



FACT SHEET

This Fact Sheet has been provided as a guide to assist owners with the preparation of motions that can be submitted at General Meetings. The legislation does not specifically provide instructions on how to write a motion.

Submitting a Motion

Prior to your Annual General Meeting each year owners are given the option to submit motions for owners to consider at this meeting. Most day to day matters at bodies corporate can be resolved by the Committee, however if you do submit a motion that requires approval at a general meeting you want to make sure that you do it properly.

Depending on the outcome sought, a motion must be passed by an ordinary resolution, special resolution, Resolution without dissent or majority resolution.

C.L.E.A.R

The Office of Body Corporate and Community Management advise that owners should ensure that they take ample time to prepare a motion and that you ensure that it is CLEAR; Concise, Legal, Economic, Action-based and Realistic.

- Concise—are you clearly and concisely explaining what should happen so the body corporate can adopt the proposal without any further decisions?
- Legal—does the proposal have to meet any special requirements under the body corporate legislation or any other legislation (e.g., building regulations)?
- Economic—can any action required by the motion be paid for? Are there funds in the budget or will a special levy have to be raised? Instead of submitting just 1 motion, should 2 quotes and 2 alternative motions be submitted?
- Action-based—is there a clear action to be taken? Is a time frame set?
- Realistic—can the proposed action be achieved? Is it something that other owners are likely to support?

Examples

When submitting a motion to be voted on by owners at a general meeting you need to make sure that all owners can clearly understand the desired outcome of the motions. This is an example of a motion that does not have enough detail: **Broken Tiles: That the tiles in the stairwell near unit 3 are fixed.**

This motion does not provide realistic action to resolve the problem, it does not advise owners of the cost of completing the works. The likely outcome is that owners will not approve this motion as they are not clear on what they are voting for.

Here is an example of a motion with enough detail: **Replacement of Cracked Tiles: That the body corporate engage ABC Maintenance to replace the cracked tiles in the front stairwell as per specifications provided in the attached quote, at a cost of \$700.00, to be funded by the Sinking Fund.**

Owners can make an informed decision on this motion as they have been provided with the necessary information. It is important that motions are worded so that owners can vote with a YES or NO.

If work being proposed is over the major spend limit of your scheme your motion should include two quotes. This will be called a motion with alternatives. Bodies corporate can set the major spending limit by ordinary resolution at a general meeting. If no amount is set the limit is the lesser of either:

- \$1,100 multiplied by the number of lots in the scheme;
- OR
- \$10,000.

For your motion to result in action make sure that you have done your homework by sourcing quotes if required, being informed on the funds that your body corporate have available and by ensuring that what you are proposing meets with the legislation governing bodies corporate.

Remember to ensure that your motion is CLEAR!

If you need further guidance on this topic or would like assistance with drafting motions don't hesitate to contact your Body Corporate Manager at Hartley's.

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SOURCES:

- BCCM Office: <https://www.qld.gov.au/law/housing-and-neighbours/body-corporate>
- Act: <https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-1997-028>
- Standard Module: <https://www.legislation.qld.gov.au/view/pdf/asmade/sl-2020-0233>
- Accommodation Module: <https://www.legislation.qld.gov.au/view/pdf/asmade/sl-2020-0229>
- Commercial Module: <https://www.legislation.qld.gov.au/view/pdf/asmade/sl-2020-0230>
- Small Schemes Module: <https://www.legislation.qld.gov.au/view/pdf/asmade/sl-2020-0231>

HOW TO PREPARE A MOTION

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