



28 February 2025

Tēnā koe

Official Information Act request

Thank you for your email of 12 January 2025, requesting information about applications for the New Zealand Artificial Limb Service (NZALS), including advertisement, number of applications and shortlists.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on your request set out below.

The NZALS is governed by the Artificial Limb Service Act 2018 (the ALS Act)¹ and the Crown Entities Act 2004.²

Section 10 of the ALS Act provides for six members to be appointed by the responsible Minister (the Minister), including five members who are to be appointed through specified pathways:

- one member appointed by the responsible Minister to represent the interests of war amputees
- one member nominated by the Amputees Federation of New Zealand
- one member nominated by the New Zealand Orthopaedic Association
- one member to represent Health New Zealand, and appointed on the nomination of the Minister of Health
- one member nominated by a majority of the current members of the NZALS Board (the Board).

In addition to the above, Board membership comprises one other member appointed by the responsible Minister.

We have considered your request in relation to the following Board members:

- the reappointment of Stuart Burns, Kate Horan and Kevin Ross; and
- the appointments of Dr Dawn Louise Adair and Patrick O'Doherty.

¹ The ALS Act (2018) can be found here: www.legislation.govt.nz/act/public/2018/0034/latest/whole.html

² The Crown Entities Act (2004) can be found here:
www.legislation.govt.nz/act/public/2004/0115/latest/DLM329631.html

Three board members were eligible for reappointment, namely Stuart Burns, Kate Horan, and Kevin Ross. These members were reappointed to retain institutional knowledge, support business continuity, and ensure continuity of leadership.

When appointing new members, the recruitment method is determined by which member is being replaced. The member positions filled in 2024 required nominations from:

- the Minister of Health; and
- a majority of the current members of the Board.

In line with the specified appointment pathways described above, the Ministry of Social Development (the Ministry) did not advertise these roles publicly. As such, this part of your request is refused under section 18(e) of the Act, as the document alleged to contain the information requested does not exist.

To seek nominations for these appointments the Minister sent letters to the Minister of Health and the Chairperson of the NZALS (the Chair). Each nominator provided one nomination for consideration.

The Ministry conducted interviews with both nominees to confirm that they met the Minister's requirements, and that they would contribute to a well-balanced Board. Both nominees were subsequently appointed by the Minister in December 2024.

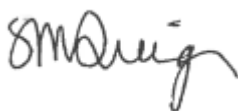
Appointment letters for these positions are attached as an **Appendix**. We have withheld personal information as out of scope, noting the comment in your request that you were happy for personal information to be redacted. Please let me know if this was not what you intended.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with my decision on your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui

pp. 

Anna Graham
General Manager
Ministerial and Executive Services

Hon Louise Upston

Minister for the Community and Voluntary Sector
Minister for Disability Issues
Minister for Social Development and Employment
Minister for Child Poverty Reduction



Mr Stuart Burns

Out of scope

Dear Mr Burns,

I am pleased to reappoint you as a member of the New Zealand Artificial Limb Service (NZALS) Board (the Board) for a term of three years commencing on 16 December 2024 and ending on 15 December 2027.

Attached is a copy of the position description and your Notice of Appointment. An appointment notice will also be published in the New Zealand Gazette.

New Zealand Artificial Limb Service

The functions of the NZALS are set out in section 8 of the Artificial Limb Service Act 2018 and are to:

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

Legislative Framework for the Appointment

Your appointment as a member is made under, and in accordance with, sections 28 to 35 of the Crown Entities Act 2004, and section 10 of the Artificial Limb Service Act 2018.

These Acts can be found online at <https://www.legislation.govt.nz/>. I refer to certain key provisions of these Acts below which apply to your role as a member of the Board.

Term of Office

Pursuant to section 32(1)(a) of the Crown Entities Act 2004, your appointment is for a term of three years, commencing on 16 December 2024 and ending on 15 December 2027. Following this term, you may be considered for reappointment at the responsible Minister's discretion.

