

Explanatory Statement

Blood Donation (Transmittable Diseases) Plasma Donor Form 2018 (No 1)

Disallowable instrument DI2018–28

Approved form AF2018–2

made under the

***Blood Donation (Transmittable Diseases) Act 1985*, s 10(3) Approved Forms**

The Disallowable Instrument and Approved Form have been prepared in accordance with section 10(3) of the *Blood Donation (Transmittable Diseases) Act 1985* (the Act).

Section 5(a) of the Act specifies that:

For the purposes of sections 3 and 4, the prescribed requirements in relation to the taking of blood from a donor, are –

- (a) that, before taking blood from the donor, the society gets from the donor a written declaration.

Under section 10 of the Act the Minister may approve a form for a particular purpose under the Act, such as for section 5(a), and where an approved form is declared that form, and only that form, is to be used for that purpose. As the approved form declared by this instrument pertains to section 5(a) of the Act, it is a Disallowable Instrument. As such, after being approved by the Minister it has been notified and presented to the Legislative Assembly.

The approved form in this declaration is the Plasma Donor Questionnaire prepared by the Australian Red Cross Blood Service. This form is for use in plasma donation only. Plasma is a blood component. A separate approved form has been declared for donations of whole blood, which at the time of this declaration was AF2017-184.

The form comprises a questionnaire and a declaration. The information derived from the questionnaire is intended to enable the assessment of the eligibility of the donor to donate blood whilst ensuring that plasma donors are not excluded unnecessarily, and to ensure the safety of both plasma donors and recipients. The form may be completed electronically or in a hard copy, printed format.

It is an offence under Part 3.4 of the Criminal Code to make a false or misleading statement, or to give false or misleading information. Accordingly, a donor that completes the Plasma Donor Declaration Form and in doing so knowingly provides false, misleading or incorrect information, or that omits information the absence of which makes the information false or misleading, is likely to have committed an offence.

It is expected that the Australian Red Cross Blood Service will implement in the ACT the use of the questionnaire provided in the Plasma Donor Declaration Form on 27 March 2018.