



BELIZE

**STRATA TITLES ACT
CHAPTER 196**

REVISED EDITION 2003

SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



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This edition contains a consolidation of the following laws-

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CHAPTER 196

STRATA TITLES REGISTRATION ACT
(COMMENCEMENT) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
 2. Commencement of Chapter 196.
-

CHAPTER 196

STRATA TITLES REGISTRATION ACT

(COMMENCEMENT) ORDER

(Section 1)

136 of 1993.
Act 23 of 1990.

[18th December, 1993.]

Short title.

1. This Order may be cited as the

**STRATA TITLES REGISTRATION ACT
(COMMENCEMENT) ORDER.**

Commencement
of Chapter 196.

2. In exercise of the powers conferred upon me by section 1 of the Strata Titles Registration Act, and all other powers thereunto me enabling, **I, EDUARDO JUAN**, Minister of Natural Resources and Minister responsible for land, do hereby appoint the 1st day of January, 1994 as the day on which the said Act shall come into operation.

MADE this 13th day of December, 1993.

(EDUARDO JUAN)

*Minister of Natural Resources
Minister responsible for land*

CHAPTER 196
STRATA TITLES REGISTRATION REGULATIONS

ARRANGEMENT OF REGULATIONS

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CHAPTER 196

THE SUBSIDIARY LAWS OF BELIZE

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REVISED EDITION 2003

STRATA TITLES REGISTRATION REGULATIONS*(Section 18)*22 of 1994.
118 of 2003.*[9th April, 1994.]***PART I**
PRELIMINARY

- Short title. 1. These Regulations may be cited as the
STRATA TITLES REGISTRATION REGULATIONS.
- Interpretation. 2. (1) In these Regulations:
“form” means a form prescribed in the Schedule to these Regulations;
“the Act” means the Strata Titles Registration Act;
- CAP. 196. “Land Registry” means the Land Registry which is maintained under section 3
of the Registered Land Act;
- CAP. 194. “Registrar” and “registration” have the meanings ascribed to them in the
Registered Land Act.
- CAP. 194. (2) Subject to sub-regulation (1) above, the words and
expressions used in these Regulations shall have the meanings respectively
assigned to them in the Strata Titles Registration Act.
- CAP.196.

PART II

THE SUBSIDIARY LAWS OF BELIZE

REVISED EDITION 2003

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STRATA PLANS

3. The Registrar shall keep a register of all strata plans and shall record in the register, particulars of all strata plans lodged in the Land Registry.

Register of strata plans.

4. (1) Every strata plan lodged with the Registrar for registration purposes shall be prepared on the appropriate forms prescribed in the Schedule to these Regulations and shall be issued by the Registrar, unless the Registrar permits otherwise.

Requirements of strata plans. Schedule.

(2) Every Strata plan shall comprise of the following:-

(a) a first sheet in the form prescribed as Form 1, (using annexures thereto where necessary) on which shall be set out the matters prescribed by paragraphs (a), (b) and (e) of subsection (1) of section 4 of the Act;

(b) a further sheet in the form prescribed as Form 2, (using annexures thereto where necessary) on which shall be set out the matters prescribed by paragraphs (d) and (f) of subsection (1) of section 4 of the Act;

(c) further sheets in the form prescribed as Form 3, (using annexures thereto where necessary) on which shall be set out the matters prescribed by paragraph (c) of subsection (1) of section 4 of the Act.

(3) All sheets of a strata plan shall be endorsed in the top right hand corner as follows:

‘sheet (No.) of (total No.) sheets’.

(4) The diagram required by paragraph (b) of subsection (1) of

section 4 of the Act shall be drawn with the north point upwards and parallel to the sides of the form. It shall be drawn to a natural scale which will admit of all details and notations being clearly shown and such diagram shall show offsets in any case where part of the building is within four feet of a boundary of a parcel but no other dimensions shall be necessary. The external surface boundaries of the parcel shown in any such diagram shall be defined by a precise survey in accordance with the Land Surveyors Act.

CAP. 187.

(5) Floor plans and elevations prepared for the purpose of paragraph (c) of subsection (1) of section 4 of the Act shall be drawn with the north point upwards and parallel to the sides of the form and shall be of a size which will admit of all details and notations being clearly shown.

(6) The strata lots shall be numbered consecutively, commencing with strata lot 1 and terminating with the strata lot numbered to correspond to the total number of strata lots comprised in the strata plan. Different parts of a building which constitute a single strata lot shall bear the same strata lot number.

