

**SENATE OF PAKISTAN
HOUSE OF THE FEDERATION**

Report No 4



**REPORT OF THE SENATE STANDING COMMITTEE ON NATIONAL
HEALTH SERVICES, REGULATION AND COORDINATION ON "THE
TRANSPLANTATION OF HUMAN ORGANS AND TISSUES (AMENDMENT)
BILL, 2018."**

PRESENTED BY

**SENATOR MIAN MUHAMMAD ATEEQ SHAIKH
CHAIRMAN**

SENATE SECRETARIAT

**REPORT OF THE SENATE STANDING COMMITTEE ON
NATIONAL HEALTH SERVICES, REGULATION AND COORDINATION ON "THE
TRANSPLANTATION OF HUMAN ORGANS AND TISSUES (AMENDMENT)
BILL, 2018"**

I, Senator Mian Muhammad Ateeq Shaikh, Chairman, Standing Committee on National Health Services, Regulation and Coordination, have the honour to submit, on behalf of the Committee, this report on the Bill further to amend The Transplantation of Human Organs and Tissues (Amendment) Bill, 2018, moved by Senator Mian Mouhammad Ateeq Sheikh in the Senate Sitting held on 12-11-2018 for consideration and report.

2. The composition of the Committee is given as under:-

1.	Senator Mian Muhammad Ateeq Shaikh	Chairman
2.	Senator Ayesha Raza Farooq	Member
3.	Senator Dilawar Khan	Member
4.	Senator Dr. Asad Ashraf	Member
5.	Senator Dr. Ashok Kumar	Member
6.	Senator Dr. Sikandar Mandhro	Member
7.	Senator Ghous Muhammad Khan Niazi	Member
8.	Senator Prof. Dr. Mehr Taj Roghani	Member
9.	Senator Quratulain Marri	Member
10.	Senator Samina Saeed	Member
11.	Senator Sana Jamali	Member
12.	Senator Sardar Muhammad Shafiq Tareen	Member
13.	Minister for National Health Services, Regulation and Coordination	Ex-Officio Member

3. The Committee considered the said Bill in its meeting held on 28th November, 2018, at Parliament House, Islamabad, which was attended by the following:-

1.	Senator Mian Muhammad Ateeq Shaikh	Chairman
2.	Senator Dilawar Khan	Member

3.	Senator Dr. Asad Ashraf	Member
4.	Senator Dr. Ashok Kumar	Member
5.	Senator Sardar Muhammad Shafiq Tareen	Member
6.	Senator Ghous Muhammad Khan Niazi	Member

4. The Committee was briefed on the salient features of amendment in the Transplantation of Human Organs and Tissues Act, 2010. The Committee was of the view that there are so many accidental death while driving motor vehicle. During such deaths human body is damaged and mutilated even routine rituals can't be performed. In such cases many body organs remain active even after clinical death for certain period. The same may be used to be transplanted to persons in need of such organs that may give new lease of life to a person who is in need of such organs. The Committee unanimously agreed to make a provision in CNIC to facilitate the donation of human organs or tissues in case of accidental deaths. After the bill passed by both houses the ministry should ensure the amendment along with rules be made with in 3 moths .

5. After detailed deliberations, **the Committee unanimously recommends that the Bill, as introduced in the Senate, may be passed by the House.** (The Bill, as introduced in the Senate is annexed)



(Abdul Ehtisham Ujjan)
DS/Secretary (Committee)



(Senator Mian Muhammad Ateeq Shaikh)
Chairman (Committee)

Islamabad, the
28th, November, 2018.

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further to amend the Transplantation of Human Organs and Tissues Act, 2010

WHEREAS it is expedient further to amend the Transplantation of Human Organs and Tissues Act, 2010 (VI of 2010), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**- (1) This Act may be called the Transplantation of Human Organs and Tissues (Amendment) Act, 2018.

(2) It shall come into force at once.

2. **Insertion of section 4A, Act VI of 2010.**- (1) In the Transplantation of Human Organs and Tissues Act, 2010 (VI of 2010), after section 4, the following new section shall be inserted, namely:-

"4A. Donation of human organs or tissues after accidental or brain death.- (1) The National Database and Registration Authority shall, for issuing National Identity Card, make a provision on front page of its application form to ask for consent for donation of an organ or tissue in case of accidental or brain death of the individual. The column shall also have provision to select any single or a combination of more than one organ or all organs, the individual consents to donate. Names of the organs to be donated shall appear in that column like kidney, liver, pancreas, lungs, heart, intestine or all.

(2) The National Identity Card may have a code displaying the words "Organ Donor" in red.

(3) Whoever consents to donate the organ or tissue in case of his accidental or brain death shall sign the undertaking that his consented organs or tissues may be transplanted to any individual in need of that organs irrespective of colour, creed, caste, religion or sect in case of accidental or brain death of the individual and removed for the purpose by nearest medical institute or hospital duly recognized to do so by the Monitoring Authority.

(4) The Monitoring Authority, National Database and Registration Authority or any such authority in the field of public health shall publicize the importance of deceased organs donation for welfare of humanity from different scientific and religious aspects so that the people may contribute through voluntary donation of organs and tissues in case of their accidental or brain death."

STATEMENT OF OBJECTS AND REASONS

There are so many accidental deaths while driving motor vehicles. During such deaths human body is mutilated, injured or damaged in such form that sanctity of human corpse like natural death is not possible and even routine rituals are also not performed. However, most of human organs or tissues are still active even after clinical death and some of such human organs or tissues may be transplanted to persons in need of such human organs or tissues. Such donation may give a new lease of life of person in need of such human organs or tissues. Therefore, there is need to make a provision in CNIC to facilitate the donation of human organs or tissues in case of accidental death.

2. The Bill seeks to achieve the above aims and objects.

SENATOR MIAN MUHAMMAD ATEEQ SHAIKH,
Member-in-Charge