

Version  
as at 1 July 2022



## Health Sector Transfers (Christchurch Hospital Outpatients Facility) Order 2018

(LI 2018/212)

Health Sector Transfers (Christchurch Hospital Outpatients Facility) Order 2018: 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 29th day of October 2018

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

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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 Outpatients Facility) Order 2018.

### 2 Commencement

This order comes into force on 1 November 2018.

### 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

**facility** means the Christchurch Hospital Outpatients Facility

**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 2018.

## 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 Outpatients 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 are all the liabilities (including obligations) of the transferor arising in respect of the assets described in clause 4.

### **6 Values attributed to assets and liabilities**

For the purpose of the transfer,—

- (a) the value attributed to the assets to be transferred is \$72,000,000.00 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 described in clause 5 for consideration only of receiving the assets described in clause 4.

**9 Transfer date**

The transfer date is 1 November 2018.

**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 of execution**

The proposal is dated 2 October 2018 and is signed by the transferring Ministers, Grant Murray Robertson, Minister of Finance, and David Scott Clark, Minister of Health.

## Appendix

### Contracts between transferor and third parties

Assigned number	Name of third party	Service provided	Agreement date
CH004	Rider Levett Bucknall Christchurch Limited	Quantity surveying services	4 July 2013
CH009	Octa Associates Limited	Extension of time peer review	11 November 2013
CH012	Woods Harris Consulting Limited	Programming services Outpatients Facility	25 July 2013
BC014	Urbis TPD Limited	Planning and traffic services	28 January 2014
CH023	CCM Architects Limited	Design services (Outpatients Facility business case)	5 June 2014
CH025	PricewaterhouseCoopers New Zealand	Business case Outpatients Facility	2 July 2014
CH031	Resource Co-ordination Partnership Limited	Programme director services	24 July 2014
CH027	Jacobs Group (Australia) Pty Ltd	Health planning services (business case)	8 September 2014
CH049	CCM Architects Limited	Design services (Outpatients Facility)	20 July 2015
CH054	PricewaterhouseCoopers New Zealand	Probity—main building contractor for Outpatients Facility	7 May 2015
CH053	Johnstaff Projects (NZ) Pty Limited	Project management services	29 July 2015
CH063	Jacobs Group (Australia) Pty Ltd	Services engineering	22 July 2015
CH074	McManus Geotech Limited	Geotech peer review	15 December 2015
CH064	Opus International Consultants Limited	Structural and civil engineers	22 July 2015
CH080	Cannon Corporation Limited	Geotech and structural peer review for producer statement design review	15 March 2016
CH084	Barrier Free New Zealand Trust	Accessibility review	23 March 2016
CH085	Aurecon New Zealand Limited	Fire strategy report	23 March 2016
CH087	Leighs Construction Limited	Main build contractor	30 June 2016
CH095	Lucas Safety Limited	Health and safety consultant	26 May 2016
CH107	Southern QA Limited	Third party testing of circular hollow section column material for steel	5 December 2016
CH110	Connetics Limited	Design for high voltage substation	13 December 2016
CH124	Independent Line Services Limited	Supply, installation, and commissioning of substation	3 August 2017
CH128	B & W Consulting Limited	Migration manager (includes Acute Services Building)	1 December 2017

<b>Assigned number</b>	<b>Name of third party</b>	<b>Service provided</b>	<b>Agreement date</b>
WMN2A/3516	Fox & Associates Limited	Ground penetrating radar site services locate	
WMN2A/3518	Underground Overground Archaeology Limited	Archaeological (purchase order)	8 October 2015
WMN2A/3537	Visual Networks Limited	Construction camera	

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 2018. The order transfers from the Crown to Canterbury DHB the newly constructed Christchurch Hospital Outpatients 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*: 1 November 2018.

## Notes

### **1**    *General*

This is a consolidation of the Health Sector Transfers (Christchurch Hospital Outpatients Facility) Order 2018 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)