

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4108 of 4 September, 2014

LEGAL NOTICE NO. 157 OF 2014.

INTERPRETATION AND GENERAL CLAUSES ACT

PUBLIC HEALTH (HUMAN TISSUES AND CELLS) ACT 2009 (AMENDMENT) REGULATIONS 2014

In exercise of the powers conferred on it by section 23(g)(ii) of the Interpretation and General Clauses Act and in order to transpose into the law of Gibraltar Commission Directive 2012/39/EU of 26 November 2012 amending Directive 2006/17/EC as regards certain technical requirements for the testing of human tissues and cells, the Government has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Public Health (Human Tissues and Cells) Act 2009 (Amendment) Regulations 2014 and shall be deemed to have come into operation on 17 June 2014.

Amendment of the Public Health (Human Tissues and Cells) Act 2009.

2. The Public Health (Human Tissues and Cells) Act 2006 is amended in accordance with regulations 3 and 4.

Amendment to Schedule 2

3. Schedule 2 of the Public Health (Human Tissues and Cells) Act 2006 is amended by substituting the following point for point 1.2—

“1.2. HTLV-I antibody testing must be performed for donors living in, or originating from, high-prevalence areas or with sexual partners originating from those areas or where the donor’s parents originate from those areas.”.

Amendments to Schedule 3.

4. Schedule 3 of the Public Health (Human Tissues and Cells) Act 2006 is amended—

- (a) by substituting the following point for point 2.4–

“2.4. HTLV-I antibody testing must be performed for donors living in, or originating from, high-prevalence areas or with sexual partners originating from those areas or where the donor’s parents originate from those areas;”;

- (b) by substituting the following point for point 3.3–

“3.3. HTLV-I antibody testing must be performed for donors living in, or originating from, high-prevalence areas or with sexual partners originating from those areas or where the donor’s parents originate from those areas;” and

- (c) by substituting the following point for point 4.2–

“4.2. For donations other than by partners, blood samples must be obtained at the time of each donation.

For donation by partners (not for direct use), blood samples must be obtained within three months before the first donation. For further partner donations by the same donor, further blood samples must be obtained according to national legislation, but no later than 24 months from the previous sampling.”.

Dated 4th September, 2014.

DR J CORTES,
For the Government.

EXPLANATORY MEMORANDUM

These Regulations amend the Public Health (Human Tissues and Cells) Act 2006 in order to transpose into the law of Gibraltar Commission Directive 2012/39/EU of 26 November 2012 amending Directive 2006/17/EC as regards certain technical requirements for the testing of human tissues and cells.