

Queensland



Subordinate Legislation 1994 No. 85

Transplantation and Anatomy Act 1979

**TRANSPLANTATION AND ANATOMY
REGULATION 1994**

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Short title

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

Commencement

2. This regulation commences on 14 March 1994.

Repeal of regulation

3. The *Transplantation and Anatomy Regulation 1980* is repealed.

Definition

4. In this regulation—

“**medical certificate of cause of death**” has the meaning given by the *Registration of Births, Deaths and Marriages Act 1962*.

Prescribed qualification of medical practitioner certifying death

5. A prescribed qualification for the purposes of section 45 (When death occurs) of the Act is registration as a specialist under the *Medical Act 1939* in 1 of the following specialties—

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

Acceptance of body by school of anatomy

6. 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 medical certificate of cause of death 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.

Disposal of body

7.(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.

Register to be established by school of anatomy

8.(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;
- (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. Made by the Governor in Council on 10 March 1994.
2. Notified in the Gazette on 11 March 1994.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Health.

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