Section 32(3) of the Crown Entities Act 2004 relates to the term of office of members of a statutory entity. Under this section, you may continue as a member despite the expiry of your term. This is until you are reappointed, your successor is appointed, or you are informed in writing that you are not to be reappointed and that no successor is to be appointed at that time.

Resignation

Section 44 of the Crown Entities Act 2004 states a member of a statutory entity may resign from office by written notice to the responsible Minister (with a copy to the entity) signed by the member.

Removal

Section 30 of the Crown Entities Act 2004 relates to the qualification of members. Should a member fail to meet the requirements outlined in this section they will be disqualified from being a member and cease to hold office in accordance with section 45(c) of the Crown Entities Act 2004.

Section 37 of the Crown Entities Act 2004 allows the responsible Minister to remove any member from the Board at any time and for any reason that in the responsible Minister's opinion justifies the removal.

Key collective and individual duties

As a member of the Board, you are required to comply with the collective duties of the Board and the individual duties of members of a statutory entity as set out in the Crown Entities Act 2004.

The collective duties of the Board of a statutory entity are set out in sections 49 to 52 of the Crown Entities Act 2004:

- section 49: ensure that the entity acts in a manner consistent with its objectives, functions, current Statement of Intent and current Statement of Performance Expectations
- section 50: ensure that the statutory entity performs its functions efficiently and effectively, in a manner consistent with the spirit of service to the public, and in collaboration with other public entities where practicable
- section 51: ensure that the entity operates in a financially responsible manner
- section 52: ensure the entity complies with sections 96 to 101 of the Crown Entities Act 2004 relating to any subsidiaries.

The individual duties of a member of a statutory entity are set out in sections 53 to 57 of the Crown Entities Act 2004:

- section 53: to not contravene, cause the contravention of, or agree to the entity contravening this Act or the entity's enabling Act

- section 54: when acting as a member, act with honesty and integrity
- section 55: when acting as a member, act in good faith and not pursue their own interests at the expense of the entity's interests
- section 56: when acting as a member, exercise the care, diligence, and skill that a reasonable person would exercise in the same circumstances
- section 57: to not disclose or make use of, or act on information that would not otherwise be available to them, except in certain circumstances.

Disclosure of interests

In accordance with the conflict of interest disclosure rules under sections 62 to 72 of the Crown Entities Act 2004, I encourage you to continue to disclose your interests in matters relating to the Board to ensure that any perceived, potential or actual conflicts are managed appropriately during your term.

I also expect you to raise with the Ministry of Social Development (MSD), and me as responsible Minister, any issues that could affect your ability to contribute to the Board or could cause embarrassment to the Board and/or the Government.

Management of a Conflict

Out of scope

Please make sure you progress the management of this in a timely manner and ensure the Board is advised of this.

Remuneration and workload

Members of the Board are entitled to an annual fee of \$9,500.

The member workload is estimated at 24 days per year.

You are also entitled to claim for actual and reasonable travelling, accommodation, parking and other expenses incurred in carrying out your duties as a member of the Board. The Board's secretariat/support function will be able to assist you with any claims and taxation matters.

Acknowledgement of the Appointment

I would be grateful if you could formally acknowledge your appointment by signing the attached letter and returning it to MSD (appointments@msd.govt.nz) who will record it on my behalf.

Moving forward

Serving as a member of a statutory Crown Entity is a significant role. Your work on the Board will provide you with an opportunity to contribute to the health sector in New Zealand. I wish you well for your time on the Board.

Ministry of Social Development contact

Your contact at MSD will be Shelley Cook, Manager Strategy Performance and Crown Entities Out of scope

Yours sincerely

Hon Louise Upston

Minister for Social Development and Employment

Cc:

George Reedy, Chair, New Zealand Artificial Limb Service

Sean Gray, Chief Executive, New Zealand Artificial Limb Service

Released under the Official Information Act (1982)

Re-appointment of a member of the New Zealand Artificial Limb Service Board

Pursuant to section 28 of the Crown Entities Act 2004, the Minister for Social Development and Employment has appointed:

Mr Stuart Burns of Christchurch

To be a member of the New Zealand Artificial Limb Service for a term of three years commencing on 16 December 2024.

