

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON NATIONAL HEALTH SERVICES, REGULATIONS AND COORDINATION ON THE TRANSPLANTATION OF HUMAN ORGANS AND TISSUES (AMENDMENT) BILL, 2017

1. Chairman of the Standing Committee on National Health Services, Regulations and Coordination, have the honor to present this report on the Bill to amend the Transplantation of Human Organs and Tissues Act, 2010 [the Transplantation of Human Organs and Tissues (Amendment) Bill, 2017] referred to the Committee on the 29th November, 2016.

2. The Committee comprises the following : -

i)	Mr. Khalid Hussain Magsi	Chairman
ii)	Dr. Zulfiqar Ali Bhatti	Member
iii)	Dr. Muhammad Afzal Khan Dhandla	Member
iv)	Dr. Nisar Ahmad Jatt	Member
v)	Choudhry Muhammad Shahbaz Babar	Member
vi)	Dr. Hafeez-ur-Rehman Khan Dirshak	Member
vii)	Dr. Ramesh Kumar Vankwani	Member
viii)	Ms. Rida Khan	Member
ix)	Ms. Shakila Khalid Luqman	Member
x)	Ms. Shaista Pervaiz	Member
xi)	Ms. Zahra Wadood Fatemi	Member
xii)	Dr. Azra Fazal Pechuho	Member
xiii)	Mir Aijaz Hussain Jakhrani	Member
xiv)	Dr. Mahreen Razaque Bhutto	Member
xv)	Dr. Muhammad Azhar Khan Jadoon	Member
xvi)	Col. (Retd.) Dr. Amirullah Marwat	Member
xvii)	Dr. Nikhat Shakeel Khan	Member
xviii)	Qari Muhammad Yousaf	Member
xix)	Syed Ghazi Gulab Jamal	Member
xx)	Mr. Abdul Qahar Khan Wadan	Member
xxi)	Ms. Saira Afzal Tarar,	Ex-officio Member

*Minister of State for National Health Services,
Regulations and Coordination*

3. The Bill initially considered by the Standing Committee on Cabinet Secretariat is placed at Annex-X. The report was presented to the House on 14th June, 2016. The Bill was again referred to the Standing Committee on National Health Services, Regulations & Coordination which considered it in its meeting held on 23rd January, 2017. The Committee recommends that the Bill as recommended by the Standing Committee on Cabinet Secretariat placed at Annex-A of the Annex-X, may be passed by the Assembly.

Sd/-
(KHALID HUSSAIN MAGSI)
Chairman

Sd/-
(JAWAD RAFIQUE MALIK)
Secretary
Islamabad the 5th May, 2017

NATIONAL ASSEMBLY SECRETARIAT

**REPORT OF THE STANDING COMMITTEE ON CABINET SECRETARIAT
ON THE TRANSPLANTATION OF HUMAN ORGANS AND TISSUES
(AMENDMENT) BILL, 2014**

I. Chairman of the Standing Committee on Cabinet Secretariat, have the honour to present this report of the Committee on the Bill further to amend the Transplantation of Human Organs and Tissues Act, 2010 (Act VI of 2010) [the Transplantation of Human Organs and Tissues (Amendment) Bill, 2014] (Private Member's Bill) moved by Ms. Kishwer Zehra, MNA referred to the Standing Committee on 21st October, 2014.

