

Version  
as at 1 July 2022



## Health Sector Transfers (Christchurch Hospital Hagley Facility) Order 2020

(LI 2020/178)

Health Sector Transfers (Christchurch Hospital Hagley Facility) Order 2020: revoked, on 1 July 2022, by section 103(2) of the Pae Ora (Healthy Futures) Act 2022 (2022 No 30).

Patsy Reddy, Governor-General

### Order in Council

At Wellington this 3rd day of August 2020

Present:

The Right Hon Jacinda Ardern presiding in Council

This order is made under section 5 of the Health Sector (Transfers) Act 1993—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Finance and the Minister of Health.

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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.**

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## Order

### 1 Title

This order is the Health Sector Transfers (Christchurch Hospital Hagley Facility) Order 2020.

### 2 Commencement

This order comes into force on 1 November 2020.

### 3 Interpretation

In this order,—

**Act** means the Health Sector (Transfers) Act 1993

**assigned number**, in relation a contract, means the number by which the contract is identified in the Ministry of Health’s database of contracts

**contract** includes all variations of the contract that are in force on 1 November 2020

**facility** means the Christchurch Hospital Hagley Facility (including the Hagley building, the emergency services entrance, the link bridge, and the tunnel works)

**proposal** means the proposal set out in the Schedule, and includes the appendix.

### 4 Approval of proposal

The proposal is approved.

### 5 Date on which proposal takes effect

The proposal takes effect on 1 November 2020.

## Schedule Proposal

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### **1 Background**

This proposal has been prepared in accordance with section 5 of the Act for the purpose of transferring the Christchurch Hospital Hagley Facility from the Crown to Canterbury DHB. The facility has been constructed pursuant to contracts entered into between the Crown and third parties, on land owned by Canterbury DHB, and belongs to the Crown by agreement with Canterbury DHB.

### **2 Transferor**

The transferor is the Crown, acting through the Ministry of Health.

### **3 Transferee**

The transferee is Canterbury DHB.

### **4 Description of assets to be transferred**

The assets to be transferred are—

- (a) the facility, including all furniture, fittings, and equipment of the facility; and
- (b) all rights of the transferor under each contract specified in the appendix to the extent that the contract relates to the facility.

### **5 Description of liabilities to be transferred**

The liabilities to be transferred to the transferee are all the liabilities (including obligations) of the transferor arising in respect of the assets described in clause 4, but excluding any contractual liabilities arising under any contract that is not specified in the appendix.

### **6 Values attributed to assets and liabilities for purpose of transfer**

For the purpose of the transfer,—

- (a) the value attributed to the assets to be transferred is \$549,800,000.00 as at the transfer date; and
- (b) the value attributed to the liabilities to be transferred is nil as at the transfer date.

### **7 Transfer of assets for consideration**

The consideration for the transfer is the value of the assets being transferred.

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

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

**9 Transfer date**

The transfer date is 1 November 2020.

**10 Delegations**

The transferring Ministers are jointly authorised, in accordance with clause 16 of Schedule 1 of the Act, to—

- (a) take any action or make any decision on behalf of the Crown to give effect to the proposal; and
- (b) appoint the Chief Financial Officer of the Ministry of Health to act as their agent in taking any action or making any decision on behalf of the Crown to give effect to the proposal.

**11 Date and execution**

This proposal is dated 17th July 2020 and is signed by the transferring Ministers, Grant Murray Robertson, Minister of Finance, and Christopher John Hipkins, Minister of Health.

