

Notice period for meetings (NSW)

What is the notice period for a meeting?

Strata Schemes

The required notice period for a meeting is prescribed in the legislation. For the first Annual General Meeting (AGM), notice must be served on each owner, first mortgagee and covenant chargee shown on the strata roll at least 14 days before the meeting is to be held. For all other *General Meetings (including AGMs other than the first)* a notice period of 7 days is required. For an *Executive Meeting*, 72 hours notice is required.



Association Schemes

Unless a shorter period is fixed by amendment to the community management statement, a *Community Association* is required to give a period of at least 21 days for a notice of a General Meeting if the scheme includes a precinct association, or 14 days if it does not. *Precinct Associations* are required to give at least 14 days notice and *Neighbourhood Associations* must give at least 7 days notice of any General Meeting unless their respective management statements have been amended to fix a shorter period.

The legislation does not prescribe the period of notice for *Executive Committee* meetings of associations but rather it is specified in associations' management statement.

Clear days?

In describing any notice period for meetings, the legislation does not describe the nature of the 'days' notice – whether they be business days, calendar days etc. In the absence of such specification, the *Interpretations Act 1987* (Section 36) requires that the period of time shall be reckoned so as to be exclusive of the day of the 'event' i.e., the meeting. Section 76 of this same *Act* also declares that a letter sent through the post is deemed to have been delivered on the fourth *working* day after it was posted.

The two aforementioned sections of the *Interpretations Act 1987*, when applied to the notice periods specified in the strata and association legislation, mean that the required time frame, for example, for a strata scheme general meeting agenda (notice), instead of being 7 calendar days should be posted to owners at least 14 calendar days prior to the meeting date. The period specified in the strata and association legislation represents what are called "clear days notice" as that period is the period that needs to be given clear of the postal requirements and the date of the meeting. An example of the calculation is provided in the table below.

July (Date of meeting to be 19 th July)	Activity	Comment
5	Date of posting	
6		Working day 1
7		Working day 2
8		Working day 3
Saturday 9		
Sunday 10		
11	Date of delivery	Working day 4
12, 13, 14, 15, 16 (Saturday), 17 (Sunday), 18		Clear days 1-7
19	Date of meeting	

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