

Proxy Appointment

Community Land Management Act 2021

Approved form under: Community Land Management Act 2021 (Clause 25 (1) of Schedule 1)

Date

I,we [name (s)]

the owners of lot [address]

In Community Plan No. Appoint [name of first appointee]

Of [first appointee's address]

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

I/We appoint [second appointee's name]

Of [second appointee's address]

as my/our proxy for the purposes of meetings of the Association (including adjournments of meetings) if the named above already holds the maximum number of proxies that may be accepted.

Period or number of meetings for which appointment of proxy has effect [Tick OR tick and complete whichever applies below]:

- | | |
|------------------------------------|--|
| <input type="checkbox"/> 1 meeting | <input type="checkbox"/> [please insert number] <input type="text"/> |
| <input type="checkbox"/> 1 month | <input type="checkbox"/> [please insert number] <input type="text"/> |
| <input type="checkbox"/> 12 months | <input type="checkbox"/> 2 consecutive annual general meetings |

(Note: The appointment cannot have effect for more than 12 months or 2 consecutive annual general meetings, whichever is the greater.)

[Tick and complete whichever applies below]:

1. This form authorises the proxy to vote on my/our behalf on all matters.

OR

2. This form authorises the proxy to vote on my/our behalf on the following matters only:
[Specify the matters and any limitations on the manner in which you want the proxy to vote.]

3. If a vote is taken on whether (the managing agent) should be appointed or remain in office or whether another managing agent is to be appointed, I/we want the proxy to vote as follows:

Proxy Appointment

Community Land Management Act 2021

Approved form under: Community Land Management Act 2021 (Clause 25 (1) of Schedule 1)

I understand that, if the proxy already holds more than the permitted number of proxies, the proxy will not be permitted to vote on my/our behalf on any matters.

Signature of owner/s

Name/print

Name/Print

NOTES ON APPOINTMENT OF PROXIES

1. This form is ineffective unless it contains the date on which it was made and it is given to the secretary of the Association at or before the first meeting in relation to which it is to operate.
2. This form will be revoked by a later proxy appointment form delivered to the secretary of the Association in the manner described in the preceding paragraph.
3. This proxy is valid for any general meetings held during the period (if any) specified on page 1 of this form. If no period is specified then this proxy ends after 12 months or two annual general meetings, whichever occurs later.
4. If a person holds more than the total number of proxies permissible, the person cannot vote using any additional proxies. The total number of proxies that may be held by a person (other than proxies held by the person as co-owner of a development lot or neighbourhood lot) voting on a resolution at a meeting of an association are as follows--
 - (a) if the scheme has 20 development lots or neighbourhood lots or fewer--1,
 - (b) if the scheme has more than 20 development lots or neighbourhood lots--a number that is not more than 5% of the total number of development lots or neighbourhood lots.

However, a person who owns more than 1 development lot or neighbourhood lot in a scheme may appoint a single proxy in respect of all the lots.

5. An original owner or a person connected with the original owner cannot cast a vote by means of a proxy or power of attorney given by another owner of a relevant lot in the scheme if the proxy or power of attorney was given pursuant to a term of the sale contract for the lot or pursuant to another contract or arrangement that is ancillary or related to the sale contract. This does not apply to a proxy or power of attorney given by a person to another person connected with him or her.

NOTES ON RIGHTS OF PROXIES TO VOTE

1. A duly appointed proxy:
 - (a) may vote on a show of hands (or by any other means approved by a general resolution at a meeting of the Association), subject to any limitation in this form, or may demand a poll, and
 - (b) may vote in the person's own right if entitled to vote otherwise than as a proxy, and
 - (c) if appointed as a proxy for more than one person, may vote separately as a proxy in each case.
2. A proxy is not authorised to vote on a matter:
 - (a) if the person who appointed the proxy is present at the relevant meeting and personally votes on the matter, or
 - (b) so as to confer a pecuniary or other material benefit on the proxy, if the proxy is a managing agent, facilities manager or on-site residential property manager, or
 - (c) if the right to vote on any such matter is limited by this form.