



Brisbane City Council

Local Law

**(Caravan Parks and Relocatable
Home Parks) 2000**

BRISBANE CITY COUNCIL

LOCAL LAW

(CARAVAN PARKS AND RELOCATABLE HOME PARKS) 2000

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PART 1: PRELIMINARY

Citation

1. This local law may be cited as Local Law (Caravan Parks and Relocatable Home Parks) 2000.

Objects

2. The objects of this local law are to:
 - (a) ensure that Residential Parks are properly operated and maintained;
 - (b) safeguard the health, safety and amenity of residents in those Residential Parks and of the community and the environment in which the Residential Parks are situated;

Definitions

3. In this local law:

"the Act" means the Local Government Act 1993;

"annex" means any structure of any material attached to a caravan or relocatable home and used as an extension of the living space of that caravan or relocatable home;

"appropriate acts" means the Residential Tenancies Act 1994 and the Mobile Homes Act 1989 so far as they are capable of applying to Residential Parks and residents of Residential Parks under this local law;

"authorised officer" means a person authorised by Council to give the certificate referred to in section 29;

"authorised person" includes:

- (a) a person authorised by Council to exercise the powers of an authorised person under this local law; and
- (b) an authorised person within the meaning of the Act;

"building" includes part of a building;

"cabin" means a separate dwelling containing the characteristics specified from time to time in a Subordinate Local law;

"caravan" means a trailer or motor vehicle designed and/or adapted and/or used for human habitation and includes any annex attached to it;

"caravan park" means any facility where:-

- (a) sites are made available for residents to station their own caravans; and/or
- (b) complementary accommodation is permitted or made available;

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for the purpose of residential use whether temporary or permanent;

"complementary accommodation" means accommodation in:-

- (a) an onsite caravan;
- (b) a cabin;
- (c) a tent or similar structure that can be easily assembled and disassembled;
- (d) an on site relocatable home;
- (e) such other accommodation as is stipulated in a Subordinate Local law;

"Council" means the Brisbane City Council established under the City of Brisbane Act 1924;

"development approval" includes an approval under the Integrated Planning Act 1997;

"Manager" means the person duly nominated by the Owner as Manager of a Residential Park under section 24 of this local law;

"operate" means to make a Residential Park available for the stationing of caravans and/or relocatable homes for residential purposes whether for temporary or permanent use and/or to provide complementary accommodation;

"Owner" means any of:-

- (a) the person who is registered with Council as the Owner of the Residential Park;
- (b) the registered proprietor of the land upon which the Residential Park is situated; and
- (c) the person who operates the Residential Park;

"Residential Park" means a caravan Park or a relocatable home Park or a Residential Park that partly meets both definitions, and includes any facilities provided at that Residential Park for the personal comfort, convenience or enjoyment of residents of that Residential Park;

"relocatable home" means a structure placed on land which:-

- (a) has the character of a dwelling house;
- (b) is so designed and constructed as to permit easy relocation from one position to another;

but does not include a caravan;

"relocatable home Park" means any facility whereby predominantly:-

- (a) sites are made available for residents to station their own relocatable homes; and/or
- (b) complementary accommodation is permitted or made available;

for the purpose of residential use whether temporary or permanent;

"resident" means a person who resides in a Residential Park whether on a temporary or permanent basis;

"site" means each separate part of a Residential Park set aside for the positioning of caravans, relocatable homes and complementary accommodation.

Application

4. This law applies to Residential Parks in the City of Brisbane.

PART 2: CONTROL OF RESIDENTIAL PARKS

Residential Parks not to be operated without a permit

5. A person shall not operate or cause or permit a Residential Park to be operated unless the person is the holder of a permit issued by Council under this Part.

Maximum Penalty - 500 penalty units.

Application for permit

6. (1) An Owner must apply for a permit to operate a Residential Park by lodging with Council-
 - (a) an application in writing on the prescribed form;
 - (b) consent in writing of the registered proprietor of that Residential Park if the Owner is not the registered proprietor;
 - (c) the prescribed fee;
 - (d) detailed plans and specifications of the Residential Park;
 - (e) details of facilities;
 - (f) any other relevant matters in accordance with the specific requirements of a Subordinate Local law.
- (2) The applicant must, if Council so requires, furnish any further information or documents that Council may require to decide the application.
- (3) An application for a permit must be made within:-
 - (a) such period, prior to the proposed date of commencement of operation of a residential park, as is specified in a Subordinate Local law; or
 - (b) as otherwise specified in a Subordinate Local law.

