



Health Sector Transfers (Enable New Zealand Limited) Order 2002

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 7th day of October 2002

Present:

The Right Hon Helen Clark presiding in Council

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

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Order

1 Title

This order is the Health Sector Transfers (Enable New Zealand Limited) Order 2002.

2 Commencement

This order comes into force on 7 November 2002.

3 Interpretation

In this order, unless the context otherwise requires,—

proposal means the proposal set out in the Schedule

transferee means MidCentral DHB, a district health board established by the New Zealand Public Health and Disability Act 2000

transferor means Enable New Zealand Limited, a company registered under the Companies Act 1993.

4 Proposal approved

The proposal is approved.

5 Provisions facilitating transfer of assets and liabilities

(1) It is declared that, on and from 7 November 2002,—

- (a) every reference to the transferor in any notice or document that relates to assets or liabilities transferred by this order is deemed to be a reference to the transferee; and
- (b) the transferee assumes the rights and obligations of the transferor in respect of applications for rights, objections, or proceedings pending on 7 November 2002 before any court, authority, or other person; and
- (c) this order is deemed to be notice to all persons, and specific notice need not be given to any authority or other person.

(2) The Registrar of Companies is directed to register the declarations made by this clause in respect of the transferor.

Schedule

cl 4

**Proposal for transfer of assets and liabilities from
Enable New Zealand Limited to MidCentral 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 Enable New Zealand Limited, a subsidiary of MidCentral DHB, to MidCentral DHB.

2 Transferor

The transferor is Enable New Zealand Limited, a company registered under the Companies Act 1993.

3 Transferee

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

4 Description of assets to be transferred

The assets to be transferred to the transferee are all the assets for the time being of the transferor.

5 Description of liabilities to be transferred

The liabilities to be transferred to the transferee are all the liabilities for the time being of the transferor.

6 Values attributed for purposes of transfer to assets and liabilities to be transferred

- (1) The value attributed to the assets to be transferred is \$2,281,000 as at 7 November 2002.
- (2) The value attributed to the liabilities to be transferred is \$919,000 as at 7 November 2002.

7 Transfer of assets without consideration

The 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 7 November 2002.

10 Date and execution

This proposal is dated 17 September 2002 and is signed by the transferring Ministers, Annette King, Minister of Health, and Michael John Cullen, Minister of Finance.

ANNETTE FAYE KING, Minister of Health.

MICHAEL JOHN CULLEN, Minister of Finance.

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 7 November 2002, approves a proposal that has been prepared in accordance with section 5 of the Health Sector (Transfers) Act 1993. The proposal transfers all the assets and liabilities of Enable New Zealand Limited to MidCentral DHB. Enable New Zealand Limited is a subsidiary of MidCentral DHB.

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**Health Sector Transfers (Enable
New Zealand Limited) Order 2002**

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

Date of notification in *Gazette*: 10 October 2002.

This order is administered in the Ministry of Health.
