

1998  
THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Health and Community Care)

**Transplantation and Anatomy (Amendment)  
Bill 1998**

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**A BILL  
FOR**

**An Act to amend the *Transplantation and Anatomy  
Act 1978***

The Legislative Assembly for the Australian Capital Territory enacts as follows:

**1. Short title**

5 This Act may be cited as the *Transplantation and Anatomy  
(Amendment) Act 1998*.

**2. Commencement**

This Act commences on the day on which it is notified in the *Gazette*.

**3. Principal Act**

10 In this Act, "Principal Act" means the *Transplantation and Anatomy  
Act 1978*.<sup>1</sup>

**4. Effect of authority under this Part**

Section 31 of the Principal Act is amended—

(a) by inserting after subsection (1) the following subsection:

5 “(1A) Without limiting subsection (1), an authority under this Part  
which authorises the removal of tissue for the purpose of corneal  
transplantation (whether or not it authorises the removal of tissue  
for any other purpose) is sufficient authority for a person other  
than a medical practitioner to remove tissue from the body of the  
10 deceased person referred to in the authority for the purpose of  
corneal transplantation if the person—

(a) is authorised in writing by the Chief Health Officer to  
remove tissue for the purpose of corneal transplantation;  
and

15 (b) is not the person by whom the firstmentioned authority  
was given.”; and

(b) by adding at the end the following subsection:

“(3) In this section—

‘Chief Health Officer’ means the Chief Health Officer under  
the *Public Health Act 1997*.”.

20 **5. Disclosure of information**

Section 49 of the Principal Act is amended by inserting in paragraph

(3) (c) “or the person authorised by the Chief Health Officer under  
subsection 31 (1A)” after “medical practitioner”.

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**NOTE**

**Principal Act**

1 Reprinted as at 30 April 1993 See also Act No 58, 1997