

BODY CORPORATE FACT SHEET

Serving on a Body Corporate Committee

Eligibility, powers and limits

The committee runs the administrative and day-to-day business of the body corporate, makes decisions on its behalf, and puts the body corporate's lawful decisions into effect. It is not, however, free to decide everything — and not everyone who wants to serve is eligible.

This sheet covers who can be on a committee, how it is elected, what it can and cannot decide, and how members are removed. It does not cover general meeting procedure.

1. Who is on the committee

A committee consists of executive members — chairperson, secretary and treasurer — plus ordinary members and non-voting members. A person may hold all or any two of the executive positions.

	Standard and Accommodation Modules
Minimum	At least 3 voting members, other than a minor committee.
Maximum	7 voting members where the scheme has 7 or more lots. Where the scheme has fewer than 7 lots, the maximum is the number of lots.
Layered schemes	A principal scheme with more than 7 lots can increase the maximum from 7 to 12 by ordinary resolution.
Non-voting members	Any body corporate manager and caretaking service contractor engaged by the body corporate is automatically a non-voting member.

Module variations

Small Schemes Module — the committee consists of a secretary and a treasurer, and one person may hold both positions. A body corporate under this module cannot engage a caretaking service contractor.

Commercial Module — a non-voting member such as a body corporate manager may be chosen as secretary or treasurer, or both, but still cannot vote at a committee meeting.

Specified Two-lot Schemes Module — there is no committee. Decisions are made by lot owner agreement.

A minor committee applies where there are 3 or more lots and 3 or fewer owners. If the owners cannot decide who holds the executive positions, they hold them jointly.

What each executive position does

Position	Duties
Chairperson	Chairs all general meetings and committee meetings they attend. Rules motions out of order, declares voting results, confirms ballot paper validity and declares election outcomes.
Secretary	Sends out meeting notices, requests nominations, creates ballot papers, maintains viewing access to the rolls and proxy forms, and receives completed voting papers.
Treasurer	Duties are narrower than the title suggests. The treasurer may be asked to prepare a reconciliation statement where there is no body corporate manager, and may prepare budgets and manage funds — but this is not legislatively required.

2. Who can be nominated

An individual lot owner may nominate themselves, another lot owner, a person they have appointed as their power of attorney, or a member of their family.

“Member of family” is defined narrowly

It means the lot owner’s spouse, including a de facto spouse; children of the owner or their spouse who are over 18, including a step-child or adopted child; the owner’s parents or step-parents; and the owner’s brother or sister. Grandchildren, grandparents, nieces, nephews and children under 18 are not included.

A corporate owner may nominate another lot owner, a director of the corporation, the secretary of the corporation, or another nominee of the corporation. A subsidiary scheme may nominate a representative to sit on the committee, who must be a member of the subsidiary scheme’s own committee.

3. Who is barred

A person cannot be a voting member of the committee if they:

- are a body corporate manager
- are a service contractor
- are a letting agent
- conduct a letting business for multiple lots in the scheme
- are an associate of a body corporate manager, service contractor or letting agent
- are a lot owner who owes money to the body corporate
- have been nominated by a lot owner who owes money to the body corporate.

There are two separate arrears bars: the nominee’s own debt, and the nominating owner’s debt. Both bite at the time the nomination is received.

A person also cannot serve at the same time as a member of their family, their power of attorney appointee, or a co-owner of the same lot — unless the minimum of 3 members cannot otherwise be met, or the owner holds multiple lots. Under the Small Schemes Module, only one co-owner may be on the committee.

4. Election

Under the Standard Module, nominations must be completed and returned by the end of the body corporate’s financial year.

- If only one nomination is received for an executive position, no ballot is required and the person must be declared elected unopposed.
- If the number of nominees for ordinary member positions, plus the elected executive members, is less than or equal to the maximum committee size, each nominee is declared elected unopposed.
- A ballot is required only where there are multiple nominations for an executive position, or more ordinary member nominees than positions.
- The secretary must always complete a hard copy of the ballot papers. Candidates are listed in alphabetical order by last name, and the ballot is secret unless an ordinary resolution authorises an open ballot.
- Ballots occur in this order: chairperson, secretary, treasurer, then ordinary members. The candidate with the highest number of votes is elected. A tie is decided by chance in a way the meeting decides.
- If no nominations are received for an executive position, the person chairing the meeting must invite nominations from eligible people, either from the floor or in writing.

Elected members start their role as soon as the meeting ends. An extraordinary general meeting must be called within one month if the election at the AGM leaves at least one executive position unfilled, or leaves the total number of voting members below 3.

Arrears bar at the ballot box

If a lot owes a body corporate debt, the voter for that lot cannot vote on motions — other than a motion needing a resolution without dissent — and cannot vote in the election of committee members.

5. Casual vacancies

A position becomes vacant if the member resigns in writing to the chairperson or secretary; is not present personally or by proxy at two committee meetings in a row without the committee's consent; is convicted of an indictable offence; dies; becomes ineligible to hold the position; sells their lot; is removed by ordinary resolution of the body corporate; or is removed for breaching the code of conduct.