Dated at Wellington this day of December 2024.

Hon Louise Upston

Minister for Social Development and Employment

Hon Louise Upston

Minister for the Community and Voluntary Sector
Minister for Disability Issues
Minister for Social Development and Employment
Minister for Child Poverty Reduction



Mr Kevin Ross

Out of scope

Dear Mr Ross,

I am pleased to reappoint you as a member and appoint you as Chair of the New Zealand Artificial Limb Service (NZALS) Board (the Board) for a term of three years commencing on 16 December 2024 and ending on 15 December 2027.

Attached is a copy of the position description and your Notice of Appointment. An appointment notice will also be published in the New Zealand Gazette.

New Zealand Artificial Limb Service

The functions of the NZALS are set out in section 8 of the Artificial Limb Service Act 2018 and are to:

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

Legislative Framework for the Appointment

Your appointment as a member and Chair is made under, and in accordance with, sections 28 to 35 and Schedule 5 of the Crown Entities Act 2004, and section 10 of the Artificial Limb Service Act 2018.

These Acts can be found online at <https://www.legislation.govt.nz/>. I refer to certain key provisions of these Acts below which apply to your role as a member and Chair of the Board.

Term of Office

Pursuant to section 32(1)(a) and subsequently Schedule 5(1) of the Crown Entities Act 2004, your appointment for both roles is for a term of three years, commencing on 16 December 2024 and ending on 15 December 2027.

Under Schedule 5(2) of the Crown Entities Act 2004 you, as Chair may hold office until you resign, are removed by the responsible Minister, cease to hold office as a member or the term that may have been specified on appointment expires, unless you as a member continue to hold office in accordance with section 32(3) or are reappointed for a further term.

Under section 32(3) of the Crown Entities Act 2004 you may continue as a member despite the expiry of your term. This is until you are reappointed, your successor is appointed, or you are informed in writing that you are not to be reappointed and that no successor is to be appointed at that time.

Resignation

Schedule 5(3) of the Crown Entities Act 2004 states a Chair of a statutory entity may resign from office by written notice to the responsible Minister (with a copy to the Board). A Chair may resign as Chair without resigning as a member.

Section 44 of the Crown Entities Act 2004 states a member of a statutory entity may resign from office by written notice to the responsible Minister (with a copy to the entity) signed by the member.

Removal

Schedule 5(4) of the Crown Entities Act 2004 allows the responsible Minister to remove a Chair from the Board at any time after consultation with the person concerned (with a copy of the written notice to the Board).

Section 30 of the Crown Entities Act 2004 relates to the qualification of members. Should a member fail to meet the requirements outlined in this section they will be disqualified from being a member and cease to hold office in accordance with section 45(c) of the Crown Entities Act 2004.

Section 37 of the Crown Entities Act 2004 allows the responsible Minister to remove any member from the Board at any time and for any reason that in the responsible Minister's opinion justifies the removal.

Key collective and individual duties

As a member of the Board, you are required to comply with the collective duties of the Board and the individual duties of members of a statutory entity as set out in the Crown Entities Act 2004.

The collective duties of the Board of a statutory entity are set out in sections 49 to 52 of the Crown Entities Act 2004:

- section 49: ensure that the entity acts in a manner consistent with its objectives, functions, current Statement of Intent and current Statement of Performance Expectations

- section 50: ensure that the statutory entity performs its functions efficiently and effectively, in a manner consistent with the spirit of service to the public, and in collaboration with other public entities where practicable
- section 51: ensure that the entity operates in a financially responsible manner
- section 52: ensure the entity complies with sections 96 to 101 of the Crown Entities Act 2004 relating to any subsidiaries.

