

# NATIONAL HEALTH SERVICE AMENDMENT BILL 2018

## SAMOA

### Explanatory Memorandum

#### 1.0 Object and reasons

- 1.1 The Bill seeks to amend the National Health Service Act 2014 (“Principal Act”), to put into effect the first phase of the merger of the National Health Service and the Ministry of Health, and related purposes.
- 1.2 The objects of the Bill are:
  - (a) to amend the provisions of the Principal Act that establishes the composition of the Board, to create a Board that reflects the merger of the National Health Service (“NHS”) and the Ministry of Health (“MOH”);
  - (b) to give Cabinet general authority to appoint any other member to the Board;
  - (c) to remove the “ineligibility” of a person employed by the NHS for appointment as a director of the Board;
  - (d) to give authority to the Board of Directors to appoint a secretary or co-secretaries from its members.

**Clauses:**

- Clause 1:** - provides for the short title and commencement.
- Clause 2:** - This clause amends section 6(1) of the Principal Act by introducing a new sub-paragraph (h). Sub-paragraph (h) is a general provision that gives Cabinet general power of appointment to appoint any other board members for the purpose of the merger.
- Further, this clause will repeal section 6(4) of the Principal Act. The removal of section 6(4) will allow a person employed by the NHS for appointment as a member of the Board.
- Clause 3:** - amends and replaces section 8(7) of the Principal Act. This clause will give authority to the Chairperson of the Board to appoint a secretary or co-secretaries who may participate in deliberations of a matter where authorised by the Board, but have no right to vote.

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(Hon TUITAMA Dr. Talalelei Tuitama)

**MINISTER FOR THE MINISTRY OF HEALTH**