

**HUMAN TISSUE (CORNEA TRANSPLANTS)
AMENDMENT ACT 1988 No. 71**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Human Tissue Act 1983 No. 164, s. 27 (Effect of authority under this Part)
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**HUMAN TISSUE (CORNEA TRANSPLANTS) AMENDMENT ACT
1988 No. 71**

NEW SOUTH WALES



Act No. 71, 1988

An Act to amend the Human Tissue Act 1983 with respect to removal of human tissue for the purpose of cornea transplants. [Assented to 23 November 1988]

Human Tissue (Cornea Transplants) Amendment 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Human Tissue (Cornea Transplants) Amendment Act 1988.

Commencement

2. This Act commences on a day to be appointed by proclamation.

Amendment of Human Tissue Act 1983 No. 164, s. 27 (Effect of authority under this Part)

3. The Human Tissue Act 1983 is amended by inserting after section 27 (1) the following subsection:

(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 deceased person referred to in the authority for the purpose of corneal transplantation if the person removing the tissue—

- (a) is appointed, in writing, by the Secretary of the Department of Health to remove tissue under this section for the purpose of corneal transplantation; and
- (b) is not the person by whom the authority was given.

[Minister's second reading speech made in—
Legislative Assembly on 13 October 1988
Legislative Council on 15 November 1988]

**HUMAN TISSUE (CORNEA TRANSPLANTS)
AMENDMENT BILL 1988**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Human Tissue Act 1983 to facilitate the removal of tissue from a deceased person where the tissue is removed for the purpose of cornea transplants. Under the Principal Act as it presently stands, only a medical practitioner may remove tissue from the body of a deceased person. The Bill will enable the Secretary of the Department of Health to appoint, in writing, a suitable person who is not a medical practitioner to remove tissue for the purpose of cornea transplants. The Bill does not change any other requirement of the Principal Act.

South Australia (1984), Western Australia (1987) and Victoria (1987) have passed legislation to enable approved persons, other than medical practitioners, to remove tissue for the purpose of cornea transplants.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act is to commence on a proclaimed day.

Clause 3 amends section 27 of the Human Tissue Act 1983 to achieve the object of the Bill.



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**HUMAN TISSUE (CORNEA TRANSPLANTS)
AMENDMENT BILL 1988**

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No. , 1988

A BILL FOR

An Act to amend the Human Tissue Act 1983 with respect to removal of human tissue for the purpose of cornea transplants.

Human Tissue (Cornea Transplants) Amendment 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Human Tissue (Cornea Transplants) Amendment Act 1988.

5 Commencement

2. This Act commences on a day to be appointed by proclamation.

Amendment of Human Tissue Act 1983 No. 164, s. 27 (Effect of authority under this Part)

3. The Human Tissue Act 1983 is amended by inserting after section 10 27 (1) the following subsection:

15 (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 deceased person referred to in the authority for the purpose of corneal transplantation if the person removing the tissue—

20 (a) is appointed, in writing, by the Secretary of the Department of Health to remove tissue under this section for the purpose of corneal transplantation; and

(b) is not the person by whom the authority was given.



