

## Body Corporate and Community Management and Other Legislation Amendment Bill 2023

**Submission No:** 59  
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**Attachments:** See attachment  
**Submitter Comments:**

I wish to seek an amendment to the proposed Body Corporate and Community Management and Other Legislation Amendment Bill 2023 to enhance the The Policy Objectives of the Bill (Point 3) “to modernise and improve the operation of the BCCM Act in relation to by-laws and other governance issues, including administrative and procedural matters” in the following:

1. Body Corporate Managers Regulation and Oversight
2. Committee Members Certification Course

### **Body Corporate Managers Regulation and Oversight**

An independent body be established to provide oversight and regulation for Body Corporate managers. As it stands today:

- Body Corporate managers require no qualifications and there is a need for a basic competency qualification in body corporate management.
- The only overall bodies or groups for body corporate strata groups are ones which comprise of and are set up with industry personnel, and are not independent.
- The Body Corporate manager in effect only has to respond to and keep seven members of a committee satisfied. This can create conflict of interests and may not be in the best overall interests of the scheme.
- Owners are disadvantaged and denied natural justice in that they currently cannot lodge a complaint with the BCCM about Body Corporate Managers and are therefore in a position where they have little to no redress if they are not on the body corporate committee.
- A body corporate strata group can service multiple schemes. There is no regulation which stipulates the number and size of schemes any one manager can service at any one time, which if too many, leads to unsatisfactory service.

Recommendation: That an independent body be established by the relevant State Government Department to provide oversight and regulation of Body Corporate managers and that this body establish a complaints process accessible for all owners.

### **Committee Members Certification Course**

A course be developed by the BCCM to enable those wishing to be committee members understand the role and requirements, along with a basic understanding of the legislation and their obligations. Committee nominees would need to include proof of successful completion of this course at the time they nominate for a committee position.

Recommendation: To implement amendments to the BCCM Act so that all persons wishing to nominate as a committee member need to provide evidence with their nomination that they also have current certification of eligibility by the successful completion of the qualifying BCCM course.

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