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- (4) An application for a permit is not duly made until the applicant has complied with all the requirements of this section.
- (5) An applicant who provides with their application, information of a false or misleading nature commits an offence against this local law.

Maximum Penalty - 100 penalty units

Approval of Application

7. (1) Council may:
 - (a) approve the application;
 - (b) approve the application subject to conditions;
 - (c) refuse the application.
- (2) If Council approves the application for a permit under either sub-section (1)(a) or (1)(b), it will issue a permit in the prescribed form.
- (3) If Council refuses the application under sub-section (1)(c), it will advise the applicant in writing.
- (4) (a) An applicant may apply for a review of a decision under sub-section (1)(c) to refuse an application;
- (b) the application for review must:
 - (i) be made in the prescribed form to Council within:
 - (A) 14 days after the day on which the applicant receives notice of the original decision or Council is taken to have made the decision (the "review date"); or
 - (B) the longer period Council in special circumstances allows;
 - (ii) be supported by enough information to enable Council to decide the application;
- (c) if Council is satisfied the applicant has complied with paragraph (b), Council must, within 14 days after receiving the application:-
 - (i) review the original decision; and
 - (ii) consider any submissions properly made by the applicant; and
 - (iii) make a decision (the "review decision") to-
 - (A) confirm or revoke the original decision; or
 - (B) vary the original decision in a way Council considers appropriate;

- (d) the application does not stay the original decision;
- (e) the application must not be dealt with by:-
 - (i) the person who made the original decision; or
 - (ii) a person in a less senior office than the person who made the original decision.
- (f) within 14 days after making the review decision, Council must give written notice of the decision to the applicant;
- (g) the notice must include the reasons for the review decision;
- (h) if Council does not comply with paragraph (c) or (f), Council is taken to have made a decision confirming the original decision;
 - (i) paragraph (e) applies despite the Acts Interpretation Act 1954, section 27A.

Criteria for Approval of Application

- 8. (1) Council must consider every application having regard to:-
 - (a) whether the premises have appropriate development approval to enable the premises to be lawfully used to provide the accommodation specified in the application;
 - (b) whether the premises can be operated as a Residential Park without significant risk to the environment or the health, safety or amenity of the residents or the community in which the premises are situated;
 - (c) any applicable Commonwealth, State or local government plans, standards, agreements or requirements;
 - (d) the public interest.
- (2) Council may in a Subordinate Local law specify additional criteria to those set out in sub-section 1.
- (3) Council may in a Subordinate Local law state criteria against which applications will be assessed in the form of performance criteria and solutions acceptable to Council for addressing those criteria.
- (4) Council may approve an application which adopts the specified acceptable solutions either unconditionally or subject to conditions.
- (5) Council may approve an application which addresses the performance criteria other than by adopting the specified acceptable solutions, either unconditionally or subject to conditions.
- (6) If Council approves an application which satisfies the performance criteria:-
 - (a) either by proposing solutions acceptable to Council for meeting those criteria; or

- (b) by adopting the specified acceptable solutions;

the satisfaction of those performance criteria by those solutions becomes a condition of the permit as if it had been imposed pursuant to section 9 or sub-section (4) or (5) of this section.

Subject Matter for Conditions

9. Without limiting the power to impose conditions on a permit conferred by section 7(1)(b), Council may impose conditions relating to the following examples:

Examples:

- (a) *the number of persons for whom accommodation may be provided in the Residential Park, a site in the Residential Park, or a specified part of the Residential Park;*
- (b) *effecting specified modifications to buildings, or other specified works related to the safety of the Residential Park or the maintenance of public health standards, within a specified period;¹*
- (c) *the regular maintenance of the Residential Park (including internal and external paintwork);*
- (d) *the lighting of the Residential Park to standards and during hours as specified in a subordinate Local Law;*
- (e) *provision and maintenance of specified facilities as may be determined from time to time in a subordinate Local Law;*
- (f) *the regular cleaning of the Residential Park;*
- (g) *the Owner and/or the manager keeping specified records as may be determined in a subordinate Local Law;*
- (h) *the banning of animals from the Residential Park;*
- (l) *the maintenance of services to occupied sites: e.g. water, electricity drainage.*

Conditions and Prohibitions of Permit by Subordinate local law

10. Council may in a Subordinate Local law specify:-

- (1) conditions which:-
 - (a) must be imposed; or
 - (b) will ordinarily be imposed;

on a permit generally or in particular circumstances or on permits for particular types of Residential Parks.

¹ The proposed modification or other building work might require a development approval and permit under the Integrated Planning Act 1997.

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- (2) particular types of Residential Parks for which, or particular circumstances in which:-
 - (a) a permit must not be issued;
 - (b) a permit will not ordinarily be issued.
- (3) exemption from all or part of the requirements of this local law and Subordinate Local law either generally or in particular circumstances.

Term of Permit

11. A permit commences and terminates on the date specified in the permit.

Variation of Permit Conditions

12. (1) Council may by notice in writing to the holder of a permit under this Part, add to, vary or remove a permit condition whenever Council considers it necessary or appropriate to do so.²
- (2) When giving a notice under sub-section (1), Council must allow the Owner a period stated in the notice (to be at least 14 days) to make written representations to Council about the proposed variation of permit conditions.
- (3) Upon consideration of the representations made under sub-section (2) Council may decide to add to, vary or remove a permit condition as appropriate by notice to the Owner.
- (4) An addition, variation or removal takes effect from the time specified in the notice.

Compliance with Conditions of Permit³

13. (1) The Owner and Manager of a Residential Park which is the subject of a permit under this Part must comply with every condition of that permit.
- (2) An Owner or Manager who fails to ensure that permit conditions are complied with is guilty of an offence.

Maximum Penalty - 50 penalty units.

Renewal of Permit

14. (1) An Owner of a Residential Park holding a permit under this local law must apply to have that permit renewed for a further term from one day after the date of expiry of the current permit.
- (2) Council may renew a permit for a shorter or longer term than the term of the previous permit.
- (3) Renewal will only be granted if the prescribed application form and the prescribed fee are lodged with Council at least 5 working days prior to the expiry of the current permit applicable to that Residential Park.

² See Acts Interpretation Act 1954 :s. 39 - Service of Documents and s. 39A - Meaning of Service by Post etc.

³ See also section 8(4) of this local law.

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- (4) Failure to renew a permit and to continue to operate as a Residential Park without a permit is an offence against this local law.

Maximum Penalty - 500 penalty units.

Report on condition of Premises

15. (1) A person may apply to Council for a Certificate that the premises specified in the application, are in a fit condition to be granted a permit or a renewal of a permit under this Part or are in a fit condition to be granted a permit or a renewal of a permit subject to compliance with conditions.
- (2) The application must be made in writing and must, if Council has so determined, be made in the prescribed form and must be accompanied by-
- (a) consent in writing of the Owner of that property if the applicant is not the Owner; and
- (b) the prescribed fee.
- (3) Upon receipt of the application, an authorised person will inspect the premises the subject of the application and report in writing as soon as practicable, whether or not those premises are in a fit condition to be granted a permit or a renewal of a permit under this Part, or are in a fit condition to be granted a permit or a renewal of a permit subject to compliance with conditions and, if not, why not.
- (4) If the authorised person reports that premises are in a fit condition to be granted a permit or a renewal of a permit under this Part, Council will issue a Certificate to the person who made the application certifying that, at the inspection date specified in the certificate, the premises were in a fit condition to be granted a permit or a renewal of a permit under this Part.

Transfer of Permit

16. An application for the transfer of a permit must:-
- (1) be made in writing by the purchaser in the prescribed form and be accompanied by:-
- (a) a certificate issued under section 15 (not more than 21 days previously) certifying that the premises were in a fit condition to be granted a permit or renewal of permit under this local law;
- (b) the prescribed fee; and
- (c) evidence of ownership.
- (2) Council may:-
- (a) approve the application;
- (b) approve the application subject to reasonable and relevant conditions;
- (c) refuse the application, provided that Council may not unreasonably refuse an application.

