

Reprint
as at 1 July 1993



**Health Benefits (Reciprocity with the United Kingdom)
Act 1982**

Public Act 1982 No 176
Date of assent 17 December 1982
Commencement see section 1(2)

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**Agreement on Health Services Between the Government of
New Zealand and the Government of the United Kingdom of
Great Britain and Northern Ireland**

An Act to provide for reciprocity with the United Kingdom in relation to medical, hospital, and related benefits

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This Act is administered by the Ministry of Health.

1 Short Title and commencement

- (1) This Act may be cited as the Health Benefits (Reciprocity with the United Kingdom) Act 1982.
- (2) This Act shall come into force on a date to be fixed by the Governor-General by Order in Council. The date so fixed may be a date before the date on which the Order in Council is made.

Section 1(2): Health Benefits (Reciprocity with the United Kingdom) Act 1982 brought into force, on 1 January 1983, by the Health Benefits (Reciprocity with the United Kingdom) Act Commencement Order 1984 (SR 1984/42).

2 Agreement to have full force and effect

The provisions contained in the agreement set out in the Schedule shall have full force and effect so far as they relate to New Zealand.

Section 2: substituted, on 1 July 1993, by section 32 of the Health Sector (Transfers) Act 1993 (1993 No 23).

3 Revocation

The Medical, Hospital, and Related Benefits (Reciprocity with United Kingdom) Notice 1960 is hereby revoked.

Schedule
Agreement on Health Services Between the Government of New Zealand and the Government of the United Kingdom of Great Britain and Northern Ireland

s 2

The Government of New Zealand and the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as “the Contracting Parties”),

Desiring to provide the nationals of each of their territories during their temporary stay in the other territory with medical treatment,

Have agreed as follows:

Article 1
Definitions

For the purposes of this Agreement, unless the context otherwise requires—

- (a) “medical treatment” means:
 - (i) in relation to the United Kingdom, medical treatment which, in the opinion of a medical or dental practitioner employed by or under contract with an authority providing medical treatment, is required promptly by a national of New Zealand for a condition which arose after arrival into the territory of the United Kingdom or became, or but for treatment would have become, acutely exacerbated after such arrival; and
 - (ii) in relation to New Zealand, medical treatment which, in the opinion of a medical practitioner, or dental practitioner (in respect of persons under 19 years), is required promptly by a national of the United Kingdom for a condition which arose after arrival into the territory of New Zealand or became, or but for treatment would have become, acutely exacerbated after such arrival;
- (b) “nationals” means:
 - (i) in relation to the United Kingdom, all persons who are recognised by the Government of the United Kingdom as their nationals, provided they are ordinarily resident in the territory of the United Kingdom as defined in this Agreement; and
 - (ii) in relation to New Zealand, all New Zealand citizens ordinarily resident in the territory of New Zealand as defined in this Agreement;
- (c) “territory” means:

- (i) in relation to the United Kingdom, England, Scotland, Wales, Northern Ireland, and also the Isle of Man, the Island of Jersey, and the Bailiwick of Guernsey comprising the islands of Guernsey, Alderney, Herm, Jethou, and Sark; and
- (ii) in relation to New Zealand, the territory of New Zealand including Tokelau together with the associated self-governing State of Niue.

Article 2

- (1) In the case of a national of one Contracting Party requiring medical treatment, the need for which arose during his temporary stay in the territory of the other Contracting Party, that second Contracting Party shall, on production of evidence satisfactory to it that the person is such a national, afford, in accordance with the health service legislation in force in the territory of that Contracting Party and on the same terms as nationals of that Contracting Party, the medical treatment.
- (2) The authorities of the Contracting Party providing the medical treatment shall bear all costs arising therefrom apart from charges normally paid by nationals in that territory.
- (3) The provisions of this Article shall not apply to a national of one Contracting Party who goes to the territory of the other Contracting Party for the express purpose of obtaining medical treatment.

Article 3

- (1) The authorities responsible for the implementation of this Agreement are:
 - (a) in relation to the territory of the United Kingdom, the Department of Health and Social Security, the other United Kingdom Health Departments, and the other authorities of the territory responsible for the provision of health services, whose names and addresses shall be notified to the Government of New Zealand; and
 - (b) in relation to the territory of New Zealand, the Department of Health, and the other authorities of the territory responsible for the provision of health services, whose names and addresses shall be notified to the Government of the United Kingdom of Great Britain and Northern Ireland.
- (2) The Contracting Parties shall send to each other as soon as possible details of any changes in laws or regulations operating in their respective territories which may affect the nature and scope of health services provided under this Agreement.

Article 4

In the event of any disagreement relating to the interpretation or application of this Agreement, the Contracting Parties shall enter into consultations in order to reach an appropriate resolution of the disagreement.

Article 5

- (1) This Agreement shall remain in force until the expiration of 6 months after the date of delivery of written notice of termination by either Contracting Party to the other.
- (2) Amendments to this Agreement may be made by agreement in writing between the Contracting Parties.

Article 6

- (1) Each Contracting Party shall notify the other, through the diplomatic channel, when the internal procedures required by its law for the bringing into force of this Agreement are completed.
- (2) This Agreement shall enter into force on a date to be arranged by exchange of letters between the Contracting Parties.

IN WITNESS WHEREOF the undersigned, duly authorised thereto by their respective Governments, have signed this Agreement.

DONE at Wellington this 10th day of December 1982.

For the Government of New Zealand:
For the Government of the United
Kingdom of Great Britain and
Northern Ireland:

A G Malcolm
John H Fawcett

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Notes**1 General**

This is a reprint of the Health Benefits (Reciprocity with the United Kingdom) Act 1982. The reprint incorporates all the amendments to the Act as at 1 July 1993, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/legislation/reprints.shtml> or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint*

(most recent first)

Health Sector (Transfers) Act 1993 (1993 No 23): section 32

Health Benefits (Reciprocity with the United Kingdom) Act Commencement Order 1984 (SR 1984/42)