

Reprint
as at 1 January 2001



**Health Reforms (Transfer of Assets and Liabilities) Order
1997**
(SR 1997/98)

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 3rd day of June 1997

Present:

His Excellency the Governor-General in Council

Pursuant to section 5 of the Health Reforms (Transitional Provisions) Act 1993, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the recommendation of the Minister of Finance and the Minister of Health, makes the following order.

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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 order is administered by the Ministry of Health.

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Order

1 Title and commencement

- (1) This order may be cited as the Health Reforms (Transfer of Assets and Liabilities) Order 1997.
- (2) This order comes into force on 1 July 1997.

2 Interpretation

In this order, unless the context otherwise requires,—

proposal means a proposal set out in the schedules

transferee means the Transitional Health Authority established by the Health and Disability Services (Establishment of Transitional Health Authority) Order 1997 (SR 1997/57)

transferor means a regional health authority identified in a proposal as a transferor.

3 Proposals approved

The proposals are approved.

4 Date on which proposals take effect

The proposals take effect on 1 July 1997.

5 Provisions facilitating transfer of assets and liabilities

- (1) Where the assets and liabilities to which the proposals relate are, by virtue of section 5(3) of the Health Reforms (Transitional Provisions) Act 1993, vested in the transferee, it is declared that—
 - (a) every reference to a transferor in all regulations, orders, notices, and documents is deemed to be a reference to the transferee; and
 - (b) the transferee assumes the rights and obligations of each transferor in respect of applications for rights, objections, or proceedings before any court, authority, or other person; and
 - (c) this order is deemed to be notice to all persons, and specific notice need not be given to any authority or other person.
- (2) The Registrar of Companies is directed to register the declaration referred to in subclause (1) in respect of the Crown (acting through the Ministry of Health) and Pharmaceutical Management Agency Limited.

Clause 5(2): amended, on 1 January 2001, pursuant to clause 6(1)(a) of the Health Reforms (Transfer of Assets and Liabilities of Health Benefits Limited) Order 2000 (SR 2000/279).

Schedule 1
**Proposal for the transfer of assets and liabilities of the Southern
Regional Health Authority to the Transitional Health Authority**

cls 3, 4, 5

1 Background

This proposal has been prepared in accordance with section 5 of the Health Reforms (Transitional Provisions) Act 1993 for the purpose of transferring assets and liabilities from the Southern Regional Health Authority to the Transitional Health Authority.

2 Transferor

The transferor is the Southern Regional Health Authority established by the Regional Health Authorities Establishment Order 1993.

3 Transferee

The transferee is the Transitional Health Authority established by the Health and Disability Services (Establishment of Transitional Health Authority) Order 1997.

4 Description of assets to be transferred

The assets to be transferred to the transferee are all the assets for the time being of the transferor.

5 Description of liabilities to be transferred

The liabilities to be transferred to the transferee are all the liabilities for the time being of the transferor.

6 Values attributed for purposes of transfer to assets and liabilities to be transferred

- (1) The value attributed to the assets to be transferred is \$132,760,000 as at 30 June 1997.
- (2) The value attributed to the liabilities to be transferred is \$113,410,000 as at 30 June 1997.

7 Transfer of assets without consideration

The transferor is to transfer the assets referred to in clause 4 of this proposal without receiving in return any asset.

8 Transfer of liabilities for consideration only of transfer of assets

The transferee is to incur the liabilities referred to in clause 5 of this proposal for consideration only of receiving the assets referred to in clause 4 of this proposal.

9 Transfer date

The transfer date is 1 July 1997.

10 Date and execution

This proposal is dated 28 May 1997 and is signed by the transferring Ministers, William Francis Birch, Minister of Finance, and Simon William English, Minister of Health.

William Francis Birch,
Minister of Finance

Simon William English,
Minister of Health

Schedule 2
**Proposal for the transfer of assets and liabilities of the Central
Regional Health Authority to the Transitional Health Authority**

cls 3, 4, 5

1 Background

This proposal has been prepared in accordance with section 5 of the Health Reforms (Transitional Provisions) Act 1993 for the purpose of transferring assets and liabilities from the Central Regional Health Authority to the Transitional Health Authority.

2 Transferor

The transferor is the Central Regional Health Authority established by the Regional Health Authorities Establishment Order 1993.

3 Transferee

The transferee is the Transitional Health Authority established by the Health and Disability Services (Establishment of Transitional Health Authority) Order 1997.

4 Description of assets to be transferred

The assets to be transferred to the transferee are all the assets for the time being of the transferor.

5 Description of liabilities to be transferred

The liabilities to be transferred to the transferee are all the liabilities for the time being of the transferor.

