

AN ACT TO AMEND REPUBLIC ACT NUMBERED THREE HUNDRED AND FORTY-NINE, ENTITLED "AN ACT TO LEGALIZE PERMISSIONS TO USE HUMAN ORGANS OR ANY PORTION OR PORTIONS OF THE HUMAN BODY FOR...

REPUBLIC ACT NO. 1056, June 12, 1954

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Be enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section one of Republic Act Numbered Three hundred forty-nine, entitled "An Act to legalize permissions to use human organs or any portion or portions of the human body for medical, surgical, or scientific purposes, under certain conditions", is hereby amended to read as follows:

"SECTION 1. A person may validly grant to a licensed physician, surgeon, known scientist, or any medical or scientific institution, including eye banks and other similar institutions, authority to detach at any time after the grantor's death any organ, part or parts of his body and to utilize the same for medical, surgical, or scientific purposes.

"Similar authority may also be granted for the utilization for medical, surgical, or scientific purposes, of any organ, part or parts of the body which, for a legitimate reason, would be detached from the body of the grantor."

SEC. 2. Section two of the same Act is hereby amended to read as follows:

"SEC. 2. The authorization referred to in section one of this Act must: be in writing; specify the person or institution granted the authorization; the organ, part or parts to be detached, the specific use or uses to which the organ, part or parts are to be employed; and, signed by the grantor and two disinterested witnesses.

"If the grantor is a minor or an incompetent person, the authorization may be executed by his guardian with the approval of the court; in default thereof, by the legitimate father or mother, in the order, named. Married women may grant the authority referred to in section one of this Act, without the consent of the husband.

"After the death of the person, authority to use his human organs or any portion or portions of the human body for medical, surgical or scientific purposes may also be granted by his nearest relative or guardian at the time of his death or in the absence thereof, by the person or head of the hospital, or institution having custody of the body of the deceased: Provided, however, That the said person or head of the hospital or institution has exerted reasonable efforts to locate the aforesaid guardian or relative.

"A copy of every such authorization must be furnished the Secretary of Health."

SEC. 3. A new section is hereby created immediately after section two of the aforesaid Republic Act Numbered Three hundred forty-nine which shall hereafter be designated as section two-A, and shall read as follows:

"SECTION 2-A. The provisions of sections one and two of this Act notwithstanding, it shall be illegal for any person or any institution to detach any organ or portion of the body of a person dying of a dangerous communicable disease even if said organ or portions of the human body shall be used for medical or scientific purposes. Any person who shall violate the provisions of this section shall be punished with an imprisonment

of not less than six months nor more than one year. If the violation is committed by an institution, corporation or association, the director, manager, president, and/or other officials and employees who, knowingly or through neglect, perform the act or acts resulting in said violation shall be held criminally responsible therefor."

SEC. 4. This Act shall take effect upon its approval.

Approved, June 12, 1954.

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