

1960

c 68 Cornea Transplant Act

Ontario

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CHAPTER 68

The Cornea Transplant Act

1. In this Act, "person lawfully in possession of the body"^{Interpretation} does not include,

- (a) a coroner in possession of a body for the purpose of investigation; or
- (b) an embalmer or funeral director in possession of a body for the purpose of its burial, cremation or other disposition. 1960, c. 12, s. 1.

2. Where a person, either in writing at any time or orally in the presence of at least two witnesses during his last illness, has requested that his eyes be used after his death for the purpose of improving or restoring the sight of a living person and he dies in a hospital, the administrative head of the hospital, or the person acting in that capacity, may authorize the removal of the eyes from the body of the deceased person by a duly qualified medical practitioner and their use for that purpose. 1960, c. 12, s. 2.

3. Where a person, either in writing at any time or orally in the presence of at least two witnesses during his last illness, has requested that his eyes be used after his death for the purpose of improving or restoring the sight of a living person and he dies in a place other than a hospital, his spouse or, if none, any of his children of full age or, if none, either of his parents or, if none, any of his brothers or sisters or, if none, the person lawfully in possession of the body of the deceased person may authorize the removal of the eyes from the body of the deceased person by a duly qualified medical practitioner and their use for that purpose. 1960, c. 12, s. 3.

4. Where a person has not made a request under section 2 or 3 and dies either in or outside a hospital, his spouse or, if none, any of his children of full age or, if none, either of his parents or, if none, any of his brothers or sisters or, if none, the person lawfully in possession of the body of the deceased person may authorize the removal of the eyes from the body of the deceased person by a duly qualified medical practitioner and their use for the purpose of improving or restoring the sight of a living person. 1960, c. 12, s. 4.

Authority
sufficient

5. An authority given under section 2, 3 or 4 is sufficient warrant for the removal of the eyes from the body of the deceased person by a duly qualified medical practitioner and their use for the purpose of improving or restoring the sight of a living person. 1960, c. 12, s. 5.

Exception

6.—(1) An authority shall not be given under section 2 or 3 if the person empowered to give the authority has reason to believe that the person who made the request subsequently withdrew it.

Idem

(2) An authority shall not be given under section 4 if the person empowered to give the authority has reason to believe that the deceased person would, if living, have objected thereto. 1960, c. 12, s. 6.

Idem

(3) An authority shall not be given under section 2, 3 or 4 if the person empowered to give the authority has reason to believe that an inquest may be required to be held on the body of the deceased. 1960, c. 12, s. 7.

Lawful
dealings
not
affected

7. Nothing in this Act makes unlawful any dealing with the body of a deceased person that would be lawful if this Act had not been passed. 1960, c. 12, s. 8.
