

COVID-19 and Other Legislation Amendment (Regulatory Reforms) Bill 2022

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This public bill which originated in the Legislative Assembly, has passed and is now ready for presentation to the Legislative Council for its concurrence.

Clerk of the Legislative Assembly. Legislative Assembly, Sydney,

, 2022



New South Wales

COVID-19 and Other Legislation Amendment (Regulatory Reforms) Bill 2022

Act No , 2022

An Act to amend a number of Acts to permanently implement regulatory reforms relating to particular measures previously implemented temporarily as a result of the COVID-19 pandemic; to amend the *Constitution Act 1902* and the *Constitution (COVID-19 Emergency Measures) Regulation 2020* to extend particular provisions; and to amend the *Interpretation Act 1987* to clarify the requirements for tabling documents in a House of Parliament.

EXAMINED

Speaker

The	Legisl	ature of New South Wales enacts—	1	
1	Nam	e of Act	2	
		This Act is the COVID-19 and Other Legislation Amendment (Regulatory Reforms) Act 2022.	3	
2	Com	mencement	5	
	(1)	Subject to subsections (2) and (3), this Act commences on the date of assent to this Act.	6 7	
	(2)	Schedules 1.6 and 1.8 commence on 1 April 2022.	8	
	(3)	Schedules 1.3[3]–[10], 1.11[5], 1.12[1], [2] and [4] and 1.17[3]–[10] commence on a day or days to be appointed by proclamation.	10	
3	Report on effectiveness of amendments under COVID-19 and Other Legislation Amendment (Regulatory Reforms) Act 2022			
	(1)	The Treasurer must, within 18 months after the commencement of this Act, conduct a review of the amendments made by this Act, other than the amendments made by Schedule 1.4, 1.5, 1.10 and 1.15 of this Act.	13 14 15	
	(2)	The purpose of the review is to determine whether the amendments continue to—	16	
		(a) operate effectively and efficiently, and	17	
		(b) achieve the intended policy objectives underlying the amendments.	18	
	(3)	The Treasurer must, by 31 December 2023, give a report about the review to the Presiding Officer of each House of Parliament.	19 20	
	(4)	A copy of a report given to the Presiding Officer of a House of Parliament under subsection (3) must be laid before the House within 5 sitting days of the House after it is received by the Presiding Officer.	21 22 23	
	(5)	This section is repealed on 31 January 2024.	24	

Sch	nedule 1	Amendments	1			
1.1	Associatio	ns Incorporation Act 2009 No 7	2			
[1]	Section 30 Committee meetings					
	Omit "If the a	ssociation's constitution so provides, a" from section 30(2).	4			
	Insert instead	"A".	5			
[2]	Section 37 General meetings					
	Omit "If the a	ssociation's constitution so provides, a" from section 37(3).	7			
	Insert instead	"A".	8			
[3]	Section 38 Vo	oting generally	9			
	Omit section 3	38(2). Insert instead—	10			
		a postal or electronic ballot referred to in subsection (1)(b) must be conducted a accordance with the regulations.	11 12			
[4]	Section 39 Vo	oting on special resolutions	13			
	Omit section 3	39(3). Insert instead—	14			
		a postal or electronic ballot referred to in subsection (1)(b) must be conducted a accordance with the regulations.	15 16			
[5]	Schedule 4 S	avings, transitional and other provisions	17			
	Omit Schedul	e 4, Part 6.	18			
1.2	Biodiversit	y Conservation Act 2016 No 63	19			
	Section 12.19	Power of authorised officers to require answers	20			
	Omit section 1	2.19(9).	21			
1.3	Community	Land Management Act 2021 No 7	22			
[1]	Section 226 S	Service of documents by certain persons	23			
	Insert at the en	nd of section 226(2)(b)—	24			
		, or	25			
	(by sending it by electronic transmission to an address nominated by the occupier as an address for the service of documents. 	26 27			
[2]	Section 226(4	l)(ca)	28			
		etion 226(4)(c)—	29			
	(c	 by sending it by electronic transmission to an address nominated by the owner as an address for the service of documents, or 	30 31			
[3]	Section 234 F	Persons who may keep seals of associations	32			
	Insert after sec	etion 234(2)—	33			
	(2A) T	The seal of the association may be kept in electronic form.	34			

[4]	Section 23	4(3)	1
	Insert ", or	to keep an electronic copy of the seal," after "association".	2
[5]	Section 23	4(5)	3
	Insert after	section 234(4)—	4
	(5)	The regulations may make provision about keeping and storing the seal of an association in electronic form.	5
[6]	Section 23	5 Affixing of seal of association	7
	Insert after	section 235(3)—	8
	(3A)	The seal of the association may be affixed physically or electronically.	9
	(3B)	If the seal is affixed electronically—	10
		(a) subsections (1)–(3) do not apply in relation to affixing the seal, and	11
		(b) the seal must be affixed in accordance with any requirements prescribed by the regulations under subsection (7).	12 13
	(3C)	An instrument or document to which the seal has been electronically affixed has effect as if the seal had been physically affixed to the instrument or document.	14 15 16
[7]	Section 23	35(7) and (8)	17
	Insert after	section 235(6)—	18
	(7)	The regulations may make provision about the following—	19
		(a) any requirements for affixing the seal electronically,	20
		(b) alternatives to affixing the seal of the association, including—	21
		(i) requirements for witnessing or attesting to the alternatives, and	22
		(i) records relating to the alternatives,	23
		(c) records required to be kept relating to the electronic seal or any prescribed alternative to affixing the seal.	24 25
	(8)	A reference in subsections (4)–(6) to affixing the seal of an association to an instrument or document is taken to include a reference to an alternative to affixing the seal in accordance with any regulations made under subclause (7).	26 27 28
[8]	Section 23	8 Regulation-making power for COVID-19 pandemic	29
	Omit the se	ection.	30
[9]	Schedule '	1 Meeting procedures of associations	31
	Omit clause	e 27. Insert instead—	32
	27 Way	of voting	33
	(1)	A vote at a meeting by a person entitled to vote or by a proxy must be cast—	34
		(a) in person, or	35
		(b) if another way is specified in the notice given for the meeting—in the other way.	36 37
	(2)	If a way of voting has been specified in the notice under subclause (1)(b), the secretary of the association or, if a managing agent is exercising the functions of the secretary, the managing agent must take reasonable steps to ensure each person entitled to vote at the meeting can participate in and vote at the meeting.	38 39 40 41

	(3)	The	regulations may provide for the following—	1
		(a)	the ways of voting that may be specified under subclause (1)(b),	2
		(b)	the circumstances in which a particular way of voting may be specified under subclause (1)(b),	3
		(c)	without limiting paragraph (a), procedures for voting in a way specified under subclause (1)(b),	5
		(d)	restricting, prohibiting or requiring the use of specified ways of voting,	7
		(e)	what may or may not constitute reasonable steps taken by the secretary of the association for the purposes of subclause (2).	9
[10]	Schedule 2	2 Meet	ting procedures of association committees	10
	Omit claus	e 8. Ins	sert instead—	11
	8 Way	s of vo	oting	12
	(1)	A vo	ote at a meeting by a person entitled to vote may be cast—	13
		(a)	in person, or	14
		(b)	if another way is specified in the notice given for the meeting—in the other way.	15 16
		Note the D	— A person may be present at a meeting even if not actually at the meeting. See Dictionary, definition of <i>person present</i> .	17 18
	(2)	secre of th	way of voting has been specified in the notice under subclause (1)(b), the etary of the association or, if a managing agent is exercising the functions are secretary, the managing agent must take reasonable steps to ensure each on entitled to vote at the meeting can participate in and vote at the meeting.	19 20 21 22
	(3)	The	regulations may provide for the following—	23
		(a)	the ways of voting that may be specified under subclause (1)(b),	24
		(b)	the circumstances in which a particular way of voting may be specified under subclause (1)(b),	25 26
		(c)	without limiting paragraph (a), procedures for voting in a way specified under subclause (1)(b),	27 28
		(d)	restricting, prohibiting or requiring the use of specified ways of voting,	29
		(e)	what may or may not constitute reasonable steps taken by the secretary of the association or managing agent for the purposes of subclause (2).	30 31
1.4	Constitu	tion A	Act 1902 No 32	32
[1]	Schedule	8		33
	Omit Scheo	dule 8,	heading. Insert instead—	34
Sch	nedule 8	E	Executive Council and other processes	35
[2]	Schedule	8, clau	use 1, definition of <i>prescribed period</i> , paragraph (b)	36
	Omit the pa	aragrap	ph. Insert instead—	37
		(b)	ending on the later of the following—	38
			(i) 26 March 2023,	39
			(ii) the day, not later than 26 September 2023, prescribed by the regulations.	40 41

