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The following Act was passed by Parliament on 20th May 1987 and assented to by the President on 10th June 1987:—

HUMAN ORGAN TRANSPLANT ACT 1987

(No. 15 of 1987)

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REPUBLIC OF SINGAPORE

No. 15 of 1987.

I assent.



WEE KIM WEE
President.
10th June 1987.

An Act to make provision for the removal of organs from the bodies of persons who died as a result of accident for transplantation, for the definition of death and for the prohibition of trading in organs and blood and for purposes connected therewith.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

PART I
PRELIMINARY

Short title and commencement

1. This Act may be cited as the Human Organ Transplant Act 1987 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

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

“designated officer”, in relation to a hospital, means a person appointed under section 4 to be the designated officer of the hospital;

“Director” means the Director of Medical Services;

“hospital” means —

- (a) a hospital established and administered by the Government;
- (b) a private hospital which is declared by the Minister by notification in the *Gazette* to be a hospital for the purposes of this Act;

“medical practitioner” means a person who is registered, or deemed to be registered, as a medical practitioner under the Medical Registration Act (Cap. 174);

“organ” means —

- (a) except as provided in paragraph (b), the kidney of a human body; and
- (b) for the purposes of Part IV, any organ of a human body.

When death occurs

3.—(1) For the purposes of this Act, a person has died when there has occurred irreversible cessation of all functions of the brain of the person.

(2) The Minister may prescribe the criteria for determining the irreversible cessation of all functions of the brain of a person referred to in subsection (1).

Designated officers

4. The Director may nominate, in writing, any medical practitioner to be the designated officer of a hospital for the purposes of this Act.

PART II

REMOVAL OF ORGAN AFTER DEATH

Authorities may remove organ after death

5.—(1) The designated officer of a hospital may, subject to and in accordance with this section, authorise, in writing, the removal of any organ from the body of a person who has died in the hospital for the purpose of the transplantation of the organ to the body of a living person.

(2) No authority shall be given under subsection (1) for the removal of the organ from the body of any deceased person —

- (a) who has during his lifetime registered his objection with the Director to the removal of the organ from his body after his death;
- (b) unless his death was caused by accident or resulted from injuries caused by accident;
- (c) who is neither a citizen nor a permanent resident of Singapore;
- (d) who is below 21 years of age unless the parent or guardian has consented to such removal;
- (e) who is above 60 years of age;
- (f) whom the designated officer, after making such inquiries as are reasonable in the circumstances, has reason to believe was not of sound mind, unless the parent or guardian has consented to such removal; or
- (g) who is a Muslim.