

Strata Committee Nomination Form

FORM: F0741

ISSUE DATE: 24/11/2016



**YOU MAY POST, EMAIL OR FAX THIS FORM TO Locked Bag 1919, St Leonards NSW 1590 OR
info@stratachoice.com.au OR +612 8424 9701**

Nominee

Date:	/ /	I (name):	
being a	<input type="checkbox"/> Sole Owner	<input type="checkbox"/> Co-Owner	<input type="checkbox"/> Company Nominee
the owners of lot:		In Strata Plan No:	
Nominate the following person:			
to stand for election to the strata committee at the annual general meeting (AGM)			
Signature of owner / company nominee:			

Acceptance of Nomination

Date:	/ /	I (name):		
being a	<input type="checkbox"/> Sole Owner	<input type="checkbox"/> Co-Owner	<input type="checkbox"/> Company Nominee	<input type="checkbox"/> Non-owner
of lot:		In Strata Plan No:		
<input type="checkbox"/> Have read the information on the reverse side of this form and consent to the nomination to stand for election to the strata committee at the general meeting;				
<input type="checkbox"/> I declare the following pecuniary interests, and/or connection with the original owner				
Signature of nominee:				

Notes on nominations for Strata Committee

1. Prior to completing the above, please refer to the reverse side of this form for the relevant sections of the Strata Schemes Management Act 2015.
2. Sole owners or company nominees who wish to self-nominate will need to complete both the Nominee and Acceptance of Nomination sections of this form
3. Schedule 2 of the Act sets out the obligation to disclose a direct or indirect pecuniary interest in a matter to be considered at a meeting.

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STRATA SCHEMES MANAGEMENT ACT 2015 - SECT 31

Persons who are eligible to be appointed or elected to strata committee

31 Persons who are eligible to be appointed or elected to strata committee

- (1) The following persons are eligible for appointment or election to the strata committee of an owners corporation:
- (a) an individual who is a sole owner of a lot in the strata scheme,
 - (b) a company nominee of a corporation that is a sole owner of a lot in the strata scheme,
 - (c) an individual who is a co-owner of a lot or a company nominee of a corporation that is a co-owner of a lot in the strata scheme, if the person is nominated for election by an owner who is not a co-owner of the lot or by a co-owner of the lot who is not a candidate for election as a member,
 - (d) an individual who is not an owner of a lot in the strata scheme, if the person is nominated for election by an owner of a lot who is not a member, or is not seeking election as a member, of the strata committee.
- (2) To avoid doubt, an individual who is a sole owner of a lot may nominate himself or herself, and an owner that is a corporation may nominate the corporation's company nominee, for election as a member of the strata committee.
- (3) A sole owner of a lot in a strata scheme may not nominate more than one person for election as a member of the strata committee, except as provided by subsection (5).
- (4) Only one co-owner (including a company nominee of a co-owner) of the same lot may be a member of a strata committee at the same time, except as provided by subsection (5).
- (5) A person who is an owner of more than one lot in the strata scheme may nominate one person for election as a member of the strata committee for each lot for which the person is an owner.

STRATA SCHEMES MANAGEMENT ACT 2015 - SECT 32

Persons who are not eligible to be appointed or elected to strata committee

32 Persons who are not eligible to be appointed or elected to strata committee

- (1) The following persons are not eligible for appointment or election to a strata committee or to act as members of a strata committee unless they are also the owners of lots in the strata scheme:
- (a) the building manager for the strata scheme,
 - (b) a person who acts as an agent for the leasing of a lot or lots in the strata scheme to tenants,
 - (c) a person who is connected with the original owner of the strata scheme or the building manager for the scheme, unless the person discloses that connection at the meeting at which the election is held and before the election is held or before the person is appointed to act as a member,
 - (d) any other person prescribed by the regulations for the purposes of this section.
- (2) An owner of a lot in a strata scheme who was an unfinancial owner at the date notice was given of the meeting at which the election of a strata committee is to be held and who did not pay the amounts owing by the owner before the meeting is not eligible for appointment or election to the strata committee.
- (3) A person who becomes ineligible for appointment or election to a strata committee after being appointed or elected to the strata committee must disclose that fact to the secretary or chairperson of the owners corporation as soon as possible after becoming aware of that fact.
- (4) A disclosure by a person under this section, other than a disclosure that is made at a meeting of an owners corporation or strata committee, is to be made by written notice given to the secretary or chairperson.

STRATA SCHEMES MANAGEMENT ACT 2015 - SCHEDULE 2

SCHEDULE 2 – Meeting procedures of strata committees

Part 3 - Meeting procedure

18 Disclosure of pecuniary interests

- (1) If:
- (a) a member of a strata committee has a direct or indirect pecuniary interest in a matter being considered or about to be considered at a meeting, and
 - (b) the interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter, the member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the strata committee.

Maximum penalty: 10 penalty units.

- (2) A disclosure by a member at a meeting of the strata committee that the member:
- (a) is a member, or is in the employment, of a specified corporation or other body, or
 - (b) is a partner, or is in the employment, of a specified person, or
 - (c) has some other specified interest relating to a specified corporation or other body or to a specified person,
- is a sufficient disclosure of the nature of the interest in any matter relating to that corporation or other body or to that person which may arise after the date of the disclosure and which is required to be disclosed under subclause (1).
- (3) Particulars of any disclosure made under this clause must be recorded by the strata committee in a book kept for the purpose and that book must be open at all reasonable hours to inspection by any person on payment of the fee determined by the strata committee.
- (4) After a member has disclosed the nature of an interest in any matter, the member must not, unless the strata committee otherwise determines:
- (a) be present during any deliberation of the strata committee with respect to the matter, or
 - (b) take part in any decision of the strata committee with respect to the matter.
- (5) For the purposes of the making of a determination by the strata committee under subclause (4), a member who has a direct or indirect pecuniary interest in a matter to which the disclosure relates must not:
- (a) be present during any deliberation of the strata committee for the purpose of making the determination, or
 - (b) take part in the making by the strata committee of the determination.
- (6) A contravention of this clause does not invalidate any decision of the strata committee.
- (7) Without limiting subclause (1), a person has an indirect pecuniary interest in a matter if a person connected with the person has a direct interest in the matter.