 7.3. The use of other watercraft, or the use of watercraft not permitted on a specific dam is prohibited.
- 7.4. Watercraft capacity may not exceed eight persons.
- 7.5. House owners are responsible for making their watercraft safe.

8. Swimming and Water Safety

- 8.1. Except to the extent permitted below, swimming in any of the dams is strictly prohibited.
- 8.2. Swimming in Greenwells Dam is permitted at all times but not within 100m of any person fishing.
- 8.3. Children under the age of sixteen-
 - (a) are not permitted to swim unless under direct adult supervision;
 - (b) are not permitted in or on the water without a life jacket;

9. Use of Jetties

- 9.1. The primary purpose of the jetties is fishing and launching watercraft.
- 9.2. Jetties are common property and no shareholder may prevent another from making use of any jetty.
- 9.3. Obstructive or domineering use of a jetty is prohibited.

USE OF SITES (EXCLUSIVE USE AREAS & HOUSES) AND COMMON AREAS

10. Restriction on Number of Persons Per House

10.1. A maximum of ten adults per site may be accommodated.

11. General Rules Pertaining to Use of the Farm

11.1. The following is strictly prohibited :

- (a) disturbing or unreasonably loud noise or music;
- (b) starting fires on any common area of the farm, other than in designated facilities;
- (c) hunting or shooting of firearms;
- (d) damaging, planting or removing any flora on the farm;
- (e) unauthorised use of motorised generators or power plants;
- (f) keeping animals in captivity on any part of the farm;
- (g) setting off of fireworks, firecrackers and Chinese lanterns;
- (h) camping or caravanning.

11.2. The following must be adhered to :

- (a) all access gates must be kept locked at all times;
- (b) all access gates must be closed behind those entering / exiting the farm; and
- (c) all refuse must be placed in black refuse bags for collection.

USE OF ROADS AND RESTRICTIONS ON CERTAIN VEHICLES

12. General Provisions Relating to Use of Roads and Vehicles

- 12.1. For the purpose of any rule relating to vehicles, the term "vehicle" includes any form of motorcar, quad bike, motorbike, buggy or trailer.
- 12.2. No vehicle may travel faster than **20km/h** on any road within the borders of the farm.
- 12.3. Vehicles are restricted to travelling on existing roads only as marked out on the official map of The Lochs.
- 12.4. Vehicles used to access the dams must park in the designated parking areas only.
- 12.5. With the exception of Greenwells and Connemara, no vehicles may travel across or park on any of the dam walls.

13. Prohibited Vehicles

- 13.1. The following vehicles may not be used on the farm:
 - (a) Motorbikes.

14. Restrictions on the Use of Quad Bikes and Buggies

- 14.1. Quad bikes are only permitted to travel on official roads at idling speed for the sole purpose of exiting the farm;
- 14.2. Authorised buggies will be treated as any other vehicle, non-approved buggies will be treated as quad bikes.
- 14.3. For the purpose of 14.2 above, all buggies are automatically authorised buggies unless the Board of Directors issues a directive to the extent that a specific buggy is unauthorised.

RULES PERTAINING TO CONSTRUCTION / IMPROVEMENTS

15. Plans to be Approved by the Board

15.1. Where construction on a site, or improvement / expansion of an existing structure on a site is contemplated, no such construction may commence without approval of the plans by the Board of Directors.

16. Rules Pertaining to Building Contractors

16.1. No building works whatsoever will be carried out over weekends.

16.2. No building contractors may reside on the farm during construction.

16.3. Suitable ablution facilities for building contractors must be provided by the shareholder and sewage generated therefrom must be removed from the farm and disposed of responsibly.

ENACTMENT, PUBLICATION AND ENFORCEMENT OF THESE RULES

17. Commencement

17.1. These rules are effective from the date of approval by special resolution of the shareholders.

18. Directives Issued by the Board

18.1. The Board of Directors may, at any time and for good cause, publish directives with respect to any rule or sub-rule for the purpose of clarification of that rule or sub-rule.

