

## 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](http://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]?
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**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?