

Can I donate my body, organs or tissue upon my death?

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Date: Monday March 6, 2023

Under the *Human Tissue Act 1983*, you may, during your lifetime, give consent in writing to the removal, after your death, of tissue from your body for the purpose of transplant to the body of a living person or to use it for other therapeutic, medical or scientific purposes. You may also decide that after your death, your body will be donated to science.

How do I register to be an organ and tissue donor?

If you would like to be an organ or tissue donor upon your death, we recommend that you register on the Australian Organ Donor Register.

You can also record your wishes in respect of organ and tissue donation in your Advance Health Care Directive. You can learn about this in our blog, "What is an Advance Care Directive?"

We also strongly recommend that you express your wishes to be an organ or tissue donor to your family members and close friends. This is extremely important as in Australia, your next of kin still needs to provide consent to donate your organs and tissues for transplantation.

Importantly, your next of kin can refuse to donate your organs and tissues even if you registered on the Australian Organ Donor Register to be a donor.

What if I don't want to be an organ or tissue donor

If you did not agree, during your lifetime, to be an organ or tissue donor and there is no evidence that you wanted to be a donor, then your next of kin cannot consent to the donation of your organs or tissues.

What organs and tissue can I donate?

Organ and tissue donors in Australia can donate:

- kidneys;
- lungs;
- liver;
- pancreas;
- heart;
- intestine;
- eyes;
- bone;
- tendons; and
- heart valves.

If you die outside of a hospital, it may not be possible to donate organs, but you still may be able to become a tissue donor.

What is body donation?

Body donation is where a person's body is donated to a body donor program or licensed anatomical facility after their death.

You can either consent to donate your body during your lifetime, or your senior next of kin (not your executor unless they are also your senior next of kin) can consent to the donation of your body after your death, provided that they can provide evidence that you would not have objected to the donation.

Most body donor programs prefer that you provide consent during your lifetime and contact them prior to the donation so that they can monitor your health.

Contacting your nearest university, hospital or medical research facility will determine whether there is a body donor program near you.

If a body is donated to science, then it can be retained for a maximum of 4 years unless there is requisite authority to retain the body for a further 4 years.

As with organ and tissue donation, we recommend you discuss this with your family and/or close friends so that they are aware of your wishes.

If I donate my body, can I say what I want it used for?

Specifying what you would like your body used for after donation to science will depend on the donor program. Program-specific information can be obtained from the donor program.

Some donor programs provide a consent form where you may be able to provide some further directions as to how your body may be used.

Does it cost to donate my body to science?

It does not usually cost a donor to donate their body to science, but we recommend you check with the individual donor programs.

Can my body be rejected by a donor program?

Yes.

There are various reasons why your body may be rejected by a donor program. It may be too long since your death, or there is an oversupply of donations at the time, or your body is not medically suitable for donation.

Can I donate my organs and donate my body?

If you have consented to both organ donation and body donation, then the preference is to donate your organs if possible due to the ability to save someone else's life.

Following an organ donation, it may not be possible to donate your body as, quite often, bodies are used for teaching purposes, and all organs need to be in intact. Further, it may not be possible to embalm a body for body donation if certain medical procedures have taken place to harvest organs.

My body has been accepted into a body donor program; what happens now?

You should ensure your family and loved ones know your decision regarding body donation to ensure your wishes can be carried out. Your family or the hospital will need to contact the body donor program to arrange the donation upon your death.

Get help

If you’d like more information about Advance Health Care Directives or you’d like to draft one, please get in touch with our estate planning team, who will be able to assist you and talk you through the process.

Contacting a family lawyer

For more information or to arrange a consultation with a lawyer, you can call or email us.

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