

# The Treasury

## Earthquake Commission (EQC) Act Review Submissions Information Release

### Release Document

July 2017

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# New Zealand's Future Natural Disaster Insurance Scheme

Proposed changes to the Earthquake  
Commission Act 1993

Submission Form

July 2015



THE TREASURY  
Kaitohutohu Kaupapa Rawa

New Zealand Government

## New Zealand's Future Natural Disaster Insurance Scheme Proposed changes to the Earthquake Commission Act 1993

### Your responses

Please write your response in the template below.

Please note:

- ▶ you **do not** need to answer all sections – just the ones where you have information you would like to contribute
- ▶ please expand or delete boxes as you need to but **do** keep the original question numbers.
- ▶ please **do not** send us reports or other documents but **do** include references or links to supporting evidence or information
- ▶ please submit your response to [Submissions.Eqcreview@treasury.govt.nz](mailto:Submissions.Eqcreview@treasury.govt.nz) by 5.00pm on Friday 11 September 2015.

Thank you for your time and effort in making your submission.

### Official Information Act 1982

Submissions are subject to the Official Information Act 1982 (OIA). Please set out clearly with your submission if you have any objection to any information in the submission being released under the OIA, and in particular, which part(s) you consider should be withheld, together with the reason(s) for withholding the information.

Grounds for withholding information are outlined in the OIA. Reasons could include that the information is commercially sensitive or that you wish personal information, such as names or contact details, to be withheld. An automatic confidentiality disclaimer from your IT system will not be considered as grounds for withholding information.

We will take your objections into account when responding to requests under the OIA.

Any personal information you supply in the course of making a submission will be used by the Treasury only in conjunction with the matters covered by this document. Please clearly indicate in your submission if you do not wish your name to be included in any summary of submissions that we may publish.

## Your contact details

### For individuals

Your name:	[1]
	Indicate here if you do not wish your name to be included in any summary of submissions that we may publish.

Email address:	[1]
Phone number:	

What city, town or province do you live in?	Christchurch
Do you own your own home?	Yes

### For organisations

Organisation name:	
Nature of your business:	

Contact person name:	
Position:	
Phone number:	
Email address:	

In what city, town or province is your organisation's New Zealand headquarters?	
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## What is the purpose of the EQC scheme?

### Proposal for discussion

1 That the purpose of the EQC Act be to establish a Crown-owned natural disaster insurance scheme for residential buildings in New Zealand that:

- ▶ supports, complements and is closely coordinated with the provision of effective private insurance services to the owners of residential buildings
- ▶ recognises the importance of housing in supporting the recovery of communities after a natural disaster
- ▶ supports improved resilience of New Zealand communities and an efficient approach to the overall management of natural hazard risk and recovery in New Zealand
- ▶ contributes to the effective management by the Crown of fiscal risks associated with natural disasters.

### What do you think?

1a Do you agree that these purposes are appropriate and complete? No I don't agree. EQC did nothing to support the recovery of our community. It lied, minimised damage, bullied, cheated, purposefully stood in the way of resolution, provided substandard repairs, ignored our policies, misinterpreted the act to suit itself and cheat homeowners, were rude and gave ultimatims.

1b If not, what changes would you suggest, and why?

I would like to only deal with my insurance company of who I have my policy with. If there was ever another event, EQC would never get into my house without the police being present and every utterance from them would be recorded.

## What types of perils will EQC cover?

### Proposal for discussion

2 That EQC continue to insure against the following perils: earthquake, natural landslip, volcanic eruption, hydrothermal activity, tsunami, and storm and flood (with, in the case of storm and flood, only residential land being covered).

### What do you think?

2a Do you agree that EQC should continue to provide cover against the same perils as it currently does?

We need cover for these events so if we have to have EQC then see my opinion next box.

2b If not, what changes would you suggest, and why?

**I think they cannot be trusted to cover or fix anything but if we have to have this corrupt organisation in our midst, they should cover these natural disasters but never ever have to communicate with the homeowner. They should pay up via our insurance company.**

## What types of property will EQC insure?

### Proposal for discussion

3 That EQC building cover continue to be available to residential buildings and dwellings in non-residential buildings.

### What do you think?

3a Do you agree that EQC building cover should continue to only be available to residential buildings and

dwellings in non-residential buildings?

Yes, sadly people in the residential sector were stuck with these criminals. People with commercial properties at least didn't get tangled up with EQC. It was impossible to deal with EQC for individual properties. They have proven they are not capable of dealing with anything more complex.

3b If not, what forms of accommodation or living arrangements do you think should be added or removed, and why?

### Proposal for discussion

4 That EQC land cover only be available for land associated with residential buildings. Therefore, dwellings in non-residential buildings would not receive any EQC land cover.

#### What do you think?

4a Do you agree that EQC land cover should only be available for land associated with residential buildings?

Not where the govt has made changes to the use of that land. If land becomes unusable because of govt decisions, then it should be covered.

4b If not, what coverage of land cover would you prefer, and why?

I think there should be cover for people where there is a total loss – if that land was bought with the intention of building. If you are caught owning a section and it is a total loss, there should be some cover.

