

**MINUTES OF THE REQUISITIONED EXTRA-ORDINARY GENERAL MEETING
BY SUBSIDIARY PROPRIETORS OF
THE MANAGEMENT CORPORATION STRATA TITLE PLAN NO. 1166
HELD ON SUNDAY, 14TH OCTOBER 2007 AT 2.00 P.M. AT
MARINE PARADE COMMUNITY CLUB MULTI-PURPOSE HALL**

Chairperson of the meeting: Mr Neoh Chin Chee – Chairman 21st Management Council

Present : See Attendance List

In attendance: Vincent Chong) Knight Frank Estate Management PL
Catherine Ng)

Legal adviser for the MC Mr Toh Kok Seng – Lee & Lee

At the appointed time of 2.00 pm Chairman announced that the attendance of subsidiary proprietors (SP) present either in person or by proxy in share values was 1,696 out of the total of 3,804 constituting 44.58% quorum. This met the requirement of the 30% of the aggregate share value for all lots comprised in the strata title plan for the requisitioned Extraordinary General Meeting.

After 2.00 p.m. the total SP attending the EGM in person is 314 (1184 share value) and by Proxy is 156 (586 share value). 175 proxies were received and 19 SP who assigned the proxies turn up in person.

Chairman called the meeting to order. He introduced the Council Members, Knight Frank the Managing Agent, and Mr Toh Kok Seng the legal adviser for the Management Corporation.

Chairman explained that since the new legislation to convene the Extraordinary General Meeting (EGM) of the Management Corporation for the Collective Sales Committee (CSC) had just came into force and there are some changes, the Management Council exercised its discretion to engage consultants including legal advice to assist the Council on procedural rules and the conduct of the meeting according to the new procedures.

Chairman informed that the EGM was requisitioned by the subsidiary proprietors and the notice was received on 14th September 2007 requesting to have the EGM to be held on 14th October 2007 with the following agenda.

1. Briefing
2. Questions & Answers
3. Voting for the Resolutions
4. Election of Sales Committee

The Council's role in this general meeting is to convene the requisitioned meeting of the Management Corporation and is responsible for the conduct of the meeting.

Chairman then invited the pro-tem who represented the requisitionists for the EGM to give the briefing.

Mr Bernard Cheang of #21-49 requested to adjourn the meeting for he claimed that the wrong act was applied in convening the EGM by the Management Corporation (MC). He commented that he had called the Management Office on 5th October to inform the Management of the error by the MC with regards to applying the old act and the ineligibility to vote by Subsidiary Proprietors (SP) who are arrears in maintenance contribution.

Mr Bernard Cheang was informed that at time of posting the EGM documents on 28th September 2007, MC did adhere to the First Schedule Section 14 of the BMSMA 2004, but unfortunately the new legislation only came into force on 4th October 2007. On 9th October the MC sent out a Management Update on the new legislation on the EGM to all the residents and the Subsidiary Proprietors who are not living in Mandarin Gardens.

The MC's legal adviser informed that it made no sense to adjourn the meeting as it will still be the same meeting. If Mr Bernard Cheang feels that this EGM is not proper then the meeting should be terminated and not adjourned. The general body has the prerogative to decide whether to carry on with the meeting or to terminate the meeting.

Chairman put the issue to the general body to decide. A show of hands of 5 (out of more than 400 present) voted to call off the meeting. Majority present voted to proceed with the meeting.

Chairman then called the protem to proceed with the briefing.

Mr Paul Low of #03-25 commented that the EGM documents were postmarked 28th September and claimed the interpretation act for the computation of time does not allow Sundays and Public holidays to be included in the count of the 14 days notice and as such he commented the required 14 days notice was not met.

MC's legal adviser explained that the Sundays and Public holidays were not included if it is 6 days or less, but in this case it is 14 days and Sundays and Public holidays are included.

Mr Wong Kok Weng of #22-44 remarked that for the past few minutes some of the people think that they are selling their lives away. Arguing on whether to call off the meeting or to continue, afraid of getting sued and scared to be sued whilst the main purpose of requisitioning the EGM is merely to or not to elect a sales committee.

Chairman appealed for one last time to the protem that if they are not going to give a briefing, he would otherwise move on to the next item.

