

# The Blind Relief (Donation of Eye) Act, 1975

( ACT NO. XXV OF 1975 )

## An Act to provide for certain matters relating to donation of eye.

WHEREAS it is expedient to provide for certain matters relating to the donation of eye for the relief of the blind and the use of eye so donated and for matters ancillary thereto;

It is hereby enacted as follows:-

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| <b>Short title and commencement</b> | 1. (1) This Act may be called the Blind Relief (Donation of Eye) Act, 1975.<br>(2) It shall be deemed to have come into force on the 11th day of February, 1975.   |
| <b>Definitions</b>                  | 2. In this Act, unless there is anything repugnant in the subject or context,-<br>(a) "donation" means donation of eyes under sub-section (1) of section 3;<br>(b) "donee" means the person who is entitled to receive and use the eyes for the purpose for which they have been donated;<br>(c) "donor" means a person who donates one or both of his eyes for therapeutic use.   |
| <b>Donation of eyes</b>             | 3. (1) It shall be lawful for any person who is competent to contract to donate one or both of his eyes by gift or by will for therapeutic use during his lifetime or after his death:<br><br>Provided that in the case of donation by gift for use during the life-time of the donor only one eye shall be deemed to have been donated.<br><br>(2) A donation shall not be valid unless it is made by a registered instrument which is- |

- (a) executed by or on behalf of the donor and attested by at least two witnesses competent to attest an instrument of transfer of property; and
- (b) delivered to, and accepted by, the donee:

Provided that a donation by word of mouth in the presence of two such witnesses shall be valid if it is made by the donor during his illness which induces an apprehension of death in him and actually results in his death.

(3) Unless it specifies any person for whose use and benefit the eyes have been donated, the donation shall be deemed to have been made generally for the relief of the blind.

(4) A donation may be revoked by the donor at any time during his lifetime in the same manner in which it was made.

#### **Enucleation and use of eyes**

4. (1) It shall be lawful for a donee to enucleate, or cause the enucleation of the eyes of the donor and to use or cause to be used the eyes so enucleated to give effect to the donation.

Explanation. "Enucleation" with reference to eyes shall include removal or extraction of such organ, tissue or other part of a body which is necessary for the utilisation of the eyes.

(2) Where the eyes have been donated for the use and benefit of any particular person, they shall be so used; but if that person is not available for giving effect to the donation or that person does not any more need the donation, the eyes may be used, subject to any rules made in this behalf, generally for the relief of the blind.

(3) Where the body of the donor requires post-mortem examination under law, enucleation of his eyes for the purpose of giving effect to his donation shall be subject to the requirement of such examination.

#### **Information as to death of the donor**

5. (1) Where a donation is to take effect after the death of the donor, his next of kin or the person upon whom devolves by law the right to control the disposition of the remains of the deceased donor shall, if he has any information about the donation, forthwith inform the donee of the fact of the death of the donor.