

HUMAN TISSUE (AMENDMENT) BILL, 1985

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are—

- (a) to amend the Human Tissue Act, 1983, in accordance with an agreement reached by State Health Ministers so as—
 - (i) to provide that blood or semen intended for certain purposes (including blood to be transfused to persons other than the donor) shall not be removed, obtained or received unless a prescribed certificate is signed by the donor at the time of the donation (Schedule 1 (4)—proposed section 21C (1));
 - (ii) to provide that certificates are not required to be given in respect of blood or semen donated for certain other purposes, including research purposes (Schedule 1 (4)—proposed section 21B);
 - (iii) to provide that blood or semen lawfully obtained without the giving of a certificate shall not subsequently be used for any of the purposes referred to in subparagraph (i) unless a prescribed certificate is signed by the donor before the blood or semen is used for that purpose (Schedule 1 (4)—proposed section 21C (2));
 - (iv) to make it an offence for a donor of blood or semen knowingly to sign a certificate required to be given by the donor and which contains a statement which is false or misleading in a material particular (Schedule 1 (4)—proposed section 21D); and
 - (v) to enable regulations to be made to provide for the keeping of certificates given by donors of blood or semen and the making and keeping of records in respect of those certificates (Schedule 1 (4)—proposed section 21E); and
- (b) to further amend the Human Tissue Act, 1983, so as to state that a reference to tissue in that Act shall include a reference to semen (Schedule 1 (2)—proposed section 4 (2A)).

The Bill also contains other provisions of a minor, consequential or ancillary nature.

