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Submitting motions

A body corporate makes decisions in 2 ways:

- The committee makes most day-to-day decisions (e.g. approving minor maintenance).
- More important decisions (e.g. setting budgets and body corporate contributions) must be made by the lot owners in the scheme voting at a general meeting.

The following information outlines motions that can be submitted to general meetings and committee meetings.

Individual committee members, body corporate managers or resident managers cannot make decisions for the body corporate.

General meetings

Owners are able to submit motions to be voted on at general meetings. Motions must be submitted in writing. The committee may also agree to submit motions to be voted on at a general meeting.

The motion can be passed by either:

- ordinary resolution (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/resolutions>).
- special resolution (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/resolutions>).
- resolution without dissent (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/resolutions>).
- majority resolution (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/resolutions>).

Read more about drafting a motion (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/drafting-motions>).

Annual general meetings

This information does not apply to the Small Schemes Module or the Specified Two-lot Schemes Module.

If a notice is sent to owners inviting nominations for the committee, owners must also be invited to put in motions for the agenda of the annual general meeting.

However owners can submit a motion at any time to be included on the agenda for the annual general meeting as long as they are with the secretary before the end of the body corporate financial year (read more about [holding an annual general meeting \(https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/annual/when-to-hold\)](https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/annual/when-to-hold) for more information)

The committee also submits motions for the annual general meeting agenda, including statutory motions. However, the committee is not under the same time limits as owners. The committee may put motions on the annual general meeting agenda at any time before the notice and agenda is issued to the owners.

Extraordinary general meetings

Owners can also submit motions to be considered at an extraordinary general meeting at any time throughout the year.

If a motion is submitted, it must be included on the agenda for the next general meeting where practicable. For example, there must be 'enough time' from when the motion is received to when the meeting notice is issued for the committee to add it to the agenda.

The Act does not provide for a timeframe on this matter. It's up to the committee to consider if there is enough time to include the motion.

Read more about [calling an extraordinary general meeting \(https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/extraordinary/calling\)](https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/extraordinary/calling).

Motion requirements

A motion must:

- be in writing
- include any necessary quotes and other documents
- be clear
- be enforceable

An owner's motion must be put on the voting paper without any change to the wording.

Even if the motion is unlawful, unenforceable or would, if passed, conflict with the *Body Corporate and Community Management Act 1997* (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-1997-028>) the committee cannot refuse the owner's motion. However, the chairperson may rule it "out of order" at the general meeting.

Read more about [ruling motions out of order](https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/annual/running#motionsoutoforder). (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/annual/running#motionsoutoforder>).

Explanatory notes

Owners can add extra information (called explanatory notes) to support their motion for an annual general meeting or an extraordinary general meeting. Explanatory notes must be no longer than 300 words.

The committee must include a schedule of explanatory notes with the meeting notice.

The committee can also include its own explanatory note about a motion submitted by an owner. This note must be on a separate schedule and must be included with the meeting notice.

There is no word limit for the committee's explanatory notes.

Read more about [explanatory schedules for annual general meetings](https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/annual/calling) (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/annual/calling>) and [explanatory schedules for extraordinary meetings](https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/extraordinary/calling) (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/extraordinary/calling>).

Motions with alternatives

Motions with alternatives combine all motions dealing with the same issue. There are 2 parts to this type of motion—the motion itself and the alternatives.

The motion is submitted by the committee and it identifies the issue to be dealt with. The alternatives are the motions received by the body corporate proposing certain action in relation to the issue. The agenda and the voting paper should list the alternatives under the committee's motion.

For example:

A lot owner and the committee each submit motions to a general meeting to engage a different body corporate manager. As both motions deal with the same issue, it is the committee's responsibility to list them as a motion with alternatives on the agenda for the meeting.

The motion may look like this:

MOTION 1: That the body corporate engage a body corporate manager for a period of 1 year commencing on 1 February 2015.

ALTERNATIVE A: That the body corporate engage ABC Pty Ltd at a cost of \$5,000 a year, on the terms set out in the attached draft agreement

ALTERNATIVE B: That the body corporate engage XYZ Pty Ltd at a cost of \$500 a month, in accordance with the attached terms and conditions.

Extra information must be included in the notice of a general meeting if a motion with alternatives is listed on the agenda. This information must be included in the explanatory schedule. It must:

- for each alternative, include the words of the original motion submitted to the body corporate
- include instructions on how to vote.

Voting on a motion with alternatives

Voting on a motion with alternatives is different to other motions.

A lot owner may vote either:

- for the motion, by voting for the motion and for 1 of the alternatives listed under the motion or
- against the motion.

If the motion is passed, the alternative that has the most votes is accepted.

Read more about [voting at general meeting](https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/voting) (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/committees-meetings/general-meetings/voting>).

Once-a-year motions

Some motions cannot be considered more than once in the body corporate's financial year.

These motions include:

- a change to the regulation module for the scheme
- changes to payments for a [service contractor](https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/maintenance/service-contractors) (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/maintenance/service-contractors>).
- a right or option of extension or renewal to a [service contractor or letting agent](https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/maintenance/service-contractors) (<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/maintenance/service-contractors>).

A motion should not be placed on the agenda for a general meeting if this would result in one of the above type of motions being considered more than once in a financial year.

Committee meetings

Body corporate legislation does not deal with owners' motions to committee meetings. However the minutes of committee meetings must include details of any correspondence (notes or letters) presented to the meeting.

Therefore an owner can send correspondence to the committee and this can include a request for the committee to vote on at its next meeting.

However, if a request is put more formally as a motion, it can be dealt with more efficiently.

A number of adjudicators' orders refer to committee transparency and adding items to agendas. You can search for adjudicator's orders on the [Australasian Legal Information Institute \(AustLII\) website](http://www.austlii.edu.au/au/cases/qld/QBCCMCmr/) (<http://www.austlii.edu.au/au/cases/qld/QBCCMCmr/>).

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Further questions?

If you have further body corporate questions you can [submit an enquiry](#).

[. \(https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/legislation-and-bccm/services/enquire\)](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](tel:1800060119) (freecall) [\(tel:1800060119\)](tel:1800060119).

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

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