(7) Printing, writing or drawing shall be clear and legible in black waterproof ink and shall not extend into any margin.

(8) Alterations shall be made by striking through the matter intended to be rejected and not by rubbing, scraping, covering or cutting the surface of the paper.

Application for registration of strata plans.

5. Every application for registration of a strata plan shall indicate the name and postal address of both the registered proprietor and the party who lodges the plan and shall be given by hand to the Registrar accompanied by the prescribed fee and the Land Certificate, if issued.

How registration is to be effected.

6. Registration of a strata plan shall be effected by notifying under the seal of the Registrar or the first sheet thereof the fact and date of such registration.

7. The Registrar, after such inquiries and notices, if any, as he may consider

necessary, and upon the production of such evidence and the compliance with such requests, if any, as he may think necessary may-

Power of Registrar to make changes in registered strata plans.

- (a) number or re-number any strata lots in a registered strata plan;
- (b) supply omissions and correct patent errors in a registered strata plan;
- (c) amend a registered strata plan in such other manner as he may think proper.

8. The Registrar shall endorse a Land Certificate issued for a strata lot in a strata plan, a notification that by virtue of the provisions of the Act, the proprietor holds his lot and his share in the common property subject to any interests affecting the same for the time being notified on the registered strata plan and subject to any amendments to strata lots or common property shown on the plan.

Land Certificate to be endorsed by Registrar.

9. The certificates given pursuant to paragraph (f) of subsection (1) of section 4 of the Act shall be in or to the effect of Form 4 for the certificate by a licensed surveyor, and Form 5 for the certificate by the Central Housing and Planning Authority, and if endorsed on the strata plan shall be so endorsed in the appropriate places shown on Form 2.

Certificates given under section 4 of the Act to be in prescribed form.

10. A certificate under the seal of the corporation given -

- (a) pursuant to subsection (3) of section 14 of the Act shall be in the form or to the effect of Form 6; and
- (b) pursuant to subsection (3) of section 16 of the Act, shall be in the form or to the effect of Form 7.

Certificate of corporation to be in prescribed form.

11. A notification of destruction of a building given by the corporation

Notification under the Act to be in prescribed form.

pursuant to paragraph (a) of subsection (1) of section 17 of the Act shall be in the form or to the effect of Form 8.

Notification under the Act to be in prescribed form.

12. A notification given by the corporation pursuant to subsection (5) of section 15 of the Act shall be in or to the effect of Form 9.

Orders of court to be lodged with Registrar.

13. (1) Any person appointed as an administrator pursuant to section 9 of the Act shall lodge with the Registrar, a certified copy of the order of the court making such appointment.

(2) The corporation shall lodge with the Registrar, a certified copy of any order made by the court pursuant to regulation 19 of these Regulations.

(3) Upon receipt of any such certified copy, the Registrar shall note and sign on the relevant registers such particulars as may be necessary.

Registrar to endorse, etc., notice given under Form 8.

14. Upon receipt of a notice in or to the effect of Form 8, the Registrar shall endorse and sign on the relevant registered strata plan, a notification of the destruction of the building and of the vesting of the parcel in the proprietors. The notification shall contain such particulars as may be necessary.

PART II:01 **PHASED DEVELOPMENT**

Definitions.

15. In this Part:-

“complete strata plan”, in relation to a subdivision of land into strata lots in phases, means a strata plan specifying all the strata lots (and the whole of the common property) of a proposed development in relation to a building or buildings;

“future development strata lot”, in relation to a subdivision of land into strata

lots in phases, means a strata lot that is proposed to be developed at a later phase of the development, and that is shown on a phase strata plan as a future development strata lot;

“phase strata plan”, in relation to a subdivision of land into strata lots in phases, means a strata plan specifying each strata lot and each part of the common property that has so far been completed showing that every building shown on the plan has been erected, and all other development work has been carried out, to the extent necessary to enable all the boundaries of every strata lot and the common property shown on the plan to be physically measured at the date of the lodgment of the plan, the balance being specified as one or more future development strata lots;

“proposed strata lot development plan”, in relation to a subdivision of land into strata lots in phases, means a plan specifying all the strata lots, and the whole of the common property, proposed to be included in the development when it is completed.

16. Every person who under these Regulations applies to register subdivisions of land, may, in accordance with these Regulations, register those subdivisions in two or more phases.

Subdivision of land into strata lots in phases.

17. The development in phases of a building or land must be carried out in a manner that,

Operation of phases.

