**Owners corporation ballot instructions**

# How to vote

* To vote in favour of the motion, mark the 'FOR' box
* To vote against the motion, mark the 'AGAINST' box
* If a cross is marked in the ‘FOR’ box, it will be a vote in favour of the motion
* Sign or execute the ballot paper.
* Write your lot number(s).

# Return of ballot paper

**Please return the ballot paper by:**

|  |  |
| --- | --- |
| **Time** | **[TIME]** |
| **Date** | **[DATE]** |

**To:**

|  |  |
| --- | --- |
| **Name** | **[NAME]** |
| **Secretary of owners corporation number** | **[NUMBER]** |
| **Address** | **[ADDRESS]** |
| **Fax** | **[FAX]** |
| **Email** | **[EMAIL]** |

**Purpose of the ballot**

|  |  |
| --- | --- |
| The ballot is required to enable the owners corporation to make a decision on | **The proposal of Lot 1 to install the following:**Approve [x] solar panels in the [XXXXXX] area (specification as per attached)- Installation and Maintenance at the owner’s expenseLicense agreement to be prepared at the Owner’s cost between the owner and the Owners Corporation. All cost incurred will be covered by Lot 1 owner. |

Therefore, your vote is needed.

# Types of resolutions

* A unanimous resolution requires 100% of all lot entitlements.
* A special resolution requires 75% of lot owners or their proxies or representing 75% of lot entitlements of all the lots. If a special resolution is voted by at least 50% of all the lot entitlements in favour and no more than 25% against, it is an interim special resolution.
* An interim special resolution requires a notice to be sent to all lot owners within 14 days and can only be acted on after 29 days. If the secretary receives a petition by more than 25% of lot owners against an interim special resolution within 29 days of the meeting or ballot, then the interim special resolution fails.
* An ordinary resolution requires at least 50% of all lot entitlements voting in favour.

# Counting of ballot papers of the lot owners

* The committee has the power to decide at its sole discretion whether or not:
* A voting paper or any necessary supporting document has been received before or after the closing time of the ballot.
* A proxy is valid or invalid.
* A power of attorney has been validly executed or the powers given to the attorney by the donor of the power extend to voting at this postal ballot of the owners corporation.
* A company representative has been validly appointed.
* A certified copy of a power of Attorney provides the existence of the power of attorney.
* A voting paper is formal or informal.
* In the event that the required number of votes or lot entitlements has not been achieved, the decision will be an interim decision and a notice and minutes of the meeting will be sent to the lot owners or members. The decision can only be acted on after 29 days if no petition has been received.
* In the event that there is an equality of votes after the required votes have been obtained, the chairperson who is a lot owner or proxy of a lot owner, will have the second or casting vote.

# Evidence of the right to vote

* Each lot owner shall be required to sign his or her ballot paper.
* If you intend to vote by proxy or by power of attorney or by an authorised company representative, the proxy form must be completed and a copy of the Power of Attorney and the appointment of company representative must be enclosed with the voting paper.
* Where a company is registered as the owners or part owner of a lot, the company seal must be affixed to the voting paper and witnessed by an authorised person unless the company votes by proxy, by an attorney or authorised representative.
* Where two or more persons or companies are registered as the owners of a lot, those persons or companies must all sign or execute the voting paper or vote by proxy by an attorney, or in the case of a company, by an authorised representative, jointly appointed by them or who may be one of them.
* Where the successive interests in a lot, a vote can only be exercised only by the party or parties registered as the owner or owners.

# Voting

* Complete the voting paper “for” or “againsts” in the box.
* Sign or execute the voting paper.
* Attach any relevant document such as the completed proxy form, certified copy of the power of attorney or appointment of a authorised company representative.
* Place the voting paper and relevant documents inside the self addressed envelope and post to the secretary by the closing time of the postal ballot, OR
* Fax the completed voting paper and relevant documents to the secretary by the closing time of the postal ballot, OR
* Scan and email the completed voting paper and relevant documents to the secretary by the closing time of the postal ballot.
* Any voting paper received by the secretary after the closing time of the postal ballot will be informal regardless of the time of posting or the manner of delivery.

More information is available in the [CONSUMER AFFAIRS WEBSITE OF RELEVANT STATE OF AUSTRALIA]