



Bel-Air Owners' Committee Rules & Regulations

Paragraph 1: Title

- 1.1 Chinese Name : 貝沙灣業主委員會
- 1.2 English Name : Bel-Air Owners' Committee

Paragraph 2: Function of the Owners' Committee

- 2.1 To liaise with the Manager in respect of all matters relating to the Bel-Air community in order to maintain a high standard quality of management service.
- 2.2 To represent Owners in all dealings with the Manager.

Paragraph 3: Composition of the Owners' Committee

- 3.1 The Owners' Committee shall consist of not more than 13 members, with details listed below :
 - (a) Phase I, II & III
Residential Accommodation: not more than 5 representatives
Car Park: not more than 1 representative
 - (b) Phase IV, V & VI
Residential Accommodation: not more than 6 representatives
Car Park: not more than 1 representative
 - (c) Retirement
A member shall retire from office at every alternate annual general meeting following his appointment or election.



Paragraph 4: Eligibility for Membership of the Owners' Committee

- 4.1 Any owner, and in the event of an Owner being a corporate body, any representative appointed by such owner, or any adult member of the family who resides in the development and is authorized by the owner.
- 4.1.2 Shall be elected at the Annual General Meeting.
- 4.1.3 Shall represent that part of the Development in respect of which he was elected by the owners.
- 4.1.4 Shall comply with all relevant terms in the Sub-Deed of Mutual Covenant of the Development.

Paragraph 5 : Criteria of the Owners' Committee

- 5.1 The total number of Owners' Committee members shall not be more than 13 nor less than 2.
- 5.2 The members present at the first meeting of the Owners' Committee shall choose one of their members to be the Chairman until the next Annual General Meeting.
- 5.3 The Manager shall appoint a representative to act as the Secretary to the Owners' Committee.

Paragraph 6: Obligations

- 6.1 No member shall make use of the name of Owners' Committee to conduct any business activities without the prior written approval from the Owners' Committee.
- 6.2 The Committee shall not be involved in any business relating to political, commercial or religious activities.
- 6.3 The Chairman shall represent the Committee as spokesman unless another member is so assigned by the Chairman to do so.
- 6.4 All formal document(s) issued by the Owners' Committee must be endorsed by the Chairman or such



other person as the Chairman shall assign with the Committee's chop.

Paragraph 7: Conduct of Owners' Committee Meeting

- 7.1 Regular Owners' Committee meetings with the Manager shall be conducted at least in a bi-monthly basis, while regular Sub-committee meetings shall be conducted every 4 months, subject to actual situation and the discretion of the Convenor.
- 7.2 A yearly calendar for both meetings of Owners' Committee and Sub-committees should be set out. Such calendar should be treated as a tentative schedule for ease of confirming dates of meeting and should be able to be modified subject to actual situation.
- 7.3 All Owners' Committee meetings may be convened by the Chairman or the Manager by giving at least 7 days advance notice to all members.
- 7.4 Sub-committees may be formed and shall be composed of a Convenor (who must also be an Owners' Committee member) and members (who can be either owners or residents but who need not be OC members) for discussion with the Manager on specific issue(s)/topic(s) regarding the Development. Sub-committee meetings may be convened by the Convenor or the Manager as and when necessary.
- 7.5 No business shall be transacted by the Owners' Committee unless a quorum is present and not less than one half of the total number of the members of the Owners' Committee or 3 such members, whichever is the greater, shall be a quorum.
- 7.6 If within half an hour from the time appointed for the meeting a quorum is not present, the meeting shall be adjourned.
- 7.7 All resolutions shall be passed by simple majority and a resolution put to the vote shall be decided on a show of hands.
- 7.8 Every member present at the meeting shall have one vote. In the case of equality of votes, the chairman shall have a second or casting vote.



- 7.9 In the absence of the Chairman, the members present at the meeting shall choose one of their members to be the Chairman of that meeting.
- 7.10 Notwithstanding the provisions of Paragraphs 7.3, 7.5, 7.6, 7.7 and 7.8, OC members may pass a resolution at any time on any matter which the Chairman (at his sole discretion) considers as urgent by a simple majority of the total number of OC members then in office by means of emails, WhatsApp or any other electronic communication to be sent to the Chairman. This resolution, together with details of those that had replied (such as their names and respective dates of reply), shall be documented and recorded in the next OC meeting.
- 7.11 To enhance the efficiency of the meeting, the Manager should control the time for discussion of each item. Nonetheless, the Chairman shall have discretion to extend particular time for discussion.
- 7.12 OC/Sub-committee member should refrain from encouraging Observers to participate in Meeting discussions (time-slot reserved for Observers' Q&A excepted)
- 7.13 OC/Sub-committee member should abide strictly to the basic principle of accepting decisions made by the OC (via a majority vote) and shall not re-raise the subject for re-consideration again unless a two-third majority of the OC members have given consent to the re-discussion.
- 7.14 OC/Sub-committee member should only table views or suggestions relevant to the agenda item under discussion which will be material to the result of the discussion.
- 7.15 Any unruly behavior, when agreed as such by a majority vote of meeting members, will be given a verbal warning by the Chairperson of the Meeting. Upon three verbal warnings against the same Member, the concerning Member shall be reprimanded and recorded as such in the Minutes of the Meeting.