The individual duties of a member of a statutory entity are set out in sections 53 to 57 of the Crown Entities Act 2004:

- section 53: to not contravene, cause the contravention of, or agree to the entity contravening this Act or the entity's enabling Act
- section 54: when acting as a member, act with honesty and integrity
- section 55: when acting as a member, act in good faith and not pursue their own interests at the expense of the entity's interests
- section 56: when acting as a member, exercise the care, diligence, and skill that a reasonable person would exercise in the same circumstances
- section 57: to not disclose or make use of, or act on information that would not otherwise be available to them, except in certain circumstances.

In addition to their responsibilities as a member, the Chair will:

- act as leader of the Board, presiding over Board meetings
- be responsible for the integrity of the Board's processes (especially those relating to managing Board members' conflicts of interest)
- act as the main point of contact between the Board and the responsible Minister
- be responsible for the day-to-day relationship with the Board's Chief Executive.

Disclosure of interests

In accordance with the conflict of interest disclosure rules under sections 62 to 72 of the Crown Entities Act 2004, I encourage you to continue to disclose your interests in matters relating to the Board to ensure that any perceived, potential or actual conflicts are managed appropriately during your term.

I also expect you to raise with the Ministry of Social Development (MSD), and me as responsible Minister, any issues that could affect your ability to contribute to the Board or could cause embarrassment to the Board and/or the Government.

Management of a Conflict

Out of scope

Please make sure you progress the management of this in a timely manner and ensure the Board is advised of this.

Remuneration and workload

The Chair of the Board is entitled to an annual fee of \$25,200.

The Chair's workload is estimated at 36 days per year.

You are also entitled to claim for actual and reasonable travelling, accommodation, parking and other expenses incurred in carrying out your duties as a member of the Board. The Board's secretariat/support function will be able to assist you with any claims and taxation matters.

Acknowledgement of the Appointment

I would be grateful if you could formally acknowledge your appointment by signing the attached letter and returning it to MSD (appointments@msd.govt.nz) who will record it on my behalf.

Moving forward

Serving as a member and as Chair of a statutory Crown Entity is a significant role. Your work on the Board will provide you with an opportunity to contribute to the health sector in New Zealand. I wish you well for your time on the Board.

Ministry of Social Development contact

Your contact at MSD will be Shelley Cook, Manager Strategy Performance and Crown Entities Out of scope

Yours sincerely

Hon Louise Upston

Minister for Social Development and Employment

Cc:

George Reedy, Chair, New Zealand Artificial Limb Service

Sean Gray, Chief Executive, New Zealand Artificial Limb Service

Re-appointment of a member and appointment of Chair to the New Zealand Artificial Limb Service Board

Pursuant to section 28 of the Crown Entities Act 2004, the Minister for Social Development and Employment has appointed:

Mr Kevin Ross of Whanganui

To be a member and Chair of the New Zealand Artificial Limb Service for a term of three years commencing on 16 December 2024.

Dated at Wellington this day of December 2024.

Hon Louise Upston

Minister for Social Development and Employment

Hon Louise Upston

Minister for the Community and Voluntary Sector
Minister for Disability Issues
Minister for Social Development and Employment
Minister for Child Poverty Reduction



Ms Kate Horan

Out of scope

Dear Ms Horan,

I am pleased to reappoint you as a member of the New Zealand Artificial Limb Service (NZALS) Board (the Board) for a term of three years commencing on 16 December 2024 and ending on 15 December 2027.

Attached is a copy of the position description and your Notice of Appointment. An appointment notice will also be published in the New Zealand Gazette.

New Zealand Artificial Limb Service

The functions of the NZALS are set out in section 8 of the Artificial Limb Service Act 2018 and are to:

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

Legislative Framework for the Appointment

Your appointment as a member is made under, and in accordance with, sections 28 to 35 of the Crown Entities Act 2004, and section 10 of the Artificial Limb Service Act 2018.