[3]	Schedule 8, clause 5	1
	Omit "27 March 2022". Insert instead "27 September 2023".	2
1.5	Constitution (COVID-19 Emergency Measures) Regulation 2020	3
[1]	Clause 1 Name of Regulation	4
	Omit the clause. Insert instead—	5
	1 Name of Regulation	6
	This Regulation is the Constitution (Executive Council Processes) Regulation 2020.	7 8
[2]	Clause 3A	9
	Omit the clause.	10
1.6	Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010 No 122	11 12
[1]	Section 63 Entitlement to pro rata payment instead of leave in limited circumstances	13
	Omit "20 weeks" from Section 63(1)(b). Insert instead "10 weeks, or a shorter period prescribed by the regulations,".	14 15
[2]	Section 63(1)(c)	16
	Omit "20-week period".	17
	Insert instead "10-week period or the shorter period prescribed under subsection (1)(b)".	18
[3]	Section 118 Special provision for pro rata payment during COVID-19 pandemic	19
	Omit the section.	20
1.7	Crown Land Management Act 2016 No 58	21
	Section 10.23 Power of authorised officers to require answers	22
	Omit section 10.23(9).	23
1.8	Environmental Planning and Assessment Act 1979 No 203	24
[1]	Sections 10.17 and 10.18	25
	Omit the sections.	26
[2]	Schedule 2 Provisions relating to planning bodies	27
	Omit clause 3(3)(b). Insert instead—	28
	(b) the time and date of the public hearing,	29
[3]	Schedule 2, clause 3(3)(b1)	30
	Insert after Schedule 2, clause 3(3)(b)— (b1) the place at which the public hearing is to be held or, if the hearing is to	31
	(b1) the place at which the public hearing is to be held or, if the hearing is to be held by audio link, audio visual link or other electronic means, information about how a member of the public may hear or view the hearing,	32 33 34 35

[4]	Sche	dule 2	2, clause 3(5)	1
	Inser	t after (clause 3(4)—	2
		(5)	A requirement to conduct a public hearing is taken to be satisfied if—	3
			(a) the hearing is held wholly or partly by audio link, audio visual link or other electronic means, and	4 5
			(b) the hearing, or the part of the hearing, held by audio link, audio visual link or other electronic means is able to be heard or viewed by electronic means by a member of the public at the time the hearing, or part of the hearing, is held.	6 7 8 9
[5]	Sche	dule 2	2, clause 25(4) and (5)	10
	Omit	clause	e 25(4). Insert instead—	11
		(4)	A planning body may carry out any of the planning body's business at a meeting held wholly or partly by audio link, audio visual link or other electronic means, but only if a member who speaks on a matter before the meeting or the part of the meeting can be heard by the other members.	12 13 14 15
		(5)	A meeting, or a part of a meeting, held in accordance with subclause (4) is taken to be conducted in public if—	16 17
			(a) the meeting, or the part of the meeting, is recorded, and	18
			(b) the record of the meeting or part is made publicly available as required under subclause (3).	19 20
1.9	Fish	eries	Management Act 1994 No 38	21
	Secti recei		6 Production of records relating to commercial fishing activities and fish	22 23
	Omit	section	n 256(6).	24
1.10	Inte	rpreta	ation Act 1987 No 15	25
	Secti	ion 18	A	26
	Inser	t after s	section 18—	27
	18A	Tabli	ing of documents	28
		(1)	In an Act or statutory rule, a reference to tabling a document in a House of Parliament includes taking any action allowed or required under the Standing Rules or Orders of the House to table the document when the House is not sitting.	29 30 31 32
		(2)	This section applies in relation to the tabling of a document before or after the commencement of this section.	33 34
1.11	Lon	g Ser	vice Leave Act 1955 No 38	35
[1]	Secti	ion 4 L	ong service leave	36
	Inser	t after s	section 4(3)—	37
	(3	AA)	Despite subsection (3)(b), an employer and worker may agree to the worker taking long service leave in 2 or more separate periods of not less than 1 day.	38 39

