

Unit Titles (Management) Certificate Determination 2023

Disallowable instrument DI2023-3

made under the

Unit Titles (Management) Act 2011, s 119 (Unit title certificate and access to owners corporation records)

1 Name of instrument

This instrument is the *Unit Titles (Management) Certificate Determination 2023*.

2 Commencement

This instrument commences on the day after its notification day.

3 Determination of information to be included in a unit title certificate and a unit title update certificate

I determine that the following information is to be included in a unit title certificate and a unit title update certificate:

- (a) the name and contact details of each member of the corporation's executive committee;
- (b) the name and contact details of the corporation's manager;
- (c) for each insurance policy held by the corporation—
 - (i) the type of insurance policy; and
 - (ii) the name of the insurer that issued the policy; and
 - (iii) the amount of liability covered by the policy; and
 - (iv) a copy of the certificate of currency; and
 - (v) a copy of current insurance valuation report (if available).
- (d) for the general fund and the sinking fund, at the date the certificate is signed—
 - (i) the amount of the current contribution to the fund for the unit; and
Note The contribution to the general fund is determined under s 78, and the contribution to the sinking fund is determined under s 89.
 - (ii) the date the contribution for the unit is due; and

- (iii) the period the contribution for the unit is for; and
 - (iv) whether the contribution for the unit is paid or unpaid; and
 - (v) the balance of the funds for the owners corporation; and
 - (vi) a copy of the current approved sinking fund plan, and sinking fund forecast (if available);
- (e) whether the corporation has established a special purpose fund, and if so, at the date the certificate is signed—
- (i) the amount of the current contribution to the fund for the unit; and

Note The contribution to the general fund is determined under s 78, and the contribution to the sinking fund is determined under s 89.
 - (ii) the date the contribution for the unit is due; and
 - (iii) the period the contribution for the unit is for; and
 - (iv) whether the contribution for the unit is paid or unpaid; and
 - (v) the balance of the funds for the owners corporation;
- (f) in accordance with the corporate register, whether the developer control period has expired;
- (g) whether the corporation has borrowed money and the details of those borrowings;
- (h) whether the corporation has installed sustainability infrastructure and, if so, who owns it;
- Note* **Sustainability infrastructure** is defined in the dictionary.
- (i) a summary of any current contracts for service contractors appointed by the corporation;
 - (j) whether the corporation has applied to the Planning and Land Authority for an extension of the Crown lease;
 - (k) the place where the corporation's records can be inspected, and the name and contact details of the person to be contacted to arrange inspection. Records to be inspected can include, but are not limited to:
 - (i) publicly listed legal proceedings the corporation is or has been party to;
 - (ii) copies of reports prepared on behalf of the corporation (e.g. building, engineer etc.);
 - (iii) records relating to any sustainability infrastructure installed by the corporation;
 - (iv) records related to current and past insurance claims;
 - (v) copies of current contracts for service contractors appointed by the corporation;

- (vi) the maintenance schedule or maintenance plan, including any records related to any current warranties for the owners corporation property or the common property (if available).

Note A fee determined under s 119 (5) may be payable to the owners corporation to inspect records.

- (l) copies of the minutes of meetings of the owners corporation, and the executive committee:
 - (i) for a unit title certificate, held in the 2 years before the date of the certificate; or
 - (ii) for unit title update certificate, held from the date of the unit title certificate ending on the date of the unit title update certificate.

4 Revocation

This instrument revokes the *Unit Titles (Management) Certificate Determination 2021* (DI2021-107).

Shane Rattenbury MLA
Attorney-General

23 January 2023