

Roadmap to the Proposed Changes

#	Current Law reference	Amendment Law reference	Legislative Change	Summary of Change
1.	Art. 4 - Purpose of this Law	Art. 4 - Purpose of this Law	Existing - amended	Addition of the licensing and regulation of Body Corporates and Body Corporate Managers to the purpose of the Law. <i>Please refer to paragraphs 20 – 26 of the Consultation Paper.</i>
2.	Art. 9 - Division of real property by strata plan	Art. 9 - Division of Real Property by Strata Plan	Existing - amended	Enhancing the provisions dealing with the division of Real Property in a Strata Development and the powers of DIFCA, the Master Developer, and the RORP to designate Lots and Common Property for different Permitted Uses. <i>Please refer to paragraphs 18 (c) and 28 of the Consultation Paper.</i>
3.	Art. 10 - Requirements for strata plan	Art. 10 - Requirements for Strata Plan	Existing - amended	Enhancing the provisions dealing with the requirements for the Strata Plan and what needs to be included plus dealing with the registration of an Easement or Covenant that was Registered in the Folio or Folios for the Strata Development prior to the Strata Plan being registered with the RORP. <i>Please refer to paragraph 31 of the Consultation Paper.</i>
4.	Art. 11 - Lodgment and registration of plan	Art. 11 - Lodgement and Registration of Strata Plan	Existing - amended	Addition of requirement to lodge the Strata Plan within 1 month from Building Completion or such other period as approved by the RORP. Enhancing the powers of the RORP to make an Order that an interim Body Corporate be established by the Developer pending Registration of the Strata Plan. <i>Please refer to paragraphs 18 (d) and 22 of the Consultation Paper.</i>
5.	Art. 13 - Effect of registration	Art. 13 - Effect of Registration	Existing - amended	Addition of requirement that the Developer obtain written confirmation that the Prospective Purchaser in the Off Plan Registry has fully complied with its obligations under the Sale and Purchase Agreement and that the initial Strata Management Statement of the Body Corporate is Registered on the Folio. <i>Please refer to paragraph 30 (b) of the Consultation Paper.</i>
6.	Art. 16 - Rights and responsibilities for common property	Art. 16 - Rights and responsibilities for Common Property	Existing - amended	Enhancing the provisions dealing with the governing of Exclusive Use Rights over Common Property by the addition of wording specifying the legal status of the a Body Corporate. <i>Please refer to paragraph 20 of the Consultation Paper.</i>
7.	Art. 19 - Creation by body corporate of easements and covenants	Art. 19 - Creation by Body Corporate of Easements and Covenants	Existing - amended	Enhancing the power of the RORP to approve the registration or surrender of Easements and Covenants burdening or benefitting Common Property. <i>Please refer to paragraphs 18 (b) and 31 of the Consultation Paper.</i>
8.	Art. 21 - Unit entitlements	Art. 21 - Lot Entitlements	Existing - amended	Enhancing the provisions dealing with Lot Entitlements and requiring the Lot Entitlement to be specified in the Strata Management Statement, with Services Charges to take into

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				account of the beneficial use of the Common Property. Lot Entitlements to be approved by the RORP prior to Registration of the Strata Plan. <i>Please refer to paragraph 30 (c) of the Consultation Paper.</i>
9.	Art. 22 - Change of unit entitlements	Art. 22 - Change of Lot Entitlements	Existing - amended	Addition of requirement that changes to the Lot Entitlement must have prior approval from the RORP. <i>Please refer to paragraph 18 (e) of the Consultation Paper.</i>
10.	Art. 23 - Amendment of plan	Art. 23 - Amendment of Strata Plan	Existing - amended	Requirement that changes to the Strata Plan must have approval from the RORP. <i>Please refer to paragraph 18 (f) of the Consultation Paper.</i>
11.	Art. 25 - Acquisition of real property by body corporate	Art. 25 - Acquisition of Real Property by Body Corporate	Existing - amended	Enhancing the provisions dealing with Acquisition of Real Property by a Body Corporate by requiring that Transfers be approved by the RORP. <i>Please refer to paragraph 18 (g) of the Consultation Paper.</i>
12.	Art. 28 - Application for consolidation	Art. 28 - Application for consolidation	Existing - amended	Enhancing the provisions dealing with the application for consolidation by requiring the RORP's approval.
13.	Art. 31 - Collective sale resolution	Art. 31 - Collective Sale Resolution	Existing - amended	Enhancing the provisions dealing with the Collective Sale Resolution by requiring a quorum of not less than 90% of the Body Corporate to convene General Meeting and requiring Contracts for sale to not be entered into until 3 months after an Extraordinary Resolution is passed. An Owner/Mortgagee will be able to apply to the Court for an order revoking the RORP's approval on a sale.
14.	Art. 39 - Reinstatement of buildings	Art. 39 - Reinstatement of Buildings	Existing - amended	Addition of requirement that reinstatement schemes by agreement of the Interested Parties will require approval from the RORP.
15.	Art. 42 - Form and contents of scheme	Art. 42 - Form and contents of Strata Scheme	Existing - amended	Enhancing the provisions regarding the form and contents of the Strata Scheme, including a requirement that a statement for each stage of the Strata Development must have approval from the RORP. New requirement for the Disclosure Statement for a Staged Strata Scheme to include a copy of the Strata Management Statement (and Principal Strata Management Statement, if applicable). <i>Please refer to paragraph 18 (f) of the Consultation Paper.</i>
16.	Art.43 - Application for planning approval	Art.43 - Application for Planning Approval	Existing - amended	Approval of a Staged Strata Scheme will be required from the RORP and the Master Developer. <i>Please refer to paragraph 18 (f) of the Consultation Paper.</i>
17.	Art. 45 - Lodgement of staged development scheme	Art. 45 - Lodgement of Staged Strata Scheme	Existing - amended	Addition of requirement for the Disclosure Statement and a Staged Strata Plan for a Staged Strata Scheme to be submitted with the Staged Strata Scheme application. <i>Please refer to paragraph 18 (f) of the Consultation Paper.</i>
18.	Art. 49 - Application for variation of scheme	Art. 49 - Application for variation of Staged Strata Scheme	Existing - amended	Enhancing the provisions dealing with the Application for variation of Staged Strata Scheme, with changes to the Staged Strata Scheme requiring a certificate from the Master Developer and relevant Governmental Authorities approving such changes. <i>Please</i>