[2]	Sect	ion 4(3	(A)	1				
	Omit	"one i	month". Insert instead "1 day".	2				
[3]	Section 4(3B)							
	Insert after section 4(3A)—							
	(3B)		For the purposes of subsections (3AA) and (3A), in relation to a worker for whom no normal weekly number of hours is fixed under the terms of the worker's employment, the reference to 1 day is taken to be a reference to the number of hours calculated as follows— A/B					
			where—	ç				
			A is the higher of—	10				
			(a) the average weekly number of hours worked by the worker during the period of 12 months ending on the date immediately preceding the date on which the worker enters long service leave, or	11 12 13				
			(b) the average weekly number of hours worked by the worker during the period of 5 years ending on the date immediately preceding the date on which the worker enters long service leave, and	14 15 16				
			\boldsymbol{B} is the average number of days worked weekly by the worker during the period used for calculating \boldsymbol{A} .	17 18				
[4]	Section 4(10A)							
	Insert after section 4(10)—							
	(.	10A)	However, an employer may, under subsection (10), give a worker less than 1 month's notice if the worker agrees to the lesser period of notice.	21 22				
[5]	Sect	ion 8		23				
	Omit the section. Insert instead—							
	8	Reco	rds to be kept by employer	25				
		(1)	An employer must ensure a long service leave record is kept in relation to each worker employed by the employer.	26 27				
		(2)	The employer must keep the long service leave records in the way prescribed by the regulations.	28 29				
		(3)	The employer must ensure the long service leave record in relation to a worker is kept for a period of at least 6 years after the day on which the worker ceases to be employed by the employer.	30 31 32				
		(4)	The regulations may make provision about the transfer of a long service leave record relating to a worker, or copies of the record, to the successor of an employer.	33 34 35				
[6]	Sect	ions 1	5A and 15B	36				
	Omit	the se	ctions.	37				
1.12	Men	ital H	ealth Act 2007 No 8	38				
[1]			A Examinations by medical practitioners or accredited persons for of detention	39 40				
	Omit	Omit section 27A(1)(a) and (b). Insert instead—						

			(a)	by a 1	medical practitioner using an audio visual link, or	1
			(b)	menta	n accredited person authorised by the medical superintendent of the tal health facility to examine or observe the person or observe for purpose—	2 3 4
				(i)	in person, or	5
				(ii)	using an audio visual link.	6
[2]	Sect	ion 27	A(3)			7
	Omit	the su	bsecti	on. Ins	sert instead—	8
		(3)	or obse	servati itioner rvation	practitioner or accredited person must not carry out an examination ion using an audio visual link under this section unless the medical r or accredited person is satisfied that the examination or a can be carried out in the circumstances with sufficient skill and to form the required opinion about the person.	9 10 11 12 13
[3]	Sect	ion 20	2			14
	Omit	the se	ction.			15
[4]	Sect	ion 20	3			16
	Omit	the se	ction.			17
1.13	Min	ing A	ct 19	92 No	o 29	18
	Sect	ion 24	8L Po	wer of	finspectors to require answers	19
	Omit	sectio	n 248]	L (9).		20
1.14	Prof	tectio	n of	the E	invironment Operations Act 1997 No 156	21
	Sect	ion 20	3 Pow	er of a	authorised officers to require answers	22
	Omit	sectio	n 203([10].		23
1.15	Reta	ail Le	ases	Act 1	1994 No 46	24
[1]	Sect	ion 88	Savin	gs of	protections granted during COVID-19 pandemic	25
	Inser	t after	section	n 88(1))—	26
		(1A)	conti in re	nues to lation to	and Other Commercial Leases (COVID-19) Regulation 2022 to apply, despite the repeal of that regulation, to anything occurring to a lease while the lease was an impacted lease within the meaning allation.	27 28 29 30
[2]	Sect	ion 89				31
	Inser	t after	section	n 88—	-	32
	89	Savi	ngs ar	าd tran	nsitional regulations	33
		(1)			tions may contain provisions of a savings or transitional nature gravings or transitional provisions) consequent on—	34 35
			(a)	in re	enactment of a provision of this Act relating to anything occurring elation to a lease in response to the COVID-19 pandemic (a <i>VID-19 provision</i>), or	36 37 38
			(b)	the re	eneal of—	39

