

- (1) No resignation of the manager shall take effect unless he has previously given not less than 3 months' notice in writing of his intention to resign-
 - (a) by sending such a notice to the owners' committee; or
 - (b) where there is no owners' committee, by giving such a notice to each of the owners and by displaying such a notice in a prominent place in the building.
- (2) The notice referred to in subparagraph (1)(b) may be given- (Amended 5 of 2007 s. 32)
 - (a) by delivering it personally to the owner; or
 - (b) by sending it by post to the owner at his last known address; or
 - (c) by leaving it at the owner's flat or depositing it in the letter box for that flat. (Amended 12 of 1998 s. 9)
(Amended 5 of 2007 s. 32)

7. Termination of manager's appointment by owners' corporation

- (1) Subject to subparagraph (5A), at a general meeting convened for the purpose, a corporation may, by a resolution-
 - (a) passed by a majority of the votes of the owners voting either personally or by proxy; and
 - (b) supported by the owners of not less than 50% of the shares in aggregate,
 terminate by notice the DMC manager's appointment without compensation. (Replaced 5 of 2007 s. 32)
- (2) A resolution under subparagraph (1) shall have effect only if-
 - (a) the notice of termination of appointment is in writing;
 - (b) provision is made in the resolution for a period of not less than 3 months notice or, in lieu of notice, provision is made for an agreement to be made with the DMC manager for the payment to him of a sum equal to the amount of remuneration which would have accrued to him during that period; (Replaced 69 of 2000 s. 25)
 - (c) the notice is accompanied by a copy of the resolution terminating the DMC manager's appointment; and
 - (d) the notice and the copy of the resolution is given to the DMC manager within 14 days after the date of the meeting.
- (3) The notice and the copy of the resolution referred to in subparagraph (2)(d) may be given- (Amended 5 of 2007 s. 32)
 - (a) by delivering them personally to the DMC manager; or
 - (b) by sending them by post to the DMC manager at his last known address.
 - (c) (Repealed 5 of 2007 s. 32)
- (4)-(5) (Repealed 5 of 2007 s. 32)
- (5A) For the purposes of subparagraph (1)-
 - (a) only the owners of shares who pay or who are liable to pay the management expenses relating to those shares shall be entitled to vote;
 - (b) the reference in subparagraph (1)(b) to "the owners of not less than 50% of the shares in aggregate" shall be construed as a reference to the owners of not less than 50% of the shares in aggregate who are entitled to vote. (Added 69 of 2000 s. 25. Amended 5 of 2007 s. 69)
- (5B) If a contract for the appointment of a manager other than a DMC manager contains no provision for the termination of the manager's appointment, subparagraphs (1), (2), (3) and (5A) apply to the termination of the manager's appointment as they apply to the termination of a DMC manager's appointment. (Added 5 of 2007 s. 32)
- (5C) Subparagraph (5B) operates without prejudice to any other power there may be in a contract for the appointment of a manager other than a DMC manager to terminate the appointment of the manager. (Added 5 of 2007 s. 32)
- (6) If a notice to terminate a manager's appointment is given under this paragraph-
 - (a) no appointment of a new manager shall take effect unless the appointment is approved by a resolution of the owners' committee (if any); and
 - (b) if no such appointment is approved under sub-subparagraph (a) by the time the notice expires, the corporation may appoint another manager and, if it does so, the corporation shall have exclusive power to appoint any subsequent manager.
- (7) If any person has given an undertaking in writing to, or has entered into an agreement with, the Government to manage or be responsible for the management of the building, and the corporation has appointed a manager under subparagraph (6)(b), the corporation shall be deemed to have given to that person an instrument of indemnity under

which the corporation shall be liable to indemnify that person in respect of any act or omission be the manager appointed under that subparagraph that may otherwise render that person liable for a breach of that undertaking or agreement.

(8) This paragraph is subject to any notice relating to the building that may be published by the Authority under section 34E(4) but does not apply to any single manager referred to in that section.

(Amended 5 of 2007 s. 32)

8. Obligations after manager's appointment ends

(1) Subject to subparagraph (2), if the manager's appointment ends for any reason, he shall, as soon as practicable after his appointment ends, and in any event within 14 days of the date his appointment ends, deliver to the owners' committee (if any) or the manager appointed in his place any movable property in respect of the control, management and administration of the building that is under his control or in his custody or possession, and that belongs to the corporation (if any) or the owners. (Added 5 of 2007 s. 32)

(2) If the manager's appointment ends for any reason, he shall within 2 months of the date his appointment ends- (Amended 5 of 2007 s. 32)

(a) prepare-

(i) an income and expenditure account for the period beginning with the commencement of the financial year in which his appointment ends and ending on the date his appointment ended; and

(ii) a balance sheet as at the date his appointment ended,

and shall arrange for that account and balance sheet to be audited by an accountant or by some other independent auditor specified in a resolution of the owners' committee (if any) or, in the absence of any such specification, by such accountant or other independent auditor as may be chosen by the manager; and

(b) deliver to the owners' committee (if any) or the manager appointed in his place any books or records of accounts, papers, documents and other records which are required for the purposes of sub-subparagraph (a) and have not been delivered under subparagraph (1). (Replaced 5 of 2007 s. 32)

9. Communication among owners

The manager shall consult (either generally or in any particular case) the corporation at a general meeting of the corporation and adopt the approach decided by the corporation on the channels of communication among owners on any business relating to the management of the building.

(Added 5 of 2007 s. 32)

(Added 27 of 1993 s. 41)

Schedule:	8	TERMS ADDED IF CONSISTENT WITH DEED OF MUTUAL COVENANT	L.N. 92 of 2007	01/08/2007
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SCHEDULE 8

[sections 34D, 34F & 42 & Schedule 11]

(Amended 5 of 2007 s. 33)

Meetings of owners' committee

1. A meeting of the owners' committee may be convened at any time by the chairman or any 2 members of the owners' committee.

2. The person or persons convening the meeting of the owners' committee shall, at least 7 days before the date of the meeting, give notice of the meeting to each member of the owners' committee.

(Replaced 5 of 2007 s. 33)

2A. The notice of meeting referred to in paragraph 2 shall specify-

(a) the date, time and place of the meeting; and