

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**MEDICAL (THERAPY, EDUCATION
AND RESEARCH) ACT**

(CHAPTER 175)

Act
23 of 1972

REVISED EDITION 1985

Medical (Therapy, Education and Research) Act

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title.
2. Interpretation.

PART II

ANATOMICAL GIFTS

3. Person may donate his body.
4. Relatives may donate body of deceased person.
5. When donee should not accept gift.
6. Medical examination of body.
7. Purposes of anatomical gifts, etc.
8. Mode of executing gift.
9. Revocation of gift.
10. Donee need not be specified.
11. Rights and duties of donee.
12. Authority to remove parts of unclaimed bodies.

PART III

POST-MORTEM EXAMINATION

13. Person may authorise post-mortem examination.
14. Relatives may authorise post-mortem examination.
15. Post-mortem examination of unclaimed body.

PART IV

SUPPLEMENTARY PROVISIONS

16. Removal and use of body to be lawful.
17. Power of Coroner unaffected.
The Schedule — Authorised persons.

An Act to make provision for the use of the bodies of deceased persons or parts thereof for purposes of medical or dental education, research, advancement of medical or dental science, therapy and transplantation, and for other purposes connected therewith.

[25th May 1973]

PART I

PRELIMINARY

Short title. 1. This Act may be cited as the Medical (Therapy, Education and Research) Act.

Interpre- 2. In this Act, unless the context otherwise requires —
tation. “deceased person” includes a still-born infant or foetus;

“Director” means the Director of Medical Services, and includes the Deputy Director of Medical Services and the Superintendent of a Government hospital authorised by the Deputy Director of Medical Services in writing to act on his behalf;

“donor” means an individual who makes a gift of all or any part of his body;

“part”, in relation to a human body, includes organs, tissues, eyes, bones, arteries, blood, other fluids and other portions of a human body.

PART II

ANATOMICAL GIFTS

Person may 3. Any person of sound mind and 18 years of age or
donate his
body. above may give all or any part of his body for any of the purposes specified in section 7, the gift to take effect upon death.

Relatives 4.—(1) Any of the persons specified in the Schedule, in
may donate
body of
deceased
person. the order of priority stated, when persons in prior classes are not available at the time of death, and in the absence of actual notice of contrary indications by the deceased person, or actual notice of opposition of a member of the same class or a prior class, may give all or any part of the body of the deceased person for the purposes specified in section 7.

(2) The persons authorised by subsection (1) may make the gift after death or immediately before death.

5. The donee of a gift of a body or any part thereof shall not accept the gift if he has actual notice of contrary indications by the deceased person or that a gift by a member of a class is opposed by a member of the same class or a prior class.

When donee should not accept gift.

6. A gift of all or any part of a body shall authorise any examination necessary to assure medical acceptability of the gift for the purposes intended.

Medical examination of body.

7.—(1) The following persons may become donees of gifts of bodies or parts thereof for the purposes stated:

Purposes of anatomical gifts, etc.

- (a) any approved hospital for medical or dental education, research, advancement of medical or dental science, therapy or transplantation;
- (b) any approved medical or dental school, college or university for medical or dental education, research, advancement of medical or dental science, therapy or transplantation; or
- (c) any specified individual for therapy or transplantation needed by him.

(2) The Minister may, by notification in the *Gazette*, declare a hospital, medical or dental school, college or university to be an approved hospital, medical or dental school, college or university for the purposes of this section.

8. A gift of all or any part of a body under section 3 may be made by the donor either in writing at any time or orally in the presence of two or more witnesses during a last illness.

Mode of executing gift.

9. A gift of a body or any part thereof may be revoked by the donor at any time —

Revocation of gift.

- (a) by a signed statement in writing delivered to the donee;
- (b) by an oral statement made in the presence of two or more persons and communicated to the donee; or
- (c) by a written document to that effect found on his person or in his effects.

Donee need not be specified.

10.—(1) A gift of all or any part of the body of a deceased person may be made to a specified donee or without specifying a donee.

(2) If the gift is made without specifying a donee, the Superintendent of the Government hospital in which the death of the deceased person has taken place or to which the body of the deceased person has been removed may accept the gift as donee upon or following the death for the purposes of section 7 (1) (a) or (b), as the case may be.

Rights and duties of donee.

11.—(1) The donee may accept or reject the gift of a body or part thereof.

(2) If the gift is of a part of the body of a deceased person, the donee shall cause the part to be removed without unnecessary mutilation. After removal of the part, custody of the remainder of the body shall vest in the surviving spouse, next of kin or other person under obligation to dispose of the body.

Authority to remove parts of unclaimed bodies.

12. Where the body of a deceased person has not been claimed from a hospital, nursing home or other institution, maintained on public funds, for more than 24 hours after death, the Director may authorise in writing the use of the body or any specified part for the purposes of medical or dental education, research, advancement of medical or dental science, therapy or transplantation.

PART III

POST-MORTEM EXAMINATION

Person may authorise post-mortem examination.

13.—(1) Any person of sound mind and 18 years of age or above may either in writing at any time or orally in the presence of two or more witnesses during his last illness authorise the post-mortem examination of his body for the purpose of establishing or confirming the cause of death or of investigating the existence or nature of abnormal conditions.

(2) Such authority shall be effective upon the death of that person.

14.—(1) Any of the persons specified in the Schedule, in the order of priority stated, when persons in prior classes are not available at the time of death, and in the absence of actual notice of contrary indications by the deceased person, or actual notice of opposition of a member of the same class or a prior class, may authorise the post-mortem examination of the body of the deceased person for the purpose of establishing or confirming the cause of death or of investigating the existence or nature of abnormal conditions.

Relatives
may
authorise
post-
mortem
examination.

(2) The persons authorised by subsection (1) may give the authority after death or immediately before death.

15. Where the body of a deceased person has not been claimed from a hospital, nursing home or other institution, maintained on public funds, for more than 24 hours after death, the Director may authorise in writing the post-mortem examination of the body for the purpose of establishing or confirming the cause of death or of investigating the existence or nature of abnormal conditions.

Post-
mortem
examination
of unclaimed
body.

PART IV

SUPPLEMENTARY PROVISIONS

16.—(1) Subject to subsection (2), the removal and use of any part of a body in accordance with section 3 or 4, as the case may be, or the post-mortem examination of a body in accordance with the provisions of Part III, shall be lawful.

Removal
and use
of body
to be
lawful.

(2) No such removal or post-mortem examination shall be effected except —

- (a) by a registered medical practitioner, who shall have satisfied himself by personal examination of the body that life is extinct; or
- (b) with the written consent of the Coroner in a case where an inquiry is to be held in respect of the death of any person.

17. Sections 3, 4, 13, 14 and 15 shall be without prejudice to the authority of the Coroner to direct the post-mortem examination of a body of a deceased person under the provisions of the Criminal Procedure Code.

Power of
Coroner
unaffected.

Cap. 68.

THE SCHEDULE

Sections 4 and 14.

AUTHORISED PERSONS

1. The spouse.
2. An adult son or daughter.
3. Either parent.
4. An adult brother or sister.
5. A guardian of the deceased person at the time of his death.
6. Any person authorised or under obligation to dispose of the body of the deceased person.