



# Strata Schemes Management Amendment Regulation 2003

under the

Strata Schemes Management Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes Management Act 1996*.

JOHN AQUILINA, M.P.,  
Minister for Fair Trading

## Explanatory note

The *Strata Schemes Management Amendment Act 2002* is to commence on 10 February 2003.

The object of this Regulation is to amend the *Strata Schemes Management Regulation 1997* so as to prescribe an amount to give effect to an amendment made by that Act that will have the result of restricting the exercise of priority votes, to alter notes on a form provided for the appointment of proxies (as a consequence of amendments made by that Act relating to the terms of appointment of, and voting by, proxies) and to increase fees for services performed by an owners corporation.

This Regulation is made under the *Strata Schemes Management Act 1996*, in particular, clause 7 (1) of Schedule 2 to and section 246 of that Act (the general regulation-making power).

## **2003 No 110**

Clause 1            Strata Schemes Management Amendment Regulation 2003

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# **Strata Schemes Management Amendment Regulation 2003**

under the

Strata Schemes Management Act 1996

### **1 Name of Regulation**

This Regulation is the *Strata Schemes Management Amendment Regulation 2003*.

### **2 Commencement**

This Regulation commences on 10 February 2003.

### **3 Amendment of Strata Schemes Management Regulation 1997**

The *Strata Schemes Management Regulation 1997* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 3)

**[1] Clause 16 Fees**

Omit clause 16 (2). Insert instead:

- (2) The following fees are payable to an owners corporation for the services specified below:

Service	Fee
For making records available for inspection under section 108 of the Act	\$24 and an additional \$12 for each half-hour or part of half an hour after the first hour of inspection
For giving a certificate under section 109 of the Act	\$84 and an additional \$42 for a further certificate for a lot comprising a garage, parking space or storeroom that services the lot the subject of the first certificate

**[2] Clause 29**

Insert after clause 28:

**29 Monetary limit on exercise of priority vote**

For the purposes of clause 7 (1) of Schedule 2 to the Act, the prescribed amount is the amount of \$200 multiplied by the number of lots in the strata scheme concerned.

**[3] Schedule 2 Forms**

Omit “\*months/\*meetings” from Form 3.

Insert instead “\*1 meeting/\*..... meetings/\*1 month/\*..... months/\*12 months or 2 consecutive Annual General Meetings”.

**[4] Schedule 2, Form 3**

Omit “\*Delete whichever does not apply”.

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### Strata Schemes Management Amendment Regulation 2003

#### Schedule 1 Amendments

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Insert instead “*\*Tick or tick and complete whichever applies*”.

**[5] Schedule 2, Form 3**

Insert “*If no selection is made by the person giving the proxy, the proxy is effective only for one meeting.*” after “*whichever is the greater.*” in the first note.

**[6] Schedule 2, Form 3**

Insert “*For examples, read note 1 below.*” after “*\*Delete paragraph 3 if proxy is not authorised to vote on this matter.*”.

**[7] Schedule 2, Form 3**

Omit Note 1. Insert instead:

- 1 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, caretaker or on-site residential property manager.

BY AUTHORITY

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