



New South Wales

Home Building Amendment (Insurance Exemption) 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 *Home Building Amendment Act 1999* amends the *Home Building Act 1989* to require an applicant for a licence and a licensee applying to renew or restore the licence to include documentation or information in the application to satisfy the Director-General of the Department of Fair Trading that he or she has complied with, or is able to comply with, any requirements relating to the insurance of the work proposed to be done under the licence. The object of this Regulation is to exempt people proposing to do certain kinds of work from those requirements.

This Regulation is made under the *Home Building Act 1989*, including section 140 (the general regulation-making power).

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Clause 1 Home Building Amendment (Insurance Exemption) Regulation 1999

Home Building Amendment (Insurance Exemption) Regulation 1999

1 Name of Regulation

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

2 Commencement

This Regulation commences on 1 November 1999.

3 Amendment of Home Building Regulation 1997

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

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Clause 38A

Insert after clause 38:

38A Exemption from requirement to show insurance has been obtained

- (1) The holder of, or an applicant for, a licence is exempt from the provisions of sections 19 (2A), 20 (3) (c), 22A, 39 (3A) and 40 (2A) of the Act unless the licence is a licence that authorises the holder to do residential building work or specialist work, or to supply kit homes, described in the licence by means of or to the effect of any of the following descriptions:
- (a) above ground pool builder,
 - (b) bathroom renovations,
 - (c) builder,
 - (d) carport builder,
 - (e) concrete pre-engineered swimming pool,
 - (f) demountable swimming pool building,
 - (g) enclosed rooms,
 - (h) enclosure of sub-floor areas,
 - (i) fibreglass swimming pool building,
 - (j) garage building,
 - (k) glass enclosures,
 - (l) inclined elevators,
 - (m) kit home erection,
 - (n) kitchen renovations,
 - (o) laundry renovations,
 - (p) modular extensions,
 - (q) modular pools,

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Schedule 1 Amendment

- (r) restore heritage buildings,
 - (s) saunas,
 - (t) screened enclosures,
 - (u) semi construction of fibreglass pools,
 - (v) sheds,
 - (w) spa building,
 - (x) structural landscaping,
 - (y) sunrooms,
 - (z) supply only kit carports/sheds,
 - (aa) supply only kit garages,
 - (ab) supply only kit homes,
 - (ac) swimming pool building.
- (2) The holder of, or an applicant for, a licence is exempt from the provisions of sections 19 (2A), 20 (3) (c), 22A, 39 (3A) and 40 (2A) of the Act if the licence only authorises the holder to contract to do work if the contract price does not exceed \$5000 or (if the contract price is not known) the reasonable cost of the labour and materials involved does not exceed \$5000.

BY AUTHORITY