

## SCHEDULES

### SCHEDULE 3

#### SERVICES AND PUBLIC FUNCTIONS: EXCEPTIONS

#### PART 3

#### HEALTH AND CARE

##### *Blood services*

- 13 (1) A person operating a blood service does not contravene section 29 only by refusing to accept a donation of an individual's blood if—
- (a) the refusal is because of an assessment of the risk to the public, or to the individual, based on clinical, epidemiological or other data obtained from a source on which it is reasonable to rely, and
  - (b) the refusal is reasonable.
- (2) A blood service is a service for the collection and distribution of human blood for the purposes of medical services.
- (3) “Blood” includes blood components.

##### *Health and safety*

- 14 (1) A service-provider (A) who refuses to provide the service to a pregnant woman does not discriminate against her in contravention of section 29 because she is pregnant if—
- (a) A reasonably believes that providing her with the service would, because she is pregnant, create a risk to her health or safety,
  - (b) A refuses to provide the service to persons with other physical conditions, and
  - (c) the reason for that refusal is that A reasonably believes that providing the service to such persons would create a risk to their health or safety.
- (2) A service-provider (A) who provides, or offers to provide, the service to a pregnant woman on conditions does not discriminate against her in contravention of section 29 because she is pregnant if—
- (a) the conditions are intended to remove or reduce a risk to her health or safety,
  - (b) A reasonably believes that the provision of the service without the conditions would create a risk to her health or safety,
  - (c) A imposes conditions on the provision of the service to persons with other physical conditions, and

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*Status: This is the original version (as it was originally enacted).*

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- (d) the reason for the imposition of those conditions is that A reasonably believes that the provision of the service to such persons without those conditions would create a risk to their health or safety.

*Care within the family*

- 15 A person (A) does not contravene section 29 only by participating in arrangements under which (whether or not for reward) A takes into A's home, and treats as members of A's family, persons requiring particular care and attention.