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- (3) If Council approves the application under either sub-section (2)(a) or subsection (2)(b), it will transfer the permit, subject to satisfaction of any conditions imposed under sub-section (2)(b).
- (4) If Council refuses the application under sub-section (2)(c), it will advise the applicant in writing.
- (5)
 - (a) An applicant may apply for a review of a decision under subsection (2)(c) to refuse an application;
 - (b) the application for review must:-
 - (i) be made in the prescribed form to Council within:-
 - (A) 14 days after the day on which the applicant receives notice of the original decision or Council is taken to have made the decision (the "review date"); or
 - (B) the longer period Council in special circumstances allows;
 - (ii) be supported by enough information to enable Council to decide the application;
 - (c) if Council is satisfied the applicant has complied with paragraph (b), Council must, within 14 days after receiving the application:-
 - (i) review the original decision; and
 - (ii) consider any submissions properly made by the applicant; and
 - (iii) make a decision (the "review decision") to -
 - (A) confirm or revoke the original decision; or
 - (B) vary the original decision in a way Council considers appropriate;
 - (d) the application does not stay the original decision;
 - (e) the application must not be dealt with by: -
 - (i) the person who made the original decision; or
 - (ii) a person in a less senior office than the person who made the original decision.
 - (f) within 14 days after making the review decision, Council must give written notice of the decision to the applicant;
 - (g) the notice must include the reasons for the review decision;
 - (h) if Council does not comply with paragraph (c) or (f), Council is taken to have made a decision confirming the original decision;

- (i) paragraph (e) applies despite the Acts Interpretation Act 1954, section 27A.

Surrender of Permit

17. (1) A permit holder may at any time surrender the permit by written notice to Council in the prescribed form.
- (2) The surrender of the permit will take effect -
- (a) on the day in which the notice is given; or
 - (b) if a later date is specified in the notice - on the later date; or
 - (c) the date the tenancy rights of all residents of the Residential Park under the appropriate acts are lawfully terminated by the Owner;

whichever is the later.

Notice of Ceasing to Operate a Residential Park

18. Within 14 days after ceasing operating premises as a Residential Park to which the permit relates, the permit holder must give written notice in the prescribed form of the cessation of the operation.

Maximum Penalty - 35 penalty units.

Revocation of Permit

19. (1) Council may revoke a permit for any reason which, in the opinion of Council, justifies the revocation.
- (2) Without limiting the generality of sub-section (1), Council may revoke a permit upon any one or more of the following grounds -
- (a) that the Residential Park has not, to the satisfaction of Council, been kept free from disease or in a clean, sanitary and safe condition;
 - (b) that the Owner or Manager has -
 - (i) been convicted of an offence against this local law in respect of the Residential Park;
 - (ii) not complied with a requirement of this local law; or
 - (iii) not complied with a permit condition.
 - (c) that, by reason of alterations or additions or neglect to repair or renovate, the condition of the Residential Park is such as to render it, in the opinion of Council, unfit to be granted a permit.
- (3) However, before revoking a permit, Council must:

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- (a) give written notice to the holder of the permit of the proposed revocation; and
 - (b) allow the holder a period stated in the notice (which must be at least 14 days from when the notice is given) to make written representations to Council about the proposed revocation; and
 - (c) consider representations made by the holder in response to the notice.
- (4) Whenever Council revokes a permit, it shall give the holder notice of the revocation and the permit shall be revoked as from the time on which the notice is served on the holder.

Keeping of Register

20. (1) The permit holder must maintain and update daily a register in the prescribed form of
- (a) all persons accommodated at the Residential Park; and
 - (b) such other information as may be specified in a Subordinate Local law.
- (2) Failure to maintain the register is an offence.
- Maximum penalty -100 Penalty units
- (3) The register must be kept at the Residential Park and produced on demand to an authorised person.
- (4) Failure to comply with sub-section (3) is an offence.
- Maximum penalty - 25 Penalty units

PART 3: CONDUCT IN RESIDENTIAL PARKS

Fires

21. (1) A person must not light, or maintain in the open, a fire in a Residential Park without the consent of an authorised person or authority under any relevant legislation.
- Maximum penalty - 25 penalty units.
- (2) This section does not apply to the use of a barbeque designated by the Owner or Manager for the purposes of cooking food for human consumption.

Obligations of Residents

22. Residents who occupy their own caravan or relocatable home or other accommodation in a Residential Park to which this local law relates must at all times:-
- (a) comply with all reasonable requirements of the Owner, the Manager and/or an authorised person in relation to those premises;
 - (b) comply with any other requirements specified in a Subordinate Local law.

