

**2007**

**LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**PUBLIC HOSPITAL BOARD BILL 2007**

**EXPLANATORY STATEMENT**

**Circulated by the authority of  
Jacqui Burke MLA  
Member for Molonglo**

## EXPLANATORY STATEMENT

This explanatory statement relates to the Public Hospital Board Bill 2007 as introduced into the ACT Legislative Assembly.

### OVERVIEW

The purpose of the Bill is to establish a board to ensure control and management of the Canberra public hospital rests with the community and clinicians.

#### Part 1

**Section 1 and 2** are formal clauses that deal with the short title of the Act and its commencement.

**Section 3** notes that the dictionary at the end of the Act will become part of the Act.

**Section 4** notes that a note included in this Act is explanatory and not part of this Act.

#### Part 2 Division 2.1`

**Section 5** deals with the establishment of the Board.

**Section 6** deals specifically with the functions of the Board, in particular to oversee the application of the health budget in respect of public hospitals in the territory; to advise and make recommendations to the Minister in relation to these; to review public hospital services; to inquire and report to the Minister on matters referred to the Board by the Minister and to provide any other functions given to it by the Minister.

**Section 7 (1)** gives specific detail about the composition of the board including that it will be made up of the chief executive and a number of members appointed by the Minister to represent the community and clinicians. These will namely be:

- a visiting medical officer
- a member of the Royal Australian College of General Practitioners, NSW and ACT Faculty
- a medical educator
- a person with substantial qualifications in financial management
- a person with substantial business experience
- a person with a legal background
- a member of the Consumers' Health Forum of Australia Inc; and
- a pastoral care worker

**Section 7 (2)** advises that members appointed by the Minister **Section 7 (1) (b)** must not be appointed for a period longer than 3 years.

**Section 8 (1 - 4)** advises that the Minister must appoint a member as chair of the board. The chair is not to be the chief executive officer, must not be appointed for a term longer than 1 year and may resign as chair by written notice given to the Minister.

**Section 9** relates to aspects of the appointment of the deputy chair by majority vote from the board. This appointment excludes the chief executive officer and must be elected at the first meeting of the board whenever the position of deputy chair becomes vacant.

The deputy chair is elected for one year, but may be re-elected for a further 1 year.

The deputy chair may resign as deputy chair by written notice to the Minister.

**Section 10 (1)** specifies a number of circumstance where the board member's appointments will be terminated.

**Section 10 (2)** specifies that the Minister may end the appointment of the member concerned if the board tells the Minister in writing that it has resolved, by a majority of 2/3 of the members, to recommend to the Minister the member's appointment be terminated.

**Section 10 (3)** refers to administrative issues regarding termination of the appointment of any member referred to in **subsection (2)**.

**Section 11** refers to disclosure of interests by the board members.

**Section 12** relates to reporting of disclosed interests by members of the board to the Minister

**Section 13** considers protection of board members from liability.

## **Part 2 Division 2.2**

**Section 14 (1 – 4)** stipulates the time and place of board meetings with a minimum of at least once every two months and also if requested by a minimum of 2 members.

**Section 15** stipulates that the chair preside at all meetings at which he or she is present, and if not present then the deputy chair presides. This arrangement excludes the chief executive officer.

**Section 16** states that business may be carried on at a meeting of the board only if at least ½ the number of members is present.

**Section 17** relates to voting at board meetings, including that each member has a vote on each question and each question is decided by a majority.

**Section 18** details the conduct to be adhered to at board meetings.