6 Values attributed for purposes of transfer to assets and liabilities to be transferred

- (1) The value attributed to the assets to be transferred is \$143,000,000 as at 30 June 1997.
- (2) The value attributed to the liabilities to be transferred is \$136,000,000 as at 30 June 1997.

7 Transfer of assets without consideration

The transferor is to transfer the assets referred to in clause 4 of this proposal without receiving in return any asset.

8 Transfer of liabilities for consideration only of transfer of assets

The transferee is to incur the liabilities referred to in clause 5 of this proposal for consideration only of receiving the assets referred to in clause 4 of this proposal.

9 Transfer date

The transfer date is 1 July 1997.

10 Date and execution

This proposal is dated 28 May 1997 and is signed by the transferring Ministers, William Francis Birch, Minister of Finance, and Simon William English, Minister of Health.

William Francis Birch,
Minister of Finance

Simon William English,
Minister of Health

Schedule 3
**Proposal for the transfer of assets and liabilities of the Midland
Regional Health Authority to the Transitional Health Authority**

cls 3, 4, 5

1 Background

This proposal has been prepared in accordance with section 5 of the Health Reforms (Transitional Provisions) Act 1993 for the purpose of transferring assets and liabilities from the Midland Regional Health Authority to the Transitional Health Authority.

2 Transferor

The transferor is the Midland Regional Health Authority established by the Regional Health Authorities Establishment Order 1993.

3 Transferee

The transferee is the Transitional Health Authority established by the Health and Disability Services (Establishment of Transitional Health Authority) Order 1997.

4 Description of assets to be transferred

The assets to be transferred to the transferee are all the assets for the time being of the transferor.

5 Description of liabilities to be transferred

The liabilities to be transferred to the transferee are all the liabilities for the time being of the transferor.

6 Values attributed for purposes of transfer to assets and liabilities to be transferred

- (1) The value attributed to the assets to be transferred is \$121,430,000 as at 30 June 1997.
- (2) The value attributed to the liabilities to be transferred is \$110,430,000 as at 30 June 1997.

7 Transfer of assets without consideration

The transferor is to transfer the assets referred to in clause 4 of this proposal without receiving in return any asset.

8 Transfer of liabilities for consideration only of transfer of assets

The transferee is to incur the liabilities referred to in clause 5 of this proposal for consideration only of receiving the assets referred to in clause 4 of this proposal.

9 Transfer date

The transfer date is 1 July 1997.

10 Date and execution

This proposal is dated 28 May 1997 and is signed by the transferring Ministers, William Francis Birch, Minister of Finance, and Simon William English, Minister of Health.

William Francis Birch,
Minister of Finance

Simon William English,
Minister of Health

Schedule 4
**Proposal for the transfer of assets and liabilities of the Northern
Regional Health Authority to the Transitional Health Authority**

cls 3, 4, 5

1 Background

This proposal has been prepared in accordance with section 5 of the Health Reforms (Transitional Provisions) Act 1993 for the purpose of transferring assets and liabilities from the Northern Regional Health Authority to the Transitional Health Authority.

2 Transferor

The transferor is the Northern Regional Health Authority established by the Regional Health Authorities Establishment Order 1993.

3 Transferee

The transferee is the Transitional Health Authority established by the Health and Disability Services (Establishment of Transitional Health Authority) Order 1997.

4 Description of assets to be transferred

The assets to be transferred to the transferee are all the assets for the time being of the transferor.

5 Description of liabilities to be transferred

The liabilities to be transferred to the transferee are all the liabilities for the time being of the transferor.

6 Values attributed for purposes of transfer to assets and liabilities to be transferred

- (1) The value attributed to the assets to be transferred is \$175,600,000 as at 30 June 1997.
- (2) The value attributed to the liabilities to be transferred is \$170,600,000 as at 30 June 1997.

7 Transfer of assets without consideration

The transferor is to transfer the assets referred to in clause 4 of this proposal without receiving in return any asset.

8 Transfer of liabilities for consideration only of transfer of assets

The transferee is to incur the liabilities referred to in clause 5 of this proposal for consideration only of receiving the assets referred to in clause 4 of this proposal.

9 Transfer date

The transfer date is 1 July 1997.

10 Date and execution

This proposal is dated 28 May 1997 and is signed by the transferring Ministers, William Francis Birch, Minister of Finance, and Simon William English, Minister of Health.

William Francis Birch,
Minister of Finance

Simon William English,
Minister of Health

Marie Shroff,
Clerk of the Executive Council.

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Notes**1 General**

This is a reprint of the Health Reforms (Transfer of Assets and Liabilities) Order 1997. The reprint incorporates all the amendments to the order as at 1 January 2001, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

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/editorial-conventions/> or Part 8 of the *Tables of New Zealand 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 Reforms (Transfer of Assets and Liabilities of Health Benefits Limited) Order 2000 (SR 2000/279): clause 6(1)(a)