

New South Wales

# Northern Beaches Hospital (Voluntary Contract Termination) Bill 2025

## Explanatory note

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

## Overview of Bill

The object of this Bill is to provide that no compensation is payable by or on behalf of the State by reason, or on the occurrence, of the voluntary termination by the State of the contract for the Northern Beaches Hospital.

## 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.

**Clause 3** defines certain words and expressions used in the proposed Act.

**Clause 4** provides that no compensation is payable by or on behalf of the State by reason, or on the occurrence, of the voluntary termination by the State of the Northern Beaches Hospital contract or any part of the contract. The proposed section has effect despite—

- (a) another provision of the proposed Act, or
- (b) another Act or law, or
- (c) another instrument, including an agreement to which the State and Healthscope are parties.

**Clause 5** enables the Governor to make regulations for the purposes of the proposed Act, including regulations of a savings or transitional nature.



New South Wales

# Northern Beaches Hospital (Voluntary Contract Termination) Bill 2025

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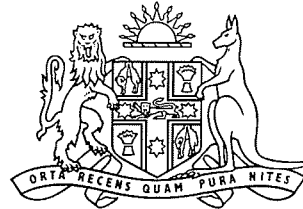
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*This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*



New South Wales

## **Northern Beaches Hospital (Voluntary Contract Termination) Bill 2025**

No , 2025

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### **A Bill for**

An Act to provide that no compensation is payable by or on behalf of the State by reason, or on the occurrence, of the voluntary termination by the State of the contract for the operation of the Northern Beaches Hospital; and for related purposes.

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*The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.*

*Legislative Council*

*Clerk of the Parliaments*

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**Tabling copy**

**The Legislature of New South Wales enacts—**

**1 Name of Act**

This Act is the *Northern Beaches Hospital (Voluntary Contract Termination) Act 2025*.

**2 Commencement**

This Act commences on the date of assent to this Act.

**3 Definitions**

In this Act—

**compensation** includes—

- (a) damages, and
- (b) another form of monetary compensation, and
- (c) another amount, whether or not described as compensation, payable under an instrument, including an agreement to which the State and Healthscope are parties, and
- (d) liability to make payments under an instrument, including an agreement, to which the State and Healthscope are parties on occurrence of events specified in the instrument.

**Healthscope** means the following—

- (a) NBH Operator Co Pty Ltd in its capacity as trustee of the NBH Operating Trust,
- (b) NBH Operator B Pty Ltd.

**Northern Beaches Hospital contract** means the contract, entered into on 11 December 2014, between the State and Healthscope for the Northern Beaches Hospital in Frenchs Forest.

**the State**—

- (a) means the Crown within the meaning of the *Crown Proceedings Act 1988*, and
- (b) includes—
  - (i) the Health Administration Corporation, and
  - (ii) the Northern Sydney Local Health District, and
  - (iii) an officer, employee or agent of the Crown or a body referred to in subparagraph (i) or (ii).

**Note—** The *Interpretation Act 1987* contains definitions and other provisions that affect the interpretation and application of this Act.

**4 No compensation payable for voluntary termination**

- (1) No compensation is payable by or on behalf of the State by reason, or on the occurrence, of the voluntary termination by the State of the Northern Beaches Hospital contract or any part of the contract.
- (2) This section has effect despite—
  - (a) another provision of this Act, or
  - (b) another Act or law, or
  - (c) another instrument, including an agreement to which the State and Healthscope are parties.

## 5 Regulations

- (1) The Governor may make regulations about a matter that is—
  - (a) required or permitted by this Act to be prescribed, or
  - (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) The regulations may contain provisions of a savings or transitional nature consequent on the commencement of—
  - (a) a provision of this Act, or
  - (b) a provision amending this Act.
- (3) A savings or transitional provision consequent on the commencement of a provision must not be made more than 2 years after that commencement.
- (4) A savings or transitional provision made consequent on the commencement of a provision is repealed 2 years after that commencement.
- (5) A savings or transitional provision made consequent on the commencement of a provision may take effect before that commencement but not before—
  - (a) for a provision of this Act—the date of assent to this Act, or
  - (b) for a provision amending this Act—the date of assent to the amending Act.
- (6) A savings or transitional provision taking effect before its publication on the NSW legislation website does not—
  - (a) affect the rights of a person existing before that publication in a way prejudicial to the person, or
  - (b) impose liabilities on a person for anything done or omitted to be done before that publication.
- (7) In this section—  
**person** does not include the State or an authority of the State.