



Australian Capital Territory

# **Unit Titles Regulation 2001**

**SL2001-15**

made under the

**Unit Titles Act 2001**

**Republication No 17**

**Effective: 1 July 2015**

Republication date: 1 July 2015

Last amendment made by [A2015-19](#)

Unauthorised version prepared by ACT Parliamentary Counsel's Office

## About this republication

### The republished law

This is a republication of the *Unit Titles Regulation 2001*, made under the *Unit Titles Act 2001* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 July 2015. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 1 July 2015.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

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- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Unit Titles Regulation 2001

made under the

**Unit Titles Act 2001**

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Australian Capital Territory

# Unit Titles Regulation 2001

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**Unit Titles Act 2001**

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## Part 1 Preliminary

### 1 Name of regulation

This regulation is the *Unit Titles Regulation 2001*.

### 1A Dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition '*approved plans—see the [Building Act 2004, dictionary.](#)*' means that the term '*approved plans*' is defined in that dictionary and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

## **Part 2**                      **Unit title applications**

### **Division 2.1A**            **Unit title assessment report**

#### **2**                      **Definitions—div 2.1A**

In this division:

*planning documents*, for a parcel, means—

- (a) the approved plans; and
- (b) for a development under the *Planning and Development Act 2007*—a notice of decision given under the *Planning and Development Act 2007*, division 7.3.8; and
- (c) for a development under a planning and development law in force in the ACT before the commencement of the *Planning and Development Act 2007*—an approval given under the law previously in force; and
- (d) for works in a designated area under the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cwlth)—
  - (i) a copy of the proposal to perform works submitted to the National Capital Authority; and
  - (ii) the plans and specifications (if any) required by the National Capital Authority; and
  - (iii) a copy of the approval for the works given by the National Capital Authority.

*relevant development approval*, for a parcel, means the planning documents that show the approval status of development on the parcel immediately before the unit title application is made.

#### **2A**                      **Prescription of parcel—Act, s 17 (5) (b)**

A parcel under the [Act](#), section 5 (a) is prescribed.

## **2B Unit title assessment report application—Act, s 22B (2)**

The following details and material are prescribed:

- (a) in relation to the parcel—
  - (i) the block and section number and division; and
  - (ii) the street name and number; and
  - (iii) if the parcel is land under a declared land sublease—the sublease plan number;
- (b) in relation to the applicant—
  - (i) if the applicant is an entity—the full name of the entity; and
  - (ii) if the applicant is a company—the company name and the Australian Company Number (ACN); and
  - (iii) the postal and email address; and
  - (iv) the contact telephone and facsimile numbers;
- (c) the number of class A or class B units applied for;
- (d) the proposed commencement and completion dates of the development;
- (e) if the application is in relation to a staged development—a schedule of commencement and completion dates for each stage;
- (f) a copy of the relevant development approval for the parcel;
- (g) the applicant's signature.

## **2C Offence—false or misleading information in application**

A person commits an offence if—

- (a) the person applies for a unit title assessment report; and

- (b) the application—
  - (i) includes information that is false or misleading; or
  - (ii) omits something without which the information is false or misleading; and
- (c) the person knows, or is reckless as to whether, the application—
  - (i) includes information that is false or misleading; or
  - (ii) omits something without which the information is false or misleading.

Maximum penalty: 60 penalty units.

**2D Unit title assessment report—contents—Act, s 22B (5) (a)**

- (1) The following contents of a unit title assessment report are prescribed:
  - (a) the block and section number, street name and number of the parcel to be subdivided;
  - (b) if the parcel is in a district—
    - (i) that is divided into divisions—the division name; or
    - (ii) that is not divided into divisions—the district name;
  - (c) if the parcel is land under a declared land sublease—the sublease plan number;
  - (d) the following particulars of the unit title assessor:
    - (i) the full name, postal, email, fax and telephone contact details;
    - (ii) the licence number;
    - (iii) if the unit title assessor is a company—the company's ACN;

- (e) the date the report is prepared;
- (f) the signature of the unit title assessor or, if the assessor is not a natural person, the signature of the assessor's nominee under the *Construction Occupations (Licensing) Regulation 2004*, section 15 (2);
- (g) the date of each site inspection conducted by the unit title assessor;
- (h) a statement by the unit title assessor that—
  - (i) the assessor has conducted a site inspection; and
  - (ii) the development is complete;
- (i) a statement by the unit title assessor that the unit entitlements shown on the certification of unit entitlements are the same as those shown on the schedule of unit entitlement form and that the total number of unit entitlements shown on the form is 10, 100, 1 000, 10 000 or 100 000;
- (j) if the relevant development approval for the parcel includes a condition in relation to the completed development—an assessment of whether the condition has been complied with;
- (k) if the landscape plans form part of the relevant development approval—a statement by the unit title assessor that the landscaping has been inspected and complies with the relevant development approval;
- (l) an assessment based on a site inspection of the extent to which the development is consistent with the site plan and floor plan for the parcel in relation to the following:
  - (i) the position of the boundary of—
    - (A) the parcel; and
    - (B) a unit; and
    - (C) a non-adjointing unit subsidiary; and

