

The State Law and Order Restoration Council

The Eye Donation Law

(The State Law and Order Restoration Council Law No. 2/ 96)

The 2nd Waxing Day of Tabaung, 1357 M.E.

(19th February, 1996)

[Amendment : 20.08.2013]

The State Law and Order Restoration Council hereby enacts the following Law:-

Chapter I

Title and Definition

1. This Law shall be called **the Eye Donation Law**.
2. The following expressions contained in this Law shall have the meanings given hereunder:-
 - (a) **Eye** means a spherical visual sense organ of the human body bounded anteriorly by the cornea and posteriorly by the sclera;
 - (b) **Eye Bank** means an organization formed under this Law to procure, store and distribute the eye for medical treatment, scientific research or other therapeutic purposes;
 - (c) **Eye Donor** means a person who has given prior consent to donate his eyes after death;
 - (d) **Person authorized to procure the eye** means a person determined under this Law to remove the eyes for the Eye Bank;
 - (e) **Removal of the eye** means removing the eyes of a deceased person by an authorized person in accordance with this Law.

Chapter II

Objectives

3. The objectives of this Law are as follows:-
 - (a) to give extensive treatment to persons suffering from eye diseases, who may regain their sight by corneal transplantation;
 - (b) to remove systematically the eyes of the donor;

(c) to carry out effective treatment of eye diseases through systematic storage and distribution of the donated eyes from the Eye Bank;

(d) to carry out successfully the functions of the Eye Bank with the assistance and cooperation of the Government Departments, Government Organizations, International Organizations, local and foreign Non-governmental Organizations, local and foreign Companies and local and foreign individuals.

Chapter III

Establishment of the National Eye Bank Committee

4. The Government shall:-

(a) from the National Eye Bank Committee consisting of the following persons:—

(1) Minister Ministry of Health	Chairman
(2) Representatives from the relevant Government Departments and Government Organizations	Members
(3) Representatives from the relevant Non-governmental Organizations	Members
(4) Appropriate experts and professional personnel	Members
(5) A person assigned responsibility by the Chairman	Secretary

(b) If necessary, a Vice-Chairman and a Joint Secretary may be determined.

5. Members of the National Eye Bank Committee who are not Government servants are entitled to receive remunerations prescribed by the Ministry of Health.

Chapter IV

Functions and Duties of the National Eye Bank Committee

6. The functions and duties of the National Eye Bank Committee are as follows:-

(a) laying down the policy for carrying out successfully the Eye Bank functions in accordance with the objectives of this Law;

(b) giving guidance for carrying out incitement and educative measures in order to enhance the number of eye donors;

- (c) giving guidance for proper procurement, quality control, storage and distribution of the eye tissue;
- (d) stipulating conditions for exporting eye tissue to other countries and importing eye tissue from other countries;
- (e) carrying out measures to nurture expert personnel and technicians for the Eye Bank;
- (f) giving guidance for conducting works of research relating to the functions of the Eye Bank;
- (g) supervising the functions of the Eye Bank;
- (h) obtaining assistance from the Government Departments, Government Organizations, International Organizations, local and foreign Non-governmental Organizations, local and foreign Companies and local and foreign individuals and accepting donations, grants supply and equipment and allocating and making use of them appropriately.

7. The National Eye Bank Committee may direct the Department of Health to establish Eye Banks in areas needing the same.

8. The National Eye Bank Committee may form technical working committees as may be necessary and determine the duties and functions thereof.

Chapter V

Eye Donation

9. A person who has attained the age of 18 or a person under 18 who has received the consent of his guardian may donate the eyes.

10. The Eye Bank may accept eye donations in accordance with the stipulations.

11. The Eye Bank, on accepting the eye donation shall:-

- (a) register the donor's name and particulars in the eye donor's register;
- (b) issue eye donor card to the donor.

12. If the eye donor dies in a hospital or dispensary, the responsible officer in-charge thereof shall inform the Eye Bank immediately about the death.

13. If the eye donor dies in a place other than a hospital or dispensary, the relative shall inform the Eye Bank immediately about the death.

14. (a) The eye donor may inform the Eye Bank to cancel eye donation and surrender the eye donor card;
(b) If the Eye Bank is informed under sub-section (a), it shall remove the name of the donor from the eye donor's register.

Chapter VI

Removal of the Eye

15. The following persons are authorized to remove the eye:-

- (a) ophthalmologist;
- (b) resident ophthalmologist;
- (c) doctor, nurse or technician who is assigned responsibility by the Department of Health to remove the eyes;
- (d) a person who has completed the training course relating to skill of the eye bank, recognised by the Department of Health;
- (e) police surgeon.

[**<Amendment 20.08.2013>**](#)

16. A person authorized to remove the eye has the right to remove the eyes of any of the following

decedents:-

- (a) eye donor;
- (b) person who has donated his body;
- (c) unclaimed body;
- (d) a person whose relative has given consent to the removal of the eyes;
- (e) a deceased victim of a crime, the removal of whose eye has been permitted by the Police Surgeon and which has also not been objected to by the closest relative.

[**<Amendment 20.08.2013>**](#)

17. When the Eye Bank is informed about the donor's death under section 12 or section 13, it shall arrange for the removal of the eye within the prescribed time.

Chapter VII

Storage and Distribution of the Eye

18. The Eye Bank shall store the locally removed eyes and those imported in accordance with the prescribed procedures.

19. The Eye Bank shall distribute the stored eyes in accordance with the prescribed procedures.

Chapter VIII

Miscellaneous

20. No suit or prosecution shall lie against any person who is authorized to remove the eye, for anything which is done in good faith under this Law.

21. For the purpose of carrying out the provisions of this Law:-

- (a) the Ministry of Health may issue such procedures as may be necessary, with the approval of the Government;
- (b) the Ministry of Health the National Eye Bank Committee or the Department of Health may issue such orders and directives as may be necessary.

Sd./ Than Shwe

Senior General

Chairman

The State Law and Order Restoration Council