



Chairperson Meeting Guide

How to
conduct a
meeting

JAMESONS.

NSW Strata Schemes Chairperson's Meeting Guide

This guide draws on Schedules 1 and 2 of the NSW Strata Schemes Management Act 2015. It is designed to support effective meeting facilitation and help navigate complex situations with confidence. Always refer to the most up-to-date legislation for formal guidance.

Key Legal Obligations

Section 37: Duty of Care and Diligence

Every strata committee member has a duty to act in the best interests of the owners corporation and to perform their role with care and diligence. As chairperson, you are personally protected from liability when acting in good faith in the course of your duties.

Section 42: Chairperson's Functions

The chairperson is responsible for leading meetings of both the owners corporation and the strata committee. This includes determining whether a quorum is present and making decisions on procedural matters as they arise.

PRE-MEETING CHECKLIST

Before You Start

- **Check Notice Requirements:** Confirm that the meeting notice includes a detailed agenda and has been provided to all committee members at least 3 days in advance.
- **Verify Quorum:** Ensure that at least half of the committee members entitled to vote are present.
- **Identify Voting Rights:** Check which members are entitled to vote; unfinancial owners are generally not permitted to vote until overdue contributions are paid.
- **Review Agenda:** Ensure all proposed motions are properly listed and within the scope of the meeting.



Documents to Have Ready

- Meeting agenda with detailed items
- Minutes from the previous meeting
- Financial reports (if applicable)
- A copy of the building's by-laws (for reference)
- This Chairperson's Guide

OPENING THE MEETING

1. Call the Meeting to Order

- Welcome attendees
- If requested, announce the names of those entitled to vote.

2. Establish Quorum

For Committee Meetings:

- At least half of the voting members must be present
- If No Quorum: The meeting must be adjourned—no motions can be considered.

For General Meetings:

A quorum is present if any one of the following conditions is met:

- At least one-quarter of people entitled to vote are present (in person or by proxy),
OR
- At least one-quarter of the total unit entitlements are represented, OR
- At least two people are present (where there is more than one owner and the calculated quorum is fewer than two).
- If no quorum after 30 minutes:
 - Adjourn the meeting for at least 7 days, OR
 - Declare that the number present constitutes a quorum and proceed.



3. Confirm Attendance

- Record all attendees
- Note any valid proxies held
- Identify and note any declared conflicts of interest.

RUNNING THE MEETING

Your Role as Chairperson

DO:

- Maintain order and promote fair, constructive, and inclusive discussion.
- Follow the agenda in the order presented.
- Rule motions out of order if they conflict with legislation, by-laws, or are otherwise unlawful.
- Clearly declare the outcome of each vote—your declaration is final.
- Ensure all decisions are accurately recorded in the minutes.
- Allow reasonable time for discussion on each item.

DON'T:

- You do not have a casting vote—only vote if you are otherwise entitled to do so.
- Don't allow discussion to stray from the agenda.
- Don't rush decisions—ensure each matter is properly considered.

Motion Procedures

1. Read the motion clearly so all attendees understand what is being proposed.
2. Confirm the motion is in order – it must not conflict with the law or the building's by-laws.
3. Facilitate discussion, ensuring all views are heard and discussion remains respectful and relevant.
4. Call for a vote once discussion has concluded.
5. Declare the result – your declaration of the outcome is conclusive.



Managing Difficult Situations

Conflicts of Interest

Any member with a pecuniary (financial) interest in a matter must disclose it immediately. They are not permitted to take part in discussions or vote on that matter.

Unruly Behaviour

- Maintain order professionally
- Request members address the chair
- Use parliamentary procedure: "The motion before us is..."
- If necessary, call for brief adjournment

Complex Motions

- Break down complex issues
- Ensure everyone understands what they're voting on
- Consider deferring if more information is required

VOTING PROCEDURES

Types of Decisions

- **Simple Majority:** Most committee decisions are passed by a simple majority (more votes in favour than against).
- **Must go to Owners Corporation:** Some matters must be decided by the owners corporation, such as:
 - Special or unanimous resolutions
 - Decisions reserved for the owners under the Act or by-laws

Voting Process

1. Confirm that a **quorum is still present.**
2. **Call for the vote:** Ask, "All in favour?" then "All opposed?"
3. **Count votes** – A simple majority determines the outcome.
4. **Declare the result:** Clearly state, "The motion is carried" or "The motion is lost."



Written Resolutions

The committee may pass a resolution in writing without holding a meeting, provided:

- Notice of the proposed resolution has been given to all committee members, and
- A majority of voting members approve the resolution in writing.

SPECIAL SITUATIONS

Owner Objections

A committee decision has no effect if, before it is acted upon, owners representing more than one-third of the total unit entitlements submit a written objection to the decision.

Adjournments

- A meeting may be adjourned for any reason if a motion to do so is passed.
- As chairperson, you are responsible for setting the time and place for the resumed meeting.
- Provide at least 1 day's notice of the resumed meeting to all members.

