

THE REGISTRATION STRATA TITLES ACT

The Registration (Strata Titles) (Amendment) Regulations, 2010

In exercise of the powers conferred upon the Minister by section 16 of the Registration (Strata Titles) Act, the following Regulations are hereby made:-

1. These Regulations may be cited as the Registration (Strata Titles) (Amendment) Regulations, 2010, and shall be read and construed as one with the Registration (Strata Titles) Regulations, 1969 (hereinafter called the principal Regulations) and all amendments thereto.

2. The principal Regulations are amended by deleting from regulations (4) (1)(b)(i), 5(a), 11, 13, 20 and 22 the word "Schedule" wherever it appears and substituting therefor in each case the words "First Schedule".

3. The principal Regulations are amended by inserting next after regulation 11 the following as regulations 11A, 11B, 11C and 11D -

" 11A. - (1) An application to the Commission, by a corporation for first registration pursuant to section 4(4) of the Act, shall be in the form or to the effect of Form 7, and shall be accompanied by the appropriate specified fee in paragraph (1) of Part B of the Second Schedule.

(2) An application for waiver or reduction of the prescribed fees pursuant to section 4A of the Act, shall be in the form or to the effect of Form 14.

(3) Upon registration pursuant to section 4 of the Act, the Commission shall issue to the corporation a certificate indicating the date of registration of the corporation and the effective period of such registration.

(4) Subject to regulation 11B, a certificate of registration shall expire on March 31, of the year next following its issuance and shall be renewable upon expiration, however, a corporation shall not be deemed to be delinquent until thirty days after the expiration of the certificate.

11B. The corporation shall in each year on or before April 1, make an application for renewal of registration in the form or to the effect of

Form 8. Form 8, and shall submit as part of that application –

(a) the annual registration fee pursuant to subsection (5) of section

Part B.

4 of the Act, as specified in Part B of the Second Schedule and which becomes due and payable on April 1, of each year;

(b) annual returns pursuant to subsection (7) of section 4 of the Act, accompanied by the annual fee as prescribed in the Second Schedule;

**Forms
13A, 13B
and 13C.**

(c) the income and expenditure statement in the form or to the effect of Forms 13A, 13B and 13C, respectively;

(d) the names and addresses of the members of the current executive committee; and

(e) any other information that the Commission may from time to time direct.

Form 9. 11C. - (1) The corporation shall make an application for a certificate authorizing the exercise of a power of sale pursuant to section 5C of the Act, in the form or to the effect of Form 9, and submit the fee specified in Part B of the Second Schedule to the Commission for the certificate.

Part B.

(2) The Commission upon being satisfied that a corporation has -

- (a) followed the procedure prescribed to obtain payments under section 5C;
- (b) notified the proprietor as provided in section 5C; and
- (c) followed any additional directives by the Commission, if any,

Form 12. shall issue a certificate in the form or to the effect of Form 12.

11D. Prior to any sale of a strata lot in a strata plan, the developer of the land comprised in the strata plan shall advise each prospective purchaser in writing of the -

- (a) facilities in the common property of the strata plan;
- (b) proposed unit entitlement of each strata lot;
- (c) proposed by-laws; and
- (d) estimated contribution pursuant to section 5(2) of the Act applicable to the strata lot, the specific items to be covered by the contribution and any other payments that may be applicable.”.

4. The principal Regulations are amended by inserting next after Regulation 12 the following as regulation 12A -

“12A. Where a proprietor is ordered by the Commission pursuant to section 3B of the Act, to -

- (a) demolish any unauthorized extension to the external wall of a strata lot, the proprietor is allowed sixty days for carrying out the demolition, removal of debris and restoration of the strata unit to its original state;
- (b) remove any vehicle or other thing, the presence of which is in contravention of the by-laws, the proprietor is allowed seven days to remove the vehicle or thing;
- (c) remove any animal from a strata lot, the keeping of which is in

contravention of the by-laws, the proprietor is allowed seven days to remove the animal.”.

5. The principal Regulations are amended by inserting next after regulation 25 the following as regulations 25A and 25B –

“ 25A. A notice of appeal to the Tribunal pursuant to section 15A of **Form 11.** the Act shall be in the form or to the effect of Form 11, and shall be **Part B.** accompanied by the specified fee in Part B of the Second Schedule.