## Extending building cover to include more siteworks and main access way

### Proposal for discussion

5 That EQC building cover be extended to include siteworks and the main access to the building.

#### What do you think?

5a Do you agree that EQC building cover be extended to include siteworks and the main access to the building?

Yes – to me that makes sense.

5b If not, what do you think should be done instead, and why?

## EQC to no longer provide contents insurance

### Proposal for discussion

6 That EQC no longer offer residential contents insurance.

#### What do you think?

6a Do you agree that EQC should no longer offer residential contents insurance?

Totally – it meant that everybody had to deal with their corruption here too and they were unable to provide assistance in a timely fashion.

6b If not, what level of contents cover do you think EQC should offer, and why?

6c For insurers, what do you anticipate the impact would be on premiums your company charges for

residential contents insurance, if EQC no longer offered residential contents insurance?

Please note the information in section 1.4 regarding the Official Information Act.

## How much insurance will EQC offer?

### Proposal for discussion

7 That the monetary cap on EQC building cover be increased to \$200,000 + GST.

### What do you think?

7a Do you agree with the proposed increase in the building cap to \$200,000 + GST?

NOOOOOO it just means more people will be caught in their web of cheating, lying and minimising damage. Surely this Christchurch event has shown they are a hindrance and not at all helpful. If we have to have EQC KEEP it at \$100,000 for goodness sake do not increase it.

7b If not, what cap would you prefer, and why?

\$10,000 – so as many people can use their insurance company as possible. EQC do not repair to the standard of our policy so we need to get away from them.

7c Do you have strong views on the merits of a \$150,000 + GST cap versus a \$200,000 + GST cap?

I strongly urge that the cap is not lifted in any way.

7d If so, what are they?

Please don't increase the cap. It was a huge relief to anyone who managed to get over cap ( including ourselves)

7e For insurers, what do you anticipate the impact would be on premiums your company charges for residential property insurance, if the proposals in this document regarding changes to building cover were implemented? Please provide this information for a monetary cap for EQC building cover of both \$150,000 and \$200,000.

Please note the information in section 1.4 regarding the Official Information Act.

## Reinstatement of EQC cover after an event

### Proposal for discussion

8 That EQC building cover reinstate after each event.

### What do you think?

8a Do you agree that EQC cover should reinstate after each event? If not, what is your preferred alternative, and why?

No – the apportionment of claims, meant EQC could hold people to ransom. It created serious delays and let EQC waste so much money on reassessing damage, that insurance companies came and assessed too.

8b Do you agree with retaining the current definition of an event?

Yes -

8c If not, what is your preferred definition, and why?



## EQC land cover

### Proposal for discussion

9 That land cover be limited to situations where the insured land is a total loss meaning it is not practicable or cost-effective to rebuild on it.

### What do you think?

9a Do you agree that the proposed enhanced building cover, combined with restricting land cover to situations where the site of the insured building cannot be rebuilt on, would resolve, for future events, many of the recent difficulties with the interaction between land and building cover?

I don't know..

9b If not, what is your preferred alternative, and why?

9c Do you agree that restricting land cover to situations where the site of the insured building cannot be rebuilt on is appropriate, given the EQC scheme's focus on providing homeowners the resources to repair, rebuild or re-establish homes elsewhere?

Yes

9d If not, what is your preferred alternative, and why?

9e Do you have any concerns regarding the proposed change to the configuration of building cover in light of the move by most insurers to provide sum insured home insurance policies?

No – but where will the money come from for land damage if you can rebuild? The homeowner?

9f If so, what is your preferred alternative, and why?

## Better aligning EQC and private insurers' standard of repair

### Proposal for discussion

10 That EQC's current statutory repair obligation already appears broadly consistent with industry practice.

### What do you think?

10a Do you agree with the Government's assessment that EQC's legislated standard of repair is broadly consistent with current industry norms?

it might fit with mbie guidelines but does not match our policies.

10b If so, do you have views on why EQC's standard of repair is seen as markedly different from current insurance industry norms?

EQC interpret the act to provide the cheapest patch over possible. It does not match our policies. For that reason, EQC should never ever be allowed to deal with people again.

10c If not, do you have suggestions for reforms that you consider would move the EQC standard of repair closer to current insurance industry norms for residential property?

The EQC standard of repair MUST reflect what is in our policy – no minimizing of damage and trying to tell us all its "historic damage" !!!

## Simplifying EQC's claims excess

### Proposal for discussion

11 That EQC has a standard claims excess of \$2,000 + GST per building claim.

### What do you think?

11a Do you agree that EQC's building claims excesses should be standardised and simplified to a flat dollar amount?

It should be a % of the damage

11b If yes, do you agree that \$2,000 + GST is the appropriate claims excess on building claims?

11c If not, what would you prefer, and why?

### Proposal for discussion

12 That EQC have no claims excess on land claims.

### What do you think?

12a Do you agree that EQC should have no claims excess on land claims?

No

12b If not, what would you prefer, and why?

