

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 11 July 1989

AREA HEALTH AND HOSPITAL BOARDS AMENDMENT BILL

Proposed Amendments

Hon. HELEN CLARK, in Committee, to move the following amendments:

Clauses 3A and 3B: To insert, after clause 3, the following clauses:

3A. Establishment of district or variation of boundaries at time of triennial general election—Section 5A of the principal Act (as inserted by section 4 of the Area Health Boards Amendment Act 1989) is hereby amended by adding the following subsection:

“(8) In this section ‘area health district’ includes an area health district proposed to be constituted by an Order in Council made under section 8A of this Act.”

3B. New sections inserted—The principal Act is hereby amended by inserting, after section 5A (as inserted by section 4 of the Area Health Boards Amendment Act 1989), the following sections:

5B. Proposed area health districts—Where, for the purposes of the next triennial general election of members of local authorities as prescribed by section 4 of the Local Elections and Polls Act 1976, an Order in Council made under section 5A of this Act declares, in respect of an area health district proposed to be constituted by an Order in Council made under section 8A of this Act, the boundaries that will be deemed to be the boundaries of that proposed area health district,—

“(a) The boundaries so declared may include within the proposed area health district to be constituted any land forming the whole or part of an existing area health district or an existing hospital district; and

“(b) The Order in Council made under section 5A of this Act may be combined with an order made under section 5 or section 8A of this Act; and

“(c) The Order in Council made under section 5A of this Act, when combined with an order made under section 8A of this Act, may, notwithstanding anything in section 8A of this Act, provide—

“(i) That the operative date for the abolition of the districts affected shall be the close of the 57th day after polling day for the next triennial general election of members of local authorities as prescribed by section 4 of the Local Elections and Polls Act 1976; and

“(ii) Constitute, on the 58th day after polling day for the next triennial general election of members of local authorities as prescribed by section 4 of the Local Elections and Polls Act 1976, the new area health district, under a name to be specified in the order, which new area health district may include within its boundaries the whole or any part of the area included in the districts so abolished.

“5C. **Cancellation of triennial general election**—Where an Order in Council made pursuant to sections 5B and 8A of this Act provides for the dissolution of any area health district or hospital district as from the close of the 57th day after polling day for the next triennial general election of members of local authorities as prescribed by section 4 of the Local Elections and Polls Act 1976, no election of the representatives on the board for any such district shall be held at that triennial general election.

“5D. **Continuation in office of existing members**—
(1) Notwithstanding anything in any other provision of this Act or in any provision of the Hospitals Act 1957 or the Local Elections and Polls Act 1976, but subject to subsection (2) of this section,—

“(a) Every person who, on the close of the day before polling day for a triennial general election of members of local authorities as prescribed by section 4 of the Local Elections and Polls Act 1976 is holding office as a representative on an area health board or a Hospital Board of any constituent district or combined district (being a Board to which an order under sections 5A and 8A of this Act relates) shall, unless he or she sooner vacates office under section 21 of this Act or section 34 or section 35 of the Hospitals Act 1957, continue to hold office until the close of the 57th day after that polling day; and

“(b) The term of office of any member continued in office by paragraph (a) of this subsection shall, subject to section 21 of this Act and sections 34 and 35 of the Hospitals Act 1957, be deemed to expire with the close of the 57th day after that polling day.

“(2) Nothing in subsection (1) of this section affects section 21 of this Act or section 34 or section 35 of the Hospitals Act 1957.

Clause 4: To insert, after subclause (1), the following subclauses:

(1A) Section 8 of the principal Act (as so substituted) is hereby further amended by repealing paragraph (c) of subsection (4).

(1B) Section 8 of the principal Act (as so substituted) is hereby further amended by inserting, after subsection (4), the following subsection:

“(4A) The Governor-General may from time to time—

“(a) In respect of a combined district, by Order in Council select and appoint a local authority (which need not be a local authority of the combined district or the local authority of the combined district) to be the principal local authority in relation to the combined district for the purposes of the conduct of elections within that district:

“(b) In respect of a constituent district that comprises—

“(i) A district of a territorial authority within the meaning of the Local Government Act 1974 and one or more wards of any other such district; or

“(ii) One or more wards of a district of a territorial authority within the meaning of the Local Government Act 1974,—
by Order in Council select and appoint a local authority (which need not be a territorial authority whose district is affected) to conduct elections within that constituent district.”

Clauses 4A and 4B: To insert, after clause 4, the following clauses:

4A. Union or reconstitution of districts—Section 8A (2) of the principal Act (as enacted by section 6 of the Area Health Boards Amendment Act (No. 3) 1988) is hereby amended by omitting the words “counties and other areas (if any)”, and substituting the word “areas”.

4B. Election of representatives of constituent districts—Section 11 (2c) of the principal Act (as enacted by section 6 (1) of the Area Health Boards Amendment Act 1989) is hereby amended by omitting the expression “3 months”, and substituting the expression “80 days”.

EXPLANATORY NOTE

The proposed amendments relate to the constitution of new area health districts involving the union of existing area health districts or the amalgamation of an area health district and a hospital district or the inclusion of the whole or part of a hospital district in an area health district.

Under the new section 5B the boundaries of the new area health district may be declared for the purposes of the next triennial general election of members of local authorities. In that case the old districts will be abolished as from the close of the 57th day after polling day for that triennial general election and the new area health district will be constituted on the 58th day after that polling day. The general election will take place on the basis of the new boundaries. The Board members for the old districts will continue in office until the close of the 57th day after polling day.

