



New South Wales

Human Tissue Amendment (Blood Donor Certificate) Regulation 2019

under the

Human Tissue Act 1983

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Human Tissue Act 1983*.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The object of this Regulation is to amend the *Human Tissue Regulation 2015* to—

- (a) update a reference to the “Australian Red Cross Society”, and
- (b) replace the prescribed blood donor certificate.

This Regulation is made under the *Human Tissue Act 1983*, including sections 20D and 39 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Human Tissue Amendment (Blood Donor Certificate) Regulation 2019*.

2 Commencement

- (1) This Regulation commences on the day on which it is published on the NSW legislation website, except as provided by subclause (2).
- (2) Schedule 1[2] commences on 2 December 2019.

Schedule 1 Amendment of Human Tissue Regulation 2015

[1] Clause 6 Certificates

Omit “Australian Red Cross Blood Service” from clause 6(2)(c).
Insert instead “Australian Red Cross Society”.

[2] Schedule 1

Omit the Schedule. Insert instead—

Schedule 1 Blood donor certificate

Clause 6(1)

(Human Tissue Act 1983, section 20D)

Questions

(Please circle your answers)

- | | | |
|----|--|--------------------|
| 1 | To the best of your knowledge, have you ever thought you could be infected with HIV or have AIDS? | Yes/No |
| 2 | To the best of your knowledge, have you ever had a test which showed you had hepatitis B, hepatitis C, HIV or HTLV? | Yes/No |
| 3 | To the best of your knowledge, in the last 5 years, have you “used drugs” by injection or been injected with drugs not prescribed by a doctor or dentist? | Yes/No |
| 4 | In the last 12 months, have you had an illness with both a rash and swollen glands, with or without a fever? | Yes/No |
| 5 | In the last 12 months, have you engaged in sexual activity with someone who—
(a) you think could be infected with HIV or have AIDS?
(b) had a test which showed they had hepatitis B, hepatitis C, HIV or HTLV?
(c) ever “used drugs” by injection or been injected with drugs not prescribed by a doctor or dentist?
(d) had an illness with both a rash and swollen glands, with or without a fever? | Yes/No |
| 6 | In the last 12 months, have you had sexual activity with a new partner who currently lives or has previously lived overseas? | Yes/No |
| 7 | In the last 12 months, have you had sex (with or without a condom) with a man who you think may have had oral or anal sex with another man? | Yes/No |
| 8 | In the last 12 months, have you had male-to-male sex (that is, oral or anal sex) with or without a condom? | Yes/No/I am female |
| 9 | In the last 12 months, have you been a sex worker (eg received payment for sex in money, gifts or drugs)? | Yes/No |
| 10 | In the last 12 months, have you engaged in sexual activity with a sex worker? | Yes/No |
| 11 | In the last 12 months, have you been imprisoned in a prison or held in a lock-up or detention centre? | Yes/No |
| 12 | In the last 12 months, have you had a blood transfusion? | Yes/No |

- 13 In the last 12 months, have you had (yellow) jaundice or hepatitis or been in contact with someone who has? Yes/No
- 14 In the last 4 months, have you been injured with a used needle (needlestick)? Yes/No
- 15 In the last 4 months, have you had blood or other bodily fluid come into contact with your eyes, mouth, nose or to broken skin? Yes/No
- 16 In the last 4 months, have you had a tattoo, body and/or ear piercing or acupuncture? Yes/No

I declare that I have understood the information on this form and have answered the questions in the declaration honestly and to the best of my knowledge. I understand that there are penalties, including fines and imprisonment, for providing false or misleading information.

Donor (please print)

Surname/family name

Given name

Date of birth

Please ONLY sign in the presence of the interviewer

Signature

Date