

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?