

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, is the company name and ACN/ARBN shown?
- Are the designations of the signatories for a company shown?
- If executed by a solicitor, is their full name printed below the signature?

First Community Management Statement

Items

Item 1

- Does the community titles scheme name shown agree with Item 6 of the Form 14, Item 3 of the plan of survey and Item 1 of the Form 18C?

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 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 this Item blank or "N/A" / "not applicable" inserted and a properly completed Form 18C signed by the planning body ready for deposit with the Form 14 – General request to record the CMS?

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, is 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 there are no by-laws under which exclusive use is allocated in Schedule C – has 'Not applicable', 'N/A' or 'Nil' been inserted?
- 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

- Has 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?