



COMMISSION NO 40
RECEIVED
LEGAL
1999

Minister for Roads and Ports

80 Collins Street MELBOURNE Vic 3000
GPO Box 27977 MELBOURNE Vic 3001
Telephone: 031 9635 6474 Facsimile: 031 9635 6562

Please Quote: JD55676.6

Mr G Fenlon MLA
Chair
Legal, Constitutional and Administrative Review Committee
Legislative Assembly of Queensland
Parliament House, George Street
BRISBANE QLD 4000

Dear Mr Fenlon

INQUIRY INTO THE TRANSPLANTATION AND ANATOMY AMENDMENT BILL 1998

I refer to your letter of 5 May 1999, addressed to the Hon R Cooper MP, Minister for Transport, regarding the inquiry into organ transplantation. Your letter has been referred to me as this matter comes within my portfolio.

As in Queensland, the low level of organ donation in Victoria has been a matter of concern for some time. However, I am pleased to advise your Committee that progress is being made on a system to raise awareness of the program and to increase the numbers registering consent. The solution proposed for Victoria does not involve placing the onus on VicRoads (the Victorian driver licensing authority) to record and maintain information regarding potential donors.

In Victoria, organ donation programs are administered by the Transplant Promotion Council and the Organ Donor Registry. The Transplant Promotion Council runs publicity campaigns designed to encourage people to donate organs. The Organ Donor Registry maintains a list of people interested in giving their organs for transplant.

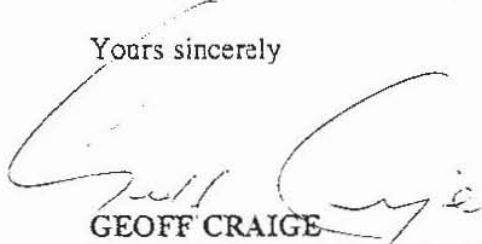
The Transplant Promotion Council recently contacted VicRoads seeking assistance in increasing the number of people donating organs in Victoria. The request was for VicRoads to include space for an expression of interest on becoming an organ donor on driver licence application forms. VicRoads was also asked to forward the names of interested people to the Registry and to add to the licence or permit card the words "Organ Donor".

VicRoads sought legal opinion on this request. The advice was that the inclusion of the words "Organ Donor" on the card would not be appropriate because formal consent had not been given at the time of application. The alternative wording of "Potential Organ Donor" was considered acceptable.

Section 92 (3)(1) of the Road Safety Act allows VicRoads to forward to a third party (such as the Organ Donor Registry) personal information with the consent of the record holder. A record of this consent could be retained in a digitised image of the licence application form. VicRoads is currently working in conjunction with the Organ Donor Registry and the manufacturers of the licence card to put this system into place.

I wish you well with your inquiry into this very important subject.

Yours sincerely



GEOFF CRAIGE
MINISTER FOR ROADS AND PORTS

15/6 199