

**51A. Relief where unanimous resolution required for two-lot scheme**

- (1) Where —
- (a) under this Act a unanimous resolution is necessary before any act may be done in respect of a two-lot scheme; but
  - (b) that resolution is not obtained because the proprietors of the lots in the scheme do not agree,
- a proprietor may apply to the District Court for an order under this section.
- (1a) This section does not apply to a unanimous resolution that is required for the passing of a resolution under section 21F or 21Q.
- (2) An order under this section is an order declaring that a resolution specified in the order is to be deemed to have been duly passed by the strata company as a unanimous resolution.
- (3) On the making of an application by a proprietor under subsection (1), the District Court may make an order under this section if it is satisfied that a proprietor has acted unreasonably in refusing to agree to the resolution or that it is in the best interests of the proprietors that the order be made.
- (4) Where a proprietor makes an application under this section the other proprietor is a party to the proceedings and shall be served with notice of the application.
- (5) Section 51(3) applies to the awarding of costs in proceedings under this section.

*[Section 51A inserted by No. 58 of 1995 s.50; amended by No. 61 of 1996 s.22.]*