

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

TRANSPLANTATION AND ANATOMY (AMENDMENT) BILL 1998

EXPLANATORY MEMORANDUM

Circulated by the authority of

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Minister for Health and Community Care**

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

This is an amending Bill. The Bill provides for an amendment to the *Transplantation and Anatomy Act 1978* to allow approved non-medical practitioners to enucleate eyes for forwarding to the Eye Bank.

- The Act commences on the day of Gazettal
- Section 31 of the Principal Act is amended by the insertion of subsection 1A
- Subsection 1A provides for the authority to enable a person other than a medical practitioner to remove tissue from the body of a deceased person for the purpose of corneal transplantation
- Subsection 1A(a) requires the Chief Health Officer to authorise a person to remove tissue for the purpose of corneal transplantation
- Subsection 1A(b) states that the person referred to in Subsection 1A as being given authority to remove tissue for the purpose of corneal transplantation is not the person who authorises the removal of tissue for the purposes of transplantation in the first instance under the *Transplantation and Anatomy Act 1978*. The General Manager of the hospital is usually the person who authorises the removal of tissue for the purposes of transplantation
- Section 49 of the Principal Act which deals with the disclosure of information requires a consequential amendment through the addition of the words “or the person authorised by the Chief Health Officer under subsection 31(1A)” after “medical practitioner”

Revenue/Cost Implications

This Bill has no revenue or cost implications.