			(i) a COVID-19 provision, or	1
			(ii) a provision of a regulation made under a COVID-19 provision.	2
	(2)		OVID-19 savings or transitional provision may, if the regulations provide, effect from—	3 4
		(a)	the date of the repeal of the relevant COVID-19 provision, or	5
		(b)	a later date.	6
	(3)		OVID-19 savings or transitional provision has effect despite anything to ontrary in this Act.	7 8
1.16	Retireme	nt Vi	llages Act 1999 No 81	9
[1]	Section 41	New o	operator to convene meeting of residents	10
	Omit sectio	n 41(2	2). Insert instead—	11
	(2)		person must convene the meeting by sending to each resident and former pant, at least 7 days before the date of the meeting, a written notice setting	12 13 14
		(a)	the time of the meeting, and	15
		(b)	the place at which the resident or former occupant may attend the meeting in person, which must be at the village if practicable or otherwise at a place near the village, and	16 17 18
		(c)	if the resident or former occupant may attend the meeting by electronic means—details of how the resident or former occupant can attend and participate in the meeting using the means, and	19 20 21
		(d)	the reason for the meeting.	22
	(3)	the n	e person gives the residents and former occupants the option of attending neeting by electronic means, the person must take reasonable steps to re each resident or former occupant can participate in, and vote at, the ing using the means.	23 24 25 26
[2]	Section 72	A Ann	ual management meeting to be held by operator	27
	Omit section	n 72A	(4)(a) and (b). Insert instead—	28
		(a)	the time of the meeting, and	29
		(b)	the place at which the residents may attend the meeting in person, and	30
		(c)	if the residents may attend the meeting by electronic means—details of how the residents can attend and participate in the meeting using the means, and	31 32 33
		(d)	the agenda for the meeting.	34
[3]	Section 72	A(7A)		35
	Insert after	section	n 72A(7)—	36
	(7A)	mean resid	e residents are given the option of attending the meeting by electronic as, the chair of the meeting must take reasonable steps to ensure each ent or former occupant can participate in, and vote at, the meeting using means.	37 38 39 40
[4]	Schedule 1	Cons	sent of residents	41
	Insert at the	end o	f clause 3(1)(b)—	42
			, or	43

