



Health Sector Transfers (Housing New Zealand Corporation) Order 2002

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 23rd day of July 2002

Present:

Her Excellency the Governor-General in Council

Pursuant to sections 2(6) and 5 of the Health Sector (Transfers) Act 1993, Her Excellency the Governor-General, acting on recommendations of the Ministers of Health and Finance and on the advice and with the consent of the Executive Council, makes the following order.

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Order

1 Title

This order is the Health Sector Transfers (Housing New Zealand Corporation) Order 2002.

2 Commencement

This order comes into force on 31 July 2002.

3 Housing New Zealand Corporation to be transferee

Housing New Zealand Corporation, a corporation established by section 3(1) of the Housing Corporation Act 1974, is declared to be a transferee for the purposes of the Health Sector (Transfers) Act 1993.

4 Approval of proposal

The proposal set out in the Schedule is approved.

5 Date on which proposal takes effect

The proposal set out in the Schedule takes effect on 31 July 2002.

Schedule
Proposal for transfer of assets

cl 4

1 Background

This proposal, which has been agreed to by Housing Corporation New Zealand, has been prepared in accordance with section 5 of the Health Sector (Transfers) Act 1993 to transfer certain properties in Lower Hutt from Hutt DHB to Housing New Zealand Corporation. The properties are intended to be used as a community rehabilitation facility.

2 Transferor

The transferor is Hutt DHB.

3 Transferee

The transferee is Housing New Zealand Corporation.

4 Description of assets to be transferred

The assets to be transferred are the properties situated at 41, 43, 45, 47, 49, and 51 Pilmuir Street, Lower Hutt, being—

- (a) Lot 23 on Deposited Plan 1915, comprised in certificate of title 326/43; and

- (b) Lot 24 on Deposited Plan 1915, comprised in certificate of title 305/262; and
- (c) Lot 25 on Deposited Plan 1915, comprised in certificate of title 382/189; and
- (d) Lot 26 on Deposited Plan 1915, comprised in certificate of title 320/41; and
- (e) Lot 27 on Deposited Plan 1915, comprised in certificate of title 384/68; and
- (f) Part of Lot 28 on Deposited Plan 1915, comprised in certificate of title 362/225.

5 Value attributed to assets for purposes of transfer

For the purposes of the transfer, the value attributed to the assets described in clause 4 is \$840,000 as at 31 July 2002.

6 Transfer date

The transfer date is 31 July 2002.

7 Provisions constituting obligations of transferee

The following provisions constitute obligations of the transferee:

- (a) the transferee must, by the transfer date, pay to the transferor the sum of \$840,000 in consideration for the transfer of the assets described in clause 4;
- (b) the transferee may not, without the prior written consent of the Minister of Health, use any of the assets described in clause 4 for a purpose other than a health-related purpose;
- (c) the transferee may not, without the prior written consent of the Minister of Health, sell or otherwise dispose of any of the assets described in clause 4.

8 Execution of proposal

This proposal is dated 6 June 2002 and is signed by the transferring Ministers, Annette Faye King, Minister of Health and Michael John Cullen, Minister of Finance.

MICHAEL JOHN CULLEN, Minister of Finance

ANNETTE FAYE KING, Minister of Health

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 31 July 2002, gives Housing New Zealand Corporation the status of a transferee under the Health Sector (Transfers) Act 1993. Under that Act assets and liabilities may be vested in an entity that has that status. An entity of that kind may also become the owner of land that is held subject to certain statutory restrictions within the health sector.

The order also approves a proposal for the transfer from Hutt DHB to Housing New Zealand Corporation of certain properties in Lower Hutt, which are intended to be used as a community rehabilitation facility. Housing New Zealand Corporation may not, without the consent of the Minister of Health, sell the properties or use them for purposes other than health-related purposes.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 25 July 2002.

This order is administered in the Ministry of Health.