25B. An application made to the Commission for the facilitation of dispute resolution which will result in the making of orders under section 3B (1), shall be -

Form 10. (a) in the form or to the effect of Form 10; and
(b) accompanied by the fee prescribed in Part B of the Second Schedule.”.

6. The principal Regulations are amended by deleting regulation 26 and substituting therefor the following as regulations 26 and 27 -

“ 26. The fees which shall be paid to the Registrar of Titles shall be in **Part A.** accordance with Part A of the Second Schedule.

27. The prescription of fees in these Regulations shall not limit any power of the Commission to charge such fees as it considers reasonable for the recovery of costs for the use of its facilities and services. ”.

7. The principal Regulations are amended by -

- (a) renaming the Schedule as the First Schedule, by deleting the heading “Schedule” and substituting therefor the heading “First Schedule”;
- (b) inserting immediately after Form 6 the following as Forms 7, 8, 9, 10, 11, 12, 13A, 13B, 13C and 14 -

FORM 7
THE REGISTRATION (STRATA TITLES) ACT
COMMISSION OF STRATA CORPORATIONS
APPLICATION TO REGISTER A STRATA CORPORATION
Pursuant to Section 4 of the Registration (Strata Titles) Act

The Proprietors Strata Plan No. _____ hereby apply pursuant to Section 4 (4) of the Registration (Strata Titles) Act to become registered with the Commission and advise as follows:

a) The names, address and titles of the members of the Executive Committee are:

b) The address for service of the Corporation is _____

c) Telephone No (s): _____

d) Fax No (s): _____

e) Email address: _____

f) The name and address of Complex: _____

g) The Corporation consists of _____ strata lots.

Valuation Number _____

The Application Fee of \$ _____ is enclosed.

Please acknowledge receipt.

..... Executive Committee Proprietors, Strata Plan No. Seal Date
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.....
Member, Executive Committee
Proprietors Strata Plan No.

N.B. Any two (2) Executive Committee members to sign and affix Seal of Strata Corporation

FOR OFFICIAL USE ONLY

<u>Date of Application:</u>	<u>Fee Paid</u>	<u>Receipt No.:</u>	<u>Date of Entry in Register:</u>
	\$		<u>Registration No.:</u>

FORM 8
THE REGISTRATION (STRATA TITLES) ACT
COMMISSION OF STRATA CORPORATIONS
APPLICATION FOR ANNUAL REGISTRATION
Pursuant to Section 4(7) of the Registration (Strata Titles) Act

Strata Plan #: _____ Valuation # _____

Name & address of Strata Complex: _____

Date of Annual General Meeting: _____

This form must be completed and returned to the Commission within 120 days after the end of each Financial Year March 31st along with:

- An Auditor's Report

OR

A copy of the accounts prepared in accordance with generally accepted accounting principles, and signed by the Chairman and an executive committee member (This includes completed **Form 13A**);

- A report of the corporation's activities during the period, including meetings held by the corporation;

- The names, titles and address of current members of the Executive Committee;
- Passing of resolution adopting the budget and a copy of the Budget;
- Decisions relating to Insurance of the complex.

- A copy of the current certificate of insurance (if any);

- Prescribed fee. -----

.....
 Signed :
 Member, Executive Committee Proprietors,
 Strata Plan No.

.....
 Member Executive Committee, Proprietors,
 Strata Plan No.

Date: _____

N.B. Seal to be affixed and any two (2) members of the Executive Committee may sign.

FOR OFFICIAL USE ONLY

<u>Date of Application:</u>	<u>Fee Paid</u> \$	<u>Receipt No.:</u>	<u>Date of Entry in Register:</u>
			<u>Registration No.:</u>

FORM 9
THE REGISTRATION (STRATA TITLES) ACT
COMMISSION OF STRATA CORPORATIONS

APPLICATION FOR CERTIFICATE FOR THE EXERCISE OF A POWER OF SALE
Pursuant to Section 5(C) of the Registration (Strata Titles) Act

The Proprietors of Strata Plan Number _____ hereby applies for a Certificate pursuant to Section 5(c) of the Act pursuant to a proposed exercise of Powers of Sale arising as a result of default in payment of contribution in respect of strata lot numbered _____ registered at Volume _____; Folio _____ representing contributions due for the period _____.

