

Version  
as at 1 July 2022



# Health Sector Transfers (Provider Arrangements) Order 2002

(SR 2002/151)

Health Sector Transfers (Provider Arrangements) Order 2002: revoked, on 1 July 2022, by section 103(2) of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Silvia Cartwright, Governor-General

## Order in Council

At Wellington this 10th day of June 2002

Present:

Her Excellency the Governor-General in Council

Pursuant to section 5 of the Health Sector (Transfers) Act 1993, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

### Contents

		Page
1	Title	2
2	Commencement	2
3	Interpretation	2
4	Proposal approved	2
5	Date on which proposal takes effect	2

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#### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This order is administered by the Ministry of Health.**

6	Provisions facilitating transfer of assets and liabilities	2
	<b>Schedule</b>	4
	<b>Proposal for transfer of assets and liabilities from the Crown (acting through the Ministry of Health) to DHBs</b>	

## Order

### 1 Title

This order is the Health Sector Transfers (Provider Arrangements) Order 2002.

### 2 Commencement

This order comes into force on 1 July 2002.

### 3 Interpretation

In this order, unless the context otherwise requires,—

**proposal** means the proposal set out in the Schedule

**relevant transferee**, in relation to any assets or liabilities, means the DHB to which those assets or liabilities are transferred by this order

**supplier**, in relation to a relevant transferee, means a supplier of services that relate to assets or liabilities transferred to the transferee by this order

**transferor** means the Crown (acting through the Ministry of Health).

### 4 Proposal approved

The proposal is approved.

### 5 Date on which proposal takes effect

The proposal takes effect on 1 July 2002.

### 6 Provisions facilitating transfer of assets and liabilities

It is declared that, on and from 1 July 2002,—

- (a) every reference to the transferor in any specified agreement (as that term is defined in the proposal) and in any related document is deemed to be a reference to the relevant transferee; and
- (b) each relevant transferee assumes, in relation to assets or liabilities transferred to the transferee by this order, the rights and obligations of the transferor in respect of applications for rights, objections, or proceedings before any court, authority, or other person; and
- (c) each relevant transferee has the obligation to advise each supplier of the address of the office to which invoices must be sent for processing; and

- (d) this order is deemed to be notice to all persons, and specific notice need not be given to any authority or other person.

**Schedule**  
**Proposal for transfer of assets and liabilities from the Crown (acting through the Ministry of Health) to DHBs**

cl 3

**1 Background**

This proposal has been prepared in accordance with section 5 of the Health Sector (Transfers) Act 1993 for the purpose of transferring certain assets and liabilities of the Crown (acting through the Ministry of Health) to DHBs.

**2 Interpretation**

In this proposal, unless the context requires otherwise,—

**assigned number** means the number by which a document held in the Ministry of Health's database of provider contracts is identified in that database

**specified agreement** means an agreement for the supply of services that is evidenced by, or referred to in, a document identified in the Appendix to this proposal.

**3 Transferor**

The transferor is the Crown (acting through the Ministry of Health).

**4 Transferees**

The relevant transferee, in relation to any specified agreement, is the DHB whose name appears above the table in the Appendix to this proposal that refers to a document that evidences or refers to the agreement.

**5 Description of assets and liabilities to be transferred**

- (1) The assets and liabilities to be transferred are the rights, liabilities, and obligations of the transferor under every specified agreement.
- (2) However, the liabilities referred to in subclause (1) do not include the transferor's liabilities to pay for services provided before 1 July 2002.

**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 nil as at 30 June 2002.
- (2) The value attributed to the liabilities to be transferred is nil as at 30 June 2002.

**7 Transfer of assets without consideration**

The assets referred to in clause 5 of this proposal are transferred without the transferor receiving any asset in return.

**8 Transfer of liabilities for consideration only of transfer of assets**

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

**9 Transfer date**

The transfer date is 1 July 2002.

**10 Date and execution**

This proposal is dated 7 May 2002 and is signed by the transferring Ministers, Michael John Cullen, Minister of Finance, and Annette Faye King, Minister of Health.

Michael John Cullen, Minister of Finance.

Annette Faye King, Minister of Health.

## Appendix 1

### Documents that evidence, or refer to, specified agreements transferred from the Crown (acting through the Ministry of Health)

cl 2

Assigned number	Name of supplier	Name of document
<b>Auckland DHB</b>		
151430-07	Haemophilia Foundation of New Zealand Incorporated	Haemophilia Support Services
166219-02	Kidney Kids of NZ Support Group Incorporated	Kidney Kids Support Services
178837-02	The Leukaemia and Blood Foundation of New Zealand	National Marrow Donor Maintenance Management Operation
218397-02	The Salvation Army Property (New Zealand) Trust Board	Alcohol and Drug Services for Adults
252021-00	Piritahi Hau Ora Trust	Primary Health Care & Community Services
252051-00	Te Kaha O Te Rangatahi Whanau O Tamaki Makaurau Charitable Trust	Rangatahi Sexual Health Services
<b>Bay of Plenty DHB</b>		
142513-04	Tauranga Help Foundation Incorporated	Health Promotion/Child Abuse Prevention Services
148665-04	Lexham Park Limited	Primary Care Inpatient Services
224857-01	Poutiri Trust Limited	Koroua and Kuia Early Intervention Services
239399-02	PrimeHealth Limited	School Based Health Clinics
243301-03	Te Ha O Te Whanau Trust	Travel Assistance
251517-00	Te Runanga O Te Whanau Charitable Trust	Whanau Ora—Maori Community Health Services
<b>Canterbury DHB</b>		
142719-02	Papanui Medical Centre Limited	Primary Care Services
160918-01	Hurunui-Kaikoura Rural Health Limited	GPs, District Nursing and Associated Services
189481-03	He Oranga Pounamu Charitable Trust	Maori Workforce Development
225177-01	STOP Trust	Whanau Worker and Kaiwhakahaere
241064-01	He Oranga Pounamu Charitable Trust	Maori Primary Health Services
251494-01	He Oranga Pounamu Charitable Trust	Maori Health Development
251532-00	He Oranga Pounamu Charitable Trust	Service Coordination Services
253027-00	Pantra Enterprises Limited	Individual Agreement
263439-00	Nurse Maude Foundation	Home Support Tender & Linen Services
263441-00	Healthcare of New Zealand Limited	Community Nursing and Home Support Services

<b>Assigned number</b>	<b>Name of supplier</b>	<b>Name of document</b>
263446-00	Selwyn Rural Health Group Limited	Health Services
<b>Capital &amp; Coast DHB</b>		
252250-00	Te Runanga o Toa Rangatira Incorporated	Waka Ama Programme
252868-00	Royal NZ Foundation for the Blind	Voice Glucose Meters
<b>Counties Manukau DHB</b>		
155770-03	Family Life Education Pasefika Services Trust	Reproductive and Sexual Health Clinical Service
167418-03	South Auckland Vision Project Trust	South Auckland Children's Vision Screening Pilot
<b>Hawkes Bay DHB</b>		
168758-03	Federation of NZ Ostomy Societies Incorporated	Community Domiciliary Care
249666-01	Havelock North Dental Services Limited	Dental Benefits
252493-00	Platform Incorporated	Ongoing Development of a Nga Oranga O Te Rae Pilot
256049-00	Platform Incorporated	Evaluation and Development of a Policies and Practices Manual for the Nga Oranga O Te Rae Pilot
<b>Hutt Valley DHB</b>		
217837-02	Care NZ Limited	Alcohol and Drug Services for Adults
251535-01	Blueprint Trust Board	Mental Health Workforce Development in Central Region
<b>Lakes DHB</b>		
250527-02	Barbara Forbes trading as Taupo Transport Group	Transport Services
255597-00	Contact Trust	Consumer Advisory Group Development
256127-00	Te Aroha o Hinemaru Trust	Mental Health Community Residential Services
<b>MidCentral DHB</b>		
252227-00	Te Whanau Manaaki o Manawatu Trust	Whanau Support/Intervention Programme
<b>Northland DHB</b>		
251004-00	Kia Ora Ngatiwai Trust	Maori Primary Health Services
251602-00	David Murray Stallworthy	Oral Health Services
256031-00	Te Runanga O Te Rarawa Incorporated	Tuturu Tangata Services
256129-00	Te Hauora o Te Hiku o te Ika Trust	Kaupapa Maori Medical Support Services

