



Terms of Reference for Regional NZCRS Canterbury Homeowner Advisory Group

July 2023

A. Background

1. On 29 August 2022, Cabinet agreed to the establishment of the New Zealand Claims Resolution Service (NZCRS) in response to a recommendation from the 2020 report of the Public Inquiry into the Earthquake Commission.
2. The NZCRS was established as a standing national mechanism to support homeowners with a Toka Tū Ake Earthquake Commission (Toka Tū Ake EQC) and/or private insurance claim against a residential property that has been damaged by any natural disaster event (a residential insurance claim), with no limit on the value of a claim.
3. These are the Terms of Reference (ToR) for the NZCRS Canterbury Homeowner Advisory Group which has been established to support and assist the NZCRS Advisory Committee and the NZCRS Director in their roles to support homeowners as outlined above.

B. Objectives of the NZCRS

4. The objectives of the NZCRS are to:
 - a. support homeowners where required with a residential insurance claim;
 - b. assist homeowners to achieve fair, just, timely, and enduring resolution of their residential insurance claim; and
 - c. assist with the psycho-social recovery and support the wellbeing of the homeowner during the resolution of their residential insurance claim.
5. In addition, the broader aims of the NZCRS include contributing to consumer protection and education around residential insurance claims (including options for dispute resolution).

C. Principles of the NZCRS

6. The following principles underpin the functioning of the NZCRS:
 - a. **Independent and fair:** Claims and disputes are managed and resolved in accordance with applicable law and natural justice. All claims resolution and dispute functions are, and are seen to be, carried out in an objective, fair, and unbiased way. The NZCRS is independent from Toka Tū Ake EQC and all insurance companies;
 - b. **Consumer-centricity:** The homeowner is at the centre of all aspects of the NZCRS service and will be supported by the NZCRS in the assessment, management, and resolution of their insurance claim. NZCRS is easy for homeowners to find, enter, and use, regardless of their capability and resources;
 - c. **Efficient and effective:** NZCRS processes are tailored to achieve the prompt and cost-effective settlement of outstanding insurance claims and disputes wherever reasonably possible. NZCRS provides value for money through appropriate, proportionate, and timely responses to issues;
 - d. **Wellbeing:** The successful resolution of an insurance claim includes the facilitation of the psychosocial recovery and wellbeing of the owner where necessary; and



- e. **Accountable:** Subject to obligations around privacy and confidentiality, the NZCRS will be open with processes, decision making, and communication with homeowners and insurers, so as to instil public confidence in the service. Regular monitoring, assessment, and reporting will encourage ongoing improvement and better outcomes for homeowners.

D. Role of NZCRS Canterbury Homeowner Advisory Groups

7. The NZCRS Canterbury Homeowner Advisory Group will receive its work programme and direction from the NZCRS Advisory Committee and/or the NZCRS Director. The Director of the NZCRS may also ask the Chair of the Canterbury Homeowner Advisory Group at any time to progress agreed initiatives to help improve the service delivery of the NZCRS.
8. The NZCRS Canterbury Homeowner Advisory Group will be expected to report to the NZCRS Advisory Committee on progress against its work programme.
9. The NZCRS Canterbury Homeowner Advisory Group is not a statutory board, has no legal standing, and is not a decision-making body. The Ministry of Business, Innovation and Employment (MBIE) is responsible for the oversight of the NZCRS, service performance and improvements, progress against objectives, and reporting to the Responsible Minister (Minister of Commerce and Consumer Affairs).

E. Meeting frequency

10. The NZCRS Canterbury Homeowner Advisory Group will meet quarterly but out-of-cycle or more frequent meetings may be convened as required.

F. Membership

11. The Group will consist of no fewer than four members, with a maximum number of ten members, appointed by MBIE.
12. Potential members can be nominated by the NZCRS, the Group, or the NZCRS Advisory Committee. Appointment will be a joint decision between the Group Chair, the NZCRS Director and MBIE. In case of disagreement, the Chair of the Group will make the final decision.
13. Members are expected to be claimants or community representatives who have knowledge and experience beyond their own individual interactions with insurers. The membership should, as far as practical, be balanced to cover the diverse perspectives, relevant to NZCRS claimants.
14. The Chair of a Group shall be nominated by the Group. A majority vote is required to elect the Chair. Members will be required to nominate themselves for the role of Chair. The Group will elect a Deputy Chair by majority decision.
15. The Canterbury Homeowner Advisory Group Chair will be a member of the NZCRS Advisory Committee.
16. Each member of the Canterbury Homeowner Advisory Group will be appointed for the duration of two years, or shorter if circumstances dictate. Appointments can be renewed after the duration of two years.
17. Any other parties may be invited to attend meetings or part thereof as and when required. Non-members may be asked to withdraw for all or any part of a meeting.



G. Protocols

18. Members of the Group agree that in dealing with each other they will at all times discuss matters in an open and collaborative manner, and work together constructively in the interests of homeowners and the NZCRS scheme.

H. Conflict

19. The members of the Groups will disclose any real or potential conflict of interest to the other members of the group, and the Chair of the group will decide the best way to manage any such conflict. If the conflict of interest relates to the Chair, the deputy Chair will decide the best way to manage the conflict.

I. Confidentiality

20. Members have a responsibility to treat all information with appropriate confidentiality, which includes matters tabled or discussed at the Canterbury Homeowner Advisory Group meetings, as well as any information provided, or discussion that takes place, outside of these meetings.
21. Members may not represent the Canterbury Homeowner Advisory Group or the NZCRS in the media without prior approval for the Chair of the NZCRS Advisory Committee and the Director of NZCRS. Members can share information that is not confidential through media channels if they choose, but this should be as individuals and not represented as the views of the group.

J. Administration

22. If the Chair is unable to attend a meeting, they will delegate responsibility to the Deputy Chair. If the Deputy Chair is not available, the Chair will delegate responsibility to another member.
23. A quorum will be half the number of members, plus the Chair.
24. The Chair is responsible for approving a written agenda at least two working days before the meeting.
25. Draft minutes of meetings will be circulated to all members within 10 working days of the meeting.
26. Minutes will be published on the NZCRS website within 20 working days of the meeting.
27. Secretariat support will be provided by the NZCRS.
28. The ToR will be reviewed annually by MBIE. Unforeseen issues may emerge, or the nature of events may change as NZCRS operations continue. Therefore, there may be a need to update the ToR to ensure they are still fit for purpose. This ToR can only be amended with a majority agreement by the NZCRS Canterbury Homeowner Advisory Group.

K. Funding and remuneration

29. MBIE will enter into separate remuneration agreements with each member as required.