

STRATA COMMITTEE RESPONSIBILITIES

The strata committee has the authority to make decisions on behalf of the owners corporation, unless the legislation specifies otherwise, or the owners at general meeting have restricted the committee's authority. This guide sets out the functions and duties of the strata committee and officers of the committee.

DUTIES

The new laws specify that each member of the strata committee owes a **duty of care and diligence** when considering matters on behalf of the owners corporation. The law states that members cannot be personally liable and that any liability is attached to the owners corporation. The committee can be delegated the authority to approve minor renovations via the approval of a by-law by the owners corporation. The committee may obtain legal advice on behalf of the owners corporation and has the authority to obtain legal services to the cost of \$15,000.

The committee must appoint office holders: chairperson, secretary and treasurer. A person may hold more than one office of the strata committee. If an officer dies, resigns or ceases to be a member of the strata committee, then the committee must appoint an existing member to fill the office.

CHAIRPERSON

The chairperson presides at general meetings and strata committee meetings, and determines quorums and procedural matters at those meetings. The chairperson does not have a casting vote.

Procedural matters include

- + The declaration of the result of voting by the chairperson is required and conclusive
- + Ruling a motion out of order

SECRETARY

The following functions of the secretary are delegated to the strata managing agent

- + Maintain the strata roll
- + Convene meetings of the committee and the owners corporation
- + Provide notices of meetings and other matters
- + Provide minutes of meetings
- + Enable inspections of books and records
- + Answer communications addressed to the owners corporation

If the secretary believes on reasonable grounds that an offence has or is being committed under the Act then there are investigative powers they can exercise, and they can be accompanied by another committee member, a building manager, or the strata manager.

The new laws also enable the secretary to conduct investigations and research, to attempt to resolve complaints and disputes, and to provide of owner corporation information to relevant parties.

TREASURER

The following are considered general functions of the treasurer which are delegated to the strata managing agent

- + Sending levy notices
- + Receipting, banking and recording moneys paid to the owners corporation
- + Provide the strata information certificate (relating to the sale of a lot)
- + Keeping accounting records and preparing financial statements

Strata Plus recommends a motion be put to the owners corporation to delegate authority to the treasurer to place investments of the trust funds.

The strata committee can approve the delegation of any of these functions to another member of the committee, or they can order the treasurer in writing that the treasurer is not to exercise specified functions unless exercised jointly with a specified person.



[STRATA RESOURCES](#)

If you have any questions, simply contact your [Strata Plus strata manager](#).

The above information is contained in Sections 36, 37, 41 to 46, 103, 110(6)(b), 249, 256 & 257 and Schedule 2 of the Strata Schemes Management Act 2015 (NSW).