



STATUTORY RULES

1969 No. 100

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

I, 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,

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."

Prescribed
insurance
risks.

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 paragraphs:—

Interpretation.

- "(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;

* Notified in the *Commonwealth Gazette* on 1969.
† Statutory Rules 1936, No. 74, as amended by Statutory Rules 1945, No. 202; 1946, No. 66; 1947, No. 93; 1949, Nos. 13 and 29; 1951, No. 16; 1956, No. 17; 1957, Nos. 18 and 54; 1962, No. 42 and 1964, No. 55.

- "(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 smudge 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—

Determination of amount of insurance and premium.

- (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.

Determination of amount of insurance.

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

Amendments in relation to decimal currency.

THE SCHEDULE

Regulation 5.

AMENDMENTS IN RELATION TO DECIMAL CURRENCY

Provisions amended	Omit—	Insert—
Regulation 12	Three pounds fifteen shillings	Three dollars seventy-five cents
Regulation 61 (1.)	Two pounds	Four dollars
Regulation 61 (2.)	exceeds Two pounds	exceeds Four dollars
Regulation 61 (2.)	less Two pounds	less Four dollars
Regulation 61 (2.)	extent of Two pounds	extent of Four dollars
Regulation 61 (4.) (a)	Two pounds	Four dollars
Regulation 61 (4.) (b)	Two pounds	Four dollars
The Schedule—		
Form A	£	\$