



Body Corporate Termination of Community Titles Scheme (QLD) Amendment Navigator

In late 2023, the Queensland Government passed the *Body Corporate and Community Management and Other Legislation Amendment Bill 2023 (Amendment)*, which made significant changes to the *Body Corporate and Community Management Act 1997 (Qld) (Act)*.



Most parts of the Amendment will commence on a future date to be set by Queensland Parliament.

What's changing?

Previously, a Body Corporate title scheme could only be terminated in Queensland with the unanimous support of all lot owners and lessees, or by order of the District Court.

The changes introduce a new process to facilitate the termination of a scheme, where there is less than unanimous support, for economic reasons - provided specific requirements are met.

Why this? Why now?

Reform is aimed at delivering on a key action of the Government's 2022 Queensland Housing Summit, by reforming body corporate legislation to allow for the termination of an uneconomic community titles schemes to facilitate renewal and redevelopment.

These reforms bring Queensland in line with the approach in New South Wales for terminating a Body Corporate Scheme.

What is meant by 'economic reasons'?

- It is not economically viable for the Scheme to continue (if all of the lots are used for a commercial purpose); or
- The Scheme will not be economically viable within five years to carry out repairs or maintenance to parts of the property for which the body corporate is responsible. This ground is not limited to Schemes which are purely commercial (i.e. it can apply to Schemes which are for, or include, residential uses).

Here to help

Should you have any concerns about these amendments, or need help navigating the complexities of commercial property, please reach out to our Commercial + Property lawyers.



hello@lawsquared.com



+61 3 9008 5954



www.lawsquared.com

Body Corporate Termination of Community Titles Scheme (QLD) Amendment Navigator

Use our Amendment Navigator below to understand what's changed and the steps that are now required to terminate a Body Corporate.

