



## **SUPREME COURT GRANTS APPROVAL FOR VIRTUAL MEETINGS BY STRATA CORPORATIONS**

The Supreme Court has granted approval for strata corporations to hold their General Meetings online via video conferencing, in light of the prevailing restriction on physical attendance to events brought about by the COVID-19 Pandemic.

This is a further interpretation of By-Law number 10 in the First Schedule of the Registration (Strata Titles) Act, with the requirement to vote “present in person” to include participating “in person” by electronic means. The Supreme Court made its Order on February 16, after an application on the matter by the Commission of Strata Corporations.

The Order further holds that the use of online video conference application is practicable and allows proprietors access to see and hear proceedings, ask questions and to vote electronically similar to the traditional means of voting at a General Meeting.

A combination of persons physically present and persons appearing by online video conference is also acceptable and corporations may proceed once a quorum has been attained. The Application was first made by the Commission late last year. The Commission of Strata Corporations is the government regulator of strata corporations in Jamaica. Its duties include, to: monitor, regulate and supervise corporations; maintain a register of such corporations, facilitate the resolution of disputes, and enforce by-laws.

Each proprietor is entitled to vote at an Annual General Meeting (AGM) or Extra Ordinary General Meeting (EGM) providing all fees are paid up. Two important decisions which are usually taken at Annual General meetings include:

1. The setting of the amount of maintenance contribution which is determined by the budgeted expenses of the corporation and passed at the Meeting; and
2. The election of the Executive Committee of the corporation (three to nine proprietors) to oversee the management and administration of the property.

A proprietor may also exercise his or her right to vote if absent from the meeting by the appointment of a proxy.