2. The Committee comprises the following members:

1.	Rana Muhammad Hayat Khan, MNA	Chairman
2.	Malik Ibrar Ahmad, MNA	Member
3.	Syed Javed Ali Shah, MNA	Member
4.	Sardar Muhammad Irfan Dogar , MNA	Member
5.	Sardar Mansab Ali Dogar , MNA	Member
6.	Ms. Parveen Masood Bhatti, MNA	Member
7.	Ms. Nighat Parveen Mir, MNA	Member
8.	Ms. Shahnaz Saleem, MNA	Member
9.	Ms. Seema Mohiuddin Jameeli, MNA	Member
10.	Ms. Farhana Qamar, , MNA	Member
11.	Ms. Marriyum Aurangzeb, MNA	Member
12.	Mr. Abdul Rehman Khan Kanju, MNA	Member
13.	Dr. Mahreen Razaque Bhutto, MNA	Member
14.	Pir Shafqat Hussain Jilani, MNA	Member
15.	Mr. Roshan Din Junejo, MNA	Member
16.	Mr. Asad Umar, MNA	Member
17.	Ms. Nafeesa Inayatullah Khan Khattak, MNA	Member
18.	Moulvi Agha Muhammad, MNA	Member
19.	Syed Ali Raza Abidi, MNA	Member
20.	Dr. Khalid Maqbool Siddiqui, MNA	Member
21.	Dr. Tariq Fazal Chudhary, Minister of State for Capital Administration & Development Division.	Ex-Officio Member

3. The Committee in its meeting held on 30th March, 2016 considered the above-mentioned Bill and made the following amendments therein:

Clause 2

For clause 2, the following shall be substituted, namely:-

“4A. Donation of human organs or tissues after accidental or brain death:-

- 1) The authorities issuing CNIC shall make a provision on the front page of their 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 provide provision to select any single or a combination of more than one organ or “all” organs individual consents to donate. Names of the organs to be donated shall appear in the above mentioned column i.e. kidney, liver, pancreas, lung, heart, intestine and “all”.
- 2) CNIC may have a code displaying the word “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 can be transported to any individual in need of that organs without the discretion of color, 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, NADRA or any such authority in the field of public health shall publicize the importance of deceased organ donation for welfare of humanity from different scientific and religious aspects so that the people may contribute through voluntary donation of organs and tissue in case of their accidental or brain death”.

4. The Committee unanimously recommends that the Bill as amended by the Committee may be passed (Annex-A). The Bill as introduced in the National Assembly is placed at Annex-B.

Sd/-
(ABDUL JABBAR ALI)
Secretary
Islamabad, the 14th June, 2016

Sd/-
(RANA MUHAMMAD HAYAT KHAN)
Chairman
Standing Committee on Cabinet Secretariat

[AS FIRSTLY REPORTED BY THE STANDING COMMITTEE ON CABINET SECRETARIAT (SECONDLY BEING REPORTED BY THE STANDING COMMITTEE ON NATIONAL HEALTH SERVICES, REGULATIONS AND COORDINATION)]

A

BILL

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

WHEREAS it is expedient to amend the Transplantation of Human Organs and Tissues Act, 2010 (VI of 2010), for 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, 2017.

(2) It shall come into force at once.

2. Insertion of section 4A, Act VI of 2010.- 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 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 i.e. kidney, liver, pancreas, lung, 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 organ 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 to donate human organs or tissues in case of accidental death.

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

Sd/-
MS. KISHWER ZEHRA
Member, National Assembly

[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

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 (Act 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) Bill, 2014.

(2) It shall come into force at once.

2. Insertion of new section Act VI of 2010.- In the Transplantation of Human Organs and Tissues Act, 2010 (VI of 2010), after section 4, the following new section shall be added at the end, namely:-

“4A. Donation of human organs or tissues after accidental death.- The authority issuing a driving license shall make a provision at the first page of a driving license in the form of an undertaking obtaining consent of applicant of such driving license regarding donation of human organs or tissues in case of accidental death of the holder of such driving license.

(2) Whoever apply for a driving license shall sign the undertaking as provided in subsection (1) consenting that his organs or tissues may be transplanted to any person in need of such human organs or tissues in case of accidental death of the signatory removed by the nearest authorized medical institution or hospital duly recognized by the Monitoring Authority.

(3) The Monitoring Authority, Driving License Issuing Authority or such other authorities in the field of public health shall publicize the importance of deceased donor for the welfare of humanity from different scientific and religious aspects so that the people may contribute through their voluntary donations of organs and tissues in case of accidental 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 to donate human organs or tissues in case of accidental death.

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

Sd/-

**MS. KISHWER ZEHRA
MR. S.A IQBAL QUADRI
DR. NIKHAT SHAKEEL KHAN
MR. MUHAMMAD REHAN HASHMI
Members, National Assembly**