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				<i>refer to paragraph 18 (f) of the Consultation Paper.</i>
19.	Art. 53 - Implied term in contract for sale of lot or proposed lot in staged development scheme	Art. 53 - Implied term in contract for sale of Lot or proposed Lot in Staged Strata Scheme.	Existing - amended	Introducing more detailed provisions relating to contracts for sale, with a requirement for the Developer to provide each Prospective Owner with a copy of the Staged Strata Plan and the Disclosure Statement prior to the Prospective Owner entering into the contract for sale, and which should be complete and accurate, failing which will void the contract for sale at the election of the Prospective Owner, who will be entitled to full refund of all moneys paid and may claim damages from the Developer for non-compliance. <i>Please refer to paragraph 30 of the Consultation.</i>
20.	Art. 57 - Division and merger of bodies corporate	Art 57 - Division and merger of Body Corporates	Existing - amended	Introducing more detailed provisions relating to the division and merger of Body Corporates which will require approval of the RORP.
21.	Art. 58 - Common seal	Art. 58 - Body Corporate's Stamp	Existing - amended	Replacing common seal with Body Corporate's Stamp and enhancing the provisions dealing with the Body Corporate's Stamp. <i>Please refer to paragraph 23 of the Consultation.</i>
22.	Art. 59 - Membership of body corporate	Art. 59 - Membership of Body Corporate	Existing - amended	Enhancing the provisions dealing with the membership of Body Corporate and requiring that each Principal Lot Owner and Body Corporate shall be a member of the Principal Body Corporate and to exercise voting rights under this provision.
23.	Art. 60 - General meetings of body corporate, including first annual general meeting	Art. 60 - General Meetings of the Body Corporate, including first annual General Meeting	Existing - amended	Enhancing the provisions dealing with the General Meetings of the Body Corporate. Requirement that the Body Corporate will have a Management Committee and a Licensed Body Corporate Manager elected from its members at each General Meeting and removal of the "office bearer" regime. <i>Please refer to paragraph 21 of the Consultation.</i> A quorum of 15% of the Lot Entitlements of the Owners entitled to Vote shall be required to convene a General Meeting. If a quorum is not present, the General Meeting shall be adjourned.
24.	Art. 61 - Voting at general meeting	Art. 61 - Voting at General Meeting	Existing - amended	Introducing new requirements for proxy. Clarification regarding voting rights of the members of a Body Corporate and how they are distributed, including those of the Developer.
25.	Art. 63 - Committee of management	Art. 63 - Committee of management	Existing - amended	Introducing more detailed provisions relating to the structure of the Management Committee, the powers of the Management Committee to elect and replace Committee Representative.
26.	Art. 64 - Fiduciary duty of committee members	Art. 64 - Fiduciary duty of Committee Members	Existing - amended	Introducing more detailed provisions relating to the fiduciary duty and indemnity cover of Committee Members. The RORP will be able to replace the Management Committee or any Committee Member for breaching such fiduciary duty. <i>Please refer to paragraphs 18 (a) and 25 of the Consultation.</i>