(a) on the registration of the first phase, enables that phase to function and operate under the Act in the same manner as if all units and common property included in that phase were the only units and common property that were going to be included in that strata plan, and

(b) on the registration of each subsequent phase,

enables the most recently registered subsequent phase and the previously registered phases to function and operate under the Act in the same manner as if all the units and common property included in the registered phases were the only units and common property that were going to be included in that strata plan.

Procedure for
subdivision in
phases.

18. The subdivision of land so as to provide for strata lots in two or more phases shall be effected by the successive registration of -

- (a) a proposed strata lot development plan, which shall specify all the strata lots; and the whole of the common property, proposed to be included in the development when it is completed;
- (b) one or more phase strata plans each of which shall, in addition to satisfying the requirements of section 4 specify: -
 - (i) each part of any common property that has been completed, in relation to any building forming part of the development which has also been completed; and
 - (ii) any area (designated on the plan as a future development strata lot) in which further development subdivision and other operations are required to complete the development; and
- (c) a complete strata plan.

19. (1) A proposed strata lot development plan shall not be registered

unless it is accompanied by a phase strata plan in respect of the same development.

Proposed strata lot development plans.

(2) When a proposed strata lot development plan has been registered, the proposed strata development shall not be further altered in any way, unless a further proposed strata lot development plan has been registered, incorporating the proposed changes, in accordance with subregulations (3) and (4).

(3) The applicant for registration of a further proposed strata lot development plan must have obtained unanimous consent-

- (a) of every proprietor of a strata lot (including a future development strata lot) shown on the latest phase strata plan registered in respect of the development;
- (b) every other person who has a registered interest in any such strata lot; and
- (c) of every cautioner claiming any interest in any such strata lot.

(4) The applicant for registration of the further proposed strata lot development plan must have assigned to every strata lot shown on the plan its unit entitlement.

20. (1) Every successive phase strata plan after the first, and the complete strata plan, relating to a development shall be deposited in substitution for, and under the same number as, the phase strata plan previously registered in respect of that development.

Phase strata plans.

(2) On each phase strata plan (including the first), and on the complete strata plan, the unit entitlement to be assigned to each strata lot shall be that shown on the proposed strata lot development plan in respect of that

strata lot.

- Other provisions of the Act to apply.
21. The other provisions of the Act shall apply in respect of-
- (a) subdivisions of land into strata lots under these Regulations; and
 - (b) phase strata plans and complete strata plans.

PART III
TRANSFERS IN CERTAIN CASES

- Duty of Registrar to record, etc., transfer of parcel.
22. Where a parcel has been transferred by the corporation after the building is destroyed, the Registrar,
- (a) shall enter on the relevant registered strata plan, a notification of the cancellation thereof; and
 - (b) shall indicate by appropriate charting upon any relevant plan that such registered strata plan has been cancelled.

- Duty of Registrar to endorse, etc., notification under Form 9.
23. Upon receipt of a notification in or to the effect of Form 9, the Registrar shall endorse and sign on the relevant registered strata plan a memorial of such notification. The memorial shall contain such particulars as may be necessary.

PART IV
INSURANCE BY PROPRIETORS AND BUILDINGS
DAMAGED BUT NOT DESTROYED

- Insurance by proprietors of strata lots.
24. (1) Where a building is insured to its replacement value under section 6 of the Act, a proprietor may effect a policy of insurance in respect of any damage to his strata lot in a sum equal to the amount secured, at the date of any loss referred to in such policy, by charges charged upon his strata lot.

(2) Where such policy of insurance is in force, then, subject to the terms and conditions of the policy, the insurer shall be liable to pay thereunder to the chargees whose interests are noted thereon in order of their respective priorities,

- (a) the value stated in such policy; or
- (b) the amount of the loss; or
- (c) the amount sufficient, at the date of the loss, to discharge charges charged upon the strata lot, which ever is less.

(3) Where the amount paid by an insurer in accordance with paragraph (2) of this regulation is sufficient to discharge a charge charged upon the strata lot, the insurer shall be subrogated to the position of the chargee and shall be entitled to all the rights and advantages of the chargee as against the insured to a transfer of that charge.

(4) Where the amount paid by an insurer in accordance with paragraph (2) of this regulation is less than the amount necessary to discharge a charge charged upon the strata lot, the insurer shall be entitled to an assignment of an interest (to the extent of the amount paid by him) in such charge to secure the amount so paid on such terms and conditions, if any, as were agreed upon under paragraph (7) of this regulation or, failing agreement, on the same terms and conditions as those contained in the charge by the proprietor.

