

COMMITTEE ELECTIONS – EGM 15 August 2023

Sue and I have both been asked if either of us will stand for the committee. The answer is - we will not; and that is because neither of us could work with the remaining voting members of the committee given the errors and irregularities of the last two years.

Following on that theme is that, in my opinion, the two important protections for a voluntary voting committee member may have already been compromised. I refer to:

1. BCCM Act 1997, Sect. 101A

Protection of committee members from liability:

A committee member is not civilly liable for an act done or omission made in good faith and without negligence in performing the person's role as a committee member.

2. **Standard Insurance Policy, Reasonable Care Condition:**

Requires that the insured comply with any law, by-law, safety requirement, Australian Standard or regulation of any Government or Local Government body, including but not limited to those covering the disposal of waste products and the handling, storage or use of flammable liquids or substances, gasses, or toxic chemicals.

A compromise of the above two protections would occur if there were:

- a) breaches of the BCCM Act or the BCCM Regulation,
- b) failures to meet accounting requirements and standards,
- c) failures to enact general meeting resolutions,
- d) decisions made by a committee that can only be made by Owners,
- e) decisions made against legal advice paid for by the body corporate,

that had been formally notified to a committee, but which had not been acknowledged, investigated, acted-on or corrected.

Unfortunately, the above five types of irregularities are all too familiar to us in the Quays and the last two years' "occurrences" are well documented.

The legal advice given to me is a bit folksy but is also simple and succinct - "never put your head in another man's noose".

Andy Doves
14 August 2023