



QLD: Can a General Meeting be Cancelled? [Important Adjudication Decision]

This article about a new QLD adjudicators decision about cancelling a general meeting has been provided by Peter Hunt, Mathews Hunt Legal.

An adjudicator has just issued a decision which settles the issue of whether a validly called general meeting can be cancelled by a committee. The adjudicator held that the meeting can be cancelled provided that the committee was acting reasonably.

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This is an important development as previously there was an adjudicator's decision stating that a committee could not cancel a general meeting and another decision to the contrary.

A committee will be acting reasonably by cancelling a general meeting if there is widespread credible evidence that many owners had not received their both notice of meeting and voting papers so that not all owners were able to effectively exercise their vote. By cancelling the meeting the committee saved owners wasting their time and money attending the meeting where any result would have been void.

We expect that a decision to cancel a meeting will not be reasonable if not done for procedural reasons, but to protect a committee from decisions it doesn't want, such as their replacement or a motion being defeated.

Have a question about cancelling a general meeting or something to add to the article? Leave a comment below.

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