



CHARTERED ACCOUNTANTS AND BUSINESS ADVISERS

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## **STRATA TITLE ACT**

### **BODY CORPORATE REQUIREMENTS AND OUR SERVICES**

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#### **The Body Corporate**

The proprietor or proprietors become by virtue of the Strata Title Act, upon registration of the strata plan, a body corporate under the name "The Proprietors – Strata Plan No...." (the number is the number of the relevant registered strata plan).

The body corporate has the powers granted to it under this Act, the regulations and the by-laws and subject to this Act, the body corporate is responsible for enforcement of the by-laws and the control, management, and administration of the common property.

Note: The provisions of the Companies Act [Cap. 191] do not apply to the body corporate.

The body corporate has perpetual succession and must have a common seal and be capable of suing and being sued in its corporate name, and is to be regulated in accordance with the by-laws currently in force.

The duties of the body corporate include:

Implementation of the Bylaws of the Strata Title Regulations -

- establish body corporate records – minute books and files, roll and registers, books or statements of accounts, banking records,
- manage and maintain custody of the common seal, convene meetings, attend to communication and correspondence, attend to insurance matters,
- prepare annual administrative and sinking fund budgets, issue levies and other contributions notices, payment of accounts, financial reports

#### **Body Corporate Services**

**For local and international clients we can offer the following services, tailored to suits your needs -**

Administration and accounting services for the body corporate committee, to monitor and meet statutory requirements of the Strata Title Act and the Strata Title Regulations. These include, but are not limited to -

## **General Administration**

- Establish and maintain the roll and registers of the Body Corporate. These documents will contain all information pertaining to owners, mortgagees, lot entitlements, assets, occupation authorities, engagements and authorisations.
- Ensure the roll is available for inspection, supervising those inspections;
- Arrange and obtain the common seal, maintain custody of the common seal and attest its affixation;
- Safeguard and supervise the use of the common seal;
- Establish the statutory file for inaugural meetings;
- Establish the Body Corporate annual timetable in accordance with legislation;
- Convene and attend the annual general meeting, prepare and distribute the minutes thereof;
- Convene and attend the committee meetings, prepare and distribute the minutes thereof;
- Provide boardroom facilities at our offices for required meetings;
- Maintain the statutory books and records of the Body Corporate;
- Attend to inward and outward correspondence of the Body Corporate;

## **Specific Administration**

- Effect Insurance as required;
- Obtain quotations for Insurance and ensure proper and adequate insurances are effected to include:
  - Building
  - Contents
  - Public Liability
  - Office bearers
  - Fidelity Guarantee
  - Machinery Breakdown
- Submit and manage insurance claims to the Body Corporate Insurer;
- Facilitate the required allocation for Sinking Fund Forecasts and Insurance Valuations;
- Implement all the decisions of the Body Corporate and the Committee;
- Assist with the implementation of the Bylaws;
- Attend to matters in relation to amendments to Bylaws;

## **Accounting**

- Establish and manage Body Corporate bank accounts;
- Manage books or statements of account;
- Prepare draft annual budgets for the administrative and sinking fund;
- Calculate levies and issue notices for administrative fund, sinking fund, air conditioning contributions, and any other contributions that may be required from time to time;
- Prepare notices regarding bulk charging for utilities;
- Pay the accounts of the Body Corporate;
- Maintain journals and computerised ledgers including monthly postings and bank reconciliation;
- Prepare monthly statements of account;
- Prepare annual financial statements;
- Keeping of wage/payments or other records in respect to contractors of the Body Corporate;
- Attend to recovery of levies in arrears

## Our fees

An initial establishment fee is charged in the first year to establish to cover set up of files for and general administration services, including the statutory requirement matters. The general administration fee for each subsequent year shall be reviewed on an annual basis to meet client's specific needs.

Other administration services will be charged on a time and disbursements basis. The time involved depends on the level of assistance and liaison required, and the degree of inquiry from relevant regulatory bodies / agencies. In the case of these services it is our standard practise to obtain a payment on account of the total amount at the commencement of work, which will be offset against future invoice(s) for actual work performed.

If you would like us to provide accounting services, we can do as little or as much as you require. Following determination of your requirements we can advise if a fixed fee for services (e.g. consistent reoccurring actions), and/or a time and disbursements basis, is the most appropriate, along with indicative rates.

law partners

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