- (D) the common property;
- (ii) the footprint of any building on the parcel, including the footprint of—
  - (A) any building within each unit boundary; and
  - (B) any building within 1 metre of the boundary of the parcel;
- (iii) the position of boundary fences and boundary walls;
- (iv) the number of each unit and each non-adjointing unit subsidiary, allocated car park and storage cage, taking account of an address schedule for the parcel (if any);
- (m) an assessment based on a site inspection of the extent to which the development is consistent with the relevant development approval for the parcel in relation to the following:
  - (i) the number of units in the development;
  - (ii) the position of a retaining wall, courtyard wall, boundary fence, fence within a unit, car parking space, access ramp, carport, garage, bicycle parking space, storage cage, garbage enclosure, letterbox, water tank or lighting that is shown on a plan that forms part of the development approval;
- (n) an assessment based on a site inspection of the extent to which each unit and unit subsidiary has access to common property without requiring access through another unit or unit subsidiary;
- (o) a statement by the unit title assessor that—
  - (i) there is a letter box—
    - (A) for a units plan that comprises 3 or more units used for residential purposes—for each unit and for the owners corporation; and

- (B) for a units plan that comprises less than 3 units used for residential purposes—for each unit; and
  - (C) for a units plan that comprises units used for commercial purposes—for the owners corporation; and
  - (D) for a units plan that comprises units used for residential purposes and units used for commercial purposes—for each unit used for a residential purpose and for the owners corporation; and
- (ii) the numbers on the letter boxes correspond to the numbers for the units, taking account of an address schedule for the parcel (if any).

*Note 1* If a unit title assessor contravenes an applicable code of practice the unit title assessor commits an offence—see the *Construction Occupations (Licensing) Act 2004*, s 87.

*Note 2* If a form is approved under the *Act*, s 180 for this provision, the form must be used.

- (2) If the unit title assessment report is in relation to a stage of a staged development, the unit title assessor need only report on those matters mentioned in subsection (1) that relate to the stage.
- (3) In this section:

***district***—see the *Districts Act 2002*, dictionary.

***footprint***, of a building on a parcel, means the part of the parcel covered by the extremities of the building at or projected to ground level.

***stage***, of a development, means a stage identified in the development statement.

**2E Unit title assessment report—accompanying material—  
Act, s 22B (5) (b)**

- (1) The following accompanying material is prescribed:
- (a) the relevant development approval;
  - (b) the most recent certificate of occupancy and use—
    - (i) for each unit in the parcel; and
    - (ii) for any structure within the boundaries of the common property;
  - (c) a certification of unit entitlements for the parcel that is not more than 3 months old;
  - (d) a completed schedule of unit entitlement form for the parcel that is not more than 3 months old;
  - (e) a site plan for the parcel that is not more than 3 months old;
  - (f) a floor plan for the parcel that is not more than 3 months old;
  - (g) a completed registered surveyor's declaration form for the parcel that is not more than 3 months old;
  - (h) if a work approval for the development is required under the *Public Unleased Land Act 2013*, section 19 (Approval to carry out work on public unleased land)—a copy of the approval;
  - (i) a certificate (a *fitness for unit title certificate*) that—
    - (i) is not more than 3 months old; and
    - (ii) is issued by an eligible building surveyor; and
    - (iii) certifies that each proposed unit in the parcel is suitable for separate occupation;
  - (j) certification by a registered surveyor, not more than 3 months old, that any structure not shown on the site plan or floor plan does not encroach on any of the following:

- (i) the parcel boundary;
- (ii) a unit boundary;
- (iii) a unit subsidiary;
- (iv) the common property;
- (k) if an attachment is allowed to encroach on leased or unleased Territory land, certification by a registered surveyor—
  - (i) that is not more than 3 months old; and
  - (ii) that the encroachment is allowed under the Act and the relevant development approval for the parcel; and
  - (iii) that the attachment complies with the approval based on a site inspection; and
  - (iv) for leased land—that includes the Land Titles Office dealing number of the registered transfer and grant of the easement;

*Note* **Attachment**—see the [Act](#), dictionary.

