1998

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Health and Community Care)

Health Promotion (Amendment) Bill 1998

A BILL

FOR

An Act to amend the *Health Promotion Act 1995*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1. Short title

This Act may be cited as the *Health Promotion (Amendment) Act 1998.*

2. Commencement

(1)   Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2)   The remaining provisions commence on 1 July 1998.

3. Principal Act

In this Act, "Principal Act" means the *Health Promotion Act 1995*.[1]

4.   Transfers to the Board

Section 24 of the Principal Act is amended by omitting paragraph (2) (a) and substituting the following paragraph:

"(a)   the amount that, under section 24A, is the applicable amount for
5   the financial year;".

5.   Insertion

After section 24 of the Principal Act the following section is inserted:

"**24A. Amount transferable by virtue of paragraph 24 (2) (a)**

"(1)   In this section—

10   'annual CPI number', in relation to a period of 12 months ending on 31
        March, means the sum of the index numbers, each of which is
        published by the Australian Statistician in respect of a quarter in the
        period;

    'index number' means an All Groups Consumer Price Index number,
15   being the weighted average of the 8 Australian capital cities,
        published by the Australian Statistician in respect of a quarter.

"(2)   Subject to this section, the applicable amount for a financial year is
the amount worked out as follows:

    (a)   for the financial year commencing on 1 July 1998—the amount of
20        $2,149,000;

    (b)   for a later financial year—the amount transferred by virtue of
        paragraph 24 (2) (a) in respect of the preceding financial year.

"(3)   Subsection (4) applies in respect of a financial year if the annual CPI
number for the period of 12 months ending on 31 March in the calendar year
25   in which the financial year commences is greater than the annual CPI
number for the period of 12 months ending on 31 March in the preceding
calendar year.

"(4)   If this subsection applies in respect of a financial year—

    (a)   subsection (2) does not apply in respect of the financial year; and

30   (b)   the amount transferable by virtue of paragraph 24 (2) (a) in
        respect of the financial year is the amount worked out in
        accordance with the following formula:

$$A \times (B \div C);$$

where—

35   **A**   is the amount that would have been transferable by virtue of
        paragraph 24 (2) (a) in respect of the financial year if subsection
        (2) had applied, instead of this subsection, in respect of the
        financial year;

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B is the annual CPI number for the period of 12 months ending on 31 March in the calendar year in which the financial year commences; and

C is the annual CPI number for the period of 12 months ending on 31 March in the preceding calendar year.

"(5)   For the purposes of the formula in subsection (4)—

    (a)   the factor obtained from the component '$B \div C$' shall be calculated to 3 decimal places; and

    (b)   the product shall be calculated to the nearest whole dollar.

"(6)   Subject to subsection (7), if at any time, whether before or after the commencement of this Act, the Australian Statistician has published or publishes an index number in respect of an index year in substitution for an index number previously published in respect of the same index year, the publication of the later index number shall be disregarded for the purposes of this section.

"(7)   If at any time, whether before or after the commencement of this Act, the Australian Statistician has changed or changes the reference base for the Consumer Price Index, then, for the purposes of the application of this section after the change, regard shall be had only to the index number published in terms of the new reference base.".

NOTES

Principal Act

1.   Act No. 43, 1995. See also Act No. 15, 1997.

Penalty units

See section 33AA of the *Interpretation Act 1967*.