

Explanatory Statement

Transplantation and Anatomy (Designated Officers) Revocation 2006 (No 1)

Disallowable instrument DI2006—51

made under the

Transplantation and Anatomy Act 1978, section 5

Section 5 of the *Transplantation and Anatomy Act 1978* allows for the appointment of Designated Officers by the Minister. A Designated Officer has the authority to authorise, in writing, the removal of tissue from the body of a deceased person for the purpose of transplantation to the body of a living person or for other therapeutic, medical and scientific purposes.

Section 6 of the *Legislation Act 2001* allows the Minister to amend or repeal the instrument.

A review has been undertaken of previous instruments, which identifies those officers who are still performing the duties of a designated officer. Of the 18 officers identified on the instruments only 8 officers, who are considered to be Public Servants, have retained this role.

The officers who wish to continue acting in the role of designated officer are public servants as defined in the *Legislation Act 2001*. In consequence, Section 5 of the *Transplantation and Anatomy Act 1978* requires that these appointments be made in writing.