

Body Corporate & Community  
Management & Other  
Legislation Amendment Bill 2012  
Submission 114

**From:** [Jeff Maclean](#)  
**To:** [Legal Affairs and Community Safety Committee](#)  
**Subject:** feedback to letter from The Attorney General  
**Date:** Tuesday, 16 October 2012 9:26:31 AM  
**Attachments:** [CCF16102012\\_00000.pdf](#)

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"I write on behalf of my elderly Mother who lives in Macleay Towers at Kangaroo Point where a new CMS was recorded in April 2009 following a comprehensive lot entitlement schedule analysis by experts in this field.

The result was that the inequities of the original CMS established by the developer were eliminated and all lot owners lot entitlement contributions were thereafter calculated on an equitable, mathematically validated basis.

In January this year a lot owner in our building instigated proceedings for the Body Corporate of our building to revert to the original inequitable CMS.

As you know the Lot Entitlement legislative amendment passed by the Labor Government was drafted in a totally unacceptable form such that it prevents any opportunity for an adversely affected lot owner to lodge an appeal opposing a motion from another lot owner to revert to the original scheme on the grounds of inequity.

That legislative amendment is totally unacceptable and discriminatory.

Like many long term residents of apartment buildings my Mother's lot entitlement will rise excessively.

For the above reason we fully support your review of the legislation and the new bill you propose.

Regards

Jeff Maclean  




The Hon Jarrod Bleijie MP  
Attorney-General and Minister for Justice

In reply please quote: FTP-01630

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9 OCT 2012

You have previously written to me to express your concerns about the former Government's April 2011 changes to the system of contribution schedule lot entitlements in community titles schemes.

As a result of direct advocacy by yourself and many other concerned lot owners, I subsequently introduced the Body Corporate and Community Management and Other Legislation Amendment Bill 2012 into the Queensland Parliament on 14 September 2012.

The Bill reflects the Government's commitment to establishing a fairer system for sharing body corporate expenses between unit owners.

The amendments will provide lot owners adversely affected by the former Government's legislation with an opportunity to re-instate their scheme's contribution lot entitlements in accordance with previous lawful decisions made by independent courts, tribunals and specialist adjudicators.

A copy of the Bill and accompanying explanatory material can be obtained from the Queensland Legislation website at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au).

The Bill has now been referred to the Parliamentary Legal Affairs and Community Safety Committee for its detailed consideration and report to the Parliament by 22 November 2012.

To assist in its deliberations, the committee has called for public submissions on the Bill by 19 October 2012.

I encourage you to consider sharing your views on body corporate lot entitlements with the committee. The committee's deliberations will play an important role in informing the final construction of the Bill.

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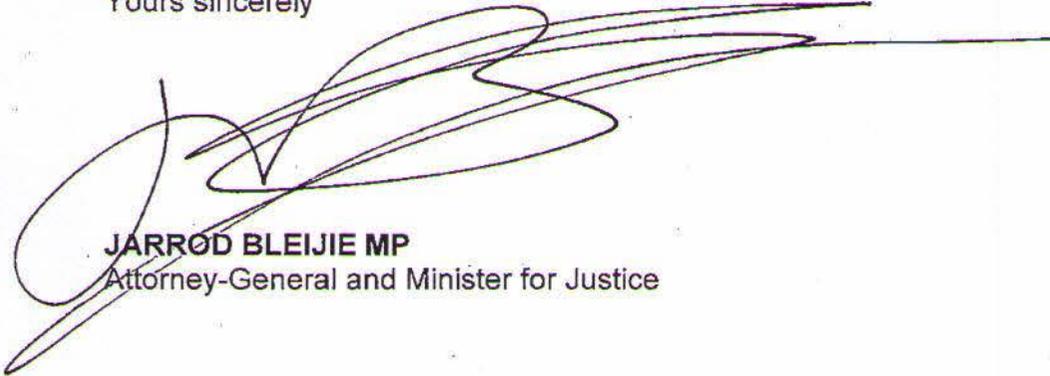
Written submissions can be provided by email to [lacsc@parliament.qld.gov.au](mailto:lacsc@parliament.qld.gov.au) or by post to the Research Director, Legal Affairs and Community Safety Committee, Parliament House, George Street, Brisbane Qld 4000.

You can find out more about the committee process, including further information about making submissions at [www.parliament.qld.gov.au](http://www.parliament.qld.gov.au).

If you have questions about the Bill, you may wish to contact the information service provided by the Office of the Commissioner for Body Corporate and Community Management by telephoning 1800 060 199 or emailing [bccm@justice.qld.gov.au](mailto:bccm@justice.qld.gov.au).

Once again, thank you for bringing your concerns about body corporate lot entitlements to the Government's attention.

Yours sincerely



**JARROD BLEIJIE MP**  
Attorney-General and Minister for Justice