

THE PRIVATE ROAD CONNECTING TO RESORTS WORLD GENTING

Rules & Regulations on the Usage of the Genting Roads

A. GENERAL

1. Private Roads

The Genting Roads consist of a series of private roads and road bridges (*including Jalan Genting Highlands, Lingkaran Genting Highlands, Jalan Tan Sri Lim Goh Tong and all other roads connecting the attractions of the Genting Malaysia Group of Companies (“GenM Group”)*), starting from Genting Sempah to Goh Tong Jaya and all the way up to the peak of Gunung Ulu Kali. The Genting Roads are owned and exclusively controlled by the GenM Group, and was designed, constructed, maintained and operated to facilitate the movement of customers, visitors, guests and personnel of GenM Group to Resorts World Genting and attractions of GenM Group.

GenM Group has not at any time conferred, created or granted any easement or right of way or access over the Genting Roads in favour of anyone or dedicated the Genting Roads to public use. Permission to use the Genting Roads by the GenM Group shall not be taken as conferring, creating or granting any right or interest under the law or in equity (including easement or right of way or access over the Genting Roads) at any time or in whatever form or manner.

Without prejudice to the rights and authority of the GenM Group as the owner of the Genting Roads, Lingkaran Cekap Sdn. Bhd. (Reg. No. 202001028343 (1384663-M)) (“LCSB”) has been authorised to operate the Genting Roads and to enforce and amend these Rules & Regulations whenever LCSB deems fit in its sole and absolute discretion except for paragraph 1 herein.

2. Usage of the Genting Roads

Only drivers, riders or passengers permitted by GENM Group are allowed to use the Genting Roads and the permitted usage of the Genting Roads are controlled exclusively by GenM Group on a trip-by-trip basis, subject to these Rules & Regulations, as may be amended or varied from time to time by LCSB without any prior notice.

Non-permitted drivers, riders or passengers shall be considered as “trespassers” whereupon GENM Group and/or LCSB shall have the absolute discretion and authority to stop and/or disallow such trespassers from using the Genting Roads and/or evict such trespassers therefrom, including but not limited to removing the vehicles of such trespassers from the Genting Roads.

3. Screening and Inspection

All permitted users of the Genting Roads including drivers, riders or passengers (collectively known as "**Permitted Road Users**") may from time to time be subject to screening(s) and inspection(s) at any point along the Genting Roads (including but not limited to the designated checkpoints) whereby:

- 3.1 appointed security personnel ("**Security Personnel**") are authorised to conduct such screening(s) and inspection(s) which may be repeatedly conducted at different checkpoints;
- 3.2 Permitted Road Users shall co-operate and provide any information that may be reasonably required by the Security Personnel, including without limitation documents relating to the delivery of goods or products and/or information relating to the health condition of the Permitted Road Users such as COVID-19 vaccination certificates and health screening, any permits, licenses and documents showing the roadworthiness of the vehicles and/or the qualifications of the drivers;
- 3.3 Security Personnel are authorised to refuse or disallow any Permitted Road Users and/or any vehicles or persons from entering or using the Genting Roads and evict or remove any Permitted Road Users and/or any vehicles or persons from the Genting Roads, without having to assign any reason(s) whatsoever; and
- 3.4 Without prejudice to the foregoing generality, Security Personnel shall have the right to refuse or disallow any Permitted Road Users from entering or using the Genting Roads and evict or remove any Permitted Road Users from the Genting Roads in the event that any vehicle and/or driver and/or rider is found or discovered to be in breach or not complying with the applicable laws, regulations and/or these Rules and Regulations.