Maximum penalty - 50 penalty units.

Waste disposal

23. (1) A person must not dispose of liquid wastes on a Residential Park unless the wastes are disposed of at drainage points provided for that purpose.

Maximum Penalty - 50 penalty units.

- (2) A person must not dispose of refuse on a Residential Park unless the refuse is placed in containers provided by the Owner or Manager for that purpose.

Maximum Penalty - 50 penalty units.

PART 4: MANAGER

Nominate Manager

24. (1) The Owner must with the application for permit nominate a natural person who will be responsible for the day to day management and operation of the Residential Park during the term of the permit.

- (2) A natural person who is the Owner may nominate himself or herself as manager.

- (3) The Owner may at any time nominate another natural person as Manager in substitution for the existing Manager provided that the Owner notifies the Council in writing within 7 days of the new nomination and provides the details of that new Manager as specified in a Subordinate Local law.

- (4) Failure to nominate a Manager under this section is an offence.

Maximum Penalty - 50 penalty units.

PART 5: ENFORCEMENT

Inspection of Premises

25. (1) An authorised person may inspect⁴ a Residential Park to which this local law applies to investigate whether the premises comply with:

- (a) the requirements of this local law and relevant subordinate local laws;

- (b) if a permit is in force for the Residential Park, the conditions of the permit.

- (2) An authorised person may request production of records for inspection that are required to be kept under this local law and any relevant Subordinate Local law.

⁴ To enter the premises, the authorised person must comply with Chapter 15, part 5, Division 6 of the Local Government Act 1993. Council may also institute an approved inspection programme under Chapter 15, part 5, Division 7 of the Local Government Act 1993.

- (3) A person must not refuse or fail to comply with a requirement under subsection (2).

Maximum penalty - 35 penalty units.

Compliance Directions

26. (1) If a person engages in conduct that is, or is preparatory to, a contravention of a requirement of this local law, an authorised person may orally direct that person:
- (a) if the conduct is still continuing, to stop the conduct; and
 - (b) whether or not the conduct is still continuing, to take specified action to remedy the contravention.
- (3) A direction may be given under this section in addition to any other enforcement action prescribed by this local law.
- (4) A person must comply with a direction under this section.

Maximum Penalty - 50 Penalty Units

Compliance Notices

27. (1) If -
- (a) a person operates a Residential Park without a permit as required by this local law; or
 - (b) a requirement of this local law or a permit condition under this local law is contravened;
- an authorised person may give to the Owner and/or the Manager a notice (a "compliance notice") under this section.
- (2) A compliance notice may:
- (a) if the contravention is of a continuing or recurrent nature require the Owner⁵ to stop the contravention;
 - (b) whether or not the contravention is of a continuing or recurrent nature, require the Owner to take specified action, within a time specified in the notice, to remedy the contravention.
 - (c) require the Owner to pay, within the time specified in the notice, the re-inspection fee specified in the notice.
- (3) The person must comply with a notice under this section.
- (4) Any person who fails to comply with a requirement of a notice given under this section is guilty of an offence.

⁵ See also section 32 of this local law.

Maximum penalty:- 200 penalty units

Council's Power to Have Work Carried Out

28. If:

- (a) an authorised person considers it appropriate to issue a compliance notice to a person under this Division; and
- (b) that person fails to comply with the compliance notice;

the authorised person may take all necessary action to ensure compliance with that notice.⁶

Recovery of Cost of Work

29. (1) The Owner is liable to Council for the cost of work carried out under this Part including the costs associated with additional inspections required to gain and confirm compliance with the notice.
- (2) Council must give the Owner an account for the amount for which the Owner is liable under subsection (1).
- (3) If the amount is not paid on or before a date for payment fixed in the account, Council may recover the amount, as well as any fees payable in respect of additional inspections required to gain or confirm compliance with the notice, from the Owner as a debt, with interest, pursuant to sections 1066, 1067 and 1068 of the Act.
- (4) A certificate signed by an authorised officer and stating any of the following matters is evidence of the matter⁷:
- (a) the carrying out of the work by Council under this Part
 - (b) the cost of the work;
 - (c) the delivery of the account required by sub-section (2);
 - (d) the amount of any costs and fees unpaid at the date of the certificate.

