

EXPLANATORY STATEMENT  
AUSTRALIAN CAPITAL TERRITORY  
HEALTH SERVICES ORDINANCE 1985  
NUMBER 3 OF 1985

Issued by authority of the Attorney-General for and  
on behalf of the Minister of State for Health

Section 12 of the Seat of Government (Administration) Act 1910 provides that the Governor-General may make Ordinances for the peace, order and good government of the Territory.

The Ordinance amends the Health Commission Ordinance 1975 to change the title of the Ordinance to the Health Services Ordinance 1975. The Ordinance abolishes the Capital Territory Health Commission and establishes the ACT Health Authority.

The amendments provide that the ACT Health Authority will comprise the same number of members as the existing Health Commission, that is a Chairman and two other members, one of whom will be required to be a medical practitioner. The new members will be known as "Authority members".

The functions and powers of the Authority are identical with those of the existing Commission. The functions of the Authority are -

to provide and conduct health services;

- . to provide, in accordance with specific agreements, financial or other assistance to persons or bodies, for the provision or conduct of health services;
- . to provide the coordination of the provision and conduct of health services, in accordance with any agreement between the Territory and the State of New South Wales; and
- . to provide and conduct veterinary laboratory services.

The powers of the Authority are, amongst other things -

- . the acquisition, holding and disposal of property;
- . the entering into of contracts;
- . the erection of buildings;
- . the occupation and use of buildings made available to the Authority by the government; and
- . the provision of services by the staff of the Authority to persons providing or conducting health services.

In addition, the amendments change the existing references to the Commission to Authority. There are also a number of transitional provisions which -

- . ensure the continuation of legal proceedings by or against the Commission;

3.

- . preserve bank accounts;
- . vest all rights, privileges, obligations and liabilities of the Commission in the Authority;
- . preserve any agreements entered into by the Commission pursuant to paragraphs 7(1)(b) and 7(1)(c) of the Health Commission Ordinance 1975; and
- . preserve all instruments, including delegations, regulations etc., as if they had been made under the amended Ordinance.

The Ordinance is expressed to come into operation on 19 February 1985.

This action has been taken as a transitional measure to facilitate a detailed restructuring of health services in the ACT.