



New South Wales

# **Home Building Amendment (Insurance) Regulation 1999**

under the

Home Building Act 1989

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Home Building Act 1989*.

JOHN WATKINS, M.P.,  
Minister for Fair Trading.

## **Explanatory note**

The object of this Regulation is to remove any doubt about the operation of the insurance requirements of section 102 of the Act in connection with the repair of certain residential flat buildings arising from damage caused by the Sydney hailstorm on 14 April 1999. The Regulation ensures that the standard \$200,000 insurance coverage for residential building work is not, in the case of the repair of common property such as a roof, to be increased artificially by being multiplied by the number of units within the building or by any other factor.

This Regulation is made under the *Home Building Act 1989*, including section 140.

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## **Home Building Amendment (Insurance) Regulation 1999**

### **1 Name of Regulation**

This Regulation is the *Home Building Amendment (Insurance) Regulation 1999*.

### **2 Amendment of Home Building Regulation 1997**

The *Home Building Regulation 1997* is amended as set out in Schedule 1.

### **3 Notes**

The explanatory note does not form part of this Regulation.

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## Schedule 1 Amendment

(Clause 2)

### Clause 57A

Insert after clause 57:

#### **57A Exemption with respect to certain residential building work**

- (1) The object of this clause is to remove any doubt about the operation of the insurance requirements of section 102 of the Act in connection with the repair of certain residential flat buildings arising from damage caused by the Sydney hailstorm on 14 April 1999 (the *Sydney hailstorm*).
- (2) A person who contracts to do residential building work, principally for the purpose of the repair of damage caused by the Sydney hailstorm, on the common property of a single designated residential flat building is exempt from any provision of Part 6 of the Act or this Regulation that would require coverage in excess of \$200,000 under the contract of insurance to be in force in relation to the proposed work (irrespective of the number of units within the residential flat building). Any such contract of insurance may be limited accordingly.
- (3) Nothing in this clause prevents any such contract of insurance from providing cover in excess of \$200,000.
- (4) In this clause:

***designated residential flat building*** means any building or portion of a building containing 2 or more strata or company title home units (including any associated structures and improvements) in the following local government areas:

South Sydney, Marrickville, Botany, Waverley, Sydney,  
Woollahra, Randwick Sutherland.