



Artificial Limb Service Act 2018

Public Act 2018 No 34
Date of assent 28 September 2018
Commencement see section 2

Contents

| | Page |
|--|------|
| 1 Title | 2 |
| 2 Commencement | 2 |
| <i>General provisions</i> | |
| 3 Purpose of this Act | 2 |
| 4 Interpretation | 2 |
| 5 Transitional, savings, and related provisions | 2 |
| 6 Act binds the Crown | 2 |
| <i>Service's continuation, functions, and operation</i> | |
| 7 New Zealand Artificial Limb Service continued | 2 |
| 8 Functions | 3 |
| 9 Crown entity | 3 |
| 10 Membership | 3 |
| 11 Deputies of members | 4 |
| 12 Superannuation | 4 |
| 13 Exemption from income tax | 4 |
| 14 Review of Service's operation and this Act | 4 |
| <i>Repeal and consequential amendment</i> | |
| 15 Repeal | 5 |
| 16 Public Bodies Contracts Act 1959 amended | 5 |
| Schedule | |
| Transitional, savings, and related provisions for Artificial Limb Service | |

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Artificial Limb Service Act 2018.

2 Commencement

This Act comes into force on 26 November 2018.

General provisions

3 Purpose of this Act

The purpose of this Act is to continue, state the functions of, and otherwise provide for, a New Zealand Artificial Limb Service.

4 Interpretation

In this Act, unless the context otherwise requires,—

artificial limb means a device that is—

- (a) an artificial arm, hand, leg, or foot; or
- (b) a similar device

Minister means the Minister who is, with the authority of the Prime Minister, for the time being responsible for the administration of this Act

Service means the New Zealand Artificial Limb Service continued by section 7.

Compare: 1938 No 7 s 106B; 1963 No 47 s 56; 1964 No 136 s 126; 1990 No 26 s 42

5 Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in the Schedule have effect according to their terms.

6 Act binds the Crown

This Act binds the Crown.

Service's continuation, functions, and operation

7 New Zealand Artificial Limb Service continued

- (1) This section continues the New Zealand Artificial Limb Service.
- (2) The Service is the New Zealand Artificial Limb Board—
 - (a) established on 1 April 1990 by section 43(1) of the Social Welfare (Transitional Provisions) Act 1990, which on 5 December 2013 was renamed the Social Welfare (Reciprocity Agreements, and New Zealand Artificial Limb Service) Act 1990; and

- (b) replacing the Artificial Limb Board (also known as the New Zealand Artificial Limbs Board) that the Rehabilitation Board, purporting to act under section 13 of the Rehabilitation Act 1941, purported to establish under an instrument of delegation made pursuant to a resolution of the Rehabilitation Board dated 5 March 1970; and
 - (c) renamed, and to be known as, the New Zealand Artificial Limb Service, after the commencement, on 5 December 2013, of the Social Welfare (Transitional Provisions) Amendment Act 2013.
- (3) After 4 December 2013, a reference to the New Zealand Artificial Limb Board (established on 1 April 1990 by section 43(1) of the Social Welfare (Transitional Provisions) Act 1990) in an agreement, or in any other document, in force at the close of 4 December 2013 must be read as a reference to the Service.

Compare: 1990 No 26 s 43(1), (1A)

8 Functions

The functions of the Service are—

- (a) to manufacture, import, export, market, distribute, supply, fit, repair, and maintain artificial limbs:
- (b) to provide rehabilitative and other services to persons in connection with artificial limbs:
- (c) to carry out research and development in relation to artificial limbs:
- (d) to advise the Minister on matters relating to artificial limbs.

Compare: 1990 No 26 s 44

9 Crown entity

- (1) The Service is a Crown entity for the purposes of section 7 of the Crown Entities Act 2004.
- (2) The Crown Entities Act 2004 applies to the Service except to the extent that this Act expressly provides otherwise.
- (3) Members of the Service are the board for the purposes of the Crown Entities Act 2004.

Compare: 1990 No 26 ss 43(2), (3), 46(2)

10 Membership

The Service consists of 6 members appointed under section 28(1)(a) of the Crown Entities Act 2004, including—

- (a) 1 member to be appointed by the Minister to represent the interests of war amputees:
- (b) 1 member to be appointed by the Minister on the nomination of the Amputees Federation of New Zealand Incorporated: