

Australian Capital Territory

# 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)

## EXPLANATORY STATEMENT

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The *Unit Titles (Management) Certificate Determination 2023* prescribes the information that must be provided in a unit title certificate issued under section 119 (1) (a) of the *Unit Titles (Management) Act 2011* (the *Act*), and in a unit title update certificate under section 119 (1) (b) of the *Act*.

An eligible person, for example, a unit owner or potential purchaser, can request a unit title certificate or a unit title update certificate, which outlines financial and other matters about the unit and the units plan, to assist in determining the current status of the unit and associated costs.

The unit title update certificate must provide an update, if any, on all information provided in the initial certificate, as an owners corporation may have subsequently held meetings and made decisions impacting the eligible person.

This instrument amends the requirement in section 3 (1) to provide the minutes of meetings of the owners corporation and the executive committee, held in the two years before the day the property was first advertised or offered for sale or listed with an agent.

This requirement has been now been clarified to state that the unit title certificate must include minutes of meetings of the owners corporation, and the executive committee, held in the two years before the date of the unit title certificate. It also clarifies that the unit title update certificate need only provide copies of the minutes for any meetings held after the date of the unit title certificate up to the date of the unit title update certificate.

Section 119 (7) of the *Act* provides that the Minister's determination is a disallowable instrument.

A regulatory impact statement (a **RIS**) is ordinarily required for disallowable instruments under section 34 of the *Legislation Act 2001*. A RIS is not required in this

instance as this determination is an administrative matter which is not likely to impose appreciable costs on the community.

This instrument does not engage any human rights.