- (l) if the parcel is land under a declared land sublease—a plan showing the location of utility services on the land and easements benefitting and burdening the land;
- (m) any other further information obtained by the unit title assessor under the [Act](#), section 22C.

(2) In this section:

***certificate of occupancy and use*** means—

- (a) for a development on or after 1 July 1995—a certificate of occupancy issued under, or taken to be issued under, the [Building Act 2004](#); or

- (b) for a development before 1 July 1995—a certificate of occupancy issued under the *Building Act 1972* (repealed) and the approval of plumbing or drainage work issued under the *Energy and Water Act 1988* (repealed).

*eligible building surveyor* means a building surveyor who would be eligible to be appointed as a building certifier of the building if the building were to be built when the fitness for unit title certificate is given.

*registered surveyor's declaration form* means the surveyor's declaration form approved under the *Land Titles Act 1925*, section 140.

**2F Offence—preparing false or misleading unit title assessment report**

- (1) A unit title assessor commits an offence if—
- (a) the unit title assessor prepares a unit title assessment report; and
  - (b) the report—
    - (i) is false or misleading; or
    - (ii) omits something without which the report is false or misleading; and
  - (c) the person knows, or is reckless as to whether the report—
    - (i) is false or misleading; or
    - (ii) omits something without which the report is false or misleading.

Maximum penalty: 60 penalty units.

- (2) Each partner of a unit title assessor commits an offence if—
- (a) the unit title assessor prepares a unit title assessment report; and

- (b) the report—
  - (i) is false or misleading; or
  - (ii) omits something without which the report is false or misleading; and
- (c) the partner, or one of the partners, knows, or is reckless as to whether—
  - (i) the report is false or misleading; or
  - (ii) omits something without which the report is false or misleading.

Maximum penalty: 60 penalty units.

- (3) It is a defence to a prosecution for an offence against subsection (2) if the partner proves—
  - (a) that—
    - (i) the partner did not know about the false or misleading report; and
    - (ii) reasonable precautions were taken and appropriate diligence was exercised to avoid the preparation of a false or misleading report; or
  - (b) that the partner was not in a position to influence the other partners in relation to the preparation of the report.

**2G Offence—providing false or misleading unit title assessment report in application for unit title**

- (1) A person commits an offence if—
  - (a) the person applies for the subdivision of a parcel under the [Act](#), section 17; and
  - (b) the person provides a unit title assessment report as part of the application; and

- (c) the report—
  - (i) is false or misleading; or
  - (ii) omits something without which the report is false or misleading; and
- (d) the person knows, or is reckless as to whether the report—
  - (i) is false or misleading; or
  - (ii) omits something without which the report is false or misleading.

Maximum penalty: 60 penalty units.

- (2) Each partner of a partnership commits an offence if—
  - (a) the partnership applies for the subdivision of a parcel under the [Act](#), section 17; and
  - (b) the partnership provides a unit title assessment report as part of the application; and
  - (c) the report—
    - (i) is false or misleading; or
    - (ii) omits something without which the report is false or misleading; and
  - (d) the partner or one of the partners knows, or is reckless as to whether the report—
    - (i) is false or misleading; or
    - (ii) omits something without which the report is false or misleading.

Maximum penalty: 60 penalty units.

- (3) It is a defence to a prosecution for an offence against subsection (2) if the partner proves—
- (a) that—
    - (i) the partner did not know about the false or misleading report; and
    - (ii) reasonable precautions were taken and appropriate diligence was exercised to avoid the provision of a false or misleading report; or
  - (b) that the partner was not in a position to influence the other partners in relation to the provision of the report.

## **Division 2.1 Unit subsidiaries**

### **3 Permissible unit subsidiaries—Act, s 19**

- (1) A unit title application may show as a unit subsidiary a part of the relevant parcel—
- (a) that is a building, or part of a building, consisting of any of the following:
    - (i) balcony;
    - (ii) corridor;
    - (iii) garage or carport;
    - (iv) gazebo;
    - (v) laundry;
    - (vi) pergola;
    - (vii) porch;
    - (viii) stairway;
    - (ix) shed;

- (x) storeroom;
  - (xi) utility room;
  - (xii) verandah;
  - (xiii) any other part of the parcel approved by the planning and land authority under subsection (2); or
- (b) that is suitable for 1 or more of the following purposes:
- (i) a garden, lawn or yard;
  - (ii) a carspace or parking area;
  - (iii) a recreation area;
  - (iv) any other purpose approved by the planning and land authority under subsection (2).
- (2) When approving a unit title application under the [Act](#), section 20, the planning and land authority may approve a part of the parcel for paragraph (a) (xiii) or a purpose for paragraph (b) (iv).

## **Division 2.2 Detailed requirements**

### **4 Uncovered balconies and stairways**

- (1) A unit title application for the subdivision of a parcel under a units plan with class A units must show an uncovered balcony or uncovered stairway as a unit subsidiary or as common property.
- (2) A unit title application for the subdivision of a parcel under a units plan with class B units may show an uncovered balcony or uncovered stairway as part of a class B unit, as a unit subsidiary or as common property.

## 5 Diagrams—manner of subdivision

A unit title application must be accompanied by diagrams showing how the parcel is to be subdivided, including the following details:

- (a) the classification of the units as class A or class B units;
- (b) any unit subsidiary or subsidiaries annexed to each unit;
- (c) the number of each unit;
- (d) the number of each unit subsidiary, consisting of the letter S followed by the number of the unit to which the unit subsidiary is annexed, followed by any further number necessary to distinguish the subsidiary from any other subsidiaries annexed to that unit;
- (e) if the proposals provide for a class B unit, or a unit subsidiary other than a subsidiary that is a building or a part of a building, with a projection above or below ground level by another part of the parcel—
  - (i) a statement to the effect that the unit or subsidiary is limited in its vertical dimensions by such a projection; and
  - (ii) a statement of the nature of that projection.

## 6 Boundary diagrams

- (1) A unit title application must be accompanied by the following diagrams:
  - (a) a boundary diagram showing the following and their relationship to each other:
    - (i) the boundaries of the parcel;
    - (ii) the extremities of each building on the parcel at (or projected to) ground level;
    - (iii) the boundaries of any class B units;

- (b) if the parcel is land under a declared land sublease—a boundary diagram of the Crown lease under which the declared land sublease is granted showing the boundaries of the Crown lease and the parcel;
  - (c) if the application provides for a building to be subdivided so that any class A unit is completely or partly above another class A unit, a separate diagram for each floor of the building showing—
    - (i) sufficient particulars, at floor level, to allow the vertical boundaries of each unit on that floor to be worked out (without necessarily stating any bearings or dimensions); and
    - (ii) the approximate area of each unit;
  - (d) if the application provides for a building to be subdivided into class A units otherwise than as mentioned in paragraph (c), a diagram showing—
    - (i) sufficient details, at floor level, to allow the vertical boundaries of each unit on that floor to be worked out (without necessarily stating any bearings or dimensions); and
    - (ii) the approximate area of each unit.
- (2) The diagrams mentioned in subsection (1) (a) and (d) may be combined.
- (3) The diagrams required by this section must also show—
- (a) any unit subsidiary consisting of a building or part of a building as if the subsidiary were a class A unit; and
  - (b) any other unit subsidiary as if the subsidiary were a class B unit; and
  - (c) the position of boundary fences and boundary walls; and

- (d) the nature and extent of any encroachments, whether on leased land or unleased land, and their relationship to the parcel or unit boundary, including—
  - (A) whether the encroachment is for use with a unit or the common property; and
  - (B) if the encroachment is for use with a unit—the unit to which the encroachment relates; and
- (e) the site and nature of any existing or proposed easements affecting the parcel.

**7 Schedule of unit entitlement and rent**

A unit title application must be accompanied by a schedule stating the following:

- (a) the proposed unit entitlement for each unit as a whole number;
- (b) a total proposed unit entitlement of 10, 100, 1 000, 10 000 or 100 000;
- (c) the rent (however expressed) proposed to be reserved under the lease of each unit.

**Division 2.3 Development statements**

**8 Staged developments—development statements—Acts 17 (4)**

- (1) A development statement must—
  - (a) include a description of the land consisting of the parcel; and
  - (b) include a copy of the plans relating to the development, and any amendment of the plans, as approved in the development approval under the *Planning and Development Act 2007*, chapter 7; and

- (c) state how the staged development is to be carried out, including—
  - (i) a description of the work (including common property amenities) to be completed in each stage of the development; and
  - (ii) a schedule of commencement and completion dates for each stage; and
  - (iii) the arrangements for access to the parcel during the development; and
  - (iv) the permitted uses of the common property during the development; and
  - (v) landscaping of the parcel; and
- (d) state that the developer must pay the reasonable expenses incurred by the owners corporation—
  - (i) in repairing any damage to the common property, or to units, in the completed stages of the development that is caused in carrying out the development; and
  - (ii) for any water, sewerage, drainage, gas, electricity, oil, garbage, conditioned air or telephone service used in carrying out the development; and
- (e) state that the developer must make good, as soon as practicable, any damage to the common property or units in the completed stages of the development caused in carrying out the development; and
- (f) state that the standard of materials used, finishes effected, common property improvements, landscaping, roadways and paths to be carried out in the development must not be inferior to or substantially different from those of the buildings and other works in the completed stages of the development; and

- (g) include a requirement that after the completion of any stated stages of the development, and after the completion of the entire development, the planning and land authority must be provided with a report by a registered surveyor about the position of fully or partially completed buildings in relation to the boundaries of the units and of the parcel.

