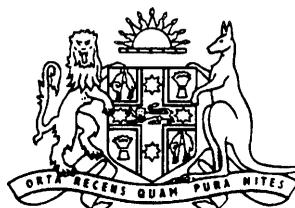


[Act 1997 No 69]



New South Wales

New South Wales Cancer Council Amendment Bill 1997

Explanatory note

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

Overview of Bill

The object of this Bill is to reconstitute the Board of the New South Wales Cancer Council. At present the Board is constituted by 10 part-time members appointed on the recommendation of the Minister. Under the Bill, the Board will be constituted by the chief executive officer of the Council and 14 part-time members appointed by the Governor on the nomination of various relevant bodies or with appropriate experience and expertise (including a staff-elected member).

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 to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the *New South Wales Cancer Council Act 1995* set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [1] reconstitutes the Board of the Council so that it consists of

- 14 part-time members appointed by the Governor, and
- the chief executive officer of the Council.

The appointed part-time members of the Board are to comprise the following:

- (a) a person who has expertise and experience in conducting medical research with relevance to cancer and who is nominated by the Australian Society for Medical Research,
- (b) two persons who have expertise and experience in the care of cancer patients, one of whom is nominated by the Clinical Oncological Society of Australia and the other nominated by the Australian Medical Association,
- (c) a person who has expertise and experience in disease prevention, health promotion or public education and who is nominated by the Public Health Association of Australia,
- (d) three persons who have expertise and experience in the training of undergraduate and postgraduate students in cancer control, one of whom is nominated by the Vice-Chancellor of the University of Newcastle, another nominated by the Vice-Chancellor of the University of New South Wales and the other nominated by the Vice-Chancellor of the University of Sydney,
- (e) two persons who have knowledge of the needs of cancer patients or other users of health services (at least one of whom has a knowledge of those needs in the rural community) and who are nominated by the Australian Consumers Association or the Consumer's Health Forum,
- (f) a person who is a legal practitioner and who is nominated by the Law Society of New South Wales or the New South Wales Bar Association,

- (g) a person who is a prominent member of the business community or has expertise and experience in business management,
- (h) a person who has expertise and experience in the practice of accountancy,
- (i) an elected staff member,
- (j) a person nominated by the Minister.

At least 2 of the members of the Board must be medical practitioners.

Schedule 1 [2] makes specific reference to the chief executive officer of the Council in the section of the Principal Act relating to the employment of the staff of the Council as a consequence of the proposed inclusion of the chief executive officer as an ex-officio member of the Board.

Schedule 1 [3] and **[8]–[12]** make amendments consequent on the reconstitution of the Board.

Schedule 1 [4] makes provision for the election of the elected staff member of the Board. The elected staff member is to be a member of staff of the Council who is elected by the members of that staff.

Schedule 1 [5] and **[6]** provide that the chief executive officer and the elected staff member are not eligible to be elected by the Board as Chairperson or Deputy Chairperson of the Board. The amendment ensures that the Board has an opportunity to elect a new Chairperson or Deputy Chairperson on the expiry of the term of office of all or any of the existing members.

Schedule 1 [7] alters the existing maximum 3-year term of office of members of the Board. Appointed members (other than the elected staff member) will have a maximum term of office of 4 years and the elected staff member will have a maximum term of office of 2 years. Under the transitional arrangements made by Schedule 1 [15], 7 of the 14 appointed members (being 7 members chosen by lot) will, on the commencement of the proposed Act, have a maximum term of 2 years instead of 4 years. Accordingly, in future this will enable the appointed members to have a 4-year term, but will enable half of those members to be re-appointed every 2 years.

Schedule 1 [13] increases the quorum for a meeting of the Board to 8 members (with at least 3 members from the specially nominated group of members referred to in proposed section 6 (2) (a)–(d) and at least 3 members from the other group of members).

Schedule 1 [14] and **[15]** make savings and transitional provisions.