

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

## **Statement of Compatibility**

**for**

## **Amendments to be moved during consideration in detail by the Honourable Yvette D'Ath MP, Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence**

**Prepared in accordance with Part 3 of the *Human Rights Act 2019***

In accordance with section 38 of the *Human Rights Act 2019* (Human Rights Act), I, Yvette D'Ath MP, Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence make this statement of compatibility with respect to the amendments to be moved during consideration in detail of the Body Corporate and Community Management and Other Legislation Amendment Bill 2023.

In my opinion, the amendments to be moved during consideration in detail are compatible with the human rights protected by the Human Rights Act. I base my opinion on the reasons outlined in this statement.

### **Overview of the amendments**

The amendments will correct a technical drafting issue identified in the Body Corporate and Community Management and Other Legislation Amendment Bill 2023 (the Bill).

Clause 25 of the Bill proposes to insert a new section 205AAA (Information to be given to interested persons (layered arrangement)) into the *Body Corporate and Community Management Act 1997* (BCCM Act). The intention of the new section 205AAA is to improve access by bodies corporate, lot owners and occupiers in layered arrangements of community titles schemes to body corporate records.

However, clause 264 of the Property Law Bill 2023 (Property Law Bill) also proposes to insert a new section 205AAA (Approved form for body corporate certificate) into the BCCM Act.

The amendments to clause 25 of the Bill will renumber the new section 205AAA to be inserted by the clause as new section 205AAB, with the new provision to be located in Chapter 4, part 2, division 2 of the BCCM Act, which deals with records and provision of information.

## Human Rights Issues

### Human rights relevant to the Bill (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The proposed amendments are of a technical nature and do not raise any human rights considerations under the Human Rights Act.

## Conclusion

In my opinion, the amendments to be moved during consideration in detail for the Body Corporate and Community Management and Other Legislation Amendment Bill 2023 are compatible with human rights under the Human Rights Act because they do not engage or limit a human right.

**YVETTE D'ATH MP**  
ATTORNEY-GENERAL AND MINISTER FOR JUSTICE  
AND MINISTER FOR THE PREVENTION OF DOMESTIC AND FAMILY VIOLENCE

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