



Queensland

Retirement Villages Act 1999

Retirement Villages Regulation 2010

Current as at 1 July 2016



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Retirement Villages Regulation 2010

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Retirement Villages Regulation 2010

1 Short title

This regulation may be cited as the *Retirement Villages Regulation 2010*.

2 Particulars for application for registration of a retirement village scheme—Act, s 27

Each of the following particulars is prescribed for section 27(2)(a)(v) of the Act—

- (a) the name of the retirement village scheme;
- (b) the location, or the proposed location, of the retirement village;
- (c) the name and address of the scheme operator of the retirement village scheme;
- (d) if the scheme operator is an individual—the date and place of birth of the scheme operator;
- (e) the name and address of the manager of the retirement village;
- (f) if the manager of the retirement village is an individual—the date and place of birth of the manager of the retirement village;
- (g) if the scheme operator or the manager of the retirement village is a corporation—
 - (i) the name and address of each of the directors; and
 - (ii) the date and place of birth of each of the directors;
- (h) the facilities on, or to be constructed on, the retirement village land;
- (i) if the retirement village land is used, or is to be used, for any other purpose in addition to its use as a retirement village—the other purpose;

- (j) any restriction on the use of the retirement village facilities, or restriction on the enjoyment of the use of the retirement village land, by retirement village residents;
- (k) any facilities, or retirement village land, that will not be for the exclusive use or enjoyment of the retirement village residents;
- (l) the local government approvals required and obtained for the planning and construction of the retirement village;
- (m) the certificate of title of the land on which the retirement village is, or is to be, built;
- (n) the insurance for the retirement village required under section 110 of the Act;
- (o) the scheme operator's address for service of documents.

3 Details for residence contract—Act, s 45

Each of the following details is prescribed for section 45(1)(p) of the Act—

- (a) the name of the scheme and of the scheme operator and the scheme operator's address for service of documents;
- (b) the name and address of the trustee who holds the amount of ingoing contribution during the cooling-off period;
- (c) how the resident may rescind the residence contract under the Act by giving written notice to the scheme operator;
- (d) the services to be supplied to the resident, including—
 - (i) services funded from the general services charge; and
 - (ii) services funded from the personal services charge; and
 - (iii) services, if any, available on a fee-for-service basis;

- (e) if a trustee mentioned in section 46(1) of the Act must hold an amount of ingoing contribution until a day when a condition precedent mentioned in section 46(3)(a) of the Act is fulfilled—the condition precedent.

4 Fees

The fees payable under the Act are stated in the schedule.

5 Repeal

The Retirement Villages Regulation 2000, SL No. 160 is repealed.

Schedule Fees

section 4

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- | | | |
|---|--|---------|
| 1 | Application for registration of retirement village scheme (Act, s 27(2)(c))— | |
| | (a) if the scheme was previously exempt from the requirement to be registered | 926.10 |
| | (b) otherwise | 2179.80 |
| 2 | For the register for retirement village schemes— | |
| | (a) inspection of the register (Act, s 35(4)(a)) | 19.45 |
| | (b) obtaining a certified copy of details in the register (Act, s 35(4)(b))— | |
| | (i) for the first page | 21.40 |
| | (ii) for each additional page | 1.50 |
| | (c) obtaining an uncertified copy of details in the register (Act, s 35(4)(b))—for each page | 1.50 |
| 3 | Resident inspecting a relevant document, or inspecting and taking a copy of a relevant document, in the scheme operator's possession or control (Act, s 85(2)(b))— | |
| | (a) for the resident's residence contract | 83.05 |
| | (b) for a public information document | 49.65 |

1 Index to endnotes

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2 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amd	= amendment	prov	= provision
t			
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renu	= renumbered
		m	
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	
notf	= notified	rv	= revised version
d			
num	= numbered	s	= section

Key	Explanation	Key	Explanation
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
		m	
prev	= previous		

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
1	none	6 August 2010	
1A	2011 SL No. 115	1 July 2011	

Reprint No.	Amendments included	Effective	Notes
1B	2012 SL No. 97	6 July 2012	

Current as at	Amendments included	Notes
1 July 2014	2014 SL No. 121	
1 July 2015	2015 SL No. 64	
1 July 2016	2016 SL No. 98	

4 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Retirement Villages Regulation 2010 SL No. 207

made by the Governor in Council on 5 August 2010

notfd gaz 6 August 2010 pp 1311–12

commenced on date of notification

exp 1 September 2020 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Justice (Fees) Amendment Regulation (No. 1) 2011 SL No. 115

notfd gaz 1 July 2011 pp 589–96

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2011 (see s 2)

Housing and Public Works Legislation Amendment Regulation (No. 1) 2012 SL No. 97 pts 1, 11

notfd gaz 6 July 2012 pp 759–60

commenced on date of notification

Housing and Public Works Legislation (Fees) Amendment Regulation (No. 1) 2013 SL No. 128 pts 1, 11

notfd gaz 28 June 2013 pp 739–47

ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2013 (see s 2)

**Housing and Public Works Legislation (Fees) Amendment Regulation (No. 1) 2014
SL No. 121 pts 1, 11**

notfd <www.legislation.qld.gov.au> 20 June 2014
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2014 (see s 2)

**Housing and Public Works Legislation (Fees) Amendment Regulation (No. 1) 2015
SL No. 64 pts 1, 10**

notfd <www.legislation.qld.gov.au> 26 June 2015
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2015 (see s 2)

**Housing and Public Works Legislation (Fees) Amendment Regulation (No. 1) 2016
SL No. 98 pts 1, 10**

notfd <www.legislation.qld.gov.au> 24 June 2016
ss 1–2 commenced on date of notification
pt 10 commenced 1 July 2016 (see s 2)

5 List of annotations

SCHEDULE—FEES

sub 2011 SL No. 115 s 3 sch; 2012 SL No. 97 s 22; 2013 SL No. 128 s 22; 2014 SL
No. 121 s 22; 2015 SL No. 64 s 20
amd 2016 SL No. 98 s 20