

Voting Procedures and Use of Proxies

Building Units & Group Titles Act 1980 - General Meetings

TO VOTE:

- You can attend your AGM **IN PERSON** and vote from the floor; or
- Submit the **VOTING PAPER** attached to the meeting material by completing the voting boxes and signing the bottom of each page. If the lot is jointly owned, both co-proprietors must sign the voting paper.
- The voting paper must be sent to the Secretary C/- SSKB via mail, fax, email or handed to the Secretary in person prior to the meeting to ensure your vote is valid
- If you are unable to attend, give someone attending the AGM your **PROXY** by completing the Proxy Form attached to the meeting material. The completed proxy form may be sent to the Secretary C/- SSKB via mail, fax, email or handed to the Secretary in person prior to the meeting.
- If one or more, but not all the Co-Proprietors of a lot are present at the meeting, the Co-Proprietor or Proprietor present, votes as the proxy for the lot. Where the Proprietor is shown as a Corporation, the Company Nominee of that Corporation.
- A person cannot vote on a motion (other than a unanimous resolution or resolution without dissent) or for choosing of the Committee if the Proprietor of the lot owes a Body Corporate debt in relation to the lot at the time of the Meeting.

NOTES AND USE OF PROXIES

- A vote by proxy cannot be used if the Proprietor who gave the Proxy is present at the Meeting unless the Proprietor consents at the Meeting. The Proxy may also not be used where the Proprietor who gave the proxy, has submitted a vote in writing on a motion.
- If you submit a voting paper **and appoint a proxy**, the proxy cannot be used, other than for procedural matters not listed on the voting paper.
- Where a lot is jointly owned, it is also important to note that the proxy must be signed by both Proprietors.
- If your lot is in a company name or trust you will need to ensure the voting is carried out by the authorised company nominee or the authorised nominee may appoint a proxy.

PROXIES

Proxy forms are sent with general meeting material should Proprietors wish to appoint another person to represent them at the Meeting.

A proxy may only be given by a person who has the right to vote at a general meeting and may be given to any named individual. A proxy cannot be transferred or be irrevocable.

Co-owners – may appoint the second co-owner as the proxy if they are not present at the meeting.

A proxy may be valid for –

a particular meeting only (the annual general meeting or an extraordinary general meeting), or for a period if stated in the proxy and will then lapse.

The proxy form must be properly completed,

- signed and dated by the Proprietors, and the lot number and name of the scheme identified on the form.
- signed and dated by the proxy holder.

The appointment of a proxy is effective only if the voter or the holder of the proxy gives, by hand, by post or by facsimile, a properly completed proxy form to the Secretary before the start of the Meeting where the proxy is to be exercised.

HOW TO COMPLETE THE VOTING PAPER

VOTING ELIGIBILITY

A *Voter* for a general meeting for the body corporate is an individual –

Whose name is entered on the body corporate roll as -

- the owner of a lot or the representative of the owner of a lot ,or
- who is the nominee of a corporation whose name is entered on the body corporate roll as the representative, or
- who is a corporate owner nominee

A person does not have the right to exercise a vote for a particular lot on a motion (other than a motion without dissent) or for choosing a member of the committee, if the owner of the lot owes a body corporate debt in relation to the lot at the time of the meeting.

PROCEDURAL MATTERS FOR A GENERAL MEETING

- A quorum for a general meeting is at least 25% of the number of voters for the meeting:
 - A minimum of two persons must be present personally, and
 - voters may be represented by being present personally, by proxy, or by forwarding voting papers.
- Voters are calculated from the number of individuals entered on the body corporate roll.
- If a quorum is not reached within 30 minutes of the scheduled time, the meeting must be adjourned to be held at the same place, day and time in the next week.
- A general meeting may only pass a resolution on a motion if the motion is
 - Included as an item of business of the agenda; and
 - Is stated in the voting paper attached to the meeting material, or
 - If it is a procedural motion for the conduct of the meeting,.
- The proposed budget may be amended by the members present at a general meeting by 10%, with the contributions adjusted proportionately. A copy of the amended budget is to be sent with the minutes to all owners.
- Motions may be amended by the persons present at a meeting, however an amendment cannot be made that changes the subject matter of a motion. In counting the votes for and against the motion, any votes received in writing must be counted as against the amendment.