

**Reprint
as at 21 June 1996**



**Health Reforms (Transfer of Assets
and Liabilities) Order 1996**

(SR 1996/161)

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 17th day of June 1996

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, hereby makes the following order.

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 1996.
- (2) This order shall come into force on 18 July 1996.
- 2 Interpretation**
- In this order—
- Lease** means the lease described (under the heading “Description of assets to be transferred”) in the proposal set out in the Schedule
- transferee** means the transferee specified in the proposal set out in the Schedule
- transferor** means the transferor specified in the proposal set out in the Schedule.
- 3 Proposal approved**
- The proposal set out in the Schedule is hereby approved.
- 4 Date on which proposal takes effect**
- The proposal set out in the Schedule shall take effect on 18 July 1996.
- 5 Provisions facilitating transfer of assets and liabilities**
- Where the assets or liabilities to which the proposal set out in the Schedule of this order relates are, by virtue of section

5(3) of the Health Reforms (Transitional Provisions) Act 1993, vested in the transferee,—

- (a) every reference to the transferor in the Lease shall be deemed to be a reference to the transferee; and
- (b) the transferee shall assume the obligations of the transferor which relate to the Lease and which are in respect of applications for rights, objections, or proceedings before any court, authority, or other person; and
- (c) this order shall be deemed to be notice to all persons, and specific notice need not be given to any authority or other person.

Schedule

cls 3, 4, 5

Proposal for the transfer of assets and liabilities to Residual Health Management Unit

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 Crown to the Residual Health Management Unit.

2 Transferor

The transferor is Her Majesty the Queen in Right of New Zealand acting through the Minister of Lands (by virtue of section 7(1) of the Ministry of Works and Development Abolition Act 1988).

3 Transferee

The transferee is the Residual Health Management Unit, established by section 16 of the Health Reforms (Transitional Provisions) Act 1993.

4 Description of assets to be transferred

The assets to be transferred to the transferee are the rights as lessee of Her Majesty the Queen in right of New Zealand

under a Deed of Lease, dated 27 August 1986, between Albert Plaza Limited at Auckland (as lessor), and Her Majesty the Queen acting through the Minister of Works and Development (as lessee), which lease was executed under the common seal of the lessor, and by Ross James Sutherland on behalf of the lessee.

5 Description of liabilities to be transferred

The liabilities to be transferred to the transferee are the obligations as lessee of Her Majesty the Queen in right of New Zealand under a Deed of Lease, dated 27 August 1986, between Albert Plaza Limited at Auckland (as lessor), and Her Majesty the Queen acting through the Minister of Works and Development (as lessee), which lease was executed under the common seal of the lessor, and by Ross James Sutherland on behalf of the lessee.

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

- (1) The value attributed to the assets to be transferred, being the rights as lessee that are described in paragraph 4, is \$1,173,000 in 1996/1997 and \$976,000 in 1997/1998 (being the estimated annual rental payable to the lessee until the end of the term of the Lease on 3 April 1998).
- (2) The value attributed to the liabilities to be transferred, being the obligations as lessee that are described in paragraph 5, is \$1,632,000 in 1996/1997 and \$1,224,000 in 1997/1998 (being the estimated annual rental payable by the lessee until the end of the term of the Lease on 3 April 1998).

7 Transfer date

The transfer date is 18 July 1996.

8 Date and execution

This proposal is dated 12 June 1996 and has been signed for the transferring Minister, William Francis Birch, Minister of Finance, by Dr Lockwood Smith (a member of the Executive

Council), and by the other transferring Minister, Jenny Shipley, Minister of Health.

A L Smith, for Minister of Finance

Jenny Shipley, Minister of Health

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 18 July 1996, approves a proposal that has been prepared in accordance with section 5 of the Health Reforms (Transitional Provisions) Act 1993 for the transfer of assets and liabilities under that section from the Crown to the Residual Health Management Unit.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 20 June 1996.

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Notes**1 General**

This is a reprint of the Health Reforms (Transfer of Assets and Liabilities) Order 1996. The reprint incorporates all the amendments to the order as at 21 June 1996, 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)*
