



**THE EARTHQUAKE AND WAR DAMAGE REGULATIONS 1984,  
AMENDMENT NO. 2**

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PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 11th day of April 1988

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Earthquake and War Damage Act 1944, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Earthquake and War Damage Regulations 1984, Amendment No. 2, and shall be read together with and deemed part of the Earthquake and War Damage Regulations 1984\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

**2. Application of section 14 of Act**—The principal regulations are hereby amended by revoking regulation 4, and substituting the following regulation:

“4. (1) Subject to regulation 5 of the Earthquake and War Damage (Land Cover) Regulations 1984, section 14 of the Act shall not apply to—

- “(a) Any property that is not tangible property:
- “(b) Any ship or any thing in a ship, except while the ship is on land:
- “(c) Any land:
- “(d) Any standing bush or forest:
- “(e) Any mine or quarry:
- “(f) Any aircraft or any thing in an aircraft, except while insured under a contract which is substantially a contract of fire insurance:
- “(g) Any goods in transit, except while insured under a contract which is substantially a contract of fire insurance:
- “(h) Any explosives:
- “(i) Any livestock:
- “(j) Any growing crops (including fruit trees and vines):
- “(k) Any ensilage insured in the open field:
- “(l) Any hay or other cut crops insured in the open field:
- “(m) Any road, street, or path, other than a gangway, ladder, access platform, or other form of access constructed in a building or being an integral part within and of any building:
- “(n) Any railway track or pole or any tramway track or pole that does not constitute an integral part within any building:
- “(o) Any bridge or viaduct (either completed or in course of construction) or any boxing or falsework used in the construction of any bridge or viaduct, unless that bridge or viaduct constitutes an integral part within and of any building:
- “(p) Any tunnel or cutting, other than a tunnel, trench, or duct used to connect buildings or items of plant within an insured property:
- “(q) Any retaining wall, dam, breakwater, mole, groyne, fence, or wall that does not constitute an integral part within and of any building:
- “(r) Any drain or channel that does not constitute an integral part within and of any building:
- “(s) Any reservoir, swimming bath, water tank, water tower, or septic tank, other than—
  - “(i) A reservoir, swimming bath, or water tank that constitutes an integral part within and of any building; or
  - “(ii) A tank or reservoir used as a storage vessel for any liquid product; or
  - “(iii) A water tank forming part of the water supply to any dwelling or farm building:
- “(t) Any water or gas reticulation pipe that does not constitute an integral part within and of any building or does not form part of equipment associated with reticulation, such as a pumphouse or a motor:
- “(u) Any electric supply, telegraph, or telephone pole, line, or cable that does not constitute an integral part within and of any building.

“(2) In this regulation ‘insured property’ means property that is for the time being insured under the Act or these regulations or the Earthquake and War Damage (Land Cover) Regulations 1984.”

MARIE SHROFF,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

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

These regulations rewrite regulation 4 of the principal regulations which specifies the types of property not covered under section 14 of the Earthquake and War Damage Act 1944.

Although the specified types of property are unchanged, paragraphs (m) to (u) of the new regulation 4 (1) set out various exclusions, or in other words classes of property that are covered.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 14 April 1988.

These regulations are administered in the Earthquake and War Damage Commission.