

New Zealand Public Health and Disability (Southern DHB) Elections Bill

Government Bill

Explanatory note

General policy statement

The New Zealand Public Health and Disability (Southern DHB) Elections Bill exempts the Southern District Health Board (the **Southern DHB**) from the 2016 triennial general election. This legislation will have the effect of extending the time that the Southern DHB is governed by a commissioner until a newly elected board takes office following the 2019 triennial general election.

The Southern DHB has long-standing financial performance issues that will require time to address. Improving the DHB's financial performance is likely to require a range of solutions, some of which could include more medium-term actions that need to be implemented after the commissioner's current term expires on 2 December 2016. This Bill would allow the commissioner more time to undertake further work in improving the Southern DHB's financial performance. A new board taking office in 2019 should then have a more secure financial position from which to begin its term.

This legislation impacts on only 1 election for the Southern DHB and is not expected to result in any additional costs for the Southern DHB or other agencies. It does not provide for any additional powers for the Minister of Health or the Government but it extends the application of an existing power.

Departmental disclosure statement

The Ministry of Health is required to prepare a disclosure statement to assist with the scrutiny of this Bill. The disclosure statement provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2015&no=106>

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. The Bill comes into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that the Bill is repealed on the day that elected members of the Southern DHB take office after the triennial general election of 2019, as provided for by clause 14 of Schedule 2 of the New Zealand Public Health and Disability Act 2000, namely the 58th day after polling day.

Preliminary provisions

Clause 4 sets out the purpose of the Bill, which is to cancel the 2016 triennial general election of the Southern DHB in order to provide for the continuation of the term of office of a commissioner for the Southern DHB until the repeal date.

Clause 5 sets out the definitions of certain terms used in the Bill.

Clause 6 provides that the Bill will, when enacted, bind the Crown.

Cancellation of election

Clause 7 cancels the 2016 triennial general election for the Southern DHB and, in relation to that triennial general election for the Southern DHB, the clause disapplies certain provisions of the New Zealand Public Health and Disability Act 2000 and the Local Electoral Act 2001 for the period that the Bill is in force.

Hon Dr Jonathan Coleman

New Zealand Public Health and Disability (Southern DHB) Elections Bill

Government Bill

Contents

	Page
1 Title	1
2 Commencement	1
3 Repeal	2
<i>Preliminary provisions</i>	
4 Purpose	2
5 Interpretation	2
6 Act binds the Crown	2
<i>Cancellation of election</i>	
7 Cancellation of 2016 election of Southern DHB	2

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the New Zealand Public Health and Disability (Southern DHB) Elections Act **2015**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

5

3	Repeal	
	This Act is repealed on the day that elected members of the Southern DHB come into office after the triennial general election of 2019, in accordance with clause 14 of Schedule 2 of the 2000 Act.	
	<i>Preliminary provisions</i>	5
4	Purpose	
	The purpose of this Act is to cancel the 2016 triennial general election of the Southern DHB in order to provide, until the repeal date, for the continuation of the term of office of a commissioner for the Southern DHB.	
5	Interpretation	10
	In this Act, unless the context otherwise requires,—	
	2000 Act means the New Zealand Public Health and Disability Act 2000	
	commissioner means a person appointed under section 31 of the 2000 Act to be a commissioner for the Southern DHB	
	repeal date means the day specified for the repeal of this Act by section 3	15
	Southern DHB means the district health board of that name listed in Schedule 1 of the 2000 Act	
	triennial general election has the meaning given in clause 1 of Schedule 2 of the 2000 Act.	
6	Act binds the Crown	20
	This Act binds the Crown.	
	<i>Cancellation of election</i>	
7	Cancellation of 2016 election of Southern DHB	
	(1) The triennial general election for the Southern DHB in 2016 is cancelled.	
	(2) The following provisions of the 2000 Act do not apply to the Southern DHB in relation to the triennial general election of 2016:	25
	(a) clause 8 of Schedule 2 (which provides for the application of the provisions of the Local Electoral Act 2001 and regulations made under that Act to every election of a DHB, subject to the provisions of the 2000 Act and to any regulations made under that Act); and	30

- (b) clause 9 of Schedule 2 (which requires the election of all DHBs to be held in conjunction with every triennial general election); and
- (c) section 7(f) of the Local Electoral Act 2001 (which applies that Act to every election of a DHB).