



# BODY CORPORATE COMMITTEE MEETINGS



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# Introduction:

## *Running effective committee meetings*

Welcome to the CBCS Body Corporate Committee Meeting Guidebook - your essential resource for navigating the complexities of committee meetings with confidence and efficiency.

In this guidebook, we will explore all key aspects of Body Corporate committee meetings, providing clarification on committee formation, responsibilities, and meeting procedures in accordance with the Unit Titles Act 2010. By understanding and applying the information provided, you can ensure that your committee meetings are productive, transparent, and compliant with the legal framework governing committee operations.

Whether you're new to your Body Corporate or an experienced committee member, we encourage you to review this guide carefully and refer to it as needed.

The team at CBCS is here to support you and your Body Corporate every step of the way and is always available to answer any questions you may have beyond this guide. We trust that you will find this guide informative and view it as a valuable resource that empowers you on your journey to effective and efficient committee management.

Thank you for your commitment and contribution to your Body Corporate community.



# Forming a Committee:

## *Establishment & election*



Forming a Body Corporate Committee is a key step in the effective management of a shared property. This process involves electing a group of individuals who will be responsible for making important decisions and overseeing the administration of the property.

The formation of the committee must adhere to the guidelines set forth in the Unit Titles Act 2010 and the Unit Titles Regulations 2011, which outline the necessary procedures and criteria.

### Establishment of a BC Committee (s112 UTA 2010)

A body corporate of a unit title development of 9 or fewer principal units may form a body corporate committee.

A body corporate of a unit title development of 10 or more principal units **must form** a body corporate committee **unless** the body corporate, **by special resolution**, decides not to form a body corporate committee.

Any matters at a meeting of a body corporate committee must be decided by a simple majority of votes (s113, UTA 2010), though a quorum must be set in accordance with S24, UTR 2011 at the Annual General Meeting.

A body corporate committee must report, as prescribed in the regulations, to the body corporate on the exercise of the duties or powers delegated to it by the body corporate under section 108(1) of the Unit Titles Act.

## Election of a BC Committee (s24 UTR 2011)

Unless a large Body Corporate passes a special resolution not to form a Body Corporate Committee, elections must be held at every Annual General Meeting.

The Chairperson is automatically a member of the Body Corporate Committee and the Committee Chairperson (unless by ordinary resolution the Body Corporates determines someone other than the Chairperson should Chair the Committee).

### **A candidate for Body Corporate Committee election:**

1. must be the owner of a principal unit within the body corporate;
2. must be a natural person nominated as director of the candidate, if the candidate is not a natural person (IE: Company, Trust, etc);
3. must be nominated by another principal unit owner within the Body Corporate or nominate themselves;
4. must consent to the nomination; and
5. must have no overdue levies or other amounts payable to the Body Corporate

Unless the committee member resigns or is removed from office by ordinary resolution, they hold office from the close of the general meeting at which they were elected until the close of the next annual general meeting.

# Committee Responsibilities:

## *Duties & committee business*



Understanding the regulations governing the responsibilities of the Body Corporate Committee and the conduct of committee business is essential for effective property management.

These regulations ensure that the committee operates efficiently and transparently, maintaining proper governance within the community. Adhering to these rules helps prevent disputes and ensures that all members' interests are fairly represented and managed.

### **Responsibilities of a BC Committee (s114 UTA 2010)**

In accordance with S108 UTA 2010, a body corporate may delegate any of its duties or powers, either generally or specifically, to the body corporate committee by special resolution and written notice.