It probably should be a % of damage

## Regularly reviewing main monetary settings of cover

### Proposal for discussion

13 That the EQC Act require monetary caps, premium rates and claims excesses on EQC cover to be reviewed at least once every five years.

### What do you think?

13a Do you agree that monetary caps, premium rates and claims excesses on EQC cover should be reviewed at least once every five years?

ONLY – if they are never ever again allowed to deal with the public. As long as we are protected from them by only having to deal with one organisation – our insurance company.

13b If not, what alternative would you prefer, and why?

## How will homeowners access EQC insurance cover?

### Proposal for discussion

14 That EQC cover continues to automatically attach to fire insurance policies on residential buildings, as defined in the EQC Act.

or

15 That EQC cover automatically attach to insurance policies on residential buildings, as defined in the EQC Act, on a peril by peril basis; so if a peril covered by EQC is excluded from the private policy, it is also excluded from the EQC cover.

### What do you think?

14a Do you agree that EQC cover should continue to automatically attach to fire insurance policies on residential buildings? Or

No

15a do you agree that EQC cover should automatically attach to insurance policies on residential buildings, and EQC cover should exclude any natural disaster peril that is excluded from the fire insurance policy it attaches to?

15b If you do not agree with either of these options, what alternative arrangement do you prefer, and why?

I would much prefer to have the option of EQC cover. I would rather pay more to my insurance company and never ever have to deal with EQC again. Everyone I know would rather do that too.

### Proposal for discussion

16 That EQC continue to have the ability, but not the obligation, to directly provide EQC cover to homeowners who request it.

### What do you think?

16a Do you agree that EQC should continue to be able, but not be obliged, to directly provide EQC cover to homeowners who request it?

What a brilliant idea!! I don't know anyone who would willingly take cover from EQC fraudsters but wouldn't it be great to have the choice..... I so hope this part gets through.

16b If not, what alternative arrangement would you prefer, and why?

## Who will handle EQC claims in future?

### Proposal for discussion

17 That all EQC claims be lodged with claimants' private insurers.

### What do you think?

17a Do you agree that EQC claimants should be required to lodge all EQC claims with claimants' private insurers?

Totally – This would be great to deal with one organisation only. Imagine the money saved if this had been the case for Christchurch?

17b If not, what alternative arrangement would you prefer, and why?

## Deadline for reporting claims

### Proposal for discussion

18 That the current three-month time limit for claims notification be retained, but EQC be able to accept claims up to two years after an event, unless doing so would prejudice EQC.

### What do you think?

18a Do you agree that the current three-month time limit for claims notification should be retained, but EQC should be able to accept claims up to two years after an event, unless doing so would prejudice EQC?

Yes – I can see situations where this would protect homeowners.

18b If not, what alternative arrangements would you prefer, and why?

## Ensuring the scheme meets its expected costs

### Proposal for discussion

19 That the new EQC Act contain pricing and transparency principles requiring the scheme to adequately compensate the Crown for its expected costs and risks.

### What do you think?

19a Do you agree that the new EQC Act should contain pricing and transparency principles requiring the scheme to adequately compensate the Crown for its expected costs and risks?

Yes – that way they may be more sensible in the way they use this money. They have shockingly wasted money this time around.

19b If not, what alternative arrangements would you prefer, to ensure the scheme's future financial sustainability, and why?

## Allow but do not require differentiated EQC premiums

### Proposal for discussion

20 That the current legislative flexibility to charge flat-rate or differentiated EQC premiums be retained.

### What do you think?

20a Do you agree that the current flexibility to charge flat-rate or differentiated EQC premiums should be retained?

20b If not, what alternative arrangement would you prefer, and why?

20c Do you agree with the Government's intention to continue charging EQC premiums at a universal flat rate?

I wish we could choose whether or not to access EQC cover. I wouldn't touch it with a barge pole. EQC =

Essentially Quite Corrupt!

## How will EQC finance its risk?

### Proposal for discussion

21 That the Natural Disaster Fund be retained in broadly its current legislative form.

### What do you think?

21a Do you agree that the Natural Disaster Fund should be retained in broadly its current legislative form?

It needs to get out of assessing and stop wasting money. Other than that yes.

21b If not, what changes would you like to see considered?

### Proposal for discussion

22 That the Act enable EQC to use other forms of risk transfer, in addition to traditional reinsurance.

### What do you think?

22a Do you agree that the Act should enable EQC to use other forms of risk transfer, in addition to traditional reinsurance?

## Do you have any other feedback?

### Other feedback

23a Are there any issues not discussed in this document that you would like to bring to the Government's attention at this stage?

I know I have been scathing of EQC – and they deserve it. If we have to have this cover in NZ (ie split between EQC and insurer), please consider it being optional. They have been disgusting to deal with, both incompetent and negligent. I don't believe the founding EQC would have wanted EQC to behave in the way it has. Sadly many of us have been burnt by their fraudulent behaviour and would be happy to pay more to just have one insurer. If they remain a compulsory part of insurance, they must never deal with traumatised public or enter their houses. They need to communicate directly with the insurance companies and hand over the claim money to them.

23b What submissions would you like to make on those issues?