



BCCM PRACTICE DIRECTIONS

Table of context

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

Practice direction number and title	Page
1. Internal dispute resolution.....	2
2. Conciliation applications.....	4
3. Adjudication applications.....	7
4. Interim orders.....	11
5. Administrator appointments.....	14
6. Emergency applications.....	16
7. Consent orders.....	17
8. Alternative insurance orders.....	18
9. Representation.....	19
10. Application fees and costs orders.....	20
11. Communication and correspondence.....	22
12. Specialist adjudication.....	25

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 1

Internal dispute resolution

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

1. Internal dispute resolution (also referred to as self-resolution) refers to the resolution of a dispute between the parties involved, using either:
 - informal processes such as written communication between the parties, or
 - body corporate processes including:
 - submitting a motion for consideration at a general meeting, or
 - making a written request to the committee to consider the matter.
2. If the applicant fails to demonstrate either that they have reasonably attempted internal dispute resolution, or that internal dispute resolution is not appropriate in the circumstances, the Commissioner may reject the application.
3. The Commissioner will decide, on a case-by-case basis, what constitutes sufficient internal dispute resolution efforts and supporting evidence. The following are examples of attempts and evidence that are generally considered sufficient:

Example: *The applicant lot owner requires committee approval for something and makes a written request to the committee. The applicant provides a copy of the committee meeting minutes denying their request. They also provide evidence of their attempts to find out from the committee why it denied the request and whether giving further information or making a revised request would get the committee to give approval.*

Example: *The applicant lot owner requires a general meeting resolution to pursue a particular matter. They submit a motion for consideration at the annual general meeting, but it does not pass. To evidence internal resolution the applicant provides:*

- a copy of the meeting minutes confirming the motion failed to pass, and
- copies of:
 - written communication or relevant material exchanged between them and the body corporate prior to the motion being considered at the general meeting, and / or
 - written correspondence sent to the committee after the general meeting decision, advising that they consider themselves to be in dispute with the body corporate and inviting options to resolve the dispute.

Example: *The applicant lot owner is in dispute with another occupier about causing nuisance and an alleged by-law breach. The applicant provides evidence of unsuccessful attempts to resolve the issue directly with the other person as well as efforts to involve the body corporate, specifically by submitting a BCCM form 1 notice to the committee requesting a by-law contravention notice be issued.*

Example: *The applicant body corporate has a dispute with an occupier about breaching a by-law. The applicant provides evidence of giving the occupier a properly completed by-law contravention notice about its concerns. The applicant also provides evidence that the occupier has continued to breach the by-law.*

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 2

Conciliation applications

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

What is department conciliation?

1. Where parties to a dispute about rights or obligations under the Act cannot resolve the dispute privately between themselves, they may apply for department conciliation to help guide them towards an agreed non-binding resolution.
2. A conciliator is an independent person with knowledge of the legislation and experience in dispute resolution.
3. Parties who wish to arrive at a *legally binding* agreed resolution through the conciliation process should also see [Practice Direction 7 – Consent orders](#).
4. If the Commissioner considers that the dispute is not suitable for conciliation, the applicant may instead be invited to apply for department adjudication to resolve the dispute through an adjudicator's binding order.

Example: *The dispute cannot be resolved through conciliation because it requires a decision which can only be made by owners at a general meeting.*

Example: *The applicant cannot reasonably be required to conciliate with the other party because there is a genuine fear of violence.*

Application

5. An application for department conciliation must be made on [BCCM form 22](#), with reference to the [Guide to completing the conciliation form](#).
6. The applicant must also immediately pay the prescribed conciliation application fee or apply for a fee waiver. For further information, see [Practice Direction 10 – Application fees and costs orders](#).
7. An application must be:
 - typed or clearly handwritten on the prescribed form
 - complete and compliant with the legislation and relevant practice directions
 - compliant with a Commissioner's request to give further information or documents
 - not false or misleading, including by omission.

8. Where the applicant is:

- a body corporate, it must provide a copy of the committee or general meeting resolution authorising the application, or
- otherwise not a natural person (e.g. a company or body corporate), or is a natural person represented by another person, the applicant must provide evidence that the application is authorised by it or them.

Internal dispute resolution

9. The applicant must explain what steps they took to resolve the dispute directly with the other party before making the conciliation application and provide supporting information and evidence.
10. Otherwise, the applicant must explain why self-resolution is not appropriate in the circumstances. For further information, see [Practice Direction 1 – Internal dispute resolution](#).

Outcomes sought

11. The applicant must clearly and briefly state their desired outcomes from the process.
12. The applicant must identify, for each desired outcome, an appropriate respondent and any person who would be directly and materially affected by the outcome.

Background to the dispute

13. The applicant must clearly and briefly describe the background to the dispute, including:
- the nature, circumstances and history of the dispute, and
 - why they are entitled to each outcome.
14. The background statement must:
- be relevant to the dispute, clear and as brief as is reasonable in the circumstances
 - not be provided merely to inflame a dispute or disparage a person
 - not be false or misleading, including by omission, and
 - refer to and explain the relevance of any included document, and the relevant parts of any large document must be identified.
15. Applicants are encouraged to state, where known, the legislation, by-laws, legal principles, and adjudication decisions relevant to their desired outcomes.
16. A document provided with the application must:
- be relevant to the dispute
 - be clear, legible and clearly labelled or identifiable, and
 - not be false or misleading, including by omission.
17. An email must not exceed 15MB including attachments, and emails and their attachments must be clearly named. See further [Practice Direction 11 – Communication and correspondence](#).

Amending an application

An applicant may request that their application be amended, and they may provide additional information at any time *before* the Commissioner has referred their application to conciliation.

Conciliation session

18. During the conciliation session, a participant must make reasonable efforts to resolve the dispute and must not act in a way intended or likely to unreasonably harass, annoy, intimidate, or cause detriment to a person, or otherwise abuse the conciliation process.
19. A party must make reasonable efforts to be available for a proposed conciliation session time, personally or by an authorised representative.
20. A request to reschedule a conciliation session must be made in writing prior to the scheduled date, explaining the need to reschedule and proposing at least two alternative dates which are no more than three weeks from the original scheduled date.
21. A party authorising a person to represent them must inform the conciliator as soon as possible of any limits on the representative's authority to make decisions for the party. For further information, see also [Practice Direction 9 – Representation](#).
22. A participant who requires assistance or special arrangements for the conciliation session (e.g. a language interpreting service or assistance with meeting technology) must inform the conciliator as soon as possible.

Privacy and confidentiality

23. Information and documents submitted in a dispute resolution application will be available or provided to other parties.
24. The Commissioner must keep, and is not authorised to delete or return, information and documents provided to this Office.
25. A person who wishes to keep their identity or information private or confidential is encouraged to raise that concern before providing such material.
26. The Commissioner may decline to accept an application, information or documents if terms of their distribution and use cannot be agreed.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 3

Adjudication applications

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

What is department adjudication?

1. Where a dispute about the Act or a community management statement cannot be resolved directly between the parties or through department conciliation, a party may apply for a department adjudicator to make an order to resolve it.
2. An adjudicator's order is a final and legally binding resolution and is appealable except where the order is made by the consent of the parties.
3. See also:
 - if a temporary interim order is requested, [Practice Direction 4 – Interim orders](#)
 - if an emergency order is requested, [Practice Direction 6 – Emergency applications](#)
 - if an administrator is requested, [Practice Direction 5 – Administrator appointments](#)
 - for disputes required by the Act to be decided by a specialist adjudicator, [Practice Direction 12 – Specialist adjudication](#)
 - if the parties request orders made by agreement, [Practice Direction 7 – Consent orders](#)
 - if an alternative insurance order is requested, see instead [Practice Direction 8 – Alternative insurance orders](#).

Making an application

4. An adjudication application must be made on [BCCM form 15](#), with reference to the [Guide to completing the adjudication form](#).
5. The applicant must also immediately pay the prescribed adjudication application fee or apply for a fee waiver. See also [Practice Direction 10 – Application fees and costs orders](#).
6. The application must be:
 - typed or clearly handwritten
 - complete and compliant with the legislation and relevant practice directions
 - compliant with a Commissioner's request to give further information or documents
 - not false or misleading, including by omission, and
 - not made or conducted in a way intended or likely to unreasonably harass, annoy, intimidate, or cause detriment to a person, or is otherwise an abuse of process.

Authority to make the application

7. If the applicant is a body corporate, it must provide a copy of the committee or general meeting resolution authorising the application.
8. A body corporate application to change its financial year requires a general meeting resolution to apply for the order.
9. If the applicant is otherwise not a natural person, it must provide evidence that the person lodging the application is authorised to act for it (e.g. evidence that the person is a director of the company).
10. If the applicant is a person represented by another person, the applicant must provide evidence that the other person is authorised to act for them (e.g. a power of attorney).

Internal dispute resolution

11. The applicant must describe and provide evidence of their attempts to resolve the dispute prior to lodging the application, both directly with the respondent (internal dispute resolution or 'self-resolution') and through department conciliation.
12. Otherwise, the applicant must explain why self-resolution and conciliation are not appropriate in the circumstances.
13. For further information, see also [Practice Direction 1 – Internal dispute resolution](#).
14. An exception applies where the applicant seeks a declaratory order about the operation of the Act which does not involve a dispute with another party.

Outcomes sought

15. The applicant must clearly and briefly state their requested outcomes.
16. The applicant must identify, for each requested outcome, an appropriate respondent and any person who would be directly and materially affected by the outcome (an 'affected person'), unless the exception in paragraph 14 above applies.

Grounds for outcomes

17. The applicant must make their initial submission in support of their requested outcomes in the 'Grounds' part of their application.
18. The submission must be clear and detailed, including:
 - the nature, circumstances and history of the dispute
 - why they are entitled to each outcome, and
 - where known, any legislation, by-law, legal principle, or other decision, which may be relevant to their application.
19. Refer further to *Submissions and documents*, below.

Submissions and documents

20. The Commissioner will, where required or appropriate, invite other parties to make a submission in response to the application.

21. The Commissioner will invite the applicant to inspect or get copies of any other party's submission and to make a submission in reply (except on an interim order application).
22. A submission must:
 - be relevant to the application, clear and detailed, and as brief as is reasonable
 - refer to, and explain the relevance of, any included document, and the relevant parts of any large document must be identified
 - not be provided merely to inflame a dispute or disparage a person
 - not be false or misleading, including by omission, and
 - if the submission is made by a person in their capacity as a committee member, indicate whether the submission is agreed to by all of the committee.
23. Further, the applicant's reply submission must be limited to matters raised by others in their submissions.
24. A document provided with the application or a submission must:
 - be relevant to the application or submission
 - be clear, legible and clearly labelled or identifiable, and
 - not be false or misleading, including by omission.
25. An email must not exceed 15MB including attachments, and emails and their attachments must be clearly named. See further [Practice Direction 11 – Communication and correspondence](#).
26. A submission or reply submission must be received by 5pm on the specified date. A person who requires additional time must give written reasons for the request before the due date. The Commissioner may approve or deny the request for an extension of time to make a submission.
27. Information and documents provided for a conciliation application for the same dispute, or for any other conciliation or adjudication application, will not be transferred to the new adjudication application by the Commissioner's Office.
28. If relevant information or documents are to be relied upon but are not within the person's knowledge, possession or control, the person must identify who has such information and/or where it is likely to be held.

Amending an application

29. After submissions have been invited from other parties, the applicant may not amend an application or submit additional information or documents, except with permission.
30. The Commissioner may deny an applicant permission to amend their application or may give permission in part or on condition (e.g. the Commissioner may give permission on the condition that the applicant distribute the amendment or addition to other parties at the applicant's own expense).

Privacy and confidentiality

31. Information and documents submitted in a dispute resolution application will be available or provided to other parties.
32. The Commissioner must keep, and is not authorised to delete or return, information and documents provided to this Office.

33. The adjudicator must give detailed reasons for their decision, including information about the parties and their circumstances. The Commissioner publishes adjudication orders and reasons online (www.austlii.edu.au) and also must make them available to interested parties.
34. A person who wishes to keep their identity or information private or confidential is encouraged to raise that concern before providing such material.
35. The Commissioner may decline to accept an application, information or documents if terms of their distribution and use cannot be agreed.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 4

Interim orders

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

What is an interim order?

1. An interim order is a temporary order designed to stop harm or disadvantage occurring while an application for a final order is being processed and decided.
2. An interim order is not appropriate in all adjudication applications. Examples of appropriate interim order applications are provided below.
3. An applicant who wants a final order in an emergency should instead consider applying for an emergency referral—refer to [Practice Direction 6 – Emergency applications](#).

Example: *A committee seeks emergency spending authorisation because a burst water pipe is causing serious damage to property. The spending on the repair works otherwise needs approval from owners in a general meeting, as the cost is above the committee's usual spending limit, but that delay will lead to further damage.*

4. Alternatively, if significant harm is occurring but it is not an emergency, an applicant for a final order may ask for it to be dealt with more quickly than usual ('expedited').

Example: *A lot is uninhabitable due to mould.*

5. The Commissioner will not give notice of an interim order application to the respondent or affected parties or invite submissions from them.
6. However, the adjudicator may decide to invite a submission from the respondent if appropriate and time permits. This may be on condition that the respondent gives a written undertaking not to take further steps until the adjudicator decides the interim order application.
7. There is no right for the applicant to reply to submissions on an interim order application.

Requirements for an interim order application

8. An application for an interim order must be made as part of an application for a final order, on [BCCM form 15](#), with reference to the [Guide to completing the adjudication form](#). See also [Practice Direction 3 – Adjudication applications](#).

9. Because an interim order application may be decided without submissions from the respondent and affected persons, the application must fully provide all of the relevant facts, evidence, and arguments, both for and against the application.
10. An applicant is encouraged to inform the respondent that they intend to make an interim order application unless the respondent agrees not to take further steps in relation to the dispute, and to include any response in their application materials.
11. An interim order application must address the following:
 - the applicant's grounds for the final outcomes sought by the application and how the interim order is related to a final outcome.
 - the facts, evidence and arguments favouring both sides of the dispute
 - why there is an urgent need for, or the nature of the circumstances require, an interim order
 - if the applicant delayed making the application, why the delay was reasonable in the circumstances or unavoidable
 - the likely harm or disadvantage to the applicant if the interim order is not made
 - the likely harm or disadvantage to the respondent if the interim order is made, and
 - the applicant's attempts to stop the harm or disadvantage occurring.

Examples of appropriate interim order applications

12. The following are examples of appropriate interim order applications:

Example: *The applicant body corporate is concerned that a lot owner who is renovating their lot is also doing works which will alter common property without the required body corporate approval. The body corporate requests a final order that the lot owner must cease the work or get body corporate approval.*

The body corporate is concerned the owner may alter the common property in the meantime. The body corporate also applies for an interim order to stop the lot owner continuing with any works, until the adjudicator makes a final decision. The body corporate explains that the lot owner's works are improvements which are not urgently required and could be delayed until a final decision on their application, without significant loss or harm to the lot owner.

Before making the application, the committee tells the lot owner they will apply for interim and final orders if they do not agree to temporarily pausing the works until a final order is made, and the lot owner refuses. The applicant includes the lot owner's response in their application materials.

Example: *The applicant lot owner is being threatened with debt recovery action by the body corporate in relation to an insurance excess contribution for repairs to common property. The applicant seeks a final order that they are not liable for the debt.*

The applicant is concerned that in the meantime the body corporate will seek to enforce payment of the debt and obtain judgement against them, which would affect their ability to pay other large upcoming bills. The lot owner therefore also applies for an interim

order to stop the body corporate taking any debt recovery action, until the adjudicator makes a final decision. The applicant explains that there would be no harm caused to the body corporate by temporarily delaying recovery of the debt if in fact they are entitled to do so.

Before making the application, the applicant tells the committee they will apply for interim and final orders if they did not agree to temporarily pausing the debt recovery action until a final order is made, and the committee refuses. The applicant includes the committee's response in their application materials.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 5

Administrator appointments

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

1. An adjudicator may make an order appointing an administrator with some or all the powers of the body corporate, the committee or a member of a committee.
2. An administrator will be appointed only if the body corporate cannot or likely will not perform its functions or comply with its obligations. An administrator generally will not be appointed if the underlying dispute could be resolved by more direct means (for example, an adjudicator's order that the body corporate undertake maintenance).
3. The proposed administrator must be suitably qualified or experienced, for example a lawyer or a body corporate manager.
4. The following is an example of an appropriate appointment:

Example: *The body corporate does not have a committee and therefore is unable to call and hold an annual general meeting to consider statutory motions and elect a committee.*

An administrator is appointed with all the powers of the committee to call and hold an annual general meeting, within 3 months of the order, to consider statutory and proposed motions and elect a committee.

The appointment lasts until the meeting is held and a compliant committee is formed or until the owners resolve to appoint a body corporate manager to carry out functions of a committee and executive members.

5. The applicant must:
 - propose a period for the administrator appointment and describe the tasks and powers they propose the administrator should be given, and
 - explain why an administrator appointment on the terms proposed is necessary.
6. The applicant must also nominate the person they wish to be appointed and provide:
 - the name and contact details of the nominee
 - details of the nominee's qualifications, experience or other basis for their suitability
 - details of the nominee's fees, charges and other relevant terms and conditions, and

- a statement from the nominee consenting to the appointment on the agreed terms and detailing any actual, potential or perceived conflict of interest.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 6

Emergency applications

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

1. In an emergency, the Commissioner may refer an application directly to an adjudicator to decide whether to make an order without first giving notice of the application to the respondent and affected parties and/or seeking submissions from them.
2. The circumstances of an appropriate emergency referral are not limited. The following is a typical circumstance:

Example: *A burst water pipe is causing significant property damage. The repair work requires general meeting approval from owners because the cost is above the committee's authorised spending limit. A general meeting requires at least 21 days' notice, but the contractor says if it is not fixed immediately there will be significantly more damage caused.*

The body corporate therefore makes an emergency application for an order that the committee is authorised to spend the quoted amount and proceed with the works, without a general meeting resolution. The body corporate's application includes the builder's report and a detailed quote for the proposed repairs.

3. An emergency application is not appropriate if the applicant urgently needs an order with only temporary effect (for example, to stop a body corporate acting on a resolution until the adjudicator's final decision about its validity). In such a case, an interim order application may be appropriate – see [Practice Direction 4 – Interim orders](#).
4. An applicant for an emergency order must:
 - clearly request emergency referral of their application
 - explain the nature of the emergency, including what harm may be caused if there is further delay in taking the action proposed in the application
 - provide documentary support for those claims (e.g. a builder's report), and
 - for any proposed expenditure, provide at least one detailed written quotation that includes sufficient information to identify the scope of any works proposed to be carried out.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 7

Consent orders

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

1. A consent order under the Act is an adjudicator's order made with the consent of each party to a dispute resolution application.
2. A consent order:
 - is a final determination of the legal issues in dispute
 - is legally binding and enforceable, and
 - cannot be appealed.
3. A consent order:
 - may be made at any time during a conciliation or adjudication process
 - may be made about some or all of the issues in dispute, and
 - can only include matters that may be dealt with under the Act and that are consistent with the Act and other legislation.
4. Evidence of anything said or done about the dispute in the course of negotiating a consent order is not admissible in an adjudication application, unless by agreement.
5. All parties considering agreeing to a consent order are encouraged to get legal advice before consenting.
6. For a consent order arising from a conciliation agreement, a party who is a body corporate must, within 30 days after the agreement is made, give the department conciliator written notice stating that the committee has:
 - ratified the agreement
 - given a copy of the agreement to each lot owner, and
 - not received a *notice of opposition* from owners in the way specified in the relevant regulation module.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 8

Alternative insurance orders

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

1. Where a body corporate cannot obtain the insurance cover required by the legislation for parts of the scheme but has received an alternative offer for insurance which is not fully compliant, the body corporate may apply for an alternative insurance order approving it to take up that offer.
2. A body corporate seeking an alternative insurance order must provide:
 - a completed alternative insurance application form ([BCCM form 24](#))
 - a committee or general meeting resolution authorising lodgement of the application
 - the proposed alternative insurance policy
 - evidence of the full replacement value of the relevant scheme buildings
 - evidence of the unsuccessful attempts to obtain the required insurance, and
 - if the alternative insurance proposal has been considered by owners in a general meeting or otherwise, minutes of the general meeting or owners' written responses.
3. The grounds supporting the application must address:
 - any reasons insurers have given for declining to offer the required insurance, and any steps the body corporate has taken to address such reasons
 - how the proposed alternative insurance differs from the required insurance
 - details of any other alternative insurance available to the body corporate, and
 - if required insurance has been offered but its cost or some other aspect is unacceptable to owners, why it is reasonable not to accept that offer.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 9

Representation

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

Authorising a representative

1. A person involved in a dispute resolution application as a party or affected person may nominate another person to act as their authorised representative in the process.
2. The Commissioner's Office retains the discretion to contact a person directly and to decline to deal with an authorised representative.
3. Where a person wants a *legal practitioner* to act on their behalf, it will be sufficient for the legal representative to state in writing that they currently hold instructions to act for that person.
4. Where a person wants someone *other than a legal practitioner* to act on their behalf, the person must provide written authorisation for the other person to represent them.
5. A person who wishes to withdraw their representative's authority to act for them must do so in writing.

Assistance at a conciliation session

6. The conciliator decides who is permitted to take part in conciliation. Usually, that is only the persons involved in the dispute. The conciliator may permit other persons to take part if it would be helpful, and that permission may be subject to conditions or limits.
7. A person who wants someone to assist them in the conciliation process must make the request to the conciliator in writing at the earliest opportunity.
8. Legal representation is generally not permitted in the conciliation process.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 10

Application fees and costs orders

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

Application fees

1. The applicant must pay the prescribed fee when submitting an application unless a fee waiver application is made and approved.
2. Information about current fees and payment methods is available at:
www.qld.gov.au/law/housing-and-neighbours/body-corporate/disputes/fees.
3. Upon request, payment can be partially refunded if the applicant paid more than the prescribed fee.
4. A payment is not refundable if the application is:
 - withdrawn by the applicant
 - rejected by the Commissioner
 - unsuccessful, or
 - appealed.
5. However, refer to **Application costs orders** (below) for further information or possible exceptions.

Fee waiver

6. The Commissioner may, at their discretion, waive the fee for a conciliation or adjudication application where payment of the fee would cause the applicant financial hardship.
7. An applicant seeking a fee waiver for financial hardship must complete [BCCM form 23: Application - Waiver of fee](#) and provide all requested supporting information and evidence by the requested date.
8. Where the Commissioner has rejected a conciliation application for a dispute on the grounds that it is not suitable for conciliation, the Commissioner may decide to waive the fee for an adjudication application lodged by the applicant for the same dispute.
9. The Commissioner may waive the conciliation application fee where an application for adjudication has been rejected by the Commissioner on the basis that the applicant should first attempt conciliation for the same dispute.

Application costs orders

10. A party to a dispute resolution application must expect to meet their own costs, including:
 - the application fee
 - the fee for inspecting or obtaining a copy of the application or submissions
 - personal costs incurred to attend a conciliation session, and
 - legal or other professional advice costs incurred in making or responding to an application.
11. Neither the Commissioner nor a conciliator has power to award costs against another party.
12. For an adjudication application, as described below, the adjudicator has only limited power to make an order about costs.

Respondent's failure to participate

13. Where a respondent fails to participate in department conciliation without a reasonable excuse and the applicant then seeks an adjudicator's order about the same dispute, the adjudicator may, if requested and at their discretion, order the respondent to reimburse the applicant for the conciliation and adjudication application fees.
14. The applicant must request the order in writing.

As part of an order dismissing an adjudication application

15. In the event an adjudicator dismisses an application for being frivolous, vexatious, misconceived or without substance, the adjudicator may, at their discretion, also order the applicant to compensate a respondent, the body corporate, or another affected person up to \$2,000 for a cost or loss resulting from the application (for example, the cost of legal advice).
16. A person seeking compensation for costs or loss must include a written request for such order with their submission about the application and must also provide evidence of the amount and nature of the cost or loss.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 11

Communication and correspondence

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

Appropriate communication

1. All communications whether verbally or in writing with the Commissioner's Office and other parties must be conducted respectfully, and without dishonesty, abuse, threat or intimidation.
2. Additionally, a lawyer must communicate with the Commissioner's Office and other parties according to legal profession rules about professional conduct and as if the dispute resolution service is a court process.
3. The Commissioner may put special communication rules in place for a particular person in response to inappropriate communication and may, without notice, refer a lawyer's inappropriate conduct to the legal profession regulatory body.

Communication assistance

4. Persons who wish to have communication assistance, for example a language interpreter, should advise the Commissioner's Office as early as possible.

Correspondence

5. The Commissioner's Office prefers to receive correspondence and documents by email at:
bccm@justice.qld.gov.au.
6. If a person is unable to use email, they may submit correspondence by:
 - post to:
Office of the Commissioner for Body Corporate and Community Management
GPO Box 1049
BRISBANE QLD 4001
 - hand-delivery to:
Level 4, 154 Melbourne Street
SOUTH BRISBANE QLD 4101.

7. The Commissioner's Office will not accept documents requiring download from a portal, cloud-based server or other internet source. Documents provided on a data storage device (e.g. a USB or, external hard-drive) or from writable media (e.g. a DVD or Blu-Ray disc) will not be accepted.
8. Where an email address has been provided for a person, the Commissioner's Office will routinely use that for written communication with the person. A person may request to receive written communication from the Commissioner's Office instead by post, but must allow for delayed delivery.

Application file reference number

9. Persons corresponding with the Commissioner's Office about a particular dispute resolution application must refer to the unique file reference number assigned to the application prominently in their correspondence. Where the file reference number is not known, the person corresponding with this office must identify the body corporate scheme by name.

Signatures

10. Where a signature is required on a document, an electronic signature is acceptable.

Email size and electronic file format

11. An email sent to the Commissioner's Office must not exceed 15MB including attachments. For an email exceeding 15MB in total, the sender must:
 - reduce the size of the attachments
 - send the attachments in multiple emails, or
 - post or hand deliver the documents to the Commissioner's Office.
12. Where attachments are sent in a series of emails, the subject line of each email must identify the email's part in the series, and the total number of emails to be received.

Example: *Adjudication Application Ref No 9999-2025_Email 1 of 5*

13. Each attached file must be named to clearly identify its contents or significance. Where an email has multiple attachments to be read in a particular sequence, each file name must include an identifying number to indicate the sequence.

Example: *Att 1_Inspection report_1 Jan 2025.doc*
Att 2_Committee minute_2 Jan 2025.doc
Att 3_Email to caretaker_3 Jan 2025.msg

14. Electronic files must be in a commonly-used file format which is compatible with the Microsoft operating system, e.g. Word, PDF, JPEG, MP3, MP4.
15. The Commissioner's Office will not accept a password protected electronic file, an unfamiliar file format, or a file which is suspected to be infectious or malicious.

Persons who are overseas

16. A person who is overseas during any part of the dispute resolution process should consider nominating a representative located in Australia to be authorised to deal with correspondence on their behalf. See further [Practice Direction 9 – Representation](#).

17. The Commissioner's Office will ordinarily correspond in writing with an overseas person by email and standard text messaging applications.
18. The Commissioner's Office will not make an international telephone call to a person. A person may call from overseas at their own expense.
19. A person may use Microsoft Teams calling, by prior arrangement.
20. Calls from overseas will only be accepted in normal business hours, Queensland time, unless by prior arrangement.

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.





PRACTICE DIRECTION 12

Specialist adjudication

Practice directions are issued pursuant to [section 233](#) of the *Body Corporate and Community Management Act 1997* (the Act). They provide directions and information about internal dispute resolution processes and the Commissioner's dispute resolution service. Practice directions must be interpreted and applied consistently with the Act. They do not limit the discretion of the Commissioner or dispute resolution coordinators when assessing individual applications. Anything done by a person for internal dispute resolution or the dispute resolution service is subject to any relevant practice direction.

What is specialist adjudication?

1. Some disputes about the Act cannot be decided by a department adjudicator and instead are decided by a specialist adjudicator. A specialist adjudicator is usually a lawyer with experience in the area of law to which the dispute relates.

Applying for specialist adjudication

2. An application for specialist adjudication must be made on [BCCM form 15](#), with reference to the [Guide to completing the adjudication form](#), and accompanied by the prescribed fee.
3. For a complex dispute, the applicant must provide the following:
 - the name and contact details of the person they are nominating for appointment as the specialist adjudicator for the dispute
 - a statement from the nominee consenting to the appointment
 - a statement from the nominee confirming they have no prior knowledge or involvement with any party to the dispute that could give rise to a possible or perceived conflict of interest in determining the dispute
 - details of the nominee's qualifications, experience and standing to determine the dispute
 - written agreement from the respondent to the nomination and to their remuneration, and
 - written confirmation from the nominee of their agreement to the amount of remuneration.
4. For an application disputing the outcome of an economic reasons resolution in a termination process, the applicant must provide the following:
 - the name and contact details of the nominee for appointment as the specialist adjudicator for the dispute
 - a statement from the nominee consenting to the appointment
 - a statement from the nominee confirming they have no prior knowledge or involvement with any party to the dispute that could give rise to a possible or perceived conflict of interest in determining the dispute
 - details of the nominee's qualifications, experience and standing to determine the dispute, and

- evidence from the body corporate that it is understood it is liable to pay for the specialist adjudicator unless the application is deemed frivolous or vexatious.
5. Where a body corporate is a party to an application for specialist adjudication, a committee resolution is sufficient to demonstrate the body corporate's agreement with the nominee's appointment and remuneration as specialist adjudicator. However, a general meeting resolution may be required if the arrangements for payment of the nominee's remuneration exceeds the committee's spending limit.

Finding a specialist adjudicator

6. If you need help finding a specialist adjudicator, you may wish to contact the Australian College of Strata Lawyers (www.acsl.net.au).

COMMISSIONER FOR BODY CORPORATE AND COMMUNITY MANAGEMENT

Version 1
Effective 1 July 2025

The material presented in this publication is distributed by the Queensland Government for general information only, it is not legal advice. The Queensland Government reserves the right to change and update the material without notice and makes all reasonable efforts to ensure the material presented in this publication is current, accurate and complete. To the extent permitted by law, the Queensland Government makes no statements, representations or warranties about the accuracy or completeness of the material presented in this publication. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

This publication may contain links to third-party websites and materials. The Department of Justice is not responsible for the privacy or security practices or the content of such websites. The department does not warrant, guarantee or make any representations regarding the correctness, accuracy, reliability, currency, or any other aspect regarding characteristics or use of the information on these sites. The fact that we have referred you to these sites does not serve as an endorsement by our department of any of these sites.

