strata united

Proxy Appointment

Strata Schemes Management Act 2015

Date: _____

I/We: _____

the owners of lot _____ in Strata Plan No: _____

appoint _____ of _____ as my/our proxy for the purposes of meetings of the owners corporation (including adjournments of meetings).

I/We appoint _____ of _____ as my/our proxy for the purposes of meetings of the owners corporation (including adjournments of meetings) if the following person already holds the maximum number of proxies that may be accepted:

_____

PERIOD OF APPOINTMENT

Period or number of meetings for which the appointment of proxy has effect (tick, or tick and complete, whichever applies):

☐ 1 meeting ☐ _____ meetings ☐ 1 month ☐ _____ months

☐ 12 months or 2 consecutive annual general meetings

Note: The appointment cannot have effect for more than 12 months or 2 consecutive annual general meetings, whichever is the greater.

VOTING AUTHORITY

☐ 1. This form authorises the proxy to vote on my/our behalf on all matters.

OR

☐ 2. This form authorises the proxy to vote on my/our behalf on the following matters only:

Specify the matters and any limitations on the manner in which you want the proxy to vote.

_____

_____

Tick paragraph 1 or 2, whichever applies.

☐ 3. If a vote is taken on whether _____ (the strata managing agent) should be appointed or remain in office, or whether another managing agent is to be appointed, I/we want the proxy to vote as follows:

Leave paragraph 3 unticked if the proxy is not authorised to vote on this matter. For examples, read note 1 below.

4. I understand that, if the proxy already holds more than the permitted number of proxies, the proxy will not be permitted to vote on my/our behalf on any matters.

Signature of owner/s: _____

NOTES ON APPOINTMENT OF PROXIES

1 This form is ineffective unless it contains the date on which it was made and it is given to the secretary of the owners corporation at least 24 hours before the first meeting in relation to which it is to operate (in the case of a large strata scheme) or at or before the first meeting in relation to which it is to operate (in any other case).

2 This form will be revoked by a later proxy appointment form delivered to the secretary of the owners corporation in the manner described in the preceding paragraph.

3 This form is current from the day on which it is signed until the end of the period (if any) specified on the form or the first anniversary of that day or at the end of the second annual general meeting held after that day (whichever occurs first).

4 If a person holds more than the total number of proxies permissible, the person cannot vote using any additional proxies. The total number of proxies that may be held by a person (other than proxies held by the person as co-owner of a lot) voting on a resolution are as follows: (a) if the strata scheme has 20 lots or less, one, or (b) if the strata scheme has more than 20 lots, a number that is equal to not more than 5% of the total number of lots.

5 A provision of a contract for the sale of a lot in a strata scheme, or of any ancillary or related contract or arrangement, is void and unenforceable to the extent that it: (a) requires the purchaser of a lot, or any other person, to cast a vote at a meeting of the owners corporation at the direction of another person, or (b) requires the purchaser to give a proxy at the direction of another person for the purpose of voting at a meeting of the owners corporation (that is a person cannot rely on any such proxy to cast a vote as a proxy).

NOTES ON RIGHTS OF PROXIES TO VOTE

1 A duly appointed proxy may: (a) vote on a show of hands (or by any other means approved by a general resolution at a meeting of the owners corporation), subject to any limitation in this form, or may demand a poll, and (b) vote in the person's own right if entitled to vote otherwise than as a proxy, and (c) if appointed as a proxy for more than one person, may vote separately as a proxy in each case.

2 A proxy is not authorised to vote on a matter: (a) if the person who appointed the proxy is present at the relevant meeting and personally votes on the matter, or (b) so as to confer a pecuniary or other material benefit on the proxy, if the proxy is a strata managing agent, building manager or on-site residential property manager, or (c) if the right to vote on any such matter is limited by this form.