

Changes to the Management Rules

On the 14th of April 2013 various amendments to the Management Rules to the Sectional Titles Act took effect. These amendments are summarised below:

1. Management rule 7 – Nominations for Trustees

Rule 7 has been added to. The Rule now provides that no nomination or appointment of a Trustee may be made or accepted if such person is in breach of Rule 64 (1) or Rule 64 (2) (if contributions payable have not been paid or if there has been a breach of the Conduct Rules notwithstanding written warning by the Trustees.

2. Management rule 13 – Disqualification of trustees – removal from office

A new Rule has been added to Management Rule 13 which provides that a Trustee shall cease to hold office if such Trustee is in arrears for more than 60 days with any levies and contributions payable by him in respect of his unit or Exclusive Use Area and if such Trustee fails to bring such arrears up to date within 7 days of being notified in writing to do so.

3. Management rule 31 – liability in terms of section 37.1 and 47 of the act

Management Rule 31 (4A) has been deleted from the Rules. Sub rule 4A provided that Trustees would be able by written notice to the owners to increase levies by a maximum of 10% at the end of the financial year until the owners became liable for contributions in respect of the next financial year.

A new Rule 31 (4B) has been inserted. Sub rule 4B provides that the Trustees may from time to time whenever necessary make special levies upon the owners or call upon them to make special contributions in respect of all such expenses as mentioned in Sub rule 31 (2) and such levies and contributions may be payable in one sum or by such instalments and at such time or time that the Trustees shall think fit.

.