	(0		a vote by residents of a village in which there is a Residents mittee—	1 2
		(i)	a ballot conducted by electronic means, approved by the Residents Committee, with residents participating in the ballot from a remote location, or	3 4 5
		(ii)	a ballot conducted by electronic means, approved by the Residents Committee, before the meeting at which, or before the date by which, the measure or action is to be determined, or	6 7 8
	(d		a vote by residents of a village in which there is no Residents mittee—	9 10
		(i)	a ballot conducted by electronic means, approved by the person convening the meeting, with residents participating in the ballot from a remote location, or	11 12 13
		(ii)	a ballot conducted by electronic means, approved by the person convening the meeting, before the meeting at which, or before the date by which, the measure or action is to be determined.	14 15 16
[5]	Schedule 1, P	art 2, cla	use 3(1A)	17
	Insert after Sch	edule 1,	Part 2, clause 3(1)—	18
	re th	lation to a	is to be conducted by electronic means, the chair of the meeting in which the ballot is being held must take reasonable steps to ensure esident entitled to participate in the meeting and vote in the ballot pate in the meeting and vote in the ballot using the means.	19 20 21 22
1.17	Strata Sche	mes Ma	anagement Act 2015 No 50	23
[1]	Section 263 S	ervice of	documents by owners corporation and others	24
	Insert at the end	d of secti	on 263(2)(b)—	25
		, or		26
	(0	by se	ending it by electronic transmission to an address nominated by the spier of the lot as an address for the service of documents.	27 28
[2]	(c) Section 263(4)	by se occu		
[2]		by se occu	pier of the lot as an address for the service of documents.	28
[2]	Section 263(4)	by se occu (ca) tion 263(a) by se	pier of the lot as an address for the service of documents.	28 29
[2] [3]	Section 263(4) Insert after section (ca	by se occu ((ca) tion 263(- a) by se owner owner	apier of the lot as an address for the service of documents. 4)(c)— ending it by electronic transmission to an address nominated by the	28 29 30 31
	Section 263(4) Insert after section (ca	by se occu ((ca) tion 263(a) by se owne Regulati	apier of the lot as an address for the service of documents. 4)(c)— ending it by electronic transmission to an address nominated by the er of the lot as an address for the service of documents, or	28 29 30 31 32
	Section 263(4) Insert after section (case) Section 271A Omit section 2	by se occu (ca) tion 263(a) by se owne Regulati 71A.	apier of the lot as an address for the service of documents. 4)(c)— ending it by electronic transmission to an address nominated by the er of the lot as an address for the service of documents, or	28 29 30 31 32 33
[3]	Section 263(4) Insert after section (case) Section 271A Omit section 2	by se occu (ca) tion 263(a) by se owne Regulation 71A. ersons w	4)(c)— ending it by electronic transmission to an address nominated by the er of the lot as an address for the service of documents, or on-making power for COVID-19 pandemic who may keep seals of owners corporations	28 29 30 31 32 33 34
[3]	Section 263(4) Insert after section 271A Omit section 272 Pour Insert after section 263(4) Insert after section 26	by se occu (ca) tion 263(- a) by se owner Regulation 71A. ersons we tion 272(2)	4)(c)— ending it by electronic transmission to an address nominated by the er of the lot as an address for the service of documents, or on-making power for COVID-19 pandemic who may keep seals of owners corporations	28 29 30 31 32 33 34
[3]	Section 263(4) Insert after section 271A Omit section 272 Pour Insert after section 263(4) Insert after section 26	by se occu (ca) tion 263(- a) by se owner Regulation 71A. ersons we tion 272(- me seal of	apier of the lot as an address for the service of documents. 4)(c)— ending it by electronic transmission to an address nominated by the er of the lot as an address for the service of documents, or on-making power for COVID-19 pandemic who may keep seals of owners corporations 2)—	28 29 30 31 32 33 34 35 36
[3] [4]	Section 263(4) Insert after section 271A Omit section 272 Pour after section 272 Pour after section 272 (3) Section 272(3)	by se occu (ca) tion 263(data) by se owner Regulation 71A. ersons we tion 272(data)	apier of the lot as an address for the service of documents. 4)(c)— ending it by electronic transmission to an address nominated by the er of the lot as an address for the service of documents, or on-making power for COVID-19 pandemic who may keep seals of owners corporations 2)—	28 29 30 31 32 33 34 35 36 37
[3] [4]	Section 263(4) Insert after section 271A Omit section 272 Pour after section 272 Pour after section 272 (3) Section 272(3)	by se occu ((ca) tion 263(dat) by se owner (Regulation 71A. ersons we tion 272(dat) the seal of	4)(c)— ending it by electronic transmission to an address nominated by the er of the lot as an address for the service of documents, or on-making power for COVID-19 pandemic who may keep seals of owners corporations 2)— The owners corporation may be kept in electronic form.	28 29 30 31 32 33 34 35 36 37

