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General meeting resolutions

Many body corporate decisions have to be made at a general meeting. A decision is made at a general meeting if a motion is included on the agenda, and owners vote to pass the motion. This is called a resolution.

There are different types of resolutions for general meetings. When a motion is included on a general meeting agenda, the voting paper must say what type of resolution is needed to pass the motion.

The [Body Corporate and Community Management Act 1997](https://www.legislation.qld.gov.au/view/html/inforce/current/act-1997-028) (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-1997-028>) says how to count the votes for each type of resolution to work out whether the motion passes or fails.

In some cases the legislation will say what type of resolution is needed to pass a motion on a certain issue.

If no resolution type is given the issue can be decided by an ordinary resolution. The committee may also be able to decide the issue.

Ordinary resolution

Ordinary resolutions are the most common type of general meeting resolution.

A motion is passed by ordinary resolution if the votes counted for the motion (“yes” votes) are more than the votes counted against the motion (“no” votes). If a voter abstains (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/legislation-and-bccm/definitions/regulation>) from voting, that is not included in the count of votes.

Examples of motions which need an ordinary resolution include:

- adopting administrative and sinking fund budgets
- setting annual body corporate contributions.

Each lot has 1 vote on a motion that can be decided by ordinary resolution. However, a person entitled to vote can ask for a poll vote (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/poll-vote>).

Special resolution

The motion is passed by special resolution only if:

1. at least two-thirds of the votes cast are in favour of the motion
2. the number of votes against the motion is not more than 25% of the total number of lots
3. the total contribution schedule lot entitlements (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/lot-entitlements/adjusting>) of the votes against the motion is not more than 25% of the total contribution schedule lot entitlements for all lots in the scheme.

All 3 conditions must be met for the motion to pass by special resolution. If 1 of the conditions is not met the motion will fail.

The types of motions which need a special resolution include:

- consent to record a new community management statement to change the body corporate by-laws (not including exclusive use by-laws)
- an improvement to common property by the body corporate costing more than \$2000 per lot
- a motion to engage a body corporate manager to act in place of the committee.

If a voter abstains (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/legislation-and-bccm/definitions/regulation>) from voting, that is not included in the count of votes.

Resolution without dissent

A motion is passed by resolution without dissent only if there are no votes against the motion (i.e. there are no, “no” votes).

If a voter abstains (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/legislation-and-bccm/definitions/regulation>) from voting, that is not included in the count of votes.

Examples of motions which need a resolution without dissent are:

- a proposal to sell or dispose of part of common property
- to consent to record a new community management statement to amend or add an exclusive use by-law.

Majority resolution

Majority resolutions are uncommon.

A motion is passed by majority resolution if the votes counted for the motion (“yes” votes) are more than 50% of the lots whose owners are entitled to vote on the motion. Votes must be in writing. Proxies are not allowed.

If a voter abstains (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/legislation-and-bccm/definitions/regulation>) from voting, that is not included in the count of votes.

An example of a motion which needs a majority resolution is a motion to transfer a letting agent's management rights.

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Further questions?

If you have further body corporate questions you can submit an enquiry. (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/legislation-and-bccm/services/enquire>) or phone the information service on 1800 060 119 (freecall) (<tel:1800060119>).

We cannot give legal advice or rulings—we can only give you general information on body corporate legislation.

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