



*Body Corporate and Community Management Act 1997*

# **Body Corporate and Community Management Regulation 2008**

**Current as at 4 December 2020**

© State of Queensland 2021



This work is licensed under a Creative Commons Attribution 4.0 International License.



Queensland

# Body Corporate and Community Management Regulation 2008

## Contents

---

		Page
1	Short title .....	3
2	Commencement .....	3
3	Fees .....	3
3A	Waiver of fees for applications under the Act, s 246 .....	3
4	Waiver of application fee under the Act, s 239 .....	3
5	Repeal .....	4
<b>Schedule 1</b>	<b>Fees</b> .....	<b>5</b>



---

# Body Corporate and Community Management Regulation 2008

## 1 Short title

This regulation may be cited as the *Body Corporate and Community Management Regulation 2008*.

## 2 Commencement

This regulation commences on 30 August 2008.

## 3 Fees

The fees payable under the Act are stated in schedule 1.

## 3A Waiver of fees for applications under the Act, s 246

- (1) This section applies in relation to an application made under section 246 of the Act.
- (2) The commissioner may waive all or part of the fee payable for the application under section 246(2) of the Act if satisfied payment of the fee would cause the applicant financial hardship.
- (3) Section 4 applies in relation to the application as if—
  - (a) the reference in section 4(1) to the fee prescribed for section 239(1)(c) of the Act were a reference to all or part of the fee prescribed for section 246(2) of the Act; and
  - (b) the reference in section 4(3) to section 239(3) of the Act were a reference to subsection (2).
- (4) This section expires on the COVID-19 legislation expiry day.

## 4 Waiver of application fee under the Act, s 239

- (1) A person may apply to the commissioner for waiver of the fee prescribed for section 239(1)(c) of the Act.

- (2) The application must be made in the approved form.
- (3) For section 239(3) of the Act, the commissioner, in deciding whether payment of the fee would cause an applicant who is an individual financial hardship—
  - (a) may consider whether the applicant holds a concession card; and
  - (b) may require the applicant to provide documentary evidence to support the application.

*Example of documentary evidence—*

a concession card

- (4) In this section—

***concession card*** means—

- (a) a health care card or pensioner concession card under the *Social Security Act 1991* (Cwlth); or
- (b) a pensioner concession card issued by the Commonwealth Department of Veterans' Affairs.

## 5 Repeal

The Body Corporate and Community Management Regulation 1997, SL No. 211 is repealed.

## Schedule 1 Fees

### section 3

\$

- |   |  |        |
|---|--|--------|
| 1 | Application under section 239 of the Act—  |        |
|   | (a) if the application includes a request for the commissioner to consider whether an interim order should be considered by an adjudicator   | 179.20 |
|   | (b) otherwise  | 85.30  |
| 2 | Application under section 246 of the Act—  |        |
|   | (a) to inspect an adjudication application made under section 239 of the Act, submissions made under section 243(2)(b) of the Act or replies to submissions made under section 244(2)(b) of the Act—                           |        |
|   | (i) for each hour or part of an hour   | 18.60  |
|   | (ii) maximum fee payable for a day   | 72.95  |
|   | (b) to be given copies of an adjudication application made under section 239 of the Act, submissions made under section 243(2)(b) of the Act or replies to submissions made under section 244(2)(b) of the Act, for each page— |        |
|   | (i) for less than 20 pages   | 2.10   |
|   | (ii) for 20 to 50 pages  | 1.75   |
|   | (iii) for more than 50 pages   | 1.30   |
| 3 | Application under section 299 of the Act for information about a community titles scheme—  |        |
|   | (a) if the information is given to the applicant in person   | 19.15  |
|   | (b) if the information is posted to the applicant  | 22.30  |
|   | (c) if the information is faxed to the applicant   | 28.75  |