These Acts can be found online at <https://www.legislation.govt.nz/>. I refer to certain key provisions of these Acts below which apply to your role as a member of the Board.

Term of Office

Pursuant to section 32(1)(a) of the Crown Entities Act 2004, your appointment is for a term of three years, commencing on 16 December 2024 and ending on 15 December 2027. Following this term, you may be considered for reappointment at the responsible Minister's discretion.

Section 32(3) of the Crown Entities Act 2004 relates to the term of office of members of a statutory entity. Under this section, you may continue as a member despite the expiry of your term. This is until you are reappointed, your successor is appointed, or you are informed in writing that you are not to be reappointed and that no successor is to be appointed at that time.

Resignation

Section 44 of the Crown Entities Act 2004 states a member of a statutory entity may resign from office by written notice to the responsible Minister (with a copy to the entity) signed by the member.

Removal

Section 30 of the Crown Entities Act 2004 relates to the qualification of members. Should a member fail to meet the requirements outlined in this section they will be disqualified from being a member and cease to hold office in accordance with section 45(c) of the Crown Entities Act 2004.

Section 37 of the Crown Entities Act 2004 allows the responsible Minister to remove any member from the Board at any time and for any reason that in the responsible Minister's opinion justifies the removal.

Key collective and individual duties

As a member of the Board, you are required to comply with the collective duties of the Board and the individual duties of members of a statutory entity as set out in the Crown Entities Act 2004.

The collective duties of the Board of a statutory entity are set out in sections 49 to 52 of the Crown Entities Act 2004:

- section 49: ensure that the entity acts in a manner consistent with its objectives, functions, current Statement of Intent and current Statement of Performance Expectations
- section 50: ensure that the statutory entity performs its functions efficiently and effectively, in a manner consistent with the spirit of service to the public, and in collaboration with other public entities where practicable
- section 51: ensure that the entity operates in a financially responsible manner
- section 52: ensure the entity complies with sections 96 to 101 of the Crown Entities Act 2004 relating to any subsidiaries.

The individual duties of a member of a statutory entity are set out in sections 53 to 57 of the Crown Entities Act 2004:

- section 53: to not contravene, cause the contravention of, or agree to the entity contravening this Act or the entity's enabling Act

- section 54: when acting as a member, act with honesty and integrity
- section 55: when acting as a member, act in good faith and not pursue their own interests at the expense of the entity's interests
- section 56: when acting as a member, exercise the care, diligence, and skill that a reasonable person would exercise in the same circumstances
- section 57: to not disclose or make use of, or act on information that would not otherwise be available to them, except in certain circumstances.

Disclosure of interests

In accordance with the conflict of interest disclosure rules under sections 62 to 72 of the Crown Entities Act 2004, I encourage you to continue to disclose your interests in matters relating to the Board to ensure that any perceived, potential or actual conflicts are managed appropriately during your term.

I also expect you to raise with the Ministry of Social Development (MSD), and me as responsible Minister, any issues that could affect your ability to contribute to the Board or could cause embarrassment to the Board and/or the Government.

Management of a Conflict

Out of scope

Please make sure you progress the management of this in a timely manner and ensure the Board is advised of this.

Remuneration and workload

Members of the Board are entitled to an annual fee of \$9,500.

The member workload is estimated at 24 days per year.

You are also entitled to claim for actual and reasonable travelling, accommodation, parking and other expenses incurred in carrying out your duties as a member of the Board. The Board's secretariat/support function will be able to assist you with any claims and taxation matters.

Acknowledgement of the Appointment

I would be grateful if you could formally acknowledge your appointment by signing the attached letter and returning it to MSD (appointments@msd.govt.nz) who will record it on my behalf.

Moving forward

Serving as a member of a statutory Crown Entity is a significant role. Your work on the Board will provide you with an opportunity to contribute to the health sector in New Zealand. I wish you well for your time on the Board.