4. Obligations of the Permitted Road Users

Permitted Road Users shall at all times observe, abide by and comply with: –

- 4.1 the Road Transport Act, 1987 ("**RTA**") and all other rules and regulations relating to road traffic in Malaysia; including without limitation, the speed limits set along the Genting Roads whereby whenever applicable, the relevant enforcement agencies shall be authorised to take action against Permitted Road Users who have violated the RTA or any relevant traffic rules and regulations along the Genting Roads;
- 4.2 all applicable rules and regulations on the usage of the Genting Roads (including these Rules & Regulations);
- 4.3 any traffic diversion, signages, directions, conditions and/or restrictions that may be set, placed or installed along the Genting Roads at the relevant time for the purpose(s) of:

- (a) repairs, maintenance and/or construction works;
- (b) emergency or safety reason(s);
- (c) control of traffic volume;
- (d) screening(s) and inspection(s) as afore-stated; or
- (e) such other purpose(s) as LCSB and/or the Security Personnel may deem fit at their sole and absolute discretion.

4.4 Notwithstanding any action by any enforcement agency, LCSB reserve all rights to take legal action (including private prosecution) against any persons who commits a breach of these Rules & Regulations or misuses the Genting Roads.

5. Surveillance and Data

The Genting Roads may be monitored by surveillance technologies, including but not limited to closed-circuit television camera and access control systems and other surveillance technologies for operational, security, safety and enforcement purposes in accordance with applicable laws.

6. Disclaimer

6.1 Permitted Road Users shall be solely liable and responsible for their own safety and property when using or accessing the Genting Roads.

6.2 PERMITTED ROAD USERS SHALL USE OR ACCESS THE GENTING ROADS AT THEIR OWN RISK. GENM GROUP, LCSB AND THEIR RESPECTIVE DIRECTORS, OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS AND/OR WORKERS (COLLECTIVELY "**PERSONNEL**") SHALL NOT AT ANY TIME BE LIABLE FOR ANY CLAIMS, DEMANDS, DAMAGES, LIABILITIES, LOSSES, COMPENSATION, ACTIONS, COSTS AND/OR EXPENSES THAT MAY BE SUFFERED BY PERMITTED ROAD USERS (WHETHER DIRECTLY OR INDIRECTLY) ARISING FROM OR IN CONNECTION TO THE USAGE OF, OR ACCESS TO, THE GENTING ROADS OR THE REFUSAL BY THE SECURITY PERSONNEL FOR THE ENTRY INTO OR USAGE OF OR ACCESS TO THE GENTING ROADS OR EVICTION FROM THE GENTING ROADS FOR WHATEVER REASON; INCLUDING BUT NOT LIMITED TO PROPERTY DAMAGE / LOSS, PERSONAL INJURY AND/OR FATALITY WHETHER OR NOT CAUSED / CONTRIBUTED BY ACT OF GOD (SUCH AS LANDSLIDES, FLASH FLOODS OR FALLING STONES / BOULDERS), CONDITION / DESIGN OF THE GENTING ROADS; EXCEPT IN INSTANCES WHERE SUCH DAMAGE / LOSS, INJURY AND/OR FATALITY IS FOUND TO HAVE BEEN CAUSED DIRECTLY BY THE GROSS NEGLIGENCE OR WILFUL MISCONDUCT ON THE PART OF THE GENM GROUP AND/OR LCSB.

7. Indemnity

Permitted Road Users shall indemnify and keep GenM Group, LCSB and the Personnel fully indemnified and harmless against any and all losses (including property damage / loss, personal injury, fatality and/or consequential losses), damages, summons, claims, demands or expenses of whatever kind or nature (including reasonable legal fees and expenses incurred in defending such claims on solicitor and client basis) that may be suffered by and/or brought against GenM Group and/or LCSB and/or the Personnel (either directly or indirectly) resulting from or in connection to the use of the Genting Roads, any breach of all or any of the Rules and Regulations herein, breach of duty (statutory or otherwise), negligence or misconduct of the Permitted Road Users (as the case may be), including but not limited to the following:

- 7.1 any claim for personal injury (including fatality) and/or vehicle or property loss or damage;
- 7.2 reinstatement or repair of property loss or damage; including without limitation damage to the Genting Roads and/or any assets placed or installed at or along the Genting Roads such as road furniture, signages, dividers, speed bumps, plants, lamp posts etc. and manpower costs and any other resources that are required in controlling the traffic etc; and
- 7.3 pollution and/or contamination originating from discharge, escape, spills, leakages or dumping of fuels, lubricants, motor oils, pipe dope, paints, solvents, ballast, bilge and garbage, debris or any other substances which are in the care, custody or control of any of the Permitted Road Users.