18.2. Directives published by the Board in terms of these rules shall be deemed to be incorporated into the rules and will be fully enforceable as such.

18.3. Directives published by the Board will be effective immediately after publication and will remain effective until the first AGM after the effective date.

19. Basic Rules and Regulations

19.1. A shorter version of these rules and regulations will be compiled and will be known as the "Basic Rules and Regulations".

19.2. The purpose of the Basic Rules and Regulations is to facilitate easy access to the rules that apply most often.

19.3. Where a conflict arises between the wording of these rules and The Basic Rules and Regulations, the wording of these rules prevails.

19.4. A breach of the Basic Rules and Regulations constitutes a breach of these rules and vice versa.

20. Publication of Rules

20.1. An up to date hard copy of the full set of rules as well as the "Basic Rules and Regulations" will be retained by the Farm Manager and may be inspected on reasonable request during his normal working hours.

20.2. An up to date soft copy of the full set of rules as well as the "Basic Rules and Regulations" will be made available for download (subject to shareholder authentication) in PDF format at www.thelochs.co.za.

20.3. It is compulsory for shareholders to inform their guests of the provisions of these rules.

21. Enforcement of Rules

21.1. The Board of Directors may impose penalties for the breach of any rule in accordance with clause 14 of the Use Agreement.

21.2. Breach of a rule by the invitee / guest of a shareholder will be deemed to be a breach by the shareholder personally.

21.3. Any shareholder accused of being in breach of a rule will be given the chance to respond to the accusations.

21.4. Fines or other penalties imposed by the Board of Directors will be levied against the share block responsible for the person causing a breach of these rules. In the event of there being more than one person constituting a member, such persons shall be jointly and severally liable in solidum for all their obligations in terms of these Regulations.

21.5. Fines will be added to levy accounts. Where the full levy for a specific share block is usually divided amongst two or more people, fines will be divided in the same ratio and added to the relevant levy accounts.

22. Fines Imposed by the Board of Directors

22.1. For the purpose of these rules the following phrases have the following meanings :

“**Ordinary Fine**” - means a fine not exceeding R1,500.00;

“**Extraordinary Fine**” - means a fine exceeding R1,500.00 but not exceeding R5,000.00.

22.2. The Board of Directors may impose fines for the breach of any rule, and may impose multiple fines for multiple breaches of the same rule.

22.3. The extent of the fine imposed must be decided by the Board collectively, but may not exceed the amounts determined in these rules for the type of fine imposed.

22.4. An Ordinary Fine may be imposed for each breach of any rule.

22.5. An Extraordinary Fine may only be imposed for breach of the following rules : 10, 11.1, 12, 13, 15 and 16.

23. Administration of Complaints

23.1. Any shareholder may submit a complaint against another shareholder breaching these rules by sending an email setting out the date, time and nature of the breach to directors@thelochs.co.za.

23.2. Complaints received in such a manner will be treated as strictly confidential. The Board of Directors is prohibited from divulging the identity of the complainant to any person whatsoever, except in legal proceedings relating to the complaint.

23.3. On receipt of a complaint, the Board of Directors will investigate the possibility of a breach and may at its sole discretion decide whether or not a penalty will be imposed.

23.4. Where no breach has occurred, but the complaint evidences unreasonable conduct on the part of the perpetrator, the board may address a letter to the relevant share block requiring that the conduct complained of be ceased with immediate effect. Should

similar conduct occur as a result of an act of any member, guest or invitee of the same share block within 12 months after such a letter has been received by the perpetrator, such conduct will be a breach of these rules and an Ordinary Fine may be imposed on the share block in question.

24. Interpretation and Amendment

- 24.1.** In the event of any provision of these Regulations being unenforceable for any reasons whatsoever, then such provision shall be deemed to be separate and severable, without in any way affecting the validity and enforceability of the remaining provisions.
- 24.2.** These Regulations may be amended in any way by special resolution of the Company.
- 24.3.** Amendment to these rules automatically constitutes an amendment to the Basic Rules and Regulations.