

**Reprint
as at 7 November 2018**



**Land Transport (Blood Specimen Collecting Instrument
and Procedure) Notice 2014**

(LI 2014/319)

Pursuant to section 2(1) of the Land Transport Act 1998, and after consulting the Science Minister and the Minister of Transport about the approval of an instrument (other than a needle and syringe) as a blood specimen collecting instrument, the Minister of Police gives the following notice.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This notice is administered by the New Zealand Police.

Instrument: additional kind approved by Minister of Police

4 Vacutainer blood collecting system approved

This clause approves, for the purposes of paragraph (b) of the definition of blood specimen collecting instrument in section 2(1) of the Act, a vacutainer blood collecting system.

Procedure: general

5 Relevant blood specimen collecting procedure

- (1) By way of explanation,—
 - (a) blood specimen collecting procedure is defined by section 2(1) of the Act as the taking of a blood specimen by a blood specimen collecting instrument in a manner prescribed by the Minister of Police by notice in the *Gazette*; and
 - (b) a notice or replacement notice given by any Minister in the *Gazette* for any purpose specified in section 2(1) of the Act is, under section 2(2) of the Act, a legislative instrument and a disallowable instrument for the purposes of the Legislation Act 2012.
- (2) For the purposes of sections 72 to 74 of the Act, the relevant blood specimen collecting procedure is,—
 - (a) for a blood specimen taken by a needle and syringe, the procedure prescribed by clauses 6 to 8; and
 - (b) for a blood specimen taken by a vacutainer blood collecting system, the procedure prescribed by clauses 9 to 11.

Procedure: needle and syringe

6 Division of blood specimen into 2 parts

- (1) When taking a blood specimen for the purposes of sections 72 to 74 of the Act, a health practitioner or medical officer must divide the blood specimen into 2 parts, being—
 - (a) 1 part for analysis by an approved laboratory; and
 - (b) 1 part for custody by an approved laboratory and, if required under section 74(5)(b)(ii) of the Act, later sending or delivery to a private analyst.
- (2) The blood specimen referred to in section 74(3), (4), (5)(b)(i), and (7)(a)(i) of the Act is both parts of the blood specimen.
- (3) The blood specimen referred to in section 74(5)(b)(ii) of the Act is the 1 part of the blood specimen held in custody by the approved laboratory and referred to in subclause (1)(b).

Clause 6(1): amended, on 7 November 2018, by clause 4 of the Land Transport (Blood Specimen Collecting Instrument and Procedure) Amendment Notice 2018 (LI 2019/3).

7 Blood specimen parts to be put in separate containers

- (1) The health practitioner or medical officer must put the blood specimen parts into separate blood specimen containers taken from 1 or more sealed blood specimen collecting kits.
- (2) Each blood specimen container must then have a lid put on it, and a tamper-evident security seal applied to it.

Clause 7(1): amended, on 7 November 2018, by clause 5 of the Land Transport (Blood Specimen Collecting Instrument and Procedure) Amendment Notice 2018 (LI 2019/3).

8 Blood specimen taken under section 72 to be handed to enforcement officer

A health practitioner or medical officer who takes a blood specimen under section 72 of the Act must, after tamper-evident security seals are applied to the blood specimen containers, hand them to an enforcement officer.

Clause 8: amended, on 7 November 2018, by clause 6 of the Land Transport (Blood Specimen Collecting Instrument and Procedure) Amendment Notice 2018 (LI 2019/3).

*Procedure: vacutainer blood collecting system***9 Drawing of blood specimen into 2 vacutainers**

- (1) When taking a blood specimen for the purposes of sections 72 to 74 of the Act, a health practitioner or medical officer must draw the blood specimen into 2 vacutainers, being—
 - (a) 1 part held in 1 vacutainer for analysis by an approved laboratory; and
 - (b) 1 part held in 1 vacutainer for custody by an approved laboratory and, if required under section 74(5)(b)(ii) of the Act, later sending or delivery to a private analyst.
- (2) The blood specimen referred to in section 74(3), (4), (5)(b)(i), and (7)(a)(i) of the Act is both parts of the blood specimen held in both vacutainers.
- (3) The blood specimen referred to in section 74(5)(b)(ii) of the Act is the 1 part of the blood specimen held in 1 vacutainer held in custody by the approved laboratory and referred to in subclause (1)(b).

Clause 9(1): amended, on 7 November 2018, by clause 7 of the Land Transport (Blood Specimen Collecting Instrument and Procedure) Amendment Notice 2018 (LI 2019/3).

10 Requirements for vacutainers

- (1) The vacutainers used by the health practitioner or medical officer must be taken from 1 or more sealed blood specimen collecting kits.
- (2) Each vacutainer must, after the volume of blood has been drawn into it, have a tamper-evident security seal applied to it.

Clause 10(1): amended, on 7 November 2018, by clause 8 of the Land Transport (Blood Specimen Collecting Instrument and Procedure) Amendment Notice 2018 (LI 2019/3).

11 Blood specimen taken under section 72 to be handed to enforcement officer

A health practitioner or medical officer who takes a blood specimen under section 72 of the Act must, after tamper-evident security seals are applied to the vacutainers, hand them to an enforcement officer.

Clause 11: amended, on 7 November 2018, by clause 9 of the Land Transport (Blood Specimen Collecting Instrument and Procedure) Amendment Notice 2018 (LI 2019/3).

Revocation

12 2011 collecting procedure notice revoked

The Land Transport (Blood Specimen Collecting Procedure) Notice 2011 (SR 2011/378) is revoked.

Dated at Wellington this 20th day of October 2014.

Hon Michael Woodhouse,
Minister of Police.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 23 October 2014.

Reprints notes

1 *General*

This is a reprint of the Land Transport (Blood Specimen Collecting Instrument and Procedure) Notice 2014 that incorporates all the amendments to that notice as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Land Transport (Blood Specimen Collecting Instrument and Procedure) Amendment Notice 2018 (LI 2019/3)