



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**MEDICAL (THERAPY, EDUCATION
AND RESEARCH) ACT 1972**

2020 REVISED EDITION

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31 December 2021.

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT 1983

Medical (Therapy, Education and Research) Act 1972

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY

Section

1. Short title
2. Interpretation
- 2A. Appointment of designated officers
- 2B. Approved hospitals, etc.

PART 2

ANATOMICAL GIFTS

3. Person may donate his or her 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 3

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 4

SUPPLEMENTARY PROVISIONS

Section

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.

[25 May 1973]

PART 1

PRELIMINARY

Short title

1. This Act is the Medical (Therapy, Education and Research) Act 1972.

Interpretation

2. In this Act, unless the context otherwise requires —

“deceased person” includes a stillborn infant or foetus;

“designated officer”, in relation to an approved hospital for the purposes of this Act, means a person appointed under section 2A to be the designated officer of the approved hospital;

“Director” means the Director of Medical Services, and includes the Deputy Director of Medical Services and such designated officer of an approved hospital or such public officer as is authorised by the Director of Medical Services in writing to act on the Director’s behalf;

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

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

Appointment of designated officers

2A. The Director of Medical Services may appoint, in writing, any senior official of the Ministry of Health or senior executive of an approved hospital for the purposes of this Act, to be the designated officer of any approved hospital for the purposes of this Act.

Approved hospitals, etc.

2B. 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 Act.

PART 2

ANATOMICAL GIFTS

Person may donate his or her body

3. Any person who is not mentally disordered and who is 18 years of age or above may give all or any part of his or her body for any of the purposes specified in section 7, the gift to take effect upon death.

Relatives may donate body of deceased person

4.—(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 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.

When donee should not accept gift

5. The donee of a gift of a body or any part of a body must not accept the gift if the donee 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.

Medical examination of body

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

Purposes of anatomical gifts, etc.

7. The following persons may become donees of gifts of bodies or parts of bodies for the purposes stated:

- (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;
- (c) any specified individual for therapy or transplantation needed by the individual.

Mode of executing gift

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 2 or more witnesses during a last illness.

Revocation of gift

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

- (a) by a signed statement in writing delivered to the donee;
- (b) by an oral statement made in the presence of 2 or more persons and communicated to the donee; or

(c) by a written document to that effect found on his or her person or in his or her 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 designated officer of the approved 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(a) or (b), as the case may be.

Rights and duties of donee

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

(2) If the gift is of a part of the body of a deceased person, the donee must cause the part to be removed without unnecessary mutilation.

(3) After removal of the part of the body under subsection (2), custody of the remainder of the body vests 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 an approved hospital or from an 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 3**POST-MORTEM EXAMINATION****Person may authorise post-mortem examination**

13.—(1) Any person who is not mentally disordered and who is 18 years of age or above may either in writing at any time or orally in the presence of 2 or more witnesses during his or her last illness authorise the post-mortem examination of his or her 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 is effective upon the death of that person.

Relatives may authorise post-mortem examination

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.

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

Post-mortem examination of unclaimed body

15. Where the body of a deceased person has not been claimed from an approved hospital or from an 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.

PART 4

SUPPLEMENTARY PROVISIONS

Removal and use of body to be lawful

16.—(1) Subject to subsection (2), the removal and use of any part of a body in accordance with section 3, 4 or 12 (as the case may be) or the post-mortem examination of a body in accordance with the provisions of Part 3, is lawful.

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

- (a) by a registered medical practitioner, who must have satisfied himself or herself that the death of the deceased person has been determined and certified in accordance with section 2A of the Interpretation Act 1965; or
- (b) where the Coroner has ordered the release of the body under section 22(3)(c) of the Coroners Act 2010, in a case where an inquiry is to be held in respect of the death of any person.

Power of Coroner unaffected

17. Sections 3, 4, 13, 14 and 15 do not affect the authority of the Coroner to direct the post-mortem examination of a body of a deceased person under the provisions of the Coroners Act 2010.

[14/2010]

THE SCHEDULE

Sections 4(1) and 14(1)

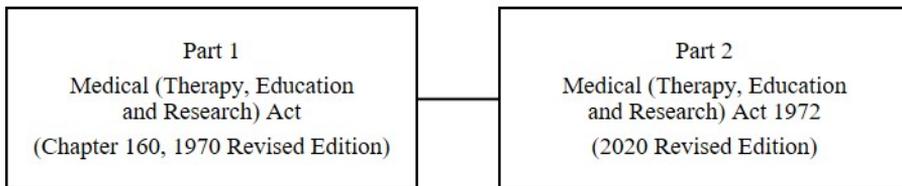
AUTHORISED PERSONS

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 the deceased person's death
6. Any person authorised or under obligation to dispose of the body of the deceased person

LEGISLATIVE HISTORY
MEDICAL (THERAPY, EDUCATION
AND RESEARCH) ACT 1972

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1
MEDICAL (THERAPY, EDUCATION
AND RESEARCH) ACT
(CHAPTER 160, 1970 REVISED EDITION)

1. Act 31 of 1965 — Medical (Therapy, Education and Research) Act, 1965

Bill	:	66/1965
First Reading	:	17 December 1965
Second and Third Readings	:	31 December 1965
Commencement	:	7 January 1966

2. 1970 Revised Edition — Medical (Therapy, Education and Research) Act (Chapter 160)

Operation	:	31 May 1971
-----------	---	-------------

PART 2
MEDICAL (THERAPY, EDUCATION
AND RESEARCH) ACT 1972
(2020 REVISED EDITION)

3. Act 23 of 1972 — Medical (Therapy, Education and Research) Act, 1972

Bill	:	21/1972
First Reading	:	22 March 1972
Second and Third Readings	:	2 June 1972

Commencement : 25 May 1973

4. 1985 Revised Edition — Medical (Therapy, Education and Research) Act (Chapter 175)

Operation : 30 March 1987

5. Act 22 of 1998 — Interpretation (Amendment) Act 1998
(Amendments made by section 4 of the above Act)

Bill : 17/1997

First Reading : 19 November 1997

Second Reading : 14 January 1998

Select Committee Report : Parl. 3 of 1998

Third Reading : 30 June 1998

Commencement : 2 November 1998 (section 4)

6. Act 4 of 2010 — Statutes (Miscellaneous Amendments) Act 2010
(Amendments made by section 2 of the above Act)

Bill : 26/2009

First Reading : 23 November 2009

Second and Third Readings : 12 January 2010

Commencement : 17 February 2010 (section 2)

7. Act 21 of 2008 — Mental Health (Care and Treatment) Act 2008
(Amendments made by section 33 read with item 1(30) of the Second Schedule to the above Act)

Bill : 11/2008

First Reading : 21 July 2008

Second and Third Readings : 15 September 2008

Commencement : 1 March 2010 (section 33 read with item 1(30) of the Second Schedule)

8. Act 14 of 2010 — Coroners Act 2010
(Amendments made by section 50 read with item 2 of the Fourth Schedule to the above Act)

Bill : 10/2010

First Reading : 26 April 2010

Second and Third Readings : 19 May 2010

Commencement : 2 January 2011 (section 50 read with item 2 of the Fourth Schedule)

**9. 2014 Revised Edition — Medical (Therapy, Education and Research) Act
(Chapter 175)**

Operation : 31 May 2014

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number

COMPARATIVE TABLE
MEDICAL (THERAPY, EDUCATION
AND RESEARCH) ACT 1972

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

2020 Ed.	2014 Ed.
7	7—(1)
—	(2) [<i>Deleted by Act 4 of 2010</i>]