

VOTING PROCEDURES AND USE OF PROXIES- 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.
- 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.

Notes for Voting

- 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.
- It is also important to note that proxies are also not able to be used for electing a committee, changing the regulation module, majority resolutions, engaging, terminating or amending contracts for body corporate managers, service contractors or letting agents, or - secret ballot motions.
- A vote by proxy can not be used if the owner who gave the proxy is present at the meeting unless the owner consents at the meeting, or - on a particular motion if the owner who gave the proxy has submitted a vote in writing on the motion.
- If your lot is in a company name or trust you will need to ensure the voting is carried out by an authorised company nominee or the authorised nominee may appoint a proxy.
- If one or more but not all of the co-owners of a lot are present at the meeting, the co-owner or co-owners present vote as the owner of the lot.



How To Complete The Voting Paper

You may wish to attend the meeting but submit a voting paper. You will need to confirm at the meeting that you wish to use your voting paper in the counting and recording of votes and that you will not be voting from the floor. This process will assist in recording votes for the meetings.

To complete the voting paper –

- You will need to tick the required box and sign on the bottom of each page.
- For a motion with alternatives you need to vote for or against the motion and then tick one of the alternatives.
- If you give your voting paper to someone other than the Secretary, or the secretary C/- SSKB, your vote will be invalid.
- You should forward the completed voting paper to the body corporate by fax, mail, or email.
- If the lot is owned by multiple owners, a co-owner or all co-owners may sign the voting paper.
- If multiple lots are held by one owner all lots can be listed on the one voting paper.
- Coloured pages, usually refer to a secret motion, or the voting paper section.

Secret Voting on a Motion

When a motion is required to be voted on by secret ballot, a separate secret voting paper will be included and must be returned in the envelope provided to the Returning Officer as displayed on the envelope, prior to the commencement of the meeting.

Voting papers, other than the secret voting paper, must not be included in the secret voting envelope, those voting papers will not be counted and the lot may not be shown as being represented. This is due to secret voting papers being sent to the returning officer who will not open them until such time as that motion is to be discussed.

Election of Committee

Depending on the previous decision of the body corporate committee members may be elected by OPEN or SECRET BALLOT VOTING when more than the required number of nominees are received for committee positions available. When this occurs a ballot will be necessary and ballot papers and a ballot envelope will be sent with the meeting material to lot owners. The ballot envelopes will not be opened until the voting on all motions has been completed. It is important therefore to not place any voting papers inside the Secret/ Open Ballot Envelopes as those voting papers will not be counted and the lot may not be shown as being represented. No proxies may be used for the election of Committee Members. You may submit the completed ballot envelopes prior to the commencement of the meeting or forward to the Secretary care of SSKB.



Proxies

Proxy forms are sent with general meeting material should owners 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.

A proxy may be valid for –

a particular meeting only (the annual general meeting or an extraordinary general meeting)

proxies will only be valid until the end of the body corporate financial year or a shorter

period if stated in the proxy, and will then lapse.

The proxy form must be properly completed, then signed and dated by the lot owner with the lot number and name of the scheme identified on the form.

The number of proxies that may be held by an individual person under the separate Regulation Modules are :

- **Standard Module** – for bodies corporate with 20 or more lots, 5% of the total lots in the scheme
- **Accommodation Module** - – for bodies corporate with 20 or more lots, 10% of the total lots in the scheme
- **If a body corporate has fewer than 20 lots,** only 1 proxy is allowed per person
- **Commercial Module** – there is no limit to the number of proxies that may be held

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.

Notes of the use of proxies

A proxy may be exercised by voting in a show of hands at the meeting or completing a written voting paper

Voters and proxy holders need to be aware that a proxy cannot be used to vote

- If the owner who gave the proxy is present at the meeting, unless the member present consents at the meeting.
- On a particular motion if the owner who gave the proxy has submitted a written voting on the motion
- committee elections
- on a secret motion/ballot.
- On a motion consenting to the recording of a new community management statement
- The engagement of a body corporate manager

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 or by proxy, or
 - by forwarding voting papers.
- Voters are calculated from the number of individuals entered on the body corporate roll as
 - The owner of the lot/s, the representative of the owner,
or the nominee of the lot owner.
- 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, or a motion to amend a motion, or a motion to correct minutes.
- 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.

