

BLOOD TRANSFUSIONS (INFANTS)

No. 14 of 1970

An Ordinance relating to the Administration of Blood Transfusions to Infants.

1. This Ordinance may be cited as the *Blood Transfusions (Infants) Ordinance 1970*.* Short title.
- 2.—(1.) In this Ordinance, unless the contrary intention appears— Interpretation.
- “blood transfusion” means the transfusion of human blood or any of the constituents of human blood;
- “infant” means a person who is, or appears to be, less than twenty-one years of age;
- “medical practitioner” means a person who is a registered medical practitioner within the meaning of the *Medical Practitioners Registration Ordinance 1930-1969*.
- (2.) The operation of removing all or part of the blood of a person and replacing it with blood taken from another person shall, for the purposes of this Ordinance, be deemed to be a blood transfusion.
- 3.—(1.) Subject to the next succeeding sub-section, a medical practitioner may administer a blood transfusion to an infant without the consent of a parent of the infant or a person having authority to consent to the administration of the transfusion if— Administration of blood transfusions to infants without parental consent.
- (a) that medical practitioner and at least one other medical practitioner are of the opinion that the infant is in danger of dying and that the administration of a blood transfusion to the infant is the best means of preventing the death of the infant; and
- (b) the first-mentioned medical practitioner has satisfied himself that the blood to be transfused is compatible with the blood of the infant.
- (2.) A medical practitioner is not entitled to administer a blood transfusion to an infant in pursuance of the last preceding sub-section unless—
- (a) a parent of the infant, or a person having authority to consent to the administration of the transfusion, upon being asked to consent to the administration of the transfusion, has failed to give his consent; or
- (b) the medical practitioner is of the opinion that, in the circumstances, it is not practicable to delay the administration of the transfusion until the consent of a parent of the infant or a person having authority to consent to the administration of the transfusion can be obtained.

* Made on 16 February 1970; notified in the *Commonwealth Gazette* and commenced on 5 March 1970.

(3.) Where a blood transfusion is administered to an infant in accordance with this section, the transfusion shall, for all purposes, be deemed to have been administered with the consent of a parent of the infant or a person having authority to consent to the administration of the transfusion.

(4.) Nothing in this section relieves a medical practitioner from liability in respect of the administration of a blood transfusion to an infant, being a liability to which he would have been subject if the transfusion had been administered with the consent of a parent of the infant or a person having authority to consent to the administration of the transfusion.
