
Human Tissue Amendment (Ante-mortem Interventions) Bill 2023

Amendments made by Legislative Assembly on 13 March 2024.

No. 1 **Meaning of “ante-mortem procedure”**

Page 3, Schedule 1[2], proposed section 27B, lines 12–17. Omit all words on the lines. Insert instead—

ante-mortem procedure means the following medical procedures, other than normothermic regional perfusion, carried out to determine, maintain or improve the viability of tissue for a relevant purpose—

- (a) the administration of medication,
- (b) the removal of blood and tissue for testing,
- (c) medical imaging and other diagnostic procedures,
- (d) blood transfusions for the purpose of improving organ viability.

No. 2 **Senior available next of kin**

Page 4, Schedule 1[2], proposed section 27C(2), lines 4–7. Omit all words on the lines. Insert instead—

- (a) there are one or more senior available next of kin of the potential tissue donor and a senior available next of kin provides consent under section 27D, or
- (b) there are no known senior available next of kin of the potential tissue donor and the designated officer is satisfied that—

No. 3 **Designated Officer’s authority to carry out ante-mortem procedures**

Page 4, Schedule 1[2], proposed section 27C(3)(b), lines 20–25. Omit all words on the lines. Insert instead—

- (b) a prescribed practitioner has certified in writing that the prescribed practitioner is reasonably satisfied—
 - (i) the death of the potential tissue donor is imminently expected, and
 - (ii) the carrying out of an ante-mortem procedure on the potential tissue donor will not—
 - (A) hasten the death of the potential tissue donor, or
 - (B) cause more than minimal harm to the potential tissue donor, or
 - (C) cause undue risk to the potential tissue donor.

No. 4 **Meaning of “prescribed practitioner”**

Page 4, Schedule 1[2], proposed section 27C(4), definition of *prescribed practitioner*, lines 29–33. Omit all words on the lines. Insert instead—

prescribed practitioner means a designated specialist or, if a designated specialist is not available, an experienced medical practitioner, who is not involved in—

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- (a) transplantation procedures, or
 - (b) the care of the potential tissue donor, or
 - (c) the care of a potential recipient of tissue.

No. 5 **Coroner's functions**

Page 5, Schedule 1[2]. Insert after line 9—

27G Ante-mortem procedure not to interfere with coroner's functions

Despite the other provisions of this part, an ante-mortem procedure must not be carried out if the procedure is reasonably likely to interfere with the functions of the coroner under the *Coroners Act 2009* in respect of the death of the potential tissue donor.