Emergency Situations

- The committee may make urgent decisions if necessary.
- Proper procedures should still be followed where possible.
- All emergency decisions must be reported at the next owners corporation meeting.



CLOSING THE MEETING

Before Adjourning

- Confirm that all agenda items have been addressed
- Set the date for next meeting (if required)
- Remind the secretary to distribute the minutes within the required timeframe
- Thank all attendees for their time and participation

Post-Meeting Requirements

- Minutes Distribution – The secretary must provide minutes within 7 days to all committee members, and to owners upon request (for large schemes)
- Record Keeping – Ensure all decisions are clearly and accurately documented
- Follow-up Actions – Monitor the implementation of any resolutions passed



LEGISLATIVE REMINDERS

Your Protection

- Under Section 260 of the Strata Schemes Management Act 2015, committee members are protected from personal liability when acting in good faith.
- Always document your decision-making process to show due care.
- Act in the best interests of the owners corporation at all times.

Delegation to Strata Manager

- Many day-to-day functions can be delegated to the strata manager.
- However, the chairperson's responsibilities during meetings cannot be fully delegated.
- You remain accountable for ensuring meetings are conducted properly and in accordance with the law.

Key Prohibitions

- The committee cannot make decisions that require special or unanimous resolutions.
- You cannot decide on matters reserved for the owners corporation, such as altering common property or amending by-laws.
- All decisions must comply with the by-laws and any directions given by the owners corporation.



EMERGENCY CONTACT INFORMATION

When in Doubt:

- Speak with your strata manager for advice or clarification
- Refer to the Strata Schemes Management Act 2015, particularly Sections 36–48
- Seek independent legal advice for complex or contentious matters
- Contact NSW Fair Trading for additional guidance

Useful References:

- *Strata Schemes Management Act 2015* – Sections 36–48 (Committee functions and conduct)
- *Schedule 2* – Procedures for meetings of the owners corporation
- NSW Fair Trading – Strata committee guidance and fact sheets
- Your Scheme's By-laws – For property-specific rules and responsibilities



QUICK DECISION FLOWCHART

1. Motion Proposed

→ Is it within committee powers?

- **YES:** Proceed with voting procedure
- **NO:** Refer to the owners corporation for decision

2. Can the committee decide on the matter?

→ Any conflicts of interest?

- **YES:** Affected member must abstain from discussion and voting
- **NO:** Proceed to vote

3. Vote taken

→ Majority in favour?

- **YES:** Motion carried
- **NO:** Motion lost

4. Record decision

→ Ensure the outcome is documented and

→ Action is implemented or delegated as needed



ADJOURNING MEETINGS

Legislative Framework

Schedule 1 (General Meetings) & Schedule 2 (Committee Meetings) – NSW Strata Schemes Management Act 2015

Types of Adjournments

1. Voluntary Adjournment

- A meeting may be adjourned for any reason if a motion to adjourn is passed.
- The chairperson has discretion to allow the motion to be put forward.
- The adjourned meeting must be rescheduled, with appropriate notice given.

2. Lack of Quorum Adjournment

General Meetings:

- Special procedures apply if a quorum is not present.
- After 30 minutes, the meeting can be:
 - Adjourned for at least 7 days, OR
 - Declared to proceed with those present as the quorum.

Committee Meetings:

- If a quorum is not present, the meeting cannot proceed and must be adjourned.

General Meeting Adjournment Process

Step 1: Motion to Adjourn

- Any attendee entitled to vote may move: *"I move that this meeting be adjourned"*
- Motion must be seconded
- The chairperson must immediately put the motion to a vote—no discussion is required.



Step 2: Voting

- Simple majority is required to pass the motion
- If Carried: The meeting is adjourned
- If Lost: The meeting continues as scheduled

Step 3: Setting the Resumption

- The chairperson must fix the time and place for the resumed meeting.
- Consider the urgency of agenda items and the availability of attendees.
- Clearly announce the resumption details before closing the meeting.

Step 4: Notice Requirements

The secretary must provide written notice of the resumed meeting at least 1 day in advance, including:

- The time and place of the resumed meeting
- A reminder of the quorum requirements under the Act

Lack of Quorum Adjournment Process

When Quorum is Lost:

1. Wait 30 minutes from the time quorum was lost.
2. After 30 minutes, the chairperson must choose one of the following:

Option A: Adjourn the Meeting

- Announce: *"As we do not have a quorum, I am adjourning this meeting for at least 7 days."*
- Set a new meeting date (minimum 7 days from original meeting).
- Notice Required: The secretary must provide written notice of the resumed meeting at least 1 day in advance, stating the time, place, and quorum requirements.

Option B: Declare Present Members Constitute Quorum

- Announce: *"I declare that the persons present constitute a quorum for the remainder of this meeting."*
- The meeting continues with those in attendance.
- Note: This declaration applies to all remaining business on the agenda.



