

Western Australia

LEGISLATIVE ASSEMBLY

*(Introduced by Mr Sullivan MLA)*

**Home Building Contracts (Indemnity Insurance)  
Bill 2002**

**A Bill for**

**An Act to temporarily limit the operation of the *Home Building Contracts Act 1991* in respect of home indemnity insurance.**

The Parliament of Western Australia enacts as follows:

**1. Short title**

This Act may be cited as the *Home Building Contracts (Indemnity Insurance) Act 2002*.

**2. Commencement**

This Act comes into operation on the day on which it receives the Royal Assent.

**3. Principal Act**

5 In this Act the *Home Building Contracts Act 1991* is referred to as the principal Act.

**4. Suspension of Compulsory Home Indemnity Insurance**

(1) Effective for a 12 month period from proclamation of this Act, Section 25C of the principal Act shall not apply to residential building work performed by a builder pursuant to a contract or variation of a contract if —

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- (a) prior to the date of the contract or the date of the variation of the contract respectively, the builder has furnished to the owner a disclosure notice in the form prescribed; and
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- (b) the total amount of the contract or the total amount of the variation respectively is less than \$10,000 or more than \$200,000.

(2) In this section —

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**“residential building work”** has the same meaning as that expression has in respect of section 25C of the principal Act; and

**“contract”, “date of the contract”** and **“date of the variation”** have the same meanings as those expressions

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have in section 3 of the principal Act.

**5. Regulations**

(1) The Governor may make regulations prescribing all matters that are required or permitted by this Act to be prescribed, or are

necessary or convenient to be prescribed for giving effect to the purposes of this Act.

- 5 (2) Without limiting the generality of subsection (1), regulations may provide for variation of the period referred to in section 4(1), either unconditionally or subject to such conditions as are specified in the regulations.

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