32 Persons who are not eligible to be appointed or elected to strata committee

(1) The following persons are not eligible for appointment or election to a strata committee or to act as members of a strata committee unless they are also the owners of lots in the strata scheme:

(a) the building manager for the strata scheme,
(b) a person who acts as an agent for the leasing of a lot or lots in the strata scheme to tenants,
(c) a person who is connected with the original owner of the strata scheme or the building manager for the scheme, unless the person discloses that connection at the meeting at which the election is held and before the election is held or before the person is appointed to act as a member,
(d) any other person prescribed by the regulations for the purposes of this section.

(2) An owner of a lot in a strata scheme who was an unfinancial owner at the date notice was given of the meeting at which the election of a strata committee is to be held and who did not pay the amounts owing by the owner before the meeting is not eligible for appointment or election to the strata committee.

(3) A person who becomes ineligible for appointment or election to a strata committee after being appointed or elected to the strata committee must disclose that fact to the secretary or chairperson of the owners corporation as soon as possible after becoming aware of that fact.

(4) A disclosure by a person under this section, other than a disclosure that is made at a meeting of an owners corporation or strata committee, is to be made by written notice given to the secretary or chairperson.

33 Tenant representatives

(1) This section applies to a strata scheme if there are tenants (being tenants notified in a tenancy notice given in accordance with this Act) for at least half of the number of lots in the scheme.

(2) The tenants of lots in a strata scheme (being tenants notified in a tenancy notice given in accordance with this Act) may nominate one tenant representative for the strata committee.

(3) The tenant representative on a strata committee, in that capacity:

(a) is not entitled to vote on decisions of the committee or to put a motion or nominate a person for office, and
(b) is not entitled to act as an officer of the owners corporation for committee purposes, and
(c) cannot be counted in determining whether there is a quorum of the committee.

(4) The strata committee, at any meeting or for the purpose of all meetings, may determine that a tenant representative is not entitled to be present when the following matters are being discussed or determined:

(a) financial statements and auditor's reports,
(b) levying of contributions,
(c) recovery of unpaid contributions,
(d) a strata renewal proposal under Part 10 of the Strata Schemes Development Act 2015 or any related matter,
(e) any other financial matter specified by the regulations.
(5) The regulations may provide for the procedures for nomination of a tenant representative, including the term for which a tenant representative is appointed, the notification of an appointment and the end of an appointment.

37 Duty of members of strata committee

It is the duty of each member of a strata committee of an owners corporation to carry out his or her functions for the benefit, so far as practicable, of the owners corporation and with due care and diligence.

Section 260 provides protection from personal liability for members of strata committees who act in good faith.