



Body Corporate and Community Management Act 1997

Body Corporate and Community Management Regulation 2008

Current as at 1 July 2017



Queensland

Body Corporate and Community Management Regulation 2008

Contents

		Page
1	Short title	3
2	Commencement	3
3	Fees	3
4	Waiver of application fee under the Act, s 239	3
5	Repeal	4
Schedule 1	Fees	5

Body Corporate and Community Management Regulation 2008

1 Short title

This regulation may be cited as the *Body Corporate and Community Management Regulation 2008*.

2 Commencement

This regulation commences on 30 August 2008.

3 Fees

The fees payable under the Act are stated in schedule 1.

4 Waiver of application fee under the Act, s 239

- (1) A person may apply to the commissioner for waiver of the fee prescribed for section 239(1)(c) of the Act.
- (2) The application must be made in the approved form.
- (3) For section 239(3) of the Act, the commissioner, in deciding whether payment of the fee would cause an applicant who is an individual financial hardship—
 - (a) may consider whether the applicant holds a concession card; and
 - (b) may require the applicant to provide documentary evidence to support the application.

Example of documentary evidence—

a concession card

- (4) In this section—

concession card means—

- (a) a health care card or pensioner concession card under the *Social Security Act 1991* (Cwlth); or

- (b) a pensioner concession card issued by the Commonwealth Department of Veterans' Affairs.

5 Repeal

The Body Corporate and Community Management Regulation 1997, SL No. 211 is repealed.

Schedule 1 Fees

section 3

\$

- | | | |
|---|--|--------|
| 1 | Application under section 239 of the Act— | |
| | (a) if the application includes a request for the commissioner to consider whether an interim order should be considered by an adjudicator | 166.30 |
| | (b) otherwise | 79.20 |
| 2 | Application under section 246 of the Act— | |
| | (a) to inspect an adjudication application made under section 239 of the Act, submissions made under section 243(2)(b) of the Act or replies to submissions made under section 244(2)(b) of the Act— | |
| | (i) for each hour or part of an hour | 17.25 |
| | (ii) maximum fee payable for a day | 67.70 |
| | (b) to be given copies of an adjudication application made under section 239 of the Act, submissions made under section 243(2)(b) of the Act or replies to submissions made under section 244(2)(b) of the Act, for each page— | |
| | (i) for less than 20 pages | 1.95 |
| | (ii) for 20 to 50 pages | 1.60 |
| | (iii) for more than 50 pages | 1.20 |
| 3 | Application under section 299 of the Act for information about a community titles scheme— | |
| | (a) if the information is given to the applicant in person | 17.80 |
| | (b) if the information is posted to the applicant | 20.70 |
| | (c) if the information is faxed to the applicant | 26.70 |

1 Index to endnotes

- 2 Key
- 3 Table of reprints
- 4 List of legislation
- 5 List of annotations

2 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amd	= amendment	prov	= provision
t			
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renu	= renumbered
		m	
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	
notf	= notified	rv	= revised version
d			
num	= numbered	s	= section

Key	Explanation	Key	Explanation
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
		m	
prev	= previous		

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
1	none	30 August 2008	
1A	2009 SL No. 181	1 September 2009	

Reprint No.	Amendments included	Effective	Notes
1B	2010 SL No. 155	1 July 2010	
1C	2011 SL No. 115	1 July 2011	
1D	2012 SL No. 102	13 July 2012	

Current as at	Amendments included	Notes
1 July 2013	2013 SL No. 122	
1 July 2014	2014 SL No. 128	
1 July 2015	2015 SL No. 53	
1 July 2016	2016 SL No. 85	
1 July 2017	2017 SL No. 109	

4 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Body Corporate and Community Management Regulation 2008 SL No. 269

made by the Governor in Council on 21 August 2008

notfd gaz 22 August 2008 pp 2651–6

ss 1–2 commenced on date of notification

remaining provisions commenced 30 August 2008 (see s 2)

exp 1 September 2018 (see SIA s 54)

Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared.

(3) The regulatory impact statement applies to 2008 SL Nos. 269, 270, 271, 272 and 273.

amending legislation—

Justice Legislation (Fees) Amendment Regulation (No. 1) 2009 SL No. 181

notfd gaz 28 August 2009 pp 1491–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 2009 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2010 SL No. 155

notfd gaz 25 June 2010 pp 823–30
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2010 (see s 2)

Justice (Fees) Amendment Regulation (No. 1) 2011 SL No. 115

notfd gaz 1 July 2011 pp 589–96
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2011 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2012 SL No. 102

notfd gaz 13 July 2012 pp 820–5
ss 1–2 commenced on date of notification
remaining provisions commenced 13 July 2012 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2013 SL No. 122

notfd gaz 28 June 2013 pp 739–47
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2013 immediately after the Uniform Civil Procedure and Another Rule Amendment Rule (No. 1) 2013 (see s 2)

Justice Legislation (Fees) Amendment and Repeal Regulation (No. 1) 2014 SL No. 128 ss 1–2(1), 3 sch

notfd <www.legislation.qld.gov.au> 27 June 2014
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2014 (see s 2(1))

Justice Legislation (Fees) Amendment Regulation (No. 1) 2015 SL No. 53 pts 1, 8

notfd <www.legislation.qld.gov.au> 26 June 2015
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2015 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2016 SL No. 85 pts 1, 8

notfd <www.legislation.qld.gov.au> 17 June 2016
ss 1–2 commenced on date of notification
pt 8 commenced 1 July 2016 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2017 SL No. 109

notfd <www.legislation.qld.gov.au> 30 June 2017
ss 1–2 commenced on date of notification
pt 8 commenced 1 July 2017 (see s 2)

5 List of annotations

Fees

s 3 amd 2017 SL No. 109 s 16

SCHEDULE 1—FEES

sch 1 (prev sch) sub 2009 SL No. 181 s 3 sch; 2010 SL No. 155 s 3 sch; 2011 SL No. 115 s 3 sch; 2012 SL No. 102 s 3 sch; 2013 SL No. 122 s 3 sch; 2014 SL No. 128 s 3 sch; 2015 SL No. 53 s 16; 2016 SL No. 85 s 16; 2017 SL No. 109 s 17

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