*Note* If a form is approved under the [Act](#), s 180 for a report by a registered surveyor under par (g), the form must be used.

- (2) The development statement may apportion the liability for expenses for the use or maintenance of the common property of the staged development differently from the way that liability would otherwise be apportioned by the schedule of unit entitlement.
- (3) An apportionment under subsection (2) has effect despite the current schedule of unit entitlement, but does not apply to any liability for the use or maintenance of the common property after the development is completed.

*Note* If a form is approved under the [Act](#), s 180 for a development statement, the form must be used.

## Division 2.3A Prescribed zones

### 8A Unit title applications—prescribed zones—Act, s 20 (10), def *prescribed zone*

The following zones are prescribed:

- (a) RZ1 Suburban Zone;
- (b) RZ2 Suburban Core Zone;
- (c) RZ3 Urban Residential Zone;
- (d) RZ4 Medium Density Residential Zone;
- (e) RZ5 High Density Residential Zone;
- (f) IZ1 General Industrial Zone;

- (g) IZ2 Mixed Use Industrial Zone.

## **Division 2.4                      Approval of units plans**

### **9                      Endorsement of units plans—Act, s 27 (2)**

- (1) If the planning and land authority approves a unit title application, the authority must—
  - (a) make, on the approved form, an endorsement that the documents that are to form the units plan are approved under this Act as the units plan for the subdivision of the parcel; and
  - (b) sign and date the endorsement; and
  - (c) sign each other sheet of the documents.
- (2) The documents must be signed by—
  - (a) the lessee of the parcel; and
  - (b) if the parcel is land under a declared land sublease—the Crown lessee.
- (3) The boundary diagram that is to form part of the units plan must be endorsed with (or accompanied by) a certificate by a registered surveyor in the approved form.
- (4) In this section:

*approved form* means the form approved under the *Land Titles Act 1925* for an application for registration of a units plan.

## Division 2.5 Attachments

### 10 Attachment—Act, dict, def *attachment*, par (c)

(1) The following are prescribed:

(a) fixtures and fittings;

**Examples—fixtures and fittings**

- air conditioning units
- fire alarm systems
- light fittings
- security alarm systems

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

(b) architectural embellishments;

**Examples—architectural embellishments**

- decorative brackets and screens
- planter boxes
- window shutters
- vertical and horizontal fin blades

(c) artworks;

(d) signs.

(2) However, a thing mentioned in subsection (1) is not an attachment if—

(a) it is included in the gross floor area of the building; or

(b) it is at ground level; or

(c) it is a balcony.

(3) In this section:

*balcony*—see the [territory plan](#), chapter 13, part B.

*gross floor area*—see the [territory plan](#), chapter 13, part B.

## Dictionary

(see s 1A)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- Act
- planning and land authority
- registered surveyor
- [territory plan](#).

*Note 3* Terms used in this regulation have the same meaning that they have in the [Unit Titles Act 2001](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Unit Titles Act 2001](#), dictionary:

- attachment
- building
- Crown lessee
- declared land sublease
- development
- staged development
- unit subsidiary (see s 12).

***address schedule***, for a parcel, means a schedule that shows the relationship between the numbering of units on the site plan or floor plan of the parcel and the door numbering and street address of the units in the parcel.

***approved plans***—see the [Building Act 2004](#), dictionary.

***building code*** means the Building Code of Australia prepared and published by the Australian Building Codes Board, as amended from time to time by—

- (a) the Australian Building Codes Board; and
- (b) the Australian Capital Territory Appendix to the Building Code of Australia.

**certification of unit entitlements**, for a parcel, means a written statement showing the details of the value of unit entitlements for the units in the parcel—

- (a) prepared by a certified practising member of the Australian Property Institute (ABN 49 007 505 866); and
- (b) dated and signed by the member.

**division**—see the *Districts Act 2002*, dictionary.

**floor plan** means a floor plan prepared for a parcel in the form approved under the *Land Titles Act 1925*, section 140.

**schedule of unit entitlement form** means the schedule of unit entitlements form approved under the *Land Titles Act 1925*, section 140.

**site plan** means a site plan prepared for a parcel in the form approved under the *Land Titles Act 1925*, section 140.

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

This regulation was originally the *Unit Titles Regulations 2001*. It was renamed under the *Legislation Act 2001*.

