

Approved form AF2003-1

approved by the delegate of the Minister for Planning on 7 December 2002 under the

Unit Title Act 2001, s 180 (Approved Forms)

Unit Titles Act 2001 – Form 8

(see s 100)

Australian Capital Territory

Reduced Quorum Decision

(See attached form entitled Notice of Reduced Quorum Decisions)

Unit Titles Act 2001 – Form 8

NOTICE OF REDUCED QUORUM DECISIONS

Part A Details of reduced quorum decisions[†]

A1 The Owners—Units Plan No _____ [*insert number*]

A2 General meeting

Date (or dates) of general meeting at which the reduced quorum decision or decisions were made— _____

Tick applicable box, or both boxes if applicable:

Regularly convened

The general meeting was regularly convened (not following any adjournment under UTA s 99 (3) or (6) (a)).

Convened after adjournment

The general meeting was convened following an adjournment or adjournments (under UTA s 99 (3) or (6) (a)).

A3 Reduced quorum decisions

[If there is insufficient space here, tick and attach details to the notice]

Date of decision	Full text of reduced quorum decision

A4 Owners corporation declaration

The information in this notice has been recorded on the following date from details shown in the records of the owners corporation.

.....[*insert date of affixing of seal*]

[*Affix owners corporation seal in accordance with the corporation articles*]

[†] In this notice, *UTA* means the *Unit Titles Act 2001*.

NOTICE OF REDUCED QUORUM DECISIONS

Part B General information

B1 What is a *reduced quorum decision*?

- A ***reduced quorum decision*** is a decision of a general meeting of the owners corporation made while a quorum (a ***reduced quorum***) smaller than a ***standard quorum*** was present.
- A ***standard quorum*** is those people entitled to vote (on the motion) in relation to not less than ½ the total number of units (see UTA s 99 (1) (a)).

There are 2 types of ***reduced quorum decision***, requiring different reduced quorums.

Reduced quorum decisions made at regularly-convened general meetings

- If, within ½ an hour after a motion arises for consideration at a general meeting that has been regularly convened, a ***standard quorum*** for the motion (see above) is not present a reduced quorum decision may be made if a ***reduced quorum*** (see next point) is then present for consideration of the motion (UTA s 99 (2)).
- At a regularly-convened general meeting, a ***reduced quorum*** means 2 or more people present at the meeting and entitled to vote on the motion (UTA s 99 (2)).
- A reduced quorum is also sufficient to make decisions on any later motions arising at the meeting. Any such later decisions made while only a reduced quorum was present are also reduced quorum decisions (UTA s 99 (2)).

Reduced quorum decisions—adjournment following quorum trouble

- If, within ½ an hour after a motion arises for consideration at a general meeting that has been regularly convened, neither a ***standard quorum*** for the motion (see above) nor a ***reduced quorum*** (see above) is present, the meeting is adjourned to the following week at the same place and time (UTA s 99 (3)). The meeting may also decide to adjourn even if a reduced quorum is present (UTA s 99 (5)).
- If, within ½ an hour after a motion arises for consideration at a general meeting convened following such an adjournment, a standard quorum for the motion is not present, a reduced quorum decision may be made if there is a ***reduced quorum*** made up by *anyone* then present and entitled to vote (even if that is only a single voter) (UTA s 99 (6) (a)).
- Such a reduced quorum (of *anyone* present and entitled to vote) is also sufficient to make decisions on any later motions arising at the meeting. Any such later decisions made while only a reduced quorum was present are also ***reduced quorum decisions*** (UTA s 99 (6) (a)).

B2 *When does a reduced quorum decision take effect?*

- A reduced-quorum decision takes effect 21 days after the date of the decision (the decision's *date of effect*) (UTA s 101 (1)).
- However, this does not apply if the decision is disallowed, confirmed by a standard-quorum general meeting or revoked (see below) (UTA s 101 (3) – (5))

B3 *How may reduced quorum decisions be disallowed?*

Reduced quorum decisions may be disallowed by petition (the Act, s 101 (3)). The petition must—

- state the resolution or resolutions to which it applies; and
- be signed by a majority of persons entitled to vote at a general meeting of the owners corporation (a person may sign whether or not he or she attended the meeting); and
- be given to the owners corporation before the decision's date of effect (see B2 above).

B4 *How may reduced quorum decisions be confirmed?*

- A reduced-quorum decision may be confirmed by a general meeting of the owners corporation held before the decision's date of effect (see B2 above).
- For the confirmation to be valid, a standard quorum must be present when the confirmation motion is considered at the later general meeting (see B1 above).
- If a decision is confirmed, it takes effect from the date of the later general meeting whether or not a petition is given to the owners (UTA s 101 (4)).

B5 *How may reduced quorum decisions be revoked?*

- A reduced-quorum decision may be revoked by a general meeting of the owners corporation held at any time, whether or not the decision has earlier been confirmed.
- A revocation is valid whether a standard quorum or a reduced quorum is present when the revocation motion is considered (see B1 above; UTA s 101 (5)).