(5) Where a building is uninsured, or has been insured for less than its replacement value, a proprietor may,

- (a) effect a policy of insurance in respect of any damage to his strata lot in a sum equal to the replacement value of his strata lot less any amount for which his

strata lot is insured under any policy of insurance effected on the building;

- (b) despite any existing policies, effect a policy of insurance in respect of damage to his strata lot in a sum equal to the amount secured at the date of any loss referred to in such policy, by charges charged upon his lot, and the provisions of paragraphs (2), (3) and (4) of this regulation shall apply in respect of any payment pursuant to such policy as they apply to a policy effected pursuant to paragraph (1) of this regulation.

(6) For the purpose of paragraph (5) of this regulation, the amount for which a strata lot is insured under a policy of insurance effected in respect of the building shall be determined by multiplying the value stated in such policy by the unit entitlement of the strata lot holder and dividing the product so obtained by the sum of the unit entitlement of all strata lot holders.

(7) For the purpose of paragraph (4) and sub-paragraph (b) of paragraph (5) of this regulation, any insurer and chargee or chargees may at any time, whether before or after a policy of insurance has been effected by a proprietor, agree upon the terms and conditions of the assignment of an interest.

(8) The policy of insurance authorized by this regulation and taken out by a proprietor in respect of damage to his strata lot shall not be liable to be brought into contribution with any other policy of insurance save another policy authorized by this regulation and taken out in respect of damage to the same strata lot.

(9) Nothing in this regulation shall limit the right of a proprietor to insure against risks other than damage to his strata lot.

25. (1) Where a building is damaged but is not destroyed within the

meaning of subsection (2) of section 17 of the Act, the court may by order settle a scheme, including provisions,

Buildings
damaged but
not destroyed.

- (a) for the reinstatement of the building in whole or in part;
- (b) for transfer to the other proprietors in proportion to their unit entitlement of the interests of proprietors of strata lots which have been wholly or partially destroyed.

(2) In exercise of its powers under this regulation, the court may make such orders as it thinks necessary or expedient for giving effect to the scheme, including orders,

- (a) directing the application of insurance moneys received by the corporation in respect of damage to the building;
- (b) directing payment of money by the corporation or by the proprietors or by some one or more of them;
- (c) directing such amendment of the strata plan as the court thinks fit, so as to include in the common property any alteration thereto;
- (d) imposing such general terms and conditions as it thinks fit.

(3) For the purposes of this regulation, an application may be made to the court by the corporation, or by a proprietor or a registered chargee of a strata lot.

(4) On an application to the court under this regulation, any insurer

who has insured the building or any part thereof (being insurance against destruction of strata lots or damage to the building) shall have the right to appear in person or by counsel.

(5) The court may from time to time vary any order made by it under this regulation.

PART V
VOTING BY CHARGE AND FEES

Voting by
chargee.

26. Where a proprietor's interest is subject to one or more registered charges and the chargee has given written notice of his charge to the corporation, any power of voting conferred on a proprietor by or under the Act,

- (a) shall not, in any case where a unanimous resolution is required, be exercised by the proprietor but shall be exercised by the chargees in succession in accordance with their priorities;
- (b) may in any other case be exercised by the chargee first entitled in priority and thereafter by chargees next entitled in succession, and shall not be exercised by the proprietor when any such chargee is present personally or by proxy.

Fees required
to be paid.

27. The following fees shall be paid to the Registrar in respect of the matters referred to:

- (a) On lodgement for registration of strata plan
..... BZ\$100.00.
- (b) For opening new registers consequent upon

-
- registration of strata plan for each parcel resulting
..... BZ\$50.00.
 - (c) On lodgement of a notification of destruction of the
building BZ\$50.00.
 - (d) On lodgement of a notification of any amendment
or variation of any bylaw..... BZ\$50.00.
 - (e) On lodgement of any application for amendment of
a registered strata plan (per amendment).....
BZ\$50.00.

MADE by the Minister responsible for land this 25th day of March, 1994.