#### **Unit Titles Regulation 2001 SL2001-15**

notified 7 June 2001 ([Gaz 2001 No 23](#))  
s 1, s 2 commenced 7 June 2001 (IA s 10B)  
remainder commenced 5 October 2001 (s 2)

as amended by

#### **Statute Law Amendment Act 2002 A2002-30 pt 3.85**

notified LR 16 September 2002  
s 1, s 2 taken to have commenced 19 May 1997 (LA s 75 (2))  
pt 3.85 commenced 17 September 2002 (s 2 (1))

#### **Planning and Land (Consequential Amendments) Act 2002 A2002-56 sch 3 pt 3.17**

notified LR 20 December 2002  
s 1, s 2 commenced 20 December 2002 (LA s 75 (1))  
sch 3 pt 3.17 commenced 1 July 2003 (s 2 and see [Planning and Land Act 2002 A2002-55](#), s 2)

#### **Unit Titles Amendment Regulations 2003 (No 1) SL2003-23**

notified LR 29 July 2003  
s 1, s 2 commenced 29 July 2003 (LA s 75 (1))  
remainder commenced 30 July 2003 (s 2)

#### **Unit Titles (Staged Development) Amendment Act 2005 A2005-37 sch 1 pt 1.2**

notified LR 26 August 2005  
s 1, s 2 commenced 26 August 2005 (LA s 75 (1))  
sch 1 pt 1.2 commenced 14 September 2005 (s 2 and [CN2005-21](#))

#### **Planning and Development (Consequential Amendments) Act 2007 A2007-25 sch 1 pt 1.33**

notified LR 13 September 2007  
s 1, s 2 commenced 13 September 2007 (LA s 75 (1))  
sch 1 pt 1.33 commenced 31 March 2008 (s 2 and see [Planning and Development Act 2007 A2007-24](#), s 2 and [CN2008-1](#))

## Endnotes

3 Legislation history

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### **Unit Titles Amendment Act 2008 (No 2) A2008-45 sch 1 pt 1.3**

notified LR 10 September 2008

s 1, s 2 commenced 10 September 2008 (LA s 75 (1))

sch 1 amdt 1.10, amdt 1.15 commenced 1 July 2009 (s 2 (1) and [CN2008-18](#))

sch 1 pt 1.3 remainder commenced 31 March 2009 (s 2 (1) and [CN2008-18](#))

### **Unit Titles Amendment Regulation 2010 (No 1) SL2010-37**

notified LR 7 September 2010

s 1, s 2 commenced 7 September 2010 (LA s 75 (1))

remainder commenced 8 September 2010 (s 2)

### **Planning and Building Legislation Amendment Act 2011 A2011-23 pt 11**

notified LR 6 July 2011

pt 1 commenced 6 July 2011 (s 2 (1))

pt 11 commenced 7 July 2011 (s 2 (5))

### **Planning and Development (Lease Variation Charges) Amendment Regulation 2011 (No 1) SL2011-22 s 8**

notified LR 15 July 2011

s 1, s 2 commenced 15 July 2011 (LA s 75 (1))

s 8 commenced 16 July 2011 (s 2)

### **Unit Titles (Management) Act 2011 A2011-41 sch 5 pt 5.13**

notified LR 3 November 2011

s 1, s 2 commenced 3 November 2011 (LA s 75 (1))

sch 5 pt 5.13 commenced 30 March 2012 (s 2 and [CN2012-6](#))

### **Planning, Building and Environment Legislation Amendment Act 2012 A2012-23 pt 7**

notified LR 28 May 2012

s 1, s 2 commenced 28 May 2012 (LA s 75 (1))

pt 7 commenced 29 May 2012 (s 2)

### **Public Unleased Land Act 2013 A2013-3 sch 2 pt 2.14**

notified LR 21 February 2013

s 1, s 2 commenced 21 February 2013 (LA s 75 (1))

sch 2 pt 2.14 commenced 1 July 2013 (s 2 and [CN2013-9](#))

**Unit Titles Amendment Regulation 2015 (No 1) SL2015-8**

notified LR 11 March 2015

s 1, s 2 commenced 11 March 2015 (LA s 75 (1))

remainder commenced 12 March 2015 (s 2)

**Planning and Development (University of Canberra and Other Leases) Legislation Amendment Act 2015 A2015-19 pt 21**

notified LR 11 June 2015

s 1, s 2 commenced 11 June 2015 (LA s 75 (1))

pt 21 commenced 1 July 2015 (s 2 and [CN2015-9](#))

