

**BUGTA****Form 18****Body corporate certificate**

This form is effective from 1 August 2025

For the sale of a lot under the *Building Units and Group Titles Act 1980*.

WARNING - Do not sign a contract to buy a property until you have read and understood the information in this certificate. Obtain independent legal advice if needed.

You may rely on this certificate against the body corporate as conclusive evidence of matters stated in the certificate, except any parts where the certificate contains an error that is reasonably apparent.

The property to which this certificate relates is part of a plan regulated under the *Building Units and Group Titles Act 1980* (a 'BUGTA scheme'). The *Building Units and Group Titles Act 1980* continues to apply to particular developments established under a combination of the *Building Units and Group Titles Act 1980* and one of the special planning laws (known as the 'specified Acts').

You can ask your solicitor to provide advice on how the body corporate may be impacted by the specified Act applying to the broader development, including additional by-laws, management statements and costs that may apply to the lot and body corporate. This certificate only relates to rights and obligations under the *Building Units and Group Titles Act 1980*.

This certificate contains important information about the lot and BUGTA scheme named in the certificate, including:

- becoming an owner and contacting the body corporate ...Page 2
- details of the property and broader development ...Page 3
- by-laws and exclusive use areas ...Page 4
- lot entitlements and financial information ...Page 5
- owner contributions and amounts owing ...Page 6
- common property and assets ...Page 8
- insurance ...Page 9
- contracts and authorisations ...Page 10

This certificate does not include information about:

- physical defects in the common property or buildings in the scheme;
- body corporate expenses and liabilities for which the body corporate has not fixed contributions;
- current, past or planned body corporate disputes or court actions;
- orders made against the body corporate by a referee, a tribunal or a court;
- matters raised at recent committee meetings or body corporate meetings; or
- the lawful use of lots.

The specified Act that governs the development may provide for the lawful use of a lot, including whether a lot can be used for short-term letting. The by-laws for the body corporate or broader development may also regulate the use of lots for letting, including by prohibiting short-term letting. You may wish to seek advice from the relevant local government or other planning authority to find out about any approvals you will need or if there are any restrictions on short-term letting, including whether the permitted lawful use may subsequently change.

The Office of the Commissioner for Body Corporate and Community Management

The Office of the Commissioner for Body Corporate and Community Management provides information to the community about body corporate legislation. For more information about rights and obligations of owning a lot in a BUGTA scheme, and information about the administration and financial management of bodies corporate under particular specified Acts, visit www.qld.gov.au/bodycorporate.

You can ask for a search of referee orders to find out if there are any past or current dispute applications lodged for the body corporate for the lot you are considering buying at www.qld.gov.au/searchrefereorders.

The information in this certificate is current as at / /

Becoming an owner

When you become an owner of a lot in a BUGTA scheme, you:

- automatically become a member of the body corporate and have the right to participate in significant decisions about the BUGTA scheme;
- must pay contributions towards the body corporate's expenses in managing the scheme; and
- must comply with the body corporate by-laws.

You should tell the body corporate that you have become the owner of a lot in the BUGTA scheme as soon as possible after settlement to ensure that you receive important notices from the body corporate, including agendas and voting papers for body corporate meetings and notices of contributions.

How to get more information

You can inspect the body corporate records which will provide important information about matters not included in this certificate. To inspect the body corporate records, you must be authorised by a member of the body corporate. You can contact the person responsible for keeping the records (see below) or you may wish to engage the services of a search agent. Fees will apply.

Contacting the body corporate

The body corporate is an entity made up of each person who owns a lot within a BUGTA scheme.

Body corporate manager

Bodies corporate often engage a body corporate manager to handle administrative functions.

Is there a body corporate manager engaged?

- Yes. The body corporate manager is:

Name:

Company:

Phone:

Email:

- No

Secretary of the body corporate

Name:

Phone:

Email:

Accessing records

Who is currently responsible for keeping the body corporate's records?

- The body corporate manager named above.
- The secretary named above.
- The following person:

Name:

Role:

Phone:

Email:

Property details

Lot and plan details

Lot number: _____ on plan type and number: Building Units Plan no. _____
 Group Titles Plan no. _____

The name of the building or parcel endorsed on the plan:

The type of plan applying to a lot determines maintenance and insurance responsibilities.

Development details

The specified Act that applies to the development in which the BUGTA scheme is located is:

- Integrated Resort Development Act 1987*
- Mixed Use Development Act 1993*
- Sanctuary Cove Resort Act 1985*
- Registration of Plans (HSP (Nominees) Pty Limited) Enabling Act 1980*
- Registration of Plans (Stage 2) (HSP (Nominees) Pty Limited) Enabling Act 1984.*

Not for public use
This form will not be in effect until 1st
2025

By-laws and exclusive use areas

The body corporate may make by-laws (rules) about the use of common property and lots included in the scheme. You must comply with the by-laws for the BUGTA scheme.

