**Scheme By-laws – Application to Amend**

*Strata Titles Act 1985*

Part 4 Division 4

Scheme Number: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

The Owners of [[1]](#footnote-2) **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (strata company):

**Part 1 – Application to Amend**

In compliance with the *Strata Titles Act 1985* section 56 and the *Strata Titles (General) Regulations 2019* Regulation 56, applies to the Registrar of Titles to register an amendment to the strata titles scheme by amending the scheme by-laws and registering a consolidated set of scheme by-laws.

and certifies that:

By resolution without dissent, the voting period for which opened on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and closed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (and which must be registered within 3 months from closing date) the

[ ]  **additions**/ [ ]  **amendments**/ [ ]  **repeal****[[2]](#footnote-3)** to the Governance by-laws were made as detailed here.

[Insert Governance by-law(s) additions, amendments or repeal and their by-law number here]

[ ] **and** / [ ] **or**2

By special resolution, the voting period for which opened on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and closed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (and which must be registered within 3 months from closing date) the

[ ]  **additions**/ [ ]  **amendments**/ [ ]  **repeal** 2 to the Conduct by-laws were made as detailed here.

[Insert Conduct by-law(s) additions, amendments or repeal and their by-law number here]

The strata company further certifies that the consolidated by-laws provided in **Part 2** are all the current by-laws for the scheme.

**Part 2 – Consolidated By-laws of Scheme Number:**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Governance By-Laws**

[Insert Governance by-law(s) and their by-law number here]

**Conduct By-Laws**

[Insert Conduct by-law(s) and their by-law number here]

**Part 3 – By-laws of Significance**

The strata company acknowledges that the following Governance by-laws need consent from a party other than the strata company if they are to be made, amended or repealed. For more information about who these parties are, refer to the *Strata Titles Act 1985* and the *Strata Titles (General) Regulations 2019*:

|  |  |
| --- | --- |
|  | By-law number(s) |
| **Staged subdivision by-laws[[3]](#footnote-4)**: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| **By-law under planning (scheme by-laws) condition[[4]](#footnote-5):** | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| **Exclusive use by-laws[[5]](#footnote-6)**: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
|  |  | Western Australian Planning Commission approval number (if applicable)[[6]](#footnote-7): |
| **Leasehold by-laws[[7]](#footnote-8):** | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

**Part 4 – Attachments**

|  |
| --- |
|[ ]  **Consent Statement – Designated Interest[[8]](#footnote-9) Holders**, to staged subdivision by-laws |
|  |  |
|[ ]  **Consent of the Owner of the Leasehold Scheme[[9]](#footnote-10)**, to leasehold by-laws or staged subdivision by-laws |
|  |  |
|[ ]  Written consent of owner of each lot granted exclusive use (owners of special lots) |
|  |  |
|[ ]  Written consent of WAPC or Local Government (as relevant) to amendment or repeal of any by-laws created in relation to a planning (scheme by-laws) condition  |

|  |
| --- |
|[ ]  Approval of WAPC to making, amendment or repeal of leasehold by-laws providing for postponement of the expiry day for the scheme  |

**Part 5 – Execution**

|  |  |
| --- | --- |
| 1. Common Seal[[10]](#footnote-11)

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_The common seal of[[11]](#footnote-12)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is fixed to this document in accordance with the *Strata Titles Act 1985* section 118(1) in the presence of: | [AFFIX COMMON SEAL HERE] |
| Member of Council[[12]](#footnote-13): | Member of Council12: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |

**OR**

|  |
| --- |
| 1. No Common Seal10

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_Signed for and on behalf of11 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in accordance with the *Strata Titles Act 1985* section 118(2): |
|  |
| [ ]  Member of Council / [ ]  Strata Manager of strata company[[13]](#footnote-14): | [ ]  Member of Council / [ ]  Strata Manager of strata company13: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |

|  |  |  |  |
| --- | --- | --- | --- |
| Lodged by:[[14]](#footnote-15)  | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |  | Instruct if any documents are to issue to other than Lodging Party **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Address: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Phone Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Fax Number:  | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Reference Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Issuing Box Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
|  |  |  |
| Prepared by: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |  |  |
| Address: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Phone Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Fax Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Reference Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
|  |  |  |
| Titles, Leases, Evidence, Declarations etc. lodged herewith 1. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**2. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**3. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**4. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**5. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |  | **OFFICE USE ONLY**Landgate OfficerNumber of Items Received: \_\_\_\_\_ Landgate Officer Initial: \_\_\_\_\_\_ |

1. To be completed as “[scheme name + scheme type + scheme no]” under s.14(2) of the Act, e.g. Pretty Ponds Survey-Strata Scheme 12345. [↑](#footnote-ref-2)
2. Select whichever is applicable. [↑](#footnote-ref-3)
3. Refer *Strata Titles Act 1985* section 42. [↑](#footnote-ref-4)
4. Refer *Strata Titles Act 1985* section 22. [↑](#footnote-ref-5)
5. Refer *Strata Titles Act 1985* section 43. [↑](#footnote-ref-6)
6. Refer *Strata Titles Act 1985* section 20. [↑](#footnote-ref-7)
7. Refer *Strata Titles Act 1985* section 40. [↑](#footnote-ref-8)
8. Refer section 3(1) of the Act for meaning of designated interest. [↑](#footnote-ref-9)
9. Owner of the leasehold scheme has the meaning in section 3(1) of the Act. [↑](#footnote-ref-10)
10. See SIG-14 for execution of documents by a strata company. [↑](#footnote-ref-11)
11. Insert the name of the strata company (i.e. The Owners of + scheme name + scheme type + scheme number), e.g. The Owners of Pretty Ponds Survey-Strata Scheme 12345. [↑](#footnote-ref-12)
12. The common seal must be witnessed by 2 members of council. [↑](#footnote-ref-13)
13. Select whichever is applicable. [↑](#footnote-ref-14)
14. Lodging Party Name may differ from Applicant Name. [↑](#footnote-ref-15)