

EXPLANATORY MEMORANDUM

AUSTRALIAN CAPITAL TERRITORY

TRADING IN BLOOD (PROHIBITION) ORDINANCE 1973 -

NEW LEGISLATION

The Minister has approved the introduction of an Ordinance in the A.C.T. to prohibit the buying or selling of human blood or the right to take blood from the living bodies of persons except with the authority of the Minister for Health. The Ordinance will also prohibit advertisements relating to the buying in Australia of human blood or the right to take blood from the living bodies of persons.

In Australia, blood and blood derivatives for therapeutic use are obtained by public donation to the Australian Red Cross Society's Blood Transfusion Service. The Commonwealth Serum Laboratories then undertake the extraction of blood derivatives for the Society. This system permits the acquisition of human blood and blood derivatives for human use in Australia free from commercial competition.

However, in 1961 when a patent held by the Commonwealth Serum Laboratories dealing with the separation of fractions from human blood expired, consideration was given to the possibility of commercial organisations entering this field and competing with the Red Cross for supplies of human blood.

At the 1962 Conference of Commonwealth and State Attorneys-General, it was decided that uniform legislation should be adopted to prohibit the sale and purchase of human blood and all States other than New South Wales and Queensland have now passed appropriate legislation.

The proposed Trading in Blood (Prohibition) Ordinance will therefore introduce into the A.C.T. similar restrictions on the sale and the advertising of the sale of blood to those in force in the majority of the States.

Original initialled D.E.

Authority : The Minister for Health  
vide section 12 of the  
Seat of Government  
(Administration) Act  
1910-1972.