



Australian Capital Territory

Community Title Regulations 2002

Subordinate Law 2002 No 4

The Australian Capital Territory Executive makes the following regulations under the *Community Title Act 2001*.

Dated 4 March 2002.

SIMON CORBELL
Minister

BILL WOOD
Minister



Australian Capital Territory

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Community Title Act 2001

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1 Name of regulations

These regulations are the *Community Title Regulations 2002*.

2 Commencement

These regulations commence on the commencement of the *Community Title Act 2001*, section 3.

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)).

Endnote

Notification

- 1 Notified under the *Legislation Act 2001* on 5 March 2002.
(see www.legislation.act.gov.au)
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