

Version  
as at 1 July 2024



## Earthquake Commission Amendment Regulations 2019 (LI 2019/50)

Earthquake Commission Amendment Regulations 2019: revoked, on 1 July 2024, pursuant to section 162(2) of the Natural Hazards Insurance Act 2023 (2023 No 1).

Patsy Reddy, Governor-General

### Order in Council

At Wellington this 11th day of March 2019

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 36 of the Earthquake Commission Act 1993 on the advice and with the consent of the Executive Council.

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#### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**These regulations are administered by the Treasury.**

## Regulations

### 1 Title

These regulations are the Earthquake Commission Amendment Regulations 2019.

### 2 Commencement

- (1) Regulations 4, 5, and 7 come into force when Part 2 of the Earthquake Commission Amendment Act 2019 comes into force.
- (2) The rest of these regulations come into force on the 28th day after the date of their notification in the *Gazette*.

### 3 Principal regulations

These regulations amend the Earthquake Commission Regulations 1993 (the **principal regulations**).

### 4 Regulation 3 amended (Premiums)

- (1) In regulation 3(1), delete “or personal property”.
- (2) Replace regulation 3(2) with:
- (2) In subclause (1), **relevant amount** means the amount to which the property is insured under section 18(1) of the Act.

### 5 Regulation 4 amended (Excess)

- (1) In regulation 4(1), delete “and subject to subclause (2) of this regulation,”.
- (2) Revoke regulation 4(1)(c).
- (3) Revoke regulation 4(2).

### 6 Regulation 6 revoked (Longer time for reporting of claims)

Revoke regulation 6.

### 7 Schedule 1 amended

In Schedule 1, after clause 1, insert:

## Part 2 Provisions relating to Earthquake Commission Amendment Regulations 2019

### 2 Personal property

- (1) Regulations 3 and 4, as in force before the commencement date, continue to apply as part of the old regime, in relation to any contract to which the old regime applies under clause 3 of Schedule 1AA of the Act.

- (2) In this clause, **commencement date**, **contract**, and **old regime** have the same meanings as in clause 3 of Schedule 1AA of the Act.

Michael Webster,  
Clerk of the Executive Council.

### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations amend the Earthquake Commission Regulations 1993 (the **EQC Regulations**) consequentially on the amendments made to the Earthquake Commission Act 1993 by the Earthquake Commission Amendment Act 2019 (the **amending Act**).

Part 1 of the amending Act extends the time limits for claimants to notify the Commission when property insured under the Act is damaged. As a result, regulation 6 of the EQC Regulations is redundant and is revoked. Because Part 1 of the amending Act commenced on assent, regulation 6 of these regulations comes into force 28 days after these regulations are notified in the *Gazette*.

Part 2 of the amending Act discontinues insurance cover under the Act for personal property. The EQC Regulations are therefore amended to delete all references to personal property. Regulations 4, 5, and 7 come into force when Part 2 of the amending Act comes into force. The transitional arrangements for these changes set out in the amending Act also apply in relation to these changes to the EQC Regulations.

### Regulatory impact assessment

The Treasury produced a regulatory impact assessment on 28 February 2018 to help inform the decisions taken by the Government relating to the contents of the Earthquake Commission Amendment Act 2019.

A copy of this regulatory impact assessment can be found at <http://www.treasury.govt.nz/publications/informationreleases/ria>

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 14 March 2019.

## Notes

### **1** *General*

This is a consolidation of the Earthquake Commission Amendment Regulations 2019 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

Natural Hazards Insurance Act 2023 (2023 No 1): section 162(2)