



Health Sector Transfers (Southern DHB) Order 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 29th day of March 2010

Present:

His Excellency the Governor-General in Council

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

Contents

		Page
1	Title	2
2	Commencement	2
3	Approval of proposal	2
4	Date on which proposal takes effect	2

Schedule

Proposal for transfer of assets and liabilities from Otago DHB and Southland DHB to Southern DHB

Order

- 1 Title**

This order is the Health Sector Transfers (Southern DHB) Order 2010.
- 2 Commencement**

This order comes into force on the close of 30 April 2010.
- 3 Approval of proposal**

The proposal set out in the Schedule is approved.
- 4 Date on which proposal takes effect**

The proposal set out in the Schedule takes effect on the close of 30 April 2010.

Schedule

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Proposal for transfer of assets and liabilities from Otago DHB and Southland DHB to Southern DHB

- 1 Background**

This proposal has been prepared in accordance with section 5 of the Health Sector (Transfers) Act 1993 for the purpose of transferring all of the assets and liabilities of Otago DHB and Southland DHB to Southern DHB. The proposal facilitates the merger of Otago DHB and Southland DHB into Southern DHB, which is a newly established district health board.
- 2 Transferors**

The transferors are Otago DHB and Southland DHB.
- 3 Transferee**

The transferee is Southern DHB, a district health board established under the New Zealand Public Health and Disability Act 2000.

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- 4 Description of assets to be transferred**
The assets to be transferred to the transferee are all the assets for the time being of each of the transferors.
- 5 Description of liabilities to be transferred**
The liabilities to be transferred to the transferee are all the liabilities for the time being of each of the transferors.
- 6 Values attributed to assets and liabilities for purposes of transfer**
- (1) For the purposes of the transfer, the value attributed to the assets to be transferred—
- (a) from Otago DHB is \$191,734,000 as at 28 February 2010:
 - (b) from Southland DHB is \$111,629,000 as at 28 February 2010.
- (2) For the purposes of the transfer, the value attributed to the liabilities to be transferred—
- (a) from Otago DHB is \$123,814,000 as at 28 February 2010:
 - (b) from Southland DHB is \$86,018,000 as at 28 February 2010.
- 7 Transfer of assets without consideration**
Each transferor is to transfer the assets referred to in clause 4 without receiving any asset in return.
- 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 referred to in clause 4.
- 9 Transfer date**
The transfer date is the close of 30 April 2010.

10 Date and execution

This proposal is dated 24 March 2010 and is signed by the transferring Ministers, Simon William English, Minister of Finance, and Anthony Boyd Williams Ryall, Minister of Health.

Rebecca Kitteridge,
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 the close of 30 April 2010, facilitates the merger of Otago DHB and Southland DHB into Southern DHB, which is a newly established district health board. This order approves a proposal to transfer all assets and liabilities of Otago DHB and Southland DHB to Southern DHB.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 1 April 2010.
This order is administered by the Ministry of Health.
