

2020

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Tara Cheyne)

# **Births, Deaths and Marriages Registration (Tissue Donor Acknowledgment) Amendment Bill 2020**

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## **A Bill for**

An Act to amend the *Births, Deaths and Marriages Registration Act 1997*

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

1 **1 Name of Act**

2 This Act is the *Births, Deaths and Marriages Registration (Tissue*  
3 *Donor Acknowledgment) Amendment Act 2020.*

4 **2 Commencement**

5 This Act commences on the day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on  
7 the notification day (see [Legislation Act](#), s 75 (1)).

8 **3 Legislation amended**

9 This Act amends the *Births, Deaths and Marriages Registration*  
10 *Act 1997.*

11 **4 New section 38A**

12 *in division 6.2, insert*

13 **38A Information about tissue donation**

14 (1) This section applies in relation to a deceased person who was a tissue  
15 donor and whose death is or is to be registered under this Act.

16 (2) On request by a next of kin of the deceased person, the  
17 registrar-general must include in the register a statement that the  
18 person was a tissue donor.

19 (3) The request must be in writing and include information verifying that  
20 the deceased person was a tissue donor.

21 (4) Additionally, if the next of kin wishes to receive from the Chief  
22 Minister a written acknowledgment of the tissue donation—

23 (a) the next of kin may give the registrar-general a written request  
24 for the acknowledgment, including their name and address; and

25 (b) the registrar-general must ensure that the request is given to the  
26 Chief Minister.

- 1           (5) In this section:
- 2                 *next of kin*—see the *Transplantation and Anatomy Act 1978*,
- 3                 dictionary.
- 4                 *tissue donor*—a deceased person was a *tissue donor* if—
- 5                 (a) tissue was removed from the person’s body while the person was
- 6                     living, under a consent given in accordance with the
- 7                     *Transplantation and Anatomy Act 1978*, division 2.2 (Donations
- 8                     by adults) or division 2.3 (Donations from children); or
- 9                 (b) tissue was removed from the person’s body under a consent
- 10                 given in accordance with that *Act*, part 3 (Donations of tissue
- 11                 after death).

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 19 February 2020.

**2 Notification**

Notified under the [Legislation Act](#) on 2020.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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