

First print



New South Wales

# Cancer Institute (NSW) Amendment Bill 2012

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Cancer Institute (NSW) Act 2003 (the Act)* to make the provisions dealing with the constitution and governance of the Cancer Institute (NSW) consistent with similar provisions in the *Health Services Act 1997* that deal with board governed statutory health corporations.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

## Schedule 1      **Amendment of Cancer Institute (NSW) Act 2003 No 14**

**Schedule 1 [2], [3], [5] and [10]** amend the provisions of the Act dealing with the constitution and governance of the Cancer Institute (NSW) to make them consistent with the provisions dealing with the constitution and governance of board governed

statutory health corporations set out in Division 1 of Part 2 of Chapter 4 of the *Health Services Act 1997* and Schedule 5 to that Act.

**Schedule 1 [1] and [4]** make consequential amendments.

**Schedule 1 [9]** removes certain spent transitional provisions relating to the New South Wales Cancer Council.

**Schedule 1 [11]** contains certain savings and transitional provisions. It includes provisions that save the appointments of current members of the Board of the Cancer Institute (NSW), saves the appointment and employment of the current Chief Cancer Officer and transfers the staff of the Cancer Institute (NSW) from employment within the Government Service under Chapter 1A of the *Public Sector Employment and Management Act 2002* to employment within the NSW Health Service under Part 1 of Chapter 9 of the *Health Services Act 1997*. The amendment and **Schedule 1 [9]** also move provisions that enable regulations of a savings or transitional nature to be made from the main body of the Act to a schedule to the Act.

**Schedule 1 [6]** makes a consequential amendment.

**Schedule 1 [8]** provides that Chapter 10 (Administration of the public health system) of the *Health Services Act 1997* extends to the Cancer Institute (NSW) as if it were a statutory health corporation.

**Schedule 1 [7]** makes a consequential repeal of a provision the subject matter of which is dealt with in Chapter 10 of the *Health Services Act 1997*.

## **Schedule 2      Amendment of other Acts**

### **Amendment of Health Services Act 1997**

**Schedule 2.1 [1]** enables the Government of New South Wales to employ staff under Part 1 of Chapter 9 of the *Health Services Act 1997* to enable the Cancer Institute (NSW) to exercise its functions under the Act or any other Act.

**Schedule 2.1 [2]** makes a consequential amendment.

### **Amendment of Public Sector Employment and Management Act 2002**

**Schedule 2.2** makes a consequential repeal.