Module	How the vacancy is filled
Standard and Accommodation	The committee has one month to act. With a quorum it may vote to appoint an eligible person, or call a general meeting. If quorum is lost, it must call a general meeting. Where the vacancy arose from a removal by ordinary resolution, it can be filled at that same meeting without formal nominations or a ballot.
Commercial	The committee must appoint an eligible person, or call an extraordinary general meeting to appoint someone.
Small Schemes	The body corporate must hold an extraordinary general meeting to appoint someone.

6. What the committee cannot decide

Restricted issues

These apply to every scheme. The committee cannot decide:

- setting or changing a body corporate levy
- changing the rights, privileges or obligations of lot owners
- anything that must be decided by ordinary resolution, special resolution, resolution without dissent, or majority resolution
- starting a legal proceeding — unless it is to recover a liquidated debt against a lot owner, is related to a proceeding the body corporate is already party to, is for an offence under the by-law contravention provisions, or is a dispute resolution application lodged with the BCCM office
- paying money to committee members, unless it is less than \$50 incurred by a member attending a committee meeting, or not more than \$300 reimbursed to a member in a 12-month period.

Reserved issues

A body corporate can also decide to stop its committee from making decisions on particular issues. These are reserved issues, and they can only be created by ordinary resolution at a general meeting. The register of reserved issues records a description of each issue and the date of the decision, and a copy must be given to all owners with the notice of each annual general meeting.

Restricted issues are imposed by the regulation and apply everywhere. Reserved issues are self-imposed, scheme by scheme, and are discoverable from the register.

7. Committee meetings and voting

	Detail
Who calls a meeting	The secretary; the chairperson in the secretary's absence; or any committee member with the agreement of a quorum where both are absent. If a quorum requests a meeting in writing, one must be held within 21 days.
Notice	At least 7 days before the meeting, or at least 2 days if all voting members agree in writing or at the last meeting. Under the Small Schemes Module there is no formal notice requirement — meetings are called and held as the committee decides.
Who gets notice	Each committee member including non-voting members, and each lot owner unless they have asked otherwise. Also posted on the notice board if there is one.
Quorum	At least half the voting members. With 6 voting members, a quorum is 3.
Passing a motion	A majority of voting members present and entitled to vote. With 7 voting members present, a majority is 4. One vote per member, regardless of how many positions they hold.
Minutes	Full and accurate minutes must be kept and given to each lot owner within 21 days of the meeting, unless the owner has opted out in writing.

Non-members may attend on written notice to the secretary at least 24 hours beforehand, giving their address, the owner's name and proof of representation. They may only observe, and may only speak if invited to. They cannot vote, and can be asked to leave for certain agenda items.

Voting outside a committee meeting

The secretary — or another committee member authorised by a majority of voting members — must give written notice of the motion to all committee members and notice of the motion to all lot owners, at the same time. Members return their written votes within 21 days.

The threshold catches people out

The motion passes only if a majority of the voting members entitled to vote agree — not merely a majority of those who return a vote. Silence therefore defeats a motion.

If no response is received within 21 days, the motion is not passed. The next committee meeting agenda must include a motion to confirm any resolutions passed outside a meeting.

When a member cannot vote

A committee member cannot vote at a meeting, or outside a meeting, if at the time of the vote they owe a body corporate debt; they were nominated by an owner who owes a body corporate debt; or they have a conflict of interest. A proxy cannot be used for a member who owes a debt or has a conflict.

Where a member or their proxy has a direct or indirect interest in a matter that could affect how they do their duties, they must tell the committee and must not vote on the issue.

8. Removing a member

A body corporate may remove a member from office by ordinary resolution at a general meeting, and the person submitting the motion does not need to give the reason for the removal.

Where the removal is based on a breach of the code of conduct for committee voting members, a separate sequence applies. The body corporate must:

1. pass an ordinary resolution deciding to give the committee member a breach notice
2. give the committee member the breach notice

3. allow the member to make a written response to the notice
4. pay the member's costs of sending out the response, if asked
5. attach the breach notice to the agenda of the general meeting.

The code of conduct

Committee voting members are bound by a code of conduct in the Act. In substance it requires a member to act honestly and fairly in performing their duties, to act in the best interests of the body corporate unless it would be unlawful to do so, and to disclose to the committee any conflict of interest they may have in a matter before it. It also requires a commitment to understanding the Act and the code, restrains improper disclosure of body corporate information, and prohibits causing a nuisance on scheme land.

Source and disclaimer

Source: Queensland Government body corporate guidance at www.qld.gov.au/housing/body-corporate, current at 2 September 2026.

Legislation referred to: Body Corporate and Community Management Act 1997 (Qld), including the code of conduct for committee voting members; and the regulation module applying to your scheme.

The \$50 and \$300 committee payment limits are set by regulation and are not indexed. Confirm before relying on them.

BCCM information line 1800 060 119 · www.qld.gov.au/bodycorporate

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Talk to us

If this raises a question about your scheme, we are happy to help.

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