

QUESTION ON NOTICE

No. 37

asked on Tuesday, 23 February 2021

MR M BERKMAN ASKED THE MINISTER FOR RESOURCES (HON S STEWART)—

QUESTION:

With reference to Building Management Statements (BMS's), which are registered under the Land Act 1994—

Will the Minister advise (a) how many BMS's are registered in Queensland, (b) if the Minister is aware that (i) some BMS's contain oppressive and unfair arrangements giving developers exemptions from payment of maintenance fees and veto power over decisions of the Building Management Group and Body Corporate, (ii) BMS's are not legally required to be disclosed to apartment purchasers before sale and (c) if the government will commit to reforming BMS's via the Property Law Review by creating a requirement for fairness and an obligation to disclose BMS's before sale?

ANSWER:

Provisions under the *Land Act 1994* relate primarily to non-freehold land. Records held by the Titles Registry in the Department of Resources indicate there are currently three building management statements registered in relation to non-freehold land.

Registration of interests in freehold land is administered under the *Land Title Act 1994*. Titles Registry records indicate there are 582 building management statements registered over freehold lots.

The Department of Resources, through the Titles Registry, performs only a registration function in recording building management statements on title.

As the remainder of your question needs to be answered by the Department of Justice and Attorney-General, I refer the member to my colleague, the Honourable Shannon Fentiman MP, Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence.