Office of the Commissioner for Body Corporate and Community Management



PRACTICE DIRECTION 11 Communication and correspondence

Practice directions are issued pursuant to <u>section 233</u> 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 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: <u>bccm@justice.qld.gov.au</u>.
- 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 <u>not</u> 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 <u>not</u> 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 <u>Practice Direction 9 – Representation</u>.

- 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

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