## Appendix

### Contracts between transferor and third parties

Assigned number	Name of third party	Service provided	Agreement date
BC001	Resource Co-ordination Partnership Limited	Programme director	15 March 2013
BC003	Helena May Berard	Furniture, fixtures, and equipment (FF&E) management services	2 December 2013
BC007	Minale Tattersfield Design Pty Limited	Wayfinder consultant services	14 January 2014
BC008	Evaluate Consulting Limited	Information and communication technology (ICT) technology implementation plan	4 April 2014
BC010	Fox & Associates Limited	Surveying services	28 January 2014
BC014	Urbis TPD Limited	Planning and traffic engineering services	28 January 2014
BW013	Lucas Safety Limited	Project safety advisory services	16 December 2013
CH008	Octa Associates Limited	Engineer to the contract	11 November 2013
CH010	Arbor Vitae Limited	Arborist consultancy services	28 January 2014
CH011	Shipleys Audiovisual Limited	Camera survey (usage of current loading docks)	28 January 2014
CH012	Woods Harris Consulting Limited	Programming services	25 July 2013
CH014	Marshall Day Acoustics Limited	Acoustic engineering services	19 September 2013
CH022	Connetics Limited	Enabling high-voltage (HV) electrical work	19 August 2014
CH024	Schick Civil Construction Limited	Site enabling and bulk earthworks	1 October 2014
CH026	Accreditation Limited	Hazardous substances and new organisms (HSNO) consultant	14 July 2014
CH030	A.C.E.P.T. Pty Limited	Specialist magnetic resonance imaging (MRI) consultant	22 July 2014
CH032	Ceres New Zealand, LLC	Oral Health Centre demolition	4 November 2014
CH034	Robinson Seismic Limited	Base isolators	16 December 2014
CH035	Schindler Lifts NZ Ltd	Vertical transportation package	9 March 2015
CH036	The Fletcher Construction Company Limited	Foundations work contract	14 August 2015
CH037	Aluminium Offshore Pty Ltd	ASB rooftop helipad package	21 August 2015
CH052	Warren and Mahoney Architects Limited	Building information management (BIM) plan	23 April 2015
CH077	Underground Overground Archaeology Limited	Archaeology compliance work	15 January 2016

<b>Assigned number</b>	<b>Name of third party</b>	<b>Service provided</b>	<b>Agreement date</b>
CH093	Acoustic Engineering Services Limited	Value management option reduction noise attenuation spec of the generator housing contains—impact of reduction	13 May 2016
CH099	Environmental and Industrial Analysis Group Limited	Asbestos survey of Clinical Services Building (CSB)	30 August 2016
CH123	Wilson & Crowhurst Limited (trading as Decor People)	Blinds and curtains	19 November 2017
CH126	Lewis Print Services Limited (trading as Images Unlimited Group)	Supply and install signage (including related equipment/goods/services)—ASB	15 August 2018
CH127	CCM Architects Limited	Design services	8 August 2018
CH130	Solid Concrete Solutions Limited	Independent determination pre-cast panels	10 August 2017
CH131	Gallagher Bassett NZ Limited	Mould testing	22 August 2017
CH134	Dominion Constructors Limited	Building contractor for bridge link	22 December 2017
CH138	Opus International Consultants Limited	Structural and civil engineers	21 December 2017
CH139	Lautrec Façade Design Limited	Independent façade engineering consultant	19 January 2018
CH146	Gallagher Bassett NZ Limited	Mould testing of insulation aerial	9 March 2018
CH151	TL Parker Limited	Antenna and radio receiver for ED department	20 March 2018
CH154	Dominion Constructors Limited	Main contractor	7 March 2019
CH155	Barrier Free New Zealand Trust	Accessibility assessment and report	24 April 2018
CH156	Urbis TPD Limited	Planning and traffic engineering services	1 July 2018
CH160	Compliance and Certification Management Limited	HSNO certification	28 September 2018
CH162	Gallagher Bassett NZ Ltd	Mould testing of curtain wall seals	4 October 2018
CH163	Underground Overground Archaeology Limited	Archaeological works	11 October 2018
CH088A	Dominion Constructors Limited	Services tunnel infrastructure works	25 June 2017
CH103	David Browne Contractors Limited	Temporary infrastructure works	31 March 2017
CH104	Lyttelton Engineering Limited	Temp infrastructure works—Energy Centre	23 March 2017
CH172	Urbis TPD Limited	Traffic management for ASB entranceway	22 May 2019
CH173	Citycare Civil Limited (owned by Christchurch City Holding Limited)	Road marking work	21 August 2019

<b>Assigned number</b>	<b>Name of third party</b>	<b>Service provided</b>	<b>Agreement date</b>
CH178	CCJS Limited	Post practical completion works—general building works	13 September 2019
CH179	KME Services NZ Pty Limited	Post practical completion works—electrical, security, data	13 September 2019
CH182	Endfire Engineering Pty Ltd	Post practical completion works—passive fire protection	13 September 2019
CH185	Pacific Door Systems Limited	Christchurch Acute door changes post contract	1 November 2019

Michael Webster,  
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 comes into force on 1 November 2020. The order transfers from the Crown to Canterbury DHB the newly constructed Christchurch Hospital Hagley Facility and the rights and obligations of the Crown under specified third-party contracts (to the extent that those contracts relate to the facility).

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 6 August 2020.

## Notes

### **1** *General*

This is a consolidation of the Health Sector Transfers (Christchurch Hospital Hagley Facility) Order 2020 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)