Closure of Premises

30. (1) If:-

- (a) a person is operating a Residential Park to which this local law applies without a current permit under this local law; or
- (b) an Owner fails to comply with a compliance notice within the time allowed in the notice;

⁶ See sections 1066 and 1070 of the Local Government Act 1993.

⁷ See section 1117 of the Local Government Act 1993.

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Council may, by written notice given to the Owner and/or the Manager, prohibit operation of the Residential Park.

- (2) When giving a notice under sub-section (1), Council must allow the Owner a period stated in the notice (to be at least 14 days) to make written representations to Council about that order and must consider those representations.
- (3) The notice under sub-section (1) will take effect -
 - (a) on the day in which the notice is given; or
 - (b) if a later date is specified in the notice - on the later date.
- (4) If a permit was in force for the Residential Park, a notice under this section automatically revokes that permit from the date the notice takes effect.
- (5) Despite sub-section (3) any resident of a Residential Park the subject of a notice under this section will be entitled to remain in the Residential Park until the resident's individual tenancy rights under the appropriate acts are terminated.
- (6) Immediately upon receipt of a Notice under sub-section (1), the Owner must take action to terminate any resident's tenancy rights under the appropriate acts.

Maximum penalty - 50 penalty units

- (7) If the Owner fails to take immediate action as required by sub-section (6) Council may take that action as agent of the Owner and recover the costs of that action against the Owner under section 29.
- (8) However, if Council revokes the notice under this section and grants a permit upon proper application being made under this local law, the Residential Park may be operated again.

Summary Closure to Prevent Serious Risk to Health and Safety

31. (1) If, in Council's opinion, it is urgently necessary to stop the operation of a Residential Park to which this local law applies because of a serious risk to health or safety or to abate a public nuisance, Council may, by written notice given to the Owner, prohibit operation of the Residential Park.
- (2) If a permit was in force for the premises, a notice under this section revokes that permit.
- (3) A person must not operate a Residential Park in contravention of this section.⁸

Maximum Penalty - 500 penalty units.

Identity of Owner

32. (1) Where under this local law an obligation is imposed on an Owner, the obligation is imposed, jointly and severally on each of the persons who is the Owner of the premises concerned.

⁸ Section 158 of the Residential Tenancies Act, 1994 provides for termination of a tenancy agreement if the premises may no longer be lawfully used as a residence or are otherwise unlivable.

- (2) Where under this local law, a notice may be given to the Owner, the notice may be given to the Manager or to all or any one or more of the persons who is defined as the Owner under this local law and the obligation to comply is imposed, jointly and severally, on each person who receives the notice.
- (3)
 - (a) proceedings for an offence may be taken against any one or more of the persons who fail to comply with an obligation referred to in sub-sections(1) and (2);
 - (b) a person may not be convicted more than once in respect of a particular offence simply because that person meets the definition of Owner in more than one capacity;
 - (c) persons who meet the definition of Owner may be separately convicted of the same offence;
 - (d) an Owner (who is not also a Manager) and a Manager may be separately convicted of the same offence.
- (4) Council may, by a single action or successive actions, recover costs under this local law from any one or more of the persons who fail to comply with an obligation referred to in (1).

PART 6: SUBORDINATE LOCAL LAWS

Subordinate local laws

33. Council may make subordinate local laws about matters about:-
 - (a) what constitutes a cabin ⁹;
 - (b) what constitutes complementary accommodation ¹⁰;
 - (c) information and materials required for a permit application ¹¹;
 - (d) the time within which an application for a permit must be made ¹²;
 - (e) additional criteria against which a permit application must be considered ¹³;
 - (f) conditions applicable to permits ¹⁴;
 - (g) prohibitions applicable to permits ¹⁵;
 - (h) exemption from all or part of the requirements of this local law and any subordinate local law ¹⁶;

⁹ See Section 3 - "cabin".

¹⁰ See Section 3 - "complementary accommodation".

¹¹ See Section 6(1)(f).

¹² See Section 6(3).

¹³ See Section 8(2).

¹⁴ See Section 10(1).

¹⁵ See Section 10(2).

¹⁶ See Section 10(3).

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- (i) information to be kept in the Register ¹⁷;
- (j) details of a new Manager to be given to Council ¹⁸;
- (k) any other matter about which this local law specifically allows for the making of subordinate local laws.

¹⁷ See Section 20(1)(b).

¹⁸ See Section 24(3).