



SEANAD ÉIREANN

**AN BILLE UM FHÍOCHÁN DAONNA (TRASPHLANDÚ,
SCRÚDÚ IARBHÁIS, SCRÚDÚ ANATAMAÍOCH AGUS
TAISPEÁINT PHOIBLÍ), 2022
HUMAN TISSUE (TRANSPLANTATION, POST-MORTEM,
ANATOMICAL EXAMINATION AND PUBLIC DISPLAY) BILL
2022**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

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AN BILLE UM FHÍOCHÁN DAONNA (TRASPHLANDÚ, SCRÚDÚ IARBHÁIS, SCRÚDÚ ANATAMAÍOCH AGUS TAISPEÁINT PHOIBLÍ), 2022 —AN TUARASCÁIL

HUMAN TISSUE (TRANSPLANTATION, POST-MORTEM, ANATOMICAL EXAMINATION AND PUBLIC DISPLAY) BILL 2022 —REPORT

Leasuithe Amendments

**Government amendments are denoted by an asterisk*

- *1. In page 7, line 22, after “amend” to insert “the Assisted Decision-Making (Capacity) Act 2015,”.
- *2. In page 8, line 15, to delete “Coroners Acts 1962 to 2023” and substitute “Coroners Acts 1962 to 2024”.
- *3. In page 8, between lines 19 and 20, to insert the following:

“ “Act of 2015” means the Assisted Decision-Making (Capacity) Act 2015;”.
- *4. In page 8, between lines 26 and 27, to insert the following:

“ “capacity” means, in relation to a person, his or her decision-making capacity and shall be construed in accordance with section 3 of the Act of 2015;”.
- *5. In page 18, between lines 4 and 5, to insert the following:

“ “specified person” has the meaning assigned to it by *section 25(4)*;”.
- *6. In page 20, to delete line 5 and substitute “*section 31*,”.
- *7. In page 20, line 7, to delete “specified family member” and substitute “specified person concerned”.
- *8. In page 20, line 8, to delete “*section 30*.” and substitute the following:

“*section 30*,

(vii) in relation to a case to which *section 25(2)* applies, by the specified person concerned, or

(viii) in relation to a case to which *section 26(2)* applies, by a parent or guardian of the child.”.

- *9. In page 20, line 17, to delete “(vi)” and substitute “(viii)*”.
[*This is a reference to a subparagraph proposed to be inserted by amendment No. 8.]
- *10. In page 22, line 31, to delete “Coroners Acts 1962 to 2023” and substitute “Coroners Acts 1962 to 2024”.
- *11. In page 24, line 10, to delete “Coroners Acts 1962 to 2023” and substitute “Coroners Acts 1962 to 2024”.
- *12. In page 30, lines 7 and 8, to delete “specified family member of the living adult.” and substitute “specified person concerned.”.
- *13. In page 30, to delete lines 15 to 20 and substitute the following:
“ “decision-making representative” has the same meaning as it has in section 2 of the Act of 2015;
“decision-making representation order” has the same meaning as it has in section 2 of the Act of 2015;”.
- *14. In page 30, line 21, to delete “specified family member” and substitute “specified person”.
- *15. In page 30, between lines 22 and 23, to insert the following:
“(a) a decision-making representative where the terms of the decision-making representation order made in that regard under section 38(2)(b) of the Act of 2015 confers functions on the representative concerned in respect of the matter;”.
- *16. In page 30, to delete lines 24 to 30.
- *17. In page 30, to delete line 37 and substitute “consent has been given by a parent or guardian of the child.”.
- *18. In page 33, line 14, to delete “Where a donation of regenerative tissue is proposed in accordance with *section 25*,” and substitute “Where a donation of regenerative tissue and cells is proposed in accordance with *section 25(3)*,”.
- *19. In page 33, line 16, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
- *20. In page 34, line 1, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
- *21. In page 34, line 4, to delete “family member” and substitute “person”.
- *22. In page 34, line 15, to delete “family member concerned as the case may be” and substitute “person concerned, as the case may be”.
- *23. In page 34, line 21, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.

- *24. In page 34, line 28, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
- *25. In page 34, line 30, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
- *26. In page 35, line 19, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
- *27. In page 35, lines 36 and 37, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
- *28. In page 44, line 11, to delete “Coroners Acts 1962 to 2023” and substitute “Coroners Acts 1962 to 2024”.
- *29. In page 47, line 29, to delete “*Coroners Acts 1962 to 2023*” and substitute “Coroners Acts 1962 to 2024”.
- *30. In page 57, line 17, to delete “section 1” and substitute “section 2”.
- *31. In page 64, to delete lines 29 to 31 and substitute the following:
 “ ‘Authority’ means the Health Information and Quality Authority;”.
- *32. In page 65, line 16, to delete “*Act of 2023*” and substitute “*Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Act 2024*”.
- *33. In page 66, line 18, to delete “*Act of 2023*” and substitute “*Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Act 2024*”.
- *34. In page 68, line 29, to delete “*Act of 2023*” and substitute “*Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Act 2024*”.
- *35. In page 71, line 39, to delete “*Act of 2023*” and substitute “*Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Act 2024*”.
- *36. In page 115, line 2, to delete “section 7(1)” and substitute “section 7(2)”.
- *37. In page 115, between lines 17 and 18, to insert the following:

“Amendment of Act of 2015

105. The Act of 2015 is amended, in section (4)(3), by the substitution of the following paragraph for paragraph (a):

“(a) any decision regarding the donation of an organ from a living donor shall, where the donor is a person who lacks capacity, be determined in accordance with the *Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Act 2024*, and”.