Preparation checklist Form 14 — General request and First Community Management Statement

This checklist contains general information to assist practitioners complete a general request and a basic first CMS. It is not intended to be a complete guide. For further information about the requirements of a Form 14 — General request and First Community Management Statement, refer to Parts 14 and 45 of the Land Title Practice Manual available at www.business.qld.gov.au/industry/titles-property-construction/titles-property/practice-manual

Form 14 — General request

Items

Item 1

☐ Is the name for the scheme reserved or available?
☐ Is the nature of the request stated e.g. Request to record first community management statement for [name of scheme] community titles scheme?

Item 2

☐ Do the description and the title reference for the lots (before subdivision) agree with the title?

Item 3

☐ Is the name of the registered owner shown and agrees with the title?

Item 4

☐ Is ‘Not Applicable’ shown?

Item 5

☐ Is the name of the registered owner shown?

Item 6

☐ Are the name of the scheme and the address for services of notice of the body corporate shown?

Item 7

☐ Is the form signed and dated by the applicant?
☐ If executed under a power of attorney, is the attorney clause included, showing the principal’s name, the attorney’s name or the attorney’s position and the Queensland registered power of attorney number?
☐ If executed under a common seal, is it legible and capable of being copied?
☐ If a company has executed without a common seal, are the company name and ACN/ARBN shown?
☐ Are the designations of the signatories for a company shown?
☐ If executed by a solicitor, is the full name printed below the signature?

CMS

Item 1

☐ Does the community titles scheme name shown agree with item 6 of the Form 14 and item 3 of the plan of survey?

Item 2

☐ Is the relevant regulation module shown e.g. Standard module, Accommodation Module, Commercial Module, Small Schemes Module or Specified Two-lot Schemes module)?

Item 3

☐ Is the body corporate name, without the scheme number, shown — for example Body Corporate for [name of scheme]?
Item 4
☐ Is scheme land, including common property, shown by including the Lot on Plan, County, Parish and title reference?

Item 5
☐ Do the name and registered owner recorded on title agree
☐ Is the address of the original owner shown?

Item 6
☐ Do the plan number and the number shown on the plan agree?

Item 7
☐ Is the statement signed by the relevant local government (showing name of local government and name and designation of the signatory)?

Item 8
☐ Is the form signed and dated by the original registered owner?
☐ If executed under a power of attorney, is the attorney clause included, showing the principal’s name, the attorney’s name or the attorney’s position and the Queensland registered power of attorney number?
☐ If executed under a common seal, is it legible and capable of being copied?
☐ If a company has executed without a common seal, are the company name and ACN/ARBN shown?
☐ Are the designations of the signatories for a company shown?

SCHEDULE A
☐ Is the Schedule of Lot Entitlements completed by showing—
  • all lot references including the relative plan numbers;
  • the entitlement in whole numbers; and
  • the contribution totals and the interest totals?
☐ Have sections 66(1)(db) and (dc) of the Body Corporate and Community Management Act 1997 been complied with?

SCHEDULE B
☐ If the scheme is to be not further developed, is “Not applicable’ shown?
☐ If the scheme is to be further developed, is the Explanation of the Development of Scheme Land shown and a concept plan attached?
☐ If the scheme is to be further developed and is a layered scheme, is the management structure explained?

SCHEDULE C
☐ If Schedule 4 of the Body Corporate and Community Management Act 1997 does not apply or is modified, is the full text of the by-laws applicable to this statement set out?
☐ If Schedule 4 of the Body Corporate and Community Management Act 1997 applies, is this indicated by a suitable statement?
☐ If a by-law grants exclusive use of common property, is a reference made to the allocation of by-laws in Schedule E?

SCHEDULE D
☐ Is there an explanation shown of other details required or permitted under the relevant regulation module or if no other details are added is ‘Not applicable’ shown?
☐ Is there a table included which shows the description of lots (including common property), details of statutory easement and reference to service location diagrams? Refer to parts [45-2230] and [45-4150] of the LTPM. 
Note: required under s 66 of the Body Corporate and Community Management Act 1997?
☐ Is the service location diagram(s) attached?
SCHEDULE E

☐ If exclusive use area is allocated, is—
   • each lot description shown (with plan number); and
   • each exclusive use area identified—for example ‘Area A on sketch plan B’; and
   • a sketch plan identifying the areas attached?

☐ Do the exclusive use sketches meet the requirements of the Registrar of Titles Directions for the Preparation of Plans?

☐ Is the exclusive use sketch certified by a registered cadastral surveyor?

Form and evidence

☐ Have the correct form and version been used?

☐ Are all pages numbered and show a title reference or the name of the scheme, including pages for sketches and diagrams?

☐ Are the lodger’s details shown?