The body corporate must not delegate any of the powers or duties that require a special resolution or are set out in regards to the:

- (a) general power of delegation;
- (b) reassessment of ownership interests and utility interests;
- (c) compliance with the body corporate operational rules; or
- (d) application of insurance monies in or towards reinstatement of the development

**BC Committee Business (s27 UTR 2011)**

- (1) A body corporate committee must meet within 30 days of the date of service of a notice of delegation;
- (2) A body corporate committee may meet as often as it considers necessary, and the meeting can be conducted by audio link or other remote access facility. At CBCS, we recommend quarterly meetings.
- (3) If there is no quorum at a body corporate committee meeting, the following procedure applies:
  - (a) the meeting must be adjourned until the same day 1 week later:
  - (b) the reconvened meeting must be held at the same time and place, unless the committee chairperson has notified the committee members of a change to the time or place (or both) at least 3 days before the reconvened meeting is due to take place:
  - (c) the reconvened meeting must proceed, whether a quorum exists or not
- (3A) A committee member who, at a committee meeting, does not satisfy the eligibility requirements to exercise a vote as if the meeting were a general meeting of the body corporate (for example, because the member has outstanding levy amounts owing to the body corporate)—
  - (a) must not be counted when determining whether there is a quorum for the meeting; and
  - (b) must not vote on any resolution put at the meeting; but
  - (c) may remain at the meeting and take part in any discussions

# Committee Meetings: Minutes & reports

Preparing for your committee meeting ensures you have the information needed to actively participate in discussions and decision-making. Below, you'll find the key rules and regulations outlined in the Unit Titles Act 2011 pertaining to BC Committee Reports and Minutes.

## Body Corporate Committee Reports (s28 UTR 2011)

- (1) A body corporate committee must report to the body corporate at each annual general meeting of the body corporate.
- (2) body corporate committee must report to the body corporate at such other times and in such manner as the body corporate decides by ordinary resolution.
- (3) A body corporate committee report must include the following information:
  - (a) a description of the duties or powers that have been delegated to the body corporate committee during the period covered by the report; and
  - (b) an update on the fulfilment of those duties or the exercise of those powers by the committee.

## Body Corporate Committee Minutes (s27A UTR 2011)


- (1) A body corporate committee must provide copies of the minutes of its meetings to all unit owners promptly, but no later than 1 month after the meeting date.
- (2) If Information in the minutes may be redacted from the copies provided to unit owners if—
  - (a) disclosing the information would be a breach of the Privacy Act 2020 or any other enactment;
  - (b) the information is subject to legal professional privilege; or
  - (c) confidentiality of the information must be protected on grounds of commercial sensitivity.
- (3) The copies of the minutes may be provided to unit owners electronically, including through an online portal.
- (4) A unit owner may request the body corporate committee to provide a physical copy of the minutes.
- (5) If a unit owner requests a physical copy of the minutes, the body corporate committee must provide the copy within a reasonable time.



Below we have included an example of a CBCS Committee Meeting Draft Agenda, designed to facilitate a structured and productive discussion.

This agenda includes key sections such as reports, old and new business, and action items, ensuring that all relevant topics are covered and that the meeting progresses efficiently. Adjustments may be made based on the specific needs of your committee and the nature of the meeting.





**Body Corporate Committee Meetings  
Draft Agenda**

**Date:**       <DATE>

**Time:**       <TIME>

**Venue:**      <VENUE>

1. Welcome and introduction.
2. Registration of attendees and confirmation of quorum including proxies.
3. Apologies.
4. Confirmation of previous BCC meeting minutes.
5. Matters arising from the previous BCC meeting.
6. Finance Update
  - a. Ensuring expenditure broadly within budget (within 10% of budget, unless approved to extend due to emergency or the like)
  - b. Actions re any overdue levies
  - c. Insurance renewal (if applicable)
7. Maintenance Update
  - a. State of regular maintenance / cleaning
  - b. Long Term Maintenance Projects Update
8. Operational Rule Requests
  - a. Pet requests
  - b. Use of Common area (IE: heat pumps)
9. General Meetings
  - a. Requirements for any upcoming AGM / EGM
10. General Business.
11. Dates for upcoming meetings.
12. Closing

# Committee Code of Conduct:

## *Principles for effective and ethical governance*



The Body Corporate Committee Code of Conduct is essential for maintaining harmony, efficiency and professionalism within the committee. By following the below principles outlined in the Unit Titles Regulations Act 2011 - committee members contribute to a respectful and effective governance environment.

