



DÁIL 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 A RINNE AN SEANAD
AMENDMENTS MADE BY THE SEANAD**

DÁIL ÉIREANN

AN BILLE UM FHÍOCHÁN DAONNA (TRASPHLANDÚ, SCRÚDÚ IARBHÁIS, SCRÚDÚ ANATAMAÍOCH AGUS TAISPEÁINT PHOIBLÍ), 2022 [BILLE DÁLA ARNA LEASÚ AG AN SEANAD]

HUMAN TISSUE (TRANSPLANTATION, POST-MORTEM, ANATOMICAL EXAMINATION AND PUBLIC DISPLAY) BILL 2022 [DÁIL BILL AMENDED BY THE SEANAD]

*Leasuithe a rinne an Seanad
Amendments made by the Seanad*

*[The page and line references in this list of amendments
are to the text of the Bill As Passed by Dáil Eireann]*

SECTION 1

1. In page 8, line 15, to delete “Coroners Acts 1962 to 2023” and substitute “Coroners Acts 1962 to 2024”.

SECTION 2

2. In page 8, between lines 19 and 20, to insert the following:

“ “Act of 2015” means the Assisted Decision-Making (Capacity) Act 2015;”.

3. 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;”.

SECTION 9

4. In page 18, between lines 4 and 5, to insert the following:

“ “specified person” has the meaning assigned to it by *section 25(4)*;”.

SECTION 10

5. In page 20, to delete line 5 and substitute “*section 31*,”.
6. In page 20, line 7, to delete “specified family member” and substitute “specified person concerned”.
7. 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.”.

[SECTION 10]

8. 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. 7.]

SECTION 13

9. In page 22, line 31, to delete “*Coroners Acts 1962 to 2023*” and substitute “Coroners Acts 1962 to 2024”.

SECTION 16

10. In page 24, line 10, to delete “*Coroners Acts 1962 to 2023*” and substitute “Coroners Acts 1962 to 2024”.

SECTION 25

11. In page 30, lines 7 and 8, to delete “specified family member of the living adult.” and substitute “specified person concerned.”.
12. 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;”.

13. In page 30, line 21, to delete “specified family member” and substitute “specified person”.

14. 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;”.

15. In page 30, to delete lines 24 to 30.

SECTION 26

16. In page 30, to delete line 37 and substitute “consent has been given by a parent or guardian of the child.”.

SECTION 30

17. 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)*,”.
18. In page 33, line 16, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
19. In page 34, line 1, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
20. In page 34, line 4, to delete “family member” and substitute “person”.
21. In page 34, line 15, to delete “family member concerned as the case may be” and substitute “person concerned, as the case may be”.
22. In page 34, line 21, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.

[SECTION 31]

SECTION 31

23. In page 34, line 28, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
24. In page 34, line 30, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
25. In page 35, line 19, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.
26. In page 35, lines 36 and 37, to delete “regenerative tissue” and substitute “regenerative tissue and cells”.

SECTION 38

27. In page 44, line 11, to delete “Coroners Acts 1962 to 2023” and substitute “Coroners Acts 1962 to 2024”.

SECTION 40

28. In page 47, line 29, to delete “*Coroners Acts 1962 to 2023*” and substitute “Coroners Acts 1962 to 2024”.

SECTION 53

29. In page 57, line 17, to delete “section 1” and substitute “section 2”.

SECTION 57

30. In page 64, to delete lines 29 to 31 and substitute the following:

“ “ ‘Authority’ means the Health Information and Quality Authority;”.

31. In page 65, line 16, to delete “*Act of 2023*” and substitute “*Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Act 2024*”.

SECTION 58

32. In page 66, line 18, to delete “*Act of 2023*” and substitute “*Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Act 2024*”.

SECTION 60

33. In page 68, line 29, to delete “*Act of 2023*” and substitute “*Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Act 2024*”.

34. In page 71, line 39, to delete “*Act of 2023*” and substitute “*Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Act 2024*”.

SECTION 104

35. In page 115, line 2, to delete “section 7(1)” and substitute “section 7(2)”.

SECTION 105

36. 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*

[SECTION 105]

2024, and”.”.

TITLE

37. In page 7, line 22, after “amend” to insert “the Assisted Decision-Making (Capacity) Act 2015,”.