Resumed Meeting After Quorum Adjournment

- If quorum is still not present at the resumed meeting:
 - Wait 30 minutes.
 - Then, the members present automatically constitute a quorum.
- The meeting proceeds regardless of the number of attendees

Committee Meeting Adjournment Process

Step 1: Motion to Adjourn

- Any committee member may move to adjourn the meeting.
- The motion must be passed by a simple majority of those present.

Step 2: Chairperson Sets Resumption

- The chairperson sets the time and place for the resumed meeting.
- Consider the availability of committee members to ensure quorum can be met.

Step 3: Notice Requirements

- The secretary must provide at least 1 day's notice of the resumed meeting.
- Notice must include the time and place, and can be given via:
 - Noticeboard (if your building has one), or
 - Written notice to all committee members

No Quorum Situation

- No special procedure applies—the meeting cannot proceed.
- A new meeting must be rescheduled following normal procedures.
- Provide at least 3 days' notice for the new meeting, including a detailed agenda.



Chairperson's Script Examples

Voluntary Adjournment – General Meeting

"A motion has been moved and seconded to adjourn this meeting. All those in favour of adjournment? [count] All those against? [count] The motion is carried/lost."

If carried: "This meeting is now adjourned. It will resume on [date] at [time] at [location]. The secretary will provide formal notice as required by law."

Lack of Quorum – General Meeting

"We have lost our quorum. I will wait 30 minutes to see if additional members arrive. The time is now [time]."

After 30 minutes:

Option A: "As quorum has not been restored, I am adjourning this meeting for 7 days. The meeting will resume on [date] at [time] at [location]."

Option B: "I declare that the persons present constitute a quorum for considering the remaining business of this meeting, which will now continue."

Voluntary Adjournment – Committee Meeting

"A motion to adjourn has been moved and seconded. All in favour? All against? The motion is carried. This committee meeting is adjourned until [date] at [time] at [location]."

No Quorum – Committee Meeting

"We do not have the required quorum of at least half our voting members present. This meeting cannot proceed and must be rescheduled."



Practical Considerations

Before Calling for Adjournment Motion

- Check whether the reason is valid and reasonable.
- Consider if the issue can be resolved without adjourning the meeting.
- Ask: “Is there a specific reason for the requested adjournment?”

When Setting Resumption Date

- General Meetings – Factor in statutory notice periods and the urgency of unresolved matters.
- Committee Meetings – Coordinate with the secretary to meet minimum notice requirements.
- Emergency Matters – Minimise delays wherever possible.
- Routine Business – Allow reasonable time for members to prepare.

Documentation Requirements

- Meeting minutes must record:
 - The reason for adjournment
 - The time, date, and location of the resumed meeting
- The secretary is responsible for issuing the appropriate notice.
- Follow up to confirm that all attendees received notice of the resumed meeting.

Special Situations

Multiple Adjournments

- There is no legal limit to how many times a meeting can be adjourned.
- Each adjournment must follow proper motion and notice procedures.
- Consider whether the matter should instead be deferred to the next scheduled meeting.

Emergency Adjournments

- In cases of safety or urgent concerns, the chairperson may adjourn the meeting immediately without a motion.
- Ensure the reason for adjournment is documented in the minutes.
- Resume the meeting using standard notice procedures.



Technical Difficulties (*Virtual or Hybrid Meetings*)

- Connection or equipment issues may justify a brief adjournment.
- The chairperson may state: *"I am briefly adjourning this meeting to resolve technical issues."*
- Resume the meeting once the issue is resolved.

Disruptive Behaviour

- Consider a short adjournment to allow tensions to ease.
- First, issue a warning: *"If order cannot be maintained, I will adjourn this meeting."*
- If disruption continues, state: *"Due to disruption, I am adjourning this meeting."*

Common Mistakes to Avoid

Don't:

- Adjourn without proper motion and vote (except for safety/emergency)
- Forget to set resumption time and place
- Ignore notice requirements for resumed meetings
- Use adjournment to avoid difficult decisions
- Allow debate on adjournment motion (it should be voted on immediately)

Do:

- Follow proper procedures for each type of meeting
- Ensure secretary understands notice obligations
- Record detailed reasons in minutes
- Consider members' convenience when setting resumption
- Confirm quorum requirements are understood for resumed meeting



REFERENCES

Legislative References

- Schedule 1, Clause 20: General meeting adjournments
- Schedule 2, Clause 16: Committee meeting adjournments
- Schedule 1, Clause 17: Quorum requirements for general meetings
- Schedule 2, Clause 12: Quorum requirements for committee meetings

Quick Reference Checklist

For Any Adjournment:

- Motion moved and seconded (unless emergency)
- Motion put to vote
- Time and place for resumption fixed by chairperson
- Notice requirements explained to secretary
- Reason recorded for minutes
- Attendees informed of resumption details

Additional for Quorum Issues:

- 30-minute wait observed (general meetings only)
- Clear announcement of chosen option
- Minimum 7-day gap for quorum adjournments (general meetings)
- Understanding that resumed meeting proceeds regardless of numbers

