

NORTHERN TERRITORY OF AUSTRALIA

**TERMINATION OF UNITS PLANS AND UNIT TITLE SCHEMES
REGULATIONS 2014**

As in force at 23 December 2015

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 23 December 2015

TERMINATION OF UNITS PLANS AND UNIT TITLE SCHEMES REGULATIONS 2014

Regulations under the *Termination of Units Plans and Unit Title Schemes Act 2014*

1 Citation

These Regulations may be cited as the *Termination of Units Plans and Unit Title Schemes Regulations 2014*.

2 Prescribed professional organisation

The Australian Valuers Institute Co-op Limited is the prescribed professional organisation for the definition of **valuer** in section 4(1) of the Act.

3 Application fee

- (1) The fee prescribed for section 9(1) of the Act is 2 000 revenue units.
- (2) The schemes supervisor may waive (wholly or partly) the fee.

4 Additional documents

The following documents are prescribed for section 12(9)(a)(ii) of the Act:

- (a) the resolution that was passed;
- (b) a document listing the names of the owners of the units and indicating how each owner voted on the resolution;
- (c) a document that proves service of the notice of proposed termination on:
 - (i) each owner of a unit in the development; and
 - (ii) each mortgagee of a unit; and

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- (iii) any other person who has a registered interest in the development.

5 Fee for appointment of valuer

The fee prescribed for section 13(4)(a) of the Act is 200 revenue units.

6 Factor for Tribunal to take into account

The factor prescribed for section 17(1)(c) of the Act is whether the body corporate for the development had, in the period before the application for the order, been functional.

7 Matters for Tribunal to consider

The matters prescribed for section 17(2)(e) of the Act are as follows:

- (a) the extent to which the development could, if termination were not ordered, be a functional neighbourhood;
- (b) if the Tribunal is considering an application mentioned in section 15(b) of the Act – whether the proponent, before making the application under section 9(1) of the Act, made a reasonable proposal in relation to the development other than for its termination;
- (c) if the proposed termination involves a sale of the development land – whether the proposed distribution of the proceeds is fair and reasonable;
- (d) the interests of other persons who have registered interests in the development.

ENDNOTES
1**KEY**

Key to abbreviations

amd = amended
 app = appendix
 bl = by-law
 ch = Chapter
 cl = clause
 div = Division
 exp = expires/expired
 f = forms
 Gaz = Gazette
 hdg = heading
 ins = inserted
 lt = long title
 nc = not commenced

od = order
 om = omitted
 pt = Part
 r = regulation/rule
 rem = remainder
 renum = renumbered
 rep = repealed
 s = section
 sch = Schedule
 sdiv = Subdivision
 SL = Subordinate Legislation
 sub = substituted

2**LIST OF LEGISLATION*****Termination of Units Plans and Unit Title Schemes Regulations (SL No. 49, 2014)***

Notified	2 January 2015
Commenced	2 January 2015

Termination of Units Plans and Unit Title Schemes Amendment Regulations 2015 (SL No. 34, 2015)

Notified	23 December 2015
Commenced	23 December 2015

3**GENERAL AMENDMENTS**

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: r 1.

4**LIST OF AMENDMENTS**

r 4	amd No. 34, 2015, r 3
r 7	amd No. 34, 2015, r 4