

Queensland



*Retirement Villages Act 1999*

# **RETIREMENT VILLAGES REGULATION 2000**

**Reprinted as in force on 21 September 2001  
(includes amendments up to SL No. 165 of 2001)**

**Reprint No. 1A**

**This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy**

# Information about this reprint

This regulation is reprinted as at 21 September 2001. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned have also been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

# Queensland



## RETIREMENT VILLAGES REGULATION 2000

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# RETIREMENT VILLAGES REGULATION 2000

[as amended by all amendments that commenced on or before 21 September 2001]

## 1 Short title

This regulation may be cited as the *Retirement Villages Regulation 2000*.

## 2 Commencement

(1) Section 7 commences on 1 July 2000 immediately after the commencement of section 230<sup>1</sup> of the Act.

(2) Subject to subsection (1), this regulation commences on 1 July 2000.

## 3 Further particulars for Act, s 27(2)(a)(v)

The following particulars are prescribed for section 27(2)(a)(v)<sup>2</sup> of the Act—

- (a) the name of the retirement village scheme;
- (b) the location, or the proposed location, of the retirement village;
- (c) the name and address of the scheme operator of the retirement village scheme;
- (d) the date and place of birth of the scheme operator;
- (e) the name and address of the manager of the retirement village;
- (f) the date and place of birth of the manager of the retirement village;
- (g) if the scheme operator or the manager of the retirement village is a corporation—
  - (i) the name and address of each of the directors; and
  - (ii) the date and place of birth of each of the directors;

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1 Section 230 (Existing exempt organisations and retirement villages) of the Act

2 Section 27 (Application for registration of a retirement village scheme) of the Act

- (h) the facilities on, or to be constructed on, the retirement village land;
- (i) if the retirement village land is used, or is to be used for any other purpose in addition to its use as a retirement village—the other purpose;
- (j) any restriction on the use of the retirement village facilities or restriction on the enjoyment of the use of the retirement village land by retirement village residents;
- (k) any facilities or retirement village land which will not be for the exclusive use or enjoyment of the retirement village residents;
- (l) local government approvals required and obtained for the planning and construction of the retirement village;
- (m) the certificate of title of the land on which the retirement village is, or is to be, built;
- (n) the insurance for the retirement village required under section 110<sup>3</sup> of the Act;
- (o) the scheme operator's address for service of documents.

#### **4 Further details for Act, s 45(1)(m)**

The following details are prescribed for section 45(1)(m)<sup>4</sup> of the Act—

- (a) the name of the scheme and of the scheme operator and the scheme operator's address for service of documents;
- (b) the name and address of the trustee who holds the amount of incoming contribution during the cooling off period;
- (c) how the resident may rescind the residence contract under the Act by giving written notice to the scheme operator;
- (d) the services to be supplied to the resident including—
  - (i) services funded from the general services charge; and
  - (ii) services funded from the personal services charge; and
  - (iii) services, if any, available on a fee for service basis;

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3 Section 110 (Scheme operator must insure village) of the Act

4 Section 45 (Content of residence contract) of the Act

- (e) if a trustee mentioned in section 46(1)<sup>5</sup> of the Act must hold an amount of ingoing contribution until a day when a condition precedent mentioned in section 46(3)(a) of the Act is fulfilled—the condition precedent.

## **5 Allowance to witness**

For section 201<sup>6</sup> of the Act, the allowance payable to a person required to appear as a witness before a tribunal is made up of the following amounts—

- (a) an attendance allowance of \$49 for each day;
- (b) if the person travels to and from the tribunal by air and it is reasonable in the circumstances to travel by air—a travelling allowance equal to the amount payable for economy class air travel by the person to and from the tribunal;
- (c) if paragraph (b) does not apply—a travelling allowance that is the lesser of the following amounts—
  - (i) the amount actually and properly paid for fares for public transport; or
  - (ii) if there is no public transport available—40 cents per kilometre and \$10 for each day;
- (d) if the person is required to attend at the tribunal for 1 or more days to give evidence, and it is not reasonably practicable for the person to travel to the tribunal from, or to return to, the person's place of residence on any of those days—an accommodation allowance of \$90 for each overnight stay.

## **6 Fees**

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

## **7 Repeal**

The *Retirement Villages Regulation 1989* is repealed.

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5 Section 46 (Dealing with ingoing contribution) of the Act

6 Section 201 (Allowance to witness) of the Act

## SCHEDULE 1

### FEES

section 6

\$

1. Application for registration of—
  - (a) new schemes ..... 1 314.00
  - (b) previously exempt schemes ..... 557.00
2. Inspection of public register—
  - (a) initial fee ..... 11.70
  - (b) for certified copies—
    - (i) first page ..... 12.70
    - (ii) each additional page ..... 1.00
  - (c) for uncertified copies ..... 1.00

per page
3. Inspection and copy of village documents—
  - (a) a public information document ..... 30.00
  - (b) a residence contract ..... 50.00
4. Notice of retirement village dispute ..... 50.00
5. Application to tribunal ..... 50.00
6. Application to chief executive to make application to tribunal ..... 50.00
7. Inspection and copy of tribunal register—
  - (a) initial fee ..... 11.70
  - (b) for certified copies
    - (i) first page ..... 12.70
    - (ii) each additional page ..... 1.00
  - (c) for uncertified copies ..... 1.00

per page



## ENDNOTES

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 21 September 2001. Future amendments of the Retirement Villages Regulation 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
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 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

## 4 Table of earlier reprints

### TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	4 August 2000

## 5 List of legislation

### **Retirement Villages Regulation 2000 SL No. 160**

made by the Governor in Council on 29 June 2000

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

exp 1 September 2010 (see SIA s 54)

as amended by—

### **Retirement Villages Amendment Regulation (No. 1) 2001 SL No. 165**

notfd gaz 14 September 2001 pp 139–40

commenced on date of notification

## 6 List of annotations

### **Allowance to witness**

s 5 amd 2001 SL No. 165 s 3