By-laws can impose requirements relating to a wide range of matters, including noise, the appearance of lots, carrying out work on lots (including renovations), parking, requirements for body corporate approval to keep pets, and smoking. By-laws can also regulate the use of lots for letting, including prohibiting short-term letting. You should read the by-laws before signing a contract.

- The body corporate by-laws for the BUGTA scheme are given with this certificate.

Exclusive use areas

Individual lots may be granted exclusive use of common property or a body corporate asset, for example, a courtyard, car park or storage area.

The owner of a lot to whom exclusive use rights are given will usually be required to maintain the exclusive use area unless the exclusive use by-law or other allocation of common property provides otherwise.

- The by-laws and/or body corporate resolutions giving exclusive use and enjoyment or special privileges in respect of the whole or any part of the common property are given with this certificate.

Specified Act by-laws

Depending on the specified Act that governs the broader development your body corporate is part of, you may also be required to comply with other by-laws.

You should ask your solicitor or the body corporate about any other by-laws you must comply with.

Not for publication
This form will not be in effect until 1/1/2025

Lot entitlements and financial information

Lot entitlementments

The owner of a lot in a BUGTA scheme is required to pay contributions to the body corporate to cover the body corporate's expenses.

Each lot owner's contribution to body corporate expenses is determined by the lot entitlements allocated to the lot, relative to the total lot entitlements for all lots in the BUGTA scheme. Lots may have different lot entitlements and therefore pay different contributions towards the body corporate's expenses. You should consider the lot entitlements for the lot compared to the lot entitlements for other lots in the BUGTA scheme before you sign a contract of sale.

Lot entitlement for the lot:

Total lot entitlements for all lots:

Statement of accounts

- The most recent statement of accounts prepared by the body corporate for the notice of the annual general meeting for the BUGTA scheme is given with this certificate.

Owner contributions (levies)

The contributions (levies) payable by the owner of a lot may vary from year to year depending on the body corporate's anticipated expenses. The funds that a body corporate needs to raise are also impacted by the higher-level body corporate's anticipated expenditure.

The owner of a lot is required to pay contributions to the body corporate's administrative fund for recurrent expenditure and the sinking fund for capital and non-recurrent expenditure.

WARNING: You may also need to pay additional contributions if the body corporate becomes liable for an expense that it is not immediately able to pay.

The contributions payable by the owner of the lot that this certificate relates to are listed over the page.

Body corporate debts

If any contributions or other amounts owing in relation to the property are not paid before you become the owner of the property, YOU WILL BE LIABLE TO PAY THEM TO THE BODY CORPORATE. Before signing the contract, you should make sure that the contract addresses this or provides for an appropriate adjustment at settlement.

Owner contributions and amounts owing

The body corporate can enter into an **offset arrangement** with an owner whereby a contribution, or part of a contribution, is taken to be paid if the fair value of the land, goods or services provided by the owner under the arrangement equals the value of the contribution or part.

The following information shows only the monetary contribution amounts set by the body corporate. However, an instalment will be marked as 'paid' if already satisfied by an offset arrangement.

Administrative fund contributions

Total amount of contributions (before any discount) for lot ___ for the current financial year: \$.....

Number of instalments: (outlined below)

Discount for payments made within 30 days after becoming due and payable (if applicable):%

Due date	Amount due	Amount due if discount applied	Paid
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No

Sinking fund contributions

Total amount of contributions (before any discount) for lot ___ for the current financial year: \$.....

Number of instalments: (outlined below)

Discount for payments made within 30 days after becoming due and payable (if applicable):%

Due date	Amount due	Amount due if discount applied	Paid
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No

Additional contributions (IF ANY)

Date determined: ___ / ___ / _____ (Access the body corporate records for more information).

Total amount of contributions (before any discount) for lot ___: \$.....

Number of instalments: (outlined below)

Discount for payments made within 30 days after becoming due and payable (if applicable):%

Due date	Amount due	Amount due if discount applied	Paid
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No
___ / ___ / _____	\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No

Other amounts payable by the lot owner

For the current financial year there are:

- No other amounts payable for the lot.
- Amounts payable under by-laws or resolutions giving exclusive use and enjoyment or special privileges in respect of the whole or any part of the common property, totalling \$.....
- Amounts payable under service agreements (that are not included in contributions for the lot), totalling \$.....
- Other amounts payable, totalling \$..... (see explanation given with this certificate)

Summary of amounts due but not paid by the current owner

At the date of this certificate:

- All payments for the lot are up to date.
 - The following amounts are due but not yet paid for the lot:
 - Overdue contributions: \$.....
 - Other amounts due but not paid: \$.....
- Total amounts due but not paid: \$.....**

Not for public use. This form will not be in effect until August 2025

Common property and assets

When you buy a lot in a BUGTA scheme, you also own a share in the common property and assets. Common property can include driveways, lifts and stairwells, and shared facilities. Assets can include gym equipment and pool furniture.