Ministry of Social Development contact

Your contact at MSD will be Shelley Cook, Manager Strategy Performance and Crown Entities Out of scope

Yours sincerely

Hon Louise Upston

Minister for Social Development and Employment

Cc:

George Reedy, Chair, New Zealand Artificial Limb Service

Sean Gray, Chief Executive, New Zealand Artificial Limb Service

Released under the Official Information Act (1982)

Re-appointment of a member of the New Zealand Artificial Limb Service Board

Pursuant to section 28 of the Crown Entities Act 2004, the Minister for Social Development and Employment has appointed:

Ms Kate Horan of Upper Hutt

To be a member of the New Zealand Artificial Limb Service for a term of three years commencing on 16 December 2024.

Dated at Wellington this day of December 2024.

Hon Louise Upston

Minister for Social Development and Employment

Hon Louise Upston

Minister for the Community and Voluntary Sector
Minister for Disability Issues
Minister for Social Development and Employment
Minister for Child Poverty Reduction



Dr Dawn-Louise Adair

Out of scope

Dear Dr Adair,

I am pleased to appoint you as a member of the New Zealand Artificial Limb Service (NZALS) Board (the Board) for a term of three years commencing on 16 December 2024 and ending on 15 December 2027.

Attached is a copy of the position description and your Notice of Appointment. An appointment notice will also be published in the New Zealand Gazette.

New Zealand Artificial Limb Service

The functions of the NZALS are set out in section 8 of the Artificial Limb Service Act 2018 and are to:

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

Legislative Framework for the Appointment

Your appointment as a member is made under, and in accordance with, sections 28 to 35 of the Crown Entities Act 2004, and section 10 of the Artificial Limb Service Act 2018.

These Acts can be found online at <https://www.legislation.govt.nz/>. I refer to certain key provisions of these Acts below which apply to your role as a member of the Board.

Term of Office

Pursuant to section 32(1)(a) of the Crown Entities Act 2004, your appointment is for a term of three years, commencing on 16 December 2024 and ending on 15 December 2027. Following this term, you may be considered for reappointment at the responsible Minister's discretion.

Section 32(3) of the Crown Entities Act 2004 relates to the term of office of members of a statutory entity. Under this section, you may continue as a member despite the expiry of your term. This is until you are reappointed, your successor is appointed, or you are informed in writing that you are not to be reappointed and that no successor is to be appointed at that time.

Resignation

Section 44 of the Crown Entities Act 2004 states a member of a statutory entity may resign from office by written notice to the responsible Minister (with a copy to the entity) signed by the member.

Removal

Section 30 of the Crown Entities Act 2004 relates to the qualification of members. Should a member fail to meet the requirements outlined in this section they will be disqualified from being a member and cease to hold office in accordance with section 45(c) of the Crown Entities Act 2004.

Section 37 of the Crown Entities Act 2004 allows the responsible Minister to remove any member from the Board at any time and for any reason that in the responsible Minister's opinion justifies the removal.

Key collective and individual duties

As a member of the Board, you are required to comply with the collective duties of the Board and the individual duties of members of a statutory entity as set out in the Crown Entities Act 2004.

The collective duties of the Board of a statutory entity are set out in sections 49 to 52 of the Crown Entities Act 2004:

- section 49: ensure that the entity acts in a manner consistent with its objectives, functions, current Statement of Intent and current Statement of Performance Expectations
- section 50: ensure that the statutory entity performs its functions efficiently and effectively, in a manner consistent with the spirit of service to the public, and in collaboration with other public entities where practicable
- section 51: ensure that the entity operates in a financially responsible manner
- section 52: ensure the entity complies with sections 96 to 101 of the Crown Entities Act 2004 relating to any subsidiaries.