8. Reservation of Rights

ALL RIGHTS OF GENM GROUP AND LCSB AS OWNER AND OPERATOR OF THE GENTING ROADSRESPECTIVELY ARE FULLY RESERVED. GENM GROUP AND/OR LCSB SHALL HAVE THE SOLE AND ABSOLUTE DISCRETION TO CLOSE THE GENTING ROADSOR REFUSE ENTRY INTO OR USE OF THE GENTING ROADSAT ANY TIME IT DEEMS FIT WITHOUT HAVING TO GIVE PRIOR NOTICE AND/OR ANY REASON(S) WHATSOEVER.

B. STRICTLY PROHIBITED ACTS

9. Without prejudice to the foregoing generality, the RTA and all other rules and regulations relating to road traffic in Malaysia, and any traffic diversion, signages, directions, conditions and/or restrictions that may be set or determined in relation to the usage of the Genting Roads at the material time:

- 9.1 a Permitted Road User while driving or travelling as a passenger in a vehicle on the Genting Roads shall not permit any part of his or her body or limbs:

- (a) to be upon or in contact with any external part of the vehicle;
- (b) to extend or protrude beyond or through any external door, window or other opening of the vehicle; or
- (c) to extend or protrude beyond or hang over any side or the front, rear or any other external portion of the vehicle;

9.2 a Permitted Road User while riding or travelling as a passenger on a motorcycle on the Genting Roads shall properly sit astride on the motorcycle.

9.3 cycling, walking or jogging, whether individually or in groups on the Genting Roads are strictly prohibited unless with the written consent of LCSB.

10. Save and except for emergencies or for the purpose of avoiding any accident, no person (including Permitted Road Users) is allowed to stop, park his/her vehicle or stay at any part of the Genting Roads, including the carriageway, road shoulder and road verge at any time for whatever purpose(s), including but not limited to the following:

- 10.1 photograph taking, picnics or barbeques;
- 10.2 selling of any goods / products (with or without stall); or
- 10.3 the use of drones.

11. No signage, billboard, banner, bunting or flag of any nature or any material (“**Signages**”) is to be erected, installed, placed, positioned or constructed on any part of the Genting Roads without prior written consent of LCSB:

11.1 LCSB reserves the right to remove any Signages from the Genting Roads at the costs and expenses of the person who is responsible for the erection, installation, placement, positioning or construction of the same (“**Signages Owner**”) at any part of the Genting Roads; and

11.2 GenM Group and/or LCSB shall not at any time be liable for any damage or loss of the Signages or any accident, damage or loss that is caused by the Signages. The Signages Owner shall indemnify and keep GenM Group and/or LCSB and/or the Personnel fully indemnified and harmless against any and all losses (including property damage / loss, personal injury, fatality and/or property damage / loss, personal injury, fatality and/or consequential losses), damages, summons, claims, demands or expenses of whatever kind or nature (including reasonable legal fees and expenses incurred in defending such claims on solicitor and client basis) that may be suffered by and/or brought against GenM Group and/or LCSB and/or the Personnel (either directly or indirectly) resulting from or in connection to the Signages.

