

SALE OF HUMAN BLOOD ACT, 1962

being

Sale of Human Blood Act, 1962, No. 19 of 1962 [Assented to 25th October, 1962].

An Act to prohibit unauthorized trading in human blood.

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the "Sale of Human Blood Act, 1962".

Short title.

2. (1) Subject to the provisions of this section, a person shall not buy, agree to buy, offer to buy, or hold himself out as being willing to buy human blood or the right to take blood from the body of another person.

Unauthorized
buying of
human blood
prohibited.

Penalty: Two hundred dollars¹ or imprisonment for three months or both.

(2) Where he considers it desirable by reason of special circumstances so to do, the Minister may, by a permit in writing, authorize a person, subject to such conditions and restrictions as may be specified in the permit, to buy human blood or the right to take blood from the body of another person.

(3) Nothing in subsection (1) of this section applies to anything done under and in accordance with a permit granted under subsection (2) of this section.

(4) The Minister may at any time, by notice given to a person to whom a permit has been granted under this section, cancel the permit.

(5) Where a permit has been so granted subject to any conditions or restrictions specified therein, a person shall not act on the authority of the permit unless the conditions or restrictions, as the case may be, are or have been complied with.

Penalty: One hundred dollars¹.

3. A person shall not knowingly—

Advertisements
relating to the
buying of
human blood.

(a) publish or disseminate by newspaper, book, broadcasting, television, cinematograph or other means whatever;

(b) exhibit to public view in any place; or

(c) deposit in the area, yard, garden or enclosure of any place,

an advertisement relating to the buying in Australia of human blood or of the right to take blood from the bodies of persons unless the advertisement and the form and wording thereof have been approved in writing by the Minister and the advertisement contains a statement to that effect.

Penalty: Two hundred dollars¹ or imprisonment for three months or both.

¹ Pursuant to s. 8 of the Acts Republication Act, 1967, as amended, references to amounts of money expressed in decimal currency substituted for references to amounts of money expressed in the old currency.

Selling of
human blood,
etc.

4. (1) Subject to the provisions of this section, a person shall not sell or agree to sell human blood (including his own blood) or the right to take blood from his body.

Penalty: One hundred dollars¹.

(2) Nothing in subsection (1) of this section applies to a sale, or agreement to sell, to a person who is, or is reasonably believed by the vendor to be, acting under and in accordance with a permit granted under subsection (2) of section 2 of this Act.

Proceedings
how and when
taken.

5. (1) Proceedings for offences against this Act shall be heard and determined summarily.

(2) Proceedings for any offence against this Act shall not be taken without the written consent of the Minister.

(3) A document purporting to be—

(a) a consent of the Minister to the taking of proceedings for any offence against this Act;

(b) a permit granted under subsection (2) of section 2 of this Act; or

(c) an approval referred to in section 3 of this Act,

shall be *prima facie* evidence in any court of such consent, of the matters contained in such permit, or of such approval, as the case may be.

¹ Pursuant to s. 8 of the Acts Republishing Act, 1967, as amended, references to amounts of money expressed in decimal currency substituted for references to amounts of money expressed in the old currency.