Finally the protem representative Mr Joseph Tan of #11-70 gave a short brief of how from a survey sent to the residents, it initiated the protem to be formed. He explained that there might be three groups of people, who are a) FOR b) NOT IN FAVOUR and c) CONFUSED. He introduced Casey Lim, Paul Low, Robin Chia, K K Tan and himself as the protem committee.

Some questions and answers were debated and deliberated and the general body agreed that it is pointless to be arguing and debating when it has not even decided whether to formalise a Collective Sales Committee.

The Council Secretary commented on the resolution submitted by a group of layman who did not word the resolution properly or legally.



Quote:

1. **"To form a Sales Committee for the collective sale of Mandarin Gardens Condominium, such Sales Committee to comprise of a minimum of 3 members but not more than 9 members who shall be registered proprietors of Mandarin Gardens Condominium and who shall be natural persons; and**
2. **To appoint not more than 3 members of the Sales Committee to act jointly as the authorized representatives in connection with any application to the Strata Title Board."**

The secretary added that as long as the amendment is not substantive and the points are in the motion she suggested the motion be broken down in 3 parts.

To address the proxy, when the proxy is being assigned, the proxy holder has the power to vote the way he/she wants as long as the amendments are not new.

The MC's legal adviser explained that Resolution 1 can be broken up into 3 parts, namely:

1. To formalise a Sales Committee
2. To determine the number of members in the Sales Committee
3. Election of Sales Committee.

As for Resolution 2, this will not apply at this EGM. Under the new legislation, it is not the general meeting who decides on the election of the 3 authorised representatives. It is for the majority Subsidiary Proprietors who sign the Collective Sales Agreement, to elect 3 representatives to make application to the Strata Board.

As such only resolution 1 (3 parts) will be voted on.

For the election of members in the Sales Committee, any SP can be elected. However, if any SP who is an un-discharged bankrupt or in arrears of maintenance contribution, the SP must declare in writing.

Also, if SPs are not satisfied with the elected sales committee the SPs can vote to remove them at general meetings.

The legal adviser also highlighted that the sales committee can decide on the appointment of the Property Consultant and the lawyer. However, before it makes its decision, the appointments of the consultants and lawyer must be considered at a general meeting. The sales committee is also required to discuss apportionment formula, appointment and fees of lawyers and property consultants, and terms and conditions of Collective Sales agreement (CSA) and S&P at general meetings.

Mr Chan Kum Kit of #06-31 enquired on cost incurred by MC when the sales committee is formed. SPs at the meeting noted that the MC is not allowed to pay any money for the sales committee or the entire collective sales process. However the MC will bear the costs of subsequent EGMs..

There were some comments and deliberations on the selection of the people in the committee and SPs who are owner occupiers must be very prudent in thinking what are the options that are available for them as owner occupiers.

Mr Sanjay Kumar of #13-54 commented that if the general meeting agrees to formalise the sales committee, he felt that SP should be given time to consider the election of members

Chairman informed that it is up to the SPs to move a motion on the amendments of the resolution and for the meeting to decide whether the Proxy forms which was already indicated will still be able to be used to vote.

The amendments to the resolution and to proceed with the vote was proposed by Mr Chan Kok Peng of #06-27 and seconded by Mr Gene Tan of #06-42.

- i) **To form a Sales Committee for the Collective Sales for Mandarin Gardens Condominium.**

Results: **FOR** 1446 share value(85.4%) and **AGAINST** 247 share value (14.6%). The count of the vote was witnessed by Mr Vineet Shrivastava of #03-66 and Mr Tan Hong Dee of #27-54.

Chairman announced the formation of the Sales Committee was passed.

- ii) **To determine the number of members for the Sales Committee**

The general body deliberated on the pros and cons of determining the maximum, even or odd numbers in the committee. It was subsequently concluded to determine the maximum number of 14 members for the sales committee.

Chairman announced the numbers of 14 members as determined by the general body.

- iii) **Election of members of the Sales Committee.**

The general body deliberated on adjournment of the meeting to give SP some time to nominate the members of the Sales Committee. A poll was held to decide for adjournment or against adjournment.

Results: **FOR:** 522 share value (35%) and **AGAINST:** 968 share value (65%). The poll count was witnessed by Mr Vineet Shrivastava of #03-66 and Mr Peritamil Angural of #05-63.

