

LEGISLATIVE COUNCIL

CONSUMER LEGISLATION AMENDMENT BILL 2026

(Amendments to be proposed in Committee by MELINA BATH)

1. Clause 40, line 9, after "charge" insert "due and".
2. Clause 40, line 11, after "charge" insert "due and".
3. Clause 40, after line 28 insert—
 - "(1A) Before deciding to accept or refuse a request under subsection (1), the specified owners corporation must take into account the following—
 - (a) any hardship experienced by the lot owner;
 - (b) the lot owner's capacity to pay the fees and charges the subject of the request;
 - (c) any other arrangements the lot owner may make to repay the fees and charges;
 - (d) the costs of insurance, safety, utilities expenses and solvency requirements of the specified owners corporation."
4. Clause 40, page 53, after line 11 insert—

"32FA Contents of payment plan

A payment plan must set out the following details—

 - (a) the total amount of fees or charges the subject of the payment plan;
 - (b) the amount of any instalments for repayment of the fees or charges;
 - (c) any interest payable on the fees or charges;
 - (d) the consequences of complying with the payment plan, including a lot owner's entitlement to vote and the effect of section 32HA;
 - (e) the consequences of failing to comply with the terms of the payment plan."
5. Clause 40, page 53, line 13, before "A specified" insert "(1)".
6. Clause 40, page 53, after line 16 insert—
 - "(2) In addition, an owners corporation may vary the terms of a payment plan for urgent repayment of the fees and charges subject to the payment plan in emergency circumstances, without the written agreement of the lot owner who is subject to the payment plan.
 - (3) An owners corporation must give written notice of a variation under subsection (2) to the lot owner who is subject to the payment plan within 28 days after the variation."

7. Clause 40, page 53, after line 28 insert—

"32HA Owners corporation committee may review payment plans

An owners corporation committee of a specified owners corporation may review a payment plan entered into by the specified owners corporation at a meeting of the committee.

32HB Owners corporation must not recover debt if lot owner complying with terms of payment plan

If a specified owners corporation has entered a payment plan with a lot owner and the lot owner is complying with the terms of the payment plan, the specified owners corporation must not recover any amount owed under the payment plan including by employing or contracting a person who provides debt collection services."