The individual duties of a member of a statutory entity are set out in sections 53 to 57 of the Crown Entities Act 2004:

- section 53: to not contravene, cause the contravention of, or agree to the entity contravening this Act or the entity's enabling Act

- section 54: when acting as a member, act with honesty and integrity
- section 55: when acting as a member, act in good faith and not pursue their own interests at the expense of the entity's interests
- section 56: when acting as a member, exercise the care, diligence, and skill that a reasonable person would exercise in the same circumstances
- section 57: to not disclose or make use of, or act on information that would not otherwise be available to them, except in certain circumstances.

Disclosure of interests

In accordance with the conflict of interest disclosure rules under sections 62 to 72 of the Crown Entities Act 2004, I encourage you to continue to disclose your interests in matters relating to the Board to ensure that any perceived, potential or actual conflicts are managed appropriately during your term.

I also expect you to raise with the Ministry of Social Development (MSD), and me as responsible Minister, any issues that could affect your ability to contribute to the Board or could cause embarrassment to the Board and/or the Government.

Management of a Conflict

Out of scope



Please make sure you progress the management of these in a timely manner and ensure the Board is advised of this.

Remuneration and workload

Members of the Board are entitled to an annual fee of \$9,500.

The member workload is estimated at 24 days per year.

You are also entitled to claim for actual and reasonable travelling, accommodation, parking and other expenses incurred in carrying out your duties as a member of the Board. The Board's secretariat/support function will be able to assist you with any claims and taxation matters.

Acknowledgement of the Appointment

I would be grateful if you could formally acknowledge your appointment by signing the attached letter and returning it to MSD (appointments@msd.govt.nz) who will record it on my behalf.

Moving forward

Serving as a member of a statutory Crown Entity is a significant role. Your work on the Board will provide you with an opportunity to contribute to the health sector in New Zealand. I wish you well for your time on the Board.

Ministry of Social Development contact

Your contact at MSD will be Shelley Cook, Manager Strategy Performance and Crown Entities Out of scope

Yours sincerely

Hon Louise Upston

Minister for Social Development and Employment

Cc:

George Reedy, Chair, New Zealand Artificial Limb Service

Sean Gray, Chief Executive, New Zealand Artificial Limb Service

Released under the Official Information Act (1982)

Appointment of a member of the New Zealand Artificial Limb Service Board

Pursuant to section 28 of the Crown Entities Act 2004, the Minister for Social Development and Employment has appointed:

Dr Dawn-Louise Adair of Auckland

To be a member of the New Zealand Artificial Limb Service for a term of three years commencing on 16 December 2024.

Dated at Wellington this day of December 2024.

Hon Louise Upston

Minister for Social Development and Employment



Mr Patrick O'Doherty

Out of scope

Dear Mr O'Doherty,

I am pleased to appoint you as a member of the New Zealand Artificial Limb Service (NZALS) Board (the Board) for a term of three years commencing on 16 December 2024 and ending on 15 December 2027.

Attached is a copy of the position description and your Notice of Appointment. An appointment notice will also be published in the New Zealand Gazette.

New Zealand Artificial Limb Service

The functions of the NZALS are set out in section 8 of the Artificial Limb Service Act 2018 and are to:

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

Legislative Framework for the Appointment

Your appointment as a member is made under, and in accordance with, sections 28 to 35 of the Crown Entities Act 2004, and section 10 of the Artificial Limb Service Act 2018.

These Acts can be found online at <https://www.legislation.govt.nz/>. I refer to certain key provisions of these Acts below which apply to your role as a member of the Board.

Term of Office

Pursuant to section 32(1)(a) of the Crown Entities Act 2004, your appointment is for a term of three years, commencing on 16 December 2024 and ending on 15 December 2027. Following this term, you may be considered for reappointment at the responsible Minister's discretion.

Section 32(3) of the Crown Entities Act 2004 relates to the term of office of members of a statutory entity. Under this section, you may continue as a member despite the expiry of your term. This is until you are reappointed, your successor is appointed, or you are informed in writing that you are not to be reappointed and that no successor is to be appointed at that time.

Resignation

Section 44 of the Crown Entities Act 2004 states a member of a statutory entity may resign from office by written notice to the responsible Minister (with a copy to the entity) signed by the member.

