Occupational Licensing Act 2005
Occupational Licensing Owner Builder Insurance Notice 2016

I, Dale Webster, Administrator of Occupational Licensing, make the following Notice under section 29F(1) of the Occupational Licensing Act 2005.

Part 1 - Preliminary

1. Title of this Notice
This Notice may be cited as the “Occupational Licensing Owner Builder Insurance Notice 2016”.

2. Purpose of this Notice
This Notice specifies the insurance required to be held by holders of an Owner Builder Permit under the Occupational Licensing Act 2005.

3. Authorising provision
This Notice is made under section 29F(1) of the Occupational Licensing Act 2005.

4. Commencement
This Notice takes effect on the date of its publication.

5. Application of anticipatory provisions of the Acts Interpretation Act 1931
Section 11 of the Acts Interpretation Act 1931 applies to this Notice.

6. Application of Notice
(1) This notice applies to the holder of an Owner Builder Permit granted pursuant to section 29D(1)(a) of the Act.
(2) The holder of an Owner Builder Permit to which this Notice applies is required to be covered by the type and amount of insurance as specified by this Notice.

7. Overview of the required insurance
(1) The holder of an Owner Builder Permit in relation to the building work project to which the Owner Builder Permit was granted —
   a) must be covered by insurance that indemnifies the owner builder permit holder for any liability in respect of that work that the owner builder permit holder is required to be indemnified for by Part 2; and
   b) must be indemnified by that insurance for the amount required by Part 2.
   c) the insurance is required to be held prior to the commencement of any building work and is to continue until a Certificate of Completion (building work) is granted.
Part 2 – Liability and amount to be covered

8. Liability that must be covered and the amount of insurance required for prescribed work
   a) The holder of an Owner Builder Permit must have a policy to provide indemnity in respect of all claims which the Owner Builder Permit holder becomes legally liable to pay for compensation (excluding punitive or exemplary damages) in respect of personal injury or property damage caused by an occurrence in connection with building work carried out or managed by the holder.
   b) The policy is to include construction liability cover for damage to existing property where the owner builder permit holder has physical or legal control of premises.

Amount and Period of Insurance
   a) The policy can limit indemnity for any one claim during any one period of insurance to not less than $5 million.
   b) The policy shall include in addition to the limit of indemnity, payment of the costs and expenses incurred by the insured with the consent of the insurer in defending or settling any claim and in respect of any one claim the policy may limit this to 20% of the limit of indemnity.
   c) The policy may provide for a greater insurance cover than that required by this Notice.
   d) It is not necessary that the insurance be provided by one policy only, or that the insurance by provided by one insurer only, provided that this Notice is complied with.

9. Transitional provision

A public liability insurance policy that was current prior to this Notice taking effect, that substantially complies with Part 2 of this Notice, is taken to comply with the requirements of this Notice.

Dale Webster
Administrator, Occupational Licensing
7 December 2016