



COVID-19 Communication update 18 March 2020

General information

Our office is receiving enquiries about how bodies corporate can carefully consider the impact of COVID-19 on their body corporate. This is not surprising given the nature of living in a community titles scheme.

Bodies corporate and residents should consider what steps may be appropriate within their scheme to look after the interests of all residents and workers in the scheme.

Bodies corporate and their committees have a statutory obligation to act 'reasonably'. Actions taken in response to the COVID-19 pandemic need to balance the rights of individuals with the needs of other owners and occupiers and the broader community.

Considerations may include:

- Reminding all residents, workers and guests of the importance of practising appropriate hygiene (such as handwashing) and social distancing.
- Asking residents diagnosed with COVID-19—or who are required to self-isolate—to alert the body corporate so other residents can be informed and take appropriate precautions. You need to balance the requirement for reducing others' exposure with the individual's right to privacy.
- any restrictions on the use of common areas (including facilities such as pools and gyms), particularly for anyone who is diagnosed with COVID-19 or is required to self-isolate.

Committee meetings

It may be prudent for committees to avoid face-to-face meetings unless they are essential, and to practice appropriate hygiene and social distancing when meetings are held.

- There is no legislative reason why meetings cannot be held remotely; for example, by telephone, video conference, skype and similar technologies.
- The need for a quorum at meetings does not mean that committee members need to be present in the same room.
- A committee can also decide to vote outside committee meetings.

General meetings

- Bodies corporate, particularly in larger schemes, can consider deferring calling general meetings unless there is urgent or essential business to consider.
- Bodies corporate are able to seek approval from an adjudicator for annual general meetings to be held outside the legislative timeframe, and this may be an option to consider. Please read [Practice Direction 19](#) for further information.
- Where meetings are held, it may be appropriate to encourage owners to only submit voting papers (or vote electronically in those bodies corporate that have approved electronic voting) rather than attending the meeting personally.
- While the legislation requires a minimum number of persons to be 'present personally' at a general meeting to form a quorum, this will generally only be one or two persons (depending on the size of the scheme).
- All other voters could submit written votes and potentially also participate in the meeting remotely (for example, by telephone, video conference, skype or similar technologies) if the body corporate is able to facilitate such participation.
- Provided that bodies corporate make reasonable endeavours to comply with the legislative requirements for holding general meetings, instances of non-compliance that do not affect the voting outcomes will be unlikely to affect the validity of meetings.
- The statutory capacity to approve expenditure above the committee spending limit with the written consent of all owners, may reduce the need to call a general meeting in some cases, particularly in smaller schemes.
- In schemes registered under the Small Schemes and Commercial Modules there is also a capacity to approve any general meeting motion with a vote outside a meeting.

Maintenance of common property

- A body corporate must maintain common property in good condition.
- The body corporate may need to consider the need for additional cleaning of common areas and facilities if necessary.

Our Office

As a temporary measure, the Office of the Commissioner for Body Corporate and Community Management will conduct all conciliations via telephone to prevent any face to face contact or the need to travel on public transport for our clients. Otherwise it is business as usual and any changes to the status of the Office will be communicated via our [Common Ground e-newsletter subscription](#) , [website](#) and [DJAG social media accounts](#)