We solemnly declare that we have complied with the requirements of the Registration (Strata Titles) Act as follows: (Tick below:)

- For a period exceeding 30 days, the proprietor has failed to pay all or any part of his contribution;
- The proprietor has been given written notice of the amount owing, the period for which it is owed, the amount of interest payable and notified and advised in writing to pay the outstanding amount and interest within 30 days of service of the notice;
- The proprietor was also advised in writing that if the contribution and interest were not paid within 30 days, or suitable arrangements made to pay the contributions, the corporation may sell the strata lot by public auction or private treaty as provided by Section 5(c) of the Registration (Strata Titles) Act and if he is aggrieved by the amount, he can lodge an appeal with the Tribunal provided that 50% or other amount agreed with the Corporation is paid on account.
- A copy of the notice and postal receipt/affidavit of service attached

N.B.: All documentary evidence in support must be attached.

Please sign and date below.

Chairman - Executive Committee
Proprietors Strata Plan #

Member - Executive Committee
Proprietors Strata Plan #

Date

FOR OFFICIAL USE ONLY

Fee Paid: _____

Date Received: _____

Date scheduled for consideration: _____

Decision Taken: _____

FORM 10
THE REGISTRATION (STRATA TITLES) ACT
COMMISSION OF STRATA CORPORATIONS
APPLICATION FOR DISPUTE RESOLUTION & ORDER
Pursuant to Section 3B (c) of the Registration (Strata Titles) Act

Name of Complainant: _____

Address of Complainant: _____

Telephone No (s): _____

Fax No.: _____

E-mail: _____

Strata Plan No. & Address: _____

Complainant: (Tick where appropriate)

- Proprietor (Strata Lot owner).
- Corporation
- Other

Strata Lot #. _____

Strata Plan #. _____

Grounds for Complaint: (Give details in a concise manner along with all supporting documents)
(Attach additional sheets if necessary)

Please submit prescribed fee along with this form.
Attach additional sheets if necessary.

Please sign and date below.

Complainant

Date of Submission to Commission

FOR OFFICIAL USE ONLY

Fee Paid: _____

Date Received: _____

Date scheduled for consideration: _____

Decision Taken: _____

FORM 11
THE REGISTRATION (STRATA TITLES) ACT
COMMISSION OF STRATA CORPORATIONS

NOTICE OF APPEAL TO THE STRATA APPEALS TRIBUNAL
Pursuant to Section 15A(2)(b) of the Registration (Strata Titles) Act

Name of Appellant: _____

Address of Appellant: _____

Telephone No (s): _____

Fax No.: _____

E-mail: _____

Strata Plan No. & Address: _____

Appellant: (Tick where appropriate)

- Proprietor (Strata Lot owner): Strata Lot #. _____ Strata Plan#. _____
- Corporation
- Other

Grounds for Appeal: (Give details in a concise manner along with all support documents)

Please submit prescribed fee with this form.

Please sign and date below.

Appellant

Date of Submission to Tribunal/Commission

FOR OFFICIAL USE ONLY

Fee paid: _____

Date received: _____

Date of hearing: _____

Decision: _____

(Regulation 11C(c))

FORM 12
THE REGISTRATION (STRATA TITLES) ACT
COMMISSION OF STRATA CORPORATIONS
CERTIFICATE PURSUANT TO EXERCISE OF POWER OF SALE
Pursuant to Section 5C(4) of the Registration (Strata Titles) Act

The Commission of Strata Corporations in accordance with Section 5C(4) of the Registration (Strata Titles) Act, hereby certifies that the Proprietors of Strata Plan Number _____ have satisfied the Commission that the Corporation has exhausted its means of:

- a) obtaining payment of amounts owing to the Corporation and
- b) notifying the proprietor of the proposed sale of strata lot numbered _____ registered at Volume _____ and Folio _____ at the Register Book of Titles in full compliance with the provisions of the Section 5 of the Registration (Strata Titles) Act.

Dated the _____ day of _____ 20__.

**Chairman, Commission
 Strata Corporations**

SEAL

**Secretary, Commission
 Strata Corporations**

Date