



New South Wales

Home Building Amendment (Insurance) Regulation 2002

under the

Home Building Act 1989

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

JOHN AQUILINA, M.P.,

Minister for Fair Trading

Explanatory note

The objects of this Regulation are:

- (a) to exempt the holder of, or an applicant for, a contractor licence from the requirement to show insurance has been obtained if the contract price does not exceed \$12,000, and
- (b) to increase from \$5,000 to \$12,000 the threshold above which building work, the supply of a kit home and owner-builder work must be insured, and
- (c) to provide that all holders of contractor licences are entitled to apply for an exemption from the insurance requirements of the Act in relation to residential building work and the supply of kit homes.

This Regulation is made under the *Home Building Act 1989*, including sections 92 (5), 93 (4), 95 (5) and 96 (4) (regarding thresholds), section 97 (1A) (regarding exemptions) and section 140 (the general regulation-making power).

2002 No 193

Clause 1 Home Building Amendment (Insurance) Regulation 2002

**Home Building Amendment (Insurance)
Regulation 2002**

1 Name of Regulation

This Regulation is the *Home Building Amendment (Insurance) Regulation 2002*.

2 Commencement

This Regulation commences on 2 April 2002.

3 Amendment of Home Building Regulation 1997

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

Schedule 1 Amendments

(Clause 3)

[1] Clause 38A Exemption from requirement to show insurance has been obtained

Omit “\$5,000” wherever occurring in clause 38A (2).

Insert instead “\$12,000”.

[2] Clause 57AB

Insert after clause 57AA:

57AB Insurance thresholds

- (1) For the purposes of section 92 (3) of the Act, \$12,000 is prescribed.
- (2) For the purposes of section 93 (3) of the Act, \$12,000 is prescribed.
- (3) For the purposes of section 95 (3) (b) of the Act, \$12,000 is prescribed.
- (4) For the purposes of section 96 (3) (e) of the Act, \$12,000 is prescribed.

[3] Clause 57B

Omit the clause. Insert instead:

57B Persons entitled to apply for exemptions from insurance requirements

For the purposes of section 97 (1A) of the Act, contractors doing residential building work or supplying kit homes are prescribed as entitled to apply in relation to that work for the exemption referred to in that provision.