Removal

Section 30 of the Crown Entities Act 2004 relates to the qualification of members. Should a member fail to meet the requirements outlined in this section they will be disqualified from being a member and cease to hold office in accordance with section 45(c) of the Crown Entities Act 2004.

Section 37 of the Crown Entities Act 2004 allows the responsible Minister to remove any member from the Board at any time and for any reason that in the responsible Minister's opinion justifies the removal.

Key collective and individual duties

As a member of the Board, you are required to comply with the collective duties of the Board and the individual duties of members of a statutory entity as set out in the Crown Entities Act 2004.

The collective duties of the Board of a statutory entity are set out in sections 49 to 52 of the Crown Entities Act 2004:

- section 49: ensure that the entity acts in a manner consistent with its objectives, functions, current Statement of Intent and current Statement of Performance Expectations
- section 50: ensure that the statutory entity performs its functions efficiently and effectively, in a manner consistent with the spirit of service to the public, and in collaboration with other public entities where practicable
- section 51: ensure that the entity operates in a financially responsible manner
- section 52: ensure the entity complies with sections 96 to 101 of the Crown Entities Act 2004 relating to any subsidiaries.

The individual duties of a member of a statutory entity are set out in sections 53 to 57 of the Crown Entities Act 2004:

- section 53: to not contravene, cause the contravention of, or agree to the entity contravening this Act or the entity's enabling Act

- section 54: when acting as a member, act with honesty and integrity
- section 55: when acting as a member, act in good faith and not pursue their own interests at the expense of the entity's interests
- section 56: when acting as a member, exercise the care, diligence, and skill that a reasonable person would exercise in the same circumstances
- section 57: to not disclose or make use of, or act on information that would not otherwise be available to them, except in certain circumstances.

Disclosure of interests

In accordance with the conflict of interest disclosure rules under sections 62 to 72 of the Crown Entities Act 2004, I encourage you to continue to disclose your interests in matters relating to the Board to ensure that any perceived, potential or actual conflicts are managed appropriately during your term.

I also expect you to raise with MSD, and me as responsible Minister, any issues that could affect your ability to contribute to the Board or could cause embarrassment to the Board and/or the Government.

Management of a Conflict

Out of scope



Please make sure you progress the management of these in a timely manner and ensure the Board is advised of this.

Remuneration and workload

Members of the Board are entitled to an annual fee of \$9,500.

The member workload is estimated at 24 days per year.

You are also entitled to claim for actual and reasonable travelling, accommodation, parking and other expenses incurred in carrying out your duties as a member of the Board. The Board's secretariat/support function will be able to assist you with any claims and taxation matters.

Acknowledgement of the Appointment

I would be grateful if you could formally acknowledge your appointment by signing the attached letter and returning it to MSD (appointments@msd.govt.nz) who will record it on my behalf.

Moving forward

Serving as a member of a statutory Crown Entity is a significant role. Your work on the Board will provide you with an opportunity to contribute to the health sector in New Zealand. I wish you well for your time on the Board.

Ministry of Social Development contact

Your contact at MSD will be Shelley Cook, Manager Strategy Performance and Crown Entities Out of scope

Yours sincerely

Hon Louise Upston

Minister for Social Development and Employment

Cc:

George Reedy, Chair, New Zealand Artificial Limb Service

Sean Gray, Chief Executive, New Zealand Artificial Limb Service

Released under the Official Information Act (1982)

Appointment of a Member of the New Zealand Artificial Limb Service Board

Pursuant to section 28 of the Crown Entities Act 2004, the Minister for Social Development and Employment has appointed:

Mr Patrick O'Doherty of Wellington

To be a member of the New Zealand Artificial Limb Service for a term of three years commencing on 16 December 2024.

Dated at Wellington this day of December 2024.

Hon Louise Upston

Minister for Social Development and Employment

Released under the Official Information Act (1982)