



Home Building Amendment (Insurance) Regulation 2003

under the

Home Building Act 1989

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

JOHN DELLA BOSCA, M.L.C.,

Minister for Commerce

Explanatory note

The object of this Regulation is to amend the *Home Building Regulation 1997* to create a temporary exemption (until the end of December 2003) from requirements arising under sections 92B and 93B of the *Home Building Act 1989*. Those sections (which commenced on 30 May 2003) operate to extend the coverage of contracts of insurance with respect to residential building work or kit home supply in certain circumstances.

The exemption will apply to contracts of insurance entered into during the exemption period, and residential building work or the supply of a kit home during the exemption period (no matter when the relevant contract of insurance was entered into).

This Regulation is made under the *Home Building Act 1989*, including section 140 (2) (k) (the power to prescribe exemptions from requirements of the Act) and clause 2 of Schedule 4 (the savings and transitional regulation-making power).

2003 No 451

Clause 1 Home Building Amendment (Insurance) Regulation 2003

Home Building Amendment (Insurance) Regulation 2003

under the

Home Building Act 1989

1 Name of Regulation

This Regulation is the *Home Building Amendment (Insurance) Regulation 2003*.

2 Amendment of Home Building Regulation 1997

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

2003 No 451

Home Building Amendment (Insurance) Regulation 2003

Schedule 1 Amendment

Schedule 1 Amendment

(Clause 2)

Clause 57BB

Insert after clause 57BA:

57BB Temporary exemption from section 92B and 93B requirements

- (1) A contract of insurance is exempt from a requirement arising under section 92B of the Act that the operation of the contract be extended to residential building work done at the address stated in the certificate of insurance, but this exemption applies only in respect of:
 - (a) a contract of insurance entered into in the period commencing on the commencement of this clause and ending at the end of December 2003, and
 - (b) residential building work done or to be done in the period commencing on the commencement of this clause and ending at the end of December 2003 (no matter when the contract of insurance concerned was entered into).
- (2) A contract of insurance is exempt from a requirement arising under section 93B of the Act that the operation of the contract be extended to the supply of any kit home at the address stated in the certificate of insurance, but the exemption applies only in respect of:
 - (a) a contract of insurance entered into in the period commencing on the commencement of this clause and ending at the end of December 2003, and
 - (b) the supply of a kit home during the period commencing on the commencement of this clause and ending at the end of December 2003 (no matter when the contract of insurance concerned was entered into).

BY AUTHORITY