12. Permitted Road Users shall not at any time organize or take part in any street-cruising, race or sport at any point along the Genting Roads nor use any part of the Genting Roads for street-cruising, race or sport, save and except with the prior written consent of LCSB. The expression of "any street cruising, race or sport" includes –

12.1 "street cruising": a congregation of drivers or riders or passengers of two (2) or more motor vehicles (including motorcycles) at any point along the Genting Roads, at which any person, whether or not a driver or rider or passenger, performs any of the following activities:

- (a) driving or riding at excessive speed, or otherwise dangerously;
- (b) driving or riding in convoy;
- (c) racing against other motor vehicles;
- (d) performing stunts in or on motor vehicles;
- (e) tailgating, road rage or aggressive driving behaviour;
- (f) sounding horns or playing stereo system loudly;
- (g) dropping litter;
- (h) urinating in public;
- (i) shouting or swearing at, or abusing threatening or otherwise intimidating another person;
- (j) obstruction of any other Permitted Road Users;
- (k) any other anti-social behaviour,

or cause any of the following:

- (l) excessive noise;
- (m) danger to other Permitted Road Users;
- (n) damage or the risk of damage to property;
- (o) litter; or
- (p) any nuisance to another person not participating in the street-cruising.

12.2 "race or sport": any event race, endurance race, speed trial, reliability trial, hill climbing competition or sports meeting / gathering;

12.3 any other activity whatsoever –

- (a) which may constitute a danger to Permitted Road Users;
- (b) which may hamper, impede or disrupt the normal flow of traffic; or
- (c) which is stated in paragraphs 12.1(a) to (p) above.

13. GenM Group and/or LCSB reserve all rights to impose any prohibitions as deemed fit at their sole and absolute discretion from time to time.

C. SPECIAL TERMS AND CONDITIONS FOR SPECIFIC CATEGORIES OF VEHICLES / ACCESS CREDENTIALS

14. Heavy Goods Vehicles weigh more than eight (8) tonnes (with load) (HGVs)

- 14.1 No HGVs shall enter, access, or use the Genting Roads unless a valid permit has been issued by LCSB prior to entry.
- 14.2 Application for permits shall be submitted in such form and manner as may be prescribed by LCSB from time to time and shall include all information required by LCSB, including but not limited to the vehicle registration details, gross vehicle weight (with load), nature of cargo, purpose of access, proposed date(s) and time(s) of entry, and duration of use.
- 14.3 Permits are issued strictly on a vehicle-specific, load-specific, date-specific, time-specific and purpose-specific basis, are personal to the approved vehicle and applicant, are non-transferable, and shall not be sold, resold, shared, assigned, duplicated, sublicensed or otherwise misused. Any misuse or breach shall render the permit liable to immediate revocation without compensation.
- 14.4 Any HGV entering, accessing or using the Genting Roads without a valid permit shall be deemed a non-permitted vehicle, and LCSB may, without prejudice to any other rights and without incurring any liability, refuse entry, immobilise, remove, tow, or otherwise deal with such vehicle.
- 14.5 Where any HGV, whether permitted or non-permitted, causes or contributes to any obstruction, breakdown, accident, damage or disruption on the Genting Roads, the permit holder (in the case of a permitted HGV) and the driver, owner and/or operator of the HGVs (in the case of a non-permitted HGV), shall be jointly and severally liable to:
 - (a) pay liquidated damages at the rate pre-agreed and specified in the relevant permit (if applicable), as may be updated from time to time; and
 - (b) full bear and indemnify LCSB and/or the GenM Group against all costs, expenses, losses and liabilities arising therefrom, including but not limited to costs of clearance, towing, repairs, reinstatement, traffic control, manpower and administrative expenses.
- 14.6 HGVs which have been given consent to use or access the Genting Roads shall be subject to additional rules and regulations as set out below:
 - (a) HGVs shall not be given access to the Genting Roads between 6.00 pm and 7.00 am on any day.

