

Question on Notice

No. 1599

Asked on 13 September 2016

MR BLEIJE ASKED THE ATTORNEY-GENERAL AND MINISTER FOR JUSTICE AND MINISTER FOR TRAINING AND SKILLS (HON Y D'ATH) –

QUESTION:

With reference to the Commercial and Property Law Research Centre of the Queensland University of Technology (QUT) which is undertaking a review of Queensland's property laws, particularly with respect to community titles —

Will the Attorney-General (a) outline what discussion papers have been issued by QUT and the closing date of submissions to all discussion papers and (b) advise the timeline for implementation of reforms, why has it taken the Labor Government so long to finalise the process of reviewing the various laws dealing with community titles in Queensland and will she immediately release all advice provided to her by QUT?

ANSWER:

I thank the Member for Kawana for his question.

The Commercial and Property Law Research Centre of the Queensland University of Technology (QUT) is undertaking an extensive review of Queensland property laws for the Government. The scope of the QUT property law review covers a wide range of complex matters arising under general property related legislation, as well as community titles laws.

(a) QUT has released a number of discussion papers for community and industry consultation to inform the property law review. To date, the following 10 discussion papers have been released for consultation:

No.	Title of Paper	Closing date for submissions ¹
1	Issues Paper 1: Seller Disclosure in Queensland	21 March 2014
2	Issues Paper 2: Lot entitlements under the <i>Body Corporate and Community Management Act 1997</i>	14 March 2014
3	Options Paper: Body corporate governance issues: By-laws, debt recovery and scheme termination	30 January 2015
4	Issues Paper: Procedural issues under the <i>Body Corporate and Community Management Act 1997</i>	22 February 2016
5	Interim Report: Seller Disclosure in Queensland	16 August 2016
6	Issues Paper: <i>Property Law Act 1974</i> (Qld) - Sales of land and other related provisions	30 August 2016
7	Issues Paper 2: <i>Property Law Act 1974</i> (Qld) - Part 8 Leases and Tenancies	30 August 2016

¹ Reasonable requests by stakeholders for extensions of time to make submissions in response to various discussion papers were granted.

No.	Title of Paper	Closing date for submissions ¹
8	Issues Paper 3: <i>Property Law Act 1974</i> (Qld) - Incorporeal Hereditaments, Rights of Way, Powers of Appointment & Perpetuities	13 January 2017
9	Issues Paper 4: <i>Property Law Act 1974</i> (Qld) - Mortgages, Co-ownership, Encroachment and Mistake -	13 January 2017
10	Issues Paper 5: <i>Property Law Act 1974</i> (Qld) - Part 12 – Equitable interests and things in action: Part 15 – Corporations: Part 16 – Voidable dispositions: Part 18 – Unregistered land: Part 19 – De facto relationships: Part 20 – Miscellaneous	13 January 2017

Copies of discussion papers released as part of the property law review are available on the Department of Justice and Attorney-General website at www.justice.qld.gov.au.

- (b) The property law review covers a broad range of highly complex areas of law. The Palaszczuk Government understands that potential changes to Queensland's property law framework need to be thoroughly assessed, and the views of all stakeholders must be properly considered, before any decisions or announcements about potential changes are made.

The Government intends to carefully and methodically consider the issues being canvassed as part of the property law review and will make further announcements in due course.

In this regard, the Government has recently released QUT's findings and recommendations on the system for dividing body corporate expenses in community titles schemes for community consultation. QUT's final recommendations propose a new system to divide body corporate costs between unit owners.

Before making any decisions about possible changes to the current laws for apportioning costs in community titles schemes, the Government is seeking the views of stakeholders about QUT's recommendations.

Unit owners, body corporate professionals and anyone else interested in community titles schemes have until 23 December 2016 to respond to the issues paper. The issues paper is available at the community consultations page of the Department of Justice and Attorney-General website at www.justice.qld.gov.au or at the Queensland Government Get Involved website at www.getinvolved.qld.gov.au.