

Question on Notice

No. 1843

Asked on 26 November 2019

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

QUESTION:

Will the Attorney-General advise when the review into Queensland's body corporate regulatory environment will be completed and a Bill presented to Parliament?

ANSWER:

I thank the Member for Toowoomba South for the question.

As the member is aware, the Commercial and Property Law Research Centre of the Queensland University of Technology (QUT) undertook an extensive review of property laws for the Government, which included consideration of a range of matters arising under the *Body Corporate and Community Management Act 1997* (BCCM Act) and its regulations.

The breadth, volume and complexity of issues within the scope of the QUT property law review, as established by the former LNP Government, necessitated the review being undertaken by QUT in stages. Moreover, the extensive scope of the review required subsequent variations to the agreed completion dates and funding arrangements, which were entered into under the former LNP Government at the commencement of the review.

In terms of body corporate issues, QUT examined and made recommendations about body corporate lot entitlements, the making and enforcement of by-laws, termination of community titles schemes and debt recovery, and a wide range of administrative and procedural issues impacting on Queensland bodies corporate.

As I explained in my answer to Question on Notice 1208, after careful consideration, the Government has decided not to adopt QUT's recommendations relating to body corporate lot entitlements, primarily due to a lack of stakeholder support for the proposed changes.

The Government is currently focused on finalising new regulation modules under the BCCM Act. The regulation modules are a key component of the regulatory framework for community titles schemes established under the BCCM Act, and deal with a substantial number of important, fundamental matters relating to the management and administration of community titles schemes in Queensland.

I am pleased to note that the Government recently released new draft regulation modules for public consultation. The new regulation modules incorporate a significant number of QUT's recommendations for modernising and streamlining administrative and procedural processes for bodies corporate. These reforms will deliver useful and practical reforms for the community titles sector that will benefit the day-to-day operation of bodies corporate.

There were 98 stakeholder submissions received by the closing date of 1 December 2019. A small number of stakeholders requested an extension of time which has been granted. The information provided by submissions will assist the Government in ensuring the reforms in the new regulation modules are implemented in a way that maximises intended benefits for all stakeholders.

I anticipate that following finalisation of the regulation modules, focus will shift to progressing work on QUT's recommendations for changes to body corporate governance arrangements that would involve amendments to the BCCM Act.

The Government is determined to ensure that any potential changes to the BCCM Act appropriately balance the sometimes competing interests of stakeholders in relation to these complex issues. As the Member will note, community consultation and engagement has been fundamental to informing both the QUT property law review, as well as the Government response to QUT's recommendations.

I intend to continue to work carefully, methodically, and in consultation with stakeholders, on the many complex and varied issues the former LNP Government tasked QUT with examining as part of the property law review.