

SECTIONAL TITLE SCHEME OF INGILOZI, SS913/2007

Ingilozi MANAGEMENT RULES



MADE BY THE BODY CORPORATE OF THE INGILOZI SECTIONAL TITLE SCHEME SS913/2007, AS
AUTHORISED BY A UNANIMOUS RESOLUTION OF ALL THE MEMBERS OF THE BODY CORPORATE
IN THE AFORESAID SECTIONAL TITLE SCHEME

The Body Corporate unanimously resolved to be managed and regulated by the **Management Rules** prescribed in terms of Section 10 of the Sectional Titles Schemes Management Act No. 8 of 2011 (namely the Management Rules as per Annexure 1 to the Regulations of the Sectional Titles Schemes Management Act No. 8 of 2011) and which rules are hereby amplified with the additional Management rules as set out below.

The added Management Rules, as set out below, will be in addition to the existing Rules as prescribed by Sectional Titles Schemes Management Act No. 8 of 2011. Where a rule in terms of **Annexure 1** to the Regulations of the Sectional Titles Schemes Management Act No. 8 of 2011 is in direct conflict with any of the Rules as set out below, the rule in the said Annexure to the Regulations of the said Act **will be deemed to be substituted by the concurrent Rule as indicated in this document.**

Management Rules IN ADDITION to the Conduct Rules prescribed by Sectional Titles Schemes Management Act No. 8 of 2011.

1) DEFINITIONS:

- a) **The Body Corporate** – The Body Corporate made up of owners of sectional title units of the Ingilozi Sectional Title Scheme
- b) **MABALINGWE COMMON PROPERTY ASSOCIATION (“MCPA”)**
Registration Number: 2005/015160/08 a Non-Profit Company with voting members, established to promote, sustain and advance the communal and group interests of its Members (members being those Body Corporates within the boundaries of Mabalingwe who have joined the Association) as further described in the MCPA memorandum of incorporation (“MOI”)
- A summary of the objectives of the MCPA as per paragraph 4.2 in the MOI is to:
- I. to administer, manage, oversee, maintain and control the MCPA Common Areas, MCPA Common Services, MCPA Roads and MCPA Common Facilities;
 - II. to manage, oversee and control all security aspects;
 - III. to enter into agreements for the provision of services, which may inter alia include but not be restricted to the provision of water, electricity, sewerage, roads, security, reception and administration services to the various Corporate Bodies within the Greater Mabalingwe Nature Reserve;
 - IV. to administer and enforce the Reserve Rules;
 - V. to enter into agreements of use / traversing or servitude over portions of land within or outside the Nature Reserve for the benefit of its Members;
- c) **Sectional Title Unit Owner** – the owner or owners of a single registered Sectional Title Unit, as part of the Ingilozi Scheme.
- d) The Act – Sectional Titles Schemes Management Act No. 8 of 2011

2) CALCULATION OF CONTRIBUTIONS

- a) As allowed for in Section 11(2) of the Act, the determination of the liability of all the owners of sections to make contributions for the purposes of Section 3(1)(a) of The Act, shall be borne by all the owners in equal shares (flat rate) and not in accordance with the participation quotas attaching to their respective sections.
- b) As allowed for in Section 11(2) of the Act, it was resolved that a different value attaches to the vote than that determined by the participation quota of a section, namely:
- For the purpose of any propose resolution, whether it be an ordinary, unanimous or special resolution (with or without ballot), or on a poll, the value of a vote will be reckoned as one vote per section owned and thus the value of the vote of the owner or owners of a section shall not be reckoned in accordance with participation quotas.

3) AUTHORISED REPRESENTATIVES

If a sectional title unit is owned by more than one person, the owners of such sectional title unit shall appoint a single Authorised Representative who shall be the only person entitled to represent that section and vote at any meetings of members. The name of the nominated person must be given, in writing, to the Trustees prior to any vote.

4) LEVIES

- i) Levies shall be calculated annually based on the estimated income and expenditure of the Body Corporate in the control, security, management and administration of the common property and will also include the levy of the MCPA (of which the Body Corporate of Ingilozi is a member) and the Managing Agent fee. Any increase of levies will take effect on the 1st day of January of each year.
- ii) A sectional title unit owner is directly responsible for expenses relating to water, as consumed per the section owned by him, and this amount is not included in the levy.
- iii) A sectional title unit owner is responsible for the cost of insurance of the Sectional title Unit, under the Ingilozi Group Policy, in addition to the monthly levy. All owners must participate in this insurance policy and may not separately or independently arrange their own insurance cover, except as provided for in Section 14 of the Act. The cost to the owner or owners of a section will be based on the value of the unit as determined by the sectional title unit owner/s.
- iv) Cost of insurance, other than insurance of the units, will be shared equally amongst the units.
- v) A sectional title unit owner must attend to the maintenance of the exterior of his section, including the roof and his own private road by himself and at his own expense. However, if attended to by the Body Corporate as per its function as stipulated in The Act, the owner will be liable for such expenses, in addition to the flat rate levy account.
- vi) Sectional Title Unit owners are responsible for any and all rates and taxes as charged by the Bela-Bela Local Municipality for the unit concerned.

5) PAYMENT OF LEVIES

- i) Liability for contributions levied under any provision of The Act, accrues from the passing of the resolution to that effect by the Trustees of the Body Corporate.
- ii) Monthly levy instalments are payable in full, in advance, not later than the 7th (seventh) day of each and every month.

- iii) A service and administration fee of 2% per month of the outstanding amount shall be charged monthly on all levies (inclusive of unpaid fines as per **Annexure A**) which is overdue for more than 60 (sixty) days.
- iv) Should it be necessary for the Body Corporate to commence with legal action to collect any arrear levies (inclusive of unpaid fines as per **Annexure A**) and/or service and administration fees, all attorney and client legal costs incurred may be recovered from the owner.

6) VOTING RIGHTS

- i) A Registered owner (or the appointed representative if there is more than one owner) of a sectional title unit who are not in arrears with the payment of any amount to the Body Corporate of the expenses referred to in The Act, for which he is liable, shall have one vote at any meeting of the Body Corporate regarding ordinary issues pertaining to the Common Property and the Rules of the Body Corporate, which vote will have equal value to the vote of any other Sectional Title Unit Owner.
- ii) Voting rights for Special Resolutions and Unanimous Resolutions as defined in the Sectional Titles Act shall however apply.

7) RECORD OF RULES AND AVAILABILITY

It is hereby stipulated that the Trustees shall keep a complete record of all rules in force from time to time, which rules shall be made available at the offices of the Managing Agent for the Scheme of Ingilozi Management Rules will be distributed to members when changes are made.