



Commission of Strata Corporations

ABSTRACT

The following is a Protocol for Virtual General Meetings for Strata Corporations developed by the Commission of Strata Corporations, as a response to the on-going COVID-19 Pandemic.

Protocol for Virtual General Meetings of Strata Corporations

Preamble >>>

The following is a Protocol for Virtual General Meetings for Strata Corporations developed by the Commission of Strata Corporations, as a response to the on-going COVID-19 Pandemic. The Protocol is effective from March 18, 2020 until further advised. It provides guidelines for strata corporations on how they operate virtual general meetings during this time. Corporations will, as best as possible abide by the spirit and intent of this protocol. These protocols are developed under Section 3B of the Registration (Strata Titles) Act. They are to be considered a guide as to how to conduct your general meetings.

For more information or to make arrangements to make contact with a specific officer, please call our customer service numbers at 876-391-9937 or 876-312-8971 or email us at info@reb.gov.jm. You may also visit the homepage of our website at www.reb.gov.jm for our Protocol of Service.

VITRUAL PLATFORM FOR GENERAL MEETINGS

In response to the current health pandemic and the restrictions on public gatherings imposed by the Government of Jamaica (through the Ministry of Health and Wellness), the Commission of Strata Corporations has developed the following protocol to guide strata corporations on how to conduct their general meetings.



The Commission recommends that all corporations use the 'Zoom' virtual meetings platform not only has it been adopted as the primary mode for official virtual meetings by the government of Jamaica but moreover there is legal guidance on its use as set out in

Practice Direction No. 1 of 2020 from the local Court of Appeal and the Emergency Practice Direction from the Supreme Court.

SERVICE OF NOTICE OF GENERAL MEETINGS

Notices of Annual & Extraordinary General Meetings may be served on proprietors (agents) and mortgagees by electronic mail to the correct email address provided to the corporation by these parties.

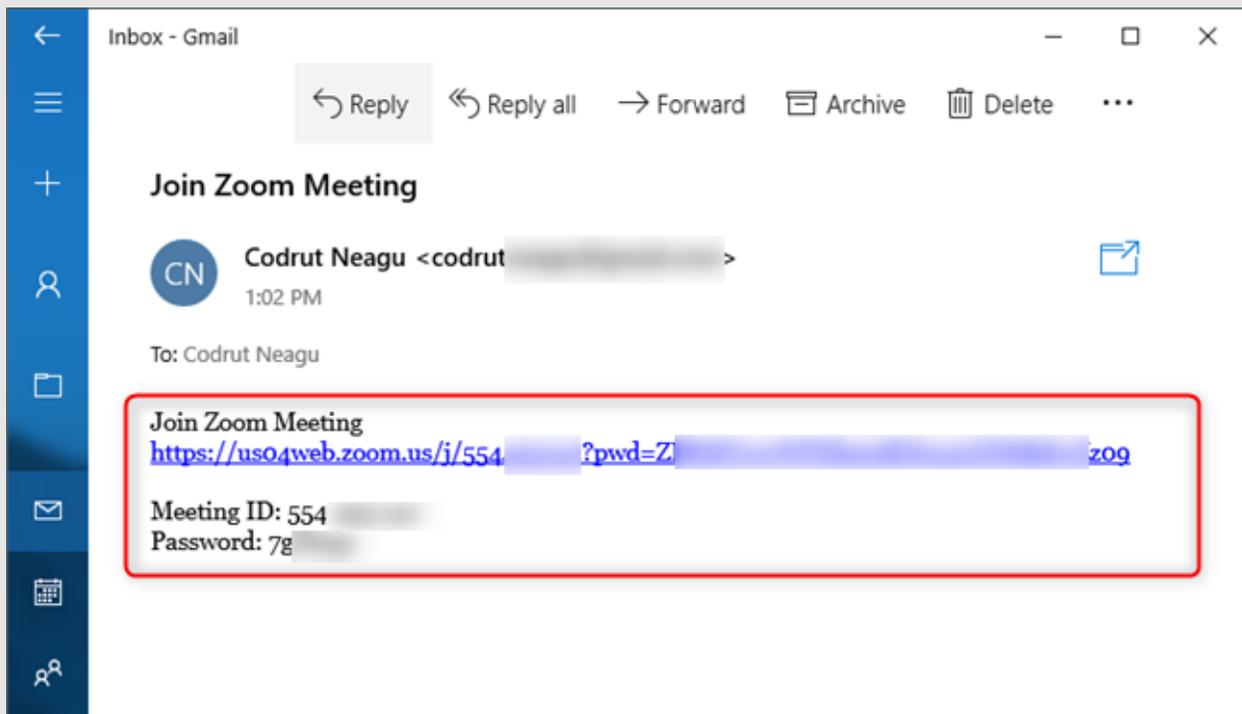
If the corporation was not provided an email address, then Notice is to be served by any of the other methods set out in the Registration (Strata Titles) Act, including facsimile or registered mail. We recommend service in-person as a last resort.

Corporations are encouraged to solicit the email addresses or facsimile numbers of all proprietors.

FORM OF THE NOTICE OF THE VIRTUAL GENERAL MEETINGS

Notices for general meetings are to be served on proprietors or their agents as well as mortgagees **in writing** stating the date, hour and place of the meeting. However, until further notice from the Commission, all Notices for general meetings are **to list 'ZOOM' as the place of the meeting** instead of a physical location such as - 24 Trafalgar Road, Kingston 10.

Corporations are mandated to include the Meeting Identification Number and Password of the meeting in the Notice of the general meeting.



