

Be Ahead of the Pack with Meeting & By-law Templates!

The new strata legislation is set to commence on 30 November 2016. Will you be ready? Why not be ahead of the pack!

Introduction

The *Strata Schemes Management Act 2015* will introduce new laws dealing with meetings, building works, electronic voting and proxy farming. We have developed [meeting notice and by-law templates](#) that deal with each of these new areas:

AGMs

The new Act contains additional requirements for AGMs. This means notices for AGMs need to contain additional motions and further information. And some of the motions you already include in an AGM notice will change. We have developed a template AGM notice which covers the matters required under the new Act. Our AGM notice also includes explanatory notes and information that will need to accompany the meeting notice such as the strata manager's report as to commissions and a call for nominations for members of the strata committee.

Building Works

The new legislation deals with three different types of building works that will affect common property: cosmetic work, minor renovations and major renovations.

Cosmetic Work

Under the new laws, owners will not need to obtain the approval of an owners corporation to carry out cosmetic work. And an owners corporation will be able to make a by-law identifying additional work that is able to be considered cosmetic work which does not require approval. We have

prepared a by-law that identifies the additional types of cosmetic work and lays down rules owners will need to follow when carrying out that work.

Minor Renovations

The new laws will also allow owners to carry out minor renovations that affect the common property. Minor renovations will only require the approval of an owners corporation to be given by ordinary resolution. A special resolution will no longer be required for minor renovations. The new laws also allow an owners corporation to identify types of minor renovations and delegate to the strata committee the power to approve minor renovations. We have developed a by-law that does just that and sets out clear rules for owners to follow before, during and after minor renovations.

Major Renovations

The new legislation also deals with major renovations. We have developed a by-law that comprehensively deals with major renovations. That by-law contains all of the bells and whistles that are required to regulate major renovations in a strata building. Using that by-law takes the hard work out of the approval process and allows you and the owners corporations you manage to focus on the key decision of whether it is appropriate to approve an application for permission to carry out major renovations and not have to worry about the conditions of approval.

Electronic Voting

The new legislation will permit an owners corporation and strata committee to allow votes to be cast by electronic means whilst owners and committee members participate in meetings remotely. But the legislation does not set out the rules that will apply to e-voting. Nor does the legislation make clear whether or not an owners corporation and strata committee will need to pass a resolution each year to approve e-voting. We

have prepared a by-law that lays down clear rules concerning e-voting during meetings so that stakeholders will know where they stand. Our by-law will make it easier to facilitate e-voting during meetings of an owners corporation and strata committee.

Proxies

The new legislation contains anti-proxy farming laws. These laws will prohibit a person holding more than one proxy (for a strata scheme containing up to 20 lots) and from holding proxies greater than 5% of the total number of lots (for schemes that have more than 20 lots). But the legislation does not say what will happen when a person holds more than the maximum number of proxies. Which proxies will be used and discarded? And who gets to make that decision? We have developed a by-law that will answer these questions. Our by-law lays down clear rules that will need to be followed by stakeholders where a person holds too many proxies and a decision needs to be made as to which proxies will be used and which proxies will be jettisoned.

Act Now

Be ready for the new legislation. Act now. We are offering the AGM notice and by-laws we have developed that deal with these new topics at competitive prices. We invite you to contact us to discuss the by-laws and obtain pricing information.

Click here for pricing on [Strata By-law and Meeting Notice Templates](#).

For NSW strata legal or levy collection advice please contact us [here](#) or call 02 9562 1266, we're happy to assist.