

**The sample electronic meeting bylaw is provided for education purposes courtesy of
Stratasphere Publications Nanaimo. Fall 2020**

1 - Electronic general meetings

- (1) The strata corporation may hold annual or special general meetings by electronic means, including special general meetings demanded by 20% of the strata corporation's votes pursuant to section 43 of the *Act* or by 25% of the strata corporation's votes pursuant to Consolidated Bylaw 12(4), including by telephone conference call, video conferencing or any other electronic means, so long as all authorized participants and eligible voters may communicate with each other during the meeting either through an electronic platform or teleconference.
- (2) If an annual or special general meeting is held by electronic means, eligible voters are deemed to be present in person or by proxy.
- (3) An authorized participant means an agent of the Strata Corporation including a strata manager, legal counsel, insurance agent, CHOA representative or any other person authorized by council to attend prior to the meeting.

Person to chair electronic meeting

- (4) Annual and special general meetings held by electronic means must be chaired by the president of the council.
- (5) If the president of the council is unwilling or unable to act, the electronic meeting must be chaired by the vice president of the council.
- (6) If neither the president or the vice president of the council chairs the electronic meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.
- (7) The secretary of the council shall prepare the minutes of the electronic meeting.
- (8) If the secretary of the council is unwilling or unable to act, the minutes of the electronic meeting must be prepared by an authorized person or eligible voter appointed by the chairperson.
- (9) The chairperson may appoint authorized participants or eligible voters to assist with practice and procedure during the electronic meeting.

2 - Participation by other than eligible voters at electronic meeting

- (1) Persons who are not eligible to vote or are not authorized participants cannot participate in the discussion at a general meeting held by electronic means.

Voting at electronic meeting

- 3 (1) At an annual or special general meeting held by electronic means, registration, verification of proxies, participation and quorum of eligible voters in person or by proxy must be confirmed by the chair at the beginning of the meeting by calling the roll or any other method that confirms eligible voters present in person or by proxy.

- (2) All matters will be decided by majority vote at an electronic annual or special general meeting unless a different voting threshold is required or permitted by the *Act* or the regulations.
- (3) The resolutions and the outcome of a vote on a resolution must be announced by the chair and recorded in the minutes of the meeting.
- (4) If a precise vote is requested, the chair must decide whether the vote will be by roll call or some other method.
- (5) The outcome of each vote requiring a precise count, including the number of votes for and against the resolution and any abstentions must be announced by the chair and recorded in the minutes of the meeting.
- (6) If there is a tie vote on any matter at an electronic annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (7) Notwithstanding any other bylaw, a vote may not be conducted by secret ballot at an electronic annual or special general meeting.
- (8) The votes on a resolution at an electronic meeting may be cast by eligible voters using any one of the following voting methods:
 - (a) email to a designated email address during a designated voting window;
 - (b) show of voting cards if visual electronic communication is available;
 - (c) call of the roll;
 - (d) hand delivery of the ballots to a designated location;
 - (e) any other electronic method that identifies votes of eligible voters
- (9) Amendments to resolutions and the budget may be voted upon by calling the roll or by any other electronic method so long as the chair can determine the outcome of the vote by all eligible voters during the meeting.
- (10) After the voting window is closed at the meeting:
 - (a) the total number of votes cast by the registered eligible voters on each resolution will be calculated;
 - (b) the chair will announce the outcome of the vote for each resolution including the total number of votes cast, the number of votes in favour, against, abstentions and whether the resolution was approved or defeated; and,
 - (c) the outcome of the vote must be recorded in the minutes of the meeting.
- (11) The Strata Corporation must keep all ballots and proxies for an electronic annual or special general meeting for a period of two (2) years, or as otherwise determined by the eligible voters by majority vote, after which they will be destroyed.

Order of business for electronic meeting

- 4 (1) The order of business at annual and special general meetings held by electronic means is as follows:
- (a) Register eligible voters and certify proxies;
 - (b) verify eligible voters present in person or by proxy and participating in the meeting by calling the roll;
 - (c) call the meeting to order;
 - (d) establish and announce quorum;
 - (e) elect a person to chair the meeting, if necessary;
 - (f) report the method of notice of the meeting;
 - (g) approve the agenda;
 - (h) review procedures and voting methods for the meeting;
 - (i) approve minutes of the previous annual or special general meeting;
 - (j) review reports that relate to the order of business;
 - (k) ratify any new rules made by the strata corporation under section 125 of the *Act* included in the notice of meeting;
 - (l) report on insurance coverage as part of an electronic annual general meeting in accordance with section 154 of the *Act*;
 - (m) approve the budget for the coming year in accordance with section 103 of the *Act*, if the meeting is an electronic annual general meeting;
 - (n) deal with new business and resolutions, including any matters about which notice has been given under section 45 of the *Act*;
 - (o) confirm the method for electing council;
 - (p) conduct balloting and vote on agenda items, resolutions and/or elect a council, as applicable, using the voting methods adopted for the meeting;
 - (q) terminate the meeting.
- (2) The order of business at an annual or special general meeting set out in subsection (1) may be changed by a majority vote at the meeting.

For a copy of the Guide to Bylaws contact the CHOA office. info@choa.bc.ca

STRATA PROPERTY ACT: A PRACTICAL GUIDE TO BYLAWS (10th edition 2020)

To ensure your strata corporation is adopting bylaws that comply with the Strata Property Act, the Regulations and any other enactment of law that may apply, contact a lawyer to review your final draft before you give notice of a general meeting to vote on proposed amendments.