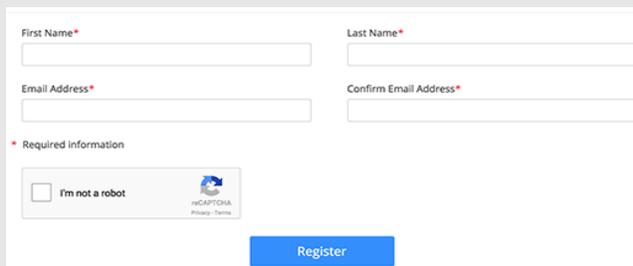
PERIOD OF THE NOTICE OF THE GENERAL MEETINGS

The time period of the Notice is unchanged.

Corporations are to serve at least fourteen (14) clear days' Notice for Annual or Extraordinary General Meetings.

REGISTER OF PROPRIETORS AND PROXIES

The Register of attendees is to be kept as usual and should consist of the participants appearing in the ZOOM meeting. The Register should also distinguish whether participants are proprietors or proxies.



A registration form with four input fields: First Name*, Last Name*, Email Address*, and Confirm Email Address*. Below the fields is a CAPTCHA section with a checkbox for 'I'm not a robot' and a CAPTCHA image. A blue 'Register' button is at the bottom.

The Chairman of the meeting is to acknowledge when a quorum of persons eligible to vote is in

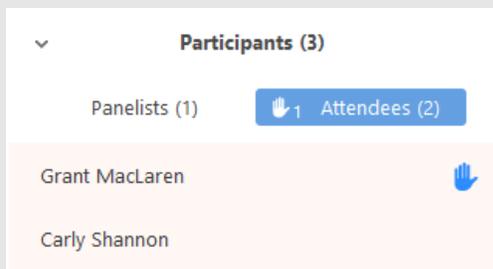
attendance for the purposes of the Minutes of the meeting **before** the meeting proceeds to business. The meeting should not proceed without a quorum.

VOTING

Voting procedures at virtual meetings are to follow the provisions of paragraph 24 of the statutory bylaws, that is, resolutions shall be determined by a show of hands unless a poll is demanded by a proprietor.

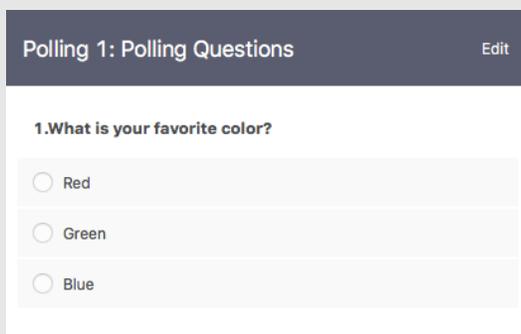
➤ Show of Hands

The recommended virtual platform allows for each participant to use an icon to 'raise their hand' and in the absence of a request for a poll, a declaration by the Chairman that the motion has been carried will be conclusive.



A screenshot of a virtual meeting interface showing a list of participants. The title is 'Participants (3)'. Below it, there are two categories: 'Panelists (1)' and 'Attendees (2)'. Under 'Attendees', there are two names: 'Grant MacLaren' and 'Carly Shannon'. A blue hand icon is next to 'Grant MacLaren', indicating they have raised their hand.

➤ Poll



A screenshot of a polling interface. The title is 'Polling 1: Polling Questions' with an 'Edit' button. The question is '1. What is your favorite color?'. There are three radio button options: 'Red', 'Green', and 'Blue'.

If a proprietor demands a poll, then the votes are to be submitted using the 'Chat' icon. These votes are to be directed to

everyone in the meeting and not privately to the Chairman. Upon submission of the votes the member appointed to tally and record the votes should then proceed to count the votes and inform the Chairman of the results. The Chairman will then inform the meeting of the outcome of the resolution.

Images: Zoom.us Support

MINUTES OF MEETINGS

The executive committee is to appoint a member of the corporation (or the property administrator) to record the meeting – this is a feature that is available within the platform.

Zoom will automatically provide the recordings in video and audio format to the host of the meeting and the Minutes of the meeting are to be prepared based on these records.

TREATMENT OF ADJOURNMENTS CAUSED BY 40 MINUTE TIME-LIMITS OF ZOOM MEETINGS

The Zoom platform limits meetings to 40 minutes unless you purchase their full package. The Commission is not recommending or in any way advising proprietors to purchase the full package however, we shall advise on how to adjourn the meeting and set up a new one using Zoom.

In the event of the meeting coming to its 40 minute deadline, Zoom usually gives a 10 minute and 5 minute warning before ending the meeting. In that case, the Chairman of the meeting is to advise the meeting both verbally and in writing in the chat section that the time allotted by Zoom is coming to an end. He shall ask the meeting to continue and proceed to set up the next meeting on the platform. After the setup he will share the details of the meeting such as the Meeting Number and Password in the Chat as well as verbally with the proprietors present and advise them that the General meeting will continue and the Zoom break is considered an adjournment of the general meeting. The secretary or person taking the minutes should note this and the end time of that zoom meeting. The recommencement of the general meeting should be immediate and the same quorum must be obtained in order for the continuation. All of this must be noted by the secretary or person taking minutes.

It must be stated that the new Zoom meeting is merely the continuation of the meeting and not a new meeting. All decisions and resolutions will be regarded as taking place at that meeting.

CONFIDENTIALITY

When using the Zoom platform please ensure that a password and meeting number is given to only the proprietors/agents/mortgagees and any other person that is entitled to be present at the meeting. This protects the confidentiality of the meeting so as to prevent unwelcome persons from entering the meeting. Zoom also provides a “waiting room” The Chairman can vet in the said waiting room persons who wish to enter and if they are members, they may enter. Confidentiality must be protected during these meetings and the Chairman and members must ensure that no unnecessary persons are in the meeting.