



New South Wales

# Home Building Amendment (Consequential) 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* makes amendments to the *Home Building Act 1989* in relation to the compulsory insurance of residential building work and kit home supply.

The object of this Regulation is to make minor amendments to provisions of the *Home Building Regulation 1997* to reflect the changes made by those amendments.

This Regulation also updates the names of certain Acts and a Regulation that are referred to in the *Home Building Regulation 1997*.

This Regulation is made under the *Home Building Act 1989*, including sections 3, 92, 96 and 140 (the general regulation-making power).

**1999 No 695**

Clause 1            Home Building Amendment (Consequential) Regulation 1999

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**Home Building Amendment (Consequential)  
Regulation 1999**

**1    Name of Regulation**

This Regulation is the *Home Building Amendment (Consequential) 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 Amendments

(Clause 2)

**[1] Clause 9 “Relevant law” regulating gasfitting or plumbing work**

Omit “1982” from clause 9 (a). Insert instead “1998”.

**[2] Clause 9 (b)**

Omit:

*Water Board (Corporatisation) Act 1994*

*Hunter Water Board (Corporatisation) Act 1991*

Insert instead:

*Sydney Water Act 1994*

*Hunter Water Act 1991*

**[3] Clause 55 Insurance appeals**

Omit “or under the *Consumer Claims Tribunals Act 1987*”.

Insert instead “or a consumer claim under the *Consumer Claims Act 1998*”.

**[4] Clause 56 Certificates evidencing insurance**

Omit “Form 4” from clause 56 (4). Insert instead “Form 1”.

**[5] Clause 66 Exemption from certificate requirement where no builder yet engaged**

Omit “96 (2)”. Insert instead “96 (2A)”.

**[6] Clause 66 (b) (ii)**

Omit the subparagraph. Insert instead:

- (ii) informing the purchaser that the Act requires residential building work (whether or not done under a contract) to be insured, and

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Schedule 1      Amendments

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**[7] Clause 66 (b) (iii)**

Omit “96 (1)”. Insert instead “96 (2A)”.

**[8] Schedule 1 Forms**

Insert “/96\*” after “92” wherever occurring in Form 1.

**[9] Schedule 1, Form 1**

Insert “/WORK BY DEVELOPERS AND OTHERS\*” after “CONTRACT WORK”.

**[10] Schedule 1, Form 1**

Insert “/developer\*” after “name of contractor”.

**[11] Schedule 1, Form 1**

Insert “/developer\*” after “address of contractor”.

**[12] Schedule 1, Form 1**

Omit “to a beneficiary described in the contract and successors in title to the beneficiary.”.

Insert instead:

to:

- \* a beneficiary described in the contract and successors in title to the beneficiary,

OR

- \* the immediate successor in title to the contractor or developer who did the work and subsequent successors in title.

**[13] Schedule 1, Form 4**

Omit the Form.

BY AUTHORITY