Online Training – Unit 2 – General meetings

Topic 01 – Introduction to general meetings

There are two kinds of meetings relevant to the business of running a body corporate: committee meetings and general meetings.

General meetings are open meetings for all lot-owners, or their representatives. All lot-owners must be invited to attend a general meeting. There are detailed provisions in the Act and the Modules about when and how a general meeting must be called and held.

General meetings are the means by which the body corporate deals with matters of business that are beyond the powers of the committee to decide.

Once a year, the body corporate must hold an annual general meeting **(AGM)**. All other general meetings are called extraordinary general meetings **(EGMs)** (SM s81). The AGM must be called and held each year within 3 months after the end of the body corporate's financial year. (SM s83) The AGM agenda must include consider certain specific motions, called statutory motions. These are motions required by law to be voted on each year.

An EGM may be held at any time in compliance with the time limits and procedures set out in the Act and the Modules. Owners may request the committee to call an EGM provided they have the support of 25% of owners. This is a requested extraordinary general meeting.

At a general meeting (whether an AGM or EGM), motions on the agenda and voting papers are considered by the body corporate and voted on. Only those motions included on the agenda and voting papers can be voted on. The body corporate cannot vote on motions not included on the agenda (unless a procedural motion) and cannot decide on issues raised by discussion or proposals put from the floor.

One vote only may be exercised for each lot in the scheme.

Voting is generally by open ballot (see Topic 2: Voting papers for open motions). Some motions are required under the Act or the Regulations to be voted on in a secret ballot. Secret voting (see Topic 2: Secret voting papers) requires that a ballot is held with voting papers being returned in a way that keeps the identity of the voter unidentified.

The body corporate must keep certain records (see Topic 7: Keeping records of General Meetings) about general meetings and the votes taken on motions.

Notices for general meetings are sent to the lot owners or their representatives. Persons who are not lot-owners may be invited by the committee to attend a general meeting. For example, a prospective contractor for the scheme such as a body corporate manager, or landscape gardener, can address the members on their expertise. Such persons have no right to attend a meeting except by invitation.

If a lot-owner wishes to bring another person to the general meeting, such a person may be invited by a majority of those present at the meeting to remain, or to address the meeting. Only lot-owners or their authorised representatives or a person holding a proxy for an owner have a right to attend.

There is nothing in the legislation about how many general meetings a scheme should have (other than the annual general meeting) or how long they should be. Basic meeting etiquette applies to general meetings in that the chairperson may keep such order as is required. For example, a chairperson may put a time limit on discussions on a motion in order to prevent lengthy speeches or one person dominating a meeting. Those present at the meeting should comply with common courtesies such as allowing all speakers an equal amount of time and keeping remarks formal and polite.