<b>Assigned number</b>	<b>Name of supplier</b>	<b>Name of document</b>
257350-00	Broadway Health Management Limited trading as Broadway House Health Centre	Diabetes Education Services
257356-00	First Health Limited	Diabetes Education Services
257359-00	Whakawhiti Ora Pai Society Incorporated	Primary Care Services
<b>Otago DHB</b>		
213397-02	Otago Youth Wellness Trust	Maori Nurse Hauora Service
<b>Tairāwhiti DHB</b>		
229257-01	Ngati Porou Hauora Incorporated	Primary Health Services
232957-00	Ngati Porou Hauora Incorporated	Primary Health Services - Head Agreement
250597-01	Ngati Porou Hauora Incorporated	School Based Health Clinics
254486-00	Te Hauora O Turanganui A Kiwa Limited	Dental and School Based Health Services
<b>Taranaki DHB</b>		
145470-04	Tui Ora Limited	Pregnancy and Parenting Education
<b>Waikato DHB</b>		
141701-00	Taumarunui Midwives Incorporated	Maternity Facilities Service
227617-01	Te Korowai Hauora o Hauraki Charitable Trust	Mental Health Service - Implementation Plan Phase 1
251515-00	Nga Miro Charitable Trust	Koroua and Kuia Support Services
251518-00	Piako Community Whanau Trust	Maori Health Development
251618-00	Tokoroa Community Hospice Trust	Hospice Services
251689-00	Taumarunui Community Kokiri Trust	Koroua and Kuia Support Services
253129-00	Odyssey House Trust	Residential Treatment Drug and Alcohol Services
255594-00	Linkage Trust	Mental Health Primary Secondary Relationship Services
255692-00	New Progress Enterprises Charitable Trust	Mental Health Support Services
257293-00	The Salvation Army Property (New Zealand) Trust Board	Home Based Support Service for People with Mental Illness
<b>Waitemata DHB</b>		
154875-05	New Zealand National Eye Bank Trust	National Eye Bank
158210-05	New Zealand Continence Association Incorporated	Education Awareness Services
166206-04	Wellsford Medical Services Limited	Home Help Services for Post-Maternity Women
243561-02	West Auckland Pacific Island Health Fono Incorporated	Child and Youth Services
244068-02	Wellsford Medical Services Limited	Birthing Unit



Version as at  
1 July 2022

**Health Sector Transfers (Provider Arrangements)  
Order 2002**

Explanatory note

<b>Assigned number</b>	<b>Name of supplier</b>	<b>Name of document</b>
253266-00	Harbourside Group Holdings Limited	Mental Health and Psychogeriatric Services
254586-00	Helensville Birthing Centre Limited	Maternity Facilities Service
<b>West Coast DHB</b>		
198357-01	Maori Womens Welfare League Incorporated	Maori Advisory Services
228057-01	Royal NZ Plunket Society Incorporated and Maori Women's Welfare League Incorporated (Joint Venture)	Facilitation (0-5 yrs) Services

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 1 July 2002, approves a proposal that has been prepared in accordance with section 5 of the Health Sector (Transfers) Act 1993. The effect of the order is to transfer to District Health Boards the rights and obligations of the Crown (acting through the Ministry of Health) under certain arrangements with providers of health services. However, the Crown (acting through the Ministry of Health) remains liable to pay for services provided, before 1 July 2002, under those arrangements.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 13 June 2002.

**Notes****1 General**

This is a consolidation of the Health Sector Transfers (Provider Arrangements) Order 2002 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

**2 Legal status**

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

**3 Editorial and format changes**

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

**4 Amendments incorporated in this consolidation**

Pae Ora (Healthy Futures) Act 2022 (2022 No 30): section 103(2)