- (b) HGVs shall not be given access to the Genting Roads at any time on Fridays, Saturdays and Sundays.
- (c) HGVs shall not be given access to the Genting Roads at any time during National Public Holidays and State Public Holidays in the States of Selangor, Pahang and Federal Territories of Kuala Lumpur and Putrajaya.
- (d) HGVs shall not be given access to the Genting Roads during certain period of the festivities as informed by LCSB from time to time.
- (e) Trailers and HGVs must apply for permits to use the Genting Roads from LCSB at least seven (7) working days in advance. For road safety reasons, all such vehicles must be accompanied by an escort vehicle when using the Genting Roads.
- (f) For vehicles other than trailers and HGVs, the contractors/workers are required to give notice of at least two (2) working days in advance and furnish details that may be required by LCSB (for example, vehicles, driver(s), goods and materials carried).
- (g) Other than these Rules and Regulations, all HGVs accessing the Genting Roads must comply with all requirements set/determined by LCSB in the relevant permits or consent.

15. Tour Buses / Express Buses / Vans

Without prejudice to the other Rules and Regulations stipulated herein:

- 15.1 tour buses / express buses / vans shall be roadworthy and in good condition;
- 15.2 the driver of the tour buses / express buses / vans shall be qualified, fit and healthy;
- 15.3 the tour buses / express buses / vans and the relevant drivers shall have all permits / licences required under the applicable laws and regulations at the material time which are valid, original and not subject to any suspension; including but not limited to the Code of Practice on Safety, Health and Environment issued by the Department of Occupational Safety and Health, the Industrial Code of Practice (ICOP) - Safety issued by Land Public Transport Agency (or Agensi Pengangkutan Awam Darat) (“APAD”) and such other orders, codes or guidelines that may be issued by APAD and other relevant authority(ies).

16. Access Credentials to be issued by LCSB

LCSB may issue or approve access credential to any persons and/or vehicles and/or any category of persons and/or category of vehicles at its sole and absolute discretion, subject to full compliance and observance of conditions of the relevant access credential that may be determined by LCSB from time to time.

D. VEHICLE LEFT OR ABANDONED ON THE GENTING ROADS

17. Save and except for emergencies or for the purpose of avoiding any accident, or in compliance with any traffic diversion, signages, directions, conditions and/or restrictions that may be given or determined by LCSB and/or the Security Personnel at the relevant time, or for any cause beyond the control of the driver/rider, Permitted Road Users shall not stop their vehicles on any part of the Genting Roads, including the carriageway, road shoulder and road verge.

18. Any vehicle that is:

- 18.1 parked at a place other than demarcated parking area, if any; or
- 18.2 stopped at a place other than demarcated stopping area, if any; or
- 18.3 left unattended for a continuous period which LCSB and/or Security Personnel deems unreasonable at its sole and absolute discretion:
 - (a) at a place other than the demarcated stopping or parking area; or
 - (b) the demarcated stopping or parking area,

shall be deemed to have been abandoned by the owner of the vehicle and LCSB and/or the Security Personnel may, without any prior notice to the owner, remove the said vehicle from the Genting Roads at the costs and expenses of the owner, and LCSB and/or the Security Personnel shall not be liable for any loss or damage to the said vehicle and/or any property inside the vehicle, either wholly or partially.

E. EMERGENCY

19. In the event of an emergency, kindly contact the helpline at **Tel: +603 6105 9999** and remain calm. Permitted Road Users are to comply with all instructions from authorized personnel of LCSB.

F. MISCELLANEOUS

20. The governing law of these Rules & Regulations shall be the laws of Malaysia.

21. These Rules & Regulations are available in English, Bahasa Malaysia and Chinese. In the event of discrepancy, English version shall prevail.

G. CONCLUSION

22. The Genting Roads are private roads and road bridges owned and exclusively controlled by the GenM Group and operated by LCSB for the enjoyment and convenience of GenM Group's customers, visitors, guests, the personnel of GenM Group and where applicable, Permitted Road Users who have been or may be permitted or approved by LCSB to use the Genting Roads from time to time. Any approval or permission for entry into or usage of the Genting Roads does not at any time confer, create or grant any rights whatsoever to any Permitted Road User under the law or in equity.

Lingkaran Cekap Sdn. Bhd.

Reg. No. 202001028343 (1384663-M)