

This fact sheet explains the length of time homeowners have to issue legal proceedings against the Natural Hazards Commission Toka Tū Ake (NHC), if they wish to challenge a settlement for a Canterbury earthquake sequence (CES) claim made under the Earthquake Commission Act 1993 (EQC Act). The EQC Act was the legislation in place at the time of the Canterbury earthquake sequence.

## What is a limitation period?

A limitation period is the length of time you have to file proceedings to challenge your settlement. The limitation period is determined by the Limitation Act 1950 and Limitation Act 2010 (together, the Limitation Act).

## How do we calculate the limitation period?

Where a claim has already been settled, generally the 6-year limitation period will run from the date we settled your claim under the EQC Act. It does not start from the date of the relevant Canterbury earthquake.

Where a claim is declined, generally the 6-year limitation period will run from the date that your claim is declined under the EQC Act.

## What can I do if I'm not happy with my claim decision?

You should seek legal advice about your claim and the impact of the Limitations Act, if any. Generally speaking, the 6-year limitation period for bringing Court proceedings will run from the date we settled or declined your claim under the EQC Act.

For claims relating to the CES, NHC is only able to provide compensation for earthquake damage under the EQC Act, which was in effect at the time of the earthquakes. During the period of the Canterbury earthquakes, earthquake-related damages were covered up to \$100,000 (+GST) per claim.

## For more information

Visit [www.naturalhazards.govt.nz](http://www.naturalhazards.govt.nz)

Call 0800 DAMAGE (0800 326 243)

Write to Natural Hazards Commission Toka Tū Ake via [info@naturalhazards.govt.nz](mailto:info@naturalhazards.govt.nz) or PO Box 311, Wellington, 6140

If English is not your first language you can ask us for an interpreter, at no cost to you, by calling Natural Hazards Commission Toka Tū Ake on 0800 DAMAGE (0800 326 243) or request a translated version.

**Disclaimer:** We (NHC) reserve the right to change our approach to the application of limitation periods, but if we do so we will give public notice of that change. Any such changes will not be retrospective and will not be relied on by us until 6 months after the date we have published public notice of the changes on our website.