	(5)	The regulations may provide for keeping and storing the seal in electronic form.	1 2
[7]	Section 27	73 Affixing of seal of owners corporation	3
	Insert after	r section 273(3)—	4
	(3A)	The seal of the owners corporation may be affixed physically or electronically.	5
	(3B)	If the seal is affixed electronically—	6
		(a) subsections (1)–(3) do not apply in relation to affixing the seal, and	7
		(b) the seal must be affixed in accordance with any requirements prescribed by the regulations under subsection (7).	8 9
	(3C)	An instrument or document to which the seal has been electronically affixed has effect as if the seal had been physically affixed to the instrument or document.	10 11 12
[8]	Section 27	73(7) and (8)	13
	Insert after	r section 273(6)—	14
	(7)	The regulations may provide for the following—	15
		(a) any requirements for affixing the seal electronically,	16
		(b) alternatives to affixing the seal of the owners corporation, including any	17
		requirements for witnessing or attesting to the alternatives and records relating to the alternatives,	18 19
		(c) records required to be kept relating to the electronic seal or any prescribed alternatives to affixing the seal.	20 21
	(8)	A reference in subsections (4)–(6) to affixing the seal of an owners corporation to an instrument or document is taken to include a reference to an alternative to affixing the seal in accordance with the regulations made under subsection (7).	22 23 24 25
[9]	Schedule	1 Meeting procedures of owners corporation	26
	Omit claus	se 28. Insert instead—	27
	28 Way	ys of voting	28
	(1)	A vote at a meeting by a person entitled to vote or by a proxy must be cast—	29
		(a) in person, or	30
		(b) if another way is specified in the notice given for the meeting—in the other way.	31 32
	(2)	If a way of voting has been specified in the notice under subclause (1)(b), the	33
		secretary of the owners corporation or, if a strata managing agent is exercising the functions of the secretary, the strata managing agent must take reasonable	34 35
		steps to ensure each person entitled to vote at the meeting can participate in and vote at the meeting.	36 37
	(3)	The regulations may provide for the following—	38
		(a) the ways of voting that may be specified under subclause (1)(b),	39
		(b) the circumstances in which a particular way of voting may be specified under subclause (1)(b),	40 41
		(c) without limiting paragraph (a), procedures for voting in a specified way,	42
		(d) restricting prohibiting or requiring the use of specified ways of voting	43

			(e)	what may or may not constitute reasonable steps taken by the secretary of the owners corporation or strata managing agent for the purposes of subclause (2).	1 2 3
[10]	Schedule 2 Meeting procedures of strata committees				4
	Omit clause 10. Insert instead—				5
	10 Way of voting			ting	6
		(1)	A vote at a meeting by a person entitled to vote may be cast—		
			(a)	in person, or	8
			(b)	if another means has been specified in the notice—by the other means.	9
			Note section	— A person may be present at a meeting even if not actually at the meeting. See on 4(1), definition of <i>person present</i> .	10 11
		(2)	If a means of voting has been specified in the notice under subclause (1)(b),		12
				secretary of the owners corporation or, if a strata managing agent is cising the functions of the secretary, the strata managing agent must take	13 14
				onable steps to ensure that each person entitled to vote at the meeting can	15
			participate in, and vote at, the meeting by that means.		16
		(3)	The regulations may make provision about the following—		17
			(a)	the means of voting that may be specified under subclause (1)(b),	18
			(b)	the circumstances in which a particular means of voting may be specified under subclause (1)(b),	19 20
			(c)	without limiting paragraph (a), procedures for voting by a specified means,	21 22
			(d)	restricting, prohibiting or requiring the use of specified means of voting,	23
			(e)	what may or may not constitute reasonable steps taken by the secretary of the owners corporation or strata managing agent for the purposes of subclause (2).	24 25 26
1.18	Wat	er Ma	anage	ement Act 2000 No 92	27
	Section 338B Power of authorised officers to require answers				
	Omit section 338B(9).				29