STATUTORY RULES

1969 No. 1

REGULATIONS UNDER THE WAR SERVICE HOMES ACT 1918-1968.*

THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the War Service Homes Act 1918-1968.

Dated this tenth day of October, 1969.

Paul Hasluck
Governor-General.

By His Excellency's Command,

Annabelle Landor
Minister of State for Housing.

AMENDMENTS OF THE WAR SERVICE HOMES REGULATIONS†

1. Regulation 19 of the War Service Homes Regulations is amended—

(a) by adding at the end of paragraph (b) the words "including acts of a lawfully constituted authority in suppressing a riot, civil commotion, strike or labour disturbance";

(b) by omitting from paragraph (d) the word "water" (wherever occurring);

(c) by omitting from paragraph (e) the word "and" (last occurring); and

(d) by omitting paragraph (f) and inserting in its stead the following paragraphs:

"(f) impact of road vehicles, horses and cattle not belonging to, or under the control of, the assured or the occupier of the dwelling-house or a member of the family of the assured or that occupier;

(g) impact of aircraft or missiles (including parts of, and objects falling from, aircraft or missiles);

(h) sonic boom, that is to say, shock waves created when an aircraft or missile travels at a supersonic speed;

(i) impact of a tree or a part of a tree; and

(j) leakage of oil from an oil heater, being a heater that is only capable of being operated from the place where it is installed.

2. Regulation 45 of the War Service Homes Regulations is amended by omitting paragraphs (g) and (h) of sub-regulation (2.) and inserting in their stead the following paragraph:

"(g) property shall not be deemed to be damaged by a prescribed risk if the damage is caused by or arises out of war, invasion, act of foreign enemy, hostilities (whether war is declared or not), civil war, rebellion, revolution, insurrection or military or usurped power;"
War Service Homes Regulations

"(ga) damage by tempest to a blind or awning affixed to the exterior of a dwelling-house, being a blind or awning made of a textile material, shall not be deemed to be damage to the dwelling-house caused by tempest;

"(gb) a dwelling-house shall not be deemed to be damaged by the impact of a tree or a part of a tree if the tree, or the tree from which the part was derived, is or was growing on the parcel of land on which the dwelling-house is erected and the impact is caused by, or is a consequence of, the felling or lopping of the tree;

"(gc) property shall not be deemed to be damaged by a leakage of oil from an oil heater where the damage is caused by defective vaporization or by smoke or sootage from the heater;

"(gd) damage to an oil heater as a result of a leakage of oil from the oil heater shall not be deemed to be damage to the dwelling-house caused by the leakage of oil;

"(ge) damage to a boiler, tank, pipe or associated apparatus caused by the bursting, leaking or overflowing of the boiler, tank, pipe or associated apparatus, as the case may be, shall not be deemed to be damage to the dwelling-house caused by the bursting, leaking or overflowing of the boiler, tank, pipe or associated apparatus;

"(h) property shall not be deemed to be damaged by the bursting, leaking or overflowing of boilers, tanks, pipes or associated apparatus where the applicant has failed to keep the same in good working order and repair; and ".

3. Regulation 50 of the War Service Homes Regulations is amended—

(a) by omitting sub-regulation (1.) and inserting in its stead the following sub-regulation:

"(1.) The Director shall, from time to time, determine—

(a) the amount for which any property shall or may be insured in pursuance of the Act, being an amount equal to the sum of—

(i) the amount determined by the Director to be the insurable value of the property; and

(ii) the amount determined by the Director to be the rental value of the property; and

(b) the amount of the premium payable for the insurance.";

and

(b) by adding at the end thereof the following sub-regulation:

"(3.) In this regulation, 'rental value', in relation to property, means the amount of rent that might be expected to be offered for a lease of the property for a period of twelve months, it being assumed that a lease was offered on such reasonable terms and conditions as a bona fide lessor would require.".

4. Regulation 51 of the War Service Homes Regulations is repealed.

5. The War Service Homes Regulations are amended as set out in the Schedule to these Regulations.
War Service Homes Regulations

THE SCHEDULE

Regulation 5.

AMENDMENTS IN RELATION TO DECIMAL CURRENCY

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