

EXPLANATORY STATEMENT

No.33 of 1978

AUSTRALIAN CAPITAL TERRITORY LEGISLATION HEALTH COMMISSION
(AMENDMENT) ORDINANCE 1978

This Ordinance amends the Health Commission Ordinance 1975 to alter the reference to Commissioner and Deputy Commissioner of the Health Commission to Chairman and Deputy Chairman, and to alter the membership of the Capital Territory Health Commission. It also clarifies the functions of the Commission, amends section 72 of the Ordinance to permit the Commission to publish its annual accounts on a cash basis rather than on the basis of accrual accounting and amends section 74 of the Ordinance to make the requirement to prescribe charges relate to certain specific charges only.

The membership of the Commission is altered by the deletion of the part-time member nominated by the Hospitals and Health Services Commission and the inclusion of a new full-time member as Commissioner (Nursing). The former part-time member is being deleted because of the Government's decision to abolish the Hospitals and Health Services Commission. The Commissioner (Nursing) is being included because of the Government's decision to appoint to the Commission a full-time member with a background in nursing.

The Principal Ordinance lists a number of specific matters as the functions of the Commission but does not include a general power in relation to health services. The lack of this general power may give rise to difficulties should the Commission wish to provide or conduct a health service not precisely covered by the present list of functions. The proposed amendment therefore repeals section 7 of the Principal Ordinance which lists the functions of the Commission and replaces it with a new section 7 which includes a general power to provide and conduct health services and which reduces the particularity with which the functions are described.

The unamended form of section 72 of the Ordinance requires the Commission to present its annual accounts on an accrual accounting basis. The Commission, however, operates on a cash accounting system in line with the recommendations of the Hospital and Allied Services Advisory Council. The amendment will permit the Commission to publish its annual accounts in accordance with its present accounting practice which is in accordance with these recommendations.

Section 74 of the Principal Ordinance which provides that charges for services are to be as prescribed does not limit the type of services for which the charges are to be prescribed. As the services provided by the Commission are many and varied, some being quite minor, it does not appear appropriate that there should be a requirement to prescribe charges for all services. The amending Ordinance therefore provides that charges need only be prescribed for hospital and other similar accommodation, professional health services and ambulance services.

The amending Ordinance has been referred to the Australian Capital Territory Legislative Assembly which agreed to the Ordinance without alteration on 10 October 1978.

Paul

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