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- (a) the procedure mentioned in subsection (1)(a) must be completed in the presence of a person who may consent to the carrying out of the procedure on the donor under section 11(4)(b) of the Act; and
 - (b) the procedure mentioned in subsection (2)(c) is taken to be complied with only if a person who may consent to the carrying out of the procedure on the donor under section 11(4)(b) of the Act signs the label.
- (4) If the donor is an adult with impaired capacity—
- (a) the procedure mentioned in subsection (1)(a) must be completed in the presence of a person who may consent to the carrying out of the procedure on the donor under section 11(4)(c) of the Act; and
 - (b) the procedure mentioned in subsection (2)(c) is taken to be complied with only if a person who may consent to the carrying out of the procedure on the donor under section 11(4)(c) of the Act signs the label.

11 Statement by sampler

After taking a sample from a donor for a parentage testing procedure, the sampler who took the sample must—

- (a) make a statement, in the approved form, that—
 - (i) states the name, occupation and address of the sampler; and
 - (ii) states the date and time the sample was taken from the donor; and
 - (iii) states the name of the donor; and
 - (iv) states the type of sample taken from the donor; and
 - (v) confirms that the sampler has carried out the procedures for the parentage testing procedure in accordance with sections 7 to 10; and
- (b) attach the photograph mentioned in section 7(1)(c) to the statement; and

- (c) sign the sampler's name partly on the photograph and partly on the statement in a way that, if the photograph were later removed from the statement, the removal would be evident on inspecting the statement.

12 Requirements for packing and storing sample

- (1) A sampler must ensure that a sample from a donor must be packed, stored and transported to an accredited laboratory for a parentage testing procedure in a way that—
 - (a) preserves the integrity of the sample; and
 - (b) ensures the carrying out of the parentage testing procedure on the sample will produce the same results as would have been obtained if the parentage testing procedure had been carried out on the sample immediately after collection of the sample.
- (2) The sampler must ensure the following documents for the donor are sent to the laboratory with the sample—
 - (a) the affidavit made under section 7(1)(a);
 - (b) the statement made under section 11.

13 Time in which parentage testing procedure must be completed

- (1) An accredited laboratory that has received a sample from a donor for carrying out a parentage testing procedure must ensure the parentage testing procedure is completed within—
 - (a) if the parentage testing procedure is red cell antigen blood grouping, red cell enzyme blood grouping or testing for serum markers—6 days after the sample is taken; or
 - (b) if the parentage testing procedure is human leucocyte antigen tissue typing—3 days after the sample is taken; or
 - (c) if the parentage testing procedure is DNA typing—a reasonable time after the sample is taken.

- (2) If the parentage testing procedure is red cell enzyme blood grouping or testing for serum markers, subsection (1)(a) is taken to be complied with if a dried sample of the sample is prepared within 6 days after the sample is taken from the donor.

Division 3 Parentage testing procedure reports

14 Relevant person to fill in and sign

- (1) For section 12(2) of the Act, a relevant person for a parentage testing procedure must fill in and sign the part of the parentage testing procedure report that, under the report, must be filled in and signed by the relevant person.
- (2) In this section—
- relevant person*, for a parentage testing procedure, means—
- (a) the nominated reporter for the parentage testing procedure report; and
 - (b) either of the following—
 - (i) the person who carried out the parentage testing procedure; or
 - (ii) the person under whose supervision the parentage testing procedure was carried out.

Part 4 Repeal

17 Repeal

The Status of Children Regulation 2002, SL No. 225 is repealed.

Schedule 1 Dictionary

section 3

accredited laboratory means a laboratory accredited by NATA to carry out a parentage testing procedure.

donor means the person required to provide a sample for a parentage testing procedure.

NATA means the National Association of Testing Authorities, Australia.

sample, from a donor, means tissue, fluid or other bodily sample from the donor.

sampler means a person who is—

- (a) a doctor; or
- (b) employed to take a sample from a donor by the following—
 - (i) a hospital within the meaning of the *Hospital and Health Boards Act 2011*, schedule 2;
 - (ii) a pathology practice;
 - (iii) a parentage testing practice;
 - (iv) a doctor.