## Endnotes

4 Amendment history

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### 4 Amendment history

#### Name of regulation

s 1 am R5 LA

#### Dictionary

s 1A ins [SL2010-37](#) s 4

#### Unit title assessment report

div 2.1A hdg ins [SL2010-37](#) s 5

#### Definitions—div 2.1A

s 2 om LA s 89 (4)  
ins [SL2010-37](#) s 5  
def *planning documents* ins [SL2010-37](#) s 5  
def *relevant development approval* ins [SL2010-37](#) s 5

#### Prescription of parcel—Act, s 17 (5) (b)

s 2A ins [SL2010-37](#) s 5

#### Unit title assessment report application—Act, s 22B (2)

s 2B ins [SL2010-37](#) s 5  
am [A2015-19](#) s 139

#### Offence—false or misleading information in application

s 2C ins [SL2010-37](#) s 5

#### Unit title assessment report—contents—Act, s 22B (5) (a)

s 2D ins [SL2010-37](#) s 5  
am [A2011-23](#) ss 46-49; pars renum R11 LA; [A2012-23](#) s 43;  
[A2015-19](#) s 140; pars renum R17 LA

#### Unit title assessment report—accompanying material—Act, s 22B (5) (b)

s 2E ins [SL2010-37](#) s 5  
am [A2013-3](#) amdt 2.41; [A2015-19](#) s 141; pars renum R17 LA

#### Offence—preparing false or misleading unit title assessment report

s 2F ins [SL2010-37](#) s 5

#### Offence—providing false or misleading unit title assessment report in application for unit title

s 2G ins [SL2010-37](#) s 5

#### Permissible unit subsidiaries—Act, s 19

s 3 am [A2002-56](#) amdt 3.79; [SL2010-37](#) s 6; pars renum R10 LA;  
[A2012-23](#) s 44

#### Diagrams—manner of subdivision

s 5 am [SL2003-23](#) s 4

#### Boundary diagrams

s 6 am [SL2010-37](#) s 7; [SL2015-8](#) s 4; [A2015-19](#) s 142; pars  
renum R17 LA

**Staged developments—development statements—Act s 17 (4)**

s 8 am [A2002-56](#) amdt 3.77  
sub [A2005-37](#) amdt 1.2  
am [A2007-25](#) amdt 1.204

**Prescribed zones**

div 2.3A hdg ins [SL2011-22](#) s 8

**Unit title applications—prescribed zones—Act, s 20 (10), def *prescribed zone***

s 8A ins [SL2011-22](#) s 8

**Endorsement of units plans—Act, s 27 (2)**

s 9 am [A2002-56](#) amdt 3.78; [A2015-19](#) s 143

**Attachments**

div 2.5 hdg ins [SL2015-8](#) s 5

**Owners corporations**

pt 3 hdg om [A2011-41](#) amdt 5.92

**Attachment—Act, dict, def *attachment*, par (c)**

s 10 sub [A2008-45](#) amdt 1.10  
om [A2011-41](#) amdt 5.92  
ins [SL2015-8](#) s 5

**Manager insurance—Act, s 55F (2)**

s 10A ins [A2008-45](#) amdt 1.10  
om [A2011-41](#) amdt 5.92

**Corporate register—access—Act, s 72 (3)**

s 11 om [A2011-41](#) amdt 5.92

**Fees for requests for unit title certificates and access to owners corporation records—Act, s 75 (4)**

s 12 sub [SL2003-23](#) s 5; [A2008-45](#) amdt 1.11  
om [A2011-41](#) amdt 5.92

**Costs of taking legal action—Act, s 88C (2) (b)**

s 13 sub [A2008-45](#) amdt 1.12  
om [A2011-41](#) amdt 5.92

**Public liability insurance for owners corporations—Act, s 131 (2)**

s 14 om [A2011-41](#) amdt 5.92

**Exemptions from building insurance requirements—Act, s 133 (1)**

s 15 om [A2011-41](#) amdt 5.92

**Owners corporation articles**

pt 4 hdg om [A2011-41](#) amdt 5.92

**All owners corporations**

div 4.1 hdg om R8 LA

## Endnotes

4 Amendment history

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### **Default articles—Act, s 126 (1) (a)**

s 16 om [A2011-41](#) amdt 5.92

### **3-member owners corporations**

div 4.2 hdg om [A2008-45](#) amdt 1.13

### **Conciliation articles—3-member corporations—Act, s 126 (1) (b)**

s 17 om [A2008-45](#) amdt 1.13

### **Conciliator for 3-member owners corporations**

s 18 am [A2002-30](#) amdt 3.936; [A2002-56](#) amdt 3.79  
om [A2008-45](#) amdt 1.13

