



Australian Government

Department of Health and Aged Care

Disclosure of information provisions in Commonwealth and state and territory Acts

All Australian governments agree it is important to maintain the privacy of organ and tissue donors and recipients, whilst allowing:

- organ and tissue donation and transplantation educational, promotional or community awareness activities and commemorative services; and
- donor families to acknowledge and commemorate their loved one's donation, or to raise community awareness of organ and tissue donation.

While provisions are different in each state or territory Human Tissue Act, they all have the same intent: to protect the identity of organ and tissue donors and recipients.

The Commonwealth's *Australian Organ and Tissue Donation and Transplantation Authority Act 2008* (the Act) enables the Organ and Tissue Authority (OTA) to disseminate, publish or disclose information about deceased donors in public awareness, promotional, or educational activities and commemorative services, with consent from a family member.

[The proposed amendments to the Act](#) expand the definition of family who can consent. It will enable state and territory DonateLife Agencies to disclose information as a part of the national program for awareness, promotional, or educational activities and commemorative services once consent from a family member is obtained.

These proposed amendments align with the sentiment that many donor families support the idea of raising community awareness about donation and registration and commemorating their family member in remembrance services.

The current policy in Australia is that contact between donor families and those receiving an organ transplant is anonymous. Confidentiality and protection of the identity of those who donate organs and tissues is paramount. DonateLife Agencies will continue to facilitate anonymously written contact for donor families and those who have received a transplant should they request this.

The OTA outlines the current process for anonymous contact between donor families and recipients through their donor family and transplant recipient correspondence guidelines. Further information is available at: <https://www.donatelife.gov.au/all-about-donation/support-for-donor-families/contact-between-donor-families-and-recipients>