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27.	Art. 65 - Appointment of manager	Art. 65 - Appointment of Body Corporate Manager	Existing - amended	Introducing powers for the RORP to review and approve management agreements, issue orders to terminate and replace the Body Corporate Manager for breaches of its fiduciary duty and for non-performance. Enhancing the powers of the Body Corporate Manager and placing greater responsibility (and accountability) on it. New requirement that the term of the management agreement entered into between the Body Corporate and the Body Corporate Manager not to exceed 2 years (including any renewal term), unless otherwise approved by the RORP. <i>Please refer to paragraphs 18 (a) and 24 of the Consultation.</i>
28.	Art. 66 - Functions of body corporate	Art. 66 - Functions of Body Corporate	Existing - amended	With respect to 2 or more Body Corporates being established, introduces provisions clarifying the responsibilities of each Body Corporate and the Principal Body Corporate.
29.	Art. 67 - Administrative fund	Art. 67 - General Fund and Reserve Fund	Existing - amended	Enhancing the current regime relating to the Body Corporate maintaining the General Fund and the Reserve Fund, by introducing further requirements and controls for maintaining and operating the General Fund and the Reserve Fund. <i>Please refer to paragraph 18 (h) and 26 of the Consultation.</i>
30.	Art. 68 - Contributions	Art. 68 - Service Charges	Existing - amended	Enhancing the current regime relating to the Developer and the Body Corporate levying the Services Charges, by introducing further requirements and responsibilities on the Body Corporate Manager. Introducing powers for the RORP to approve the Services Charges and issue orders in that respect, without conferring any obligation on the RORP to approve the annual budget for the raising of Service Charges of a Body Corporate or placing any liability on the RORP should the budget fall short in such respect. <i>Please refer to paragraph 18 (h) of the Consultation.</i>
31.	N/A	Art. 71 - Developer's Obligation to Rectify Defects	New provision	Introducing obligations on the Developer with respect to non-structural defects and for structural defects, and enabling the RORP to an issue Order against the Developer. <i>Please refer to paragraph 29 of the Consultation.</i>
32.	Art. 72 - Roll to be kept by body corporate	Art. 73 - Roll to be kept by Body Corporate	Existing - amended	Introducing a new requirement that a copy of the roll to be provided to the RORP on a yearly basis or at the request of the RORP. <i>Please refer to paragraph 26 of the Consultation.</i>
33.	Art 74 - Appointment of administrator	Art. 75 - Appointment of Administrator	Existing - amended	Introducing powers for the RORP to appoint an Administrator of the Body Corporate's affairs on the application of an Interested Party. <i>Please refer to paragraph 18 (j) of the Consultation.</i>
34.	Art 75 - Power to make by-laws	Art 76 - Obligation to Register Strata Management Statement and the By-laws	Existing - amended	Introducing obligations on the Developer to Register a Strata Management Statement and By-Laws. <i>Please refer to paragraph 30 (c) of the Consultation.</i>

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35.	Art. 76 - Limitations on by-law making power	Art. 77 - Limitations on Strata Management Statement and By-laws	Existing - amended	Introducing powers for the RORP to approve any restrictions to an Owner's right to use, deal with or dispose of a Lot, and to approve any penalty or fine imposed on an Owner in respect of any breach of a Strata Management Statement or any By-law or any fee charged on an Owner for the provision of any service performed by the Body Corporate or the Body Corporate Manager under the Strata Management Statement or By-law, and to determine provisions of the Strata Management Statement which may become voidable for specific reasons. <i>Please refer to paragraph 18 (k) (n), and (o) of the Consultation.</i>
36.	Art. 79 - Exclusive use by-laws	Art. 80 - Exclusive use By-laws	Existing - amended	Introducing powers for the RORP, the Master Developer, and any relevant Governmental Authority to approve Exclusive Use Right granted by the Developer and makes Exclusive Use Right perpetual in nature. Grants powers to the RORP to issue an Order for suspending or terminating an Exclusive Use Right for non-compliance. <i>Please refer to paragraph 18 (l) of the Consultation.</i>
37.	Art. 81 - Enforcement by Board	Art. 82 - Enforcement by Registrar	Existing - amended	Introducing powers for the RORP to issue orders for the enforcement of the Strata Management Statement or By-Law. <i>Please refer to paragraph 18 (m) of the Consultation.</i>
38.	N/A	Art. 121 - Order for Registration of a Lien	New provision	Introducing powers for the RORP to register a lien against the titles of defaulting Owners. <i>Please refer to paragraphs 16 - 17 of the Consultation.</i>
39.	Art. 129 - Right of appeal to Board	Art. 130 - Right of appeal to Court	Existing - amended	Abolishing the Strata Title Board regime, so that Interested Parties may now appeal directly to the Court against any decision or Order made by the RORP. <i>Please refer to paragraph 32 of the Consultation.</i>
40.	Art. 135 - Use of lots and accessory lots	Art. 135 - Use of Lots and Accessory Lots	Existing - amended	Prohibiting changes in the Permitted Use and transfer of an Accessory Lot, if it is for car parking purposes, unless approved by the Master Developer, the RORP and the other applicable Governmental Authorities. <i>Please refer to paragraph 18 (c) of the Consultation.</i>