### **2-member owners corporations**

div 4.3 hdg om [A2008-45](#) amdt 1.13

### **Conciliation articles—2-member owners corporations—Act, s 126 (1) (c)**

s 19 om [A2008-45](#) amdt 1.13

### **Conciliator for 2-member owners corporations**

s 20 am [A2002-30](#) amdt 3.937; [A2002-56](#) amdt 3.79  
om [A2008-45](#) amdt 1.13

### **Default articles**

sch 1 am [A2008-45](#) amdt 1.14  
om [A2011-41](#) amdt 5.93

### **Code of conduct**

sch 2 sub [A2008-45](#) amdt 1.15  
om [A2011-41](#) amdt 5.93

### **Resolution of disputes**

sch 2, article 1 (prev sch 2, cl 13) renum R1 LA  
am [A2002-56](#) amdt 3.79  
om [A2008-45](#) amdt 1.15

### **Conciliation**

sch 2, article 2 (prev sch 2, cl 14) renum R1 LA  
am [A2002-30](#) amdt 3.938  
om [A2008-45](#) amdt 1.15

### **Conciliation articles for 2-member owners corporations**

sch 3 hdg om [A2008-45](#) amdt 1.15

### **Failure to reach a quorum at a general meeting**

sch 3, article 1 am [A2002-56](#) amdt 3.79  
om [A2008-45](#) amdt 1.15

### **Resolution of disputes**

sch 3, article 2 am [A2002-56](#) amdt 3.79  
om [A2008-45](#) amdt 1.15

**Conciliation**

sch 3, article 3

am [A2002-30](#) amdt 3.939om [A2008-45](#) amdt 1.15**Dictionary**

dict

ins [SL2010-37](#) s 8am [SL2015-8](#) s 6; [A2015-19](#) s 144def **address schedule** ins [SL2010-37](#) s 8def **approved plans** ins [SL2010-37](#) s 8def **building code** ins [SL2010-37](#) s 8def **certification of unit entitlements** ins [SL2010-37](#) s 8def **division** ins [SL2010-37](#) s 8def **floor plan** ins [SL2010-37](#) s 8def **schedule of unit entitlement form** ins [SL2010-37](#) s 8def **site plan** ins [SL2010-37](#) s 8

## Endnotes

### 5 Earlier republications

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#### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1* 5 Oct 2001	5 Oct 2001– 16 Sept 2002	not amended	new regulation
R2 17 Sept 2002	17 Sept 2002– 30 June 2003	<a href="#">A2002-30</a>	amendments by <a href="#">A2002-30</a>
R3 1 July 2003	1 July 2003– 29 July 2003	<a href="#">A2002-56</a>	amendments by <a href="#">A2002-56</a>
R4 30 July 2003	30 July 2003– 2 Nov 2004	<a href="#">SL2003-23</a>	amendments by <a href="#">SL2003-23</a>
R5 3 Nov 2004	3 Nov 2004– 13 Sept 2005	<a href="#">SL2003-23</a>	includes editorial amendments under <a href="#">Legislation Act</a>
R6 14 Sept 2005	14 Sept 2005– 30 Mar 2008	<a href="#">A2005-37</a>	amendments by <a href="#">A2005-37</a>
R7 31 Mar 2008	31 Mar 2008– 30 Mar 2009	<a href="#">A2007-25</a>	amendments by <a href="#">A2007-25</a>
R8 31 Mar 2009	31 Mar 2009– 30 June 2009	<a href="#">A2008-45</a>	amendments by <a href="#">A2008-45</a>
R9 1 July 2009	1 July 2009– 7 Sept 2010	<a href="#">A2008-45</a>	amendments by <a href="#">A2008-45</a>
R10 8 Sept 2010	8 Sept 2010– 6 July 2011	<a href="#">SL2010-37</a>	amendments by <a href="#">SL2010-37</a>
R11 7 July 2011	7 July 2011– 15 July 2011	<a href="#">A2011-23</a>	amendments by <a href="#">A2011-23</a>

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R12 16 July 2011	16 July 2011– 29 Mar 2012	<a href="#">SL2011-22</a>	amendments by <a href="#">SL2011-22</a>
R13 30 Mar 2012	30 Mar 2012– 28 May 2012	<a href="#">A2011-41</a>	amendments by <a href="#">A2011-41</a>
R14 29 May 2012	29 May 2012– 30 June 2013	<a href="#">A2012-23</a>	amendments by <a href="#">A2012-23</a>
R15 1 July 2013	1 July 2013– 11 Mar 2015	<a href="#">A2013-3</a>	amendments by <a href="#">A2013-3</a>
R16 12 Mar 2015	12 Mar 2015– 30 June 2015	<a href="#">SL2015-8</a>	amendments by <a href="#">SL2015-8</a>

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