

South Australia

Health Services Charitable Gifts Variation Regulations 2011

under the *Health Services Charitable Gifts Act 2011*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Health Services Charitable Gifts Regulations 2011*

- 4 Insertion of regulations 5 to 7
 - 5 Property to which section 16(1) of Act does not apply
 - 6 Advisory committee
 - 7 Reports
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Health Services Charitable Gifts Variation Regulations 2011*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Health Services Charitable Gifts Regulations 2011*

4—Insertion of regulations 5 to 7

After regulation 4 insert:

5—Property to which section 16(1) of Act does not apply

- (1) For the purposes of section 16(3)(b) of the Act, any property given to a public health entity from income of a medical officer employed or otherwise engaged by or on behalf of the Crown for medical services performed by the officer is property of a prescribed kind.
-

- (2) Property referred to in subregulation (1) is given to the public health entity in a prescribed manner if the medical officer gives the property to the public health entity under an arrangement between the officer and the entity.

6—Advisory committee

- (1) For the purposes of section 24(2) of the Act, the Minister may, in directing the Board to establish the committee, specify the qualifications to be held by members nominated by the Board.
- (2) For the purposes of section 24(4)(a) of the Act, a committee must meet at least twice a year.

7—Reports

For the purposes of section 30(3)(c) of the Act, the following information is to be included in the Board's annual report in relation to the relevant financial year:

- (a) a summary of the Board's investment portfolio, investment objectives and strategies;
- (b) the names of the public health entities to which a portion of the charitable assets has been applied;
- (c) the purposes for which portions of the charitable assets have been applied and the total amount applied for each purpose;
- (d) if the Board holds property on trust for the purposes of a charitable health trust under section 20 of the Act—the purposes for which trust money has been applied;
- (e) a summary of the activities of, and advice given to the Board by, a committee established under section 24 of the Act.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 17 November 2011

No 241 of 2011

HEAC-2011-00047