(see Schedule 3.7)

**Unit Titles (Management) Act 2011 – Form 2 AF2021-17**

APPOINTMENT OF A PROXY

**Part A Authorisation for proxy to vote on owner’s behalf**

**A1** Date **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

I/We **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

the owner/s of unit **­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**in Units Plan No **­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

appoint **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

of **­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

as my/our proxy for the purposes of meetings of the owners corporation (including adjournments of meetings).

I/We appoint ­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

of ­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

as my/our proxy for the purposes of meetings of the owners corporation (including adjournments of meetings) if ­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

already holds the maximum number of proxies that may be accepted.

*Note: The person appointed as a proxy must not be the manager or a service contractor.*

*Note: You may wish to provide instructions to your proxy regarding voting preferences. You may also wish to discuss your preferences with your proxy should a motion be raised from the floor or amended at the meeting.*

**A2** Period or number of meetings for which appointment of proxy has effect for [*tick or tick and complete whichever applies*].

* 1 meeting
* \_\_\_\_\_ meetings
* 1 month
* \_\_\_\_\_ months
* 12 months

**A3** I understand that, if the proxy already holds more than the permitted number of proxies, the chairperson will exercise the proxy vote on my/our behalf.

Signature of owner/s

**Part B Notes on appointment of proxies**

**B1** This form must accompany a notice of a general meeting given to a person entitled to vote on any motion.

**B2** A person entitled to vote at a general meeting of an owners corporation must not –

1. appoint a proxy for more than 1 year after the day the appointment is made; or
2. appoint a person as a proxy if the person is –
3. the manager; or
4. a service contractor.

**B3** A person, other than the chairperson, must not exercise more than the following number of proxy votes in a vote on a matter at a general meeting:

1. if there are more than 20 units in the units plan – a number that is not more than 5% of the total number of units;
2. in any other case – 1.

**B4** If a person holds more proxy votes than they can exercise, the chairperson must exercise the excess proxy votes.

**Part C Notes on limits on developers to exercise proxy votes**

**C1** A developer of a units plan who is appointed as the proxy under a contract for the sale of a unit in the units plan must not exercise 3 or more proxy votes in a vote on a matter at a general meeting of the owners corporation for the units plan unless –

1. each contract for the sale of a unit in the units plan contains a proxy disclosure statement; and
2. the use of each proxy vote is consistent with the statement; and
3. the matter being voted on relates to development rather than the ordinary operation of the owners corporation.

A ***proxy disclosure statement*** includes the following:

1. if a person is appointed as a proxy – the name of the person;
2. if the proxy is appointed by naming the occupant of a position – the name of the position;
3. the length of time of the appointment;
4. a sufficient description of the development matter for the buyer of a unit to easily identify the matter.

**C2** The developer of the units plan in not entitled to vote, or exercise a proxy vote, on a motion that relates to defective building work unless –

1. the members of the owners corporation, other than the developer, pass a special resolution allowing the developer to vote; or
2. the ACT Civil and Administrative Tribunal (ACAT) makes a declaration that the developer may vote on the motion.