By-law enforcement process

Owner or occupier identifies another owner or occupier (**accused person**) is contravening a body corporate by-law

Owner or occupier (**complainant**) issues a BCCM Form 1 to the committee with sufficient details / evidence to show a by-law contravention by the **accused person**

Body Corporate resolves not to take action or does not advise the **complainant** within 14 days that a contravention notice has or will be issued

Complainant can lodge a conciliation application (BCCM Form 22) against the **Body Corporate** requesting enforcement of the by-law against the **accused person**
(a copy of the BCCM Form 1 issued previously must be included)
*must name the **accused person** as an affected person

Complainant can seek to resolve the by-law contravention directly with the **accused person**
(this is called internal dispute resolution)

Complainant can lodge a conciliation application (BCCM Form 22) against the **accused person** regarding the by-law contravention (must include Form 1 and copy of attempts to resolve the dispute directly with the **accused person**)

Body corporate identifies an owner or occupier (**accused person**) is contravening a body corporate by-law

Body Corporate reasonably believes a contravention has occurred and resolves to issue a by-law contravention notice to the **accused person** (may use the BCCM Form 10 or BCCM Form 11)

Contravention remedied by **accused person**

Contravention is not remedied by the **accused person**

Body Corporate can lodge a conciliation application (BCCM Form 22) against the **accused person**

Body Corporate can proceed to the Magistrates Court to enforce the by-law (fines can be imposed)

If the matter does not resolve after department conciliation (BCCM Form 22) a party to the conciliation application can lodge an adjudication application (BCCM Form 15) with the BCCM Office.