

FACT SHEET

Tasmanian Health Organisations Amendment Bill 2012

The Bill addresses urgent technical matters and necessary clarifications identified in implementation planning for the commencement of the *Tasmanian Health Organisations Act 2011* on 1 July 2012, to remove any doubt as to the operation of the Act through amendments in relation to transitional regulation making powers, contracts and occupation agreements in the Crown's name, and transfer provisions.

The Bill:

- addresses contract and lease issues that have been identified. A key amendment is to ensure liabilities incurred by or damages suffered by Tasmanian Health Organisations in relation to Crown contracts are recoverable by the Crown. A further amendment clarifies the position in relation to Crown leases.
- provides a power to make regulations in relation to savings and transitional provisions. This provides a mechanism through subordinate legislation to deal with any emerging minor savings and transitional matters that may arise in future, and is consistent with the power in other significant legislative reforms. The power could not in itself be used to remedy significant issues with the contract and transfer provisions, hence the separate amendments to those areas.
- amend the transitional provisions in the Principal Act to make the necessary clarifications to the power to transfer contracts in relation to Tasmanian Health Organisations.

By addressing these technical matters to clarify any doubt that may otherwise arise, the Bill promotes the objectives of the Principal Act which establishes Tasmanian Health Organisations as independent service providers under the State's system management and purchasing role in relation to health services.