

'As new' definition

Rebuilding or repairing your house

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A key concept in the premier house policy is rebuilding or repairing your house to an "as new" condition.

"As new" is not defined in the AMI premier policy so we interpret it within the context of the policy as a whole, the Building Act, and using knowledge gained from legal judgments including the recent High Court decision in *Turvey Trustee Limited v Southern Response*.

The starting point is that the rebuilt house or repaired item needs to be equivalent when compared to the original. This does not require a direct replacement.

To decide what is equivalent involves taking into account things like the size, functionality and relative quality of the original. There also needs to be a reasonable recognition of the character and appearance of the original.

Work needs to be carried out using today's standards and methods and must comply with relevant building legislation and rules (including the Building Code).

Where items have a structural function it is their structural performance which is the consideration.

Where items have an aesthetic function, current reasonable concepts about the way those finished items look are relevant.

For repairs, the focus is on the item that has been damaged and is being repaired.

Find out more

Please visit the Southern Response website:

www.southernresponse.co.nz

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