(EDUARDO JUAN)
Minister of Natural Resources
Minister responsible for Land

STRATA TITLES REGISTRATION REGULATIONS

THE SUBSIDIARY LAWS OF BELIZE

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SCHEDULE

FORM 1
[Regulation 4]

Sheet No. of Sheets

REGISTRATION SECTION _____ BLOCK _____ PARCEL _____ Address of body corporate for service of notices _____ _____	STRATA PLAN NO. Registered _____ _____ Registrar of Lands Last Plan _____ _____
Diagram of location of buildings in relation to parcel boundaries	
Scale _____	N 
STRATA TITLES REGISTRATION REGULAITONS	

FORM 5
[Regulation 9]

BELIZE
STRATA TITLES REGISTRATION ACT

CENTRAL HOUSING AND PLANNING AUTHORITY
CERTIFICATE

I,

Housing and Planning Officer

hereby certify for the purposes of the Strata Titles Registration Act, that:

- (1) the development conforms with the requirements of the Housing and Town Planning Regulations;
- (2) a certificate of fitness for occupancy has been issued in respect of Strata Lot Nos.

Signature _____

Dated _____

Notes

-
- (1) If, in the case of a lease, interested parties have approved in writing of the execution of the lease, but have not consented in writing to the release of their interests in respect of the demised land, delete the words “have consented in writing to the release of those interests in respect of the land comprised in such instrument”.
 - (2) * Insert a description of the nature and date of the instrument and the names of the parties thereto.

STRATA TITLES REGISTRATION REGULATIONS

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FORM 6
[Regulation 10]

BELIZE
STRATA TITLES REGISTRATION ACT

CERTIFICATE OF THE CORPORATION

STRATA PLAN NO. _____.

In pursuance of the provisions of the Strata Titles Registration Act, the proprietors of the above strata plan hereby certify that the lots in the said strata plan by unanimous resolution, duly passed, directed the said corporation to execute the instrument hereunder recited and that all persons having registered interest in the parcel and all other persons having interests (other than statutory interests) which have been notified to the corporation have consented in writing to the release of those interests in respect of the land comprised in such instrument and that such instrument conforms with the terms of the aforesaid resolution.

Instrument: Transfer (or as the case may be) dated _____

(Brief description of the land disposed of)

The Common Seal of the Proprietors, Strata Plan No. _____

was hereunto affixed on _____ in the presence of

(Members of Executive Committee)

STRATA TITLES REGISTRATION REGULATIONS

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FORM 7
[Regulation 10]

BELIZE
STRATA TITLES REGISTRATION ACT
CERTIFICATE OF THE CORPORATION

STRATA PLAN NO. _____.

In pursuance of the provisions of the Strata Titles Registration Act, the proprietors of the above strata plan hereby certify that the lots in the said strata plan by unanimous resolution, duly passed, directed the said corporation to execute the instrument hereunder recited and that all persons having interests (other than statutory interests) which have been notified to the corporation have consented in writing to the release of those interests in respect of the land comprised in such instrument.

Instrument: * Transfer (or as the case may be) dated _____

_____ of _____
(Brief description of land affected)

The Common Seal, of the proprietors, Strata Plan No. _____
was hereunto affixed on _____ in the presence of

(Members of Executive Committee)

* Insert a description of the nature and date of the instrument and names of the parties thereto.

STRATA TITLES REGISTRATION REGULATIONS

FORM 8
[Regulation 11]

BELIZE
STRATA TITLES REGISTRATION ACT
NOTIFICATION OF DESTRUCTION OF BUILDING

STRATA PLAN NO. _____

In pursuance of paragraph (a) of subsection (1) of section 17 of the Strata Titles Registration Act the proprietors of the above strata plan hereby certify that the building illustrated on the said strata plan has been destroyed.

Attached hereto is * a certified copy of the unanimous resolution of the proprietors pursuant to section 17 (2) of the said Act.

* An office copy of the declaration made by the court pursuant to section 17 (2) (b) of the said Act.

The Common Seal of the proprietors, strata plan No. _____ was hereunto affixed on _____ in the presence of _____.

(Members of Executive Committee)

*Delete whichever is inappropriate.

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STRATA TITLES REGISTRATION REGULATIONS

FORM 9
[Regulation 12]

BELIZE
STRATA TITLES REGISTRATION ACT
NOTIFICATION OF AMENDMENT OR VARIATION BYLAWS

STRATA PLAN NO. _____

In pursuance of section 15 (5) of the Strata Titles Registration Act, the proprietors of the above strata plan unanimously passed the following resolution:

(Set out resolution)

The Common Seal of the proprietors, strata plan No. _____ was hereunto affixed on _____ in the presence of _____.

(Members of Executive Committee)

Note - Delete the word “unanimously” if not applicable.