### Body Corporate Committee Code of Conduct (s28A UTR 2011)

1. **Commitment to acquiring understanding of Act, including this code:**

A member must have a commitment to acquiring an understanding of anything in this Act and the regulations, including this code of conduct, that is relevant to the member's role on the committee.

2. **Honesty, fairness, and confidentiality:**

A member must act honestly and fairly in performing the member's duties as a committee member.

A member must not unfairly or unreasonably disclose information held by the body corporate, including information about an owner of a unit, unless authorised or required to do so by law.

3. **Acting in body corporate's best interests:**

A member must act in the best interests of the body corporate in performing the member's duties as a committee member, unless it is unlawful to do so.

#### 4. **Complying with the Act and this code:**

A member must comply with the Act, these regulations, including this code, and any other applicable legislation relating to matters for which the committee has responsibility in performing the member's duties as a committee member.

#### 5. **Conflict of interest:**

A committee member who is eligible to vote must disclose to the committee any conflict of interest the member may have in a matter before the committee.

### **Our Tips for a Successful Body Corporate Committee Meeting:**

Effective Body Corporate Committee meetings can make a significant difference in managing your community efficiently. To help you and your committee maximise the effectiveness of these important meetings, we've put together a few straightforward yet valuable tips.



#### **Arrive and start on time:**

While it seems obvious, starting a meeting on time sets the meeting off on the right foot and sets the tone that the committee is organised. Given most Body Corporate committee meetings are held after hours no one really wants to be at a meeting longer than they have to be.



#### **Be prepared:**

Coming to a meeting prepared will help you, as a property owner and committee member, keep up with what is going on. This means reading the notice and documents in advance and arriving at the meeting with your positions in mind.



#### **Follow the meeting's agenda:**

The Chair of your Body Corporate is the meeting manager and they need to direct the meeting - that's what they are elected to do. If you are bit uncertain, then you can lean on us, your Body Corporate Manager for guidance.



#### **Respect the Meeting Manager:**

This seemingly simple task can be a struggle for many. It is the chairperson's responsibility to keep the meeting on track, however, those attending can assist by raising concerns succinctly and adhering to the speaking time limit that may have been set out by the chairperson.

# Summary:

*Summary of key points*



## SUMMARY

1. The Body Corporate Chair is the Body Corporate Committee (BCC) Chair, unless an ordinary resolution was passed at the AGM to elect another BCC member as the BCC Chair.
2. The BCC must meet within 30 days of the AGM where powers were delegated under section 108 of the UTA 2010.
3. The BCC must meet regularly, we would recommend at least quarterly meetings, unless there are significant maintenance projects in progress, in which case we would recommend monthly.
4. The Chair must prepare an agenda for each BCC meeting, minutes must be taken and the minutes must be distributed to the entire Body Corporate within 30 days of the BCC meeting. The minutes can exclude redacted comments if the matters would breach the Privacy Act 2020, are sensitive or are confidential in nature.
5. Meetings can be held in person or via online video link.
6. The quorum agreed at the AGM must be obtained for the BCC meeting to take place. If quorum is not achieved, then the meeting must be adjourned and reconvened until the same day 1 week later. The reconvened meeting must take place, regardless of whether quorum exists or not.
7. If a BCC member does not meet the eligibility criteria for voting at a general meeting, then they cannot vote at the BCC meeting. They can participate in the discussions however.
8. The BCC must report to the Body Corporate at each AGM, with particular reference to the delegated powers under s108, UTA 2010.



# How we can help:

## *Your local Body Corporate specialists*

Our body corporate management team is dedicated to enhancing the efficiency and effectiveness of your committee meetings through comprehensive support and expertise. We offer tailored administrative services, including preparing agendas, distributing meeting materials, and documenting minutes with precision.

Our team is skilled in facilitating discussions, ensuring all voices are heard, and providing expert advice on regulatory compliance and best practices. By handling the logistical and procedural aspects of meetings, we enable your committee to focus on strategic decision-making and community well-being, ultimately fostering a more organised and productive environment.



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