Paragraph 8: Agenda Setting, Meeting Preparation, Records and Minutes

8.1 Meeting Minutes

Draft minutes shall be submitted by the Secretary to the Chairman and OC Members within 7 days under normal situation after the date of the meeting. OC Members shall then comment and/or make amendment (if any) to the minutes within the following 7 days. Subsequently, the minutes shall be



confirmed as a final draft version and be published for the information of residents. The final draft minutes of meeting shall then be passed by resolution retrospectively in the next Owners' Committee meeting or such other subsequent meeting as may be appropriate. The minutes of meeting shall be signed by the Chairman and be filed at Service Centre for the information of residents.

8.2 Agenda

The Secretary shall prepare and submit the draft agenda at the same time when asking the Owners' Committee members for their choices of proposed dates of the coming Owners' Committee meeting 3 weeks before the proposed meeting date. Such agenda shall then be finalized and approved by the Chairman at least 2 days before the posting up date of the agenda. The confirmed agenda shall be sent to each member and also posted up at least 7 days prior to the date of the meeting.

8.3 Reference Documents

8.3.1 The Manager should prepare relevant information or documents for the reference of the Owners' Committee members at least 7 days before the date of the meeting. All related documents distributed to the members shall be for reference purposes only and will not be distributed to the owners present in the meeting.

8.3.2 All members should treat all the relevant information or documents in highly confidential and should not be disclosed to other persons.

Paragraph 9: Sub-committee

9.1 The Owners' Committee shall have full power at any time to make, compile or amend the rules and regulations governing the establishment, appointment and constitution of Sub-committees.

9.2 The Owners' Committee shall have the right to co-opt any owners or residents of Bel-Air to be the member(s) of Sub-committees.

9.3 The Owners' Committee members shall appoint committee members to act as conveners of the Sub-committees in order to build up an effective communication between the Owners' Committee and the Sub-committee members.

9.4 No specific limit of Owners' Committee members or residents should be set out for the number of



Sub-committee members.

- 9.5 The conveners of the Sub-committee shall co-ordinate and conduct regular meetings and submit the relevant meeting summary to the Owners' Committee's for their review.
- 9.6 OC members can attend Sub-committee meetings, and if so shall become de-facto member of the Sub-committee for the duration of the particular meeting. Residents who are not any members of Sub-committee may also be permitted to attend such meeting(s) as an observer, provided that they are required to obey any instructions and rules set out by the convener of such Sub-committee in order to maintain the discipline of the meeting.
- 9.7 All resolutions or recommendations made by any Sub-committee must be approved by a resolution of the Owners' Committee at an Owners' Committee meeting.
- 9.8 Sub-committee members shall retire at every Annual General Meeting or at any time by the resolution of the Owners' Committee.
- 9.9 All minutes of Sub-committee meeting(s) shall be circulated to both members of Owners' Committee and such Sub-committee for record.
- 9.10 If more than one OC member volunteers to act as Convener, the respective candidates shall prepare a statement of their Aspirations and Improvements they want to bring about in the Sub-committee, and their respective relevant experiences. OC members will then vote to decide.
- 9.11 No business shall be transacted at any Sub-committee meeting unless a quorum is present and not less than one-third of the total number of the members of the Sub-committee or 3 such members, whichever is the greater, shall be a quorum.
- 9.12 Generally, Sub-committee meetings will follow the processes of the OC Meetings, unless specified otherwise. This includes the agenda setting, quorum requirement, meeting materials preparation, voting, and minutes publishing.



9.13 A member of Sub-committee may be suspended from attending the meeting(s) of the Sub-committee for a period not exceeding 12 months if (i) he/she has been absent from 3 or more consecutive meetings held for the Sub-committee and (ii) a resolution has been passed in the meeting of the Sub-committee for the suspension of the member, together with the period of suspension. A written notice thus issued by the Convenor or any member authorized by the Sub-committee addressed to the absent member enclosing the resolution specifying the period of suspension with the effective date shall be sufficient for the exercise of the power hereunder.

9.14 Order in Meeting and Committee

Convenor of the Sub-committee may, stop or interrupt or impose a gag order restraining such member(s) of the Sub-committee from speaking or attending the meeting or being present in the venue of the meeting if in his/her absolute discretion the member(s) has persisted in the commission of untoward conduct during the meeting including but not limited to the use of vulgar/hostile/abusive languages or denigratory remarks or filibustering or tirade or repetition of irrelevant arguments or points whereas a prior warning of the Convenor has been given to forbid such acts or speeches of the member. If, despite the prior warning being given, the member nonetheless remains unchanged, the Convenor may by a further verbal notice resolve to impose such sanctions as he/she deems fit including but not limited to the gag order or expulsion from the meeting etc. In the event of a member having been given such notice of sanctions the same shall be recorded in the relevant meeting minutes.

Paragraph 10: Miscellaneous

10.1 This document is intended to clarify and fill in grey areas in the DMC and is NOT intended to replace it. The DMC remains the ultimate guide for Rules and Regulations governing the Owners' Committee and its Sub-committees.