

Queensland



Transplantation and Anatomy Act 1979

TRANSPLANTATION AND ANATOMY REGULATION 1994

**Reprinted as in force on 1 February 2004
(includes commenced amendments up to 2003 SL No. 361)**

Reprint No. 2

This reprint is prepared by
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Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED
LAST REPRINT BEFORE REPEAL
See 2004 SL No. 162 s 14

Information about this reprint

This regulation is reprinted as at 1 February 2004. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

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TRANSPLANTATION AND ANATOMY REGULATION 1994

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TRANSPLANTATION AND ANATOMY REGULATION 1994

[as amended by all amendments that commenced on or before 1 February 2004]

1 Short title

This regulation may be cited as the *Transplantation and Anatomy Regulation 1994*.

2 Commencement

This regulation commences on 14 March 1994.

4 Definition

In this regulation—

“**cause of death certificate**” has the meaning given by the *Births, Deaths and Marriages Registration Act 2003*, section 30.¹

4A Prescribed tissue banks

(1) For section 42A(1)² of the Act, the prescribed tissue banks are—

- (a) Queensland Bone Bank; and
- (b) Queensland Eye Bank; and
- (c) Queensland Heart Valve Bank; and
- (d) Queensland Skin Bank; and
- (e) for recovering reasonable costs associated with removing, evaluating, processing, storing and distributing expired platelet concentrates for medical research—Australian Red Cross Blood Service.

1 *Births, Deaths and Marriages Registration Act 2003*, section 30 (Cause of death certificate)

2 Section 42A (Person who owns a prescribed tissue bank may charge amount to recover certain costs) of the Act

(2) In this section—

“expired platelet concentrates” means concentrates of platelets, derived from blood, that are no longer suitable for clinical use.

5 Prescribed qualification of medical practitioner certifying death

A prescribed qualification for the purposes of section 45 (When death occurs) of the Act is registration as a specialist registrant under the *Medical Practitioners Registration Act 2001* in 1 of the following specialties—

- (a) Anaesthetics;
- (b) Intensive Care;
- (c) Cardiology;
- (d) Internal Medicine;
- (f) Thoracic Medicine;
- (g) Paediatrics;
- (h) General Surgery;
- (i) Paediatric Surgery.

6 Acceptance of body by school of anatomy

The person in charge of a school of anatomy must not accept the body of a deceased person unless—

- (a) the person in charge is satisfied that a cause of death certificate of the deceased person has been issued; and
- (b) if section 31 (Authority for anatomy where body of deceased in a hospital) of the Act applies—the person in charge sees the authorisation that was signed by the designated officer; and
- (c) if section 32 (Authority for anatomy where body of deceased not in a hospital) of the Act applies—the person in charge sees the authorisation that was signed by the senior available next of kin; and
- (d) if section 33 (Provisions applicable where deceased consents to retention of his body for anatomy) of the Act applies—the person in charge sees the writing by which consent was given during the lifetime of the deceased person; and

- (e) if section 34 (Consent by Coroner) of the Act applies to the deceased person—the person in charge sees the relevant consent or direction by the Coroner and is satisfied that conditions attaching to the consent or direction have been complied with.

Maximum penalty—10 penalty units.

7 Disposal of body

(1) The person in charge of a school of anatomy must dispose of a body (or part of a body) of a deceased person on completion of use by the school.

(2) The person in charge must dispose of the body in the way preferred by the deceased person if—

- (a) during the lifetime of the deceased person, the deceased person indicated a preference; and
- (b) either before or after the death of the deceased person, suitable arrangements were made with the school of anatomy so that it is practicable for the school to dispose of the body in the preferred way.

Maximum penalty—10 penalty units.

8 Register to be established by school of anatomy

(1) The person in charge of a school of anatomy must establish a register of bodies received by the school and must maintain the register in accordance with the requirements of this section.

Maximum penalty—10 penalty units.

(2) The register is to contain the following particulars in relation to each body—

- (a) the date and time the body was received at the school;
- (b) the person from whom the body was received;
- (c) the name, age, sex and last address of the person whose body was received;
- (d) the date and place of death of the person whose body was received;

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- (e) the date and time the body was removed from the school for disposal;
- (f) the name of the person by whom the body was removed;
- (g) the date, place and method of disposal of the body.

(3) The particulars specified in subsection (2)(a) to (d) are to be entered in the register immediately after the body is received.

(4) The particulars specified in subsection (2)(e) to (g) are to be entered in the register within 5 working days of the disposal of the body.

(5) The person in charge must produce the register for inspection when required by an inspector appointed under section 38 (Inspectors of schools of anatomy) of the Act.

Maximum penalty—10 penalty units.

ENDNOTES**1 Index to endnotes**

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 February 2004. Future amendments of the Transplantation and Anatomy Regulation 1994 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key**Key to abbreviations in list of legislation and annotations**

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

TABLE OF REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	none	14 March 1994	14 April 1994
1A	to 2002 SL No. 31	1 March 2002	7 March 2002
1B	to 2002 SL No. 98	12 May 2002	22 May 2002
			(Column discontinued) Notes
1C	to 2002 SL No. 283	1 November 2002	
1D	to 2003 SL No. 361	1 February 2004	R1D withdrawn, see R2
2	to 2003 SL No. 361	1 February 2004	

5 List of legislation

Transplantation and Anatomy Regulation 1994 SL No. 85

made by the Governor in Council on 10 March 1994
notfd gaz 11 March 1994 pp 986–8
ss 1–2 commenced on date of notification
remaining provisions commenced 14 March 1994 (see s 2)
exp 1 September 2004 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Medical Practitioners Registration Regulation 2002 SL No. 31 ss 1–2, 16 sch 4

notfd gaz 1 March 2002 pp 850–2
ss 1–2 commenced on date of notification
remaining provisions commenced 1 March 2002 (see s 2)

Medical Radiation Technologists Registration Regulation 2002 SL No. 98 ss 1–2, 59 sch 3

notfd gaz 10 May 2002 pp 157–8
ss 1–2 commenced on date of notification
remaining provisions commenced 12 May 2002 (see s 2)

Note— A regulatory impact statement and explanatory note were prepared

Transplantation and Anatomy Amendment Regulation (No. 1) 2002 SL No. 283

notfd gaz 1 November 2002 pp 759–62
ss 1–2 commenced on date of notification
remaining provisions commenced 1 November 2002 (see s 2)

Births, Deaths and Marriages Registration Regulation 2003 SL No. 361 ss 1–2, pt 8
notfd gaz 19 December 2003 pp 1307–13
ss 1–2 commenced on date of notification
remaining provisions commenced 1 February 2004 (see s 2 and 2003 SL No. 359)

6 List of annotations

Repeal of regulation

s 3 om R1 (see RA s 40)

Definition

s 4 sub 2003 SL No. 361 s 28

Prescribed tissue banks

s 4A ins 2002 SL No. 283 s 4

Prescribed qualification of medical practitioner certifying death

s 5 amd 2002 SL No. 31 s 16 sch 4 (amdt 1 could not be given effect);
2002 SL No. 98 s 59

Acceptance of body by school of anatomy

s 6 amd 2003 SL No. 361 s 29