

[REPUBLIC ACT NO. 7885, February 20, 1995]

AN ACT TO ADVANCE CORNEAL TRANSPLANTATION IN THE PHILIPPINES, AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBERED SEVEN THOUSAND ONE HUNDRED AND SEVENTY (R. A. NO. 7170), OTHERWISE KNOWN AS THE ORGAN DONATION ACT OF 1991

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

SECTION 1. Section 9 of Republic Act No. 7170 is hereby amended to read as follows:

"SEC. 9. *Manner of Executing a Donation.* — Any donation by a person authorized under subsection (a) of Section 4 hereof shall be sufficient if it complies with the formalities of a donation of a movable property.

"In the absence of any persons specified under Section 4 hereof and in the absence of any document of organ donation, the physician in charge of the patient, the head of the hospital or a designated officer of the hospital who has custody of the body of the deceased classified as accident, trauma, or other medico-legal cases, may authorize in a public document the removal from such body for the purpose of transplantation of the organ to the body of a living person: *Provided*, That the physician, head of the hospital or officer designated by the hospital for this purpose has exerted reasonable efforts, within forty-eight (48) hours, to locate the nearest relative listed in Section 4 hereof or guardian of the decedent at the time of death: *Provided, however*, That the said physician, head or designated officer of the hospital or the medico-legal officer of any government agency which has custody of such body may authorize the removal of the cornea or corneas of the decedent within twelve (12) hours after death and upon the request of qualified legatees or donees for the sole purpose of transplantation: *Provided*, That such removal of the cornea or corneas will not interfere with any subsequent investigation or alter the post-mortem facial appearance of the decedent by such means as placing eye caps after the said cornea or corneas have been removed.

"In all donations, the death of a person from whose body and organ will be removed after his death for the purpose of transplantation to a living person, shall be diagnosed separately and certified by two (2) qualified physicians neither of whom shall be:

"(a) A member of the team of medical practitioners who will effect the removal of the organ from the body; nor