Chairman announced that the majority polled to proceed with the election of the sales committee.

Before the nomination of the members, the general meeting requested that the nominated candidates give a brief profile of themselves. The general body also noted that under the new legislation, the nominated candidates must declare in writing if they are an un-discharged bankrupt, or in arrears in the maintenance contribution. A person standing for election to the sale committee must declare his interest or relationship, if any, with a property developer, property consultant or law firm.

The following members were nominated and the nominees accepted the nomination.

S/N	Names of CSC	Blk/Unit	Proposer	Blk /Unit	Seconder	Blk Unit
1	Tan Kim Chia	1#02-04	Elsie Davies	5#22-43	Mary Hoe-Tan	1#06-13
2	Tan Gabriel	1#04-12	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
3	Low Boon Bing	3#03-25	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
4	Wang Hua Jock	5#02-34	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
5	Law Cher Guan	5#07-40	Elsie Davies	5#22-43	Thomas Chia	7#15-63
6	Soo Thoo Fook Sung	5#07-41	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
7	Teo Chuan Hock	5#12-46	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
8	Tan Kok Khoon	5#13-44	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
9	Sim Phillip	5#18-36	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
10	Kim Kye Keun	5#22-34	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
11	Mcculloch Lana	7#05-70	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
12	Tan Swee Fang	7#07-55	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
13	Tan Yan Ren	7#08-55	Joseph Tan	7#11-70	Tei Wei Ming	7#15-63
14	Leonard Jayamohan	7#14-63	Jeannette Chong	3#03-31	Hariharan	3#07-29
15	Dennis Butler	7#18-61	Jeannette Chong	3#03-31	Hariharan	3#07-29
16	Jeanette Chong	3#03-31	Dennis Butler	7#18-61	Gan Eng Moi	3#18-47

John Lucas and Karen Goh declined nominations.

Declaration

Mr Leonard Jayamohan of Unit #14-63 declared in writing that he was in arrears on the management contribution of one month.

The other nominees at time of nomination did not declare having any conflicting interest or are un-discharged bankrupts, or in arrears.

Brief Profile of the nominees.

Name	Unit	Profession	No. of Years living In Mandarin Gardens
Tan Kim Chia	1#02-04	Snr Vice President of local bank	13 years
Tan Gabriel	1#04-12	Own Business	4-1/2 yrs
Low Boon Bing	3#03-25	Financial Adviser - Insurance	Since 1993
Wang Hua Jock	5#02-34	NA	1 year
Law Cher Guan	5#07-40	Management Consultant	
Soo Thoo Fook Sung	5#07-41	Property Mgmt agent	4 years
Teo Chuan Hock	5#12-46	Facilities	
Tan Kok Khoon	5#13-44	Pastor in local church	1-1/2 years
Sim Phillip	5#18-36	Renovation contractor	Since 1994
Kim Kye Keun	5#22-34	Retired 14 years	Since 1986
Mcculloch Lana	7#05-70	Property Mkting Agent	1-1/2 years
Tan Swee Fang	7#07-55	NA	2 years
Tan Yan Ren	7#08-55	Home-maker	15 years
		Retired Pilot- part time Agent	-
Leonard Jayamohan	7#14-63	NA	Has emotional attachment for Mandarin Gardens.
Dennis Butler	7#18-61	Director for Norwegian Tanker Co.	Since 1986
Jeanette Chong	3#03-31	Practicing Lawyer 18 yrs	14 years

A poll for the election of 14 members of the sales committee was cast, as the new legislation allows only maximum of 14 members to be elected

Result: Out of 16 candidates, Dennis and Jeanette did not get the necessary votes to be elected in.

Chairman announced and read out the names of the elected sales committee.

Chairman extended his appreciation to the general body for their attendance, the smooth and good co-ordination works carried out by the MA, Knight Frank Estate Management, and MCST staff.

As there were no other matters for discussion, the meeting adjourned at 7.41 p.m. with a note of thanks to the Chairman and members.

Confirmed as a correct recording



Mr Neoh Chin Chee
Chairman

For the 21st Management Council of MCST 1166
(Distributed to SP on 051107)