



THE STATUTES OF THE REPUBLIC OF SINGAPORE

MEDICAL (THERAPY, EDUCATION AND RESEARCH) ACT

(CHAPTER 175)

(Original Enactment: Act 23 of 1972)

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2014

Medical (Therapy, Education and Research) Act

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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.

Interpretation

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

“deceased person” includes a still-born 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 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.

[4/2010]

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.

[4/2010]

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.

[4/2010]

PART II

ANATOMICAL GIFTS

Person may donate his 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 body for any of the purposes specified in section 7, the gift to take effect upon death.

[21/2008]

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 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.

Medical examination of body

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.

Purposes of anatomical gifts, etc.

7.—(1) 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 him.

(2) [*Deleted by Act 4 of 2010*]

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 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 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.

[4/2010]

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 shall 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 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 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.

[4/2010]

PART III

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 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.

[21/2008]

(2) Such authority shall be 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.

[4/2010]

PART IV**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 III, shall be lawful.

[14/2010]

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

- (a) by a registered medical practitioner, who shall have satisfied himself that the death of the deceased person has been determined and certified in accordance with section 2A of the Interpretation Act (Cap. 1); or
- (b) where the Coroner has ordered the release of the body under section 22(3)(c) of the Coroners Act (Cap. 63A), in a case where an inquiry is to be held in respect of the death of any person.

[22/98; 14/2010]

Power of Coroner unaffected

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 Coroners Act (Cap. 63A).

[14/2010]

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.

THE SCHEDULE — *continued*

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.

LEGISLATIVE HISTORY
MEDICAL (THERAPY, EDUCATION AND RESEARCH) ACT
(CHAPTER 175)

This Legislative History is provided for the convenience of users of the Medical (Therapy, Education and Research) Act. It is not part of the Act.

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

Date of First Reading	:	22 March 1972 (Bill No. 21/72 published on 28 March 1972)
Date of Second and Third Readings	:	2 June 1972
Date of commencement	:	25 May 1973

**2. 1985 Revised Edition — Medical (Therapy, Education and Research) Act
(Chapter 175)**

Date of operation	:	30 March 1987
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3. Act 22 of 1998 — Interpretation (Amendment) Act 1998
(Consequential amendments made to Act by)

Date of First Reading	:	19 November 1997 (Bill No. 17/97 published on 20 November 1997)
Date of Second Reading	:	14 January 1998
Date of Third Reading	:	30 June 1998
Date of commencement	:	2 November 1998 (section 4 — amendment of Medical (Therapy, Education and Research) Act)

4. Act 4 of 2010 — Statutes (Miscellaneous Amendments) Act 2010

Date of First Reading	:	23 November 2009 (Bill No. 26/2009 published on 24 November 2009)
Date of Second and Third Readings	:	12 January 2010
Date of commencement	:	17 February 2010 (section 2)

5. Act 21 of 2008 — Mental Health (Care and Treatment) Act 2008
(Consequential and related amendments made to Act by)

- Date of First Reading : 21 July 2008
(Bill No. 11/2008 published on
22 July 2008)
- Date of Second and Third Readings : 16 September 2008
- Date of commencement : 1 March 2010 (item (30) in the
Second Schedule — amendment
of Medical (Therapy, Education
and Research) Act)

6. Act 14 of 2010 — Coroners Act 2010

(Consequential and related amendments made to Act by)

- Date of First Reading : 26 April 2010
(Bill No. 10/2010 published on
26 April 2010)
- Date of Second and Third Readings : 19 May 2010
- Date of commencement : 2 January 2011 (item 2 in the
Fourth Schedule — amendment
of Medical (Therapy, Education
and Research) Act)

**7. 2014 Revised Edition — Medical (Therapy, Education and Research) Act
(Chapter 175)**

- Date of operation : 31 May 2014