



Australian Capital Territory

Community Title Regulations 2002 No 4

made under the

Community Title Act 2001

Republication No 1

Republication date: 10 March 2002

Regulations not amended up to this date

Provisions effective to 10 March 2002

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Community Title Regulations 2002*, made under the *Community Title Act 2001* as in force on 10 March 2002. It includes any commencement, amendment, repeal or expiry affecting the republished law up to 10 March 2002 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial amendments

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

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1 Name of regulations

These regulations are the *Community Title Regulations 2002*.

3 Meaning of GST

In these regulations:

GST—see the *A New Tax System (Goods and Services Tax) Act 1999* (Cwlth), dictionary.

4 Notes

A note included in these regulations is explanatory and is not part of the regulations.

Note See *Legislation Act 2001*, s 127 (1), (4) and (5) for the legal status of notes.

5 Sketch—Act, s 6 (b)

The sketch included in a master plan of a community title scheme must show—

- (a) any colours or textures required by the community title scheme for the external surfaces of buildings on scheme land; and
- (b) any landscaping required by the scheme.

6 Additional information to be included in site plans—Act, s 6 (d)

A site plan must—

- (a) show the lot number of each lot of scheme land shown on the plan; and
- (b) show the distances of each building on a lot of scheme land from the boundaries of the lot; and

- (c) show the proposed distances of each building to be erected on a lot of scheme land under the community title scheme from the boundaries of the lot; and
- (d) show each road, body of water, and area, mentioned in the Act, section 5 (3) within the boundaries of the scheme land; and
- (e) be drawn to scale; and
- (f) show the direction of north.

7 Management statements—Act, s 7 (j)

A management statement for a community title scheme must include—

- (a) provision for the resolution of disputes between members of the body corporate; and
- (b) provision for the appointment of a conciliator or mediator, if necessary or convenient, to assist in the resolution of disputes between members of the body corporate; and
- (c) a statement of the procedures to be adopted by a conciliator or mediator appointed under the provisions mentioned in paragraph (b); and
- (d) provision for the payment of the fees and expenses of a conciliator or mediator appointed under the provisions mentioned in paragraph (b) and any other costs or expenses of the conciliation or mediation; and
- (e) provision for cases in which a person required to engage in a dispute resolution procedure provided for by the management statement does not enter into the procedure or continue with the procedure until the dispute is resolved; and
- (f) for a community title scheme having only 2 or 3 lots that are not common property—provision for resolving disputes between members of the body corporate if the other dispute

resolution procedures provided by the management statement cannot operate because—

- (i) a quorum of the body corporate cannot be obtained; or
- (ii) the members of the body corporate cannot agree.

8 Public liability insurance of body corporate—Act, s 38 (2)

A body corporate of a community title scheme must take out and maintain public liability insurance for a total amount of liability not less than \$20 000 000.

9 Exemption from building insurance requirements—the Act, s 39 (2)

A body corporate of a community title scheme may exempt itself from the requirement to take out building insurance (under the Act, section 39 (1)) if the replacement value of all buildings on the common property of the community title scheme is less than \$10 000.

10 Community title certificate and access to body corporate records—Act, s 56 (3)

The fee fixed by the body corporate of a community title scheme for a community title certificate, or to inspect body corporate books, records or documents, or both, must be not more than \$70 (plus any GST payable in relation to the amount).

Note Only a single fee of not more than \$70 (plus any GST) is payable for a request for a community title certificate made together with a request for inspection of body corporate books, records or documents (see the Act, s 56 (4)).

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
num = numbered	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

Community Title Regulations 2002 SL No 4

notified LR 5 March 2002

reg 1, reg 2 commenced 5 March 2002 (LA s 75)

remainder commenced 10 March 2002 (s 2, see Community Title Act 2001 s 3 and LA s 79)

4 Amendment history

Commencement

reg 2 om LA s 89 (4)

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