

50A. Disqualification from voting as proxy

- (1) Subject to subsections (2) and (3), at a meeting of a strata company, or of a council of a strata company, a person shall not vote as a proxy of another person on a motion relating to a management contract or arrangement with the strata company if the person (“**the proxy**”) has a financial interest in the contract or arrangement.
- (2) Subsection (1) does not apply if —
 - (a) notice of the meeting included notice of the motion and, where applicable, the particulars described in subsection (3); and
 - (b) the instrument appointing the proxy expressly authorizes the proxy to vote on the motion and specifies whether the proxy is to vote for or against it.
- (3) Where the motion relates to the strata company entering into or renewing a management contract or arrangement with a person, notice of the motion shall include —
 - (a) the name of that person;
 - (b) the duration of the proposed contract or arrangement; and
 - (c) the remuneration that is payable under it.
- (4) For the purposes of this section the proxy has a financial interest in a contract or arrangement if the proxy or his or her spouse —
 - (a) owns shares (whether beneficially or otherwise) in a company;
 - (b) is a member of a firm; or
 - (c) is a director or employee of a company or of a firm,
that benefits or will benefit directly from the contract or arrangement to which the motion relates.
- (5) In this section —

“management contract or arrangement” means a contract or arrangement, or a proposed contract or arrangement, for the provision to the strata company of services in connection with the strata company’s powers and duties under this Act.

[Section 50A inserted by No. 58 of 1995 s.48.]