



Queensland

# Body Corporate and Community Management Regulation 2019

Subordinate Legislation 2019 No. ...

made under the

*Body Corporate and Community Management Act 1997*

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[s 1]

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**1 Short title**

This regulation may be cited as the *Body Corporate and Community Management Regulation 2019*.

**2 Commencement**

This regulation commences on [insert date].

**3 Fees**

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

**4 Waiver of fees prescribed for application under Act, s 246**

- (1) This section applies in relation to a fee prescribed for an application under section 246 of the Act.
- (2) The commissioner may waive payment of the fee if the commissioner is satisfied payment of the fee would cause the applicant financial hardship.

**5 Application for waiver of particular fees**

- (1) A person may apply to the commissioner for waiver of payment of the fee mentioned in section 239(1)(c) or 246(2) of the Act.
- (2) The application must be in the approved form.
- (3) Subsection (4) applies if—
  - (a) the application states the payment of the fee would cause the applicant financial hardship; and
  - (b) the applicant is an individual.
- (4) In deciding the application, the commissioner may—
  - (a) consider whether the applicant holds a concession card; and

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- (b) require the applicant to provide documentary evidence to support the application.

*Example of documentary evidence—*

a concession card

- (5) 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.

## 6 Repeal

The Body Corporate and Community Management Regulation 2008, SL No. 269 is repealed.

## 7 Transitional provision for existing applications for waiver of fees

- (1) This section applies to an application made under section 4 of the repealed regulation that was not decided immediately before the commencement.
- (2) The application is taken to have been made under section 5.
- (3) In this section—

***repealed regulation*** means the repealed *Body Corporate and Community Management Regulation 2008*.

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## Schedule 1 Fees

section 3

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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	176.00
	(b) otherwise	83.80
2	Application under section 246 of the Act—	
	(a) to inspect an adjudication application, 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	18.25
	(ii) maximum fee payable for a day	71.65
	(b) to be given copies of an adjudication application, 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	2.05
	(ii) for 20 to 50 pages	1.70
	(iii) for more than 50 pages	1.30
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	18.80
	(b) if the information is posted or emailed to the applicant	21.90
	(c) if the information is faxed to the applicant	28.25

ENDNOTES

- 1 Made by the Governor in Council on [Made by Governor Date].
- 2 Notified on the Queensland legislation website on [Notification Date].
- 3 The administering agency is the Department of Justice and Attorney-General.

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