The body corporate is usually responsible for maintaining the common property, assets and, in some situations, certain fixtures, fittings, doors and windows. An owner is usually responsible for maintaining common property or assets that their lot has been allocated exclusive use of, or for maintaining improvements to common property or utility infrastructure that only benefit their lot. For more information, visit www.qld.gov.au/buyingbodycorporate.

Sinking fund forecast and balance - maintenance and replacement of common property / assets

The body corporate must have a sinking fund to pay for future capital expenses, such as repairs or replacement of common property and assets. If there is not enough money in the sinking fund at the time, for example, a replacement or repair is needed, lot owners will usually have to pay additional contributions.

Prior to signing a contract, you should consider whether the sinking fund balance is appropriate to meet likely future capital expenditure.

Does the body corporate have a current sinking fund forecast that estimates future capital expenses and how much money needs to be accumulated in the sinking fund?

- Yes - you can obtain a copy from the body corporate records.
- No.

Current sinking fund balance (as at date of certificate): \$.....

Improvements to common property the lot owner is responsible for

A lot owner may make improvements to the common property for the benefit of their lot if authorised by the body corporate. The lot owner is usually responsible for maintenance of these improvements, unless the body corporate authorises alternative maintenance arrangements.

- There are no authorised improvements that the owner of the lot is responsible for maintaining in good and serviceable repair.
- Details of authorised improvements to the common property that the owner of the lot is responsible for maintaining in good and serviceable repair are given with this certificate.

Body corporate assets

The body corporate must keep a register of assets disclosing the personal property vested in the body corporate.

- The body corporate does not have any personal property.
- A copy of the body corporate register of assets is given with this certificate.

Insurance

The body corporate must insure the common property under a damage policy for the reinstatement or replacement value. The body corporate must, in the case of a building units plan (for example, an apartment building), also insure the building under a damage policy for the reinstatement or replacement value.

The body corporate must also take out public risk insurance covering the common property and any insurance required under the *Workers' Compensation and Rehabilitation Act 2003*.

Body corporate insurance policies

Details of each current insurance policy held by the body corporate including, for each policy, the:

- type of policy;
- name of the insurer;
- sum insured;
- amount of premium; and
- excess payable on a claim

are given with this certificate.

Lot owner and occupier insurance

The occupier is responsible for insuring the contents of the lot and any public liability risks which might occur within the lot. If the building is a detached or freestanding building, the owner may be responsible for insuring the building.

More information about insurance in BUGTA schemes is available from your solicitor or www.qld.gov.au/buyingbodycorporate.

Contracts and authorisations

Service contracts and letting agents

A body corporate may engage contractors to provide services to assist in the management of the body corporate and its scheme, for example, administrative services, cleaning of the common property and gardening.

The body corporate may also enter into an agreement or arrangement for a person to conduct a letting agent business for the scheme, that is, to act as the agent of owners of lots who choose to use the person's services for the letting of their lot. (See *Building Units and Group Titles Act 1980*, section 7, definition *prescribed arrangement*, paragraph (g)).

A person who conducts a letting agent business for the scheme and also has an agreement or arrangement with the body corporate to carry out maintenance and repairs for the body corporate (see *Building Units and Group Titles Act 1980*, section 7, definition *prescribed arrangement*, paragraph (d)) is often referred to as a 'resident manager'.

You may inspect the body corporate records to obtain information about agreements or arrangements entered into by the body corporate (including the terms of an agreement or arrangement, and contractor duties and remuneration payable under an agreement or arrangement).

Has the body corporate entered into an agreement or arrangement with a person to conduct a letting agent business?

- Yes - Name of letting agent:
 No

If yes, has the body corporate also entered into an agreement or arrangement with the person who is the letting agent to carry out maintenance and repairs for the body corporate (a 'resident manager')?

- Yes
 No

Embedded network electricity supply

Is there an arrangement to supply electricity to occupiers in the body corporate through an embedded network?

- Yes
 No

More information about embedded networks in bodies corporate is available from:
www.qld.gov.au/buyingbodycorporate.

Body corporate authority

This certificate is signed and given under the authority of the body corporate.

Name/s _____

Position/s held _____

Signature/s _____

Date _____

Copies of documents given with this certificate:

- by-laws for the BUGTA scheme
- details of exclusive use by-laws or other common property allocations (if applicable)
- the most recent statement of accounts
- details of amounts payable to the body corporate for another reason (if applicable)
- details of improvements the owner is responsible for maintaining (if applicable)
- the register of assets (if applicable)
- insurance policy details